

Trade, debt and reputation in early modern Sussex

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A thesis submitted for the degree of Doctor of Philosophy

Hilary 2026

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ABBREVIATIONS

AALT	Anglo-American Legal Tradition http://aalt.law.uh.edu/
Barker	Bodleian Library, Dep. Deeds Barker, c. 1-2. Contents listed in WSRO MP 357
BL	British Library
Book of Orders 1587	<i>Orders devised by the especial commandement of the Queenes Maiestie for the reliefe and stay of the present dearth of Graine within the Realme</i> (London, 1587)
CCEd	Clergy of the Church of England Database 1540-1835. https://theclergydatabase.org.uk/
Cecil	The Cecil Papers, Hatfield House Archives, accessed via https://www.proquest.com/cecilpapers/index
Cleere & Crossley	Henry Cleere and David Crossley, <i>The Iron Industry of the Weald</i> , 2 nd Edition (Cardiff, 1995)
Depositions	Linda Robinson and Kim Fleming (eds.), <i>Witness Depositions of the Chichester Archdeaconry</i> , SRS, Add Vols 3, 5-8,10-17 (2019-24), [covering 1572-1636]; <i>Witness Depositions of the Dean of Chichester's Peculiar 1607-23</i> , SRS, Add Vol, 26 (2024); <i>Witness Depositions of the Pagham and Tarring Peculiar 1611-25</i> , SRS, Add Vol. 30 (2025)
ESRO	East Sussex Records Office
HoPO	History of Parliament Online https://www.historyofparliamentonline.org/
McInnes	James McInnes (ed.), <i>Tudor and Stuart Wills of Chichester 1485-1688</i> , SRS, Add. Vol. 20 (2024)
Morgan	Roy Morgan, <i>Chichester: A Documentary History</i> (Chichester, 1992)
Peckham	W. D. Peckham (ed.), <i>The Acts of the Dean and Chapter of the Cathedral Church of Chichester 1545-1642</i> , SRS, 58 (1959)
Pelham	BL Add MS 33142
RCHM	Royal Commission on Historical Manuscripts
SAC	Sussex Archaeological Collection
SFHG	Sussex Family History Group parish register transcriptions

SRS	Sussex Record Society
TNA	The National Archives
TED	R. H. Tawney and Eileen Power (eds.), <i>Tudor Economic Documents</i> vols. 1-3 (London, 1924)
VCH Sussex	<i>Victoria County History of Sussex</i> (vols. 1-7, 9) (1905-1997)
WAALT	A wiki for the AALT https://waalt.uh.edu/index.php/Main_Page
WSRO	West Sussex Records Office
Zupko	Ronald Edward Zupko, <i>A Dictionary of Weights and Measures for the British Isles</i> , Memoirs of the American Philosophical Society, 168 (1984)

CONVENTIONS

All place names are given in their modern form; those not followed by a county on first occurrence are in Sussex (or were major English towns or cities). First names have been given their modern English form and surnames have made consistent where they recur with different spellings.

Monetary amounts are in pounds (£), shillings (s) and pence(d). 12d = 1s, 20s = £1. Other units mentioned include the mark (13s 4d), the noble (6s 8d), and the angel (10s at most times during the study period).

Commonly used measures have been abbreviated: for land area, the acre (a); for dry volume, the quarter (q) and bushel (bu) (8bu=1q); for liquid volumes/types of barrel, the tun (t) and hogshead (hhd) (4hhd = 1t); for weight, the ton (t), hundredweight (cwt) (20 cwt = 1t), and pound (lb) (112lb = 1cwt); for length, the mile (mi), the yard (yd) (1,760yd = 1mi), foot (ft) (3ft = 1yd) and inch (in) (12in = 1ft). Other measures are given in full and explained when first mentioned.

Dates are given according to the Julian calendar, with the year amended to start on 1 January rather than 25 March.

Quotations from contemporary documents are generally amended for ease of reading; in particular, the modern usage of ‘u’ and ‘v’ and ‘i’ and ‘j’ have been adopted. Any other amendments have been made in square brackets.

References without any indication of archive are from TNA. State Paper (SP) and Privy Council (PC) folio numbering follows that of *State Papers Online* www.gale.com/primary-sources/state-papers-online . Documents viewed on AALT where folio numbering is unclear or not present are referenced using AALT image number, prefixed by #.

ABSTRACT

This thesis addresses the question of the nature of the trading, lending and borrowing practices in early modern Sussex, focussing mainly on the ‘middling’ sort of people. It identifies the participants, discovers how and why they borrowed or lent, and discusses the role of reputation in the ability to participate successfully in a trading community. There is a specific focus on the city of Chichester, adding to the existing corpus of scholarship on similar smaller cities and larger towns; and another on the county’s substantial trade in grain and the influence of central government direction thereon.

Two distinct methodologies are adopted. The first is a quantitative analysis of financial transactions detailed in Sussex suits at the courts of Requests and Common Pleas. The second is largely qualitative, including several detailed case studies, and an analysis of three previously unpublished examples of reputation-threatening performative libel.

Trade in early modern Sussex depended significantly on credit; the obtaining of which generally needed established creditworthiness, good security, or a credible surety. Lending networks are demonstrated to be largely local, with a secondary dependency on finance from London, especially mercantile credit. Legal awareness is seen to be an important requirement for success, often obtained from favoured, typically local, legal counsel. This thesis also reveals, at a depth rarely previously observed, the lives of early modern small-city merchants, and the challenges they faced, especially in the county’s grain trade.

Finally, whilst strenuous efforts were made to defend public libels, it is shown that they did not necessarily affect long term financial and social prospects of their targets. These conclusions add to the historiography of early modern trade, finance and reputation, confirming the findings of Craig Muldrew, Alexandra Shepard and others in different periods or geographies, and also to the local historiography of trade in Sussex.

ACKNOWLEDGEMENTS

I would particularly like to thank my supervisors Dr Jonathan Healey and Dr Heather Falvey for their regular support and advice as I researched and wrote up this study. I'd also like to thank Dr Laura Flannigan, Prof. Andrew Hopper, Dr Amanda Bevan, Prof. Louis Knafla, Prof. Alexandra Shepard, and Kim Fleming, amongst others, for helpful conversations and/or sharing their research data. I would also like to thank Kellogg College, Oxford, for awarding me a Cruttenden Scholarship, tenable for four years. The ever-helpful staff at the National Archives, West Sussex Record Office, and many other archives consulted also deserve my considerable gratitude.

Some of the findings presented in this thesis have been published elsewhere since I commenced my research in 2021. Dr Hugh Barker's Chichester financial dealings, merchant Joseph Shallett's story, and Thomas Fenner's career as an Elizabethan naval captain have all been related in *West Sussex History*.¹ Thomas Hepden's Star Chamber suit was covered in *Local Historian*.² More details about these people and their affairs than it has been possible to include in this thesis can be found in those papers. Most of the quantitative results presented in Chapter 2 appeared first in *Local Population Studies*.³ Finally, I presented some preliminary findings at the 'Popular Knowledge of the Law in Early Modernity' seminar at St John's College, Oxford in April 2024.

¹ Mike Kipling, 'Legal Windows into the Life of a Jacobean Chichester Merchant', *West Sussex History*, 90 (2022), pp. 10-17; 'Hugh Barker: Ecclesiastical lawyer and Chichester landlord', *West Sussex History*, 91 (2023), pp. 16-22; 'The West Sussex Captains who Sailed with Drake', *West Sussex History*, 93 (2025), pp. 23-30.

² Mike Kipling, 'A Star Chamber case from Elizabethan Sussex', *Local Historian*, 53, 3 (2023), pp. 206-215.

³ Mike Kipling, 'Sussex Debt Suits at the Elizabethan Court of Common Pleas', *Local Population Studies*, 110 (2023), pp. 42-56; 'Sussex Debt and Trade Suits at the Court of Requests', *Local Population Studies*, 111 (2023), pp. 10-34.

1. INTRODUCTION

In 1575, a young man, Robert Monke, leased a mercer's shop in Horsham for 21 years from the more experienced George Hall.⁴ The shop had chambers and lofts above and a cellar below; a smaller shop nearby was also included.⁵ Monke was to pay rent of £12 a year to Hall and to deliver to him 50s worth of fruit and spices each Christmas. To set himself up, Monke took over Hall's stock. He entered into a bond to pay the yearly rent, and £60 for the stock at the end of the lease, with a £400 penalty if he defaulted.⁶ After a couple of years, Monke was not making a success of the business, and he fled with his wife Joan to Aberdare in South Wales, hoping there to evade any legal action from Hall on the now defaulted bond.⁷ Hall may well not have pursued Monke seriously, as he had been able to relet the premises to Robert Treadcroft, who also paid him £60 for the stock in the shop. We only know of Robert Monke's abortive mercery venture and flight from debt because of lawsuits to which he was a party at the Westminster-based Court of Requests.⁸ Despite recent work on early modern trade and debt, there is still much we do not know about these subjects. For example, the trading methods and credit networks used by merchants outside the larger urban centres, the nature of the participants, and the true rather than postured role of reputation or personal credit in its facilitation. This thesis uses the records of this court, and those of similar courts,

⁴ REQ 2/242/58, 244/70. Monke was about 24 years old [REQ2/80/56] and Hall at least 40 [Ernest Straker, *Wealden Iron* (1932; New York, 1969), p. 434].

⁵ The two premises were named as 'Deans, late Agasses' and 'Patchings' and were probably both burgage plots. A plot named 'Patchings' was shown in the town's East Street in a 1792 map [Annabelle Hughes, *Horsham Houses Revisited* (Horsham, 2016), p. 83].

⁶ Whilst £400 might not seem a very large sum to twenty-first century readers, a comparable sum in 2023 based on an index of average UK wages might be £1.7million [<https://www.measuringworth.com/calculators/ukcompare/relativevalue.php> accessed 27 Dec 2024].

⁷ Monke had also inherited various debts owed by Henry Jenner, his wife's late husband.

⁸ Monke had sued Hall in Requests as a riposte after Hall had sued him in another court, after Monke had first tried to claim from Treadcroft the value of stock he had abandoned many years earlier in the Horsham shop, alleging that it had been worth £120.

as well as data from other contemporary sources, to answer these questions in the context of early modern Sussex and its urban and rural inhabitants such as Monke and Hall.

In addition to mercery, Hall was involved in one of early modern Sussex's three main industries, timber extraction. He was a deputy surveyor of the royal forests but also had commercial involvement.⁹ In 1579, for example, he and Sir Thomas Shirley obtained a warrant to cut 2,000 cords of timber every year in the royal forest of St Leonard's, and another for the same amount of 'great' timber in 1580.¹⁰ In the past, Hall had also partnered with Henry Jenner of Rusper, Joan Monke's first husband, to buy timber in and around the forest; Jenner had made some into barrel boards for London coopers to be transported there via the Thames at Kingston.¹¹ These glimpses into Hall's trading network reveal it crossing both generational and geographic divides.

Wood, in the form of charcoal, was also the main fuel for the second of the county's key industries, iron founding. Some of the wood cut by Hall served this purpose. The iron industry was also almost certainly the reason that Monke chose Aberdare for flight. By 1585 he was chief clerk to the owner of an ironworks there which had been established by Anthony Morley, one of several Sussex ironmasters who had built furnaces and forges in the valleys of Glamorganshire, where there was abundant wood (then becoming scarcer in Sussex) for charcoal, as well as waterpower and readily accessible iron ore.¹²

⁹ E112/45/94. Sibyl Jack, 'Sources in the Public Record Office for the History of the Wealden Iron Industry Pt. 3', *Wealden Iron*, 2nd Series, 2 (1982), p. 29

¹⁰ Sybil M. Jack, 'Ecological destruction in the 16th century: the case of St Leonards Forest', *SAC*, 135 (1997), pp. 245. A cord was a measure of cut timber, usually 128 cubic ft [Zupko, p. 98]. In 1585, Hall and Shirley were involved in a dispute over land in St Leonard's Forest [E133/4/643] and in 1588, Hall was accused of cutting down oaks and beeches on the land of the dissolved priory of Rusper and the manor of Hewells in Horsham [E133/6/803]

¹¹ REQ2/226/52, 242/58, 243/86

¹² REQ2/80/56, 242/14; W. Llewelin, 'Sussex Ironmasters in Glamorganshire', *Archaeologia Cambrensis*, third series, XXXIV (1863), pp. 94-102; Cleere & Crossley, p. 151.

Sussex's third key early modern industry was the production, sale and transportation of grain. The south-western part of the county produced a surplus in most years, which was exported to the eastern side of the county, to other English ports, and to overseas destinations; a trade which was central to the local economy, and also of importance nationally.¹³

This thesis utilises previously unresearched or underutilised sources, such as those of the Court of Requests, to explore trade in early modern Sussex from new angles, especially that of its merchants. It answers questions about the nature of borrowing and lending practices in the county, revealing their extent, participants and practicalities, and relating the findings to existing scholarship. Recognising that the iron industry in the weald of Sussex and Kent is well-served by existing scholarship, as to a lesser extent is forestry, it also uses these sources to concentrate on the county's third key industry, the grain trade, from a new perspective, discovering its main participants and the interrelated influences upon them of harvest variability and political control. Having considered both debt and grain county wide, the thesis then focuses on the population in which both converge, the mercantile population of the city of Chichester, a group seriously underrepresented in the county's historiography.

In May 1598, the Court of Requests found Robert Monke's estate 'to be but very simple and poore & farre unable to satisfie' what Hall was owed. It found Hall's 'ability & state' by contrast to be 'very good' and that he had an honest and charitable disposition. Moreover, Hall was willing forego the bond penalties if he was 'freed from the imputatc[i]on of bad dealing'.¹⁴ Reputation was considered to have been important in the ability to trade

¹³ See, for example, J.C.K. Cornwall, 'The Agrarian History of Sussex, 1560-1640' (London Univ., M.A. thesis, 1953).

¹⁴ REQ 1/19, pp. 387-9, REQ2/159/109. In May 1598, the court ordered that Monke should pay £100 to Hall, part later that year and part a year after that, explaining that the deferred payment was to give Monke time to sell land. In February 1599, the court heard that Monke had not made the first payment that had been ordered, so the suit was dismissed [REQ 1/19, p 737].

effectively, and also in establishing credibility before a court; Sir Thomas Shirley for example being asked (in a suit he prosecuted jointly with George Hall) whether the defendant was ‘a sure & juste man of his worde and dealing or otherwise unconstant & untrustie’.¹⁵ This thesis therefore also explores the impact that maintaining or losing reputation had both on creditworthiness and on judicial credibility in disputes over trade, assessing the importance, feigned or real, of reputation or credit in facilitating a successful mercantile career and examining the often-strenuous efforts taken to protect reputations or to discredit those of others, questioning whether the lives and careers of those overtly libelled had been as ‘damaged’ as was often alleged in court.

The Court of Requests’ records, which survive in quantity from the period 1560-1630, often provide incidental information on the circumstances of the litigants, as in the case of Monke and Hall. Such information is valuable because direct evidence of mercantile business practice in pre-Civil-War Sussex is rare; the most common previously referenced sources being port customs records. In 1988, L. M. Hill commented that the Court of Requests had been in a ‘historiological backwater’ for four hundred years, notwithstanding its records reflecting a broad cross-section of people.¹⁶ Exceptions, outside the legal historiography, included R. H. Tawney, who had used some of its suits to help define his sixteenth-century ‘agrarian problem’, and Alan Everitt who used it to illuminate his work on early modern agricultural markets.¹⁷ More recently, Emily Kadens considered a few suits relating to seafaring, commenting that ‘the rich details provided in the pleadings and depositions offer

¹⁵ Craig Muldrew, *The Economy of Obligation* (Basingstoke, 1998), pp. 148-172; Alexandra Shepard, *Accounting for Oneself* (Oxford, 2015), p. 10. Tom Johnson, *Law in Common* (Oxford, 2020), p. 36; E133/4/643.

¹⁶ LM Hill, *Bench and Bureaucracy, the Public Career of Sir Julius Caesar, 1580-1636* Cambridge, 1988) p. 71, quoted in Tim Stretton, *Women Waging Law in Elizabethan England* (Cambridge, 1998), pp. 70-1. Caesar was a Master of the Court of Requests from 1591 to 1606.

¹⁷ R. H. Tawney, *The Agrarian Problem in the Sixteenth Century* (London, 1912); Alan Everitt, ‘The marketing of agricultural produce, 1500-1640’ in John Chartres (ed.), *Agricultural markets and trade, 1500-1750* (Cambridge, 1990), pp.15-156.

a panorama of sixteenth- and early seventeenth-century English life'.¹⁸ Tim Stretton, who selected twenty suits from the court in his work on marital litigation, observed that he was unable to include extensive biographical backgrounds to the litigants and witnesses, adding 'that task ... awaits future students inspired to learn more about the lives of men and women whose lives these cases reveal'.¹⁹ Stretton subsequently used suits in the court to illustrate his assertion that lending on commercial terms superseded charitable lending in the century from 1580 to 1680, quoting playwright John Lane's 1600 words 'Charitie which is the band of piece / is turned to a Scrivener's scribbling band'.²⁰ This thesis is in part a response to Hill's implicit plea and to Stretton's challenge, aiming to reveal some of the 'rich detail' that Kadens recognised.

This thesis also incorporates several biographical case studies of Sussex merchants which prove particularly illuminating by bringing together the themes of trade, debt and reputation. Christopher Dyer wrote of his study of the early sixteenth-century Gloucestershire wool trade focused on the life of merchant John Heritage, that an exploration of an individual life can provide insights to the structures and trends of period.²¹ Robert Tittler, in his exploration of early modern urban development via eight carefully-selected case studies, remarked that a nation's history was also a collective history of the life experiences of its people.²² Whilst the 'big picture' of trade in Sussex at this time has been researched, this thesis identifies for the first time individual participants and their backgrounds, and derives from them insights

¹⁸ Emily Kadens, 'The Admiralty Jurisdiction of the Court of Requests', in John Witte, Jr., Sara McDougall and Anna di Robilant (eds.), *Texts and Contexts in Legal History: Essays in Honor of Charles Donahue* 349 (Robbins Collection 2016), accessed on 14 February 2025 at <https://ssrn.com/abstract=2877998>.

¹⁹ Tim Stretton, *Marital Litigation in the Court of Requests 1542-1642* (Cambridge, 2008), p. 24.

²⁰ Tim Stretton, 'Written Obligations, Litigation and Neighbourliness', 1580-1680' in Steve Hindle, Alexandra Shepard and John Walter (eds.), *Remaking English Society* (Woodbridge, 2013), pp. 189-209. 'Band' was used alternatively with 'bond' at this time.

²¹ Christopher Dyer, *A Country Merchant 1495-1520* (2012, Oxford), p. 222.

²² Robert Tittler, *Townspeople and Nation* (Stanford, CA, 2001), p. 5.

into early modern mercantile and financial practices, particularly in the under-researched areas of the trade in grain and mercantile Chichester.²³

The use of legal records to construct the history of a group of people is not novel. There are many examples in early modern scholarship, dating at least to Wadsworth and Mann's 1931 study of the Lancashire cotton industry using Duchy of Lancaster and Palatinate court records. Some, such as Le Roy Ladurie's and Ginsberg's use of religious inquisitional transcriptions, became the foundations of 'history from below', which is also the approach of this thesis.²⁴ The choice of 1560-1630 as the period of study is primarily because it bridges the gap between the initial political, religious and land-ownership turmoil of the Reformation and the increasing political instability of the approach to the Civil Wars. At a national level, it was a period of relative economic, political and religious stability, albeit affected by the changing diplomatic relationships between England, Spain, France and the Low Countries, and the shifting confessional conflicts between Roman Catholicism, the queen's conservative Protestantism, the more austere Calvinism of much of her clergy and of James I, and the rising influence of *avant-garde* conformity.²⁵ The changes in religion were mirrored in a changing state attitude to charging interest on debt; from an absolute ban, via a tacit acceptance of a reasonable rate, to a purely commercial appreciation of the need. It was a time of increasing urbanisation, which fostered the growth of town and city societies controlled largely by merchants and the more successful tradespeople; a period which James

²³ See, for example, VCH Sussex, 2, pp. 229-326; Peter Brandon & Brian Short, *The South East from AD 1000* (London, 1990), pp. 138-201.

²⁴ Alfred P. Wadsworth and Julia De Lacy Mann, *The Cotton Trade and Industrial Lancashire, 1600-1780* (Manchester, 1931); Jim Sharpe, 'History from Below' in Peter Burke (ed.), *New Perspectives on Historical Writing*, 2nd edition (Cambridge, 2001), pp. 29-30; Carlo Ginsberg, *The Cheese and the Worms*, English edition (Baltimore, My, 1980), p. xxi; Other examples include G. R. Elton, *Star Chamber Stories* (London, 1958; reprinted 1974); Cynthia B. Herrup, *The Common Peace* (Cambridge, 1987); Amy Louise Erickson, *Women and Property in Early Modern England* (London, 1993); Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge, 1987).

²⁵ John Miller, *Early Modern Britain 1450-1750* (Cambridge, 2017), pp. 112-41.

Sharpe and others have described as one in which new relationships were formed within local communities, and also between local communities and the state.²⁶

The period is also that of the simultaneous operation of the three equity courts of Requests, Chancery and Exchequer, as well as the court of Star Chamber, all of which have left copious, accessible records. Dyer wrote that a historical subject should not be explored just because there are high-quality or abundant sources.²⁷ However, it is certainly the case that a subject cannot be readily explored when there are few relevant sources from which to do it, so no apology is offered for this further rationale for the period. Business and trade in early modern Sussex, other than the iron industry, have been relatively under-researched, so there are many gaps in our knowledge, some of which the records of these courts, particularly Requests, can fill. A county-based study has some methodological advantages over a national one, especially the ability to examine the subject in rich detail; moreover, the population of the county has been shown to have had an average propensity to litigate in the Westminster courts, potentially giving the information gleaned about Sussex wider applicability.²⁸

The remainder of this introduction examines the historiography of Sussex, particularly as it relates to trade in the early modern period, and the financial and social historiography of debt and its role in the facilitation of trade. It concludes by outlining the data and analytical methodologies underlying this thesis.

²⁶ Keith Wrightson (ed.), *A Social History of England, 1500-1750* (Cambridge, 2017), particularly the chapters by Phil Withington, Adrian Green and Craig Muldrew; James Sharpe, 'Law Enforcement and the Local Community', in Lorna Hutson (ed.), *The Oxford handbook of English law and literature, 1500-1700* (Oxford, 2017), p. 235.

²⁷ Dyer, *A Country Merchant*, p. 1.

²⁸ Mike Kipling, 'Sussex at Law in the Westminster 'Equity' Courts (1500-1650)' (Oxford Univ. M.Sc. dissertation, 2021), p. iii.

1.1 Sussex and its Trade

The first detailed, printed map of the county was that of Christopher Saxton of 1575. Twenty years later, John Norden published his own, more detailed map, which was republished with minor revisions by John Speed in his atlas of the early seventeenth century.²⁹ A coloured version of Norden's map (Figure 1.1) clearly shows the county divided into its six historic rapes. From west to east, these were those of Chichester, Arundel, Bramber, Lewes, Pevensey and Hastings. Immediately post-Conquest, each had had its port and castle on or near the coast and land which encompassed both fertile downland and forested inland Weald, the latter then being mainly of benefit for hunting and fattening livestock.³⁰



Figure 1.1. Norden's map engraved by William Kip
(from William Camden's 'Britannia' - 1607)³¹

Norden, in an unpublished chorographical description written to accompany his map, wrote of the county 'This shire as touching the soyle is for the most parte of a twofold condic[i]on,

²⁹ David Kingsley. *Printed Maps of Sussex 1575-1900*, SRS, 72 (1975), pp. xiii-xvii; John H. Farrant, 'John Norden's "Description of Sussex", 1595', *SAC*, 116 (1978), pp. 269-76.

³⁰ Kim Leslie and Brian Short (eds.), *An Historical Atlas of Sussex* (Chichester, 1999), p. 41.

³¹ ESRO FATMP000112.

woodie and hillye, the woods challengeth the North and the hills the south ... The wodds passeth cleane through the shire from East to west ...'.³² Norden described the downs as 'yieldinge profitable sheepe pastur'. He added that the best part was between Lewes and Bramber, which held 100,000 sheep as well as other animals. In the Weald, which Norden termed Andreds-waldt, were 'here and there disp[er]sed cornefeilds, pastures and meadowes, as alsoe fruitefull marshes.' The shire was 'full of parkes, forrests and forrest-like groundes not fruitfull' (see Figure 1.2) and 'yeeldeth store of Iron oare, and at the least 140 Iron mylls, forges and furnaces, sure devourers of wood, as they have uncladd great Countryes' to which 'the Glasse howses have been no small furtherance'. As to the coast, 'The sea in manie places yeildeth good fishing, as about Rye, Hastings, Pevensey, Eastbourne, Brighthelmston, and Shoreham.' Speed, in his atlas of 1627, wrote that the sea was 'very prodigall unto [Sussex] for Fish and Sea-fowle, though as sparing for Harbours or Ships arivage, and those which she hath, as uncertaine for continuance, as dangerous for entrance.'³³



Figure 1.2. Norden's map of the main Sussex forests, 1595

³² WSRO MP/1242, a photocopy of Northampton Record Office, Finch-Hatton MS 113, which is a manuscript copy of Norden's *A Chorographical description of the severall Shires and Islands of Middlesex, Essex, Surrey, Sussex, Hamshire, Weighte, Garnesey, & Jarsey, performed by the travelye and veive of John Norden, 1595* which was presented to Queen Elizabeth. This, missing all but one page of the Sussex text, is now BL Add. MS. 31853.

³³ WSRO PM/966.

As to land travel, Speed commented that the soil was ‘very ill for travellers, especially in the winter, the Land lying low and the wayes very deepe.’ When a visit by the queen to Petworth House, the southern seat of the Earl of Northumberland, was under consideration in 1583, the courtier William Cornwallis wrote to Sir Francis Walsingham from Petworth that the queen would not appreciate this, the prospect of excellent entertainment notwithstanding, ‘considering the wayes by which she must come to them, up the hill and down the hill, so as she shall not be able to use ether coche or litter with ease, and those ways also so full of louse stones, as it is carefull and pain full riding for any body.’³⁴ In February 1634, a Chichester creditor noted that his arrested debtor was being held by the town bailiff rather than being sent on ‘beastely wayes’ to the gaol, which would have cost 20s to accomplish, the same as the amount owing.³⁵ When the queen did eventually visit western Sussex in 1591, she travelled from Guildford (Surrey) to Cowdray, then to Chichester, after which she departed via Stansted to Hampshire. This route, avoiding lower ground as much as possible, was the usual one to Chichester, as Ogilby’s 1675 route map demonstrates.³⁶

John Leland may not have crossed Sussex, as only material notes on Petworth survive in his *Itinerary*.³⁷ William Camden, whose journey preceded Norden’s, wrote in *Britannia* mainly of the county’s history and great buildings, but also commented on the iron and glass trades:

the iron here wrought is not everywhere of the same goodness, yet generally more brittle than the Spanish; whether it be from it's nature, or tincture and temper.

³⁴ SP12/181/161 f.34, quoted in William Durrant Cooper, ‘Queen Elizabeth’s Visits to Sussex’, *SAC*, 5 (1852), pp. 193-194. Cornwallis added that the earl would welcome the visit, but also mentioned that the countess was unwell. There may have been an ulterior motive for these negative comments, as the (8th) earl was later that year accused of plotting to replace Elizabeth with Mary Queen of Scots, for which he was subsequently imprisoned in the Tower, where he was found shot dead in 1585.

³⁵ Kipling, ‘Hugh Barker’, p. 19. The gaol mentioned was probably the county gaol at Horsham.

³⁶ WSRO PM/12a. Ogilby mapped an alternative route to Arundel and thence to Chichester, which largely follows the route of the Roman Stane Street via Dorking (Surrey) and Pulborough [WSRO PM/12b].

³⁷ Farrant, ‘Norden’s Description of Sussex’.

Nevertheless, the Proprietors of the mines, by casting of Cannon and other things, get a great deal of money

and

The glass here made (by reason of the matter or making, I know not which) is not so clear and transparent; and therefore only us'd by the ordinary sort of people.³⁸

In *Poly-Olbion*, Drayton's 1612 poetic description of the county refers to the consumption of wood by the iron trade ('What should the Builder serve, supplies the Forgers turne'). It also refers briefly to the fattening of pigs in the woods ('We to the savage swine, let fall our larding mast'); a transhumance trade which in 1592 led to a dispute when 240 pigs from Oxfordshire and Buckinghamshire returned from Sussex 'scarce half well or sufficiencye fed for bacon', with 40 of them in worse condition than before.³⁹ Drayton also mentions the construction of Newhaven at the mouth of the Ouse ('Whose haven out of mind as when it almost grew, / The lately passed times denominate, the New').⁴⁰



Figure 1.3. The Sussex Weald 1612 (illustration from *Poly-Olbion*)⁴¹

³⁸ William Camden, *Britannia* (1586, London), 1695 translated edition, p. 167.

³⁹ REQ2/270/39. The middleman in the trade complaining that as a consequence he had 'susteyned the losse of credyct good will and love' of the [pigs'] owners.

⁴⁰ Michael Drayton, *Poly-Olbion* (London, 1612), 1622 edition, pp. 237-239. In the mid-16th century, a cut had been made in the shingle bank at the mouth of the Ouse, enabling direct southward access to the sea near the village of Meeching rather than eastwards via Seaford; Meeching became known as the 'new haven'.

⁴¹ Michael Drayton, *Poly-Olbion*, p. 239.

In 1635, a Lieutenant Hammond crossed the southern part of the county from Rye to Chichester.⁴² He relates that the former, where he stayed at the *Mermaid*, was referred to as ‘ragged’ Rye, because of its inhabitants and its streets, adding ‘to march up and downe there but 2. Houres, is sufficient to founde a Soldier’. Nevertheless, ‘her Bowling Ground, (which is close by the Haven) is guarded with good Bowles to play with’. Hammond wrote at length of the great houses and fortifications he visited, especially of Arundel Castle and, on his sole inland diversion, Petworth House. At Petworth he stayed at the *George* and at Chichester at the *White Horse*. He counted 30 or 40 fishing vessels at Brighton, and at Burton near Petworth he ‘spent an houre at [Sir William Goring’s] Iron Mills, in beholding those hot swarthy Vulcans, sweating, puffing, hammering and drawing out those rusty Soves into Barrs, by rumbling, noysing, Bedlam-water-Mills.’⁴³ Hammond would have travelled along a well-trodden route, perhaps dating to Roman times, running from Chichester via Lewes to Rye (and thence to Canterbury), which is shown on the 1360 Gough map of Great Britain.⁴⁴ Cart transport was generally only possible for relatively short distances, mainly on the downs and the coastal plain, and was mainly for getting goods to local markets, ports, or the upper navigable limits of rivers; packhorses were used in more difficult terrain.⁴⁵

The county has several peculiar administrative features, some arising due to the generally poor quality of long-distance travel within the county, as well as its elongated shape. For example, although Chichester was nominally the county town, key aspects of county administration took place elsewhere. Quarter sessions were held separately by western and eastern benches, the former meeting at Chichester and the latter at Lewes except for a united

⁴² L. G. Wickham Legg (ed.), ‘A Relation of a Short Survey of the Western Counties made by a Lieutenant of the Military Company in Norwich in 1635’, *Camden Miscellany*, XVI (1936), pp. 27-38.

⁴³ Cleere & Crossley, p. 321.

⁴⁴ R. A. Pelham, ‘Studies in the Historical Geography of Medieval Sussex’, *SAC*, 72 (1931), pp. 157-84; Bodleian MS. Gough Gen. Top. 16.

⁴⁵ Pelham, *op cit*, pp. 167-75.

session at midsummer in Chichester. The sheriff's court alternated between Chichester and Lewes⁴⁶ The county assizes were generally held at East Grinstead on the border with Surrey, it being the town most readily accessible from London by the circuit judges, although Horsham and Lewes hosted the summer sessions occasionally.⁴⁷ The county gaol was at Horsham, distant from both Chichester and Lewes.⁴⁸ Ecclesiastically, the diocese of Chichester was contiguous with the county, although it was divided into two archdeaconries, those of Chichester and Lewes, covering respectively the western and eastern halves of the county. There was no diocesan court, that role being taken by the two archidiaconal courts which sat in Chichester and Lewes. Lewes also had a key military role; housing the county arsenal because of its centrality.⁴⁹

Norden's description was a very fair summary of the county's geography and industry during the study period, although further geographical subdivisions can be made (see Figure 1.4). The south-western coast plain, which Norden subsumed into the downs, was largely cultivated, producing better-quality grain, particularly wheat and barley. The downs themselves, to the plain's immediate north and east was predominantly an area of sheep-rearing, with further grain production on the downs' south-facing dip slope. The land at the foot of the downs' scarp face served for mixed agriculture. The Weald, predominantly underlain by clay soils, was originally densely wooded and so was advantageous both for the winter fattening of pigs and to timber production, whether for building or fuel, especially conversion to charcoal for the iron industry. Farms in those areas which had been cleared of woodland were oriented mainly to raising cattle, with what grain production there was

⁴⁶ Colin Brent, *Pre-Georgian Lewes* (Lewes, 2004), p. 191.

⁴⁷ J. S. Cockburn (ed.), *Calendar of Assize Records, Sussex Indictments, Elizabeth I* (London, 1975) and *Calendar of Assize Records, Sussex Indictments, James I* (London, 1975).

⁴⁸ Sussex gaol delivery commissions continued by convention to order the delivery of Lewes gaol, the county gaol having formerly been in the castle there [J.S Cockburn, *Calendar of Assize Records: Home Circuit Indictments, Elizabeth I and James I - Introduction* (1985, London), p.21].

⁴⁹ Brent, *Lewes*, p. 237.

being largely for fodder or for local use. The nature of the soil was such that roads across the weald were often mirey and, even in the summer, heavily rutted. This was due in large part to heavy use by the Wealden iron and timber industries.⁵⁰ This difficulty of passage restricted bulk goods being carted directly overland from much of the downs and coastal plain to the north or east, although many routes were generally adequately accessible to goods capable of carriage by pack horse, particularly along the upland ridges.⁵¹ Certainly by the seventeenth century, there were regular carriers from many Sussex towns to particular inns in Southwark, Horsham's for example to be found at the *White Hart* on Thursdays.⁵²

Heathland, especially those of Worth and Ashdown Forests, where not imparked, were areas of rabbit warrens and common grazing. Finally, the coastal marshes to the south-east were predominantly places for livestock fattening. Four main river systems extend from the High Weald to the coast. From west to east these are the Arun, Adur, Ouse and Eastern Rother (see Figure 1.5 below). These facilitated the transportation of goods from the interior to the coast, and between the inland ports of Arundel and Lewes to the sea. Other than the grain of the coastal plain, most of the county's agricultural production was for local consumption, being traded at the many town and village markets or at markets or shops in the larger urban centres.⁵³ Bulky and heavy cargoes were regularly carried by water, either along the rivers in barges or coastally from port to port, the greatest such trade being the transportation of grain from the western ports to Hastings and Rye (see 1.1.1 below and Chapter 3).

⁵⁰ John Louis Mark Gulley, 'The Wealden landscape in the Early Seventeenth Century and its Antecedents' (Univ. of London, Ph. D. thesis, 1960), pp. 217-22.

⁵¹ Rye fish carried by packhorse relay could, for example, be on London tables the same day. Rye was also extensively used by London merchants to trade higher value goods to and from the continent, as well as by cross-channel passengers [Graham Mayhew, *Tudor Rye* (1987, Falmer), pp. 37-38].

⁵² John Taylor, *The carriers cosmographie, or, A briefe relation of the innes, ordinaries, hostelries, and other lodgings in and neere London* (1637, London).

⁵³ Brandon & Short, *The South East from AD 1000*, pp. 170-190; C. E. Brent, 'Rural Employment and Population in Sussex between 1550 and 1640', Part One, *SAC*, 114 (1976), pp. 27-48, Part Two, *SAC*, 116 (1978), pp. 41-56.

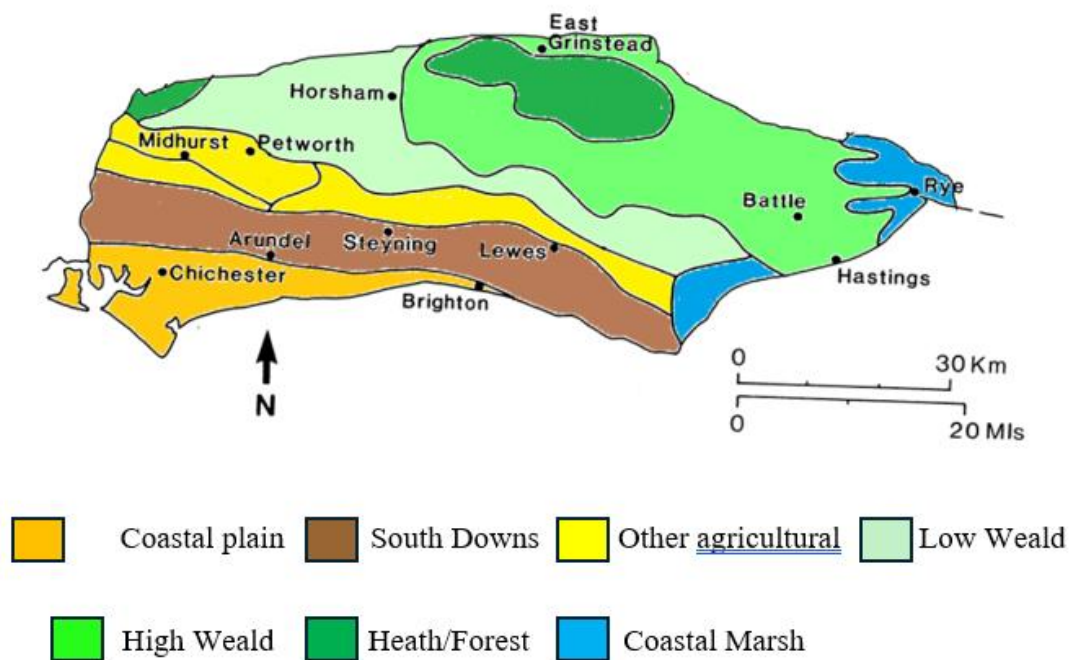


Figure 1.4. Sussex: Main geographical/agricultural regions and urban centres.⁵⁴

Grain, particularly wheat and barley, was the county's main agricultural export. Being mainly grown near to the coast, it was well-placed for shipping overseas or coastally. As with other crops, quantity and quality were subject to the vagaries of English weather. As a staple source of food, its producers and merchants were also affected by state policies on price control and national and international food supply (which provided legitimate business opportunities for some and were seen as obstacles to be illegally evaded by others). Chapter 3 will examine in detail the county's grain trade, its participants, and the natural and political factors which shaped it.

⁵⁴ Based on Figure 5.1 in Brandon & Short.

Two major non-agricultural industries flourished during the study period: the growth and cutting of timber in the Weald for fuel or construction, and, as Norden mentioned, the production of iron and cast-iron products, especially guns.

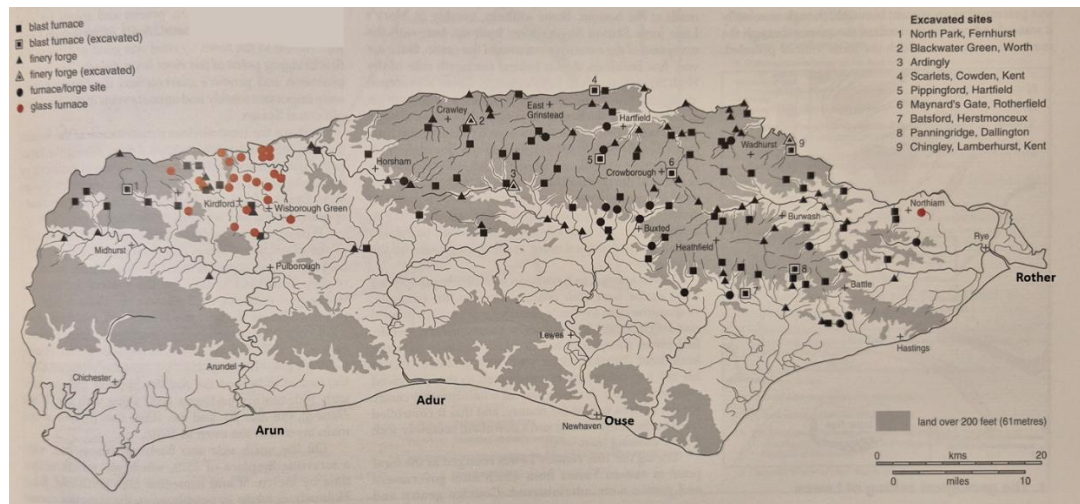


Figure 1.5 Sites of iron and glass production, showing also the river systems of the county.⁵⁵

Figure 1.5 shows that the location of iron production was mainly in the High Weald, where iron ore, wood for charcoal, and waterpower for bellows and hammers could all be found. The iron industry in the county pre-dates the Roman invasion of AD 43 and continued throughout the Roman period and the Middle Ages. The first half of the sixteenth century witnessed a significant expansion, facilitated by the arrival of blast furnace technology from mainland Europe. By 1548, there were over 53 iron-making sites in the county. Blast furnaces produced brittle cast iron from ore and charcoal. Items such as firebacks, cannon and shot were directly moulded at the furnace but for many uses, the iron first needed hardening by hammering at a forge, producing wrought iron which blacksmiths could then use to make items such as tools, wire or nails. For this purpose, furnaces supplied forges with cast iron bars known as ‘sows’ (smaller bars being ‘pigs’).⁵⁶ In 1586, Camden observed

⁵⁵ Leslie and Short, *Historical Atlas*, p. 63.

⁵⁶ VCH Sussex, 2, pp. 241-249; Straker, *Wealden Iron*; Cleere & Crossley.

‘furnaces on every side’ with ‘sundry medowes turned into pooles’, the water driving hammers which ‘resound all over the places adjoining’.⁵⁷ Norden wrote that the first pieces of iron ordnance made in England were cast at Bucksted by Bawde, a Frenchman. He added that they were now more commonly cast, complaining that they were ‘two (*sic*) Com[m]only conveyed to forrayne p[ar]tes’.⁵⁸ The anonymous water-bailiff author of *The High Stream of Arundel* wrote ‘Here wonder may it at those Swarthie Steropes, the Sons of Vulcan, that toile continually in Fire to Forge some Mischief’.⁵⁹

The capital required to establish and maintain Wealden iron working came largely from the larger local landowners or the ironmasters themselves. The former typically provided the land and constructed the furnaces, forges and ponds, which they then farmed out to skilled ironmasters to operate. They also frequently supplied wood for fuel, again often farming cutting rights out for long periods to the ironmasters or others. The ironmasters provided or raised the smaller amounts needed to buy wood and ore and pay wages. London investors were little involved other than with a few very large ironworks.⁶⁰ The history and archaeology of the industry have been extensively researched, particularly by the Wealden Iron Research Group. Comprehensive histories have been written by Ernest Straker and, more recently, by Henry Cleere and David Crossley, whose works made good use of records of the Westminster courts, and so this thesis does not consider the iron industry further.⁶¹

In the Weald, the abundance of woodland provided a significant source of income to the landowner, whether the crown or private individuals.⁶² The better owners took a long-term

⁵⁷ Camden, ‘Britannia’, quoted in Straker, *Wealden Iron*, p. v.

⁵⁸ Norden, *A Chorographical description*.

⁵⁹ Joseph Fowler (ed.), *The High Stream of Arundel* (Littlehampton, 1929), p. 40. ‘It’ is river Arun, as it flows past places on its banks.

⁶⁰ Michael Zell, *Industry in the Countryside: Wealden Society in the Sixteenth Century* (Cambridge, 1994), pp.237-38.

⁶¹ Straker, *Wealden Iron*; Cleere & Crossley.

⁶² W. Heneage Legge, ‘Forestry’, in VCH Sussex, 2, pp. 291-325.

view, limiting the felling of mature trees and practising coppicing to ensure future supply. For example, Sir John Pelham of Laughton, in his will of 1580, left instructions for his widow to cut wood from his coppices to fuel his iron works, but not to cut down the mature trees in his 'greate woodes'. This would have been to ensure that the woods' income producing potential were preserved for the benefit of his infant son Oliver when he eventually came of age.⁶³ The Crown was more profligate in St Leonard's Forest, which it had obtained from the 4th Duke of Norfolk in lieu of his debts in 1561, when the Duke had stated that there were plenty of woods for fortification and ships. For example, as mentioned above, George Hall of Horsham and Sir Thomas Shirley obtained a warrant to cut 2,000 cords of timber every year, and for the same amount of great timber in 1580. This was despite the queen's deputy surveyor declaring that there were not enough suitable trees in the forest. Nineteen years later a survey revealed that since 1579, over 60,000 cords had been cut for Shirley himself and over 14,000 for others, so more than 75,000 in all, leaving only about 700 cords still standing.⁶⁴ According to *The High Stream of Arundel*, the river Arun was cleared around 1560 as far north as Pallingham by the Earl of Arundel, so that wood from his lands in that area could be sent down to Arundel on barges.⁶⁵ Julian Cornwall has calculated that between 1566 and 1580, over 1000t of timber, 445t and 24,000ft of sawn wood, and 711t of firewood were shipped out of Arundel and Shoreham. The destinations were fairly evenly divided between English ports, especially London, and overseas ports in France and the Netherlands. Arundel, he noted, traded almost entirely with Fecamp, St Valery-en-Caux and Dieppe in Normandy.⁶⁶

⁶³ PROB11/62/369.

⁶⁴ Maggie Weir-Wilson, *St Leonard's Forest, West Sussex: A Landscape History* (Horsham, 2020), p. 46-48; Jack, 'Ecological destruction in the 16th century', pp. 241-247.

⁶⁵ Fowler, *The High Stream of Arundel*, p. 21. The book also mentions an abortive attempt to make the river navigable.

⁶⁶ Julian Cornwall. 'Forestry and the Timber Trade in Sussex, 1560-1640', *Sussex Notes and Queries*, XIV, 5 & 6, (1955), p. 90.

The navy was also a frequent consumer of Sussex wood. In 1562, purveyor Edward Gotley was commissioned to deliver 244 loads of timber oak and over 70,000ft of planks and board from Crown woods in Kirdford and in Capel (Surrey), to the royal dockyards at Deptford, a contract worth £486. Three months later, Christopher Naylor of London received a similar commission for Sussex wood, this time worth £518.⁶⁷ Figure 1.5 also shows that, as Norden also mentioned, there was significant production of glass around Kirdford in the north-west of the county, which also consumed much wood for fuel.

In the north-east of the county, weavers, fullers and dyers supplied the Kentish broadcloth industry. The localised supply chain was well evidenced when, in 1649, Isfield clothworker John Hode testified that cloth he had supplied to a Fletching tailor, had been woven of wool bought in Fletching and Hellingley, spun by his wife in Isfield, woven in Chailey, and fulled at Buxted.⁶⁸ Leland noted Petworth as producing good cloth; some of its kerseys went to London in 1564.⁶⁹ Wood ash was used to clean wool of excessive oils. In 1599, George Humphrey of Ticehurst in eastern Sussex agreed with John Lickfold of Lurgashall in the west of the county to buy 100bu of beechwood ashes from him for 3s 4d a bushel. Humphrey's business was buying ashes from those who had wood to burn and selling them to clothiers. A couple of months later, he sent a servant to Lurgashall with horses to collect some of the ashes, presumably using panniers as the local roads would have frequently unsuitable for carting. The servant took with him £9 in money in part payment, which he unwisely handed over to Lickfold, who then refused to supply any ashes, forcing the servant to return empty-handed.⁷⁰ Other than to Kent, there is relatively little evidence of significant

⁶⁷ C. S. Knighton and David Loades (eds.), *Elizabethan Naval Administration* (Oxford, 2013), pp. 53, 76.

⁶⁸ Colin E. Brent, *The Rural Economy of Eastern Sussex 1500-1700* (Lewes, 1978), p. 6.

⁶⁹ VCH Sussex, 2, p. 256. 'Kerseys' were standard lengths of a particular type of woollen cloth.

⁷⁰ REQ2/221/56.

out of county trade for Sussex wool in this period.⁷¹ Woollen exports through the county's ports were negligible. Generally, sheep were raised mainly for local use and for fertilising arable land: suitable surplus land was typically given over to grain.⁷²

A decline in trade through the county's ports, coupled with the expansion in iron and glass working in the Weald, as well as the resulting clearance of woods permitting more agriculture, resulted in a shift in the population balance from the coastal plain to the Weald between 1500 and 1650. In the 1580s, the county housed seven noble families and an estimated eighty resident gentry families, amongst whom a west/east Catholic/Protestant divide had developed, augmented by the urban Puritanism of the merchants of Rye and Lewes.⁷³

1.1.1 Shipping

The major port of Rye in the far east of the county was the largest town in the county in the mid-sixteenth century. It was part of the Cinque Ports confederation, so excluded from most aspects of county administration, justice and taxation.⁷⁴ However, by the end of the century, silting up of its harbour prevented the expansion of maritime commerce and fishing. These activities did not increase significantly at the other main ports either, which were (from west to east) Chichester, Arundel, Shoreham, Lewes, and Hastings.⁷⁵ Fishing and sea trading were

⁷¹ For a brief history of the county's wool and weaving trades, see Cornwall, 'Sussex Wealth and Society in the Reign of Henry VIII', pp. 17-19.

⁷² Brent, *SAC*, 114, pp. 33-34.

⁷³ Anthony Fletcher, *A County Community in Peace and War: Sussex 1600-1660* (London, 1975), pp. 9-10; Herrup *The Common Peace*, p. 22; J T Mousley, 'The Fortunes of some Gentry Families of Elizabethan Sussex', *The Economic History Review*, New Series, Vol. 11, No. 3 (1959), pp. 467-83; N. Antram and N. Pevsner, *The Buildings of England, Sussex: East, with Brighton and Hove* (Yale, 2013), p. 34; Brandon and Short, *The South East*, p. 136.

⁷⁴ Hastings was the sole original Cinque Port in Sussex, although was by the sixteenth century a far lesser port than Rye, which was, like Winchelsea, an 'ancient town' of the confederation, with similar rights and obligations to the five original ports.

⁷⁵ Brighton, a subsidiary port of Shoreham, and Hastings were beach ports, where ships were either drawn up on to the shore or anchored at piers. The eastern ports of Pevensey and Winchelsea were almost moribund by this time, having been badly affected by erosion and silting.

also affected by competition and piracy from across the Channel. Norden wrote of Brighton as ‘a poore town, yet it standeth most com[m]odiously for fishing, w[hi]ch industrie ... aboundeth infinite store of Herringe a great releife for the poore’. Eastbourne he described similarly, although it was ‘fitt to bee reformed’ as its fishermen ‘spende what they get ... w[hi]ch decayeth the Towne’. At Hastings, Norden saw and drew plans of a harbour that was under construction, an old wooden pier having decayed (see Figure 1.6). He wrote that the inhabitants could not afford to complete it and appealed to the queen to provide financial support.⁷⁶



Figure 1.6. Norden's 1595 map (part) showing Hastings

Chartres commented that English internal trade had been largely overlooked in economic historiography in favour of overseas imports and exports, yet he estimated that it accounted for about a quarter to a third of the country's Gross National Product in the sixteenth and seventeenth centuries, excluding agricultural commodities, up to double the contribution of external trade.⁷⁷ Manufactures, especially clothing, were frequently carried overland and distributed widely at shops, fairs and markets, but it is broadly estimated that in 1609-15 about 16,000t of merchant shipping a year was devoted to the non-coal coastal trade, perhaps

⁷⁶ WSRO MP/1242.

⁷⁷ J A Chartres, *Internal trade in England 1500-1700* (London, 1977), p. 10. This is largely due to the absence of records.

15-20% of the total seaborne trade of England.⁷⁸ As internal trade was largely untaxed at this time, few official records were kept; the best preserved being the records of the seaborne coastal trade kept to ensure that goods departing a port did indeed arrive at another English port and had not merely been declared to be destined there to avoid export duties or restrictions.

The size of the ships active in this trade varied considerably. For example, in the year commencing at Christmas 1627, the coasters departing Southampton (Hampshire) varied from 5t to 160t, averaging 35t. Some shipmasters owned their own ship, and others sailed them for their owners. Willan found that, in the eighteenth century, it was the custom at Chichester and some other south coast ports for the ship master to retain two thirds of the profits of a voyage and the ship owner one third; and for most masters to carry cargoes for merchants rather than in their own right.⁷⁹ There was risk of loss both from accidents, either weather-related or from careless navigation, or from piracy especially at times of war, 'Dunkirkers' being a particular threat in the first half of the seventeenth century.⁸⁰ It is impossible to quantify either the number of ships involved in the coasting trade nationally or the numbers of merchants, although both were numerous. For example, the 74 coastwise voyages out of Blakeney (Norfolk) between Easter and Michaelmas 1587 were made by at least 39 different ships, and at least 72 merchants were involved in the shipping of cargoes from King's Lynn (Norfolk) in 1621.⁸¹

From 1500 to 1700 south coast ports were significant outward shippers of grain, although not on the same scale as the East Anglian ports. However, as with the latter, the majority was to domestic destinations, primarily London. Kentish ports for example shipped over

⁷⁸ *ibid.*, pp. 36, 44-45.

⁷⁹ T. S. Willan, *The English Coasting Trade, 1600-1750* (Manchester, 1938), pp. 20, 43.

⁸⁰ *ibid.*, pp. 29-30.

⁸¹ *ibid.*, pp. 47-48.

40,000 quarters of grain to London in 1615.⁸² The Sussex grain trade is considered in detail in Chapter 3. Unsurprisingly, iron was noted as being shipped out of the Sussex ports during the period, Chartres mentioning specifically Lewes, Hastings, Pevensey, and Rye.⁸³

Examination of the books of ports outside Chichester's jurisdiction can provide useful additional information about trade with the county. For example, between Michaelmas 1583 and Michaelmas 1584, twenty coastal voyages from Sussex ports were recorded arriving at Southampton. All but three of the ships carried iron from Lewes or the more easterly ports of Hastings and Pevensey. The most prolific trader was Thomas Eyre of Salisbury (Wiltshire) who moved 66t in 6 voyages. Simon Neale, also of Salisbury, moved 65t in four voyages, and John Knight of Southampton brought 40t in three ships. William Burrell of Lewes, John Harman of Lewes and Thomas Brigham of Chichester were the only Sussex merchants involved in the trade, shipping just 13t between them in three voyages. Other cargoes included fish from Arundel, and wheat and iron ordnance from Lewes. There were 22 outbound voyages from Southampton to Sussex ports: eleven of these carried bay salt, eight Gascon wine, and the other three fish or raisins. Thirteen different merchants were noted, of whom eight were from Hampshire, four from Sussex and one from Dorset. Eleven of the ships went to Chichester, six to Lewes, three to Arundel and one to each of Shoreham and Rye.⁸⁴ The dominance of the Southampton to Sussex trade by merchants from outside the county is notable, a phenomenon which will be encountered again in Chapter 3 for the outbound grain trade.

A unique example of a 1576 contract illustrating the commercial background to a voyage survives in Chichester's civic records. It was between George Westdene of Kirdford and the

⁸² Chartres, *Internal Trade*, p. 15-17.

⁸³ *ibid.*, pp. 13-38.

⁸⁴ E190/816/5. 'Bay salt' was sea salt from pans in Bourgneuf Bay in France [T. S. Willan, *A Tudor Book of Rates* (Manchester, 1962), p. 51].

two co-owners of a 40t hoy of Burnham (Essex). For £12, Westdene hired the hoy and crew to sail ‘by goddes grace w[i]t[h] wynde and weather convenient’ from the Thames to Arundel, load Westdene’s cargo (which may well have been timber), and return with it to London. The hoy would wait only six days at Arundel to be loaded, and four at London to be unloaded. A £20 penalty for non-performance applied to both parties. The co-owners would provide an able shipmaster, who may well have been the co-owner who was a mariner.⁸⁵ The seaborne trade of Chichester is considered in detail in Chapter 4.

1.1.2 Urban Sussex

Early modern towns were integrally linked to the surrounding countryside. Many held regular markets at which rural products could be sold, both to townsfolk and to merchants for trade elsewhere. In return, town dwellers provided specialist products and services to inhabitants of the hinterland, and sometimes took their sons and daughters as servants or apprentices. Towns were also meeting places at which acquaintanceships developed, financial networks were accessed, and deals were made, often in an alehouse or inn. Many merchants were beginning to sell not just in open market, but also from their shops (often the front room of their home) at other times.⁸⁶ Norden identified nine Sussex towns as boroughs: Chichester (a ‘Cittie’), Arundel, Midhurst, Shoreham, Steyning, Bramber, Horsham, Lewes and East Grinstead, all of which sent burgesses to parliament. He listed nineteen towns as having markets, commenting little on their trade other than that East Grinstead was a ‘proper’ market town, Lewes a ‘plentiful’ one which stood in ‘most firtille place for corne, pasture, wood, fish, fowle, sheepe and health’, and Steyning was ‘much decayed’.⁸⁷ In the 1520s, the wealthiest town in the county was Rye, being about the

⁸⁵ WSRO ChiCity/AA/1 f.5.

⁸⁶ Paul Glennie and Ian Whyte, ‘Towns in an Agrarian Economy 1540-1700’ in Peter Clark (ed.), *The Cambridge Urban History of Britain*, vol. 2 (Cambridge, 2000), pp. 167-94.

⁸⁷ WSRO MP/1242.

twentieth wealthiest urban area in England based on the subsidies or benevolences collected (£291). This was considerably lower than Exeter (£855), the wealthiest south-coast port, but more than double that of Chichester (£138). Further, as the data for Rye excluded the least wealthy taxpayers, a fairer comparison might be about £389, placing Rye fifteenth nationally and on a par with York. Lewes's tax burden was a little over half of Chichester's. In decreasing order of wealth after Lewes came Horsham, Midhurst and Arundel. Shoreham's tax burden at this time was only £3.⁸⁸

Lewes was the main town of the eastern division of Sussex. It had a barony court which could, amongst other matters, deal with civil suits under 40s, as well as a leet court which dealt with the usual matters of urban nuisance and petty fraud. The jury at the leet court was known as 'the Twelve', a self-selecting group of the 'wealthier and discreeter sort' of townsmen, actually numbering between 12 and 24. Their senior member was elected High Constable, and they appointed the other town officials including ale-tasters and clerks for the markets in corn, fish, meat and textiles. The Twelve did not constitute a corporation as did, for example, the mayor and aldermen of Chichester or the jurats of Rye. This meant they lacked the powers of magistracy, so Lewes offenders appeared at the county quarter sessions rather than the town's own. They did, though, oversee the town militia and hold standards of weight and measure.⁸⁹ As the central market town of the county, Lewes's trade was buoyant in this period. Wine, groceries and textiles from London, other English ports and the Netherlands arrived at its quayside, as increasingly did coal from Newcastle, for the use of its resident gentry, professionals and successful merchants, and for sale to the local landowners and wealthier yeomen. Sussex grain, hops, wool, iron, glass, timber and leather

⁸⁸ Mayhew, *Tudor Rye*, pp. 11-20.

⁸⁹ Brent, *Lewes*, pp. 240-5.

were traded in its markets and at its fairs.⁹⁰ Butchery was also a prominent trade in the town. In 1649, five Lewes butchers owned land on the Pevensey marshes for fattening their stock.⁹¹ The Whitsun borough fair attracted people from miles around. Thomas Hepden of Burwash, 20 miles east of Lewes, was at this fair in 1591, drinking in the *White Horse*, when he allegedly threatened Thomas Maye with his dagger (see Chapter 5). The town had, as would be expected, a wide range of artisans, amongst them weavers, tanners and tailors. The coterie of professional men included lawyers, scribes, physicians, apothecaries and the clergy. Some of the county gentry, such as the Pelhams and the Gorings, also had houses in Lewes for fulfilling their governance roles, and probably also their personal business.⁹²

The most successful merchants were concentrated in Cliffe, a parish separated from the town by the river Ouse, although accessible by bridge. One was John Stansfield, who shipped wheat to France, lead to Newfoundland and iron to the west of England. He imported Spanish almonds, French salt, and Dutch pots. He owned his own ship, named after his first wife or his only child (both Eleanor), several water-meadows on the river, and significant amounts of land further afield. His grandson was the diarist John Evelyn, who lived as a child in Cliffe and wrote of his memories of his grandfather's 'solemn' 1627 funeral.⁹³ Stansfield, in his will, wrote that God 'hath increased that Talent which he hath com[m]itted to my employm[en]t farr beyond my hope and expectac[i]on'. This good stewardship enabled him to leave family legacies totalling £1,720 along with annuities of £260 from his lands and the reversions of the lands themselves.⁹⁴ Evelyn recorded that he had sold the impropriated tithe income of South Malling, which he had inherited from Stansfield, for

⁹⁰ *ibid*, pp. 251-2, 256 Most Sussex hops were sent overland to London via East Grinstead.

⁹¹ Brent, SAC 116, p. 50.

⁹² Brent, *Lewes*, p. 277.

⁹³ *ibid*, pp. 270-71. A 'pious' monument to Stansfield was erected in All Saints church, of which only a drawing now survives.

⁹⁴ PROB/11/151/386.

£3,000 in 1648.⁹⁵ In 1619, Thomas Hepden of Burwash (the son of the alleged dagger-wielder) was indebted to Stansfield in the enormous sum of £2,000.⁹⁶

In the first half of the sixteenth century Rye had experienced a rapid expansion of seaborne trade, much of it transferring from Winchelsea which had been badly affected by the silting up of its harbour. In 1565, over 30% of Rye's population were fishermen or mariners: it had 66 ships, although of an average burden of only 5t.⁹⁷ Rye benefitted from good and rapid access along mostly high ground to and from London, and fish could be transported to the capital within a day by pack-horse train. The queen's purveyor of fish resided at Rye and had priority access to all catches landed.⁹⁸ Rye was also the most efficient crossing point for trade and passengers from London to Paris via Dieppe, the longer sea crossing than via Dover (Kent) being more than offset by the shorter land journey. Elizabethan and Jacobean royal mail travelled via the port.⁹⁹ Of its dutiable trade, the leading export was firewood (over a million billets annually in the 1580s), horses (90 annually), iron and cloth. Incoming cargoes included grain (3,600q annually), salt, wine, woad and coal.¹⁰⁰ In the 1570s, the trading network revealed by local court records include groceries supplied to a London grocer, tailors' material supplied to Chichester, fish supplied to London and Maidstone, debts owed by merchants of Southampton, Sandwich (Kent) and Dover, billets shipped to Ostend and a large number of items supplied more locally to Winchelsea and to Tenterden (Kent).¹⁰¹ As noted above, Rye's trade shrank significantly in the second half of the sixteenth century, as it too began to suffer from the silting up of sea access, limiting the size of ships

⁹⁵ William Bray (ed.), *The Diary of John Evelyn*, vol. 1 (London, 1901), p. 243.

⁹⁶ See Chapter 2.

⁹⁷ Mayhew, *Tudor Rye*, pp. 11-20.

⁹⁸ *ibid*, pp. 39-40. In 1581, fisherman complained of royal purveyor William Haynes's 'ill payment'. When Haynes died, he left a considerable unpaid debt to a Sussex carrier of fish [REQ2/74/4].

⁹⁹ Richard F. Dell, 'Rye Shipping Records, 1566-1590', *SRS*, 64 (1966), pp. xxxv-xxxvi.

¹⁰⁰ Mayhew, *Tudor Rye*, p. 255.

¹⁰¹ *ibid*, p. 257.

which could safely dock. In 1587, its fleet had shrunk to 45 ships, which was still just the largest number of the Cinque Ports. By the end of the century, only 149 mariners lived in the town and the total population may have more than halved.¹⁰²

The business of Rye and Lewes in this period has been well-researched by Mayhew and Brent respectively, so this thesis focuses on Chichester, which has to date been less well represented in the county trade historiography. There have, however, been many studies of smaller early-modern urban centres nationally. For example, Michael Reed examined Ipswich, a port with local governance dominated by merchants, mercers and grocers from a group of families allied by marriage. Adrienne Rosen traced the gentle decline of Winchester (Hampshire).¹⁰³ D. M. Woodward has analysed the seaborne trade of Elizabethan Chester, finding that the city's merchants were averse to exploring new markets, as will be seen at Chichester. Allan Metters' study of some overseas port books of Jacobean King's Lynn, whilst warning of the fallibility of the books as a complete record due to extensive evasion of customs duties, demonstrated the sensitivity of grain export shipments to harvest quality.¹⁰⁴ John Pound and Wallace T MacCaffrey wrote of the larger cities of Norwich and Exeter respectively: Norwich, although having no port, had an aldermanic body dominated by the distributive trade (grocers, merchants, etc) which, as will be seen, was also true of the much smaller Chichester; Exeter's similar domination is attributed to its role as a regional distribution centre (of cloth particularly), in contrast with the smaller Leicester which had far fewer merchants as it served only local markets. Hoskins additionally comments on the oligarchical control of Exeter by a small group of inter-related merchant families; also observed in Norwich but less in Leicester; whether this is also true of Chichester will be

¹⁰² *ibid*, pp. 20-22.

¹⁰³ Michael Reed, 'Seventeenth-century Ipswich' and Adrienne Rosen, 'Winchester in Transition 1580-1700' in Peter Clark (ed.) *Country towns in pre-industrial England* (Leicester, 1981).

¹⁰⁴ D. M. Woodward, *The Trade of Elizabethan Chester* (Hull, 1970); G. Alan Metters (ed.), *The King's Lynn Port Books 1610-1614*, Norfolk Records Society, LXXIII (2009);

seen.¹⁰⁵ Similar-sized towns or cities to Chichester, Carlisle (Cumberland), where trade guilds stifled innovation, and Stamford (Lincolnshire), where there was no fundamental change in its trade structure for two centuries, were studied by John Stedman and Denis Teall respectively.¹⁰⁶ Sybil Jack has written of smaller early modern towns generally that they generally failed to prosper, although some port towns which did succeed did so because their merchants acted as agents for better-capitalised London merchants.¹⁰⁷ In Chapter 4, the governance, demographics, and economic and trading practices of Chichester are examined in the light of this scholarship.

1.2 Debt and its recovery

Economists since the time of Adam Smith have hypothesised that the first economies were ones of barter, only later developing the concept of money as a medium of exchange. However, Smith himself mused that, until the advent of a form of currency, a barter economy ‘must frequently have been very much clogged and embarrassed in its operations’ when parties did not have goods they were both content to exchange.¹⁰⁸ Social anthropologist David Graeber pointed out that no examples of purely barter economies have ever been identified, and that credit based on mutual trust has always been necessary to provide for the timing differences between individuals’ access to resources and their needs, echoing R. H. Tawney’s comment that the six months between sowing and harvesting meant that the need

¹⁰⁵ John Pound, *Tudor and Stuart Norwich* (Chichester, 1988); Wallace T MacCaffrey, *Exeter, 1540-1640*, 2nd edition (Cambridge, Mass., 1975); W. G. Hoskins, ‘The Elizabethan Merchants of Exeter’ in S.T. Bindoff, J. Hurstfield and C.H. Williams (Eds.), *Elizabethan Government and Society* (London, 1961), pp.163-87. Paul Williams shows the growth of this dominance in the century to 1570 [Paul Williams, ‘The Trading Community of Exeter 1470-1570 with special reference to Merchants and Tailors’ (Univ. of Exeter PhD thesis, 2020)].

¹⁰⁶ John O. Stedman, ‘“A very indifferent small city” The economy of Carlisle 1550-1700’ (Leicester Univ., Ph.D. thesis, 1988); Denis Gordon Teall, ‘The Corporation and Tradesmen of Stamford, 1461-1649’ (Leicester Univ., Ph.D. thesis, 1975).

¹⁰⁷ Sybil M. Jack, *Towns in Tudor and Stuart Britain* (Basingstoke, 1996), pp. 199-200.

¹⁰⁸ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Edinburgh, 1840, originally published 1776), p. 10.

for credit ‘was not the invention of man; it was inherent in the nature of things’.¹⁰⁹ Money emerged when one particular class of objects became a metric relative to which the value of different commodities and services could be measured.¹¹⁰ It was then but a small step for debts and credits to be considered and recorded in terms of money, a practice first observed in the ancient Sumerian civilisation where its silver money was rarely used directly in trade.¹¹¹ Once money became more portable (e.g. as coins), a much wider network of trade was possible than under a localised credit economy, as it was no longer necessary to know the reputation of a person who wished to trade with you if they could pay immediately for their purchase in money.

However, even in societies with readily circulating money, credit remained a major facilitator of trade. Tawney examined the situation in England in the 1570s, in his introduction to an edition of Thomas Wilson’s 1572 *A Discourse upon Usury*. Peasants and small employers who made up over 75% of the sixteenth century population, regularly lent to and borrowed from each other. In rural areas, the most common lender was the yeoman farmer or the clergyman; in urban areas, it was the merchant or tradesman (merciers, grocers, drapers, tailors, etc) or innkeeper.¹¹² Some wealthier men also had begun to emerge as the financiers of their district. Future crops or other goods were pledged as security. Other borrowers included the nobility and gentry, largely to finance their lifestyles, and those needing to finance investments in industrial enterprise. Of the latter, Tawney gave the example of the trade in wool and that in Cornish tin. A tin mine needed a significant investment of capital and time before saleable tin could be produced. Long-term financing

¹⁰⁹ David Graeber, *Debt: the First 5,000 Years*, expanded edition (2014, Brooklyn, NY), pp. 21-71; R. H. Tawney, *A Discourse upon Usury by Thomas Wilson*, (London, 1925), p.19.

¹¹⁰ Graeber agrees with Smith on this stage, although it had been observed at least as early as 1622 by Gerard de Malynes in his *Lex Mercatoria* [Muldrew, *The Economy of Obligation*, p.98].

¹¹¹ Graeber, pp. 38-39.

¹¹² Tawney, *A Discourse upon Usury*, pp. 21-22.

was typically from wealthy London merchants, particularly the haberdashers, in exchange of the delivery of tin at pre-agreed prices.¹¹³ As noted above, the Wealden iron industry differed in that most of its capital was provided by local landowners, although as will be demonstrated by the example of Thomas Pelham in Chapter 2, those landowners were themselves significant borrowers and lenders.

In the English wool trade, credit played a role at every stage of the industry: a clothier often financing sheep farmers in exchange for wool to be delivered later in the year, sent the wool to the spinners, weavers and fullers who received payment for the completed cloth, and often also extended credit to the retailer or exporter until the cloth could be sold.¹¹⁴ Wool was also exported raw. Dyer describes the financial cycle of a typical Cotswold sixteenth century wool merchant.¹¹⁵ From February to May, the merchant would agree the terms on which he would later buy a farmer's wool, having first examined the number and condition of the sheep. He would then cement the deal with the payment of a deposit, 'earnest money', typically between 5% and 50% of the agreed price. The merchant would then make a second payment on delivery of the shorn wool to him in June or July, negotiating adjustments to the original agreement depending on the quality and quantity of the wool arriving at his wool house. There would also be discussion over where and when the final payments would be made, which would be spread over the remainder of the year and maybe into the start of the next, with many payments being made at local gatherings such as the October fair at Stow-on-the-Wold (Gloucestershire). At the beginning of the cycle therefore, the merchant was effectively advancing money to the farmer, only for the position to reverse when the wool was delivered, the farmer now becoming the merchant's creditor. The merchant was also

¹¹³ *ibid*, pp. 54-56, 96; Norman Jones, *God and the Moneylenders* (Oxford, 1989), pp 66-78

¹¹⁴ *ibid*, pp. 44-49.

¹¹⁵ Dyer, *A Country Merchant*, pp. 107-120.

involved in a second credit cycle, with the staple merchants in London to whom he sold his wool. He might strike a bargain with them earlier in the year and receive earnest money from them, which might fund his own earnest payments to the sheep farmers. He would also receive further payments on delivery and weighing of the wool and final payments later in the year, perhaps depending on when the London merchants had shipped to their overseas buyers.

The Cotswold merchant could add to his profits by buying commodities in London for sale back home, so utilising the carts which would otherwise have returned home empty. A similar practice is sometimes seen with Sussex shipping. For example, in July 1609, Chichester merchant Joseph Shallett shipped one hogshead and a bag of prunes, a hundredweight of alum, three packs of canvas, a pack of Garnsy (i.e. Guernsey) cloth and four ‘pieces’ of raisins from Southampton. The ship returned from Chichester to Southampton with 34q of Shallett’s former master John Chapman’s oats, grain being, as will be seen, the city’s most common outbound cargo.¹¹⁶

Population growth and a significant increase in the number of market transactions per capita after 1560 was not matched by growth in the quantity of metallic currency in circulation, resulting inevitably in more transactions being on credit.¹¹⁷ At the same time, legislative change was making credit more readily available. For centuries, the charging of interest on money during the term of a loan, ‘usury’, was in Christian societies perceived as sinful, and in 1560 was illegal under both statute and ecclesiastical law.¹¹⁸ There was an exemption for ‘forebearance’ (of suing for repayment of the loan) which could be charged when a loan was

¹¹⁶ E190/755/12; A ‘piece’ of raisins or other dried fruit denoted a large container, perhaps a straw basket, of no specific weight; J. H. Andrews, ‘The Port of Chichester and the Grain Trade 1650-1750’, *SAC*, 92 (1954), pp. 99-102.

¹¹⁷ Muldrew, *The Economy of Obligation*, pp. 99-100.

¹¹⁸ 5-6 Edw. VI, c.20, which in 1552 repealed an act of 1545 (37 Hen. VIII, c.9) which had permitted interest at rates of up to 10%; Charles R. Geisse, *Beggar Thy Neighbour* (Philadelphia, 2013), pp. 76-7.

repaid late, as this was seen as compensation for not being able to use the money for profitable trade.¹¹⁹ There had, though, always been ways of circumventing the prohibition on interest, such as selling an item at a lower price if monetary payment was to be immediate and at a higher price if it was to be deferred. Straight usurious loans were also quite frequent and regularly prosecuted.¹²⁰ In 1571, a statute was enacted which, although still nominally prohibiting usury, imposed a relatively light fine on convicted usurers if interest was charged at 10% p.a. or less, and a much more severe fine for lending at a higher rate.¹²¹ This effectively decriminalised lending at or under 10%, as borrowers were content to borrow at such rates and the financial incentive to an informant was small.¹²² Prosecutions in ecclesiastical courts, which had been frequent until the 1530s, became extremely rare.¹²³ Ways were, though, quickly devised to circumvent the 1571 statute and charge in excess of 10%.¹²⁴ A significant rise in borrowing followed thereafter, a trend which continued in the seventeenth century, exacerbated by the decreasing quality of coinage due mainly to clipping.

By 1621, the maximum tolerable interest rate had remained at 10% for fifty years and was by some considered excessive. Sir Thomas Culpeper presented a *Tract against the high rate of usury* to the parliament which was called in that year.¹²⁵ He complained that the 10% rate

¹¹⁹ Eric Kerridge, *Trade and Banking in Early Modern England* (Manchester, 1988), pp. 36-9.

¹²⁰ Jones, *God and the Moneylenders*, pp. 66-78.

¹²¹ 13 Eliz., c.8. This repealed 5-6 Edw. VI, c.20 and reinstated 37 Hen. VIII, c.9.

¹²² The 1571 act rewarded an informant half the interest (so at most 5% of the loan) when the interest rate was 10% or less. The revived 1545 act awarded informants 150% of the principal on loans at more than 10%, a much greater incentive. As the state received another 150%, the penalty on conviction for lending at above 10% was indeed draconian.

¹²³ Ingram, *Church Courts, Sex and Marriage*, pp. 10, 68; DeLloyd J. Guth, 'The Age of Debt, the Reformation and English law' in DeLloyd J. Guth & John W. McKenna (eds.), *Tudor Rule & Revolution* (Cambridge, 1982), pp. 79-80. Just one presentment out of 686 in 1585 Wiltshire was for usury. None are evident in the Chichester Deposition Series, which start in 1572.

¹²⁴ Tawney, *A Discourse upon Usury*, pp. 166-169. Other methods are described in Jones, *God and the Moneylenders*, pp. 118-44.

¹²⁵ Sir Thomas Culpeper, sen., *A tract against the high rate of usury*, 4th edition, with an introduction by Sir Thomas Culpeper, jnr. (London, 1668), pp. 1-16; [CULPEPER \(COLEPEPPER\), Thomas \(1575-1662\), of Greenway Court, Hollingbourne, Kent and the Middle Temple, London | History of Parliament Online](#).

discouraged investment in any trade which could not return significantly more than this rate, pointing out that the Dutch, who were restricted to 6%, could make profits on a much smaller margin than could the English. This, he wrote, affected the value of land and discouraged improvement; it also discouraged ship building. Particularly relevant to Sussex, it encouraged the felling of timber rather than its preservation; a land-owner's debt 'growing faster at ten in the hundred than the woods themselves do'. Culpeper also complained that 'Merchants, when they have gotten any great wealth, leave trading, and fall to Usury, the gain whereof is so easie, certain, and great'. Culpeper was successful and, in 1624, Parliament enacted a statute which reduced the rate to 8%, its preamble echoing Culpeper's complaint of merchants being forced away from trade.¹²⁶ It is noteworthy that the preamble to the Jacobean act referred only to economic arguments for lowering interest rates, rather than to the sinfulness of usury, although the act itself concluded with a clause explaining that it should not be construed as allowing usury 'in point of Religion or conscience'. B. A. Holderness found that the rates of interest on debt revealed in probate accounts cannot readily be discovered, unless deemed excessive.¹²⁷

While many small local loans or transactions were agreed orally, often before witnesses, larger ones would frequently be acknowledged in writing, perhaps just by a simple bill of hand signed by the debtor acknowledging the debt. Stronger legal protection for a creditor could be obtained if the borrower gave a bond or 'obligation'. This typically specified a date and place for the debtor to make payment and was usually in a standard format signed and sealed by the debtor. The latter was proof at common law that money was owed and overdue, unless it had been cancelled by the lender on full repayment, or a sealed acquittance could

¹²⁶ 21 Jac 1, c. 17.

¹²⁷ B. A. Holderness, 'Widows in pre-industrial society' in Richard M. Smith (ed.), *Land, Kinship and Life-cycle* (Cambridge 1984), p. 442.

be shown.¹²⁸ Even more readily enforceable was a recognizance or ‘statute staple’ which documented the debt and was sealed before the mayor and another citizen of a staple town, subsequently being registered in the town records.¹²⁹ If the debt had not been cancelled in the records by the due date, the lender could immediately require the arrest of the debtor and the distraint of some of the debtor’s goods without the need to initiate a specific suit and get judgement, as was necessary with a bond. But even the enforcement of a statute staple was not always straightforward, as Chichester merchant Thomas Turges found when the sheriff of Somerset failed to hold his debtor. His only option was to sue the sheriff.¹³⁰ If the issuer of a bill of hand was widely known and respected, the bill could be used as currency, possibly passing through multiple hands, until a recipient had need of metallic currency, when they would demand payment by the issuer. Similarly, bonds could be assigned by a letter of attorney, perhaps to an assignee more ready or able to sue on them if the issuer was in default. Bonds served a much wider purpose than just evidencing borrowing; being entered into to guarantee the performance of a wide range of actions, for example, marriage, appearance in court, or a commercial contract.¹³¹

Formally documenting multiple small transactions was impossible, so most merchants and traders would keep accounts books showing what had been supplied and the cost, the entry being struck through or otherwise marked when payment was eventually made. Such books were often accepted by courts as evidence of debt. Chichester widow Joan Shallett presented her late merchant husband’s books when seeking to retrieve debt due to him from John

¹²⁸ Muldrew, *The Economy of Obligation*, pp. 103-119. Bonds generally did not have a fixed repayment date whereas obligations did.

¹²⁹ F.J.J. Cadwallader, ‘In pursuit of the merchant debtor and bankrupt, 1066-1732’ (PhD thesis, Univ. of London, 1965), pp. 198-202. Bonds and recognizances were medieval constructs, see M. M. Postan, *Medieval Trade and Finance* (Cambridge, 1973), pp. 28-40.

¹³⁰ STAC, 5/T6/16, 5/T13/25, 5/T21/26, 5/T33/25, 7/30/48; CP40/1438, AALT dorse image 790; K J Kesselring (ed.), *Star Chamber Reports, Lists and Index Society Special Series*, 57 (2018), p. 100.

¹³¹ C.W. Brooks, *Pettyfoggers and Vipers of the Commonwealth* (Cambridge, 1986), p. 68-70.

Mead. However, the quality of the books might not always be such that the debt owing could be determined; the Court of Requests, for example, finding it impossible from the books of George Hall and Henry Jenner to tell who had owed what to whom, the books being described as ‘confused and disorderly’.¹³²

1.2.1 Social aspects of debt

Keith Wrightson has shown that in Terling, Essex, two thirds of debts mentioned in wills were between unrelated neighbours, and a further 17% between identified kin. Only 16% were with unrelated outsiders. He also found that when it came to acting as a surety for someone’s appearance before a justice of the peace, the majority of volunteers were neighbours, often those sharing non-kin relationships such as a common trade or being tenants of the same manor. This was regularly the case even when kin were available to stand. Only in about a quarter of cases was at least one surety identifiable as kin. Generally there was an equality of social status between the recognizor and the sureties, other than labourers who almost all had to find sureties of higher status.¹³³ B. A. Holderness found in Lincolnshire a higher proportion of kindred debtors (40%) than Wrightson, but a similar proportion who were not local (10-20%).¹³⁴ Holderness was writing about the important role played by widows in lending, an area which Robert Tittler extended to spinsters, writing specifically about Joyce Jeffries of Hereford in the mid-seventeenth century.¹³⁵ Only about 10% of Jeffries’ lending was to identifiable kin, closer to Wrightson’s findings than Holderness’s. Only about half of her lending was in or within four miles of the city, more dispersed than in either of the other samples.

¹³²Kipling, ‘Legal Windows’, p. 10; REQ 1/19, pp. 387-89, REQ2/159/109

¹³³ Keith Wrightson, ‘Kinship in Terling, Essex 1550-1700’ in Richard M. Smith (ed.), *Land, Kinship and Life-cycle* (Cambridge 1984), pp. 330-1.

¹³⁴ B. A. Holderness, ‘Widows in pre-industrial society’ p. 441.

¹³⁵ Tittler, *Townspeople and Nation*, pp. 187-8.

Turning to more commercial lending, Gail K. Brunelle analysed the social networks of those merchants of Rouen who traded with America in the years either side of 1600. Familial connections were frequent and important. She identifies that strategic marriages between merchant families were common, although whether trading relationships followed marriage or vice versa was unclear. Nevertheless, the merchants still had far wider business networks than just familial connections. She also discovered that the merchants borrowed, when necessary, mainly within Rouen; but lent across a wider and predominantly rural hinterland of c30km radius, mainly in small loans to peasant farmers. They also invested materially in land, again largely outside the city, buying either established *seigneuries* (land with attached judicial rights, akin to English manors), often from local nobility, or smaller plots which they might build up into a *seigneurie*. Upward social mobility was also a driving force in Rouen, aiming for office holder or even nobility status either for themselves or for their descendants.¹³⁶

Borrowing within a familial or social network meant that a prospective lender was more likely to be aware of a hopeful borrower's creditworthiness, a term which might mean that they had assets such as land which could be sold to settle a debt if their future income was insufficient, or simply that they had the reputation of being competent and trustworthy, and so be likely to be able to repay a loan when due. Chichester merchant Joseph Shallett (see 4.4.2 below) expressed this concept in his answer to fellow merchant William Edmonds, when the latter claimed that 40s of the debt for which Shallett was suing him at Common Pleas was incurred by his servant Henry Keene in his own right on material to make himself clothes. Shallett responded that he would not have extended 40s of credit to Keene had he not believed that the request was made on his master's behalf.¹³⁷ Reciprocally, having

¹³⁶ Gayle K. Brunelle, *The New World Merchants of Rouen 1559-1630* (1991, Kirksville MO), pp. 49-82.

¹³⁷ C3/346/29, 347/41.

acceptable financial credit was seen as indicating a wider respectability, as when Kastril, seeking a suitor for his sister, is assured in *The Alchemist* ‘You shall behold the faces and the persons of all sufficient young heirs in town, whose bonds are current for commodity’.¹³⁸

Reputation (or ‘fame’) was a key constituent of wider social credit, which Alexandra Shepard identifies as being both a class and gender related construct.¹³⁹ Men of the ‘better sort’ and the ‘middling sort’ were the predominant possessors of credit in the eyes of their peers. Credit was inextricably linked to the concept of the patriarchal family, the man being the provider of food and shelter for the family and the woman, his wife, being the home maker. Not living up to this cultural norm, for example due to excessive spending of time and money on gaming or alcohol, was damaging to a man’s reputation and so to his social credit. Involvement of either partner in sexual scandal might also be damaging. If a man could not control his wife, so contemporary thinking went, then he might not be able to control his finances either. Young, single men were unlikely to be advanced much credit in their own right unless they had clear expectations of inheritance. A poor man could achieve a reputation for honesty, but still not be financially creditworthy if he had no material source of income. Married women generally had no social credit in their own right, but widows and wealthy spinsters sometimes did. This enabled them to continue a late husband’s or father’s business, exactly as Joan Shallett did in Chichester following her husband Joseph’s early and unexpected death leaving only under-age children. Married women might, though, have credit if they were perceived as having a stronger character than that of a dissolute husband and so trusted to manage the finances of the household in his stead.¹⁴⁰

¹³⁸ Ben Jonson, *The Alchemist* (1610), Act 3.

¹³⁹ Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford, 2006). p. 187.

¹⁴⁰ Shepard, *Accounting for Oneself*, p. 10; Johnson, *Law in Common*, pp. 200-201.

Social credit has a relevance to these studies not just from the point of view of the ability to borrow, or indeed to be an acceptable surety for another's borrowing, but also as regards the credibility of evidence, of the complainant, defendant and witnesses.¹⁴¹ In ecclesiastical and some other courts, it was frequently the practice to require witnesses to give a statement of their 'worth'. This was expressed either as the net value (after debt repayment) of their money and goods or, for gentry in particular, the value of the annual income from their land. The evidence of a witness who was of little or no worth could be considered less reliable than that of others, possibly because they were thought more open to being corrupted or simply because not having acquired any worth suggested an inherent incompetence. Whilst not a requirement of the Westminster equity courts, worth was clearly of relevance on occasion. For example, when Thomas Hepden was sued in Star Chamber by Thomas Maye for threatening behaviour, the outcome was in Hepden's favour. Whilst this was in part due to Maye not presenting witnesses who adequately corroborated his allegations, it was also reported that Hepden was 'a man of good fame and credit in Sussex and had £200 in land.'¹⁴² The role of social credit in trade and borrowing in Sussex is examined in Chapter 5, including the often remarkable efforts made to damage or defend reputations, especially in the form of performative libel and its prosecution in court.

Arguably, a targeted scholarship of early modern debt can be said to have begun with Craig Muldrew's 1990 Cambridge PhD thesis, from which sprang a series of papers, culminating in his seminal work of 1998, *The Economy of Obligation*.¹⁴³ Muldrew's work revealed not only the ubiquity of debt in the period but also its social aspects, particularly lending

¹⁴¹ Shepard, *Accounting for Oneself*, p. 10; Johnson, *Law in Common*, p. 36.

¹⁴² STAC 5/M40/39, M16/22, M13/6, M13/23; William Paley Baildon (ed.), *Les reportes del cases in Camera Stellata, 1593 to 1609 from the original ms. of John Hawarde* (London, 1894), p. 81.

¹⁴³ Craig Muldrew, 'Credit, market relations, and debt litigation in late seventeenth-century England, with special reference to King's Lynn', (Univ. of Cambridge PhD thesis, 1990); Muldrew, *The Economy of Obligation*.

networks and the wider culture of credit, at a time when ‘credit’ was essentially just another word for trustworthiness. Muldrew includes an analysis of borrowing and lending at King’s Lynn, the findings of which will be compared with those from Sussex in Chapter 2. Alexandra Shepard has since taken issue with Muldrew’s characterisation of credit as a largely social construct based on an assessment of a person’s propensity for honest dealing; rather, she suggests, a person’s perceived credit or worth was primarily based on an awareness of the net assets which stood behind their financial commitments.¹⁴⁴

In recent years, the historiography of debt has taken a literary turn.¹⁴⁵ In some of these texts, Muldrew is criticised for taking an overly optimistic view of credit relationships, inconsistently asserting that they brought greater social equality whilst at the same time demonstrating the massive increase in antagonistic lawsuits, and also for downplaying the role of opportunist self-interest in creating social friction.¹⁴⁶ Shakespearean references to debt and credit, actual or metaphorical, are frequent, and demonstrate how the terminology of debt and bonds was in common parlance by the late sixteenth century. *The Merchant of Venice* provides a well-known example of a bond and a legal suit to enforce it; in *Hamlet*, Polonius advises his son ‘Neither a borrower nor a lender be, for loan oft loses both itself and friend, and borrowing dulls the edge of husbandry’; an honest and creditworthy merchant causes confusion by seemingly denying a debt in *A Comedy of Errors*; and in the Henry IV plays, Falstaff’s increasing indebtedness is a regular source of humour (from the list of his tavern debts which include two gallons of sack and a ha’penny-worth of bread, via

¹⁴⁴ Shepard, *Accounting for Oneself*, pp. 34-35.

¹⁴⁵ See, for example, Laura Kolb and George Oppitz-Trotman (eds.), *Early Modern Debts 1550 to 1700* (Cham, Switzerland, 2020); David J. Baker, *In Demand: Writing for the Market in Early Modern England* (Stanford, CA, 2005); Amanda Bailey, *Of Bondage: Debt, Property and Personhood in Early Modern England* (Philadelphia, 2013); Alessandra Squeo, “‘It Is a Happiness to Be in Debt’”. Digital Approaches to the Culture of Paradox in Early Modern Drama’ in Marco Duranti and Emanuel Stelzer (eds.), *A Feast of Strange Opinions: Classical and Early Modern Paradoxes on the English Renaissance Stage, 1.2*, Skenè: Texts and Studies (2023), pp. 231-58, accessed on 25 November 2025 at <https://textsandstudies.skeneproject.it/index.php/TS/catalog/view/84/27/722>.

¹⁴⁶ Baker, *In Demand*, pp. 66-7.

an alleged theft from his pocket of ‘three or four bonds of forty pounds a-piece’, to ending up in the Fleet prison). There are many other examples in Shakespeare and in the works of other Elizabethan and Jacobean authors.¹⁴⁷ This literary turn notwithstanding, there remains much insight to be gained in further analyses of debt along the lines of Muldrew’s work on King’s Lynn. At the least, it can confirm that Muldrew’s findings are not localised; at best, it can add incrementally to the national historiography of debt, and substantially to the local historiography of finance and trade.

1.2.2 The recovery of debt

Attempting to avoid debt was not an uncommon practice amongst unsuccessful merchants, as the case of Robert Monke showed. This might be by departing the realm or otherwise being absent from their usual places of business or residence, or even by remaining in their home, into which a sheriff was unable to enter to execute standard civil process.¹⁴⁸ In 1542, a bankruptcy statute was enacted, its preamble describing bankrupts as ‘persones craftelye obteyning into theyre hands greate substaunce of other mennes goodes’. It enabled bankrupts to be arrested wherever they were, and the seizure and sale of their goods and land, including any held by men in the right of their wives, distributing the proceeds proportionately amongst the debtors according to the amount each was owed.¹⁴⁹ In 1571, a further statute was enacted, its preamble stating that bankrupts ‘have and doo still increase into greate and excessive numbers’. The problem it set out to solve was the definition of a bankrupt; unlike its Henrician predecessor, it restricted its definition to ‘merchaunts .. or other p[er]son ... seeking his or her Trade of lyvinge by buying and sellenge’, there being

¹⁴⁷ William Shakespeare, *Hamlet*, 1, 3; *Henry IV Part I*, 2, 4 and 3, 3; *Henry IV Part II*, 5, 5; Nina Levine, *Practicing the City: Early Modern London on Stage* (New York, 2016), pp. 33-45.

¹⁴⁸ Cadwallader, ‘In pursuit of the merchant debtor and bankrupt’, pp. 399-462; Jonathan McGovern, *The Tudor Sheriff* (Oxford, 2022), p. 90-1.

¹⁴⁹ 34-35 Hen. VIII, c.4.

concern that the earlier statute could be applied to the debts of the gentry and nobility. The new statute also permitted the Chancery to appoint a commission of local men to supervise the bankruptcy, and also to seize copyhold land, which was previously not mentioned.¹⁵⁰ During James I's reign, parliament considered it necessary to clarify and strengthen the powers of the bankruptcy commissioners. Firstly in 1604, to address an apparent increase in merchants who 'wickedly and wilfully become bankrupts', and secondly in 1620, to prevent the 'frauds and deceits invented and practiced' to evade the law. Scriveners, who acted as early bankers, were explicitly added in 1620 as being subject to the statutes.¹⁵¹

In 1635, William Scott wrote "Tis ordinary for a Citizen to trust, and hee commonly loseth much by it. I thinke there is no Citizen can say hee hath had no losses ... I might promise the like impossibility [to resurrect the dead] upon condition, that I might see the names of thirty Citizens which have traded twenty, nay ten yeers, whose Bookes are without some debts, which they never hope to see discharg'd'.¹⁵² This is evident from those many inventories or probate accounts which listed the deceased's debts and credits, often dividing the former between sperate and desperate. Naturally, lenders sought to recover those debts they could; frequently by resorting, or threatening to resort, to law. By the middle of the sixteenth century there were many couLrts to which a creditor could turn. Local courts - common law, manorial, and ecclesiastical - dealt with the vast majority of disputes. Knafla has, for example, identified almost 4,500 suits of all types active in Kent in 1602 before borough and liberty courts, and 229 before just 16 of the many manor courts in the county.

¹⁵³ A smaller number of actions are likely to have been brought from Kent annually to the national common law courts of Common Pleas and King's Bench; in 1606, perhaps about

¹⁵⁰ 13 Eliz., c.7.

¹⁵¹ 1 Jac I., c. 15 and 21 Jac I, c. 19; Edward Christian, *The Origin, Progress, and Present Practice of the Bankrupt Law*, vol. 1 (London, 1812), pp. 22-56, and vol. 2 (1814), pp. 19-24.

¹⁵² William Scott, *An Essay of Drapery or The Compleate Citizen* (London, 1635), pp. 70-1.

¹⁵³ Louis A. Knafler (ed.), *Kent at Law 1602*, vol. 2, Lists and Index Society Special Series, 45-6 (2011).

400 to the former and a further 100 to the latter.¹⁵⁴ An even smaller number of Kent suits were active in the national equity courts in 1602: 56 in the Chancery, 43 in Requests, 37 in Star Chamber, and 36 on the equity side of the Exchequer.¹⁵⁵ Sussex's experience is likely to have been broadly similar.

In the countryside, the court leet of the manor or the court of the hundred were the most accessible, although they had no jurisdiction over debts larger than 40s. Neither did the sheriffs' county courts, nor the many urban borough courts for which debt was the predominant business.¹⁵⁶ In some chartered towns, a court of record might exist, as in Chichester, to which creditors could turn; these were unconstrained by size of debt. Baker gives the example of the High Court of Battle Abbey where by 1600 at least 60%, and probably more, of the suits were for debt and the average amount recovered was £46.¹⁵⁷ This may have been an exceptional year, as the average in 1582 was only £7. Most of these courts operated under common law, which had developed over the centuries by precedent and statutes made by parliament. Common law had rigidities and jurisdictional limits which could lead to outcomes likely to be perceived as inequitable by a contemporary neutral observer, so an equity jurisdiction had developed first in Chancery and subsequently in Requests (and in the seventeenth century in the Exchequer, too). Disputes over the enforcement of bonds were frequent. Many bonds were conditional, containing an obligation to pay an amount, usually penal, if a specified condition was not met (e.g. to pay £100 if £50 was not paid at a certain date and place). Common law would enforce the penalty even if the debtor had already paid back most of the debt or had been ill and was a day or two late

¹⁵⁴ Brooks, *Pettyfoggers*, Tables 4.4 and 4.5 (assuming that Kent had the average number of suits per county on the home circuit).

¹⁵⁵ Knafler, *Kent at Law 1602*, vols. 3-5 and 7, Lists and Index Society Special Series, 51-53, 60 (2012-21)

¹⁵⁶ McGovern, *The Tudor Sheriff*, p. 125; Guth, 'The Age of Debt', p. 79

¹⁵⁷ J.H. Baker, 'Personal Actions in the High Court of Battle Abbey 1450-1602' *Cambridge Law Journal*, 51(3), (1992), pp. 528-529.

in making full payment. As noted above, common law also held the uncanceled bond proof that the debt remained unpaid, unless a sealed acquittance or credible witnesses could prove the contrary. This rigidity was sometimes abused by lenders, for example suing a borrower who could not produce evidence that a debt had been repaid. Examples of these and other practices in Sussex will be seen in Chapter 2. A national equity court such as Requests could, however, issue an injunction to stay proceedings in a common law court and potentially produce a fairer outcome once the case had been heard, perhaps allowing the lender to recover only what he was owed, plus his costs.¹⁵⁸ Such a court could also potentially provide relief for creditors of undocumented loans, or be used for other purposes such as forcing the disclosure of documents held by the defendants which were necessary to prosecute a common law suit.¹⁵⁹

1.2.2.1 The national equity courts

A court of Chancery had emerged in the fourteenth century, when its function was one of addressing challenges to the administrative work of the lord chancellor, especially inquisitions *post mortem*. This was a common law jurisdiction where work was conducted in Latin. From the middle of the fourteenth century, petitions or ‘bills’ addressed to the monarch on a range of matters, unless important enough for parliament, were dealt with either by the Council or by individual councillors such as the chancellor or the lord high admiral, who dealt with them in their own courts. Over time, bills began to be referred directly to the chancellor complaining of inability to get a fair outcome in common law on a matter. As they were written in the vernacular, this side of the court’s work became known

¹⁵⁸ Brooks, *Pettyfoggers*, p. 72; Sir John Baker, *An Introduction to English Legal History*, 5th edition (Oxford, 2019), pp. 110-11, 345-347; Edith G. Henderson, ‘Relief from Bonds in the English Chancery: Mid-Sixteenth Century’, *The American Journal of Legal History*, 18, 4 (1974), pp. 298-306.

¹⁵⁹ W. J. Jones, *The Elizabethan Court of Chancery* (Oxford, 1967), p. 421.

as the ‘English side’ to distinguish it from the common-law processes on the ‘Latin side’. A bill seeking a remedy in equity was therefore known as an English bill.¹⁶⁰

The Court of Requests came into existence in the late fifteenth century as an adjunct of the Privy Council to deal with petitions addressed to the Crown, especially about matters on which a fair judgement was unlikely to be obtained in a court of common law.¹⁶¹ It endured for about 150 years, coming to an end during the first phases of the Civil Wars. Its plaintiffs were initially intended to be poor litigants who could not afford the more costly Chancery, as well as those members of the Royal household for whom its co-location with the itinerant household was convenient. Once it settled in Westminster Hall, where the other national courts were located, it attracted and accepted a wider range of plaintiffs, whose claims of poverty in their bills were generally hyperbolic; although from the 1580s Chancery often referred cases to Requests where the monetary value of a case was under £5.¹⁶² By 1500, the Exchequer had had a common law court for several centuries but its equity side only emerged in the first half of the sixteenth century.¹⁶³ Those entitled to sue in the court were Exchequer officers, royal accountants (i.e. crown officers who had a duty to collect monies and account for them to the Exchequer, an example being the collectors of customs duties at ports) and debtors to the crown.¹⁶⁴

¹⁶⁰ For Chancery and its records, see Jones, *The Elizabethan Court of Chancery*; ‘Henry Horwitz, *Chancery Records and Proceedings 1600-1800* (London, 1995); Baker, *An Introduction to English Legal History*, pp. 105-8.

¹⁶¹ For Requests and its records see Tim Stretton, *Women Waging Law*, pp. 70-97, Louis A. Knafler (ed.), *Kent at Law 1602: Courts of Equity - Requests*, Lists and Index Society Special Series, 53 (2014), pp. xiii-xxvi, and Laura Flannigan, *Hearings of the Court of Requests, 1493-1538*, List and Index Society, vol. 366 (2023), pp. vii-xxv.

¹⁶² Laura Flannigan, ‘Justice in the Court of Requests’ (Univ. of Cambridge PhD thesis, 2020), pp. 129-30; The court prospered throughout Elizabeth’s reign but was weakened when it was determined in the 1590s to be subordinate to the common law courts, so that it was thereafter unable to overturn common-law judgements and risked its own judgements being set aside.

¹⁶³ W. H. Bryson, *The Equity Side of the Exchequer* (Cambridge, 1975), pp. 14-16.

¹⁶⁴ Bryson, *The Equity Side*, p. 94. From 1649, although bills formally included a statement that the plaintiff was an accountant and debtor to the crown, this claim could no longer be traversed (denied) in court and so became a tolerated fiction.

An action in any of the courts was initiated by filing an English bill. A complaint filed on behalf of the Crown by the Attorney-General or another officer was known as an ‘information’ because the monarch was, through the officer, directing the court rather than asking a favour of it.¹⁶⁵ The bill or information was then required to be answered in writing by the defendant(s). Possibly after further exchanges of written submissions, lists of questions (‘interrogatories’) were issued on behalf of each party to the other and/or to nominated witnesses, and their depositions were taken either at Westminster or before a local commission. A judgement was then made which was binding on both parties. While the Westminster common law courts often sent suits to be heard *nisi prius* at the assizes before local juries, the equity courts did not follow this practice, although they frequently appointed a local commission to hear a dispute and recommend a verdict.

Some suits never progressed past the initial bill. In the context of common law courts, Muldrew commented that the threat to issue a writ, or its actual issuance, frequently resulted in the bond being satisfied, the debtor wishing to avoid both the cost of legal action and damage to their creditworthiness and social standing if they were arrested or had their goods attached before the hearing.¹⁶⁶ This is likely also to be true for equity suits, although defendants often alleged that suits were brought vexatiously (this was so common a complaint that it was almost certainly usually formulaic). Suits could also, and often did, stop after an answer was forthcoming, or after witness testimony had been obtained, perhaps because an out of court settlement had been reached, or the complainant had realised the weakness of their case, or had run out of money to pay legal costs.¹⁶⁷ Like bills, the answers, interrogatories, and depositions were in English, leaving a much more complete and

¹⁶⁵ Bryson, *The Equity Side*, p. 94.

¹⁶⁶ Muldrew, *Economy of Obligation*, pp. 274-6.

¹⁶⁷ Sometimes, the court would allow a complainant to sue *in forma pauperis*, when their legal costs were met by the court.

accessible record than most contemporary common law courts, which generally took oral testimonies and left only abbreviated Latin records. Judgement was given orally, although was also noted within the court's order books and sometimes on the reverse of bills, although the survival of orders is generally poor for the period of study.

A significant majority of suits brought in these courts related to land disputes. These were frequently local and often interfamilial; only rarely did land suits relate directly to issues pertinent to social and economic change, such as enclosure, imparking or the conversion of copyhold tenure to leasehold. However, the next largest field for litigation was money and debt, which could be related to land, to inheritance or to trade. Some suits directly relating to trade disputes were also brought.¹⁶⁸

Another court which used the English bill process was Star Chamber. Although ostensibly addressing criminal matters, particularly those involving riot and violence, much of its business was in practice about land or financial disputes with an often exaggerated or fictional allegation of violence to bring the case within the jurisdiction of the court. Other matters formally within its jurisdiction included fraud and perversions of the course of justice. Although its approach was quasi-equitable, Star Chamber was not as such an equity court, as its cases could in theory have been dealt with at common law, and it was also able to impose a wider range of sanctions, including corporal punishment, although excluding the death penalty. All the court's order books are lost, although some verdicts survive either inscribed on the reverse of bills or noted by contemporary observers as do records of fines

¹⁶⁸ Kipling, 'Sussex at Law', p. 41.

imposed by the court.¹⁶⁹ Its surviving records are a further useful source of information on contemporary financial and trade activities.¹⁷⁰

The significant rise in borrowing during Elizabeth's reign resulted in a significant rise in debt suits, the growth continuing at a lesser pace in the seventeenth century.¹⁷¹ Brooks noted that debt actions in King's Bench rose over forty-fold from 150 to 6,500 (and from 19% of all actions to 80%) between 1560 and 1640, and those in Common Pleas rose sixfold from 3,000 to 18,000 (and from 67% to 88% of all actions): the population of England only grew by an estimated 70 per cent in the same period.¹⁷²

1.2.2.2 Urban Sussex Courts.

Early modern Chichester had several civic courts, to which different types of grievance could be brought. The first of these was the court leet and view of frankpledge, which had been confirmed by a charter of Henry VI in 1451. Apart from some from the late fifteenth century, records survive from only six years between 1574 and 1642. It is recorded that the mayor presided over this court. The same charter permitted the city to hold its own court of quarter session, before the mayor, recorder and those aldermen who were justices of the peace. The court of liberties, held before the city bailiff, was colloquially known as the bailiff's court. There was also a court of record, or mayor's court, for civil suits, relatively few records of which survive from the study period.¹⁷³

¹⁶⁹ Amanda Bevan, *Tracing your Ancestors in the National Archives* (Kew, 2006), p. 529. The fines, from E159, have been extracted for WAALT.

¹⁷⁰ Baker, *An Introduction to English Legal History*, pp. 127-8. Further background to all these courts can be found in Kipling, 'Sussex at Law', pp. 1-4, from which some of the information above is taken.

¹⁷¹ Muldrew, *Economy of Obligation*, pp. 99-100.

¹⁷² Brooks, *Pettyfoggers*, p. 69.

¹⁷³ VCH Sussex, 3, pp. 90-96; WSRO online catalogue entry for classes ChiCity/3/1-5 [https://www.wsro.org.uk/collections/getrecord/GB182_ChiCity_3_1, accessed on 4 Mar 2025]

Being a cathedral city, Chichester also had its ecclesiastical courts. Most of the parishes within the city fell under the peculiar jurisdiction of the dean of the cathedral. The exception was the parish of All Saints in the Pallant, which was part of the Archbishop of Canterbury's exempt deanery of Pagham and Tarring. Both these deaneries had their own courts, distinct from that of the Archdeacon of Chichester whose jurisdiction covered most of rural western Sussex.¹⁷⁴ From a researcher's practical perspective, this means that the wills, inventories probate accounts and ecclesiastical court records for most of the city are concentrated in a single set of records (WSRO Ep/III), with those for All Saints part of the small set for the exempt deanery (WSRO Ep/IV). The diocese did not possess a bishop's consistory court, so the two deanery courts dealt also with defamation, tithe and matrimonial disputes for the city.

Rye, as noted earlier, was governed under the general charter for the Cinque Ports, which removed it from the jurisdiction of the county courts and from national internal customs duties. It also granted it the right to try its own criminal cases (excluding only treason) and to hear all civil pleas. Under these powers, it maintained a number of common law courts including hundred, leet, session and record, although a judgement in equity could be sought from the chancery court of the lord warden at Dover.¹⁷⁵ Of the three main Sussex towns of the period, Lewes was the least supplied with courts, having merely its hundred court, although the sheriff's county court met here alternatively with Chichester and, as also noted earlier, on a couple of occasions before 1600 the assizes were held here.¹⁷⁶

¹⁷⁴ Eastern Sussex was largely within the Archdeaconry of Lewes at the time, although with some parishes in the Archbishop of Canterbury's peculiar of South Malling or in that of the Dean of Battle.

¹⁷⁵ Mayhew, *Tudor Rye*, pp. 91-92. The records of the Chancery Court at Dover have not survived other than some post 1615 court books [Cecil Monroe, *Acta Cancellariae* (1847, London), p. 24 n; Kent Archives Office 'Accessions: 1959-60', *Archaeologia Cantiana*, 74 (1960), p. 171.

¹⁷⁶ Brent, *Lewes*, p. 239; James Dallaway, *A History of the Western Division of the County of Sussex*, vol 1 (1815, London), p. lxxvii.

There was an understandable reluctance by outsiders to use local courts because of the risk of bias by judges and juries towards relatives, friends or neighbours. In 1527, Thomas Warcop of Kendal (Westmorland) had sold £20 worth of cloth on credit to John Franks of Hastings, one of the original Cinque ports. He later travelled there to collect his debt, a distance which he emphasised was ‘thirteen score miles’. He waited to be paid, only to be arrested by the town officers on trumped-up actions of debt and trespass. The debt was allegedly for a fine of £2 a day for contravening sumptuary laws by wearing a doublet edged in velvet in the town for 70 days, and the trespass was entering Franks’ house to demand his money. Chancery corrected this inequity, ordering Franks to pay his debt and to pay Warcop ten marks for wrongful arrest.¹⁷⁷ In 1584, when Chichester merchant Thomas Turges (see 4.4.1 below) sued the Sheriff of Somerset, his suit was defeated at a *nisi prius* hearing in Chard, Somerset. Turges alleged that the jury was biased and that the one potential juror he thought fair had been inappropriately excluded.¹⁷⁸ And in 1568 Thomas Fenner (see 4.4.3 below) was sued in Chancery by John Whetley of Portslade, who complained (not unreasonably) that as the Sheriff of Sussex was Thomas’s father-in-law and that a justice of the peace was also near kin, he would not get a fair hearing in the local courts.¹⁷⁹

Chichester’s market court sat during the city’s October fair to resolve disputes related to trading at the fair. It was formally known as the *curia pavilionis* (possibly court of small tents, i.e. market stalls) a term that does not seem to have been used for other English market courts, and it was held by the bishop.¹⁸⁰ Only one record of the court survives from the study period, that for the fair in October 1582, held during a diocesan *sede vacante*, and presided

¹⁷⁷ C1/596/31.

¹⁷⁸ STAC 5/T6/16, 5/T13/25, 5/T21/26, 5/T33/25, 7/30/48; CP40/1438, AALT dorse image 790; Kesselring, *Star Chamber Reports*, p. 100.

¹⁷⁹ C3/187/55.

¹⁸⁰ Abigail Hartley, ‘The Pie Powder Court of Chichester: Dusty feet and quick justice’, (2020), <https://westsussexrecordofficeblog.com/2020/03/14/the-pie-powder-court-of-chichester-dusty-feet-and-quick-justice/>, (accessed 11 Jul 2025); VCH Sussex, 3, p. 98; WSRO EpVI/II/1.

over by the court's steward. The court sat for seven days. It was presented by the mayor with the weights and measures of the city (in 1582, Robert Adams was both mayor and steward, so presented to himself). Also, four officers known as the *clavigers* (keyholders) of the city gates presented their keys to the court, presumably to enable the bishop, had there been one, to lock them during the market if necessary. This may well have become a performative, ceremonial element of the proceedings by this time. The 1582 fair appears to have been remarkable for its orderliness; no complaints being brought to the court on any of the seven days it sat. The court gathered revenue of 22s 2d from tolls, fines and stall fees, some of which was paid out in salary to bailiffs and other market officials, with the balance to the steward.

1.3 Methodology, Method and Data

Two distinct approaches are adopted in this study. The first is a quantitative and geospatial analysis of loan transactions identified from databases of Sussex suits in two Westminster courts: Common Pleas and Requests. The second is a qualitative and frequently prosopographical exploration of aspects of trade and lending in the county, especially the grain trade, the merchant community of Chichester, and the facilitating role of reputation. Several case studies are included of the lives and careers of Sussex merchants, and of three previously unpublished examples of performative libel which allegedly threatened the reputation of merchants of Chichester and Petworth. A wide range of record sets are linked to the core data of the two courts, including those of other Westminster conciliar and equity courts, port books, lay subsidy rolls, and local civic and ecclesiastical courts, combining to provide a unique vision of the lives and activities of those involved in trade and finance in the county.

The records of the Court of Requests at TNA mainly consist of the bills, answers, interrogatories and depositions in series REQ2, supplemented to the limited extent possible by entries from the court's order books in series REQ1. REQ2 includes 324 'bundles' from the reigns of Elizabeth I and James I, each containing on average about 100 document sets, with each document set being described in TNA's Discovery catalogue.¹⁸¹ Many other James I suits and all Charles I suits are in the uncatalogued bundles REQ2/425-825 and these have not been utilised in this research. Those document sets for which a catalogue or calendar entry mentions 'Sussex' and one or more terms which make it likely that the suit relates to relevant debt or trade have been identified and examined.¹⁸² Some additional suits have been identified using the names of likely litigants, resulting in a total of 233 suits, which are analysed in detail in Chapter 2. Some REQ1 volumes have been calendared on WAALT, covering 1594-1603. The 9,450 entries do not usually include location, so orders in these volumes have been matched by name of litigant to those of the 233 suits which were active in those years.¹⁸³ Detailed studies of the court in the earlier Tudor period have been made by D. A. Knox and Laura Flannigan; W. B. J. Allsebrook has examined its operation in Elizabethan times; and Stretton and Krista Kesselring have recently extended Stretton's earlier work mentioned above.¹⁸⁴ However, little research has been carried out on general

¹⁸¹ Inclusion on Discovery is a recent development. At the time of identification of the relevant document sets, the same information was only available in a TNA Excel spreadsheet entitled 'REQ 2 amalgamated from piece 016 onwards part checked' [accessed on 30 August 2021 at [apps1b.nationalarchives.gov.uk - /hiddenarchives/images/Legal_Team/REQ_2/REQ_2_data/](https://apps1b.nationalarchives.gov.uk/_/hiddenarchives/images/Legal_Team/REQ_2/REQ_2_data/)].

¹⁸² Debts solely related to land, tithes or testamentary causes have generally been excluded.

¹⁸³ REQ1/18-21, 47-48. Many of the entries are procedural orders, with only a small proportion being final orders recording the court's verdict.

¹⁸⁴ D. A. Knox, 'The Court of Requests in the reign of Edward VI 1547-1553' (Cambridge Univ. Ph.D. thesis, 1974); Flannigan, 'Justice in the Court of Requests' and *Royal Justice and the Making of the Tudor Commonwealth 1485-1547* (Oxford, 2024); W. B. J. Allsebrook, 'The Court of Requests in the reign of Elizabeth' (London Univ. M.A. thesis, 1936); Stretton, *Women Waging Law*; K. J. Kesselring and Tim Stretton, *Marriage, Separation and Divorce in England 1500-1700* (Oxford, 2022).

debt and trade suits, although Allsebrook specifically identifies questions of usury arising in bond cases.¹⁸⁵

For 222 of the 233 suits, the original bill survives. For 148 suits, there is at least one defendant's answer, and for 42 suits there are interrogatories and/or depositions. Answers often present a rather different perspective of the dispute, and can also add additional background information. Interrogatories and depositions (the latter ranging in number from 1 to over 20 for a suit) were produced, or have survived, for less than 20% of suits, strongly suggesting that only a relatively small proportion of suits progressed to the gathering of evidence, with potentially even fewer reaching an eventual judgement.¹⁸⁶ As well as adding further background to a suit, depositions can assist in determining which of the litigants' claims are more likely to be credible; although Heather Falvey warns that depositions were recorded by clerks who often extended what was probably a simple response into a longer affirmation or denial largely regurgitating the wording of the interrogatory, so should not necessarily be taken as the *verbatim* voice of witnesses.¹⁸⁷

For Chancery suits, a broadly similar approach was initially adopted to that for REQ2. However, an early finding was that Chancery bills and answers contained fewer details of the background to debt disputes, often not giving the reason for borrowing; so they have proved less helpful in this research. About 100 bills and/or answers have nevertheless been examined, mainly from TNA classed C2 and C3 and relevant qualitative information has been incorporated where appropriate. No attempt has been made to identify interrogatories, depositions or orders for these suits.¹⁸⁸ Star Chamber records contain fewer suits directly

¹⁸⁵ Allsebrook, 'The Court of Requests', pp. 134-50.

¹⁸⁶ Knafler found interrogatories or depositions for about 25% of the suits he documented, a not dissimilar proportion [Knafler, *Kent at Law – Requests*].

¹⁸⁷ Heather Falvey, 'Relating Early Modern Depositions', in C. J. Griffin and B. McDonagh (eds.), *Remembering Protest in Britain Since 1500* (Cham, Switzerland, 2018), pp. 86-7.

¹⁸⁸ These are held in separate series at TNA and manually indexed only by name of litigant.

related to debt or trade, but those that exist were identified similarly to REQ2 and Chancery. Exchequer bills and answers are catalogued by county and can be found in TNA class E112 (/45 (Elizabeth I), /127 (James I) and /250 (Charles I)). They are indexed in IND1/16821, 16823 and 16825 respectively, enabling debt and trade suits to be identified. Interrogatories and depositions are in different classes; some relate to suits without records in E112. Where catalogued or calendared, relevant records have been identified and used as qualitative sources.¹⁸⁹

In addition to the records of these four courts, this thesis uses data from the plea rolls of the Court of Common Pleas (TNA class CP40). These rolls recorded the different stages of progress of a suit, from the initial appearance of the parties in court to the verdict.¹⁹⁰ They survive from as early as the later thirteenth century. Many of these have now been imaged and electronically calendared by AALT.¹⁹¹ Calendar entries include the type of suit (for example debt, trespass), the county (or city in the case of London) in which the action arose, the names of the plaintiffs, and the social status or occupation and place of residence of defendants. Sometimes a social status or occupation is also given for plaintiffs. From Elizabeth I's reign, suits from only eleven legal terms have so far been calendared. These terms are from eleven different years between 1563 and 1596. As there were four legal terms each year, this represents only a small fraction of the total number of suits during the 45 years of the reign.¹⁹² Typically, a suit was in progress for several terms, each stage taking place in a separate term. So only one roll entry per suit per term was the norm. Given the

¹⁸⁹ For further details on the data sources and the methodology used to identify and categorise Sussex suits from all four courts, see Kipling, 'Sussex at Law', pp. 13-15.

¹⁹⁰ See, for example, M. Hastings, *The Court of Common Pleas in Fifteenth Century England* (Cornell, 1947, reprinted 1971).

¹⁹¹ For a description of the Anglo-American Legal Tradition (AALT) archive, see M. Kipling, 'Historical research without leaving home: the Anglo-American Legal Tradition Archive', *Local Historian* 52, 3 (2022), pp. 196-206.

¹⁹² The four terms were Michaelmas, Hilary, Easter and Trinity. They lasted from about seven weeks (Michaelmas) to as little as three weeks (Hilary and Trinity). See C.R. Chesney (ed.) *A Handbook of Dates*, revised by M. Jones (Cambridge, 2000), pp. 98-105.

relative sparseness of the terms so far calendared, the number of entries serves as an upper limit for the number of suits active in a term. The plea roll images for debt suits generally do not provide much more information for the local historian than the amount of the contested debt and, occasionally, the outcome of a suit. Relatively rarely, further information about the circumstances of the debt can also be found in them. From the eleven calendared rolls, I have identified 5,269 pleas on debt suits which related in some way to Sussex, either by the county attributed to the suit or by the location attributed to defendants or plaintiffs.¹⁹³

These data cannot be considered as representative of the full extent of credit activities in the period, as they relate to only a tiny proportion of that activity; those that in some way gave rise to dispute. The datasets themselves may also exhibit various biases, arising, for example, from the relative probability of survival of documents from different periods. It may also be that the proportion of suits which progressed to witness depositions favoured some types of case over another, and even more so those which reached a hearing and ended in a result. The use of calendars and indices also exposes the initial data identification process to any lack of consistency or completeness of the indexing or calendaring, although this does not invalidate the approach.

Another key record set used in this research are the Chichester port books (part of TNA class E190). Port books contain records of the arrival and departure of cargoes of merchandise, submitted by the officers of customs of the port to the Exchequer, a requirement introduced in 1565.¹⁹⁴ Each of the three main officials, the Customer, the Controller, and the Searcher,

¹⁹³ Some Sussex-based plaintiffs sued in London. These suits cannot directly be identified as such, and so are only included in the database if they involved a defendant with a Sussex location.

¹⁹⁴ Elizabeth Evelynola Hoon, *The Organisation of the English Customs System 1696-1786* (Newton Abbot, 1968), pp. 5-11. Oliver Buxton-Dunn, 'A State of Corruption: Fraud and the Birth of British Customs Taxation, c.1550 -1590' (Doctor of History and Civilization thesis, European University Institute, 2015), p. 119. The 1565 order requiring the books to be produced can be read in Anon., *The Modern Practice of the Court of Exchequer* (London, 1731), pp. 431-46.

kept their own records. Since the time of Edward I, these officials had been appointed to certain main or 'head' ports on the English coast. Under each head port were other nearby ports. All the under-ports along the south-east coast from Chichester harbour eastward to Folkestone (Kent), came under Chichester as head port. Separate books were kept for each of the under-ports, although as these included goods shipped to or from neighbouring smaller ports without differentiation, it is impossible to tell exactly where the cargoes arrived or departed; the Shoreham books for example included Brighton and Worthing. The Customer's main responsibility was to collect the customs due on specified imports and exports at the head port and all its under-ports; the Controller was an ostensibly independent official whose records served as a check against the accuracy of the Customer's books, although frequently there was co-operation if not collusion; and the Searcher had the responsibility of inspecting the loaded cargoes and ensuring that they matched the type and quantity declared. Over time, the offices of Customer, Controller and Searcher became sinecures, with the actual work and record keeping often being left, or farmed out, to deputies. There was frequent abuse which lost revenue for the Exchequer; so, in 1570, Thomas Smith, a prosperous London merchant, was granted the farm of the customs of the head ports of London, Ipswich (Suffolk), Sandwich, Chichester and Southampton. As Smith appointed his own men to collect the duties, the role of the state-appointed Customer and Controller were diminished. However, the officials retained responsibility for recording trade, including coastal trade (necessary to ensure that cargoes were not shipped overseas without the payment of duty). Separate books were kept for foreign and coastal cargoes. Smith's farm ended in 1589 after he refused to pay the increased rent demanded.¹⁹⁵

¹⁹⁵ A. P. Newton, 'The Establishment of the Great Farm of the English Customs', (1918), *Transactions of the Royal Historical Society*, 4th Series, Vol. 1 (1918), pp. 136-140. See also E122/222/36B, a copy of the queen's letter notifying officials of Smith's appointment and jurisdiction sent to the mayor of Chichester and that port's customs officials. Smith acquired the farm for an initial payment of £5,000 and annual payment of £20,000 to the Exchequer, for which he was authorised to collect, and keep, all customs and associated duties other than

The surviving port books for the western Sussex ports of Chichester, Arundel with Littlehampton (hereafter ‘Arundel’), Shoreham, and Meeching with Lewes (hereafter ‘Lewes’) have been photographed; and for selected years and ports the records of arriving and departing vessels have been entered into a spreadsheet to facilitate quantitative analysis. The qualitative and quantitative data so obtained is, however, not necessarily wholly representative, as the books have only survived sporadically across the study period, and not all of these are completely legible. For example, of the 70 half-year periods between Easter 1565 and Easter 1600, at least one book for Chichester’s overseas trade survives from only 28 of the periods. The equivalent numbers for the other ports are Arundel 29, Lewes 32, and Shoreham 43. The numbers for coastal trade are smaller, being respectively 20, 18, 20, and 23. With some exceptions, particularly for Shoreham, the years for which the books survive are similar for all four ports. For example, no books for coastal trade survive for any of the four ports between Easter 1575 and Michaelmas 1579, whereas the Controller’s books for overseas trade survive for all four ports from Michaelmas 1590 to Michaelmas 1592 (as do quite a few Customer’s books). Between 1600 and 1630, 21 years of overseas trade from Chichester is covered but only five years of coastal trade (one of which is only partially legible).¹⁹⁶

The incompleteness of the records is compounded by potential inaccuracies in those that survive, attributable to differences in the methods of recording at different ports; carelessness or negligence by the customs officials; corrupt practices including smuggling, often with the active participation of the officials; or the exclusion of certain types of

on wool and wine, which were farmed elsewhere. These he utilised in part to remunerate the local officials. He instituted a more rigorous system for recording the trade through the ports and preventing the lading and unloading of cargo other than at designated places. He confessed to making an average of profit of £6,000 a year.

¹⁹⁶ For a brief overview of the content of the books for Chichester itself, see Caroline Adams, ‘The Elizabethan Port Books and the Maritime Trade of Chichester in Sussex’, *Magazine of the Friends of The National Archives*, 29, 1 (2018), pp. 26-30.

cargoes, including fish not previously landed elsewhere.¹⁹⁷ Nevertheless, considerable insight into the operation of maritime trade can still be gained. Many studies have focussed on the ships or the commodities traded.¹⁹⁸ However, the role of the merchants whose names are recorded against almost every shipment has, to date, frequently been ignored by historians, albeit described by Alan Metters as ‘arguably one of the more important pieces of information to be recorded in the port books’.¹⁹⁹

A further valuable qualitative resource has been the state papers of the study period (TNA class SP) and the records of the Privy Council (TNA Class PC). Those likely to be relevant have been identified by selected word searches on Gale’s on-line database; this approach being particularly useful to explore state interference in the Sussex grain trade, as well as state involvement with particular individuals, especially those featured in case studies. Other sources materially used include lay subsidy records (TNA class E179) and the records of Chichester’s several ecclesiastical and civic courts (WSRO).

1.4 Structure of thesis

The structure of the remainder of this thesis is as follows. Chapter 2 presents the results of quantitative analysis of data from 233 Requests debt suits and 4,349 Common Pleas rolls debt entries, revealing amongst other things the gender, relative social status and geographical location of litigants. This supplemented by an analysis of qualitative data from the Requests suits and other sources, permitting a more detailed analysis of borrowing and lending behaviours in early modern Sussex. Chapter 3 explores the county’s grain trade,

¹⁹⁷ Cornwall, ‘The Agrarian History of Sussex’, p. 230; J. H. Andrews, ‘Two Problems in the Interpretation of the Port Books’, *Economic History Review*, New Series, 9, 1 (1956), pp. 119-122.

¹⁹⁸ For example: Cornwall, ‘Agrarian History’ (commodities shipped); Craig Lambert and Gary P. Baker, ‘An investigation of the size and geographical distribution of the English, Welsh, and Channel Islands merchant fleet, 1571–72’, in Richard Blakemore and James Davey (eds), *The maritime world of early modern Britain* (Amsterdam, 2020), pp. 79–102 (shipping).

¹⁹⁹ Metters, *The King’s Lynn Port Books*, p. 19.

examining the activities of some key participants, and the influence of state policy on them. Chapter 4 focuses on the mercantile activities of Chichester, and especially on the lives of several prominent men. In Chapter 5, the culture of credit, in its wider sense of social standing and reputation, is examined, identifying its role in both lubricating trade and in enhancing the relative credibility of legal testimony. The steps taken to attack the reputation of others, especially by performative libel, are examined, as are the equally strong efforts to defend against such attacks. Finally, Chapter 6 pulls all these threads together, making clear this study's contribution to the scholarship of early modern trade and lending practices, in Sussex and nationally, and the role therein played by public reputation or social credit.

2. BORROWING AND LENDING PRACTICES IN SUSSEX

In this chapter, it will be argued that the financial disputes from Sussex which reached the Court of Requests were mainly between parties of similar social status or occupation, with merchants being particularly likely to initiate litigation, and that this is indicative of lending also having been broadly similarly stratified, gentry lending to tenants excepted. It will be shown that the numbers of such suits grew rapidly in the last two decades of the sixteenth century, as observed of litigation generally at this time. Lending was largely localised, although with no predominant lenders in the county. The other main source of credit will be seen to have been London. Whilst inter-familial disputes were rarely before the courts, it is posited that inter-familial lending was often extensive, as demonstrated for example by the account books of Thomas Pelham, esquire. Borrowing is seen to have occurred for a wide variety of reasons, including for the financing of trade and to give access to scarce metallic currency for a particular transaction. It can be hypothesised, from the evidence of probate inventories and local court suits, that in Sussex, as elsewhere, at least half the population had debt assets on death. Sureties were often required before money would be advanced otherwise unsecured, and it is argued that acting as a surety for friends and acquaintances was often done as a social favour, likely in reciprocation or with reciprocation expected, rather than on any commercial basis. Loans were usually for a year or less, although were often extended by mutual agreement provide that interest was paid (which was generally at the maximum rate sanctioned by legislation) and it is shown that usury at higher rates was rarely a concern (or at least one which could be safely litigated). Finally, it will be demonstrated that use of the law, whether from own knowledge or the advice of competent, usually local, counsel, played an important role in enabling merchants effectively to manage their finances.

2.1 Frequency of litigation and debt

Figure 2.1 shows the distribution by year of the 225 (out of 233) Requests suits to which a date can be attributed between 1565 and 1625. The majority of the suits are from Elizabeth I's reign; but because (as outlined in 1.3 above) many REQ2 document sets from James I's reign are not yet catalogued, no conclusions regarding the distribution of the totality of post-1603 suits can be drawn from Figure 2.1

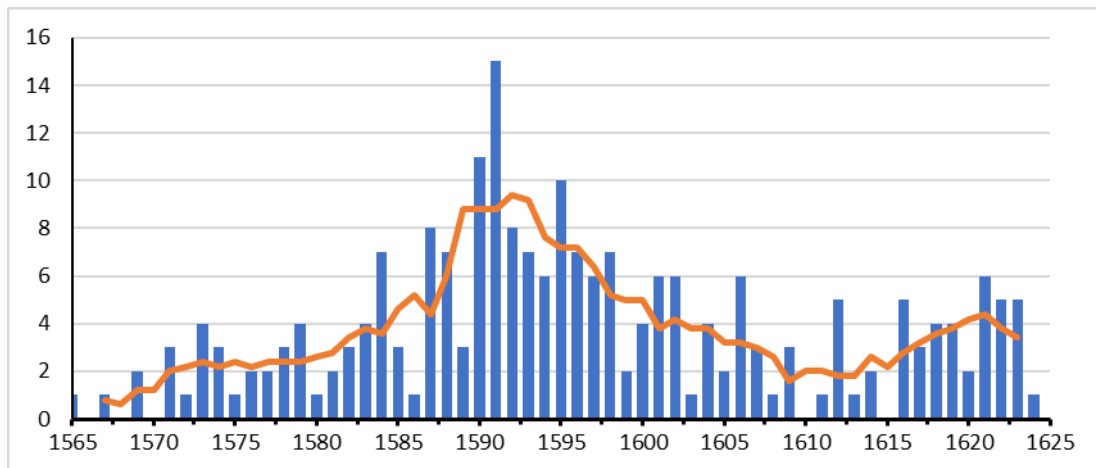


Figure 2.1. Sussex debt and trade Requests suits by year (1565-1625) (n=225)
Line is 5-year moving average

A significant expansion in the number of suits can be seen to have occurred during Elizabeth's reign, peaking notably in the early 1590s and falling off after that.²⁰⁰ Similar trends have been observed in the numbers of Requests suits for all causes both for Sussex and nationally.²⁰¹ Additionally, the number of Sussex debt suits before Common Pleas rose substantially over the same period, as can be seen from Figure 2.2 although not reducing after 1591. It is possible that Requests alone experienced a reduction in suits after 1591, for in that year the judges of Common Pleas first challenged the ability of Requests to impose stays upon its cases or to overturn its decisions, a practice which became more common after

²⁰⁰ Although not thought to be the case, it cannot yet be ruled out that the records of some suits from Elizabeth's reign might be in the uncatalogued REQ2/426 onwards.

²⁰¹ Stretton, *Women Waging Law*, p. 74; Kipling, 'Sussex at Law', p. 26.

1598.²⁰² The generally increasing trends are in line with the findings of Brooks, as noted in 1.2.2.1 above. Brooks attributes this increase to population growth, a significant increase in trade and in the use of debt to finance it, and the growing inability of manor courts to resolve financial disputes.²⁰³

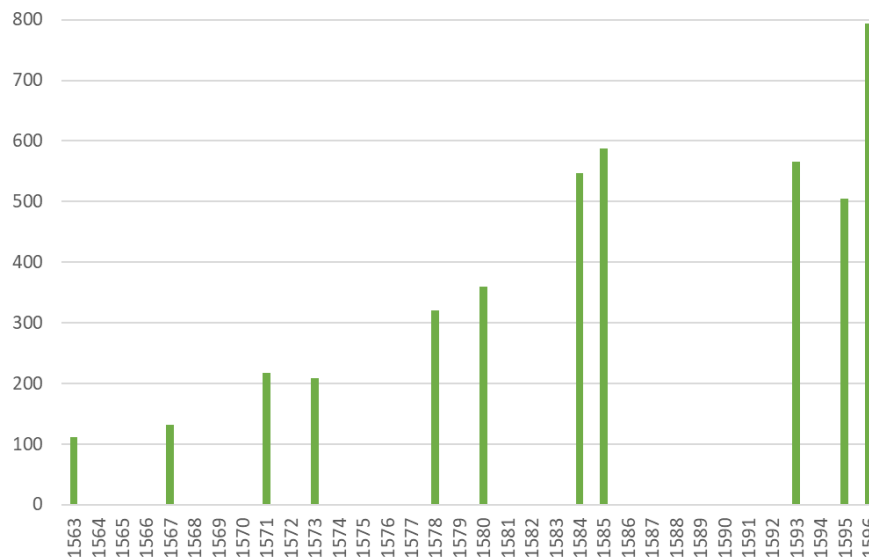


Figure 2.2. Calendared plea roll entries by year identified with Sussex and relating to debt (n = 4,349)²⁰⁴

Some individuals appeared particularly frequently as Common Pleas litigants. For example, Chichester merchant Thomas Turges and (after his death) his administrator were litigants in at least 31 suits. They were defendant in 12 of these suits and plaintiff in 19.²⁰⁵ As with the other examples given below, it is not always possible to be certain that there were not two or more litigants of the same name and location, although most of the names are fortunately uncommon ones. Turges was also a litigant in multiple Requests suits, as well as ones before Chancery, Star Chamber and Exchequer. Tim Stretton makes an interesting claim that the

²⁰² L.M. Hill, *The Ancient State and Authority of the Court of Requests by Sir Julius Caesar* (Cambridge, 1975) pp. ix-xi. Knafla suggests that the 1591 peak may have been the result of a temporary reduction in the attractiveness of the court of Chancery [*Kent At Law 1602*, 5, p.xxxi]

²⁰³ Brooks, *Pettyfoggers*, pp. 51, 93-101.

²⁰⁴ All are for Hilary term except 1571 and 1596 (Michaelmas) and 1573 (Trinity).

²⁰⁵ Suits identified solely by the name (including variant spellings) have been counted, which are not included in the aggregate analysis as their calendar entries do not contain the word ‘Sussex’. Six additional plea roll entries for Turges were found in this way. All were classified as London suits, and were against debtors in London, Hampshire, Dorset and Somerset.

proliferation of bonds with their strict conditions during the study period tended to undermine traditional societal trust, to incentivise unethical but legal financial practices, and to drive the growth of bitter legal disputes.²⁰⁶ As will be seen in 4.4.1, Turges' behaviour adds credence to this claim.

Another frequently occurring name was that of Fenner; family members being litigants in about 67 suits, in all but one or two as defendants. As will be seen in 4.4.3, the Fenners were a family, from the Chichester area, of seagoing merchants, privateers and naval captains. Many of their creditors were merchants, including London goldsmiths, merchant tailors, clothworkers, haberdashers and skimmers, and also Sussex merchants, consistent with a minor gentry family relying significantly on credit to maintain lifestyle and to finance adventuring on the high seas.

Richard Gravesend of Shoreham, yeoman, and John Gravesend of Steyning or Shoreham, tailor or merchant, appeared in about 23 suits, all but four as defendant. They may even once have sued each other for £20.²⁰⁷ They traded by sea; for example, in 1558 both were named as at Shoreham as merchants importing wine from Dieppe.²⁰⁸ In the early 1560s, John brought a range of goods from Southampton to Shoreham, including pitch and tar, hops, groceries, hemp and grindstones; and in 1582 he shipped a ton of iron and thousands of barrel-boards and inch-boards from Shoreham to Sandwich and four tons of iron to Lewes.²⁰⁹ Richard was deputy Customer (collector of customs duties) at Shoreham in 1574.²¹⁰ Two of the suits against them were brought by London merchants: two ironmongers sued Richard (and Elizabeth Burges of Shoreham, widow) for £30, and a fishmonger sued Richard for a

²⁰⁶ Stretton, 'Written Obligations', p. 207.

²⁰⁷ CP40/1374d #972.

²⁰⁸ E122/38/16.

²⁰⁹ E122/ 38/34; E190/742/15.

²¹⁰ E190/739/29. Customers were the senior Crown official responsible for collecting various national duties on imported and exported goods (see 2.2.3 below).

similar amount.²¹¹ Another two related to obligations entered into in Lewes and East Grinstead respectively, for both of which Richard was being sued for the penalty of double the loan.²¹²

Robert Wheeler, vicar of Jevington, was involved in 15 suits, two as complainant and 13 as defendant. In two of these suits, Wheeler was accused of failing to deliver grain promised to others, in one case to two London bakers.²¹³ Another of the suits, by John Upton of Bodiam, yeoman, against Wheeler and two other clerics, Ralph Stowarde, parson of Folkington, and Lawrence Telling, vicar of East Dean (Wheeler's sureties), was countered by a Requests suit which added the details that in March 1582, Wheeler had sold 15q of wheat and 30q of barley to Upton for £27.²¹⁴ This was quite possibly grain which Wheeler expected to receive in tithes or which he had planted on glebe lands. Allegedly due to scarcity of grain, he had only been able to deliver 6q of wheat and 10q of barley. Upton had had all three clergymen arrested in April 1586 until they agreed to be bound in £60 to pay him £30.²¹⁵ The involvement of clergy in the grain trade will be encountered again in Chapter 3.

John Puckle of Lewes, merchant, was complainant in 20 suits and defendant in one: there was a father and son of the same name, the son acting as factor for the father, so either of them could have been the litigant in these suits.²¹⁶ The Puckles sued mainly residents of the

²¹¹ CP40/1352f #740, 1354f #92.

²¹² CP40/1353f #287 (obligation of 1576, penalty £100), 1373d #1105 (obligation of 1577, penalty 20 marks)

²¹³ CP40/1353f #290 (1573) and CP40/1436f, #856 (1585).

²¹⁴ CP40/1436d, #72; REQ2/157/487, 289/36, 292/39.

²¹⁵ Neither 1582 nor 1583 are considered years of national grain scarcity [R.B Outhwaite, *Dearth, Public Policy and Social Disturbance in England, 1550-1800*, (London, 1991), p. 20]. A witness in the suit was asked on Wheeler's behalf what the price of wheat and barley was locally at the time and the answer given was wheat 26s 8d per quarter and barley 13s 4d. London brewer, John Taylor, was buying wheat at prices between 17s and 21s in the 12 months following the date of Wheeler's contract, and 'berecorn' (barley) between 9s and 10s, which suggests that the scarcity, if any, was only local. [N.S.B. Gras, *The Evolution of the English Corn Market* (Cambridge, Mass, 1910), pp. 344-345].

²¹⁶ REQ 2/48/46, 253/62. John Puckle the elder had been born in about 1534 [E134/40Eliz/East15].

eastern part of the county, and none outside (see Figure 2.3). In 1583, Richard Gravesend of Shoreham bought £55 worth of iron from John Puckle the elder on 18-months' credit; he failed to pay the whole amount when due and expected to be sued; debts of John Puckle the younger were also mentioned in this suit.²¹⁷

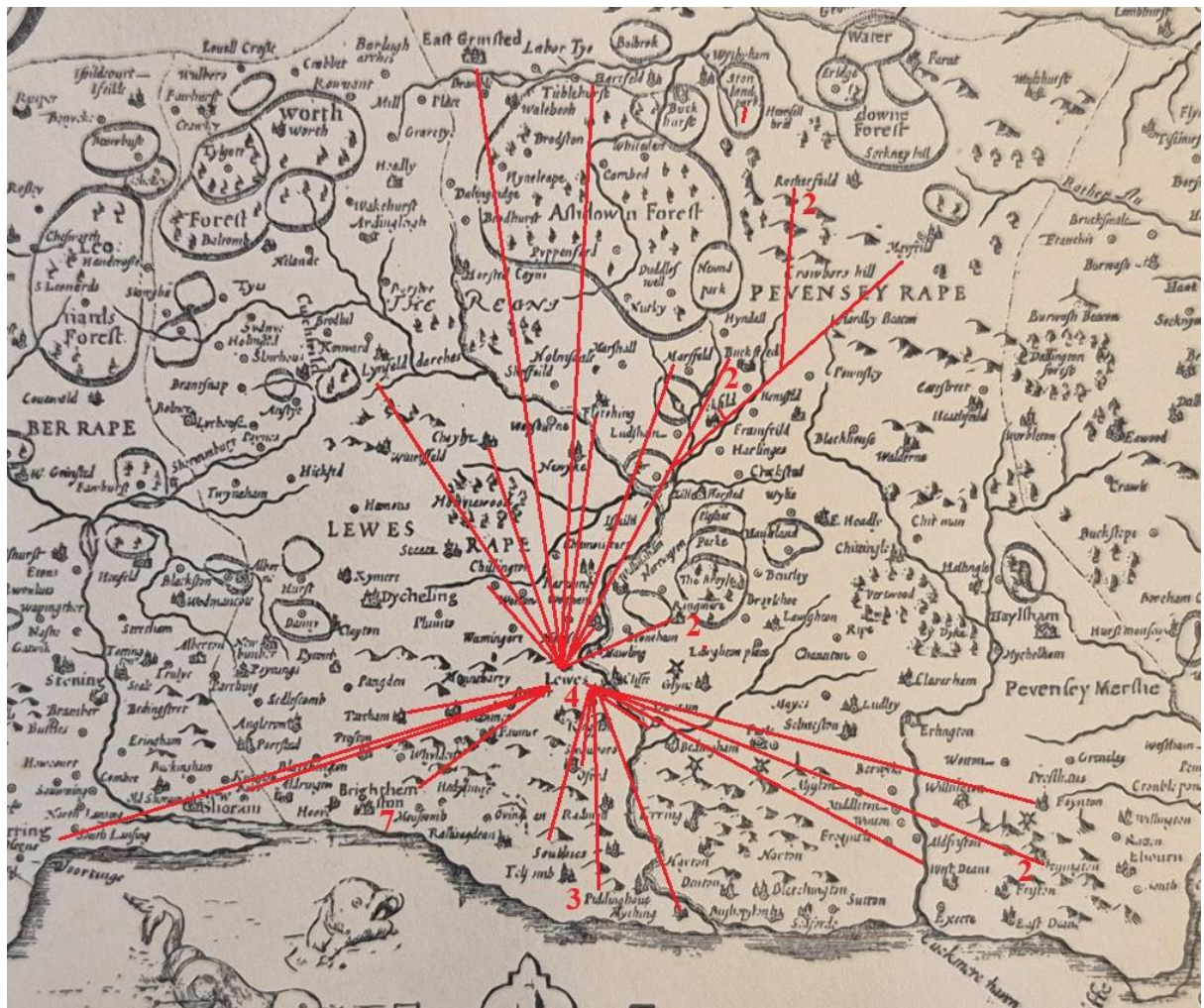


Figure 2.3 Location of CP40 debtors of 'John Puckle'

The name of John Young of Chichester, merchant or gentleman, occurs in about twenty CP40 suits, six as complainant and the remainder as defendant. There were at least two John Youngs in the city for at least part of the period, one of whom was the Customer for the port. For most of these suits, is not possible to be certain which Young was the litigant, although

²¹⁷ C3/225/46.

Young the Customer was a frequent litigant in other courts, including the equity side of the Exchequer which was accessible to him as a Crown officer.

These six frequent litigants were financially interrelated, as Figure 2.4 shows, suggestive of a relatively small number of financially active men in the county at this time.

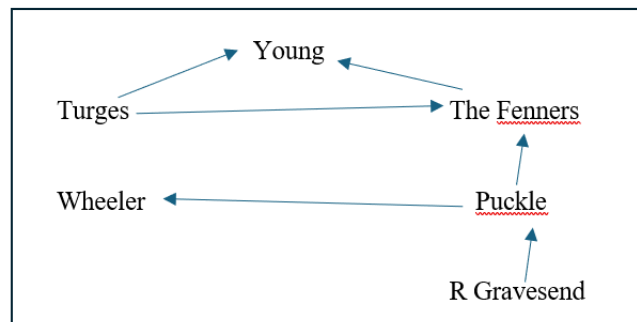


Figure 2.4 Suits evidencing financial relationships between frequent litigators (party at arrowhead was sued by party at tail)²¹⁸

2.1.1 Prevalence of Debt

Of the fifty Sussex parish clergy for whom probate inventories survive from between 1613 and 1650, twenty-one of the inventories (42%) include debts as assets.²¹⁹ The amounts ranged from 1% to almost 80% of the estate valuations, which themselves had a mean value of £189. The mean debt asset was 28% of the estate. Surprisingly, only two of the inventories mention tithes as being owed. Exceptionally, the 1641 inventory of John Pritchard, rector of Selham, also noted that he owed debts (of over £14 from an estate of only £18 9s 6d, including two amounts of £5 4s 0d on bond and two lesser amounts, all to named individuals, two male and two female).²²⁰ Around 50% of Chichester inventories examined included debts (see 4.2.2 below); this is a similar proportion to Swaledale (Yorkshire), where between

²¹⁸ The figure includes Common Pleas suits and equity court suits.

²¹⁹ Annabelle Hughes, *Sussex Clergy Inventories 1600-1750*, SRS, 91 (2007). Clergy of the peculiar parishes or cathedral precinct were not included.

²²⁰ Hughes, *Clergy Inventories*, pp. 184-5. The 4s was probably 6 months' interest at 8%.

1560 and 1570, 57% (of 21) inventories included debts owing to the deceased.²²¹ However, only 25% of the 41 surviving Horsham inventories before 1631 included debts, of which only two named the debtors.²²² The lower fraction for Horsham may be anomalous, or reflect local inventory practices.

Some other Sussex inventories show the range of debts outstanding at death. In 1619, butcher John Beeding of Rumboldswyke (a parish which extended into the suburbs of Chichester) had nine debtors, including the churchwardens and parishioners who owed him £3, Roger Michell esquire, who owed over £17, and one desperate debt of 7s 4d. These debts may well have been for meat supplied.²²³ When yeoman William Grigg of Bosham died in 1614, he held the usually large amount of £100 in ready money; he was also owed over £200 by sixteen debtors, of whom Sir George Gunter was the largest, owing over £130.²²⁴ Eight of Grigg's other debtors were from Bosham, including a weaver who owed 40s; two were from Chichester including Alderman Lawrence who owed £6; and three others were from nearby parishes, confirming the general trend of localised borrowing and lending.²²⁵

Lending by widows was common. In 1620, when widow Joan Redwell of Bosham died, she was owed over £26 from seven people, including £3 15s by Sir Richard Lumley for malt, two other agricultural debts, and £15 in money from Margaret Grigg, suggesting that as well as lending money she had been growing and maybe malting barley.²²⁶ The inventories of two other widows show that they probably lived, at least in part, on interest earned on money

²²¹ Elizabeth K. Berry, *Swaledale Wills and Inventories, 1522-1600*, Yorkshire Archaeological Society, CLII (1998), pp. 112-164.

²²² WSRO Ep I/29/106/1-40A.

²²³ WSRO Ep I/29/162/1.

²²⁴ WSRO Ep I/29/25/8. Sir George Gunter of Racton, d 1624.

²²⁵ The location of two debtors was not given. One of these, 'Edward Venner', was very probably Edward Fenner the younger (see 4.4.3 below). The recovery of this debt may not have been straightforward, as Fenner had died at Hayes (Middlesex) about four months before Grigg, confusingly leaving two wills with different executors.

²²⁶ WSRO Ep I/29/25/19.

lent out on bonds. When Frances Rickman of Bosham died in 1629, she was owed £45 on three bonds: these debts made up almost all her £48 estate.²²⁷ Similarly, in 1612, Joan Burges of Oving was owed £5 on two obligations; the rest of her estate being worth only £1 8s.²²⁸ At 8%, Rickman would have earned £3 12s, a year, but even at 10% Burges would only have got 10s a year.

2.2 Time taken to sue

The time between the transaction giving rise to a dispute and the commencement of a Requests suit varied greatly, as can be seen from Figure 2.5. In some cases, there would have been common law suit beforehand. For those suits where the gap was quantifiable, the time since the transaction had a median of 3 years and a mean of 5.5 years, the skewness being due to a few suits brought after 20-30 years. The largest gap was in a suit brought in 1609 by William Burde esquire of Hackney (Middlesex), who complained that as a young man 30 years previously he had fallen in with ‘old gamesters’ including John Young, and had at first lost all his money, £5 or £6, playing hazard with them. Young then offered to lend him £40 upon bond, which he accepted, thereafter losing most of it to Young in further play. Thirty years later, Young, who had never returned the bond, was suing him as he, Young, had significant debts to the Crown. Burde had paid all the debt back about 17 years previously but had lost the acquittance and only one of the witnesses to the repayment remained alive. Burde clearly wished to have matters resolved before it was too late.²²⁹

²²⁷ WSRO Ep I/29/25/32.

²²⁸ WSRO Ep I/29/145/1.

²²⁹ REQ2/295/13. The creditor was probably the former Customer of Chichester, who contested his debts of office for many years after his appointment ended in the mid-1590s. Young had previously attempted to sue on other allegedly repaid bonds (see e.g. E112/45/90).

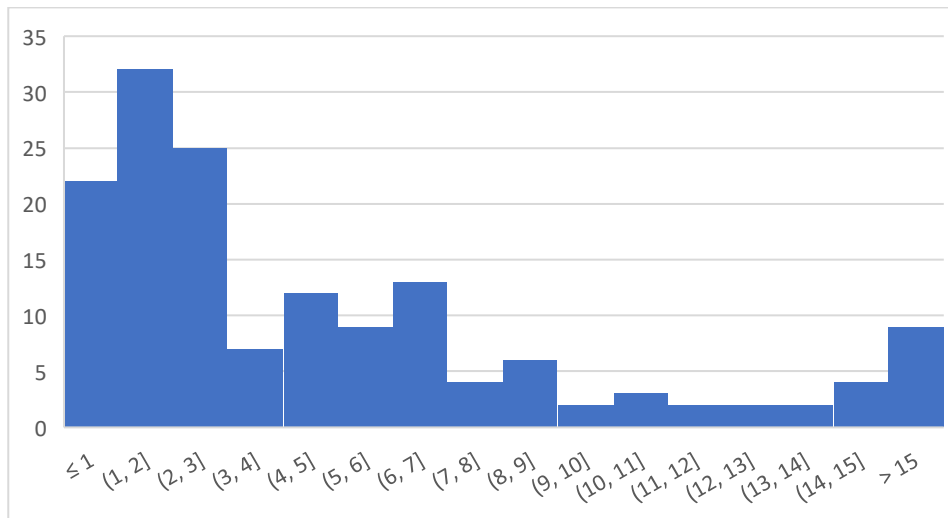


Figure 2.5 Time elapsed in years between original transaction and commencement of Requests suit (n=157)

2.3 Status and Occupation

For many suits in both courts, the social status or occupation of the complainant(s) or defendant(s) was recorded. Table 2.1 shows the relative frequency of statuses or occupations recorded for the first complainant and first defendant in Request suits and for all defendants in Common Pleas suits.²³⁰ Yeomen, at about one third of the total, were the most frequent complainants in Requests, followed by those with a specified trade. The most frequent defendants were those with a specified trade (again about one third) followed by gentlemen (Requests) or yeomen (Common Pleas). Only 34 Common Pleas defendants were recorded as being knights (0.5%) and there were even smaller numbers of the higher ranks, either lay or ecclesiastical. At the other end of the social scale, there were only 38 labourers (0.6%), probably due to their inability to borrow material sums or to afford to use the Westminster courts. When Requests defendants are compared with Common Pleas

²³⁰ Complainants' statuses or occupations were recorded for only a relatively small proportion of Common Pleas suits, mainly for gentry or above and for freemen of London, so complainants' data are unusable for many comparison purposes. For example, Thomas Turges' occupation was given for every suit in which he was a defendant but in only of three of his 22 suits as plaintiff.

defendants, proportionately fewer yeomen, husbandmen or labourers were sued in Requests and proportionately more gentlemen or above.

	Requests		Common Pleas
	Complainant (%)	Defendant (%)	Defendant (%)
Lord/Knight/Esquire	7	6	4
Gentleman	18	24	15
Clerk	6	4	3
Official	2	6	0
Other professional	1	1	0
Specified trade	25	33	32
Yeoman	31	18	31
Husbandman/Labourer	8	2	13
Widow/Spinster	2	6	2
Total	100	100	100
<i>n</i> =	177	144	6,189

Table 2.1. Occupation of first complainant and first defendant in Requests suits, and of defendants in Common Pleas suits²³¹

Table 2.2 examines more closely those litigants whose trade was specified, showing those involved in merchandising were the most frequent complainants. ‘Merchandising’ includes those described as merchant, merchant stranger, mercer, chapman and chandler. ‘Manufacturing’ includes carpenter, bricklayer, cooper, goldsmith, saddler, tanner, ironmaster/monger, founder and smith. ‘Hospitality’ includes innkeeper, brewer and vintner. ‘Seagoing’ includes mariner, sailor and fisherman. ‘Clothing’ includes tailor, clothier, haberdasher, draper, glover and shoemaker. ‘Food’ includes butcher, baker, grocer, victualler and fishmonger. Many less frequently mentioned trades have been included under the most appropriate of these headings.

²³¹ ‘n’ for Common Pleas defendants is larger than the total number of pleas, as there were frequently multiple defendants to a suit. Fifteen defendants with no status or occupation recorded have been excluded. Where there were two or more defendants with the same occupation or status in a suit, that occupation or status has only been counted once. Multiple pleas related to the same suit have not been excluded.

	Requests		Common Pleas
	Complainant (%)	Defendant (%)	Defendant (%)
Merchandising	51	27	26
Clothing	9	21	25
Manufacturing	24	21	22
Food	7	13	14
Hospitality	2	17	8
Sea-going	7	2	6
Total	100	100	100
n=	45	48	1,993

Table 2.2 Frequency of specified trades of first complainant and first defendant for Requests suits and for defendants in Common Pleas suits

The most common trade descriptions in both courts were the generalist ‘merchant’, ‘mercier’ or similar, followed fairly closely by litigants in the clothing or other manufacturing trades. It is arguable whether the breakdowns in Table 2.2 are proportionately representative of the status or occupation of those inhabitants of Sussex who were engaged in material economic activity at the time, or whether some statuses or occupations more frequently used debt and fell into default. The distribution in Table 2.2 can be contrasted with that of the most common occupations in three inland Midland towns in the early sixteenth century observed by W. G. Hoskins.²³² Hoskins found 42% engaged in the clothing trade, 29% in other manufacturing and 21% in food provision. He did not identify any specifically engaged in hospitality or, unsurprisingly, in maritime occupations. Sussex’s larger proportion of general merchants suing for debt may be indicative both of the key industries of grain, iron or timber trading not being the sole activity of many individuals, and of merchants’ greater need and propensity to sue; the higher proportion Hoskins found in the clothing trade is explained by Coventry’s cappers and Northampton’s shoemakers.

There were more Common Pleas plaintiff knights (42) and *femmes sole* (163) than defendants (34 and 126 respectively), suggesting that both categories were more frequent

²³² W.G.Hoskins, ‘English provincial towns in the early sixteenth century’, *Transactions of the Royal Historical Society*, 6 (1956), p. 13. Hoskins’ percentages are based on 750 individuals.

lenders than borrowers. If it is assumed that all those plaintiffs with unrecorded status were below the rank of gentleman, then 89 per cent of plaintiffs were of this status and 81 per cent of defendants. This is higher than Brooks' estimates of 72 per cent and 69 per cent, which can be explained at least in part by the greater proportion of London suits in Brooks's samples, London suits being likely to have a higher proportion of mercantile litigants.²³³ Gentry and above were equally likely to sue those of lesser status than to sue those of their own status, whereas non-gentry were significantly more likely to sue those of their own status than to sue upwards (77 per cent compared with 23 per cent). These latter results are broadly similar to Brooks's findings.²³⁴ Table 2.3 shows, by three major social categories of litigant, who sued whom in Requests. Gentlemen and above sued their own classes about half the time, yeoman or below mainly sued their own classes or specified traders, and specified traders most frequently sued other traders. For example, in 1609, a Lewes tallow chandler sued a butcher of the same town, in a dispute over payment for tallow supplied by the latter, which the former would have made into candles. In 1572, a yeoman mortgaged the lease of an iron foundry but the lender, a fellow yeoman, refused to return the lease when repayment was offered, claiming he was holding it against a further debt. And in 1583, Lord Dacre sued Henry Pelham esquire over a contract for timber to be felled on Dacre's land.²³⁵

²³³ Brooks, *Pettyfoggers*, pp. 281-2 (weighted average of the data for 1560 and 1606). London contributed 35 per cent of Brooks's suits, whereas only 23 per cent of 'Sussex' entries originated in London. Of these 'Sussex' London plaintiffs, 20 per cent were gentry or above compared to only 12 per cent for the remainder of the Sussex entries.

²³⁴ Brooks, *Pettyfoggers*, p. 61. Brooks has 56% of gentry and above and 69% of lower status litigants suing those of their own status.

²³⁵ REQ2/420/9, 34/49, 226/4. There was probably bad blood between Dacre and Pelham, as the latter had been instrumental in getting Dacre's father hung as a common murderer [HoPO, 'Pelham, Nicholas (1513-60)'].

Complainant	Defendant		
	Gentleman or above	Yeoman or below	Specified Trade
Gentleman or above	13	6	6
Yeoman or below	7	15	17
Specified Trade	7	4	14

Table 2.3. *Who sued whom at Requests (n=89)*²³⁶

About 90% of the Requests litigation was between men acting alone.²³⁷ A further 6% of plaintiffs and defendants were men acting jointly with their wives, usually in relation to the wife's inheritance or previous husband's business affairs, such as when in 1614 Joan Stodder of Beckley's late husband bequeathed her a debt due to him. The debtor denied the debt, and the reference in the will was the only evidence Joan and her new husband possessed of it.²³⁸ The majority of the small number of sole female litigants (2% of complainants, 5% of defendants) were widows, usually also in suits concerning late husbands' estates. Relatively few litigants appeared in more than one suit in the database. Exceptions included Thomas Turges, who appeared in seven, and John Young, who appeared in five.

2.4 Geographical analysis

'No man will send his moneys far off, nor put them unto unknown hands', wrote Francis Bacon in 1625.²³⁹ A claim as categoric as this cannot have been without some exceptions, yet the Requests suits broadly confirm Bacon's observation, 80% of complainants and defendants being from within Sussex. The most frequent external place was London and its suburbs (which included parts of Kent and Surrey), followed unsurprisingly by the rural

²³⁶ First litigant only. 'Gentleman or above' included esquire, knight and lord. 'Yeoman or below' includes husbandman and labourer.

²³⁷ n=233.

²³⁸ REQ2/407/88.

²³⁹ Francis Bacon, 'Of Usury' in 'The Essays' (1625) in Kate Aughterson (ed.) *English Renaissance: An Anthology of Sources and Documents* (London, 1998), p. 549

parts of Kent and Surrey, and Hampshire, all of which neighboured Sussex. There were two complainants from Wales and one from France, and one defendant from Flanders. One complainant gave his residence as King's Bench prison. Within Sussex, as might be expected, there were clusters of litigants from the larger centres, especially Chichester and Lewes. But only six places had more than five complainants or defendants (see Table 2.4), and a large majority had three or fewer. Unsurprisingly, Rye is absent from the table, doubtless attributable to the availability of alternative sources of dispute resolution in the Cinque Port courts.

	Complainant	Defendant
Brighton	6	1
Chichester	17	17
East Grinstead	6	3
Lewes	8	12
London	15	24
Ringmer	6	1

Table 2.4. Places with more than six Requests suits (complainants n = 206, defendants n = 179)²⁴⁰

Figure 2.6 shows the distance between the places of residence of the complainant and defendant for those Requests suits where both were recorded. The mean distance was 29 miles, and the median distance was 10 miles (16km). This median may be compared with Christopher Dyer's calculation of about 10km for the median distance between a late medieval town and the hinterland villages with which it traded, although hinting perhaps at an expansion in trading range over time.²⁴¹

²⁴⁰ Location is that of first litigant if more than one.

²⁴¹ Christopher Dyer, 'Market Towns and the Countryside in Late Medieval England', *Canadian Journal of History*, 31 (1996), p. 24.

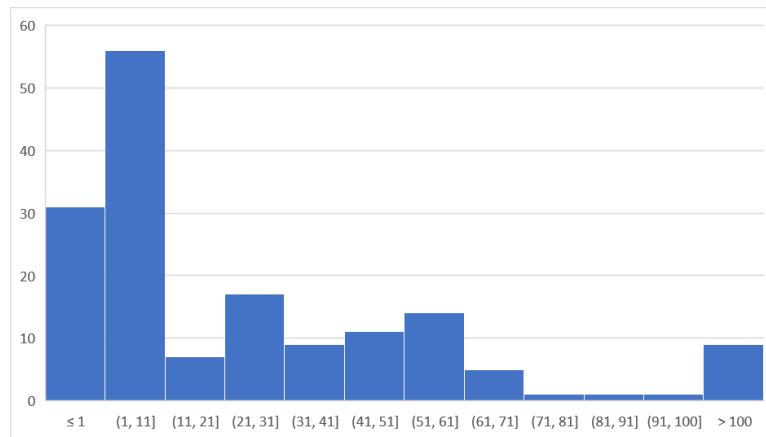


Figure 2.6. Distances (in miles) on foot between locations of Requests litigants ($n=162$)²⁴²

The long tail of the distribution is due in part to 28 suits between Sussex residents and Londoners (where the mean distance was 49 miles) and in part to smaller number of distant litigants in Glamorgan, Cheshire, Devon and Lincolnshire. Two litigants, resident in France and Flanders respectively, were excluded from the analysis because no more precise location was given (and would massively inflate the mean). 17% of the suits were between litigants residing in the same place and a further 38% between litigants residing not more than 10 miles apart. The greatest distance between Sussex litigants was 57 miles, between Ticehurst in the east and Lurgashall in the west.

Locations were far more often given for Common Pleas defendants than for plaintiffs, so it is rarely possible to work out distances between litigants. Figure 2.7 shows the most frequent place names associated with defendants in Sussex suits.

²⁴² Location is that of first litigant if more than one. Where two locations were mentioned for one debtor, the first has been used in this analysis.

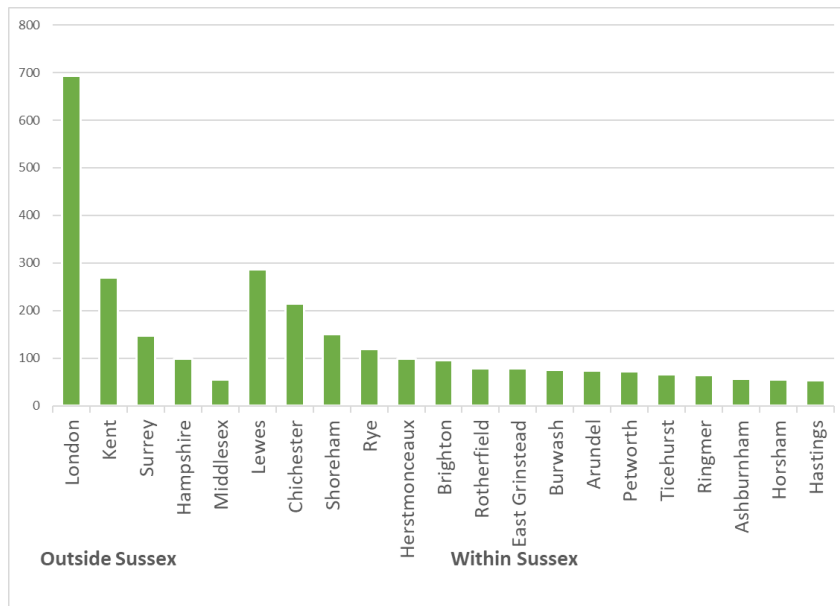


Figure 2.7. Places associated with more than 50 Sussex defendants in plea rolls (n = 2,904).²⁴³

As with Requests, London was by far the most frequent single place mentioned. The three most frequently mentioned counties other than Sussex were again its immediate neighbours, confirming a relative localisation of trade and financial activity. Other counties apart from Middlesex appeared infrequently. Of the places within Sussex, the major centres of Lewes and Chichester again occurred most frequently. Defendants included in Figure 2.4 made up 65% of all defendants. The remainder were almost all from the many smaller towns and villages in Sussex; it being difficult to name a village of any size without at least one suit. The locations of plaintiffs were rarely recorded, although London occurs 213 times, almost always in the context of the plaintiff's status as a free citizen, for example 'John Sledde of London, merchant tailor'. Lewes and Chichester occur just 24 and 23 times respectively, and Arundel not at all.

The number of suits associated with a town might be correlated to the size of its population and/or to their total wealth. The 1524 lay subsidy is considered to be the last subsidy for

²⁴³ A location has only been counted once even if it occurs more often in suits with multiple defendants. 42% of suits were associated with places other than those included on the chart.

which the taxed wealth was reasonably realistic.²⁴⁴ Chichester was assessed at £1,800, Lewes £1,500, Petworth £850, Horsham £650, Arundel £275 and East Grinstead £150. Shoreham was an outlier, at only £26, possibly due to it having recently suffered from serious floods and loss of habitation.²⁴⁵ For both Common Pleas and Requests, a broad correlation can be observed between the number of defendants in the main towns and that town's assessed wealth, notwithstanding the passage of time since 1524. As the average assessed wealth per taxpayer was similar in Chichester, Lewes and Horsham at £6 to £7 (although it was only about £3 10s in Arundel), it was therefore most likely population size that determined the number of suits.²⁴⁶ It is at first glance surprising that Lewes had significantly more Common Pleas defendants than either Chichester or Rye. A likely explanation for this is that, as noted in Chapter 1, the latter two places had courts where material debt cases, particularly against fellow citizens, could be pursued. Thomas Turges, for example, in 1571 sued merchant Laurence Ardern in the Chichester court of record for a debt of £33 10s and around the same time was being sued by another merchant, John Sherwyn, for a debt of £30. Both Sherwyn and Ardern were past mayors of the city.²⁴⁷

The Requests suits associated with London provide some information about the trade and finance network between Sussex and the capital. For example, around 1600, William Greenstead, a Shoreham linen draper, regularly travelled to London to buy stock from several London mercers and drapers; he bought some stock on credit and paid ready money for the rest. He also borrowed money from a London shipwright and repaid it when the

²⁴⁴ See 4.1.1 below.

²⁴⁵ J. Cornwall, 'Sussex wealth and society in the reign of Henry VIII', *SAC*, 114 (1976), p. 16. Rye was exempted from the subsidy for being part of the Cinque Ports, and Brighton was probably excused as having been sacked by the French a decade previously [J. Cornwall, *Lay Subsidy Rolls 1524-1525*, SRS, 56 (1956), p. xxvii].

²⁴⁶ Calculated using the population lists in *SRS* 56.

²⁴⁷ West Sussex Records Office (WSRO) ChiCity/W/2 ff.38, 43, 45. Sherwyn later challenged the Chichester court judgement at King's Bench [KB27/1243 f.267].

shipwright next came to Shoreham (which had a well-established boat-building industry).²⁴⁸ In 1597, Lewes mercer Timothy Grover disclosed unpayable debts of over £300: 60% of his debt was to London merchants for stock (grocers, haberdashers, linen drapers and hosiers); the remainder was mainly either to fellow merchants in Lewes, presumably also for stock or for his own use, or for money borrowed, possibly to finance the acquisition of more stock or to settle previous debts.²⁴⁹ Taking the two men together, a picture emerges of Sussex urban merchants buying stock on credit from London, for sale on credit to a local market. This was a long-standing practice: for example, Mavis Mate found that in the first half of the sixteenth century, London grocer John Lane supplied chapmen in 24 places in Kent and Sussex, including Arundel, Chichester, Hastings, Lewes, Mayfield and Rye.²⁵⁰ Some Sussex products also went in the other direction: a Bewbush yeoman killed and supplied 3,800 rabbits to a London carpenter; and an Amberley yeoman supplied oak bark to a Southwark tanner.²⁵¹

2.5 Familial ties

As noted in 1.2.1 above, Wrightson only found a relatively small proportion of debtors were related to their creditors (although in a small rural sample Holderness found more). In less than 2% of the Sussex CP40 pleas does the plaintiff have the same surname as the first defendant, although there will be more suits between relatives with different names. Examples amongst the 233 Requests suits are also infrequent; perhaps the most egregious being when gentleman Edmund Stapley of Framfield borrowed £40 from his mother Joan. Although she did not ask for a bond, Edmund provided one so that she would ‘have good

²⁴⁸ REQ2/198/54 (1602)

²⁴⁹ REQ2/69/49, 163/67. Grover was at this time being held in the King’s Bench prison for some of his debts.

²⁵⁰ Mavis Mate, *Trade and economic developments, 1450-1550: the experience of Kent, Surrey and Sussex* (Woodbridge, 2006), p. 57

²⁵¹ REQ2/162/25 (1597); REQ2/404/76 (1622). The tanner complained that the bark was lacking in both quality and quantity, some being so wet as to be useless for tanning.

assurance for the repayment'. No interest was charged for this loan, and the penalty of 100 marks was less than the usual one of twice the principal. Edmund made the repayments in instalments, two admittedly being after the due date, all of which his mother accepted without comment. But in 1591, allegedly at the instigation of others, she commenced suit at common law and had her son arrested.²⁵²

In 1594, Thomas Bray of Chichester and William Hildrop of Bosham borrowed £50 from Thomas Brett of Cuckfield, Bray's maternal uncle. Despite the family connection, Brett charged interest at 10% and obtained a bond from them with a penalty of £100. Bray owed £10 of the money and Hildrop £40. They were unable to repay Brett when the money was due, so visited him. He was unsympathetic, allegedly saying that Bray and his brother John had 'done him much wrong' and threatened to sue them at common law for the penalty.²⁵³

Sometimes, familial debt disputes arose following a death, such as when, in 1612, £350 of the portions Sir Ralph Welden left for his daughters was lent by his brother and executor to a relative by marriage, Thomas Lunsford of Whyly; the daughters were later obliged to sue Lunsford to attempt to recover their inheritances. In 1618, two brothers-in-law also contested whether one ought to have paid for board and lodgings to a deceased parent.²⁵⁴ However, there were other causes of dispute. For example, in 1601, a different set of brothers-in-law joined suit over commercial contracts between them. There were also disputes when one family member had stood surety for another, such as that of 1592 between Adam Cartwright

²⁵² REQ2/33/45.

²⁵³ REQ2/26/127, 219/53.

²⁵⁴ REQ2/391/103, 393/58, 394/36. The suit commenced in 1615 and was still proceeding three years later when the court issued an arrest warrant to the sheriffs of London, Middlesex and Sussex for Lunsford following his failure to obey a court order [REQ2/392/34]. In 1620, Lunsford was again a defendant before the court over a debt incurred by his father, Sir John Lunsford, in his office of Sheriff of Sussex (1610-11) [REQ2/398/27, 403/29]; REQ2/303/68, ESRO PBT/1/1/16/230B.

of Brighton, clerk, and his brother William, a Brighton tailor; or when in 1621 one member of the Gutsall family of Burwash sued another.²⁵⁵

A very different perspective on intrafamilial debt can be obtained from family accounts, and this will be examined further in 2.10 below.

2.6 Amounts at dispute

Figure 2.8 shows the distribution of Requests suits by the amount contested, so is largely indicative of amounts borrowed or trade bargains made. About 20% of suits were for money or goods worth less than £10, and almost that many again fell between £10 and £19 (the labour equivalent value of £10 in 1590 was about £37,000 in 2021).²⁵⁶ The median amount in dispute was £30 and the mean £78, the latter increased by several large suits, including one of 1591 for £2,100 concerning the making 500-600t of iron.²⁵⁷ Round amounts were common, especially for bonds, there being eighteen suits for exactly £10, sixteen for £20 and thirteen for £100 for example, suggesting either borrowing was often for round amounts or, possibly, that a litigant could no longer recollect the precise amount owing.

²⁵⁵ REQ2/259/72, 96; REQ2/300/19.

²⁵⁶ 'Five Ways to Compute the Relative Value of a UK Pound Amount, 1270 to Present', Measuring Worth 2023, <https://www.measuringworth.com/calculators/ukcompare/>. Comparison made using average earnings index from date to 2021.

²⁵⁷ REQ2/165/24. £2,100 in 1591 was the equivalent of over £8m in 2021.

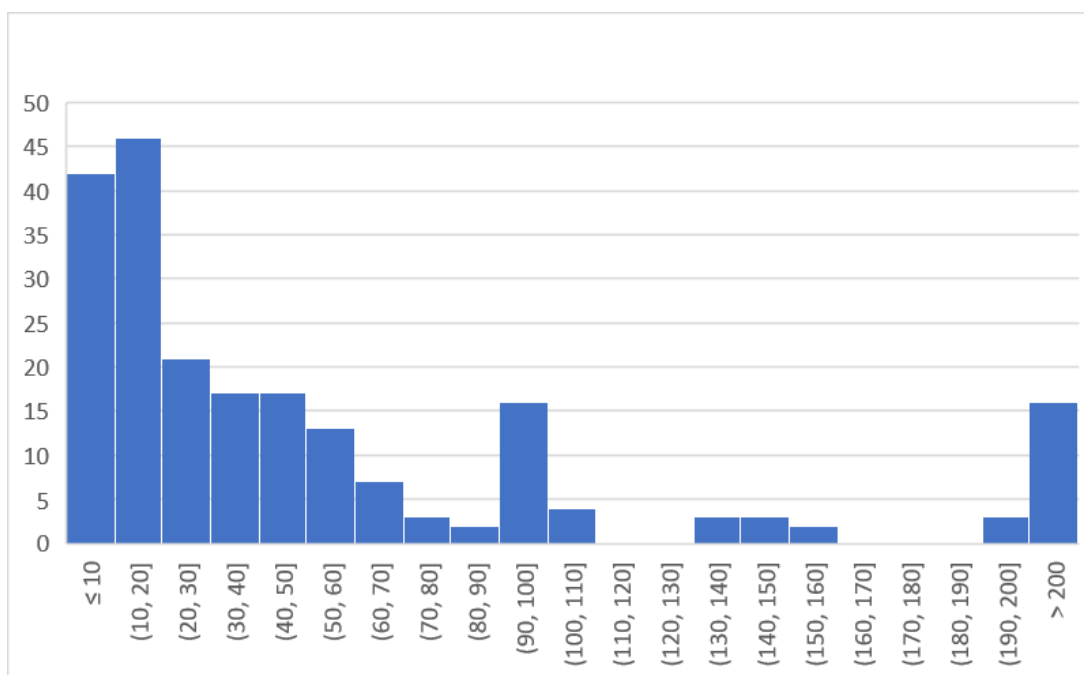


Figure 2.8. Request suits: amounts (in £) at dispute, where given (n=215)

Only by examining the original entry can the amount of the debt of a Common Pleas suit be found. For example, the amounts owed to Thomas Turges ranged from £2 to £500; the median debt was £10 (n=27). The amounts he owed ranged almost as widely; from £5 to £400 (jointly with William Ryman of Oving and Robert Beef of Colworth), although the median was higher at £30 (n=11). The labour equivalent value to £500 in 1580 was about £2m in 2021; Turges was therefore a substantial merchant, and the court was not being troubled for insignificant debts.²⁵⁸

2.6.1 Interest and usury

In some cases, especially earlier in the period, no interest was mentioned as being charged on loans. After 1571, it was generally seen to have been charged at 10%, showing that the statutory cap (see 1.2 above) rapidly became the norm in Sussex. This does not necessarily

²⁵⁸ <https://www.measuringworth.com/calculators/ukcompare/>. Comparison made using average earnings index from date to 2021.

conflict with Lawrence Stone's observation that the rates paid by the aristocracy did not fall to 10% until 1600, as almost all the Sussex litigants were of lower status. A higher annualised, and therefore illegal, rate does appear to have been charged when Thomas Parker of Willingdon, gentleman, lent £15 to Robert Grigg of London, merchant tailor in February 1594. Grigg became bound in £30 to pay £16 10s to Parker in July, just five months later, an effective annual rate of over 25%.²⁵⁹ Robert Weller of Rye claimed to be paying 'excessyve userye' at a rate of 50%p.a. to John Whitfield of Tenterden 'more in verie dede than any trewe dealing man in conscence would have receyvid'.²⁶⁰ There were, though, also examples of rates below 10% being charged before the cap was reduced to 8% in 1624. In 1617, John Crouch of Heathfield charged only 7.5% on a £100 loan secured on land for one year to Thomas Weston of the same place.²⁶¹ This lower rate may have been due to the loan being a mortgage, although when Abraham Langham of Wadhurst borrowed £40 from Abraham Farrington of Mayfield in 1609 at 20d in the pound (8.3%) and John Green of Chichester, merchant, borrowed £10 from William Sandham in 1620 at 8%, no obvious features of the transactions explained the lower rate.²⁶² In 1623, Thomas Brigden of Northiam, yeoman, borrowed £15 from Francis Evernedden of the same village, also at 8%. It was secured on two steers and two kine, and Evernedden even got to keep the milk from the kine.²⁶³ All of these incidences of interest rates under 10% arose after 1600, so an explanation might be one of social pressure to charge a lower rate. These examples challenge Stone's assertion that the legislation of 1624 was responsible for lowering the rate to 8%.

²⁵⁹ Lawrence Stone, *The Crisis in the Aristocracy 1558-1641* (Oxford, 1968), p. 530; REQ2/165/94. Another Sussex example might be when, in 1582, John Wells became bound in £40 to pay Henry Bellingham, gent, £22 in five months' time. If the principal had been £20, interest would have been at the same penal rate incurred by Grigg. [REQ2/165/86, 209/38]. See also *TED*, 2, p163-164, for an example of a London merchant tailor being prosecuted for infringing the 1571 Act by charging 20% on a loan of £500 to Sir John St Leger of Annery, Devon.

²⁶⁰ E112/45/14.

²⁶¹ REQ2/296/115. The suit was brought because Crouch was repaid the £107 10s due entirely in cash, presented in a number of bags. Being 'unskilled at reckoning', he claimed that Weston had left him £10 short.

²⁶² C8/60/10; C3/310/64.

²⁶³ C3/334/66.

Whilst 8%, often expressed as 20d in the pound (so 8.3%), did indeed become the norm thereafter, it is quite likely that parliament was reflecting a growing economic practice rather than simply decreeing it.²⁶⁴

2.7 Debtors and creditors

In the Requests suits examined, almost all litigants can be classed as either debtors or creditors (occasionally both parties were in debt to the other); complainants were almost twice as likely to be debtors than creditors.

Debtors

Stretton divided equity court debtors into two classes: those who accepted they had failed to meet a contract or repay a debt but pleaded mitigating circumstances; and a far larger number who claimed to have delivered or repaid but were still unfairly being pursued, often, on a bond, for the penalty as well. Debtors, he added, sought either to pre-empt action at common law against them, or to obtain an injunction to stay an already-commenced suit whilst Requests considered the equity of the situation.²⁶⁵ For example, Thomas Ball, a merchant with a shop in Lewes, had traded unspecified merchandises with John Margeram, a gentleman of the same town, running up mutual debts exceeding £300. In 1612, a reckoning took place to establish the net debt, Ball allegedly being the net debtor. Subsequently, there was disagreement on exactly which debts had been included, and Margeram sued Ball at common law, having him arrested in Chichester and subsequently in other places. Each time, Ball had to pay some part of the alleged debt to be released. He claimed that he could no

²⁶⁴ Lawrence Stone, *The Crisis in the Aristocracy 1558-1641*, abridged edition (Oxford, 1967), p. 240; C5/612/96 (1640), C5/612/96 (1645).

²⁶⁵ Stretton, 'Written Obligations', pp. 194-5.

longer travel about on business without fear of imprisonment, so was seeking an injunction from Requests so that he could continue in business whilst the matter was resolved fairly.²⁶⁶

Just over two-thirds of the suits concerned disputes over bonds, the most frequently observed use of which was to provide the parties in a commercial transaction with protection against that transaction failing. Judgement over the non-performance of a bond's conditions could be obtained fairly easily at common law provided the creditor still held the original bond and the debtor could produce no written evidence of payment (or delivery of goods) in full by the due date. These suits confirm Stretton's findings: debtors' most common complaints were either that they had repaid the debt, albeit later than the date specified in the bond, or that they had repaid most of the debt, but the creditor was still proceeding against them at common law for the whole amount. Another common debtor complaint, as Stretton observed, was that having repaid the debt in full and on time, they had failed to see the bond cancelled, or to obtain an acquittance from the lender, or to make the repayment in front of witnesses. This allowed a lender to claim that the bond was in default. Sometimes, creditors did this when they were owed other sums by the debtor not covered by a bond, being willing to cancel the bond only if the other debts were also settled; other times they were just unscrupulous.²⁶⁷

Suing for the penalty, typically twice the principal, was common: sometimes primarily as a threat to ensure that the principal was repaid, and sometimes as a means of recovering another unsecured debt.²⁶⁸ Such as when, in November 1569, John Cowlestock entered into an obligation to pay John Beard £8 on the following Michaelmas Day ('in th^e churtche portche of th^e parryshe of Cowfolde betwene one & foure of the clocke in th^e afternoone').

²⁶⁶ REQ2/295/62.

²⁶⁷ Stretton, 'Written Obligations', p. 196.

²⁶⁸ *ibid.* p. 197.

Cowlestock failed to make the payment and so was exposed to the potential penalty of £16. In the meantime, he had forced Beard to incur legal costs of 10s to recover a different debt, £2 of which was still outstanding. Beard generously said that he would accept £10 10s instead of the full penalty.²⁶⁹

On other occasions, debtors may have been victims of straightforward deception. In about 1583, Chichester haberdasher Humphrey Peverell owed £51 8s to London haberdasher George Powell by bond, for which Chichester vintner Henry Farrington had stood surety. Peverell repaid the money to Powell in London, albeit slightly late, in the presence of London clothworker Richard Farrington, a kinsman of the vintner²⁷⁰. Powell then invited Peverell to join him for dinner, saying he would return the bond to him afterwards. He also crossed the debt off on his books. Later, he said he did not have the bond with him but would hand it to Richard Farrington to deliver to his kinsman. Powell then claimed that Peverell owed him £125 for merchandise in addition to the £51 8s, and that he had counted the money paid by Peverell towards the first debt not the second; and put the bond into suit at common law for the penalty, having Henry Farrington imprisoned for non-payment. He said that he would drop the suit if Farrington or Peverell paid a further £50.²⁷¹

Sureties

Over thirty litigants were sureties for the original borrower, the majority of whom were complainants to the court hoping to avoid having to pay the debt (although were generally not already in prison like Henry Farrington above). Proceeding against a wealthy surety rather than an impoverished debtor gave creditors a better chance of recovering money.

²⁶⁹ REQ2/39/36.

²⁷⁰ Richard Farrington became a London alderman and sheriff, and was also the Master Clothworker [Alfred P Beaven, 'Chronological list of aldermen: 1601-1650', in *The Aldermen of the City of London Temp. Henry III - 1912* (London, 1908), pp. 47-75 accessed on 8 Jan 2025 at <https://www.british-history.ac.uk/no-series/london-aldermen/hen3-1912/pp47-75>]

²⁷¹ REQ2/143/3, 207/5.

Despite the risk they were taking on, no evidence was found of sureties being remunerated. Rather, they would appear to have acted largely as a favour, sometimes for someone about whom they apparently knew little about. Possibly this was for the reasons advanced by William Burton in a 1593 sermon: ‘The rule of charitie we know: and that is to do for others as we would be done unto our selves. If therefore Christians would be glad of a Suertie when they are in necessitie, then Christians must also (when neede requireth) do so much for others’.²⁷² Burton, however, also warned that ‘Suertiship is like a deepe water and a mightie streame, that hath drowned some, & carried other some away (God knowes whither) that they could never recover themselves againe’.²⁷³ In 1594, Burghley went further in advice to his son, Robert Cecil: ‘Beware of suretyship for thy best friend, for he which payeth another man's debts seeks his own decay; but if thou canst not otherwise choose, then rather lend that money from thyself upon good bond though thou borrow it, so mayest thou pleasure thy friend and happily also secure thyself’.²⁷⁴

Herbert Pelham, esquire, gave as one reason for standing surety in 1607 for several large loans to Richard Blount, esquire, of Dedisham, that there was ‘some affinity’ between them, adding, though, that he also took some reassurance from a statute staple for £2,000 from Blount to hold him and other sureties harmless.²⁷⁵ In 1588, Thomas Prettye of Wartling said that he had stood surety for Stephen Weller of Mayfield, about 14 miles distant, because he was asked to do so by Weller’s brother, Richard, who was Prettye’s partner in a wool deal.²⁷⁶ At any one time, a man might be surety for many debts. William Aylwyn of Trotton, yeoman, stood as surety to Anthony Foster esquire for the bonds of four other men, by 1618

²⁷² William Burton, *Two Sermons of Suertiship, made in Bristoll* (London, 1593), p. 24.

²⁷³ *ibid.* p. 41.

²⁷⁴ Louise B. Wright (ed.), *Advice to a Son: Precepts of Lord Burghley, Sir Walter Raleigh, and Francis Osborne* (Cornell, 1962), p. 12 .

²⁷⁵ C3/300/93. Pelham’s second wife Elizabeth West was the niece of Blount’s wife Mary West.

²⁷⁶ C3/228/45.

being exposed to debts totalling over £260. He was forced to sell all his assets when all four of the borrowers defaulted; he was also gaoled.²⁷⁷ Foster, whose mother owned the manor of Trotton, would have been lending surplus capital to local men to earn interest.²⁷⁸ It is unclear why Aylwyn acted as he did, being unlikely to have been able to pay more than one or two of these debts if the borrowers defaulted. He certainly did not follow Sir Walter Raleigh's advice to his son, 'be not surety above thy power, for if thou be surety think to pay it'.²⁷⁹ It also seems surprising that Foster considered Aylwyn's weak surety to add materially to such a large aggregate of credit. Similarly, in the years before 1604, John Bartlitt of Lewes was surety for William Paler of Rotherfield (17 miles distant) for ten or eleven debts totalling about £500, several of which were to prominent Lewes merchants including John Puckle, John Stansfield and John Harman.²⁸⁰ It is likely that the merchants considered local man Bartlitt creditworthy but were ignorant or suspicious of Paler's credit.

Some sureties fully accepted their responsibilities, such as Bartholomew Ballard of Telescombe, yeoman. In 1600, he had expected the debtor for whom he was surety to pay the creditor, Thomas Pilbeam of Southover near Lewes, on time. Meeting Pilbeam at Southover six days after the debt was due, Ballard was concerned to discover that Pilbeam had not received the £6 6s due. He hastened to Lewes to borrow the money, and returned to offer it to Pilbeam, who refused to accept it, claiming that the debtor owed him at least another £6, and unless Ballard also paid that, he would sue for the bond penalty of £12.²⁸¹ When Thomas Hitchcock of Linch stood surety, the borrower also defaulted, and Hitchcock had to borrow £100 from a Midhurst baker to settle the debt.²⁸² Occasionally, counterbonds

²⁷⁷ REQ2/423/5, 412/10 .

²⁷⁸ For example, Foster also loaned £100 to Thomas Hodges of Midhurst [C3/359/76].

²⁷⁹ Wright, *Advice to a Son*, p. 28.

²⁸⁰ REQ2/395/7-8.

²⁸¹ REQ2/138/14.

²⁸² C3/359/76.

(from borrower to surety, to protect the latter if the former defaulted) were mentioned in suits, or even sued upon, and they were typically for twice the principal with a penalty of four times the original amount. The failure to get a counterbond was also occasionally bewailed, although one would have been of no use if the borrower genuinely could not pay his creditors.

Executors

Around fifty litigants were executors or administrators of a deceased's estate, broadly evenly balanced between creditors and debtors. The death of a borrower or lender tended to crystallise debt transactions. Creditors worried whether they would be repaid, as executors could deny the deceased's debts if there was no written evidence. Executors worried whether they could collect sufficient of the deceased's debts to repay the creditors, as the debtors were equally able to deny their debts if evidence was lacking.²⁸³ Disputes also arose over the true valuation of inventories, which if undervalued might permit executors to avoid paying seemingly unaffordable debts. For example, when, in 1615, Chichester tailor Gabriel Windress died, Joseph Shallett, one of Windress's creditors, was appointed administrator of his estate (even though Windress in his nuncupative will had appointed his wife as sole executrix, and probate was initially granted to her). However, Thomas Norton, mayor of Chichester at the time, who had leased a house to Windress and had allegedly been owed over £10 in rent, had already distrained Windress's goods.²⁸⁴ The same year, George Ardern died, having shortly before his death failed to repay a £64 bond to Chichester cathedral official Dr Hugh Barker. Shallett had been Ardern's surety and was potentially liable to pay Barker a £120 penalty. Ardern had given Shallett a counterbond for £240, so Shallett began

²⁸³ Executors were legally obliged to sue on uncancelled bonds [Stretton, 'Written Obligations'. p. 196].

²⁸⁴ Depositions, 26, pp. 124-128; McInnes, pp. 1035-6.

action for payment against Ardern's administrator, his son Richard. Ardern's inventory showed his assets worth only £99; but the probate account shows that Shallett was satisfied by being paid £64, which presumably Barker was also happy to accept, albeit somewhat late.²⁸⁵ It cannot have been easy for Richard Ardern to administer his father's estate, for a second creditor had sued him in the mayor's court and the Dean and Chapter were also seeking the return of sixteen quarters of wheat which Ardern had allegedly taken to bake into bread for them but had instead sold.²⁸⁶ Richard ended up paying out £49 more than the appraised value of his father's goods and chattels. Inventories were, though, often not fully reflective of the deceased's assets; for example, any real estate was not by convention included.²⁸⁷ Shallett was listed as a trade creditor in two other surviving Chichester probate accounts.²⁸⁸ Fortunately for him, in these cases there were sufficient assets to enable the debt to be repaid.

Creditors

Creditors were most likely to complain to the court when they had no documentary or witness evidence of a loan, either because the documentation was lost or because the loan had never been documented. They hoped either that the debtor would not be prepared to lie on oath, or that they could produce circumstantial witness testimony sufficient to convince the court. The expense of litigation alone was also sometimes sufficient to persuade a debtor to settle. The reasons for such unsecured debts were many and varied, demonstrating the wide range of trade activity in Sussex at this time. A Petworth dyer had not been fully paid

²⁸⁵ WSRO Ep/III/9/1 George Ardern (1619).

²⁸⁶ In 1624, the Dean and Chapter contracted with a younger George Ardern, widow Margaret Ardern and Thomas Adern to bake 282 loaves of bread each week, using wheat provided to them by tenants of the Dean and Chapter's lands in the Chichester hinterland. The contract was intended to allow the Aderns an annual profit of £21 [Danae Tankard, *The Parliamentary Surveys of the City of Chichester 1649-1650*, SRS, 105 (2025), pp. 133-8].

²⁸⁷ Peter Spufford, 'Long-Term Rural Credit in Sixteenth and Seventeenth-Century England: the Evidence of Probate Accounts' in Tom Arkell, Nesta Evans and Nigel Goose, *When Death Do Us Part* (Local Population Studies Society, 2000), p. 221.

²⁸⁸ WSRO Ep/III/9/1 Clement Lodger (1622); Ep/IV/10/1 Joan Champion, widow (1621).

for the wool he had dyed, at prices ‘accordinge to the Ritchnesse of the coloures and his worke and charges bestowed therein’. A Rye fish carrier had brought nine loads on his pack horses, of which he had more than forty, to Chipsted, near Sevenoaks (Kent) for the queen’s purveyor of fish (other carriers with fresh horses then took the fish onwards to London) at a total cost of £95. Two Lewes churchwardens alleged that two of their predecessors had a bell of 22cwt taken down, broken up and sold for scrap, keeping the proceeds. A London haberdasher was owed 100 marks by a man of Bosham, who agreed to make part payment in the form of £30 worth of hogsheads of clay ‘suche as Glassemakers use’ which were allegedly left at Pallingham Quay, the highest navigable point of the river Arun, until the London man could collect them (the man with whom they were left denied receiving them and the debtor had fled to Ireland).²⁸⁹ Other disputed undocumented transactions included debts in shopkeepers’ books and reckonings agreed between merchants.

In at least twenty of the suits examined, there was a dispute over whether a creditor had orally agreed that the debtor could have longer to pay than the date in the bond or other writings. One such was the suit over a £50 debt mentioned earlier between Hildrop and Brett. Hildrop claimed that he had agreed with Brett that he could defer payment, paying additional interest, making £58 in total. When the £58 was tendered, Brett allegedly refused it and threatened to sue for the penalty of £100. Brett, however, told a rather different story, which nicely illustrates the danger to historians of relying on the detail when only the complainant’s bill survives. He gave different dates for the money to have been repaid. He claimed that he had refused to forbear as he had promised the money to someone else, and that although

²⁸⁹ REQ2/26/15 (1587), 74/4 (1596), 146/11 (1593), 272/28 (1590).

Hildrop had entreated him not to sue so as it would 'bring his name in question', he had never been offered £58 or any other amount.²⁹⁰

Reckonings

Those who regularly traded or had other financial transactions with each other usually accounted for their mutual debts from time to time, often before witnesses. The net balance might be settled in money, or recorded as an initial debt for a future reckoning, or the net debtor might provide a bond for future payment of the balance.²⁹¹ Richard Farnfolde and John Shelley, gentlemen, accounted in 1582, concluding that Shelley owed Farnfold £79. They later met in Steyning for Shelley become bound in £150 to pay the £79 to Farnfold on All Saints' Day following, but Shelley took the draft bond and 'sudenely putt it upp into his hose or pockytt; & went his waye' when they disagreed over exactly which debts had been included in the reckoning.²⁹² Around 1601, Thomas Saunders of Charlwood (Surrey) trusted William Smythe of Ifield sufficiently not to request a bond for their reckoning of £5 0s 8d. He must subsequently have regretted this, as Smythe later refused to pay.²⁹³ A death was often the reason for a reckoning, as when, around 1598, Raphe Wood of Rye, mercer, travelled to London to come to a reckoning with the executor of William Cleyton who had supplied him with various 'small wares'.²⁹⁴ Wise parties to a reckoning would still insist that documentary evidence of the debts included were cancelled or destroyed. This was done for Wood's debts in Cleyton's shop book, and when, in 1594, John Young of Chichester agreed

²⁹⁰ REQ2/26/127, 219/53.

²⁹¹ Muldrew, *The Economy of Obligation*, pp.101, 107-9

²⁹² REQ2/205/1.

²⁹³ REQ2/266/4.

²⁹⁴ REQ2/403/116.

with Thomas Fenner that Young owed a net £50, he refused to pay until Fenner delivered over the relevant bonds, books of accounts, etc.²⁹⁵

Bankruptcy

The process of bankruptcy has been described in 1.2.2 above, but court records can reveal how it operated in practice in a community. Around 1590, William Burnopp and William Lullington, both of East Grinstead, applied for the bankruptcy of Thomas Hawen of the same town. A commission was appointed consisting of John Shurley, esquire, a barrister, and Drew Pickayes of East Grinstead and John Bulman of Hartfield, gentlemen.²⁹⁶ They met once or twice at the Checker Inn at East Grinstead and once at Lewes. Burnopp claimed to be owed £160. He had already had Hawen arrested by the Sheriff of Sussex, to whom Hawen had become bound in £60 for his appearance at the court of King's Bench. William Lullington and William Ellis were sureties for this bond.²⁹⁷ Ellis had been willing to act as surety as Hawen had told him he did not owe Burnopp anything, a statement to which Ellis gave 'some credit'. Lullington claimed that Hawen did not appear at the court, that he had been sued by the sheriff for £40, and had been unable to sue Hawen on a counterbond of £40 as Hawen 'was a fugitive, and was flead out of the Countrey' and had taken much of his goods with him.²⁹⁸ The commissioners appear to have been satisfied that Hawen was a bankrupt, as they seized his farm of Imberhome, with its crops, cattle and goods and sold parts of them, some to Lullington. Hawen later challenged the commission's actions. He said he had appeared before the commissioners at Lewes and told them that he could repay his debts and so was not bankrupt. He produced several fellow East Grinstead yeomen who

²⁹⁵ REQ2/293/23.

²⁹⁶ REQ2/34/2, 219/32. Hawen was a freeman of the Company of Fishmongers, so was apparently considered to be a merchant for the purposes of the law of 1571, whatever his actual business.

²⁹⁷ The sheriff was John Carroll esq., who held the office from 1588 to 1589

²⁹⁸ 'Country' in this context usually meant the locality.

all testified that he was frequently around the town trading with them and had not fled. He also alleged that Lullington had funded the bankruptcy commission, despite Hawen owing him nothing. A different commission appointed by the court wrote to the Master of Requests (Dr Julius Caesar) that Lullington could provide no evidence that the sheriff had called in his surety, and that the bankruptcy commissioners had treated Hawen unfairly. Although a complex situation, it does appear that Lullington was manipulating the bankruptcy process for his own ends.²⁹⁹

In 1618, an alternative route to compromising with creditors was attempted by William Rassold, labourer, of East Marden. He petitioned King James I for an examination of his debts, and two county JPs, Sir John Carroll and Sir William Ford, were appointed to call together his creditors. This they did at Harting, but seemingly failed to make any specific order, possibly finding that Rassold's assets and land enabled him to repay his debts. This was certainly what one of the creditors, John Pitt of Chidham, yeoman, who was owed £10 by bond, believed. Rassold nevertheless claimed to have been granted letters of licence and respite of time by other creditors to repay them over five years. These debts totalled just over £30 and were due to six inhabitants of East Marden or nearby parishes, two of whom also had the surname Rassold. Rassold had also compromised on a second £10 bond, to George Heycroft of Harting, agreeing to pay £6 plus 10s charges. He claimed to have satisfied all but £1 of this debt by giving his creditor a horse and a cow, each worth £2, a bullock worth 13s 4d and 4bu of wheat worth 14s.³⁰⁰

²⁹⁹ Hawen's suit was eventually dropped by the court, as it discovered he was pursuing a similar action at common law [REQ1/18, p.274].

³⁰⁰ REQ2/424/133. Rassold's creditors were husbandmen, yeomen, a widow and a gentleman.

Death

In 1616, William Cornwallis wrote of the apparent paradox that ‘he that is in debt hath this great privilege above other men, that his Creditors powre out hearty prayers for him; they wish that hee may live, and thrive and prosper, and grow rich, and all for their owne advantage’.³⁰¹ Whether or not this was really true, death was, as already mentioned, a time of reckoning for borrowers and lenders. Executors and administrators were supposed to identify the deceased’s creditors and pay them off, and to identify amounts owing to the deceased, hopefully to collect them and use toward paying debts and legacies. This did not always go well. An example was the aftermath of the death of Roger Booker of Chichester, merchant, in 1606. In a brief nuncupative will, Booker left all his goods to his wife, Mary. However, he owed £300 to three prominent merchants of the city, Alderman Edward Lawrence, William Strudwick and Henry Stanley, who took over the administration of Booker’s estate. They said that he had much owing to him in ‘bonds, bills, reckonings and accounts’. One such debtor was Roger Michael of Chidham, gentleman, who owed Booker for both mercery wares and other commodities and money lent. £30 of the debt was only on Booker’s books, and Michael had refused to pay, there being insufficient evidence for the administrators to sue him at common law. The administrators also claimed that widow Mary, who had continued to live in Booker’s mansion house, had sold or removed most of his goods. Mary answered that when her husband died he was worth £1,300 but that his debts were only £700. The administrators had paid her nothing, so enriching themselves by up to £600.³⁰²

³⁰¹ William Cornwallis, ‘That it is good to be in debt’ in *Essayes of certaine Paradoxes* (London, 1616)

³⁰² REQ2/390/70, 397/60; McInnes p. 134.

Bonds never cancelled could also cause problems after a death, as when in 1597 Richard Triggs of Chichester, merchant, borrowed £6 from Ralph Southern, becoming bound in £12 to repay the loan six months later. He made the repayment but never got the bond back. After Southern's death in about 1614, his widow remarried and in 1617 she and her new husband put the bond into suit. Triggs argued that as he had lived in Chichester for 20 years 'in good sorte and qualitey' and Southern had never pursued the £6, Southern must have known it had been repaid.³⁰³

2.8 'Law awareness' and legal advice

The study period was, according to Christopher Brooks, 'one of the most litigious periods in English history': access to the courts was becoming more affordable for those below the county elites, and easier because of a proliferation of legal advisers.³⁰⁴ Litigants before the Westminster courts were required to be represented by lawyers. Serjeants-at-law, who stood at the apex of common law lawyers, had the right of pleading at the court of Common Pleas. At the English bill courts, including Requests, clients could be represented by any attorney who had trained at one of the Inns of Court and had been called to the bar; today we would call them barristers but then they were generally termed counsellors-at-law or simply counsel.³⁰⁵ Counsel usually signed each bill or answer at the foot, and in about 200 of the Requests suits a legible counsel's signature appears at the foot of at least one of these. For those few suits with entries in the court's order books, the appearance of counsel in person before the court was also sometimes noted. About 130 different counsels' names were associated with these suits, although only thirteen names occur five or more times. Examination of these names reveals several previously unidentified factors, including

³⁰³REQ2/415/112. Triggs became mayor of Chichester in 1622, dying in office the following year, having bequeathed at least £150 in his will [McInnes, p. 238-9]

³⁰⁴ Brooks, *Pettyfoggers*, pp. 79, 101-11

³⁰⁵ Wilfred R. Prest, *The Rise of the Barristers* (Oxford, 1986), pp. 5, 16-17.

location, which led to their selection. The counsels most frequently used were Richard Lewkenor, a Sussex man who was Recorder of Chichester from 1590, and John Shurley, another local man. Both appeared in 25 suits. Only three other names appeared ten or more times: Edmund Pelham (11), John Cowper (10) and Stoughton (14). There were, however, several Stoughtons at the bar; brothers Thomas and Francis, their uncle George, and Thomas's son Adrian.³⁰⁶

As noted above, Thomas Turges was a litigant in seven Requests suits between 1573 and 1590, for which he selected prominent western Sussex counsel to represent him. His counsel in four suits was Richard Lewkenor, and in a further two it was Edward Fenner: both men who would go on to become prominent judges. Like Turges, Sussex litigants in general frequently chose counsel who lived near to them. For example, the Pelham family seat was at Laughton in the east of the county and all the litigants advised by Edmund Pelham were from that side of the county, as were the clients of John Shurley whose family seat was at Isfield. The Stoughtons, on the other hand, had all their clients from the western half of the county. Richard Lewkenor was something of an exception, as he only had about half his clients from western Sussex, also advising clients from eastern Sussex, Hampshire and more distant places. Lewkenor's clients may have come to him for his experience and influence as much as for his accessibility, although, like most active members of the bar, he would probably have spent the legal terms in London and so might have been consulted there by his clients rather than when he was in Sussex. Not all litigants use local counsel: for example, Lord Buckhurst used the up-and-coming Norfolk native Edward Coke in a 1581 suit. More

³⁰⁶ Thomas Stoughton was married to a sister of Richard Lewkenor. HoPO, 'Stoughton, Thomas (1521-76), of Stoughton, Surr. and West Stoke, Suss.']. Adrian Stoughton later followed his uncle as Recorder of Chichester.

surprisingly, Coke appeared again in a minor Sussex suit in 1591, when he was already Recorder of London, a year before his appointment as Solicitor-General.³⁰⁷

The clever use made of the law by merchants to avoid or defer payments is evident from some of the practices seen in 2.6 above. Whether this demonstrates the ‘law awareness’ of the litigants, or just astute choice of counsel, is less clear. For example, in a suit of 1579, Turges complained about the tactics of his opponent’s counsel, Francis Stoughton. Stoughton had advised his client, who owed Turges some wheat, to put about that he would be absent when the grain was due to be delivered at Chichester harbour - misleading Turges into believing that he need not be there to collect it - and then to make arrangements for someone else to deliver it, thus satisfying the contract in law and enabling the wheat to be legally taken away immediately afterward. Turges only found this out because Stoughton unadvisedly boasted of it to Turges’ counsel’s brother. Despite this defeat, Turges used Stoughton as his counsel eleven years later in his final Requests suit, as his usual counsel, Richard Lewkenor, acted for his opponent.³⁰⁸ Turges also used Stoughton in two subsequent Chancery suits.³⁰⁹

2.9 Reasons for debt

The reasons debt arose were diverse. Repaying money borrowed was the most frequent, although the reason for the borrowing was often just stated as ‘having need of money’, indicating a need for metallic currency for a transaction that could not be done on credit.

Where reasons for debts were given, they were many and various: unpaid legacies, rent, a freedom payment for an apprentice, board and lodgings, commodities provided on credit, a

³⁰⁷ Allen D. Boyer, ‘Coke, Sir Edward’, *Oxford Dictionary of National Biography (ODNB)*, accessed on 3 Jan 2024 at <https://doi-org.ezproxy-prd.bodleian.ox.ac.uk/10.1093/ref.odnb/5826> . Coke was later to become Chief Justice of both Common Pleas and King’s Bench.

³⁰⁸ REQ2/277/67.

³⁰⁹ C2/Eliz/S11/57; C3/222/13, 229/118.

horse hired and not returned, forfeited bail, work done, tithes unpaid, and even gambling debts. Where the reasons for borrowing related to trade, information about the underlying trading arrangements can often be extracted.

2.9.1 Borrowing for Trade

Many trade suits related to Sussex's main products, grain, timber and iron: some relating to the grain trade will be utilised as sources in Chapter 3. An example of an iron-related suit arose in 1576, when William Waters bought 60 loads of iron ore and 40 loads of charcoal from John Yealding of Battle for the smelting furnace he operated at Buckholt near Bexhill. Yealding became bound in £50 for the bargain. He delivered the ore, but only 22 loads of charcoal. He claimed he was ready to make the remainder of the charcoal when he received a message that it was not needed. However, Waters denied sending such a message, stating that without the charcoal he could not make 6t of iron which would have been worth £20. This was a relatively small contract for Waters, who rented the iron works from the executors of its previous owner for £220p.a., being allowed to take and burn sufficient wood from the surrounding land each year to make 550 loads of charcoal.³¹⁰

Many other iron-related suits have been described by Cleere and Crossley, but the debt problem described below was not. The story starts in 1603, when brothers Thomas and Goddard Hepden of Burwash, who operated Bivelham forge for landowner Thomas Pelham, esquire (see 2.10 below), were granted a 15-year lease on land around the forge with the right to cut wood for £260p.a. A few months later, the brothers provided Pelham with a statute staple for £1,000 for the fulfilment of the leases.³¹¹ In his accounts commencing Michaelmas 1603, Pelham noted the first of a series of half-yearly payment of £130 for the

³¹⁰ REQ2/80/18, 84/37; Cleere and Crossley, p. 155.

³¹¹ Pelham, f.272r.

‘land, forge and woods’ at Bivelham.³¹² After Thomas Hepden died in August 1610, Goddard and Thomas’s son, Thomas, continued to make the payments regularly until the final payment, which was paid in two instalments on or after Lady Day 1618. Although the contract had been fulfilled, in March 1619, the Hepden family manor of Fosters had to be sold for £1,300, the buyer having to be indemnified against a statute staple for £2,000 that Thomas Hepden junior had entered into with wealthy Lewes merchant John Stanfield, and against a judgement for £400 at the suit of Thomas Chalmers, gentleman.³¹³ Thomas Hepden junior died in 1620, mentioning in his will that some of his land was ‘put over’ to his uncle Goddard and his brother-in-law for the payment of his debts.³¹⁴ It is not obvious why Thomas Hepden junior had built up so much debt: the Bivelham contract should have been profitable, as the price of iron appear to have risen over the period of the contract, whilst the Hepdens’ costs of fuel wood remained effectively fixed.³¹⁵

Other Sussex activities mentioned in the Requests suits include the sowing of 20 acres of woad, the transhumance and over-winter fattening in beech woodlands of pigs from the north-western home counties, and the sale of wax which was later confiscated as pirated goods.³¹⁶

Collecting trade debts was not easy, especially when the debtor was in a different part of the country. Around 1592, ironmaster Thomas Collins of Brightling had several debtors including a smith ‘dwellinge towards the north p[ar]tes of this realm’, and travelled to Stamford (Lincolnshire), Market Overton (Rutland) and Newark (Nottinghamshire) to try to collect them. He accepted bonds from several debtors, who were to pay Robert Green, who

³¹² Pelham, f.108v.

³¹³ BL Add Ch 29753.

³¹⁴ PROB11/135/633.

³¹⁵ See e.g. Cleere and Crossley, pp. 284-5.

³¹⁶ REQ2/110/39, 200/59 (1587); REQ2/270/39 (1592); REQ2/246/7 (1595).

was in turn to deliver the money (or the unpaid bonds) to the house of London ironmonger John Barton for Collins' use.³¹⁷ Thomas Isted, also of Brightling, operator of Moat Mill forge in Mayfield, also supplied small quantities of iron to the English Midlands, in his case 10t of bars to a Nottingham man, from whom he also struggled to get full payment.³¹⁸

Disputes can also provide insights into the day-to-day aspects of trade, such as the suit between Randall Dye, a London merchant tailor, and Denise, the widow of William Greenstead, a Shoreham linen draper (for whom see also 2.4 above) whom Dye claimed he had supplied on credit. Greenstead had been killed when shifting gunpowder from one bag to another. Dye's 1604 interrogatories to the widow asked for a complete inventory of Greenstead's stock, which seems fortunately not to have been lost in the explosion. One was produced, listing more than a hundred separate items with a total value of £80. Most were lengths of cloth of different sorts, or mercery wares such as thread, pins or buttons. But Greenstead also stocked a dozen or so different spices, and basic grocery products such as salt (the most valuable item, 20q worth £16), candles, soap, dried fruit, and *aqua vita*. He also had 19 debts totalling about £100, as well as three desperate debts totalling £75 (the main one being £62 which Richard Snelling, gentleman, had run up on account), and unpaid shop book debts of £15 from various people.³¹⁹

2.10 Gentry lending and borrowing

Felicity Heal and Clive Holmes wrote that the necessitous gentleman's first recourse was to borrow from family and friends, perhaps interest-free, and with no great pressure to repay by a fixed time. In the absence of an obliging relative, London moneylenders would need to

³¹⁷ C3/236/57; 'Thomas Collins (d. 1612)', Wealden Iron Research Group, accessed online 15 November 2025 at <http://www.wirgdata.org/searchpro2.cgi?personid=1162>.

³¹⁸ C3/243/7; C&C p. 389.

³¹⁹ REQ2/198/54, 387/25.

be approached, with strict requirements on interest and short repayment dates (typically six months).³²⁰ Lawrence Stone paints a picture of excessive borrowing by many sixteenth- and seventeenth-century aristocrats, particularly from a relatively small group of London merchants, including mercers, silkmen, jewellers and goldsmiths.³²¹ He also points to the need to renegotiate loans every six months, sometimes with a different lender, a feature seen in the borrowings of Thomas Pelham of Laughton, esquire (from 1610 Sir Thomas Pelham, Bt.), as revealed in an account book in which at least part of his borrowing and lending were recorded in considerable detail.

Pelham was a considerable landowner in the Weald, owning large tracts of woodland and several iron furnaces and foundries. In 1621, he was assessed for the joint largest subsidy in Sussex at £50.³²² He kept extensive records of his income, mainly from manorial dues and sales of wood and iron. Between 1589 and 1622 he also recorded the money he lent and other debts due to him, and occasionally also summarised the debts he owed.³²³ A significant part of his lending was to members of his wider family. For example, in December 1589 the debts owing to him included £200 from his wife's brother Edmund Walsingham and £100 from his wife's sister's husband Henry Shelley, both of whom he described as 'brother'.³²⁴ He had also lent £100 to 'cousin' John Shurley 'the law[y]er' and 'nephew' Anthony Stapley.³²⁵ These debts were secured by bond, other than that to Stapley. Another 'cousin',

³²⁰ Felicity Heal & Clive Holmes, *The Gentry in England and Wales 1500-1700* (Basingstoke, 1994), pp. 160-1.

³²¹ Stone, *The Crisis in the Aristocracy*, abridged, p. 239-41.

³²² Fletcher, *A County Community*, p. 203.

³²³ Pelham. The accounts do not record all Pelham's financial transactions, as there are no household/estate transactions nor any relating to wages and costs for his furnace at Waldron.

³²⁴ Pelham had married Mary, the daughter of Sir Thomas Walsingham of Chislehurst (Kent).

³²⁵ Pelham's sister Ann was married to Thomas Shurley of Isfield, whose brother was John Shurley of Lewes, serjeant-at-law. Another of Pelham's sisters, Mary, had married John Thatcher of Westham, and their daughter had married Anthony Stapley [William Berry, *Pedigrees of the Families in the County of Sussex* (London, 1830), p. 316]

Edmund Pelham, owed him £80 secured by bond or letter, as well as £42 for timber.³²⁶ The same page lists a further nineteen smaller amounts owing, mainly from local men, for items such as wool, legal expenses and wardship. Many amounts are shown crossed through, indicating receipt. There was no indication that interest had been charged on any of these debts.

He also made many sales of iron and wood on credit; for example, he noted that for the three years ended Lady Day 1589 he had sold Burwash ironmaster Thomas Hepden 300 cords of wood. Hepden paid for 100 immediately and agreed a deferred payment for the remainder, being charged 'carry' (i.e. interest) unlike on most of Pelham's loans.³²⁷ A similar pattern of lending and credit to friends and local men continued for the next thirty plus years.

Some of his family transactions were quite complicated. For example, he recorded a series of dealings with Anthony Stapley, starting around Christmas 1595, when he received money on behalf of Stapley totalling £108, some of which was from the sale of oxen to supply naval ships. Then Pelham's wife gave Stapley £90 at Halland, the Pelham house at Laughton, and Pelham gave him a further £40 in London. In March 1596, Pelham borrowed £100 from Stapley to pay rent to his sister-in-law, noting that he still owed Stapley £78 payable on May Day coming.³²⁸ These transactions are illustrative of ways of addressing the shortage of coinage and the difficulties of conveying money from place to place.

In June 1607, Pelham made the first of many loans to his new son-in-law Henry Carey.³²⁹ It was for £4, although the next month £66 13s 4d was 'laid out and paid for' Carey. Loans of

³²⁶ 'Cousin' Edmund Pelham was Thomas Pelham's uncle, later Sir Edmund Pelham, Chief Baron of the Exchequer of Ireland 1602-6.

³²⁷ Pelham f, 22v. Hepden rented Dudwell Park from Pelham, and seemingly had his home there.

³²⁸ Pelham had inherited land from his deceased elder brother, in which his brother's widow had a life interest.

³²⁹ Pelham, f.245v. Henry Carey was the eldest son of John Carey, Lord Hunsdon. He married Pelham's daughter Judith in February 1607. He became one of the MPs for Sussex in November 1609 and in 1628 he was created Earl of Dover [HoPO, 'Carey, Henry (c.1580-1666), of Hunsdon, Herts'] .

£10 and £30 followed in August and October respectively. In 1609, a larger sum of £110 was lent. In November 1610, Carey, by now an MP, borrowed a series of small amounts: on the 10th, £3 ‘in gold’; on the 11th, 10s; and on the 12th, 50s. This was after borrowing £10 earlier in the Michaelmas legal term, and at the end of that term (28 November) ‘at his going to the courte’ borrowing a further £10 in gold and £10 in silver. Finally, Carey borrowed a further 40s at Christmas. All these loans were marked as having been repaid. However, when Pelham made a similar series of five small loans to Carey in August and September 1615, amounting to £30 in total, only the smallest for £2 was marked as repaid. In April 1617, Carey succeeded his late father as Lord Hunsdon, borrowing a final £5 from Pelham a month later.

In June 1592, Pelham first recorded the debts he owed.³³⁰ The largest was £1,000 to Sir Wolstan Dixie, a successful London merchant (Lord Mayor 1585-6), £500 of which was to be repaid on 1 November that year and the balance on 1 May 1593. Further payments of £100 and £25 respectively were payable on those dates, probably interest.³³¹ He was also due to pay his cousin Gamaliel Capel £500 on 1 November, plus a further £25.³³² Pelham’s surety for both these large loans was his cousin Herbert.³³³ He also owed Anthony Shirley, who was the husband of another of his wife’s sisters, £120 by bill of hand, and Mr Giles Garton of Woolavington £100 by obligation.³³⁴ He also noted that he owed £92 to Cuckfield school, for which he had given an obligation to two other Sussex gentlemen, Sir Walter Covert and Mr Edward Culpeper, to be paid when demanded. Amongst other debts recorded

³³⁰ Pelham, f.237v.

³³¹ If Pelham had borrowed £1,000 for a year, keeping £500 for a further six months, then the payments represented a 10% interest rate.

³³² 10% interest if it was for six months.

³³³ Either the son of Pelham’s uncle Edmund Pelham or the son of his great-uncle Anthony Pelham. [HoPO, ‘Pelham, Herbert (c.1546-1620), of Michelham Priory, nr. Hailsham, Suss. and Compton Valence, Dorset’]

³³⁴ Garton was a wealthy London ironmonger who had bought land at Woolavington and elsewhere in Sussex [Francis W. Steer (ed.), *The Lavington Estate Archives* (Chichester, 1964), p. vi].

were £52 10s to Mistress Whitmore of Lamberhurst, widow, and £80 to John Josselyn of Gray's Inn.

In 1599, Pelham borrowed £400 from a Mr Tufton of Hothfield (Kent) for 'my cosyn Harbert'.³³⁵ In 1601 he noted two separate debts to Tufton 'of St Clement Danes' totalling £700. This was then rolled over into three secured bonds repayable in November 1603. (Tufton was by then Sir John Tufton.) The loans were subsequently rolled over for a further half-year to May 1604, probably to ease Pelham's repayment burden, as he had other debts repayable then, namely a series of loans of which he, his brother-in-law Henry Shelley, and Sir Thomas Bishop were recipients.³³⁶ They totalled over £2,100 and were from leading London merchants including former lord mayors Sir John Harte and Sir Stephen Slaney, Dr Drury (the civil lawyer and commissary of Chichester), and a Mrs Elizabeth Woodward of London. Most were secured by bond, and all were due for repayment in November 1603, the latter on the font stone of Temple church.³³⁷

In 1616, Pelham sold £1,000 of iron to Messrs Fleming and Turvill of London. They gave him bills of hand for £700, which demonstrated the strength of their credit. They had Midmore of Lewes pay Pelham £100 which they were to repay Midmore in London, and had Mr Hale of Lewes pay Pelham a further £100. He received £32 10s from Fleming and Turvill in London and the balance of £67 10s was to be paid to 'Mr Kerill'.³³⁸ Pelham also sold wool from his grazing flocks. For example, in early summer 1603 he sold his annual

³³⁵ Pelham, f.235v. Possibly borrowed for the second Herbert Pelham mentioned above, who was in significant financial trouble by then, making over his entire interest in the Michelham Priory estate to Pelham and others in trust the same year to pay off his debts and provide him with an annual income [HoPO, 'Pelham, Herbert].

³³⁶ Pelham, f.235r.

³³⁷ Pelham, f.235v.

³³⁸ Pelham, f.246r. Kerill's name occurs regularly; he may have been one of Pelham's employees.

shearing to George Glyde for 32s per tod, to be paid ten days after Michaelmas after which the wool would be delivered. Glyde paid 20s ‘in earnest’.³³⁹

Pelham’s account book also includes half-yearly statements of income from each of the manors he owned, commencing at Michaelmas 1588. That for Bivelham reports income of £106, of which £75 was the payment by Thomas Stollion for six months’ use of the forge and 1,000 cords of cut wood.³⁴⁰ The statement for Burwash manor dated Lady Day 1589 similarly showed Stollion paying £75 for a half-year’s rent and wood for a forge.³⁴¹ One off payments for a wardship and an entry fine raised a further £40, with £46 being recurrent manorial income. By far the most remunerative income source in both manors was the forge. Pelham was by no means unusual amongst sixteenth and seventeenth century gentry in generating a significant income from the mineral resources of his lands. Heal and Holmes provide examples including Midlands and Durham coal, Pennine lead, Dorset alum, and Cornish tin, as well as Pelham’s own son’s expansion of his father’s business to supply Civil War munitions.³⁴² Nor was he unusual amongst sixteenth century Sussex nobility and gentry in owning iron-producing facilities, being in the goodly company of Viscount Montague, the Nevill barons Bergavenny, the Sackvilles, and the Sidneys amongst others.³⁴³

Nor were the Pelhams unusual in family lending. When Thomas Roberts of Boarzell, esquire, died in 1567, he owed over £861, of which £223 was to two brothers, Walter and William Roberts. Other debts listed in his inventory included ones to relatives of his wife;

³³⁹ Pelham, f.242v.

³⁴⁰ Pelham, f.15r.

³⁴¹ Pelham, f.22r.

³⁴² Heal & Holmes. *The Gentry*, pp. 120-3.

³⁴³ Cleere & Crossley, p. 149; David Mathew and Gervase Mathew, ‘Iron Furnaces in South-Eastern England and English Ports and Landing-Places, 1578’, *The English Historical Review*, 48, 189 (1933), pp. 91-9.

surprisingly large ones to Catchlowe, a tenant (£100), and John Saxebye, a servant (£50); and debts to household suppliers. No debts owing to Roberts were recorded.³⁴⁴

2.11 Conclusions

Study of the financial suits before Requests from a single county provides insights not readily available elsewhere into early modern lending and trading practices within that county, especially if local court record survival is sparse. Analysis of even a limited sample of the much larger Common Pleas rolls provides statistical support to these insights, which are likely to be applicable elsewhere in England. Unsurprisingly, during Elizabeth's reign Sussex experienced similar substantial growth in disputed debt to the rest of the country; that in Common Pleas suits increasing eightfold between 1563 and 1596 for example. Borrowing, or purchasing on credit, was widespread throughout the population, as evidenced not only by court records but also by probate inventories and gentry account books.

Some people were particularly frequent litigators: those who were predominantly defendants, such as the gentlemanly Fenners, nevertheless managed for many years to sustain their lifestyle and trade; others who were mainly plaintiffs had extended credit to many people, perhaps as merchants to enable trade when metallic currency was in short supply. The courts were used largely by the better and middling sorts: gentlemen, yeomen and merchants; each sued predominantly those of similar status, suggesting that their borrowings and trade were also predominantly stratified. Borrowing was largely localised, although transactions with London were also common, particularly for supplying wholesale

³⁴⁴ Robert Tittler, *Accounts of the Roberts family of Boarzell, Sussex c1568-1582*, SRS 71 (1977), p. xvi; ESRO DUN 49/11.

goods to the county. The amounts at dispute were never trivial, the median Requests debt having a value in 2023 terms of over £100,000. Interest charged was commonly 10%p.a., in line with the legislative maximum, although not always charged between relatives. Whilst only a small number of suits between relatives reached the courts, intra-familial lending was far from uncommon, as evidenced by Thomas Pelham's account book. There were no dominant lenders in the county; although landowners like Pelham would provide raw materials on credit to the masters of his iron works, as well as making small loans to tenants and other local men, and lending extensively to his wider family. Lending was mainly localised, other than by London merchants who extended credit to their Sussex counterparts and made large loans to ironmasters or the county gentry.

Lending was generally to those considered trustworthy (and so creditworthy), often as a favour and probably in or expectant of reciprocation; the courts only seeing the cases where initial assessments of ability (or willingness) to repay proved false. Debtors sued at Requests twice as frequently as creditors, as the latter were more readily able to get a favourable outcome in common law courts. Sureties were also frequent litigators. The reasons for their standing were also largely of social obligation and friendship, possibly also expecting reciprocation if circumstances later permitted. Some sureties overextended themselves to their serious disadvantage. Death was a time for reckoning by executors, and also of confusion if the deceased's financial records were unclear. Stories emerge of individuals, families and merchants getting into financial difficulty, struggling to protect themselves from imprisonment and ruin. Bankruptcy by commission was a relatively new concept, intended not to free debtors from liability but to achieve a fair distribution to their creditors; the process was by no means straightforward.

Sometimes litigants exploited the strict nature of sixteenth century common law for financial gain or other reasons - or sought escape from it in equity. Tom Johnson has shown that in the late medieval period the common people engaged with the law at a local level, and John Walter has demonstrated the 'law-mindedness' of the early-modern middling sort. It is less clear whether tactical use of the law at the Westminster courts was due to personal knowledge or the advice of judiciously chosen, generally local, counsel, although frequent litigants such as Thomas Turges must have acquired some knowledge of legal tactics simply through experience.³⁴⁵

Debts were incurred for a wide range of reasons, not just for goods purchased or money borrowed. Through debt suits, insight into the operation of the county's trades can also be gained, whether in the county's main industries of iron, timber and grain; or that of a small town linen-draper, visiting various London suppliers to obtain stock partly on credit and partly for cash, and stocking a wide range of fabrics, mercery goods and grocery wares, including a broad selection of spices. These and other aspects of Sussex's trade will be explored in more depth in the next two chapters; the grain trade in Chapter 3, and mercantile activities, specifically those of Chichester, in Chapter 4.

³⁴⁵ Tom Johnson, *Law in Common* (Oxford, 2020); John Walter, 'Law-Mindedness', in Michael Lobban, Joanne Begiato and Adrian Green (eds.), *Law, Lawyers and Litigants in Early Modern England* (Cambridge, 2019), p.164.

3. THE SUSSEX GRAIN TRADE

Sussex's early modern grain trade has been largely overlooked in the county's historiography. However, as this chapter will show, after examination and linkage of the records of it from equity court suits, port books, state papers and other lesser-used records, it emerges as an industry which played a central role in the county's early modern economy, involving almost everyone, from the poorest consumer purchasing small quantities from a travelling badger, to the gentry and nobility who regulated and often also profited personally from the trade. Grain will even be shown to have functioned as a currency. A transition is observed over the study period from predominantly small scale west-east intra-county trading to the larger-scale supply of both London and the western counties of England, with the greater involvement of merchants from outside Sussex. The intersection of local and national interests in the trade, especially at times of shortage, is examined, including the demands on the county's production from military and naval needs and from overseas, revealing both the opportunism of Sussex (and other) merchants and customs officials and their willingness on occasion to breach directives from the centre for financial benefit. There were conflicting pressures in times of dearth on the local magistracy, as Stephen Hipkin identified in the (more extensive) grain trade of neighbouring Kent: however it is argued that the absence in Sussex of the food riots, frequent in Kent and elsewhere at these times, indicates a more balanced management of those pressures.³⁴⁶

In the century before 1560, the economy of south-east England transitioned from one dependent on wool exporting to one based on cloth manufacture (mainly in Kent) and grain for domestic supply and export. Wheat was primarily used in the baking of better-quality

³⁴⁶ Stephen Hipkin, 'The Structure, Development, and Politics of the Kent Grain Trade, 1552-1647', *Economic History Review*, New Series, 61, S1 (2008), pp. 99-139.

bread, but cheaper rye or barley were also used. In times of dearth, or at other times when poverty necessitated, locally grown oats (normally animal fodder), beans, peas or even acorns were perforce used. Barley, which travelled better when malted, was primarily used for the brewing of beer and ale. By 1560, grain played a significant role in the Sussex economy, both rural and urban, involving participants of all social classes as producers, middlemen or consumers.³⁴⁷ Surplus grain from the coastal plain of Sussex and the lower slopes of the South Downs normally supplied the less arable eastern side of the county, ensuring that the county as a whole was generally self-sufficient. The land being unsuitable for long-distance bulk land carriage, a substantial coastal trade developed from the county's western ports to Hastings and Rye, providing for the towns themselves, their hinterlands, and their outbound shipping. Eastern Sussex, though, had to compete for the western surplus with demand from London, the West Country and elsewhere, demand which became fiercer in years of poor harvests.³⁴⁸

Hoskins showed that between 1560 and 1630 there were only 15 years of poor harvests in England, defined as when the price of wheat in the twelvemonth following Michaelmas was more than 10% higher than its long-term average, only two of which (1596-7 and 1597-8) could be considered years of dearth, when the price was over 50% higher than the norm. On the other hand, there were 30 years of good harvests, when the price was at least 10% less than the norm (see Figure 3.1 below).³⁴⁹ There were also local fluctuations in harvest

³⁴⁷ Mate, *Trade and economic developments*, p.1; Asa Briggs, *A Social History of England* (London, 1983), p. 116 (referencing William Harrison's *A Description of England* (1577)).

³⁴⁸ J H Andrews, 'The Port of Chichester and the Grain Trade', pp. 93-105; Anthony Fletcher, *A County Community*, pp. 147-8.

³⁴⁹ W. G. Hoskins, 'Harvest Fluctuations and English Economic History, 1480-1619', *Agricultural History Review (AHR)*, 12, 1 (1964), pp. 28-46; 'Harvest Fluctuations and English Economic History, 1620-1759', *AHR*, 16, 1 (1968), pp. 15-31. All subsequent references to national average wheat prices are from these papers. Some aspects of Hoskins' approach were subsequently criticised by Harrison, who showed for example that the prices of barley and oats did not always follow that of wheat, so sometimes mitigating a dearth in wheat. However, Harrison's analysis, which used Bowden's price series, gives very similar results to Hoskins' for wheat over the study period [C. J. Harrison, 'Grain Price Analysis and Harvest Qualities', 1465-1634', *AHR*, 19, 2 (1971), pp. 153-5; R. B. Outhwaite, *Dearth, Public Policy and Social Disturbance*, pp. 17-18].

success; Hoskins noting for example that the 1575 harvest was very bad in the west but good in the east. Generally, as will be seen, Sussex harvests mirrored those nationally.

3.1 The seaborne trade

Few records exist of the land transportation of grain, or of market and non-market grain transactions. The county's surviving port books are therefore the richest available source of data on its grain trade and those who participated in it. Whilst the main port book series for the county commences in 1566, some surviving records kept by Chichester's customs officials predate them, allowing an examination of the trade to commence even earlier in the study period. For example, Customer Ralph Rode recorded three shipments of grain, mainly wheat with some barley, totalling 320q, leaving Chichester on the same day in February 1562 for unnamed overseas destinations. The merchants responsible were Richard Sedgwick (a Londoner), William Shorter and Edward Wilmot. The wheat was valued at 10s per quarter, which exceeded the 6s 4d price for unlicensed export then prevailing, and all shipments were duly noted as being by licence of the Lord Treasurer.³⁵⁰ One possible destination for this grain might have been Spain, where, a few years earlier in August 1558, Chichester merchant John Sherwyn had contracted to deliver 1,000q of wheat at 7s a quarter to a Spaniard, Francis Delashald. Delivery was to be within 15 days of Michaelmas, when Delashald's ships would come to Chichester harbour. However, according to the Spaniard, Sherwyn found the price of wheat had risen and, when the ships neared, asked to be released from the contract. Delashald agreed, redirecting his ships elsewhere. However Sherwyn then sued Delashald at common law for his bond to make payment, the Spaniard being unable to prove that no wheat was waiting for him at Chichester harbour.³⁵¹ As only Delashald's bill

³⁵⁰ E122/200/7.

³⁵¹ C3/54/81.

remains, it is impossible to tell whether Delashald was fabricating Sherwyn's request or whether Sherwyn was exploiting a legal loophole. Sherwyn will be encountered again later in this chapter, definitely engaged in controversial trading.

A book of coastal voyages between Michaelmas 1564 and Easter 1565, parts of which are missing, recorded at least 20 shipments of grain from Chichester to ports in eastern Sussex, Devon, Cornwall and Ireland. The cargoes belonged to at least 14 different merchants, none of whom was responsible for more than two, including Chichester men and a baker and a badger of Rye. Grain was also shipped from Arundel, Shoreham and Lewes to the eastern Sussex ports. Rye, however, imported more grain from Kent than from the western Sussex ports, local bakers being the leading importers.³⁵² In another (undated) coastal book of this time, Chichester grain was also shown as going to London. Amongst the shippers were prominent Chichester merchant Thomas Farrington (mayor in 1561 and 1571), and merchant-adventurer George Fenner (see 4.4.3 below).³⁵³

In December 1565, Robert Elyot reported to the Privy Council that over 5,000q of wheat awaited transportation by sea in the three western Sussex rapes. Due to a restraint, most of these cargoes had yet to be shipped. 'Brogers' (brokers or engrossers) were said to have bought a further 2,000q to serve the markets, but the farmers would bring more to those markets. He added that local men had bought much at prices ranging from 12s to 16s a quarter.³⁵⁴ The implication was that suppliers had already made commercial deals for their whole supply, possibly at prices higher than the open market.

³⁵² Not all voyages from one Sussex port to another are recorded at both ports. It is not always possible to tell whether this is due to recording deficiencies or to the cargoes ending up elsewhere.

³⁵³ E122/38/34. The year is not given, but as the last entry is 26 March, 1561-2 or 1563-4 are possibilities, Easter being on 29 March and 2 April respectively. Farrington was responsible for two of the grain shipments, both to London. He was also responsible for seven other voyages, all bringing goods into Chichester (see 4.3.1 below).

³⁵⁴ SP12/38 f.140; Cornwall, 'Agrarian History', p. 238 (Cornwall incorrectly identifies these as provisions bought for the navy). The national price averaged 24s in 1565-6.

In those years for which port books survive between 1566 and 1600 (see 1.3 above), Julian Cornwall calculated that over 15,000q of grain were shipped from Chichester, 11,000q from Lewes, 10,000q from Shoreham and 7,000 from Arundel; of this, 61% was wheat, and the balance was fairly evenly divided between barley and malt. In same period, again totalling only across the surviving port books, over 15,000q of grain were recorded as being received at Rye, of which over 70% was malt and the balance mostly wheat. Between 1601 and 1630, the trade out of the four western ports was divided more evenly between wheat (47%) and malt (38%), with only a relatively small proportion of unmalted barley; demonstrating a distinct shift in production driven by changing demand, particularly for the ingredients of beer. Figures 3.1 and 3.2 show the quantities and proportions shipped, the former also showing the harvest quality each year.³⁵⁵

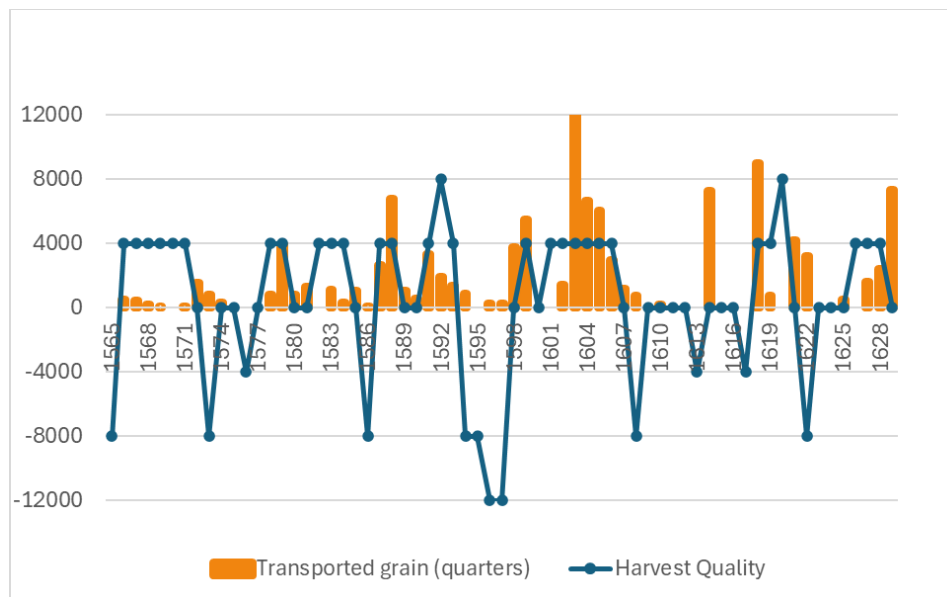


Figure 3.1 Recorded volumes of grain (quarters) transported from western Sussex ports (for years from which records survive) and quality of harvest 1565-1630. Harvest quality ratings are from highest to lowest: abundant, good, average, deficient, bad, dearth.³⁵⁶

³⁵⁵ Cornwall, 'Agrarian History', Appendix IV.

³⁵⁶ *ibid.*, Appendix IV (Chichester, Arundel, Shoreham and Lewes). Port book years run Michaelmas to Michaelmas until 1603, after which they are Christmas to Christmas; Hoskins 'Harvest Fluctuations, Appendix 1. Years are also Michaelmas to Michaelmas.

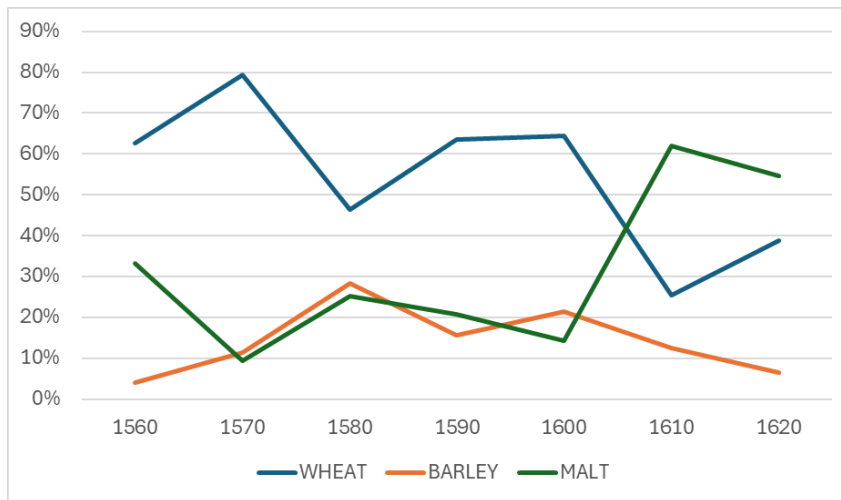


Figure 3.2 Mix of grain transported from western Sussex ports by decade 1560-1630 (half-decade for 1560s)³⁵⁷

The actual quantities shipped or received over the period must have been significantly larger, given the substantial gaps in the series of port books, and the possibility cannot be ruled out that a different picture might have emerged had all survived. Care should also be taken in interpreting observed correlations between harvest quality and shipping volumes due to the absence or incompleteness of data in many years, although the large volumes transported between 1601 and 1606 would not have been possible but for the good harvest in those six years.

C. E. Brent examined the destination of grain shipments from the two more easterly of the western ports, Shoreham and Lewes, over a similar period.³⁵⁸ For coastal shipments, he found that Shoreham's wheat went mainly to London (40%) and to ports further east in Sussex (33%). whereas Lewes shipped wheat mainly to London (73%) with only 13% to other Sussex ports. Barley was shipped from both ports mainly to Kent, with eastern Sussex being the only other material recipient, whereas malt went largely to London or to ports in the west of England (most likely for marine victualling).³⁵⁹ Up to one third of all overseas

³⁵⁷ Cornwall, 'Agrarian History', Appendix IV (Chichester, Arundel, Shoreham and Lewes).

³⁵⁸ C. E. Brent, 'Employment, Land Tenure and Population in Eastern Sussex, 1540-1640' (Univ. of Sussex, D. Phil. Thesis, 1973), Table 11 (coastal), Table 14 (overseas).

³⁵⁹ Dartmouth's marine trade, for example, had expanded rapidly after 1570 on the back of the Newfoundland fish trade [Ray Freeman, *Dartmouth and its Neighbours* (Dartmouth, 1997), pp. 76-7]. London's consumption

shipments had no destination noted, but of the remainder 58% of Lewes wheat went to Marseille or Italy with lesser amounts to Spain and to the United Provinces/Dunkirk. Shoreham wheat was more widely distributed, particularly to the United Provinces/Dunkirk, Spain and Ireland. Relatively little malt was exported, but unmalted barley left both ports, in particular to the United Provinces/Dunkirk and north or western France. These aggregate statistics provide a useful broad picture of the trade, but do not identify variances from year-to-year or the rationale for the shipments; nor do they identify the merchants who facilitated the trade. Detailed examination of the port books can address these questions, especially when linked to other contemporary records. Brent's work can also be extended to the largest grain shipping port, Chichester.

The earliest surviving port book for Chichester's coastal trade covers Michaelmas 1567 to Michaelmas 1568, when about 1900q of wheat, as well as 240q of malt and 80q of barley, were shipped to other English ports in about 30 separate voyages.³⁶⁰ Over 50% of the voyages were to other Sussex ports, especially Arundel and Rye, and most of the rest to other ports between Chichester and Poole: only two cargoes went to London. Figure 3.3 maps the destinations recorded. The average burden of the vessels used was 18t and the average cargo was about 75q of grain. The sole outlier was a cargo of 350q of wheat carried in the 80t *Anne Sackford* of London to Berwick (upon-Tweed, Northumberland) for Thomas Worsman, gentleman.

of English grain increased from 17,000q to 95,000q between 1500 and 1638, the demand for malt alone increasing sixteenfold [Everitt, 'The marketing of agricultural produce', p. 56].

³⁶⁰ E190/738/5. Several entries are only partially legible and excluded from this analysis. Whether for this reason or otherwise, Cornwall did not include this year in his tabulation.



Figure 3.3 Destinations of grain shipments out of Chichester between Michaelmas 1567 and Michaelmas 1568 (the green line represents over 33% of total trade)³⁶¹

Six voyages were made by the *Andrew* of Chichester under its master William Constable of Fishbourne, each carrying 100q of wheat to Rye for merchant Henry Peack of that town.³⁶² No other ship sailed more than once. Only two other merchants shipped more than one cargo, William Devenish, esquire, of Chichester, who shipped two cargoes each of 100q of wheat to Arundel on the same day in May 1568, and William Jarman of Christchurch (Hampshire), who shipped cargoes of wheat to Poole and to his home port.³⁶³ Four other Chichester merchants shipped one cargo each, and other cargoes were shipped by merchants from a range of towns and cities within and outside Sussex. Only one shipment overseas was recorded in this period; William Devenish exported 40q of wheat and 5q of peas in the *Mary* of Sidlesham in January 1568, by licence from the Lord Treasurer.³⁶⁴ In early 1567, two

³⁶¹ The map does not depict the routes the ships would actually have followed.

³⁶² Peake was mentioned by Elyot as having bought (by December 1565) 500q of wheat in the rapes of Chichester and Arundel.

³⁶³ In 1583, Devenish lived at West Hampnett where he had been most of his life, apart from dwelling in Chichester between 1572 and 1582 and briefly at Hellingly some year before that. He was then 58, so would have been about 42 or 43 in 1567-8 [WSRO Ep/I/11/5 f.19]. He had been MP for Lewes in 1555 [HoPO, 'Devenish, William (by 1534-1602), of Hellingly and the Broyle, Chichester, Suss.'].
³⁶⁴ E190/738/4. The destination was not recorded.

other merchants had shipped grain overseas from Chichester claiming benefit of Devenish's licence, John Peter jnr. of Exeter and Richard Sedgwick of London.³⁶⁵

3.1.1 A snapshot of the trade in 1573

In 1573, Lord Treasurer Burghley made enquiries of merchants believed to have shipped grain from Sussex between Michaelmas 1572 and 28 May 1573 (see 3.3.1 below). In response, about 80 voyages were disclosed, of which about 50 were coastal and 30 overseas. The responses provide considerably more information about the shippers and their shipments than is available from port books, including in some cases the sources and final purchasers of the grain when shipped by middlemen, so enabling a deeper study to be made of the trade: they also provide an independent check on the entries in port books, albeit only one book covering part of the period for one port survives.

Most of the coastal voyages were to the east of Sussex or to Kent: over 30 to Rye, with others to Sandwich, Hastings, Eastbourne and Lewes. Two went to Plymouth and one to Dartmouth; none went to London. Most of the voyages commenced at Chichester, with some being from Arundel and one from Shoreham.³⁶⁶ It is perhaps surprising that more voyages were not made to Devon, or any to Cornwall, given that high prices were being paid there at this time (see 3.3 below). It may be that the shippers had contracted in advance with buyers, sellers and middlemen, so cornering the available supply. The danger of a distant, easterly, winter voyage may also have played a part.

The coastal shippers were quite a diverse group, including brewer John Mercer of Rye and a baker and a brewer of Hastings, who shipped malt and wheat from western Sussex ports

³⁶⁵ E190/737/12. Again, no destinations were recorded.

³⁶⁶ It is not possible to determine the exact number of voyages, as one respondent did not include dates or ships' names and may have shipped multiple cargoes on the same voyage. Neither is it possible to determine the port of lading in all cases, as one respondent simply declared 'Chichester or Arundel' for some voyages.

for use in their trades. An Albourne husbandman shipped grain he had grown himself to supply two women in Lewes. John Markes of Southampton shipped 200q of wheat, in a ship of that port, into Rye to sell to inhabitants there, including to John Mercer the brewer. Two victuallers and a badger also shipped grain to Rye to sell in quantity to the town's tradesmen and in smaller portions to individuals in the town and its hinterland. John Brewster, a Rye badger, supplied two bakers and two brewers of Rye, including again John Mercer, but mainly sold 'by the bushell'. Another badger, John Hills of Ewhurst, also shipped to Rye, selling to a diverse clientele, ranging from John Culpeper, esquire, who took 22q of wheat and barley, to the inhabitants of Newenden, Bodiam, Ewhurst and Northiam who bought 'by the bushell and half-bushell or Lesse mesures'. He shipped 160q in total in two voyages. Coastal shipments totalling over 3,850q of grain were declared in the responses, ranging from almost 600q shipped by badger John Brewster to just 16q by the Albourne husbandman. The larger quantities were shipped on multiple voyages: Brewster declared 12 voyages, including seven or eight on the *Mayflower* of Sidlesham and four on the *Bartholomew* of Felpham.³⁶⁷

The badgers, Hills and Brewster, disclosed the sources of their supplies. Hills bought his stock from at least seven men in Chichester (including glover Edward Manning) and Shoreham. Brewster bought about a third of his grain from six men in Arundel, Pagham and Stoke. The two Rye victuallers, James Wells and Robert Jackson, also disclosed the sources of their grain: Wells acquired all but twenty of his 394q from Chichester merchant Thomas Turges; Jackson also acquired over half his grain from Turges, although he also used other Chichester merchants, including George Fenner and Edward Manning, and accumulated 16q from small purchases. Manning himself admitted only to delivering the grain to the quay at

³⁶⁷ E122/171/13, 222/33 f.21.

Chichester and having no further involvement with its shipping by eight separate buyers. Turges and Manning were also among the six suppliers of brewer John Mercer.

The ships used were mainly small, with burden generally ranging from 8t to 30t. Cargoes ranged from 8q to 200q, with a mean of 54q and a median of 38q. Most had western Sussex home ports, but two ships of Rye carried some of the grain to their home port, and William Michell of Hastings used his own ship and two others in convoy to bring grain to Hastings. Two of the westerly voyages were made in ships of the Isle of Wight and Salcombe.

The overseas trade was different, being largely in the hands of Chichester or Arundel merchants or local gentry such as George Fenner and William Devenish. The mean cargo size was almost double that of the coastal ones. All bar one where a destination was disclosed were to ports on the coast of Normandy or to La Rochelle. The legality of these and similar voyages will be considered in 3.3 below

Only one of the surviving port books of the three ports includes part of the period of Burghley's enquiry, that of the coastal trade of Chichester between Easter 1573 (22 March) and the following Michaelmas.³⁶⁸ Twelve shipments of grain were recorded up to 23 May. Of these, nine can be credibly matched to voyages disclosed in responses to the writs or the subsequent confessions. The entries for several materially understated the quantities shipped compared to the subsequent admissions. Of the remaining three, one was by a man who could not be found when the enquiries were made; and two were undisclosed shipments to Sandwich by William Hooke. The book also recorded a shipment of 100q of wheat from Chichester to Ireland by George Fenner in March 1573, which was later crossed through and annotated as entered instead into the 'customs' (probably meaning port book for overseas

³⁶⁸ E190/739/24.

trade). Only one coastal voyage included in the writ responses was definitely not also in the port book, but there may have been others where the date or port of shipment was not given in the responses.

Leanna Brinkley, from a close investigation of coastal trading into and out of Southampton, Bristol (Gloucestershire) and Hull (Yorkshire) in the 1570s, recently concluded that coastal traders came from a broad spectrum of socio-economic groups and occupations, with many able to act as both merchant and shipmaster, crossing any putative divide between merchants, artisans and mariners.³⁶⁹ The 1573 coastal traders out of Chichester were predominantly artisans from the destination ports, buying their stock mainly from Chichester merchants and either utilising them in their trade or selling them, wholesale or retail, in their community. Some Chichester merchants also entered the trade, particularly that to ports west of Chichester. The small ships used were predominantly of the western Sussex ports, illustrating the working relationships sometimes seen between merchants and particular shipowners. The overseas trade was in different hands, and in larger size, being the responsibility of the merchant classes and the occasional gentleman, some regularly shipping others' grain in their own name, for what will be seen below to have been illicit purposes.

3.1.2 The later sixteenth century

From the port books, we can see the impact on coastal and overseas grain trade from Chichester of the changes in harvest quality during the mid-1580s. The harvests of 1583 and 1584 had been good nationally and that of 1585 was average. In the year from Michaelmas 1583, eleven shipments of grain were recorded leaving Chichester. Seven were to Dorset,

³⁶⁹ Leanna T. P. Brinkley, *Coastal Trade and Maritime Communities in Elizabethan England* (Woodbridge, 2024), pp. 202-3.

Devon or Cornwall, three to Rye and one to London. Chichester merchants were responsible for four of these, West Country merchants for three, a London merchant for one (to Cornwall) and John Brewster of Rye for the three cargoes of wheat headed there.³⁷⁰ From what little can be read of the following year's book, a similar coastal trade continued, William Hildrop of Bosham shipping 80q of malt to Dartmouth on October 1584 for example. On two occasions, grain was shipped into Chichester from Shoreham, once by Thomas Lewkenor esquire. In March and April 1585, six ships carrying grain were recorded leaving Chichester for overseas destinations, all unspecified. London merchants John Watts and John Byrd were responsible for three of them, carrying in total 400q, and George Goring, gentleman, for one.³⁷¹

Additional details of voyages are rare, although are occasionally found in court records. In January 1585, Chichester merchant Thomas Turges loaded 181q of wheat onto *Marigold* of Poole, 100q of which he had sold to Henry Jolliffe of Newport, Isle of Wight. Jolliffe claimed that he had paid £100 (i.e. 20s a quarter), of which he had paid £20 in money and salt before the voyage giving his bond to pay the balance on his return. Of the other eighty-one quarters, sixty were sold to Thomas Harman of Lewes (Jolliffe's brother-in-law) and, Turges alleged, Jolliffe himself bought the remainder. Jolliffe sailed to Spain to sell the cargo, allegedly acting also as factor for Harman. But he was imprisoned at Seville and the wheat seized as part of a general restraint by Spain on English merchants on the outbreak of the Anglo-Spanish War. Jolliffe got home after a year and sought to satisfy Turges and so avoid being sued for the penalty of the bond, which had become forfeit due to the delay. He gave Turges some wares he had brought back from Spain: four butts of sack worth £48, and 30

³⁷⁰ E190/742/23. The Sussex merchants were Peter and Thomas Palmer, John Earnley, and John Burrell.

³⁷¹ E190/743/10. Byrd and Watts had a licence for the export of grain from Kent and Sussex [Harley, 'Merchants and Privateers', p. 61].

pieces of raisins worth about £31, delivering these to Turges at Poole in March 1586. He also paid £18 in money, a total of £97. Turges sued nonetheless, claiming that the wheat had actually been sold at 25s a quarter, which included the cost of a licence to export, and that Joliffe owed him for the other 81q.³⁷²

In February 1586, a list of all the grain shipments out of Chichester, Arundel and Shoreham since 24 June 1585 was sent to Burghley; it included just six entries, all coastal, two of which were shipments to Rye for John Brewster. Burghley was also advised that markets were well-supplied with grain but at high prices (e.g. wheat at 3s 6d per bushel, so 28s per quarter); the price was, though, expected to rise further due to scarcity and poor yield.³⁷³ No grain was recorded going overseas between Easter and Michaelmas 1586, which may have been the consequence of prohibitions imposed in anticipation of a poor harvest (see 3.3.3 below). No exports were recorded in 1587 either, although the coastal trade out of Chichester had resumed by October 1587, following a good harvest, when John Brewster again shipped wheat to Rye.³⁷⁴ Overseas trade resumed in April 1588, with four shipments to La Rochelle and three to Guernsey before Michaelmas that year; two of those to France were diverted to Looe by Lord Admiral Howard as the Armada approached.³⁷⁵

The 1590s followed a similar, although more extreme, pattern; this time with two bad harvests in 1594 and 1595 and a dearth in 1596, before improving for the remainder of the decade. Until August 1594, grain continued to be shipped coastally: 27 voyages were recorded between November 1593 and August 1594, including 440q of wheat shipped by a Venetian merchant to Portsmouth (see 3.4 below). All were to destinations west of

³⁷² REQ2/290/70. The national average price in 1585 was 26s and in 1587 and 1588 19s.

³⁷³ SP12/186 f.113. The average national price subsequently rose to 35s following a poor harvest in 1586.

³⁷⁴ E190/744/28. He shipped four cargoes of wheat totalling 330q.

³⁷⁵ E190/744/14, 28, 745/2. Those to France were by licence granted by Burghley to the French Legate.

Chichester, as far as Cornwall, with none to Rye or London.³⁷⁶ Between Easter and Michaelmas 1595, no grain was shipped from Chichester. Coastal shipping had restarted by December 1597 when there was a shipment to Rye, although there were only five others from then until Michaelmas 1598.³⁷⁷

3.1.3 The seventeenth century

Six successive years of good harvests from 1601 to 1606 enabled a substantial coastal and export trade to continue from Chichester. Between Michaelmas 1603 and Michaelmas 1604, about fifteen Chichester merchants (and several others) shipped grain from Chichester to the ports of Devon and Cornwall. 4,700q was delivered in total in 44 voyages: Peter Palmer was responsible for 920q in five voyages and John Gore for 680q in six voyages.³⁷⁸ Only one small cargo went that year to another English destination, but about 2,860q went to overseas destinations, of which Lisbon was most frequently named. Many were taken to larger ships whose destinations were not recorded. London merchant Simon Stone was responsible for eleven cargoes, and Chichester merchants were responsible for relatively few.³⁷⁹ The shipments earlier in the year were mainly supported by licences, some allowing duty on wheat to be at the old rate of 6d per quarter, and others at rates of up to 3s per quarter. Wheat was in some cases stated to have been either 20s or 22s in Chichester market, so allowing its export without licence.³⁸⁰

Following peace with Spain in 1604, Chichester merchants had recommenced trading to the Iberian Peninsula. In about August 1605, Peter Cox contracted with Richard Bridger, master

³⁷⁶ E190 748/13.

³⁷⁷ E190/749/3, 750/4.

³⁷⁸ E190/753/9.

³⁷⁹ E190/753/31. Simon Stone later (1611) acquired the manor of Walburton in Sussex [WSRO Acc1365b/68/4272; PROB11/125/155].

³⁸⁰ 1 Jac. I, c. 25 had increased the limit to 26s 8d (Parliament sat from March to July 1604). The average national price was 23s-26s.

of the *Peter* of Chichester, to carry 22t of merchandise from Dell Quay to Spain, and to return with 18t of merchandise; the contract allowing Bridger to carry one ton of his own goods both ways. Cox laded 110q of wheat onto the ship, and a small amount of other goods. Half of the wheat was provided by John Bailie, who was to have a half-share in the returned goods after meeting half the costs of the voyage. Cox agreed to account to Bailie for his share within 16 days of the *Peter's* return, giving Bailie his bond for £300 to ensure this. They appointed Thomas Hoskins as their factor, who traded the wheat in Spain for sack and raisins. On the ship's return to Dell Quay, the cargo was carried to Chichester. Bailie took seven butts of sack and part of his share of the raisins to a cellar he had hired and sold the residue of his raisins to Cox. However, he alleged that Cox had unladed some of the cargo at Portsmouth, including more raisins, four jars of olives, two jars of oil, 600 oranges and lemons, and 20lb of tobacco. Cox argued that this was the return cargo for goods he had laded in addition to the wheat, and that Bailie had no right to a share.³⁸¹

In a similar venture, John Exton joined with William Fossarde and Richard Pashe to take grain and other goods to Spain or Portugal in June 1605. The merchants each laded about 35q of wheat and 19q of barley onto the *Aeneas* of Chichester.³⁸² Exton also provided six pairs of men's coloured worsted stockings, 20 yards of Vitry canvas and £9 4s in money (presumably for trading purposes). He also paid £9 towards the ship's provisioning and Fossarde paid £4. Pashe went with the ship, as factor for the other two. The *Aeneas* went to Lagos in Portugal, where Pashe was able to sell most of the cargo for a total of £245. He bought sugar, salt, raisins, and some pomegranates, which with £88 in 'Ryalls of Eight' (Spanish silver coins), gave a total value of £198. Exton and Bailie were not satisfied with

³⁸¹ C3/265/70. The port book only records 90q of wheat, almost a 20% under recording, saving Cox £2 in duty. In December 1605, Richard Bridger brought the *Peter* to Chichester from 'Calles' (possibly Calais), the port books recording 10 cwt of raisins worth £6 13s 4d for Cox. Bailie claimed that 14cwt had been laded in Spain. [E190/745/8].

³⁸² The port book records 90q of wheat and 50q of barley, a relatively small under recording. over10%

Pashe's accounts, considering that he had sold at higher prices than he claimed and had left more stock unsold.³⁸³

In August 1606, Lewes merchant Stephen Hodgson and others arranged for 160q of their wheat to be taken on the *Phoenix* of Meeching to Seville, where it was left with Hodgson's factor Thomas Smithwick, to sell when the price improved. The merchants allowed the master of the ship to load an additional 20q, which he did of the wheat of Richard Mead, grocer, of the Cliffe near Lewes. Mead's wheat was intermingled with the main cargo and so also had to be left with the factor. The *Phoenix* returned with a cargo of salt, but a dispute arose between Hodgson and Mead over the proceeds of the sale of Mead's wheat, Hodgson withholding payment for debts allegedly owed to him by Mead from past ventures in partnership.³⁸⁴ Another Lewes man exporting around this time was Henry Garway, who in 1607 shipped barley and wheat through Newhaven to Messina. In 1608 Paul Garway, presumably a relative, paid £50 for barley grown near the town, and in 1609 he shipped 640bu of oats to London.³⁸⁵

There was occasionally friction between the London merchants trading out of Chichester and the local merchants. In 1604, London merchants Simon Stone and Paul Ryley refused to pay petty customs and measurage to the city of Chichester on grain they were shipping from Chichester Harbour, alleging that the quays at Salt Mill, Dell Quay and Ichenor were not within the liberties of the city. Water Bailiff George Greene sued them in the Court of Exchequer. He stated that Ryley had loaded 500q of wheat, oats and malt since 13 November 1604, Stone had loaded 1,500q of wheat in the same period and Gittens 200q of malt. The city had had, he said, from the time of Edward III, the right under its charter to collect petty

³⁸³ C8/24/105, 25/15. A partly missing port book record shows a cargo including Portuguese salt and a chest of sugar arriving in Chichester from Lagos in October 1605. Duty of a little over £2 was paid [E190/745/8].

³⁸⁴ STAC8/212/22.

³⁸⁵ Brent, *Lewes*, p. 222.

customs and measurage on grain at the rate of ½d per quarter for freemen of the city and 1d per quarter for others, for which it paid a fee farm to the Exchequer. It was the role of the water bailiff to collect the duty, an office which by 1606 Greene, a Chichester merchant, was leasing from the city for a term of seven years at £13 a year. In their answer to Greene's bill, it was mentioned that as wheat was priced under 26s 8d, then it was lawful to carry it overseas, and that some of their grain had gone coastally to Exeter. The water bailiff maintained two bushel-measures for the purpose, one for grain and one for salt and coal. Surviving port books confirm that Stone had continued to transport grain to Italy and Spain after Michaelmas 1604.³⁸⁶ Whilst no coastal port books survive from this time, Ryley and Gittins can reasonably be assumed from past or future records, to have restricted their trade to England. The court upheld the right of the city to levy the charges.³⁸⁷

1608 was the first bad harvest of the new century, and the coastal trade from Chichester only revived in September 1609 after a better harvest. Between then and November, 20 voyages departed; ten to Southampton, four to London, three to Dartmouth and three elsewhere: only one went to Rye. Eight Chichester merchants were responsible for nine of the voyages: one of them was Paul Ryley, who had perhaps settled in the city to benefit from the lower petty customs. Two Southampton merchants were responsible for seven more, all to their home port. 60% was wheat, with the remainder equally divided between barley and malt.³⁸⁸

It is instructive to compare the Chichester port book covering Christmas 1614 to Christmas 1615 with that for 1567-8. The most obvious difference is the volume of grain carried. There were 87 sailings carrying a total of over 7,500q in the later period compared with only 28 in the earlier period, carrying about 2,200q, more than a threefold increase, despite 1614 and

³⁸⁶ E190/754/8, 13, 20.

³⁸⁷ E112/127/167; E134/4/Jas1/Hil17; E124/9 f.11v.

³⁸⁸ E190/755/12.

1615 having ‘average’ harvests and 1567 and 1568 having ‘good’ ones. The average cargo size of 85q had changed little from the previous 75q, and the average burden of the ships used was unchanged, discounting the exceptional 80t vessel which visited in 1568 (the largest vessels in 1615-16 were 30t). The other major differences were the type of grain shipped (over 60% of the cargoes were malt and only 33% wheat, with very small quantities of barley, whereas in 1567-68 over 85% was wheat) and the destinations, as depicted in Figure 3.4 (which can be contrasted with Figure 3.3). Twenty-eight of the 84 voyages were to London, 27 were to Dartmouth (Devon), and 18 to other west country ports. Eight were to Southampton and only one to another Sussex port (Rye). This contrasts with 1567-68, when the great majority of voyages were to other ports in Sussex or to Hampshire.



Figure 3.4 Destinations of grain shipments out of Chichester between Christmas 1614 and Christmas 1615 (the green lines each represent over 33% of total trade)³⁸⁹

The growth in the malt trade supports the hypothesis that Chichester had significantly enhanced its malting capacity between the 1560s and 1615 (consistent with Cornwall’s hypothesis for the western county as a whole). Morgan comments that in the seventeenth-century, many merchants acquired their own malthouses, which were spread throughout the city.³⁹⁰ In January 1609, the city quarter sessions recorded 22 maltsters in the city,

³⁸⁹ The map does not depict the routes the ships would actually have followed.

³⁹⁰ Morgan, pp. 43-44.

‘appointed’ to make about 7,000q of malt between them; Alderman John Cawley making 300q and Thomas Webb only 20q. The list included the mayor, three other aldermen, and two widows, as well as prominent merchants such as Peter Cox, and brewer Robert Tupper.³⁹¹ Testamentary evidence of the industry in the city begins to emerge in the late 1620s: the first surviving maltster’s will was that of Edward Goffe in 1627 and the first malt manufactory explicitly bequeathed was brewer Robert Tupper’s ‘Mault Mill’ in 1632. However, between 1633 and 1688, over 20 malthouses within the city were bequeathed in wills, many of which would have been in existence long before their owners’ death; they were usually on the same plot as the testator’s dwelling house. The testators included gentlemen, merchants, widows and tradesmen of various descriptions, although only one was a maltster. Eight other maltsters left wills, so suggesting that they did not own their own maltings.³⁹²

The London-bound trade in 1614-15 was dominated by Paul Ryley, who was responsible for 12 of the 28 cargoes there, each of 100q-150q, seven being in the 30t *Elizabeth* of Chichester. London white-baker Edward Tirrell was responsible for another two cargoes, with a third being attributed to his widow Katherine. No other merchant made more than one voyage.³⁹³ This is consistent with Willan’s observation that of the 420 merchants who shipped grain to London from other English ports in 1615, 228 shipped 100q or less. Few Sussex merchants shipped to London but many of those shipping to the West Country were recognisably members of the Chichester oligarchy.³⁹⁴ The Dartmouth port book for 1614-15 included only six arrivals from Chichester of the 27 supposed departures, a surprisingly

³⁹¹ Tankard, *The Parliamentary Surveys*, pp. 21-2: WSRO ChiCity/N/14 f.9. Malting by others not listed was prohibited.

³⁹² McInnes.

³⁹³ Tirrell died in early 1615 [PROB11/212/548]. A white-baker was a baker of higher quality white bread. Women were very rarely named as merchants in the Sussex port books of this time.

³⁹⁴ E190/757/7; Cornwall, ‘Agrarian History’, p. 237; Willan, *English Coasting Trade*, p. 48.

large discrepancy. A possible explanation can be deduced from three further arrivals at Dartmouth from Chichester that were originally destined for Fowey (Cornwall), Plymouth, or Lyme Regis (Dorset): ships may therefore have put in at other ports, possibly on receiving reports of better prices or for reasons of weather. Also, the Sussex merchants must generally have sent cargoes without having contracted in advance with a buyer at a particular port. Four of the six returned to Chichester with cargoes for the same merchant, including cloth, Irish hides, raisin and wine from Malaga, sugar, herring and roofing stones. The round trip took between four weeks and eight weeks.³⁹⁵ London-bound cargoes the same year generally seemed to have reached their destination; Paul Ryley's shipments, for example, taking on average 21 days but ranging between 10 and 36 days.³⁹⁶

Shoreham was also active between the Christmases of 1614 and 1615, with 47 grain voyages by 32 merchants. 18 were to London, 13 to Margate (Kent) and 4 to Plymouth; 12 went to 6 other ports. The largest shipper was Sir Allen Apsley, Victualler to the Navy, who shipped four cargoes of barley to Margate and two of wheat and barley to Rochester. Unlike Chichester, however, malt made up only a small proportion of the total grain shipped; 15% (of 4,735q) with almost 60% being unmalted barley and over 25% wheat, suggesting that Shoreham did not possess many malthouses.³⁹⁷

3.2 Grain in the wider economy

Most early modern families would have traded in grain to some extent, even if just acquiring small quantities from a badger for personal use baking bread or brewing beer. As

³⁹⁵ E190/942/7 (Dartmouth). The *Edward* of Chichester also left its home port on 17 September 1615 ostensibly for Dartmouth but returned carrying bay salt from Exeter. The tenth arrival at Dartmouth from Chichester had been cleared to depart before Christmas 1614, so would have been recorded in the previous year's book at Chichester.

³⁹⁶ E190/18/1.

³⁹⁷ E190/757/6. Apsley had been born at Pulborough; Brent, 'Employment, Land Tenure and Population', Table 12.

consequence, grain is frequently mentioned in wills and inventories, either being left as a legacy or listed as an asset. For example, when baker Henry Smith of Chichester died in 1619, his assets of over £109 included 16q of wheat valued at £16 as well as wheat or money due under bonds of over £34 and more than £21 due from his customers ‘by scores’. His widow asked to be excused from accounting for the debts on scores as they were desperate and she had no way to recover them. She also reported that she had paid William Townley of Selsey £6 13s 4d for a load of wheat (presumably delivered shortly before Smith’s death), although still leaving a substantial net estate of £76. Smith’s inventory also included faggots of wood, probably for firing his ovens, and scales and weights for weighing grain or bread.³⁹⁸

Grain often featured as part of more general financial arrangements, often being a more practical method of payment than money: such as when, in 1585, William Sturtt of Tillington leased a copyhold messuage and land in Froxfield (Hampshire), for an annual rent of £7 10s and 10q each of wheat and barley.³⁹⁹ The grain was to be delivered to a place Sturtt appointed within eight miles of the messuage, and along with the money, provided in two equal instalments on All Saints Day (1 November) and Lady Day (25 March). Froxfield was about 20 miles from Tillington, so Sturtt could not have required the grain to have been delivered there, although the market town of Petersfield (Hampshire) was within the radius. Debts were also frequently settled with grain, such as when two Sussex gentlemen, Richard Farnfold and John Shelley came to a reckoning that Shelley owed Farnfold £79: it was agreed that part of this should be settled by the delivery on Shelley’s behalf of 12q each of wheat and barley.⁴⁰⁰ Similarly, when Walter Venables was owed £11 by William Stanney, Venables received part payment in money and accepted that the balance could take the form

³⁹⁸ WSRO Ep I/29/541 f.11; Ep III/9/1, f.13.

³⁹⁹ REQ2/217/65.

⁴⁰⁰ REQ2/205/1.

of 10q of seed barley.⁴⁰¹ Grain still growing in the field was also monetised, as when Francis Fortescue, esquire, of Harting allegedly tendered 100 acres of growing wheat in part settlement of a debt, claiming that it was worth at least £100.⁴⁰² Indeed, the value of growing crops was demonstrated when, around 1623, Sir John Chapman's lease of the manor of Siddlesham was due to end at the coming Michaelmas. He had a 'great deal of corn' growing on the land. He was threatened with expulsion and asked the court to allow him to lay and thresh the corn after Michaelmas in the owner's barn and to 'spend his foder', he being willing to pay for this at whatever rate the court might decide.⁴⁰³

Robert Elyot (see above) had noted that Sussex farmers frequently supplied town-dwellers directly. An example of this was Robert Grey of Felpham and his wife, and later widow, Scholastica, who supplied wheat and barley in the 1590s to a baker and a wheeler of Chichester and to a woollen draper and a butcher of Arundel. The baker also received £3 worth of wheat in part repayment of a loan he had made. The Greys leased West Cudlowe farm in the adjacent parish of Climping, paying both money rent and corn rent. One of their workers, Thomas Wall, was paid 16s for weeding wheat and a further 16s for reaping it. He was also paid 10s 6d for mowing and threshing 'chelk' and also 9d for three days threshing barley.⁴⁰⁴ Lewes linen-draper William Greenstead's 1604 inventory (see 2.9 above) included only 8q of malt in his shop stock; however, 112q of grain worth over £63 was listed as owing to him from nine different men, seven of whom were from coastal parishes to the west of Brighton, between Ferring and Southwick, rather than the immediate hinterland of Lewes as might have been expected.⁴⁰⁵

⁴⁰¹ C78/41/42.

⁴⁰² REQ2/252/73.

⁴⁰³ E112/127/252.

⁴⁰⁴ REQ2/274/46.

⁴⁰⁵ REQ2/198/54, 387/25. No location was given for the other two grain debtors.

The involvement of churchmen in the grain trade was also common, whether selling produce of the glebe or tithes delivered in kind. The involvement was often indirect, as the tithe income of a rectory or vicarage/parsonage was frequently leased to third parties. For example, in 1572 Thomas Brooke of Jevington paid £80 to the commissary of the deanery of Lewes for a 21-year lease of the parsonage of Jevington, £20 of which he paid in corn.⁴⁰⁶ Similarly, around 1606, Peter Smith, vicar of Alciston, acquired a moiety of Alciston parsonage for £10 plus 20s and a seam of wheat annually.⁴⁰⁷ Some of the parson of Jevington's grain dealing have been outlined in 2.1 above. In a separate transaction of August 1590, the parson, Robert Wheeler, borrowed 40s from Richard Reddam of Hastings, agreeing to deliver 72s worth of wheat and barley to Eastbourne by All Saints' Day, Reddam paying a further 32s on delivery. Wheeler was bound in £8 for the delivery. Wheeler again failed to deliver the grain and was unsurprisingly sued by Reddam.⁴⁰⁸

The transportation of grain by land has left little record, although horse-drawn wains were certainly used, as when in about 1601 or 1602, Henry Stanford, servant to Thomas Covert, conveyed several loads of his master's wheat by that means to market at Reigate (Surrey), most probably from Covert's house at Slaugham. In total, nine or ten quarters were conveyed in several journeys. Others had also carried wheat there for Covert, and Stanford on another occasion carried 27bu of Covert's oats to Crawley.⁴⁰⁹ Reigate, about 16 mile distant, was known for its grain market at this time. Horsham, only 6 miles distant, also had a grain market, although the direct route from Slaugham crossed the difficult terrain of St Leonard's

⁴⁰⁶ REQ2/177/58. Brooke was possibly the curate of Jevington of that name recorded as paying the 1561 ecclesiastical subsidy, although in his bill he says that he was only 'appointed to the ministry' after he had taken on the lease in 1571. Brooke alleged that the payment was to enrich the commissary rather than the deanery.

⁴⁰⁷ REQ2/307/44. Smith was vicar of Alciston 1598-1613 [CCEd, person ID 7860].

⁴⁰⁸ REQ1/18/674, REQ2/55/37, 292/40. Described in more detail in Kipling, 'Sussex at Law', p. 28.

⁴⁰⁹ REQ2/296/97.

Forest.⁴¹⁰ Robert Elyot (see above) reported cart transportation from Chichester to Salisbury and Winchester when shipping was restrained. In the 1720s, Daniel Defoe wrote that ‘the Farmers [of the Chichester area], generally speaking, used to carry all their Wheat to Farnham Market, which is very near Forty Miles, by Land-carriage, and from some Parts of the Country more than that’, also observing that some large granaries had recently been built by Chichester and Emsworth (Hampshire) merchants on the coast, the grain being milled to supply London with meal by sea. The implication to be drawn from Defoe’s writing is that until the 1720s, the seaborne trade in grain had always been only a fraction of the total trade.⁴¹¹ In about 1660, Thomas Fuller was told by the Recorder of Chichester that 28,800q of grain passed through Chichester market each year, which is far more than was transported by sea.⁴¹²

Whilst most transactions in grain were relatively local, Richard Smith of Henley-upon-Thames (Oxfordshire), ‘useinge to buye Barely and converte the same into maulte’ in 1615, bought 120q of barley from Thomas Shelley of Findon at 20s per quarter. He paid £30 upfront, gave his bill for a further £40 and entered into a bond of £100 to pay £52 (presumably the balance plus some interest). But he alleged the barley was foul and dry and he could not make malt of it. This, he claimed, has affected his reputation with his customers.⁴¹³ Unfortunately, we are not told how the grain was transported.

Fulfilling contracts to provide grain were fraught with risk, particularly of a poor harvest. In 1577 Symon Collingham contracted by indenture to deliver 25q of wheat and 25q of barley

⁴¹⁰ Peter Brandon and Brian Short, *The South East from AD 1000* (London, 1990), p. 163. Chichester and Lewes were the county’s two other recognised grain markets.

⁴¹¹ Daniel Defoe, *A Tour Thro’ the Whole Island of Great Britain*, Volume I, 3rd edition (London, 1742), p. 194. J. H. Andrews observed a sharp growth the shipment of wheat flour after 1720 [Andrews, ‘The Port of Chichester and the Grain Trade’, p. 101].

⁴¹² Thomas Fuller (P. Austin Nuttall (ed.)), *The Histories of the Worthies of England*, III, p.238 (1840, London). The Recorder was Henry Peckham, who held that office from 1654 [HoPO, Peckham, Henry (1615-73), of Chichester, Suss’].

⁴¹³ REQ2/415/103.

to Richard Fuller of Heathfield, a smith, for £25. The delivery was to be spread over five years, so it was probably for the personal use of Fuller and his family. Collingham became bound to Fuller in £50 for the delivery of the grain. In 1581, a further contract also backed by a bond was made between Collingham and Fuller for the same amounts. Collingham subsequently had problems providing the grain (his reason was not stated, but there were no poor harvests nationally at this time) and so both bonds became forfeit. In 1582, Fuller accepted a compromise whereby Collingham delivered 2q of wheat and 5q of wheat annually until the full 100q had been delivered (which would have taken many years). Collingham then became a prisoner in the Cinque Ports and could not deliver any of the remaining grain; so Fuller put the bonds into suit at the common law and obtained execution against the sureties, which they later settled out of court.⁴¹⁴

3.2.1 High Prices in the mid-1580s

Delivery problems were magnified at times of poor national harvests. In January 1584, following a good national harvest the previous year, John Cole of Rottingdean agreed to deliver 20q of barley to Richard Kydder of Lewes, a wheelwright, for £8 (i.e. a price of 8s a quarter), becoming bound in a bond of £16 for delivery by Christmas that year. In April, he sold another 20q to Kydder on similar terms for delivery the following Lady Day (25 March). By Christmas, he had only been able to deliver 9q 3bu due to a poor harvest and the outcome of some lawsuits. Any poor harvest must have been localised, as nationally 1584 was another good year. Cole asked Kydder to forbear; he then delivered the remainder of the 40q in instalments over the period to December 1586. Cole subsequently argued that this delay had been beneficial to Kydder as the price of barley had risen from 10s a quarter when

⁴¹⁴ REQ2/26/131.

the bargain was made to 15s in 1585 and 18s in 1586.⁴¹⁵ Kydder nevertheless commenced suit at Common Pleas on the defaulted bonds, claiming that Cole had given the barley already delivered for free in return for the forbearance, and so he was still owed nearly 10q. Also, he had had to collect 20q of the barley himself, carrying it a distance of four miles. The suit went to the arbitration of Lady Cecily Buckhurst, wife of Lord Buckhurst (this the only example seen of a female in such a role) and Mr Richard Shelley, who awarded Kydder 8q of wheat and 18q of barley, considered to be worth £24, being midway between the £16 paid by Kydder and the £32 penalty on the bond. The dispute simmered, and resurfaced a decade later, when the terms of the arbitration were challenged. Witnesses were asked about the price of grain in 1585 and 1586. One of Cole's witnesses, the widow of a Southover yeoman, testified that barley was worth 26s 8d a quarter in the 'deare year' ten years ago (i.e. 1586). This seems high; and another of Cole's witnesses, a gentleman of Lewes, testified that at Michaelmas 1585 barley was 10s a quarter, a price at which he had bought, but a year later it was 14s - 16s, which nevertheless represented a rise of about 50% in the space of a year. It is understandable, though, that the price in a bad harvest year was lodged in common memory.⁴¹⁶ As another example of the high prices prevailing in 1585, John Woodman of Ifield had borrowed £10 at 10% interest from tailor Henry Couper of Cuckfield. After a year, Couper wanted his money returned so that he could buy wheat. Woodman could not repay the loan, so extended it by paying a quarter of wheat as interest, which he said was worth 24s. He later paid a further quarter valued at 20s in total.

In 1584, and again in 1586, James Colbrand attempted to win nomination as one of Chichester's two MPs (see 4.1 below). He was accused of, amongst other things, promising

⁴¹⁵ Unsurprising, as the national average wheat price had doubled between 1584 and 1586 due to two successive poor harvests.

⁴¹⁶ REQ1/47 v # 461, 575, 604, r # 231, 281; REQ2/33/72, 104/23, 157/260.

to ‘the meanner and simpler sorte of the inhabit[a]nts’ that if he won, he would supply the city with corn (presumably wheat) at 2s 6d the bushel (i.e. £1 per quarter). This price was not outrageously low for 1585, but Colbrand may well have had a private stock that he had withheld from the market, so could guarantee to hold prices when they were still rising nationally.⁴¹⁷

It seems that the full price was often paid in advance for grain, as beer brewer John Parsons of Bramber did (at around 7s 7d a quarter) in the spring of 1589 for barley to be delivered to him the following winter by yeoman William Slutter of Allington. Slutter, though, could only deliver a small part of the contract due, he claimed, to the ‘unseasonableness and scaresnes of Barley that yeare’. An arbitration was made for Slutter to pay 11s for each quarter undelivered, possibly suggesting that the barley price may have risen, at least locally, after the 1589 harvest.⁴¹⁸

3.2.2 *Gentry Families*

Grain also played a significant role in the microeconomies of local gentry families, as for example evidenced in the surviving accounts of the Roberts family of Boarzell in Ticehurst.⁴¹⁹ The family was headed from 1567 to 1587 by Margery Roberts, four time widowed and known as Lady Margery Hendley, her third husband having been the Kentish knight Sir Walter Hendley.⁴²⁰ Many of her holdings of land in Ticehurst, Etchingam and Kent were farmed out, the rent due often being paid in grain, plus the odd capon, rather than coin. For example, Robert Startup was a tenant of the family at Etchingam. His rent in 1569

⁴¹⁷ STAC5/C73/24.

⁴¹⁸ REQ2/33/75. 1589 was an average wheat harvest. Bowden’s price index for barley only commences in 1597.

⁴¹⁹ Robert Tittler, *Accounts of the Roberts family of Boarzell, Sussex c1568-1582*, SRS 71 (1977).

⁴²⁰ E179/190/283, Hastings Rape, Shoyswell hundred. ‘My Lady henlye’ was taxed in the 1572 subsidy at £4 on land valued at £60. In the accounts, this exact amount of subsidy is recorded as in October 1572 as ‘paid to the Queene ffor ye subseedy’ [Tittler, *op cit*, p. 113].

was £18 5s, although he was recorded as owing slightly different amounts in other years. Only once is he recorded as paying part of his rent with money. Far more frequently, he appears to have delivered it in the form of loads of malt, typically one quarter at a time, the amount he owed per quarter noted as 13 seams (quarters), 3bu and one tolvvet (a tolvvet was half a bushel). The Roberts also supplied grain to tenants: wheat, oats, barley malt or oat malt. These tenants often supplied the family with the occasional animal, including sheep, calves and pigs, as well as labouring on the Roberts' land. For example, between October 1567 and June 1568, James Kyne was supplied with 5.5bu of wheat and 3bu of oats. In August 1570, Goodwife Kyne supplied a gallon and a quart of butter for a wedding feast for 2s 6d. She supplied more butter on other occasions, as well as chickens, milk, and even a crook (for 6d). James Kyne himself supplied calves, sheep, marl, wood and faggots, and his labour. In 1575, Kyne came to a reckoning with Lady Margery or her servant, being paid 13s for 26 days of mowing and 8d for two other days of work - 'and so even with him for michelmas ffarme'. Grain not immediately used would have been stored in a barn or granary, probably similar in construction to the seventeenth-century grade 2 listed granary at Cowdray (Figure 3.5), then the seat of the Viscounts Montague, which sits on mushroom-shaped staddle stones to protect its contents from damp and animals.⁴²¹

⁴²¹ Historic England, 'Granary Adjoining the Ruins of Cowdray House on the South West', accessed 12 January 2026 at <https://historicengland.org.uk/listing/the-list/list-entry/1232249>



Figure 3.5 The granary at Cowdray.⁴²²

3.3 State management of supply and demand

The English grain market had since at least the time of Henry II been subject to regulation, aimed at ensuring an adequate supply at an affordable price for consumers, particularly the population of London. Two main approaches were adopted. Regulating the operation of the domestic market and regulating grain exports.⁴²³ In 1563, an act of parliament was passed for the latter purpose, with the stated aim also of encouraging the growth of an English mercantile fleet and of agriculture. The act allowed any subject to export grain, provided that it was in a ship solely owned by English-born subjects and that the price of wheat was not above 10s per quarter, rye, peas, beans not above 8s or barley and malt not above 6s 8d.⁴²⁴ The 1563 act was replaced in 1571 by one which required grain export to be to a country with which England was at peace whenever the price was reasonable locally.⁴²⁵

⁴²² Roger Cornfoot, 'Produce Store', https://commons.wikimedia.org/wiki/Category:Cowdray_House_Granary#/media/File:Produce_store,_Cowdray_Castle_-_geograph.org.uk_-_6161919.jpg

⁴²³ Gras, *Evolution of the English Corn Market*, pp. 130-56. See also Buchanan Sharp, *Famine and Scarcity in Late Medieval and Early Modern England* (Cambridge, 2016).

⁴²⁴ 5 Eliz I c. 5, XVII. Similar acts had been passed in previous reigns with lower price limits (e. g. 1 & 2 Phil. & Mar. c. 5, where the wheat limit was set at 6s 4d).

⁴²⁵ 13 Eliz I c. 13.

Annual enquiries were to be made by the justices of assize of each county into the ‘cheapnes and dearth’ of grain, after which they would determine either that export was to be permitted or prohibited from the county, promulgating their decision after obtaining the approval of the Privy Council. Any such determination could be overridden by an opposite proclamation by the county’s JPs, if they considered it was causing dearth or was deterring grain being grown (again subject to Council consent), albeit potentially only until the next assizes. Poundage of 12d a quarter was to be paid on wheat exported and 8d on all other grains, double on grain exported by special licence. Local permissions could be overridden at any time by a targeted or general royal proclamation. The diversion of coastal shipments overseas was controlled by requiring the shipper to provide a certificate to the departure port’s Customer showing that the grain had been delivered, signed by a JP, mayor or bailiff of the destination port and by that port’s Customer. It was also generally required to deposit a bond that would be forfeited if evidence was not provided to the officials at the shipping port from the officials at the receiving port that the goods had been delivered. These ‘port bonds’ were typically provided by the master of the ship and another, who was often not obviously connected with the trade but was known to the customs officials as creditworthy (or at least of being able to take measures to protect themselves from the bond being called in).⁴²⁶ Also, ‘commissioners against the transportation of grain’ were appointed for the purpose of ensuring that only permitted cargoes of grain left the ports: the commissioners were often members of the county bench.⁴²⁷

The second approach, regulation of the domestic market (in other commodities as well as grain), was primarily aimed at the prevention of practices intended to drive up market prices.

⁴²⁶ Willan, *English Coasting Trade*, pp. 1-6.

⁴²⁷ Sharp, *Famine and Scarcity*, p. 217. See also *Book of Orders 1587*, pp. 18-9. These commissioners were distinct in role from the commissioners who had first been appointed in 1527, a particularly bad dearth year, and were regularly appointed thereafter, to search out hordes of grain in their county and force it to be sold at market. The same men might well have served on both commissions, though.

The behaviours condemned were ‘forestalling’ (buying up grain before it reached the market), ‘regrating’ (buying in the market for resale at a higher price in the same or a nearby market), and ‘engrossing’ (buying up crops growing in the fields or already harvested). Forestalling had been prohibited since before the Conquest, although laws had been more explicitly made against all three practices as recently as 1551.⁴²⁸ That it still went on was well-known, for Robert Crowley, in his 1550 epigram ‘of Forestallers’, wrote ‘*And some say the woule is bought ere it do growe, / And the corne long before it do come to the mowe.*’⁴²⁹ Exceptions were made for ‘badgers, laders, kiddiers and carriers’, who, having obtained a licence from their local justices of the peace, were permitted to buy stocks provided that they sold no more than a month later either on the open market or to individuals for their personal use. The 1587 Book of Orders allowed for the local licencing of engrossers: for example, in 1609, the Chichester quarter sessions licensed a number of ‘Ingrossers of corne and grane’, including John Young (the former Customer of Chichester), Paul Ryley, Peter Cox, John Chapman, and other prominent merchants.⁴³⁰ The prevalence of unlicensed practices in any year depended significantly on the abundance or otherwise of the grain harvest in that year. There was an ulterior motive for central and local government to stabilise grain prices. This was to avoid discontent amongst the population that might result in rioting against the authorities and maybe even sedition.⁴³¹ There are, however, no references in the literature to any material dearth-related disturbance in Sussex during the study period, as there were in neighbouring Kent in 1596, 1605 and 1622.⁴³²

⁴²⁸ 5 & 6 Ed VI c. 14, ‘An Acte againste Regratours Forestallers and Engrossers’. Engrossing was, however, permitted when the price of grain was sufficiently low (e.g. wheat less than 6s 8d a quarter).

⁴²⁹ TED, 3, p.81.

⁴³⁰ Gras, *English Corn Trade*, p. 238; WSRO ChiCity/N/14 f.7.

⁴³¹ Outhwaite, *Dearth, Public Policy and Social Disturbance*, p. 10.

⁴³² Alison Wall, *Power and Protest in England 1525-1640* (London, 2000), pp. 157-8. In early 1631, victuals destined for naval supplies were taken in a ‘riotous and tumultuous manner’ from a ‘garner’ (i.e. granary) in Shoreham [PC2/42, p. 466; John Walter and Keith Wrightson, ‘Dearth and the Social Order in Early Modern England’, *Past and Present*, 71 (1976), p. 26].

In November 1565, commissioners were appointed to all coastal counties, ostensibly for the suppression of piracy. However, amongst the tasks assigned to them, to be enacted by deputies in every port, was to scrutinise cargoes of grain and other embargoed goods to ensure that they were being shipped legally.⁴³³ At Rye, this led to a complaint by the Customer to John Tacher, the lead commissioner for the rapes of Pevensey and Hastings, that his deputies were acting beyond their brief; and a request from the deputies to Tacher for clarification of their duties. On 15 December, the commissioners for the ports in the rapes of Chichester and Arundel were themselves written to by the Council, after ignoring letters for the Council to let certain grain cargoes pass on the grounds that the orders of the previous month specified that a licence of the queen was needed; the Council had hastily obtained an order from the queen delegating licencing powers to them. As noted above, in December 1565, Robert Elyot reported to the Privy Council on the wheat supply in the three western rapes of the county. His reason to visit Sussex had been to try to buy grain for the navy, but he was unable to find sellers at recent market prices even if he proffered ready money.⁴³⁴ The reason for his difficulties may well be explained by a royal proclamation issued the following month, which denied rumours that ‘certayne persons’ had bought up grain for the queen’s use in ‘sundry countreys’. Other than for use in the royal household and frontier garrisons, the proclamation maintained that no buying had taken place, notwithstanding requests from various towns in the Low Countries ‘belongyng to the king of Spayne her hyghnes good brother’.⁴³⁵ It further explained that enquiries had been made whether the requested grain might be bought in open market without raising the price. However, it had come to light that significant engrossing was going on, ‘specially neare to

⁴³³ PC2/9 f.260; Gras, *The Corn Market*, p. 236.

⁴³⁴ SP12/38 f.140; Cornwall, ‘Agrarian History’, p. 238.

⁴³⁵ There was a dearth in the Spanish Netherlands in 1565-6, and the magistrates of various towns attempted (successfully) to buy supplies from England and Spain [Arjan Van Dixhoorn, ‘The grain issue of 1565-1566’, in, Lecuppre-Desjardin & Anne-Laure van Bruaene (eds.), *De bono communi, the discourse and practice of the common good in the European city, (13th-16th c.)* (Turnhout, 2010), pp. 174-7, 187].

the sea coastes', in anticipation of the demands of Flanders. The proclamation concluded by stating that no buying would now take place, all overseas transportation of grain was forbidden, and commissioners would be appointed to enquire into the market abuses to ensure that markets were duly served with grain and other victuals.⁴³⁶

In reality, considerable progress had been made in assessing what quantities of grain were available for Flanders, as contemporary estimates survive for amounts that could be bought from each eastern and south-eastern coastal county for the supply of Flanders.⁴³⁷ 'Mr Sackville' (probably Richard Sackville, Chancellor of the Exchequer, one of the MPs for Sussex, and steward of the Duchy of Lancaster lands in the county) had been specifically tasked to buy 600q of wheat, 1,000q of malt, 2,000q of barley and similarly large quantities of rye, oats and peas.⁴³⁸ Moreover, a licence was granted by the queen for the Lord Treasurer to ship barley and malt to the Low Countries in early February 1566.⁴³⁹ The proclamation seems therefore to have been little more than an attempt to calm the markets, with truth being pragmatically sacrificed.

In about July 1572, a petition was sent to the Council by the City of London requesting that several measures be taken which would increase its supply of grain to prevent dearth. The measures requested included the overturn of a ban by the Sussex commissioners on the transportation of supplies bought by the city, which had been imposed with the aim of keeping prices in Sussex down.⁴⁴⁰ One of the problems London was facing was that a common stock of 5,000q of wheat, which the city kept to stabilise prices, had been utilised and was not able to be replenished from Sussex and its other (unnamed) traditional suppliers

⁴³⁶ SP 12/39 f.48.

⁴³⁷ SP 12/38 ff.140, 153-7.

⁴³⁸ SP12/38 f.153; Cornwall, 'Agrarian History', p. 239. Sackville was also responsible for obtaining supplies from some other counties.

⁴³⁹ SP 12/39 f.97.

⁴⁴⁰ SP12/88 f.159.

due to a general restraint. About the same time, a survey of grain stocks prices around the country was carried out by the Council. Results from the west of England showed that the price of best wheat per quarter in Dorset was a 'reasonable' 16s (although second quality could be had for 13s 4d).⁴⁴¹ In Somerset, best wheat was 20s. In Devon, the price was 26s 8d, and in Cornwall it was a startling 48s. Dorset had surplus and transportations to Cornwall had been licenced. Somerset had been aiding Devon but after that had no surplus. Devon and Cornwall always needed supplies from elsewhere, their soil being mostly unsuitable for tillage. A national restraint on overseas shipping of grain was put in force, announced by a royal proclamation of 16 September 1572, on the grounds of preventing dearth due to a poor harvest and excessive exporting. The proclaimed restraint remained in force only until the end of October.⁴⁴² However, local prohibitions still applied from time to time, such as that which the Council asked George Goring and the Sussex JPs to apply in late February 1573.⁴⁴³

Council involvement with the Sussex trade was frequent at this time. In March 1573, the Council wrote again asking them to permit 120q of wheat and 80q of barley to be shipped from Arundel to Rye, provided that bonds were taken for its safe delivery.⁴⁴⁴ On 12 May, a letter was sent to the Sussex JPs to allow Rice Lloide and Hughe Snedall, to load 200q of wheat and malt ('if it be to be sparid') into the *Mary Catherin* for Ireland.⁴⁴⁵ On 24 May, it informed Viscount Montague, Lord Buckhurst and Lord de la Warr, the joint lord-lieutenants of Sussex, that the mayor of Winchelsea had stayed a shipment of 200q of grain owned by French merchants, and instructing them that if there was local scarcity it should

⁴⁴¹ SP12/88 f.151. The equivalent price in Norfolk was 18s and in Suffolk 14s [SP12/89 f.3].

⁴⁴² Frederic A Younger Jr, *The Proclamations of the Tudor Queens* (Cambridge, 1976), p. 112-3; SP 12/89 f.39. Hoskins considered that 1572 was actually an 'average' harvest, so it is perhaps not surprising the national ban only lasted a few weeks.

⁴⁴³ PC2/10 f.115.

⁴⁴⁴ PC2/10 f.117.

⁴⁴⁵ PC2/10 f.133.

be procured and sold on the open market, or otherwise allow it to depart.⁴⁴⁶ On 2 November, it asked the county's commissioners to permit George Conye, one of the queen's musicians, to transport 150q of wheat from Chichester to London.⁴⁴⁷

3.3.1 The Sussex writs

A particular chain of events provides unique insight into the problems faced by the authorities in controlling the grain trade, and shows the consequences (or lack thereof) eventually meted out to those found to have broken the law. On 9 May 1573, the Council sent another letter to the lord-lieutenants, asking them to report what grain had been transported out of Sussex ports, where to, and by whose authority. Also, what had been done for the relief of scarcity, especially in Rye.⁴⁴⁸ On 24 May, Montague replied that they had experienced considerable difficulty due to arrangements between the farmers (of customs revenue) and the merchants, adding that the Customers, Searchers and other officials were themselves the main merchants. There was no independent oversight, as 'one man exerciseth all and one man penneth the bookes'. At Chichester itself, they had discovered that large quantities had been transported since Michaelmas 1572, much more than had been entered in the port books by the officials. The current stay on legal export had prevented the price of wheat rising from 3s 4d a bushel to 5s. And they had been able to require grain stayed from being exported to be sold at 2s 6d 'which is such a relief and joie to the people as your Lordships would hardly believe'. Rye had been sent 100q of wheat, although they had heard

⁴⁴⁶ PC2/10 f.133. The cargo was seized and sold at a low price, later resulting in a complaint from the merchants [PC 2/10 ff.139, 145] The complaint may have been prompted by a rise in prices following a poor 1573 harvest (from £17 to £24 a quarter nationally)

⁴⁴⁷ PC2/10 f.157.

⁴⁴⁸ PC2/10 f.131 9 May 1573.

rumours that the town was well-supplied and some was being sold to France. Montague ended by asking the Council to reform those 'inferior officials'.⁴⁴⁹

Clearly disturbed by this report, in the summer of 1573 writs were issued in Burghley's name from the Exchequer to known shippers of grain from Chichester, Arundel and Shoreham requiring them to list the wheat, barley, malt or rye which they had shipped between Michaelmas 1572 and 28 May 1573.⁴⁵⁰ Thirty-nine such writs were sent in July 1573 to the local customs officers at Chichester to deliver to the individual shippers. At that time the Customer of Chichester was William Dunning (or Downing) of Rye. His deputy at Chichester was John Sherwyn. The Controller and Searcher also had deputies, and in 1572 the deputy Controller in Chichester was Thomas Hills and the deputy Searcher there was William Devenish. Sherwyn took responsibility for delivering 25 of the writs. He subsequently reported that he had delivered nine in early August, some to prominent Chichester men such as George Fenner, and in October more to shippers in Rye and other distant places. That for John Marks of Southampton was delivered to a shipmaster who was at the time lading kerseys in Chichester for Marks. A further twelve writs could not be delivered as the intended recipients could not be identified or their whereabouts discovered, including two men of Waterford in Ireland.

It had been intended for Devenish to deliver some of the writs. However, Sherwyn reported that he could not be found and that his servant, the under Searcher, had been instructed to accept neither the writ addressed to Devenish personally nor any of the others.⁴⁵¹ It is

⁴⁴⁹ SP12/91 f.54; Cornwall, 'Agrarian History', p. 231.

⁴⁵⁰ A writ was an order from a court for the addressee to obey by a certain date. Failure to comply exposed the addressee to a substantial penalty.

⁴⁵¹ E122/171/13.

surprising, if not incredible, that Sherwyn could not locate Devenish, a prominent local gentleman. Devenish later merely responded that ‘none of them ever came unto his handes’.

Hills, the deputy Controller, took responsibility for delivering the other 14 writs, of which ten were delivered by 6 September to shippers including further prominent Chichester merchants such as Thomas Turges. One was delivered late, one was sent to Rye, one could not be delivered as the intended recipient was unknown, and he had sent one back to the Exchequer court as he understood that the intended recipient had already received a writ at Arundel and could be served the second one when he came to respond to the first. Hills explained that as deputy Controller he was not involved in the collection of customs or the taking of sureties.⁴⁵² A further 15 writs were sent to Christopher Haynes, the deputy Customer at Arundel. He was able to deliver eight to shippers of Arundel, Rye, Lewes and London, but seven remained undelivered as most of the intended recipients were ‘Some over the seas some at newcastell and some in Vyages From their houses’.⁴⁵³

The writs were returnable to the Exchequer, and 33 survive. Statements from the addressee are attached to 31 of them. Only Sherwyn denied being responsible for any shipments. Two statements unattached to writs also survive; from Thomas Blake, a Chichester butcher, and Robert Ludgater.⁴⁵⁴ Many of the statements disclosed only legal coastal shipments, including those mentioned in 3.1.1 above, although with more information than could be found in port books, especially regarding the source of the grain and its use at the destination port. Almost all respondents declared that they had given bonds for the delivery of the grain to its destination and had provided certificates from the port of arrival to either Sherwyn,

⁴⁵² E122/38/26.

⁴⁵³ E122/171/13. Haynes was a prominent Arundel burgess, who had been mayor 1562 and would be again in 1578 [Stewart Johnson, ‘In the wake of Throckmorton: Christopher Haynes, customer, searcher and taverner of Arundel (c. 1527–1586)’, *SAC*, 149 (2011), pp. 161-162].

⁴⁵⁴ E122/171/13, 222/33-34. One writ now has no statement attached. Two of the writs reported as being delivered by Hills may not have been returned; those for Thomas Turges and Andrew Stone.

one of his deputies or, in two cases, to a JP. Richard Body, an Eastbourne fisherman, sent with his fulsome response both a copy of the cocket (customs permit) for his voyage signed by Haynes and Thomas Bridger, the deputy controller at Arundel, and a statement certifying delivery to which five men of the hundred of Eastbourne had signed or marked and affixed the seal of the hundred. Similarly, baker John Bennett and brewer William Michell, both of Hastings, submitted a certificate of delivery from the bailiff and jurats of Hastings, sealed with the bailiff's seal. Michell additionally provided a certificate from the deputy Customer, Controller and Searcher of Hastings. Clearly, the receipt of a Westminster writ had significantly perturbed some small traders.

Fourteen writ responses disclosed about 30 overseas voyages. The destinations, where mentioned, were mainly La Rochelle, Le Havre and Dieppe. All the shipments were made by local merchants, apart from 300q of wheat and barley from Arundel made by London grocer Barnard Field and Bristol merchant Richard Strowbridge. They had bought the grain from Sherwyn, Devenish and Turges, and shipped it 'by a licence graunted unto the said Towne of Arrundell wh[ic]h the Customer Mr Sherwyn helped us unto'. They had paid Sherwyn, Devenish and Turges £50 for customs duty and use of the licence, and Sherwyn had given the ship's master a cocket for the cargo. Haynes disclosed shipping grain from Chichester and Shoreham to Arundel, where he sold it with grain he had grown himself to English and foreign merchants, including one of Dieppe and Frenchman Haunce Hanson of Rye, subsequently transporting it for them.

Presumably because of information disclosed in responses like that of Field and Strowbridge and/or the absence or inconsistency of other responses, further enquiries were carried out. Individuals were required to give testimony before Sussex JPs. Blake, the Chichester butcher, initially refused to appear before Sir Thomas Palmer and Richard Lewkenor,

esquire, when they sent for him. Notwithstanding, in October and November 1573, confessions were obtained from the customs officials and others, including Blake, admitting to a range of offences.⁴⁵⁵ Sherwyn and Devenish confessed to the transaction with Field and Strowbridge, confirming that no entries were made in the customs book nor in the list of cargoes exported under the Arundel licence. Sherwyn also admitted cancelling a £200 port bond for wheat illegally shipped overseas. William Hooke of Brighton confessed selling wheat to three Frenchmen with the intention to transport it for them to Dieppe: he paid the duty to Sherwyn (in the form of 20q of barley) who assured him that he had authority to allow the shipment, but Lord Buckhurst had seized the wheat for the Exchequer.⁴⁵⁶ Hooke also testified that Sherwyn, Hills and Devenish had shipped grain from Chichester to Le Harvre to sell to a merchant of Orleans. They had requested to use Hooke's name as merchant 'for that [they] were offycers', assuring him that customs would be paid. Devenish further admitted that, in April 1573, he had laded 80q of wheat in the name of Christopher Hargrave onto the *Susan* of Jersey. The cargo was supposedly bound for Rye, but a stay arrived. Hearing of this, the master set sail into contrary winds, going instead to Jersey, where the wheat was sold. No licence existed and no customs were paid. Devenish also confessed to selling grain to others who shipped them overseas without licence, when it ought to have been him staying the shipments. Hargrave confessed to having shipped some of Devenish's wheat from Arundel to Dieppe and sold it there; he submitted a cocket signed by Haynes and Bridger certifying the shipment was under the Arundel licence, adding that customs duty of 40s was not entered into the books. Haynes admitted issuing a cocket for grain to go to Dartmouth, knowing that it was destined overseas. He had also abused the

⁴⁵⁵ E122/196/5.

⁴⁵⁶This may be the ship the Council thanked Buckhurst for staying in a letter of 9 May 1573 [PC 2/10 f.131]

licence granted to Arundel by bringing in grain from other ports and re-exporting it under the licence.

As punishment, all five officials were committed to the Fleet prison. Sherwyn, Devenish and Haynes were also fined a substantial £40 each. Bridger was only fined £6 and Hills appears not to have been fined. The Fleet was a debtors' prison, used by, amongst others, the Exchequer court, and those committed there could be released once their debt had been settled (or fine paid). The time spent there need not be uncomfortable for those who could afford the various fees levied by the prison's master and other prison staff. Individual rooms were available at a price and visitors were allowed (as Turges' case below illustrates). It is likely that once the four officials had raised the ready money to pay their fine and for their release, they would have returned home and carried on their lives and occupations.⁴⁵⁷ John Sherwyn certainly remained deputy Customer at Chichester.⁴⁵⁸ Hooke and Hargrave were also fined (£16 and £6 respectively).⁴⁵⁹ The Chichester port officials were not the only customs officials to be involved in grain-trading irregularities in this decade. For example, in late 1576, the Council became aware of allegations that a Norfolk Customer had been arranging for the shipping of grain to Spain which should have been for London. The Council tasked two local knights to investigate, and to convey to him that they 'do not a letill mervell' that he as a customer had been buying so much grain.⁴⁶⁰

Some of the merchants interrogated confessed to a wider range of offences than illegal transportation. One of the main offenders was Thomas Turges. He was accused of buying 195q of wheat, most of which he was unable to use at his own house and refusing an order

⁴⁵⁷ Margery Bassett, 'The Fleet Prison in the Middle Ages', *The University of Toronto Law Journal*, 5, 2 (1944), pp. 383-402.

⁴⁵⁸ E190/740/28.

⁴⁵⁹ SP12/89 f.140. This, a list of fines for transporting grain with four Sussex entries, has subsequently been annotated with the dates 'Aug/Sept 1572'. It seems likely to have been a year or so later.

⁴⁶⁰ PC 2/11 f.119.

of the Earl of Arundel to sell the residue on the market at the price he paid for it. Further, a poor woman with eight children had complained to the JPs that being unable to buy wheat on the market, she had come to Turges with 3s 4d and requested to buy a bushel of wheat.⁴⁶¹ Turges refused, but she deposed that same week he carried fifteen cartloads ‘to the sea’. Turges had also sold 300q of wheat to a Bates of London, who had been commanded by the Earl of Arundel not to buy until the Earl had discovered what quantity was in store in Sussex. Turges had himself been commanded not to sell or buy except in open market. Bates paid Turges 20s a quarter and admitted to buying from many others at the same price, pushing up the price locally. It was commented that had he waited until the next justices’ session, if the county had then been found to have an adequate stock, a cheaper price might have become available for the use of London. Bates was also mentioned in a later letter to the Council by the Sussex commissioners (undated, but attributed to 1579 or 1580).⁴⁶² This reported that the wheat price had increased from as little as 16s a quarter at beginning of September to 24s or more six weeks later, due, they alleged, to the activities of Bates, who was ‘a supplier for London’, who had far exceeded his commission from the city to supply 500q, bidding up the price with Sussex growers and deterring them from bringing their supplies to the local markets. Turges was also accused of buying 400q of wheat under a licence granted in open session and selling part to people who transported it overseas contrary to the terms of his licence. As a consequence of his offences, Turges was fined £5 and committed to the Fleet on 11 November 1573. He appears to have been little inconvenienced by this, as the following day he was visited in prison by London haberdasher Robert Ligert to discuss their mutual business arrangements.⁴⁶³

⁴⁶¹ There are eight bushels in a quarter, so she was offering to buy the wheat at an expensive 26s 8d the quarter.

⁴⁶² SP 12/132 f.141.

⁴⁶³ SP 12/89 f.39; STAC 5/T29/23.

The other mercantile confessions included that of Anthony Brewster, carpenter of Arundel, who had sent wheat, barley and malt to his brother John Brewster the Rye badger: he was imprisoned and fined £5. Edward Manning, parchment maker of Chichester, admitted buying wheat and barley from farmers who came to his house rather than in the open market. Both were imprisoned and fined. Thomas Blake the butcher, in addition to his initial refusal to testify, also refused an order of the mayor of Chichester to serve the market with grain, and testified falsely on oath before the Earl of Arundel and others that he knew of no old store of grain, yet it was later proved that he had 150q of malt at his own house: he was fined £10. Henry Payne of Chichester also bought grain directly from farmers, although at their houses. Others admitted to selling grain for transportation overseas: most were imprisoned and fined but some seem to have avoided sanction, possibly because their shipments under the Arundel licence were considered genuine.

This series of events shows how it was possible for the state to intervene with some success in controlling local practices which were depriving it of revenue. The county magistracy was aware of the corrupt behaviour of the local customs officials but was unable to exert authority over these state appointees. Burghley, however, was willing to do so, and adopted a legal and inquisitorial approach via the Exchequer court successfully to identify the participants and apply sanction: the process also identified mercantile accomplices, and mercantile malpractice in the domestic grain trade. The extent to which the fines and brief incarcerations deterred future repetition is questionable, although victualler Robert Jackson was subsequently careful to demonstrate that he complied with the regulation, for when in November 1573 he brought a cargo of wheat and malt from Chichester ('his provicion towards the victulinge of this towne'), he prevailed on the mayor and jurats to write to Sir Thomas Palmer at Goodwood to certify that the cargo was shipped under a licence granted

to Palmer by Burghley.⁴⁶⁴ In 1574, the mayor and jurats of Rye wrote again to Palmer and others, probably also commissioners, asking permission for Haunce Hanson to transport 100q of wheat from Arundel, which he had bought from Simon Skypper, mayor of Arundel, to provide for Rye's poor French residents. A short time later they wrote again, countermanding their request, as they had now discovered that Hanson was 'a subtle and lose man and suche a one as has byn a conveyor of corne'.⁴⁶⁵

3.3.2 The Sussex commissioners' dispute.

County commissions for the restraint of grain and victuals were appointed only for limited periods and consisted of members of the local nobility and gentry, most of whom were already JPs. Their work frequently involved balancing local and national interests. For example, in February 1574, the Council wrote to the Sussex commissioners promising to issue no licences; a little over a month later, however, the Council licensed both Lord Cobham, Deputy Admiral of Kent, and the Lord Admiral, to transport 40q of wheat each, and in July they asked the county amongst others to victual the navy.⁴⁶⁶ Between Easter and Michaelmas 1574, only one small shipment of grain was recorded leaving Chichester, bound for Rye. In the same half-year, there were only three other grain shipments from western Sussex ports to Rye, John Brewster the badger brought 25q of assorted grain from Arundel and 70q from Shoreham, and Robert Wells shipped 108q of wheat and barley. Rye turned rather to Sandwich as its main supplier, receiving sixteen shipments of malt from there totalling almost 950q. A further fourteen shipments of grain came from eleven other ports. In total, twenty-five different merchants were responsible for thirty-four inward shipments.⁴⁶⁷ A good example of the delicate balancing act the commissioners had to

⁴⁶⁴ RCHM 13 App IV p. 26.

⁴⁶⁵ RCHM 13 App IV pp. 37-8.

⁴⁶⁶ PC2/10 ff.193, 211, 245; Cornwall, 'Agrarian History', p. 237-9.

⁴⁶⁷ E190/740/5

perform came in October 1574 when the Council wrote to the Sussex commissioners asking them to supply 2,000q of grain to London. The commissioners responded the following month asking the Council to forbear, no doubt because of a local shortage.⁴⁶⁸ Nevertheless, in April 1574, the Bishop of Chichester, Richard Curteys, had written to Burghley informing him of the high price of grain locally, adding that ‘the people begin greatly to grudge at these prices of grayne and the lyke dearthe of other victualls’ and alleging that the commissioners were letting too much grain pass.⁴⁶⁹

The commissions were only temporary, and in November 1575, Bishop Curteys and other JPs asked the Council to renew the commission as they were concerned that large quantities of grain were being engrossed for export. The Council recommended renewal unto the following All Saints’ Day. In December 1576, the mayor and jurats of Rye wrote to Curteys complaining that some Rye inhabitants, wanting to make provision for their household, of one or two quarters of wheat, had clubbed together to send a ship to Sidlesham, hoping to buy grain there as they had in the past, and that he, in his role as a commissioner, had refused a licence. The ship had been forced to return empty, apart from bread made from 2bu of meal as victuals; and even for providing those, Kybe, the miller of Sidlesham, had been called before the bishop.⁴⁷⁰

The following year, a dispute arose between Curteys and three prominent Sussex gentlemen, Sir Thomas Palmer, Richard Earnley and Thomas Lewkenor, over various aspects of the bishop’s behaviour in both spiritual and temporal spheres.⁴⁷¹ Amongst many other things,

⁴⁶⁸ PC2/10 ff.273, 281.

⁴⁶⁹ SP12/95 f.183

⁴⁷⁰ RCHM 13 App IV p. 54.

⁴⁷¹ Roger B Manning, *Religion and Society in Elizabethan Sussex* (Leicester, 1969), pp. 97-99; SP 12/112 ff.103, 141. Earnley was also a commissioner against the transportation of victuals, having been appointed in 1574 along with Richard Lewkenor, one of the two MPs for Chichester and Thomas Lewkenor’s brother. [PC 2/10 f.213].

the bishop had allegedly accused Earnley of transporting grain without licence or of abetting others to do so, and Lewkenor of being angry because the bishop had prevented him shipping grain out of the rape of Chichester, which grain Lewkenor was authorised by the Council to provide for the city of London. They in turn accused the bishop of issuing licences to some of his servants who were not licenced badgers, had not grown the grain themselves, and were not licensed to purvey for the places to which they had shipped the grain. Also, that his servants had sold licences signed by the bishop and Henry Worley his chancellor, to others. And that he had licensed Pope, a Londoner, to transport large quantities of grain when Montague had asked him to delay until the whole county commission could meet to decide the matter, whilst at the same time denying Lewkenor permission to transport 100q of wheat to London. Palmer, Earnley and Lewkenor were clearly very concerned about the effect of Curteys' accusations on their credibility as office holders, something which Michael Braddick has identified as having been essential for the effective exercise of power.⁴⁷² The reputational aspect of this conflict will be explored further in Chapter 5. The bishop denied all the accusations, deposing that it was Earnley who had countersigned the licence to Pope, that Pope was of Taunton not of London, and that he had only been permitted to take 100q of grain. Also, he claimed that Montague had not objected to Pope's licence, but to a proposed shipment by Ralph Chauntler of Chichester, which the bishop had blocked, as he had a cargo of Thomas Fenner's.

A further charge of the three JPs was that Curteys had licensed James Hoare to export 80q to Ireland, after Hoare had presented an appeal from the lord deputy of Ireland where there was a dearth and had brought a cargo of herring in exchange. The fish was much needed at

⁴⁷² Michael J. Braddick, 'Administrative performance: the representation of political authority in Early Modern England' in Braddick and John Walter, *Negotiating Power in Early Modern Society* (Cambridge, 2001), pp. 171-2.

Chichester as it was Lent and shortage had driven their price to 24s a barrel.⁴⁷³ Richard Lewkenor, Thomas's brother, then intervened, ordering the deputy Searcher of Chichester to prevent Hoare's departure by confiscating the vessel's sails. The bishop allegedly then detained the deputy Searcher and liberated the sails, so allowing Hoare to depart. The unfortunate Hoare was the example on which the Sussex gentry had determined to make a stand over who was able to licence or prevent grain exports. This was despite the Council having written to the Sussex commissioners in April 1576, requesting them to allow Hoare's father, Michael, to transport 90q of wheat to Ireland in response to an appeal from the lord deputy.⁴⁷⁴ There are similarities between this dispute and that of 1609 between Sir Thomas Posthumous Hoby and Sir Richard Cholmley, when the former accused the latter of, amongst other things, publicly denying the validity of his warrants.⁴⁷⁵

On 29 April 1577, the Council wrote again to the Sussex commissioners, noting that a ship, the *Margaret* of Waterford, had arrived in Chichester in February carrying 300 barrels of herring. The Council had approved the return shipping of 100q of malt and 50q of wheat, noting that the herring had alleviated the poor of Chichester from starvation.⁴⁷⁶

3.3.3 *Management of the grain supply in the later sixteenth century*

On 31 March 1586, the Council wrote to the Sussex commissioners requesting them to prevent the exporting of grain and to send to the Lord Treasurer all port bonds for coastal trade and the matching certificates of delivery.⁴⁷⁷ There was concern that due to the

⁴⁷³ SP12/112 f.141; Cornwall, 'Agrarian History', pp. 232-234. Bishop Curteys testified that by ensuring this cargo to the city, he had caused the price of herring to fall to 14s or 15s the barrel.

⁴⁷⁴ SP12/108 f.19. An annotation records that on 12 March 1577 the bishop had authorised the loading of 25q of wheat, 40q of malt and 5q of peas onto the *Saviour* of Waterford, the merchant being James Hoare, factor for his father Michael Hoare. More detailed accounts of this dispute are given both by Manning and Cornwall.

⁴⁷⁵ A. J. Fletcher, 'Honour, Reputation and Local Officeholding in Elizabethan and Stuart England' in Fletcher and John Stevenson (eds.), *Order and Disorder in Early Modern England* (Cambridge, 1985), p. 100.

⁴⁷⁶ PC2/11 f.181. Wheat at 24s was about 2s and 3s more expensive than the national average prices for 1576 and 1577 respectively, but that might have been due to the cost of shipping to Ireland. 1576 had been a below average harvest in England.

⁴⁷⁷ BL Harley 703, f.21v.

‘unseasonableness of the last summer’ there was scarcity and higher prices, and that as a ‘greate store of Rayne’ had fallen recently, the 1586 harvest might be worse, ‘wherby a greate dearth of Corne might ensue’. The commissioners were also reminded to ‘see the marckets served’. Notwithstanding this, in June the Council issued Robert Nash with a letter asking the Sussex commissioners to allow him to take whatever malt was available for the relief of Carmarthen in Wales.⁴⁷⁸ The 1586 harvest was indeed bad, and as noted above prices rose steeply. Nevertheless, in February 1587, when the commissioners stayed 100q of wheat bought by the Lord Mayor of London for his own household use, the Council instructed the commissioners to release it.⁴⁷⁹ The 1586 dearth was the spur to the issuance in January 1587 by the Council of the first of a series of collected orders addressed to each county’s sheriff and justices of the peace codifying and extending past restraint practice, which became known the Book of Orders.⁴⁸⁰

In February 1591, Burghley sent new orders to the Customers of Smith’s former head-ports, setting out that he expected fair and lawful practice.⁴⁸¹ One order related to not allowing any exporting of wheat, barley or oats under any licence whatsoever until further notice. This may have been because the price of wheat had risen to almost 24s per quarter in 1590. There may also have been restrictions on coastal trade, as October 1591 the mayor and jurats of Rye were obliged to write to Lord Buckhurst, probably as a commissioner for grain transportation, for a licence for John Brewster to bring 200q of wheat from Chichester, as

⁴⁷⁸ PC2/14 f.131.

⁴⁷⁹ PC2/14 f.278. No shipments to London from Chichester were recorded between Michaelmas 1586 and Michaelmas 1587 [E190/743/13], but the coastal books for Arundel, Shoreham and Lewes do not survive for that year. The commissioners in December 1586 included Montague, the bishop of Chichester (not Curteys, who had died in 1582), Palmer, Earnley and both Lewkenors [BL Lansdowne 48 f.136]. Henry Fitzalan, 12th Earl of Arundel, had died in 1580, and his successor Philip Howard, was being held in the Tower of London by 1586.

⁴⁸⁰ *Book of Orders, 1587*; Gras, *English Corn Market*, pp, 236-40. See also Sharpe, *Famine and Scarcity*, pp. 215-9 and Paul Slack, ‘Books of Orders: The Making of English Social Policy, 1577-1631’, *Transactions of the Royal Historical Society*, 30 (1980), pp.1-22 and

⁴⁸¹ SP12/238 f.81. Smith had surrendered the farm in 1589.

‘Rye standeth ... far from any corne country’ and there was ‘great passage ... of souldyers and others into and out of Fraunce’.⁴⁸² Burghley’s message appears to have had little impact in Sussex, for William Covert and other county JPs wrote to him in July 1593, alleging significant malpractice on behalf of unnamed officials.⁴⁸³ The officials were accused of engrossing large quantities of grain, transporting large volumes in their own names, and preventing merchants from buying grain directly from producers by delaying the granting of licences, which were quickly given to those who purchased their grain from them.

One of these officials was John Young, Customer of Chichester from c.1577 to 1593. Young had certainly traded grain in his own right, as in 1581 Thomas Turges had agreed to supply him with 500q of wheat, and in 1584 John Downer of Donnington had sold him 42q of wheat to be delivered to the ‘port of Chichester’ (i.e. Dell Quay) and 42q of barley to be delivered to Itchenor or to Young’s mansion house in the Pallant in Chichester.⁴⁸⁴ In 1588, Young had sold 300q of wheat to John Coning of Looe (Cornwall) for £300. Conning paid Young in money and goods, which he had others deliver. The payments in kind included salt, cloth and the victualling of a ship.⁴⁸⁵ Most significantly, in July 1593, Thomas Fenner, Sussex merchant and respected former naval captain (see 4.4.3 below), alleged that Young had bought an enormous 30,000q of wheat, barley and malt in his own name or through deputies or factors and exported without licence or payment of duty by pretending to ship coastally under false bills of lading, as well as several other offences.⁴⁸⁶ This was the continuation of a complaint which Fenner had made to the Privy Council in 1581, accusing Young of various

⁴⁸² RCHM, 13, App. IV, p. 101. Rye’s problems were far from unique, it being a common complaint from provincial towns at this time that county magistrates were restricting their supplies in times of shortage [Michael J. Braddick, *State Formation in Early Modern England c. 1550-1700* (Cambridge, 2000), p.130].

⁴⁸³ SP12/245 f.87.

⁴⁸⁴ E112/45/90; C2/Eliz/D11/28. A price of 17s a quarter for wheat was mentioned, consistent with the national average price in 1583-4.

⁴⁸⁵ E133/7/1000. In 1588, the national average price was 19s and rising.

⁴⁸⁶ E112/45/104. Fenner also accused Young of illegally exporting 300t of iron ordnance, and of several other offences.

offences including illicit shipments of 15,000q of grain from Sussex over the preceding six years, as well as further exports from Hampshire, Kent and Norfolk, and of paying for wine imports in grain and other goods.⁴⁸⁷ Several of Young's assistants or servants admitted participating in Young's frauds: one rewriting the customs books to leave out entries which enabled Young to retain the shipper's port bonds for his own later use (rather than send them to the Exchequer); another to delivering a false cocket for a cargo of grain sold to a London merchant which actually went directly to Portugal, and accompanying two cargoes of Young's malt abroad to ensure that adequate wares were laded in return.⁴⁸⁸

The cyclical nature of the grain market is demonstrated by the granting of permission in May 1592 for 6,000q of wheat and rye to be transported to Normandy ports loyal to the French king, especially Dieppe or Caen, arguing that there was now such a surplus in Sussex, Kent and Hampshire that growers were unable to make a profit (the wheat price had fallen to about 18s) and were contemplating reducing acreage under tillage. Transportation could be stayed if prices became too high. Up to 1,000 tuns of beer and oats were also allowed to be sent if they could be spared.⁴⁸⁹ There is, however, no evidence in the port books covering Easter to Michaelmas 1592 that the western Sussex ports exported grain to Normandy under this permission, even though firewood and other timber continued to be exported there. Grain continued to be exported to the Low Countries from the ports, mainly by London merchants (and brothers-in-law) George Leicester and Henry Parvish.⁴⁹⁰ Parvish also used local ships to carry grain from Chichester and Lewes to a larger (200t) London ship at anchor

⁴⁸⁷ SP 12/150 f.44. Fenner also attacked Young's worth and accused him of dissolute living (see Chapter 5).

⁴⁸⁸ E134/36Elz/Hil 20. The retained bonds included one of Fenner's, an action which may well have prompted the hostility between the two men.

⁴⁸⁹ Cecil, 21, 7 May 1592. The protestant Henry IV of France had captured much of Normandy from the Catholic League in the winter of 1589/90. See also R. B Outhwaite, 'Dearth and Government Intervention in English Grain Markets, 1590-1700', *Economic History Review*, XXXIV (1981), p. 390.

⁴⁹⁰ E190/748/4, 9-10. In his will, proven in August 1593, Parvish mentioned Leicester as his brother-in-law and appoints him an overseer [PROB11/82/230].

off the Isle of Wight, bound for Venice. Other merchants similarly transhipped Sussex grain to a 120t London ship bound for the Canaries, Madeira and the Azores.⁴⁹¹

Burghley and Fortescue wrote on several occasions to the port officers at Chichester. In a letter of July 1592, they permitted the export of 3,000q of wheat subject to 2s duty per quarter and unlimited amounts of other grains for 18d duty, plus a licence fee of 4s 8d for wheat or 3s 8d for other grains.⁴⁹² An annotation recorded that Paul Banning of London in October 1592 shipped in 130q of wheat in two small ships toward the *Great Susan* of London to be transported overseas under this permission. A second letter, of February 1593, noting a surplus of grain remained, removed the cap on wheat exports and reduced the licence fee to 2s 6d for wheat and removed it entirely for other grains.⁴⁹³ A third, of January 1593, permitted another London merchant, William Beecher, or his assigns to ship 500q of wheat to the Low Countries, subject only to the ‘ancient customs’.⁴⁹⁴ It noted that there was a need for the English forces there to be fed.

In 1593, the law was changed, reverting to set prices above which grain could not be exported. Inflation had had its toll, and the prices were now 20s a quarter for wheat, 13s 4d for rye, peas and beans, and 12s for barley and malt, exactly double that of thirty years earlier.⁴⁹⁵ Over the winter of 1593-94, several London merchants shipped grain out of Chichester to Livorno (being transhipped at Portsmouth), Dieppe and Bayonne. The following summer, grain was shipped to Flushing, Dieppe and Cherbourg, mainly by foreign merchants, in one case quoting the new legislation.⁴⁹⁶ Early summer 1594 also saw grain

⁴⁹¹ E190/748/7, 9

⁴⁹² E122/222/37B f.5.

⁴⁹³ E122/222/37B f.8.

⁴⁹⁴ E122/222/37B f.2. Beecher was also a brother-in-law of Parvish.

⁴⁹⁵ Gras, *English Corn Market*, pp. 141-143. The set prices rose again during the seventeenth century, with that for wheat being increased to 26s 8d in 1604, 32s in 1624 and 40s in 1656.

⁴⁹⁶ E190/748/16. The national average price was 23s in 1593 but must have been below 20s in Chichester during 1593.

being shipped out of Shoreham by English and foreign merchants, frequently to Cherbourg.⁴⁹⁷

In August 1595, early in the prolonged dearth of 1594-7, an anonymous correspondent of Burghley referred to his labours with others to stay the price of corn in Chichester as required by a printed order from the Council, adding that corn had reached 4s a bushel (32s a quarter) everywhere in the county.⁴⁹⁸ In 1596-7, soaring wheat prices required the authorities in Lewes to raise a much higher annual rate than usual to fund poor relief.⁴⁹⁹ Theft of grain also increased significantly in these years in several parts of England.⁵⁰⁰ There is evidence of this being true in Sussex, too, as about 40% of surviving records of assizes cases between 1559 and 1603 for the theft of grain are from the 22% of years of poor harvest.⁵⁰¹ Even before the dearth had ended, the Council once again turned to Sussex (and seven other counties) as a source of supply for London, moreover allowing the purchases to take place outside local markets, the Book of Orders notwithstanding.⁵⁰² Later, in December 1598, it licensed 100q of wheat to be bought in the county for the garrison of Castle Cornet on Guernsey.⁵⁰³

⁴⁹⁷ E190/748/31.

⁴⁹⁸ Cecil, CP34/29.

⁴⁹⁹ Brent, *Lewes*, p. 244.

⁵⁰⁰ Walter and Wrightson, 'Dearth and the Social Order', p. 24.

⁵⁰¹ Cockburn, *Sussex Indictments: Elizabeth I*.

⁵⁰² Buchanan Sharp, *Famine and Scarcity in Late Medieval and Early Modern England* (Cambridge, 2016), p. 232.

⁵⁰³ PC2/24 f.207.

3.3.4 *Management of the grain supply in the early seventeenth century*

Those who attempted to avoid the grain restrictions risked their activities being notified to the authorities, sometimes unjustly. Between 1607 and 1609, regular informer Robert Bedo provided information to the Exchequer about two alleged Sussex infringements; that George Hanger was transporting grain contrary to the statute and that Matthew Brooke was engrossing. Hanger was ordered to show his licence, if he had one, to the court.⁵⁰⁴ In 1617, Robert Thomas informed the court of Common Pleas that David Finch of Fletching, yeoman, was holding 100q each of wheat, rye, barley, malt, peas, beans and oats, at prices ranging from £2 a quarter for wheat to 10s a quarter for oats. William Mason of Hartfield testified that Finch had bought 5q of wheat from him at his house (rather than in the open market). Finch claimed that this was untrue and sued Mason for perjury.⁵⁰⁵ In 1622, John Lickford, Richard Palmer and other Sussex men were accused of engrossing corn. They claimed that they were simply agents acting for several of the London livery companies and for bakers who provided for London.⁵⁰⁶ In 1606, John Clarke seized a ship carrying 80q of wheat at Chichester. He hoped to share in the proceeds of its sale with the Crown. However, a rival claim came from the Lord High Admiral and the Earl of Southampton, Lord Lieutenant of Hampshire. The wheat and the ship were sold and the proceeds were paid into the Court of Exchequer until a decision was made in the issue of entitlement.⁵⁰⁷

As Anthony Fletcher has identified, there was strong demand for Sussex grain both within the county and more widely, following the poor harvest of 1630. A proclamation and a reissue of the Book of Orders in September 1630 had reinforced restraint on the transportation of grain. Shortly before the reissue, John Brockwell of Lenham (Kent),

⁵⁰⁴ E124/4 ff.51v, 76r.

⁵⁰⁵ STAC8/143/30.

⁵⁰⁶ E126/2 244r.

⁵⁰⁷ E124/2 ff.127r, 208v.

brewer, had bought 115q of barley in Sussex for his own use and to supply his customers. Sussex JPs had then prevented him from taking the grain to Lenham and had ordered him instead to sell it at Lewes market. He petitioned the Council to be allowed to take his grain.⁵⁰⁸ Nevertheless, some grain continued to be shipped coastally from Chichester in October and November, 750q of malt going mainly to Devon. In December 1630, the JPs of Arundel Rape had reported that there was grain at the Arundel and Petworth markets, but at very high prices (e.g. wheat at 48s a quarter); to mitigate the dearth they had licensed fewer badgers, severely restricted maltsters, closed superfluous alehouses and severely restricted coastal shipping. Similar measures were taken elsewhere in the county. Two months later, JPs for the whole county certified that households did not have even half the usual quantity in their stores, and that the wheat price had risen to 64s the quarter.⁵⁰⁹ This local shortage did not prevent the Council, in December 1630, permitting over 400q of oats already purchased in Sussex to be taken by land or sea to the King's stables, which later reportedly caused the price of oats locally to reach 2s per bushel, unprecedented for a 'speciall foode for the poorer sort'. Also, due to the shortage in London, a baker of that city was licensed to ship 150q of grain from Shoreham – which was increased to 500q in April 1631.⁵¹⁰

Overall, a history can be seen of regular intervention by the Sussex commissioners to restrain or encourage export according to the state of the county's grain supply, including taking issue on occasion with instructions from the Privy Council and asking for central assistance in controlling abusive customs officials. Resentment at perceived excessive exports from at

⁵⁰⁸ SP16/531 f.171; Paul Slack, 'Books of Orders: the Making of English Social Policy, 1577–1631', *Transactions of the Royal Historical Society*, 30 (1980), p. 2.

⁵⁰⁹ Fletcher, *A County Community*, p. 149; SP16/177 f.77, 185 ff.76, 114, The national average price in 1630 was 54s.

⁵¹⁰ Fletcher, *A County Community*, p. 149; PC2/40 ff.243, 467; SP16/204 f.157. Early in 1631, the mayor and jurats of Hastings complained to the Council that the Sussex justices were quoting the new book of orders as reason to prevent the shipment of corn from western Sussex, an excuse which the Council refused to accept. [SP16/185 f.76, 190 f.107; PC2/40 ff.371, 511, 523].

time of shortage led to popular riots in other grain producing areas, preventing for example the conveying of grain to ports; Kent being perhaps the most affected at this time.⁵¹¹ That no such riots occurred in Sussex during the study period supports the conclusion that the commissioners were effective in balancing the needs of the county and of the country, although as the next section shows, some intended overseas exports gave rise to resentment expressed by petition. Further, any personal advantage the commissioners may have taken from their roles would appear to have been limited and within socially acceptable bounds.

3.4 Satisfying overseas demand

Demand for Sussex grain from outside the county was a regular occurrence. At times of surplus, this was welcomed by Sussex producers and merchants; but at times of shortage in Sussex, it was less welcome for local consumers. It has already been shown that there was demand from the Spanish Netherlands in 1565, and successive decades saw demand from other sources, including Ireland, the United Provinces, and Mediterranean ports as far away as Venice. Some of this demand was for military purposes.

Between Michaelmas 1578 and August 1579, only four cargoes of grain left Chichester.⁵¹² Then, on 5 August, the Council, on the advice of the Sussex justices of assize, allowed it to be announced that due to abundant supply, grain could be exported from the county.⁵¹³ Only twelve days later, according to the Customer's book, Thomas Fenner shipped 120q of wheat out of Chichester to an unspecified overseas destination. In early September, London merchant John Byrd shipped 260q and William Lane of Lewes shipped 200q, also with destination unspecified.⁵¹⁴ In October, 1,300q were shipped on seven vessels to destinations

⁵¹¹ Hipkin, 'Kent Grain Trade', p. 129

⁵¹² E190/741/6, 12.

⁵¹³ PC2/12 f.571; Cornwall, 'Agrarian History', p. 240. 1579 was a good harvest.

⁵¹⁴ E190/741/14. John Byrd was a prominent member of the Drapers' livery company (see John Harley, 'Merchants and Privateers: A Window on the World of William Byrd', *The Musical Times*, 147, 1896 (2006),

including Bordeaux, Lisbon, and even Livorno, the Medici port in Italy.⁵¹⁵ The October shippers were mainly London merchants, although there was also one from one each of Southampton, Lyme Regis and Chichester. The only Chichester merchant was William Devenish (deputy Customer at Chichester) who shipped 260q in his own name and 200q as factor and deputy for Thomas Smith, esquire, of London (presumably the customs farmer). This highlights the rapidity with which local and London merchants were able to muster resources to take advantage of the relaxation in restriction. No shipments of grain from Chichester to other English ports were recorded during October 1579, presumably due to all available stock going overseas. Coastal trading resumed in November when malt was shipped to Exeter, Plymouth and London. No further shipments were recorded in the Customer's book in 1579. This was probably because in September the Council had requested Burghley to restrict grain exports from Kent and Sussex to those done under a licence granted to the town of Dover. This was to raise money to repair the fortifications there, any exporters having to negotiate a fee with the mayor of Dover for its use.⁵¹⁶ When overseas shipments from Chichester resumed in 1580, all were by special licence, so it seems reasonable to assume that the permission of August 1579 was withdrawn sometime after the end of October 1579.

The first recorded 1580 shipment was on 15 January, when Thomas Fenner shipped 120q of wheat to Ireland, under a special licence of the Council, which had been granted to him in December 1579. The licence's terms permitted him to ship 500q of wheat from Chichester to Ireland for the relief of the inhabitants, subject to him providing adequate security to the

pp. 51-66). He was the brother of William Byrd the composer; and also a prominent financier of privateering ventures.

⁵¹⁵ E190/741/24.

⁵¹⁶ Cecil, 11, Sep 17 1579; PC2/13 f.175; Cornwall, 'Agrarian History', p. 240 (Cornwall mistakenly writes that the grain was to be shipped to Dover).

Lord Treasurer.⁵¹⁷ Fenner though, had been called before the Council in early January, where he was accused of ‘the sending over of cast-iron ordnance out of this Realme into Spain’. He confessed his fault and was committed to the Fleet Prison on 28 January. He was released after ten days.⁵¹⁸ It was probably then that he wrote to Burghley, asking for a suspension of his licence to be reversed. He wrote that he had had a ship part-loaded for six weeks, adding that ‘I will moste dutifully bend my mynde forev[er] to observe such rules as may not offer offence to the Quenes Ma^{ties} lawes, and therby hoping to wynne unto myself yo^r Lo[rds]hips] good favo^r agayne’.⁵¹⁹ His appeal must have been successful, for he shipped a further 100q to Ireland on 16 March, and 100q more in April (to Limerick).⁵²⁰ Around this time Fenner shipped wheat **into** Chichester from Shoreham on two occasions, in October 1579 and May 1580, most likely to replenish his stock following his overseas shipments. Another Chichester merchant who traded with Ireland at this time was Thomas Westdean. In May 1580, he shipped 90q of malt to Limerick by licence of the Lord Treasurer. In August 1580, another cargo of Westdean’s was commandeered by John Thickpenny, victualler of the army in Munster.⁵²¹ Thickpenny paid Westdean for 150q 1bu of wheat at 32s per quarter and 58q of malt at 22s per quarter, both considerably more than the price in London at that time (wheat there being 22s to 24s).⁵²²

Fenner’s supply of Ireland continued for several years. In June 1581, Sir Henry Wallop, vice-treasurer of Ireland, wrote from Ross to Burghley to confirm that Fenner, through his brother Edward, had delivered 392q of wheat and 204q of malt to Dublin, Waterford and

⁵¹⁷ BL Lansdowne 28 f.77; PC 2/12 f.681.

⁵¹⁸ Henry Cheal, *The Story of Shoreham* (Hove, 1921), p. 147; PC2/12 ff.700, 720, 726.

⁵¹⁹ SP12/149 f.142. Undated and attributed to 1581, but contextually likely to have been February 1580.

⁵²⁰ E190/741/24.

⁵²¹ SP63/76 f.64; Neil C. E. J. O’Brien, ‘Thomas Harriot and Molana Abbey’ (accessed at <https://niallbrn.wordpress.com/tag/walter-raleigh/> 7 Sep 2025)

⁵²² Gras, *English Corn Market*, p. 332, 339.

Ross in April and May of that year.⁵²³ Wallop added a request from the mayor of Waterford and the 'sovereign' (mayor) of Ross that Fenner be granted similar licence for the next year, being the shipper of the most and the best quality grain to the island. The mayor of Waterford himself wrote to Burghley in October 1581, saying that Fenner's shipments had for two years now kept the price of grain reasonable in the town.⁵²⁴ Further, he had contracted with Fenner to deliver 150t after the next harvest, 'finding by his former dealing that we may truste upon his honestie'. The mayor asked that Fenner be granted a licence for this. The same month, Wallop wrote again to Burghley, in response to an enquiry, confirming that Fenner, again by brother Edward, had delivered 360q more wheat, malt and 'French myngled corne called mestillion' to Waterford in June, July and September 1581.⁵²⁵ A further licence would appear to have been granted, for in March 1583, it was certified to Burghley that Fenner had delivered over 1,100q of various grains in the previous year, doubtless to his considerable enrichment.⁵²⁶ Fortunately, English harvests were average or good in the years 1580-3, so making Fenner's supply of Ireland possible.

In 1594, there was a severe grain shortage in Venice, and Giovanni Bassadona, a Venetian agent and friend of the Earl of Essex, was on 30th January given a warrant to export 4,000q of wheat from places where the low price of grain suggests that it 'may be conveniently spared'. In five voyages, between 25 February and 29 March, Bassadona shipped 440q of wheat from Chichester to Portsmouth, presumably to upload onto a larger ship bound for Venice. On 10 February, Burghley had written to Sir Robert Cecil, 'I doe find that the grawnt of this small quantitie for the Venetians being nozed in the Contries hath raised the price of

⁵²³ SP 63/83 f.133.

⁵²⁴ SP 63/86 f.19.

⁵²⁵ SP 63/86 f.86.

⁵²⁶ SP 63/100 f.52

wheate greatlie' but Bassadona clearly still found it available and affordable in Chichester later that month and subsequently.⁵²⁷

The provision of food and drink for English forces was a key national priority, often taking priority over internal supply and demand considerations. Cornwall has identified various manifestation of this in Sussex: Robert Elyot's enquiries of 1565 (see above) were associated with his acquisition of supplies for the queen's ships. The next decade, in February 1574, the Council promised to issue no licences for the transportation of grain; yet only five months later they asked Sussex, amongst others, to provide victuals for the navy, which most likely would have included grain.⁵²⁸ One of Westdean's cargoes had been seized for military use in Ireland, and some of Fenner's grain may also have victualled the English garrisons, or replaced local grain they had requisitioned (and as will be seen in 4.4.3, Fenner supplied the navy in 1588 and 1589). Another example was in December 1595, when a request was made to the sheriff and justices of the county to supply James Quarles and Marmaduke Dorrell, the surveyors of victuals for the navy, with 700q of wheat and malt (as well as large amounts of pork and bacon) for which payment was only to be remitted later from London.⁵²⁹

London merchants George Leicester and Henry Parvish had contracted in 1588 to supply the English forces in the Low Countries under Sir Thomas Sherley with 4,000 quarters of wheat and 4,000 tuns of beer, Leicester being specifically licenced to take 1,000q of wheat from Sussex. In 1591, the proviso was added that when the domestic wheat price exceeded £1 3s 4d a quarter and that of malt 13s 4d a quarter they could only transport 2,000 tuns of

⁵²⁷ SP 12/247 f.44; E190/748/13; *The Letters of Lord Burghley, William Cecil, to his Son Sir Robert Cecil, 1593–1598*, RHS Camden Fifth Series, 53 (2017), letter 17 and n. 87.

⁵²⁸ PC2/10 ff.193, 245; Cornwall, 'Agrarian History', p. 237-9

⁵²⁹ BL Harley 703, f.85v.

beer yearly.⁵³⁰ Between Easter and Michaelmas 1592, over 1,100q of wheat was exported by Leicester from Chichester, in eight voyages to Flushing, seven in small local boats, under a licence from Burghley and Chancellor of the Exchequer John Fortescue: in the same period he also shipped wheat there from Arundel and Shoreham.⁵³¹

In November 1600, the Council wrote to the deputy lieutenants and JPs of Sussex, requesting them to facilitate the provision of 1,500q of wheat for the English forces in Ireland. They were required to have it delivered to Chichester, from where appointed victuallers, provided with 'Readie money', would ship it. They were also instructed to make the provision as much as they could without affecting the local price. It was noted that there was a restraint in force on other overseas transportation.⁵³² The supply of Ireland may have caused some local issues, including for the supply of London from Sussex, as in a 1602 Star Chamber suit, Edward Fenner the younger was asked by the Attorney-General whether 'in the late tyme of restraynte for passage of Corne from Porte to port' he had procured a licence from the Lord Treasurer to provide 100q of wheat and 100q of malt from Chichester to London, and whether he had paid £4 for the wheat and £3 for the malt to the Lord Treasurer for that licence.⁵³³ Fenner responded that in November 1600, at the behest of his nephew William Fenner, he had been licensed by the Lord Mayor and Aldermen of London to provide 500q of wheat and 500q of malt. William had been bound in £200 for the delivery provided that the Lord Mayor and Aldermen could obtain a licence for its transportation. Edward laid in stocks of wheat and malt but by Whitsuntide 1601 no licence to transport had been obtained due to ongoing restraint. He was concerned that the grain would spoil. William then found that a London broker, Thomas Levisham, would procure a licence for 100q of each type of

⁵³⁰ SP12/238 f.22.

⁵³¹ E190/748/4, 7, 10; PC2/15 f.367.

⁵³² BL Harley 703, ff.119v-120r. The Nine Years War (1593-1603) was being fought at this time. There is, however, no record of shipments to Ireland in any surviving port book of the time.

⁵³³ STAC5/A34/8 (see Chapter 5).

grain for the payment of the sums per quarter mentioned above. The money was paid and a licence from the Lord Treasurer was procured, addressed to the customs official at Chichester but in the name of Richard Halsnode of Sandwich, and the grain was shipped. It is interesting to observe that export licences had become a tradable commodity.

War created both demand for grain and problems for its shippers. In April 1628, Sir James Bagg wrote from Plymouth to the Duke of Buckingham, Lord High Admiral, recommending that Henry Chitty of Chichester was asked to provide 8,000q or 10,000q of corn for the relief of La Rochelle.⁵³⁴ Chitty, he wrote, would be able to do this at cheaper prices than at Plymouth, and more conveniently. Moreover, the west country could not so easily spare the grain as could ‘east parts’. However, by his own later testimony, Chitty supplied only 200q of wheat for the La Rochelle relief, also having a ship involved.⁵³⁵

In February 1629, William Whistler had four cargoes of wheat in Chichester and other Sussex ports waiting to be shipped, but that the masters would not put to sea for fear of enemy ships, unless a convoy was formed; he commented that the Arundel wheat would have to be taken by barge to the mouth of the Arun (i.e. Littlehampton), as the ship he had hired to collect it could not get in or out of Arundel itself (presumably due to silting).⁵³⁶ In May 1629, London merchant Lucas Jacobs wrote to the Council telling them that his ships had been stayed at Chichester due to a general restraint recently received by the officers there. The following month, the Council wrote to Sir Walter Covert and other Sussex JPs, saying that they had licenced Jacobs to transport 250 lasts of grain from Chichester to supply the United Provinces’ army besieging Bois-le-Duc (’s-Hertogenbosch). They had heard from

⁵³⁴ SP16/100 f.57. Adolphus Ballard, *A History of Chichester* (Chichester, 1898), p. 63. Bagg was victualler to the fleet at Plymouth at this time [HoPO, ‘Bagg, James II (c.1592-1638), of Plymouth, Devon ...’]. England was at war with France between 1627 and 1629, supporting the Huguenot rebellion at La Rochelle. A fleet of naval and merchant vessels left England later in 1628 with the aim of relieving La Rochelle. It failed.

⁵³⁵ SP16/233 f.13.

⁵³⁶ SP16/136 f.32. The letter was annotated ‘The King’s wheat’.

the JPs that grain was priced lower than the maximum at which export was permitted. Dutch ships were to be allowed to carry the cargo, contrary to the legal requirement to use English ones. This was part of a larger licence for 500 lasts granted to the United Provinces' ambassador. That there was a surplus in Sussex around this time was made clear by a petition of the JPs to the Council to be allowed to permit overseas transportation, as the price of wheat in Lewes market in October 1628 was only 20s and grain from both the 1627 and 1628 harvests was lying unsold in barns.⁵³⁷

In November 1629, the Council referred a petition it had received to the mayor of Chichester and local JPs. The petition, from a John South and a John Watts, alleged that Chichester merchant Peter Cox and others were planning to export large quantities of grain though the price was above the legal limit. The following month, the (deputy) mayor and three JPs advised the Council that the allegations were unfounded, and that Cox had always acted within the law, being factor for Lucas Jacobs, and not having shipped as much as the United Provinces' licence permitted. Furthermore, the price of wheat ranged from 26s 8d to 29s 4d a quarter, lower than the 32s limit for export. South had acted out of revenge, having been punished for a riot against Cox and his servants. A temporary stay on Cox's ships was ended.⁵³⁸

In February 1630, Jacobs shipped 230q of wheat from Chichester to Amsterdam in a vessel of that city.⁵³⁹ The same month, a petition from a John Sutton alleged that Cox, as a factor for Jacobs, had two Dutch ships in Chichester and one in Arundel laden with 8,000q to 10,000q of grain, far exceeding the United Provinces' licence. Cox's engrossing, it was

⁵³⁷ SP16/118 f.25, 16/145 f.96; PC2/29 ff.321, 325, 361; Fletcher, *A County Community*, p. 148; Ballard, *A History of Chichester*, p. 63. A last of grain was equal to 10q. Lucas Jacobs was a London-based corn merchant who was said to have supplied London with 120,000q of grain between 1608 and 1639 [Gras, *English Corn Market*, p. 194]. He traded extensively out of Essex and Kent [Hipkin, 'Kent Grain Trade', p. 106]

⁵³⁸ PC2/29 f.507; SP16/153 f.20.

⁵³⁹ E190/763/12.

alleged, had increased the price of grain. The Council stayed the ships, and Jacobs was imprisoned in the Fleet although quickly released following intervention by the Dutch ambassador whilst the matter was investigated by the Solicitor-General. The grain was beginning to germinate in the heat and would soon be of little worth, so Jacobs asked for permission to dispose of it, volunteering to become bound for its value (in case it should be deemed forfeitable). He was allowed to sell and transport it elsewhere in England, providing the usual security for its delivery. Jacobs sent 430q of wheat to London in April 1630 and a further 350q in June. Subsequently, Sutton presented no evidence and Jacobs sensibly argued that three ships could lade at most 1,000q at Chichester and Arundel. Moreover, the price of grain was still below the export cap. He also provided certificates from the Chichester officials of how much grain he had exported by the licence granted to the Dutch ambassador.⁵⁴⁰

3.5 Conclusions

Linkage of the information from port books with those of equity court records, state papers, and never-before used sources, such as the responses to a set of 1573 writs issued to Sussex grain traders, enables a holistic picture of the grain trade in the county to be built. The trade, previously much overlooked in the historiography, emerges as an industry which involved almost everyone in early-modern Sussex, from the poorest consumer to the gentry and nobility who regulated and often also profited from the trade. The writ responses reveal intra-county networks of the trade linking growers, middlemen and buyers, particularly between Chichester and Rye/Hastings: the bakers and brewers of Rye either bought direct from western Sussex suppliers, shipping the grain themselves, or bought from middlemen

⁵⁴⁰ SP16/98 f.258, 143 f.112, 145 f.96, 162 f.24; PC2/39 ff.671, 677, 681, 717; E190/763/3; Fletcher, *A County Community in Peace and War*, p. 148.

such as broggers or badgers, the latter also selling in small quantities to individuals over a localised area. Wheat was the primary grain shipped in the sixteenth century, but later in the study period malted barley replaced it. The accounts of the subsequent interrogations reveal the extent to which merchants, such as Chichester's Thomas Turges, were willing for gain to circumvent both the localised and moral economy of the people and the wider needs of the state – perhaps because of the mild if financially-burdensome punishment they risked if discovered.⁵⁴¹

Western Sussex produced in most years more than enough grain for its own use, enabling it generally to be able to ship surplus to eastern Sussex and other parts of England, as well as meet a share of England's naval and military needs and those of friendly countries. Shipped volumes are shown to have been cyclically dependent upon harvest quality; falling to low or zero levels in years of poor harvest but reestablishing quickly after the first better harvest.

A key change observed in the trade over the study period was the replacement of Rye by Devon, Dartmouth in particular, as the prime destination of the coastal trade. Rye's need for grain had significantly reduced by the seventeenth century as a consequence of the town's reduction in population, causing inbound grain shipments, which had ranged from 70 to 90 a year in the 1560s and 1570s, to fall to between 21 and 43 a year after 1599.⁵⁴² Western Sussex suppliers would have had proactively to seek other markets, which probably contributed to the other observed change, an increasing dominance of the coastal trade out of Chichester by its own merchants. From time to time, though, a London merchant with a licence to supply a large amount of grain to a particular place would still buy and ship out

⁵⁴¹ Sharp, *Famine and Scarcity*, pp. 219-20.

⁵⁴² Stephen Hipkin, 'The Maritime Economy of Rye', 1560-1640', *Southern History*, 20/21 (1998-9), pp. 124-5.

of Chichester or the other ports, sometimes relying on a local factor to do this for him as Lucas did with Cox.

Nobility and gentry played a key role in enforcing local and national price controls via the regular county commissions for control of supply. The Privy Council was active at times of local or national shortfall, restricting the transportation of grain out of western Sussex, particularly to overseas destinations; their orders being implemented locally primarily by the grain commissioners and the customs officials. Sometimes there was internal conflict within the commissions, arguably due to religious or political differences between the parties, but generally the commissions seem to have been effective within Sussex in satisfying some demands from the centre and in deflecting others, to maintain adequate stock and reasonable prices: certainly, there were no reports of food riots during the study period, unlike in neighbouring Kent. The commissions often did not, though, enjoy the support they might have expected from the county customs officials, who were frequently corrupt, taking bribes to allow cargoes of grain or other commodities to pass overseas, or trading in their own right. Nor, indeed, from many merchants, some of whom conspired with the officials to trade illegally, arguably both resenting attempts at central control of what they considered should have been a free market and seeking to maximise their personal gain.⁵⁴³

The Council also regularly made demands on Sussex grain production to feed English colonists or forces abroad or at sea, or to supply friendly polities such as the Spanish Netherlands (and then the United Provinces as allegiance shifted), Huguenot France, and Venice. Sussex merchant-venturer Thomas Fenner was, for example, praised by the English

⁵⁴³ The absence of documentary evidence of corruption after about 1610 is, of course, not necessarily evidence of absence.

rulers of Ireland for bringing them much-needed supplies, in voyages which would have demanded skilled seamanship as well as negotiating skills.

Internally within the county, as doubtless in many other parts of England, grain was almost ubiquitous. It served as currency more convenient and readily available than money; with debts being expressed in quantities of it or accounts being settled with it. It was frequently mentioned in wills and inventories, sometimes being explicitly bequeathed. Within a manorial microeconomy, it might be both supplied by some tenants to the lord, perhaps as rent, and sold to other tenants, perhaps as wages. As Brinkley observed of coastal trade generally, many sections of the community were involved; underlying long-term trading patterns being overlaid with more opportunist trading in a varying range of in-demand commodities.⁵⁴⁴ This can be seen in the participation of many Chichester merchants in the grain trade, but none in a dominant way, the next chapter confirming that these same merchants also traded in many other commodities.

⁵⁴⁴ Brinkley, *Coastal Trade and Maritime Communities*, pp. 202-3.

4. TRADE AND DEBT IN ELIZABETHAN AND JACOBAN CHICHESTER

Early modern Chichester was both a regional ecclesiastical centre and a mercantile hub. As this chapter will demonstrate, its lay population was controlled by an oligarchy constituted mainly of modestly wealthy general merchants, the city itself having no predominant trade. The identities of its merchants are explored, showing for example that there was a steady influx of incomers, largely from elsewhere in the county, who had the opportunity to rise within the oligarchy. It will nevertheless be shown that the city failed to prosper, in part due to the limitations of its port but also to an antipathy to change in the oligarchy.

Aaron Graham argued that being part of a trading network provided merchants with access to credit to build their businesses and trade without access to scarce metallic money. Trust was fundamental to the successful establishment and maintenance of such networks. He considered that the fear being excluded from beneficial networks encouraged honesty. Information spread within these networks on credit, reputation and conduct then enabled standards to be enforced.⁵⁴⁵ This chapter demonstrates that the city's merchants frequently borrowed from each other, arguing that they were generally aware of each other's wealth from lay subsidy assessments which the leading merchants of the city regularly carried out; they also bought stock on credit or borrowed for merchant ventures from Londoners. Widows and the wealthier churchmen and ecclesiastical officials were also sources of finance. Evidence for the fear of exclusion will be considered in chapter 5.

When it came to the detail of the actual business transacted, Wallace MacCaffrey wrote of early modern Exeter that it was difficult to determine exactly what was traded, where goods came from or went to and how individual merchants organised their businesses.⁵⁴⁶ D. M.

⁵⁴⁵ Aaron Graham, 'Mercantile Networks in the Early Modern World', *The Historical Journal*, 56, 1 (2013), pp. 279-80.

⁵⁴⁶ MacCaffrey, *Exeter*, p. 160.

Woodward wrote similarly of Elizabethan Chester that it was rarely possible to construct a complete picture of a merchant's activities.⁵⁴⁷ Exeter and Chester were both port and cathedral cities like Chichester, although Exeter had a far larger and wealthier population and more active port.⁵⁴⁸ The main reason MacCaffrey and Woodward gave for their difficulty was the very limited survival of civic and port records for the period. While this is also true of Chichester, the use of national equity court records to supplement those records which do survive has enabled this deficit to be at least partially mitigated, showing that the city's merchants mainly brought in mercery, grocery, wine and general goods and shipped out grain, although much of the city's export trade was in the hands of outsiders, especially from London.

In identifying the trading patterns which prevailed in early modern Chichester, this study focusses on the individuals participating in trade and lending, an aspect largely overlooked in previous studies of either Chichester or similar towns and cities. This is approached firstly from a collective angle, using primarily testamentary and civic legal records, building a picture of the merchant community in general. Three case studies then examine the origins of three Chichester merchants, the development of their careers, and their interactions with the local and wider community. Christopher Dyer established a precedent for largely biographical English historical studies in his work on the life and business of John Heritage (see 1.2 above).⁵⁴⁹ Dyer used his work to shed light on wider historical questions, which the three case studies also do, producing conclusions relevant to early modern finance and trading activities and economic networks locally and nationally.

⁵⁴⁷ Woodward, *Trade of Elizabethan Chester*, p. 106.

⁵⁴⁸ In 1524, Chichester's population was about 1,600 and their aggregate declared taxable wealth was £138, respectively about a fifth and a sixth of Exeter's [Morgan, p.12].

⁵⁴⁹ Dyer, *A Country Merchant*.

Two of the subjects, Thomas Turges and Joseph Shallett, were civic stalwarts, both rising to be mayor, one in the Elizabethan period and one in the Jacobean. Comparison of these two therefore enables continuity or change between the periods to be identified. The third subject, Thomas Fenner, was a member of a minor gentry family, and was not involved in the city's civic affairs although was active in its maritime trade, later answering the call to defend his country against the threat from Spain.

4.1 Introduction: the city and its governance

In 1595, the bulk of early modern Chichester still lay mainly within the circular Roman walls, with a cruciform layout of four main streets subdividing the town into quadrants. The focal point was the grand, stone market cross, built by Bishop Storey in 1501 as a place for poor folk to sell their wares. The walls were pierced by four gates at the cardinal compass points, and small suburbs had grown up immediately outside the east and west gates, with a few cottages also outside the south gate (see Figure 4.1).⁵⁵⁰ Beyond the city lay the common fields and other common land, as well as the main burial ground. From the north gate, the road led towards the South Downs and thence to Midhurst and Viscount Montague's seat, Cowdray. To the east, the road led to Arundel and eastern Sussex, and to the west it led to Hampshire with its major ports of Portsmouth and Southampton. Finally, from the south gate, the main landing place in Chichester Harbour, Dell Quay, at Apuldram, was about two miles distant (see Figure 4.2). The city's housing at this time has been described by Danae Tankard as being multi-story and often multi-occupancy for reasons of limited space.⁵⁵¹ The dean and chapter owned a considerable number of the houses, including many in the four main streets with shops on the ground floor, letting them mainly to lesser tradesmen. These

⁵⁵⁰ Morgan, pp. 165-96

⁵⁵¹ Danae Tankard, 'The House' in Amanda Flather (ed.), *A Cultural History of the Home in the Renaissance* (London, 2022), pp. 76-81.

government, occupational guilds, and their parish church; and if householders or freemen of corporate towns, perhaps also in the militia and local politics.⁵⁵² He postulates three gradations of townsperson, sometimes overlapping: the mercantile elites whose interests in association were power and responsibility; a middle level, including shopkeepers, craftsmen, professionals and innkeepers, for whom associative strength provided influence and generated business connections and who tended to dominate the lesser collective such as parish and ward; and the lesser artisans and petty traders for whom the alehouse may have been the prime collective forum but for whom participation in the more formal collectives might provide a ladder to betterment.⁵⁵³ Chichester differed from this model only in that it also had an ecclesiastical community associated with the cathedral which occupied most of the city's south-east quadrant, operated largely under its own authority and exerted control over the religious and moral affairs of the city and county. The community of minor gentry, guild citizens, lesser traders, artisans and labourers occupied the rest of the city, spilling out into the extra-mural parishes of St Pancras on the east and St Bartholomew on the west.

The area within the city boundaries was under the civil authority of the mayor, aldermen and citizens. The city's first surviving charter was issued during the reign of Stephen. It was brief but referred to the burgesses' rights of borough and merchant guild which, it stated, predated the Conquest. Under a charter of Henry II, it was made clear that only members of the merchant guild could retail cloth in the city. There is virtually no knowledge of the early guild, other than that it was governed by a master and four wardens, annually elected.⁵⁵⁴ It persisted into the sixteenth century, when only guild members were 'citizens' of the city. The guild, which was by now led by a mayor and aldermen, had full discretion over who it

⁵⁵² Jonathan Barry, 'Bourgeois Collectivism? Urban Association and the Middling Sort' in Jonathan Barry and Christopher Brooks (eds.), *The Middling Sort of People* (1994, Basingstoke), pp. 54-61.

⁵⁵³ *ibid*, pp. 103-104.

⁵⁵⁴ Ballard, *History of Chichester*, pp. 18-21.

admitted or ‘made free’, and was in effect a self-perpetuating oligarchy exercising the rights of the corporate city, including those of holding a mayoral court with considerable powers. Other than the merchant guild, there is little evidence of other craft guilds prior to the late fifteenth-century charters of the guilds of weavers and tanners: cordwainers’ and barbers’ guilds were also established before 1560.⁵⁵⁵

The commoners of the city had certain traditional rights concerning the election of mayors and members of parliament for the city, albeit limited to voting for candidates proposed by the guild from amongst their membership. In 1540 and 1580, the commoners had put up their own candidates for mayor, although without success. In 1584, and again in 1586, as noted in 3.2.1 above, James Colbrand, esquire, a relatively new arrival in the city, attempted to become one of the city’s two MPs. He was not a member of the guild, which had refused to admit him. Despite garnering the support of many of the commoners, particularly members of the city militia of which he was captain, he was unsuccessful. He disputed the outcome of the 1586 election in Star Chamber, challenging amongst other things the guild’s unfairness in not admitting him, so making him ineligible to stand. The outcome of the suit is unknown but is likely to have been unsuccessful, as he never sat for the city.⁵⁵⁶ Chichester’s governance differs from that of many cities, including London and Norwich, where the mayor was elected from amongst the aldermen, who themselves had generally previously served as common councillors, there being a fixed number of both aldermen and councillors.⁵⁵⁷ Chichester’s aldermen were past mayors, and so of a variable number. Mayors could be selected either from amongst the aldermen to serve another term, or from the amongst guild members to serve for the first time.

⁵⁵⁵ Morgan, p.42.

⁵⁵⁶ J. E. Neale, *The Elizabethan House of Commons* (Glasgow, 1976 revised paperback edition), pp. 250-260.

⁵⁵⁷ Pound, *Tudor and Stuart Norwich*, pp. 68-71.

In 1564, Bishop Barlow wrote that Lawrence Ardern the mayor and Raphe Chauntler the steward were ‘notorious obstinate’ adversaries, and that other prominent citizens Thomas Adams, Thomas Palmer, John Moyses, John Cooke and Thomas Faringdon were ‘frowardly superstitious’. Several of these, he noted, were JPs, adding that it ‘were better for governmente of the poore citie to be revoked and the cittizens to be as they were before under some order of the Justices at Large’. Five year later, little progress had been made towards acceptance of the Elizabethan religious settlement, as an archbishop’s visitation reported that ‘in the city of Chichester few of the aldermen are of good religion’. However, by the time of another metropolitan visitation in 1635, the pendulum had swung to the other confessional extreme, the visitor recording that ‘the mayor and his brethren are puritanically addicted, which caused me to admonish one of the aldermen for putting his hat on during the service’.⁵⁵⁸

Figure 4.3 is a 1773 listing of the mayors of Chichester from 1532 to 1675; examination of various primary sources reveals that it contains multiple errors. These include ‘Adrew’ and ‘Andrew’ for Ardern (or ‘Aderne’), ‘Thecomb’ for Sherwyn, ‘Byret’ for Byrd, ‘Reese’ for Keare (correct on his second mayoralty), ‘John Shalat’ for Joseph Shallett, ‘Fox’ for Cox, and ‘Shelly’ for Chitty on his first term of office in 1620. These mistakes probably result from incorrect readings of past civic records.⁵⁵⁹

For eleven of the mayors who served between 1587 and 1628, ecclesiastical court depositions provide their date of birth, and so their age on (first) appointment: this averaged 50, with the youngest, Joseph Shallett, being 37 and the oldest, Thomas Brigham, 61. Between 1558 and 1603, thirty different men were selected to be mayors on 46

⁵⁵⁸ VCH Sussex, 2, pp. 24, 26, 33.

⁵⁵⁹ The listing is replicated on the Chichester City Council website [accessed online at [Mayors of Chichester – historical list – Chichester City Council](#) 24 Aug 2025].

occasions: Ralph Chandler served four times, and John Cook, Thomas Adams and William Holland each served on three occasions; the intervals between their repeat selections ranging from six to fifteen years. Thomas Adams and Robert Adams, whose relationship is uncertain, and father and son Thomas Farrington and John Farrington, all of whom served twice, formed the only mayoral dynasties (moreover, John Farrington's own son Thomas went on to serve four times between 1618 and 1651).⁵⁶⁰ The mayors were from 28 different families (so the ratio of appointments to families was 61%).⁵⁶¹ This can be compared to Hoskins' calculations for Exeter, where the ratio was 52%, and Norwich, where it was 62%; although as Hoskins remarks, these were more concentrated oligarchies than at Leicester (or Chichester), given their much larger populations.⁵⁶² Between 1603 and 1630, there was even greater apparent diversity, with 25 different names over 29 mayoral selections (although some of these mayors had either also served before 1603 or would serve again after 1630). The mayoral list alone does not tell the full story, though, as some of the families were related by marriage, something which Hoskins observed at Exeter; for example, John Farrington had married Anne, the daughter of John Diggins (mayor 1548, 1556 and 1567) and one of their daughters was married to John Comber (mayor 1605). The lives of two of the mayors are explored in greater detail in the case studies in 4.4.1 and 4.4.2, but the lives and inter-familial relationships of all the early modern Chichester mayors is deserving of a more focussed study than this thesis can provide.

⁵⁶⁰ MacInnes, pp. 142-50, (Wills of John and Ann Farrington)

⁵⁶¹ Two mayors were appointed in 1599 due to the death in office of George Chatfield

⁵⁶² Hoskins, 'The Elizabethan Merchants of Exeter', p. 165

A LIST OF THE MAYORS OF THIS CITY
SINCE THE YEAR 1531 TRANSCRIBED IN
THE MAYORALTY & AT THE EXPENSE OF
RICHARD BUCKNER 1773

1532	ROBERT BOWYER	1584	THOMAS TURGES	1630	BENJAMIN HOOKE
1533	JOHN MOLLINS	1585	JOHN FARRINGTON	1631	THOMAS COLLINS
1534	JOHN LANE	1586	GEORGE CHATFIELD	1632	HENRY CHITTY
1535	JOHN HARDHAM	1587	AUGUST HITCHCOCK	1633	JOHN GREENFIELD
1536	ELISHA BRADSHAW	1588	WILLIAM HOLLAND	1634	JOHN PALMER
1537	ELISHA BRADSHAW	1589	EDWARD MANNING	1635	STEPHEN HUMPHREY
1538	WILLIAM BROADBRIDGE	1590	JOHN CAWLEY	1636	WILLIAM HANDSHAW
1539	JOHN BOYES	1591	THOMAS HILL	1637	GEORGE GREEN
1540	JOHN CASTLEMAN	1592	ROBERT ADAMS	1638	JOHN HOBSON
1541	ROBERT BOWYER	1593	JOHN FARRINGTON	1639	JOHN PANNETT
1542	JOHN MOLLINS	1594	JOHN ROEMAN	1640	THOMAS FARRINGTON
1543	AUGUST CRESWELLER	1595	JOHN LYVING	1641	ROBERT EXTON
1544	JOHN LANE	1596	RICHARD REESE	1642	JOHN BARTHOLOMEW
1545	JOHN BLANFORD	1597	WILLIAM HOLLAND	1643	THOMAS BALL
1546	ROBERT BOWYER	1598	RALPH CHANDLER	1644	ROBERT COLPIS
1547	JOHN KNOTT	1599	GEORGE CHATFIELD	1645	NICHOLAS DALLENDER
1548	JOHN DIGGENS		Died May 4 th	1646	THOMAS COLLINS
1549	THOMAS HITCHCOCK		AUGUST HITCHCOCK	1647	JOHN PALMER
1550	BRLANT BANKS		Served out	1648	EDWARD HOBSON
1551	ROBERT BOWYER	1600	EDWARD MANNING	1649	STEPHEN HUMPHREY
1552	JOHN KNOTT	1601	JOHN CAWLEY	1650	THOMAS FARRINGTON
1553	NICHOLAS EXTON	1602	RICHARD GREENFIELD	1651	NICHOLAS EXTON
1554	RICHARD KING	1603	THOMAS HILLS	1652	RANDOLPH TUTTEE
1555	JOHN CASTLEMAN	1604	THOMAS BYRET	1653	THOMAS WHEELER
1556	JOHN DIGGENS	1605	JOHN COMBER	1654	JOHN AYLWIN
1557	JOHN WARD	1606	ROBERT ADAMS	1655	RICHARD MANNING
1558	ROGER PAYNE	1607	PETER PALMER	1656	WILLIAM STAMPER
1559	PETER TOPOTT	1608	EDWARD LAWBRANCE	1657	JOHN WOOD
1560	JOHN COOK	1609	JOHN EXTON	1658	FRANCIS HOBSON
1561	THOMAS FARRINGTON	1610	THOMAS BRIGGHAM	1659	RICHARD MITCHELL
1562	THOMAS HITCHCOCK	1611	JOHN RANSOM	1660	WILLIAM BURRY
1563	THOMAS ADAMS	1612	RICHARD KEARE	1661	ANTHONY WILLIAMS
1564	LAWRENCE ADREW	1613	JOHN CAWLEY	1662	JOHN GREENFIELD
1565	JOHN MOYSE	1614	GEORGE ANDREW		Died March 5 th
1566	WILLIAM BARCOMB	1615	BENJAMIN HOOKE		MARK MILLER
1567	JOHN DIGGENS	1616	WILLIAM STRUDWICK		Served out
1568	RALPH CHANDLER	1617	THOMAS NORTON	1663	NICHOLAS EXTON
1569	JOHN THEOMB	1618	THOMAS FARRINGTON	1664	THOMAS BURRY
1570	THOMAS BLAKE	1619	THOMAS COLLINS	1665	EDWARD EXTON
1571	THOMAS FARRINGTON	1620	HENRY SHELLY	1666	THOMAS VALLER
1572	JOHN COOK	1621	JOHN SHALAT	1667	RICHARD YOUNG
1573	THOMAS ADAMS	1622	RICHARD TRIGGS	1668	WILLIAM DAY
1574	RALPH CHANDLER		Died June 1 st		Died Oct. 6 th
1575	JOHN MOYSE		EDWARD LAWBRANCE		THOMAS MILLER
1576	THOMAS STILLMAN		Served out		Served out
1577	THOMAS BLAKE	1623	JOHN GREENFIELD	1669	STEPHEN PENFOLD
1578	JOHN COOK	1624	PETER FOX	1670	RICHARD BRAMAN
1579	THOMAS ADAMS	1625	GEORGE GREEN	1671	WILLIAM BURRY
1580	WILLIAM HOLLAND	1626	WILLIAM STRUDWICK	1672	FRANCIS HOBSON
1581	ROBERT SMITH	1627	JOHN HOBSON	1673	ROBERT BAKER
1582	ROBERT ADAMS	1628	JOHN PANNETT	1674	EDWARD EXTON
1583	RALPH CHANDLER	1629	THOMAS FARRINGTON	1675	RICHARD YOUNG

Figure 4.3. List of Mayors of Chichester (Chichester city council chamber)

In the 1590s, an undated anonymous letter was sent to Lord Treasurer Burghley complaining that ‘the citty of Chichester doth so fast decay and run to ruine’.⁵⁶³ The author claimed that unless action was taken the increase in the poor would drive ‘the better sorte’ out of the city due to the high cost of relieving poverty. They considered that matters would improve if the citizens returned to trading indifferently as in the past (presumably meaning not favouring guild members), as in ‘good governed citties’. The writer argued that the harbour could accommodate 330 ships of 100t or 150t apiece, that it was near to that ‘especial kaye of England’, Portsmouth, and was the only town in the ‘south parte’ of the country in which a garrison could be kept.⁵⁶⁴ They also identified that the city walls were in disrepair, no longer serving to prevent access or escape from the city. This was a problem shared with Stamford, where parts of the wall were ‘in ruin and decay’ and the town council fought an uphill battle to make those whose premises backed on to the walls maintain them.⁵⁶⁵ The letter writer concluded by recommending that half of Chichester’s annual revenue of £120, mainly arising from the fee farm granted by the Crown to the citizens, should be directed to repair the walls.

Another anonymous letter dated 15 August 1595 was received by Burghley, referring to matters ‘formerly advertised’ to him. That previous communication may have been the letter of the paragraph above, although its contents, similar in some respects, are not as comprehensive as those of the second letter. In the latter, the writer referred to themselves being ‘Capten of that Citie’ for the last fifteen years, so there can be little doubt that it was written by James Colbrand (see above) who had been captain of militia for over a decade.

⁵⁶³ BL Lansdowne, 81, f.112; *VCH Sussex*, 2, p. 86.

⁵⁶⁴ In 1565, it was claimed that 500 ‘great ships’ could be accommodated in Chichester harbour; ones of up to 100t could cross the harbour bar, and those of up to 40t pass as close to the city as Dell Quay [Dallaway, *Sussex*, p. 201 n].

⁵⁶⁵ Denis Gordon Teal, ‘The Corporation and Tradesmen of Stamford, 1461-1649’ (PhD thesis, Univ. of Leicester, 1975), p. 548.

Colbrand would have had no love for the city fathers, given his experience of the previous decade. Colbrand claimed to have been motivated to write again by the Spanish incursion into Cornwall earlier that month (2-4 August 1595). He considered that 500 of the enemy could take and burn Chichester due to the poor state of its walls, reiterating an argument that the citizens needed to divert some of their income to repairs. He related that ‘strange Barkes thought enemyes’ had been reported sounding the coast and even Chichester harbour. He asked for someone to be sent to view the walls with him and the mayor, with power to order the necessary repairs. He also reiterated a call to prohibit the transportation of iron and iron ordinance out of the county, arguing that this had caused a dearth which had increased the price by £3 per ton and would eventually lead to a shortage of iron for farm implements and guns. He similarly requested bans on the transportation of timber, which they said should be preserved, and that the customs officials were allowing grain, wool, and sheep to be transported. Finally, as noted in 3.2.1 above, he referred to his labours with others to keep down the price of corn.⁵⁶⁶

By the seventeenth century, the city supported a diverse range of trades, serving not just the city but also its hinterland.⁵⁶⁷ In common with other market towns and cities, retail trade largely revolved around Chichester’s markets, although there is also clear evidence of retail sales from merchants’ shops. ‘Shop’ was used quite widely to mean a room on the ground floor street frontage of a house, in which the occupant might ply their trade, whether retail or manufacturing (or even warehousing); for example, the ‘utter’ and ‘inner’ shops of blacksmith William Moore outside the east gate, both of which had one or more hearths, anvils, bellows and a set of tools.⁵⁶⁸

⁵⁶⁶ Cecil, CP34/29.

⁵⁶⁷ See, for example, Tankard, *The Parliamentary Surveys*, pp, 17-21.

⁵⁶⁸ McInnes, pp. 849-852.

The individual trade guilds, most of which, other than those mentioned above, were formed during the study period, played a major role in local trade regulation. Their extent gives some indication of the main industries present in the city. The 1560s saw the foundation of guilds for woollen drapers, cappers, joiners and shopkeepers. Following a hiatus, surgeons' and glaziers' guilds were formed in 1608; blacksmiths and cutlers followed in 1609; clothworkers (mainly weavers) and dyers in 1616; and mercers in 1622. Apart from their founding charters, authorised by the mayor of the day, there is very little surviving evidence of these guilds' activities. The number of founding members of any of the guilds did not exceed 13, except for 37 clothworkers. Several of the guilds may subsequently have become moribund, there being refoundations of the barbers' guild in 1608 and again in 1685 (amalgamated with the surgeons and periwig makers) and of the blacksmiths' guild in 1663 and again in 1686. Sadlers, cutlers and mercers also had later seventeenth-century refoundations.⁵⁶⁹

A common feature of the guild charters was an expressed concern that outsiders were coming into the city and setting up workshops or retail shops, threatening the income of the inhabitants and hence their ability to pay taxes or maintain apprentices – and possibly also providing inferior products. That of the mercers' guild of 1622 named an initial membership of five aldermen and six other citizens, all but two of whom had been, or would be, mayors of the city. So this was a group of the city's most prominent citizens, reserving for themselves protectionist powers in the trading of 'mercery silke wares wollen or linnen clothes or stufte smale haberdash and grocery wares' and any other items traditionally sold by mercers. Subsequent admission to the guild was to be by completing a seven-year apprenticeship and the payment of ten shillings or by the payment of a fine of £100, half of

⁵⁶⁹ Morgan, p.42.

which would go to the city's coffers. The charter gave the guild power to require non-members to close any mercery premises or stall and to seize goods offered for sale by non-members, giving half of them to the city, the mayor agreeing to punish suitably anyone continuing to trade thereafter.

Another mechanism beside guild membership for controlling trade were the local courts. All drinking house proprietors, brewers, millers, bakers and wool merchants were summoned to present their weights and measures for assize at the clerk of the market's court, which was held at the high cross. Presentments to the 21 September 1604 court began with the price a bushel of wheat sold at on the most recent market day, being 3s for the best quality, 2s 10d for the second quality and 2s 7d for the worst quality. The prices at which malt, best barley, oats and hay had sold were also presented.⁵⁷⁰ Seven innkeepers were listed, and two had had half 'bottles' of hay weighed, one at 2lb 7oz and the other at only 1lb 4oz.⁵⁷¹ Four bakers had their 2d brown and 1d white loaves weighed; the former weighed from 2lb 1oz to 2lb 10oz and the latter from 12oz to 15oz. Four hucksters were presented, as were 36 alehouse keepers or tipplers.⁵⁷² Of the latter, five were women (all widows) and 21 were noted as being licenced. Finally, it was presented that five men who were not free of the merchant's guild had sold bay salt (although no sanction was noted), and that no horse bread was available in the city.⁵⁷³

Although the leet court mainly dealt with minor property infringements, it also dealt with some issues of trade; for example, fining hucksters who purchased goods in the market or

⁵⁷⁰ WSRO ChiCity/AA/1 ff.1-2. This is the only surviving record of this court from the study period.

⁵⁷¹ A 'bottle' of hay was a small bundle [Zupko, pp. 47-48]. Most of the inns were centrally located, apart from the Lion which was outside the east gate [Morgan, p. 53].

⁵⁷² There had therefore been a small increase in drinking establishments from the five inns and 32 other suppliers in 1574 [Morgan, p. 52].

⁵⁷³ Horse bread was a low-quality bread made from legumes, oats, acorns and other inferior ingredients. It was intended as fodder for horses.

alehouse keepers for allowing unlawful games, and fining (effectively licencing) tipplers, brewers, butchers, bakers, millers and ‘vittlers’. In 1574, presentments from the upper ward of South Street noted that ‘the fish shambles are greatly decayed which if it be not fixed will mischief some man, without god defend him’.⁵⁷⁴ The same year, the upper ward of North Street presented ten butchers for keeping their shops open during divine service (fining them between 4d and 1s) and one of them also for selling beef and mutton ‘not lawful for man’s body’ (fined 1s more). The grand jury presented a miller for excess charges and for returning only one-and-a-half bushels of flour having been given two bushels of wheat.

The mayor’s court, later referred to as the court of record, was the city’s main forum for resolving smaller issues of debt which arose within its jurisdiction. Suits were usually between two inhabitants of the city or its near environs, typically merchants. As far as can be deduced from the limited number of records which survive from the study period, it operated in a very similar way to borough courts elsewhere, such as the King’s Lynn Guildhall court described by Muldrew.⁵⁷⁵ During the 1565-6 term of office of mayor John Moyse, the court dealt with 104 suits, of which 23 were continuing from the previous mayoralty.⁵⁷⁶ About 140 different litigants were named in these suits: a small number of them were noted as being from outside the city, although in only two suits were both parties so identified.⁵⁷⁷ Thomas Westmill, a Chichester goldsmith, was involved in the most suits, six, five as defendant and one as plaintiff. Most suits were local, but one was for a debt of £9 to Oliver Beny of St. German’s (Cornwall). Most suits were withdrawn or settled before a judgement was reached (according with Knafla’s observation that less than 10% of cases at Canterbury reached a verdict), although sometimes only after several months of limited

⁵⁷⁴ WSRO ChiCity/K/2. This fish market was in South Street [Tankard, *The Parliamentary Surveys*, p.24].

⁵⁷⁵ Brooks, *Pettyfoggers*, pp. 73-4; Baker, *English Legal History*, p. 30; Muldrew, *The Economy of Obligation*, pp. 204-8.

⁵⁷⁶ WSRO ChiCity/W/1a.

⁵⁷⁷ A Southampton physician sued a Southampton merchant, and a Portsmouth man sued a Brighton merchant.

progress from one week's court to the next.⁵⁷⁸ Beny's suit did reach judgement; Westmill presented the court with Beny's acquittance for £7 and the court awarded execution against Westmill only for the residual £2. Only four suits were brought by a woman in her own name, and in only one was a woman the sole defendant. Most actions were commenced with either a writ of debt, for which the debt due was noted in the court's records, or a writ of trespass on the case (a general type of writ under which the plaintiff sued for damages on a breach of an oral or written contract) for which the amount owed was not recorded.⁵⁷⁹ The court sat that year on 38 Mondays, in every month apart from August, always at the Guildhall; the debts sued in it are considered more fully in 4.2 below. Those who disagreed with its verdict could have the decision referred to the court of King's Bench in Westminster. Twenty such referrals have been identified between 1565 and 1598, including two from 1565-6. Frequent litigant Thomas Turges was a party in three such appeals, in at least two of which a fellow Chichester merchant was the other litigant.⁵⁸⁰

4.1.1 Origins, occupations and wealth of the inhabitants

It was city merchants like Moyse and Turges who formed the civic oligarchy, as they did in other cities such as Exeter.⁵⁸¹ Unlike at Exeter or York, no admission of freeman records survive from this period; however, the origins of some of Chichester's merchants can be gleaned from the information they provided to the city's ecclesiastical courts when they were called as witnesses.⁵⁸² Of the 24 who described themselves as mercers, merchants, citizens or aldermen between 1606 and 1637, 42% had been born in the city, with another

⁵⁷⁸ Knafler, *Kent at Law 1602*, 2, p. xxv.

⁵⁷⁹ The same two writs have been noted as predominant by Muldrew at Bristol and King's Lynn borough courts. [*Economy of Obligation*, p. 204] and by Knafla at Canterbury [*Kent at Law 1602*, 2, p. xxiv]. The

⁵⁸⁰ WAALT, 'Local court decisions reviewed at Kings Bench: Sussex', accessed 11 Sep 2025 at https://waalt.uh.edu/index.php/RevProLocA_1550-1600#SUSSEX.

⁵⁸¹ MacCaffrey, *Exeter*, p.162-3.

⁵⁸² Depositions (various volumes).

33% having come from elsewhere in Sussex: only 25% were born outside the county. Five admitted to having lived in London for long periods, and one to living nine months in northern France: these times would have helped the men to develop useful contacts for future trading, borrowing or lending. Five had arrived in Chichester as teenagers; one of these was Joseph Shallett, who is known to have come as an apprentice (see case study below). Ten came, or in two cases returned, to Chichester at ages between 23 and 50.

Of the 39 male witnesses of other statuses or occupations, a smaller proportion, 26%, was Chichester-born. A further 18% were from elsewhere in Sussex, but 56% originated from outside the county. Whilst most of the latter were from the three surrounding counties, the range of counties of origin was widened by clerics from Northamptonshire, Somerset, Lancashire and Yorkshire, resulting in a greater diversity of origin than amongst the merchants. Danae Tankard similarly found that of 17 witnesses to a 1630s tithes dispute in the Pallant, seven were born in Chichester, seven elsewhere in Sussex and three from other counties.⁵⁸³ Comparison can also be made with similar data for the manor of Havering (Essex), in which lay the town of Romford. There, between 1580 and 1620, 33% of witnesses at the Archdeacon of Essex's court had been born in the manor (close to the Chichester average of 32% for merchants and others combined), a further 25% came from within 20 miles, 21% from within 100mi and 21% from further away (higher than for Chichester, where none of the merchants and only 13% of the others were born outside 100 miles radius).⁵⁸⁴ Only three of the Chichester 'other occupations' arrived in their teenage years, but ten in their 20s, suggesting perhaps that more arrived as journeymen than as new

⁵⁸³ Danae Tankard, 'Housing and social status in 17th-century Chichester', *SAC*, 157 (2019), p. 217.

⁵⁸⁴ Majorie K. Macintosh, 'Locals, Outsiders, and Identity in English Market Towns, 1290-1620' in Norman L. Jones and Daniel Woolf, *Local Identities in Late Medieval and Early Modern England* (Basingstoke, 2007), p. 76.

apprentices. Nearly twenty occupations occur, confirming the diversity of trades present in the city.

Some of the more successful merchants in Chichester adopted, or were accorded, the style of gentleman. They had typically acquired land, whether through marriage or purchase. They did not necessarily cease trading, but it must generally have been recognised by their peers that their income from land alone would have been sufficient to maintain a genteel lifestyle. William Holland was one such, as was George Chatfield who died during his second term of office as mayor in 1600.⁵⁸⁵ Chatfield's will shows that he owned or held leases of many properties in the city and of agricultural land on its outskirts, as well as land in Oving which he had inherited from his father. He also held the rectories and parsonages of Oving and South Mundham.⁵⁸⁶ Holland may have made his money at least in part by importing spices; for example, he was probably the man of that name responsible for £240 worth of pepper and £25 of cloves, part of the cargo of *Galleon Fenner* when it docked at Southampton in December 1583.⁵⁸⁷

Assessing the wealth of the inhabitants more generally is less straight forward. Complete and legible lay subsidy rolls survive for eight years relevant to the study period. It is, however, generally accepted that the taxable wealth, whether in goods or land, on which subsidies were assessed were notional figures intended to produce a division of the total tax demand in a way considered to be appropriate by those tasked to collect it.⁵⁸⁸ Nevertheless, it is clear from the subsidy rolls that those who paid the tax were the leading citizens of the city and a relative hierarchy of wealth can be deduced. For example, in 1587, £48 was

⁵⁸⁵ Hay, pp. 569-570.

⁵⁸⁶ McInnes, pp. 109-115.

⁵⁸⁷ BL Lansdowne 41, f.103. The full cargo, from Lisbon, was worth over £1,900.

⁵⁸⁸ M. Jurkowski, C. L. Smith and D Crook, *Lay Taxes in England and Wales 1188-1688* (Richmond, Surrey, 1998), p. xliv..

assessed across 78 taxpayers.⁵⁸⁹ Three of these were aliens, who paid just a 4d poll, 17 were taxed on their income from land, and the remainder on the value of their goods. Of those taxed on land, three were described as esquires and six as gentlemen, two were widows and one a clerk. Perhaps the only surprise was John Smyth the wheeler, although his landed income was assessed as being the minimum taxable of £1 p.a. (the highest was the £25 p.a. of John Bellingham and James Colbrand, both esquires). The mayor and seven aldermen were all taxed on their goods, as were eight gentlemen and five widows., showing the mercantile dominance of the city. The distribution of the tax burden appears broadly reflective of status and ability to pay; the esquires paying on average £2 16s, the gentlemen 17s 4d, the mayor and aldermen 15s, the widows 10s 5d and the 43 other non-aliens 7s 7d. Amongst these ‘others’ are many recognisable from other records as merchants, although there was also Thomas Billett the vintner.

Those judged by the local assessors as being of sufficient wealth to pay the parliamentary subsidy in 1598 resided in all parts of the city (see Table 4.1). Clerics and ecclesiastical officials, resident mainly in the Close, were exempt, instead being subject to the clerical subsidy.⁵⁹⁰

⁵⁸⁹ E179/258/11

⁵⁹⁰ For clerical subsidies, see Maureen Jurkowski, ‘The History of Clerical Taxation in England and Wales 1173-1663: The Findings of the E179 Project’, *Journal of Ecclesiastical History*, 67, 1 (2016), pp. 53-81. Others exempt would be those who could show that they were taxed elsewhere, probably including some gentry with main residences in the countryside. There is only evidence of a large landholding being taxed in Chichester once in the eight surviving subsidy rolls from the study period, when in 1610 Sir John Carroll paid £6 13s 4d on a £50 value of land (the next largest land valuation was £20; nine taxpayers were assessed on valuations of £1) [E179/190/350]. These valuations were not intended to be the current market value of the land (or goods) but a measure of relative value to ensure that individuals paid an appropriate proportion of the total tax expected from the city, the tax rates being fixed by parliament.

Street	Taxpayers	Subsidy (£)	Subsidy per capita (£)
North	14	24.67	1.76
East	20	21.47	1.07
West	4	2.67	0.67
South & The Pallant	14	14.23	1.02
The Close	5	7.47	1.49
TOTAL	57	70.50	1.24

Table 4.1 Analysis of the first payment of the 1597 subsidy (collected in 1598)⁵⁹¹

Table 4.1 shows that the highest total tax and highest tax per capita was for North Street, whereas the largest number of taxpayers lived in East Street. The small number of taxpayers in West Street is probably because its houses, particularly those on its south side backing onto the cathedral close, were occupied mainly by smaller tradesmen. The city's two highest taxpayers were James Colbrand (£6) and Alderman William Holland (£3 6s 8d), both of whom lived in East Street.⁵⁹² Excluding them, the *per capita* tax paid by the other 18 taxpayers was 13s 4d (£0.67), the same as for West Street, suggesting that East Street (which included a small area outside the east gate) was also mainly a street of smaller tradesmen. North Street and the Close were the most salubrious areas. In the anonymous letter of 1595 described above, Colbrand had complained that as a commissioner for a previous subsidy he had been unable to cause the corporation to pay even £3 on its land worth £100p.a., nor a 'childles Alderman' to be assessed at more than £20 of goods, when he had more than £5,000 worth.⁵⁹³ This highlights the nominal nature of the amounts assessed for Elizabethan (and Jacobean) subsidies and the influence of the controlling oligarchy.

In each of the eight years, the tax was collected at one of three rates and applied to a different number of citizens. Table 4.2 shows that whilst almost double the amount of subsidy was

⁵⁹¹ E179/190/335.

⁵⁹² For Holland, see William Powell Breach, 'Wm. Holland, Alderman of Chichester, and the Steyning Grammar School', *SAC*, 43, (1900), 59-83.

⁵⁹³ Cecil CP34/29. The alderman was almost certainly William Holland, who died childless in 1614. Colbrand complained again in 1599 about the low tax assessment of the rich on 'not a fortieth part of their wealth' [Fletcher, *A County Community*, p. 203]

assessed in 1624 compared to 1559, the effect of inflation and the increase in the taxable population which occurred between 1597 and 1610 was that the real tax burden per head was about half that of 1559 (despite 1624 being a high-rate year and 1559 low).

Subsidy	Rate	Number of taxpayers	Total Assessed (£)	RPI adjusted (£)	Adjusted subsidy per payer
1559	L	73	35	35	0.48
1571	L	66	20	19	0.29
1587	M	78	47	30	0.39
1593	L	63	25	15	0.24
1597	H	58	70	33	0.57
1610	M	118	56	31	0.26
1621	L	119	26	14	0.12
1624	H	122	64	32	0.26

Table 4.2. Chichester: inflation-adjusted subsidy assessed per head (charged at low (L), medium (M) or high (H) rate)

The increase in the taxable population in 1610 may have been due in part to inflation bringing more inhabitants' wealth up to the minimum on which the subsidy applied, although there may also have been an intent by the ruling oligarchy to reduce their own share of the tax burden by introducing more taxpayers, a not uncommon practice.⁵⁹⁴

Some indication of absolute, rather than relative, wealth can be obtained both from probate inventories and accounts and from statements of net worth given in witness statements before the city's ecclesiastical courts. Of the seventy surviving pre-1630 Chichester inventories, sixty-four are sufficiently legible to provide totals. The largest was William More's £361 (see 4.2.1 below) and the smallest less than £2. The mean was £56 and the median £25. This median is about 20% lower than that observed for Norwich 1601-1625 which was £32.⁵⁹⁵ The mean was the same as that calculated for Worcester 1590-1619 but

⁵⁹⁴ R. W. Hoyle, 'The Failure of the Lay Subsidy in Elizabethan England' (unpublished paper, 2021), pp. 16-17 [accessed at http://www.rwhoyle.org.uk/PDFs/Hoyle_Failure_of_the%20Lay_Subsidy.pdf on 25 Oct 2025].

⁵⁹⁵ Pound, *Tudor and Stuart Norwich*, p. 38.

considerably lower than that for Stamford 1590-1619 of £101.⁵⁹⁶ Such comparisons should be considered very cautiously, however, given potentially different inventory survival rates, especially where probate was granted by the Prerogative Court of Canterbury.⁵⁹⁷ For example, the mean value of Chichester testators' net assets in the thirty-five surviving probate accounts is higher (at £78) than that of the gross assets in the sixty-four inventories. Fourteen witnesses in the Pallant tithes dispute disclosed net worth, after debts, of between £200 (a butcher) and 10s (a young tailor); a mean of £36 and a median of £20, suggesting possibly that the area was of lower average wealth than the city as a whole.⁵⁹⁸

4.2. Borrowing and lending in the city

Having examined the make-up, origins and wealth of Chichester's population, their borrowing and lending practices will next be considered. The mayor's court records are a good starting place, although as noted above they only survive for a few years of the study period. Those for 1565-6 show that debt actions were for amounts ranging from 7s 6d to £120 (mean £13 7s 5½d, median £4 4s 6d). The full distribution is shown in Figure 4.4. It was rarely stated what the cause of the debt was, although quantities of grain were occasionally mentioned, and an arquebus worth 20s and a silver dish worth £3 are also mentioned. In a suit of 1575, the dispute was over 4¼lb of green woad worth £8.⁵⁹⁹

⁵⁹⁶ Teall, 'Stamford', pp. 627-8. The Stamford value excludes one outlying large estate of over £1,000.

⁵⁹⁷ 13% of the Chichester wills in Elizabeth's reign and 26% in James I's were proved at the PCC, including those of many wealthy citizens such as James Colbrand, William Holland, George Chatfield and William Cawley [McInnes, p. xi]. No Chichester PCC inventories survive from the study period, but Holland bequeathed around £1,500 in money alone, and Chatfield around £400 in money, both also leaving legacies of land. [McInnes, pp. 109-15, 162-171].

⁵⁹⁸ Tankard, 'Housing', p. 217.

⁵⁹⁹ WSRO ChiCity/W/3 f.34.

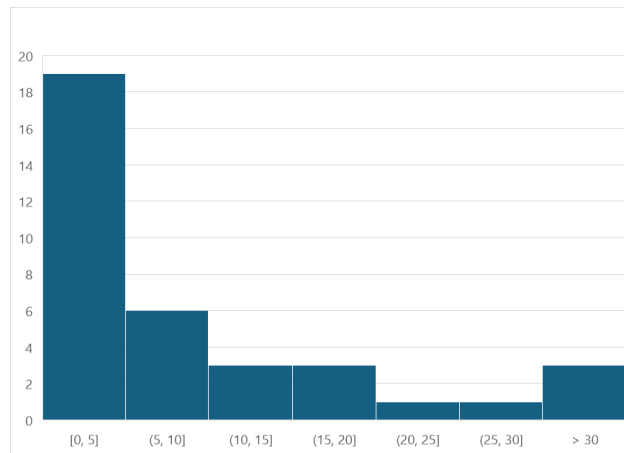


Figure 4.4. Chichester Mayor's Court 1565-66. Number of debt suits by amount (£) (n=36)

A later example of a judgement in the court was in 1619, when the executors of alderman Peter Palmer were required to pay £66 9s 8d to Elizabeth Juxon on a forfeited obligation of £220.⁶⁰⁰ In a study of the equivalent borough court in Shrewsbury, the *curia parva*, W. A. Champion found that the annual number of suits in the 1560s averaged 94, which was not that different to the 81 new suits in the Chichester mayor's court in 1565-6. Most of Shrewsbury suits concerned informal contracts rather than bonds, which is likely to have been true at Chichester, too. 60-70% of the *curia parva* suits were for sums of less than £2, which is rather more extreme than the Chichester mayor's court, where almost 50% exceeded £5. Champion also observed that over a two-year period about 60-70% of Shrewsbury householders were litigants.⁶⁰¹ It is not straightforward to assess what proportion of Chichester householders were litigants in the mayor's court in 1565-6, as no concurrent list of household heads survives. The closest records are the lay subsidy collections of 1560 and 1572, which themselves are by no means fully inclusive. Nevertheless, of the 16 men who paid both subsidies, seven of them were litigants in 1565-6, suggesting that, as Shrewsbury, or as Muldrew found in later seventeenth-century King's

⁶⁰⁰ WSRO Ep/III/9/1.

⁶⁰¹ W. A. Champion, 'Litigation in the Boroughs: The Shrewsbury Curia Parva 1480-1730', *Journal of Legal History*, 15, 3 (2007), pp. 201-222.

Lynn, a significant proportion of the more prominent inhabitants litigated over debt or trade in a given year.⁶⁰²

Many debt suits involving Chichester litigants were taken directly to Westminster rather than to local courts, despite the inevitable additional expense, especially, as has been seen in Chapter 2, when the debt was secured by a bond. Of the Common Pleas suits analysed in Chapter 2, almost 150 had at least one litigant based in the city. As noted in that chapter, plaintiffs' locations were only recorded for a small proportion of cases, but of the 55 (of the 150) suits for which this was done, 26 were by Londoners, 15 by Chichester residents, 6 from elsewhere in Sussex and 7 from outside the county. Of 26 London suits, eleven were from those in cloth-related trades and four from grocers. Others were from a fishmonger, a skinner, a cooper, a goldsmith and a vintner. This may well be indicative of the products brought from the capital to Chichester, although membership of a particular London livery company did not necessarily mean that the individual still practiced that trade; and even if they did, a debt might not have related to it (e.g. being a loan). The 15 suits originated by Chichester plaintiffs involved 6 defendants in Chichester, 14 elsewhere in Sussex, 6 in London and 6 elsewhere in England.⁶⁰³ The most prolific litigator was John Cooke, variously described as linen draper, mercer or merchant, who in Hilary term 1578 brought four suits against a total of 12 individuals located around the south-east of England (Figure 4.5), most probably either traders he supplied or personal customers. Their occupations were baker, chapman, mariner, tailor, two dyers and two keepers; there were also three gentlemen and a yeoman. Cooke gave London as an alternative location for five of the debtors.

⁶⁰² Muldrew concluded that 90% of male household heads were parties to local litigation over a four-year period [*'Credit, market relations, and debt litigation'*, pp. 80-1]

⁶⁰³ Of the six Londoners sued by Chichester inhabitants, all also had another place of residence: four in Sussex, one in Surrey and one in Kent.

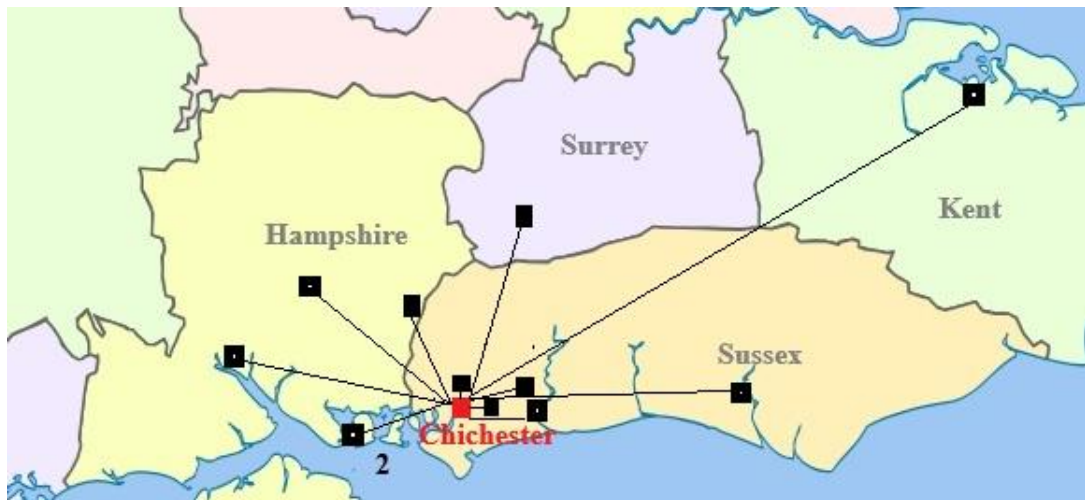


Figure 4.5. Location of John Cooke's 1578 debtors

Another way to raise money was by pawning goods. In 1611, Richard Barker of Arundel had several items of clothing pawned to mercer Nathaniel Fenn for £5.⁶⁰⁴ Chichester brewer Robert Tupper allegedly neglected to ensure that his wife Hester had enough to live on whilst he was away from home. So her sister-in-law, Constance Gittins, widow of merchant John Gittens, had provided Hester with meat, drink, wheat, and malt; otherwise she would have starved. Tupper, it was claimed, had spent all his money on lawsuits. Constance had also had to pawn various possessions of Tupper's; all of which excepting one ring were subsequently redeemed by Tupper. That ring remained as security for a 30s loan. Constance had also lent Hester £4 to be employed in malting so that she could generate some income, presumably continuing that part of her husband's business.⁶⁰⁵

Testamentary documentation can also provide insight into debt. Whilst Chichester wills only occasionally provide any information about a testator's borrowing and lending, the city's probate inventories more frequently listed debtors as assets. They rarely mentioned creditors, although these were very likely to have been included in the subsequent probate accounts. It is, however, recognised that where death was not sudden, the deceased may have

⁶⁰⁴ Tankard, *Clothing*, p. 58.

⁶⁰⁵ REQ2/409/109; The lawsuits mentioned have not been identified.

had time to arrange his finances to reduce the burden on his executors and beneficiaries, and so the situation immediately prior to death will not necessarily reflect that in earlier life.

Nationally, about two million early modern wills survive and about half that number of inventories, but only about 43,000 probate accounts.⁶⁰⁶ From the Chichester parishes and the Prerogative Court of Canterbury, there are 522 surviving Chichester wills from 1558-1629, but only 70 inventories and 35 probate accounts. The survival rate of inventories is therefore much lower than nationally, whereas that of probate accounts is rather better.⁶⁰⁷ To add further context to the Chichester numbers, over 4,200 burials were registered in the parish churches for 1558-1629, meaning that the accounts represent under 1% of deaths. Only two of the 70 inventories predate 1600 and the remainder are from 1616 or later. Similarly, only one of the 35 probate accounts predates 1600, although the remainder are more evenly spread thereafter. Evidence from these sources for sixteenth century lending practices is therefore largely absent. For only nine people do both inventories and probate accounts survive, and for only three of these do the wills survive too. Twenty inventories and seven probate accounts are for women, almost all widows (there is one spinster's inventory and one for a (re)married woman which mentions only two bonds due to her, possibly made during her widowhood).⁶⁰⁸

4.2.1. *Wills*

A Chichester will which, exceptionally, listed debtor and creditors was that of Thomas Jarman who died in 1563.⁶⁰⁹ It listed 63 debtors and ten creditors. Jarman, who lived in St

⁶⁰⁶ Amy Erickson, 'Using Probate Accounts' in Arkell, Evans and Goose, *When Death Do Us Part*, pp. 103-104.

⁶⁰⁷ Erickson does not indicate what period she defines as 'early modern', so it is possible that better inventory survival rates nationally derive largely from 1630 and afterwards.

⁶⁰⁸ WSRO Ep/1/29/541 (Elizabeth Belton, 1623, and Alice Hopkin, 1622).

⁶⁰⁹ McInnes pp. 58-62; PROB11/46/299.

Andrew's parish, described himself as a citizen and burgess, but little can be discovered about his time in the city.⁶¹⁰ His father-in-law was John Moyses, a prominent Chichester merchant (mayor in 1565-66 and again in 1575-76), although by 1563 Jarman was a widower with no children. He owned substantial property in Calais and had lent to men associated with England's occupation of that city and its pale, suggesting that he had also lived there, presumably prior to its loss in 1558. These included Lord Howard of Effingham, Lord Deputy of Calais 1552-53, and Edward Sutton, 4th Baron Dudley, lieutenant of Hampnes (now Hames) castle near Calais 1556-58. He also stood to receive £10 'yf Callis be not English before Michaelmas next' for which wager he had needed to stake only two old angels (£1).⁶¹¹ Jarman's total lending was about £600. Many of the debtors are listed by name only and most are not obviously identifiable as being from Chichester and its immediate hinterland (George and Thomas Fenner, see 4.4.3, were among the exceptions). Nine of the debts are specifically described as 'by my book', suggesting possibly that they were sales on credit. Several are described as being for money lent out of his purse, one specifically mentioning that this was done in 'Chichester churchyard' in gold. Only three of the entries refer to formal documentation, two obligations and a bill, although it is conceivable that some of the larger debts (the largest being 100 marks) may have had some form of documentation or security. Two debts relate to the provision of wine and one to the provision of fish; another two relate to wheat purchased but not yet delivered. Jarman's creditors were far fewer. Even though no locations are mentioned, they include several identifiable Chichester merchants (including John Moyses his father-in law). One debt was described by Jarman as being due under a bond for 100 marks lent to him by Richard Lister

⁶¹⁰ In 1561, he sued Peter Foster for a debt of £3 4s 4d in the Chichester mayor's court [WSRO ChiCity/W/1/1, ff.2-3].

⁶¹¹ An English force occupied Le Harvre and Dieppe from September 1562 to July 1563, hoping subsequently to recapture Calais. This presumably explains the bet.

for a voyage to buy wine. Taken with the two debtors for wine, this suggests that part of Jarman's trade in Chichester was the importation and supply of wine.

Another Elizabethan will (and inventory) was that of William More of St Pancras parish who died in 1582. He was a blacksmith, although as the compilers of his inventory referred to him as a merchant, he probably did more than basic smithing work. He occupied a large forge leased from the city corporation just outside the east gate. His inventory totalled £361, including £64 of iron and £28 of sea coal, although only £3 of ready money. The inventory itself is damaged and the details of his debtors are lost. All that can be read is that his debts 'by speciality' amounted to 20s, and that he also had 'good' debts. By subtraction, the value of money owing to him must have been about £150. He left his servant Robert Jenman 20s on the condition that he assisted his widow for up to a year to collect his debts, saying that Jenman had kept his book and knew where the creditors lived. More had also pursued debtors during his life, for example suing William Peterson (for 10s) and Edward Dunstall in 1572 at the Chichester bailiff's court.⁶¹²

4.2.2 Inventories

Probate inventories do not necessarily provide a reliable guide to the total value of a deceased person's assets for several reasons. The most significant cause in many cases is the absence of land, as most such assets were not legally accessible to creditors and descended as willed or by law or custom. The main exception were fixed-term leases, which were presumably valued on the excess of market rent over contractual rent. Other items conventionally excluded were consumables (e.g. most foodstuffs, beer, wine), property fixtures, and agricultural products other than grain, timber and animals. Even debts due to

⁶¹² WSRO ChiCity/M/1 f.5v.

the deceased were not necessarily comprehensively included; those supported by speciality were legally recoverable by executors and should have been included, although oral debt or that recorded in shop books may not have been or might have been classed as desperate debts, unless already recovered in cash or goods.⁶¹³

Only about half of the seventy surviving pre-1630 Chichester inventories included debts. This was true for both males and females. Given the almost ubiquitous use of credit, the proportion seems low, although it is uncertain whether this was because any debts there may have been had been settled before death (when the death was not unexpected), or because the inventory had intentionally excluded them. Where debts were included, they were often referred to only in aggregate, using terminology such as ‘his shop book, £9’ (Edward Flude, shoemaker, 1581; of a total estate of £25) or ‘money, bonds and bills £72 5s’ (Simon Robson, 1620; of a total estate of £227).⁶¹⁴ Flude’s inventory was the only one to explicitly mention a shop book; one other, that of baker Henry Smith in 1619, mentioned £22 debts ‘by scores’. The division of debts between sperate and desperate was occasionally made. For example, debt made up almost 90% of widow Ann Williamson’s assets, four ‘good and sperable’ debts totalling £80 and two ‘desperate and out of hope of being recovered’ totalling £10.⁶¹⁵ All six debts were from men, but no other information is given about them or the nature of the lending. Similarly, widow Elizabeth Kewell had £86 ‘due by bond’ out of total assets of £95. Both these examples confirm the recognised practice of widows seeking to generate an income from their money by lending it out at interest. Currier Ellis Lewes’s 1618 inventory is unusual in that it lists four debts but no other assets. Whether this

⁶¹³ Jeff and Nancy Cox, ‘Probate 1500-1800: a System in Transition’ in Arkell, Evans and Goose, *When Death Do Us Part*, pp. 25-34.

⁶¹⁴ WSRO Ep/I/29/42, Ep/I/29/541.

⁶¹⁵ WSRO Ep/I/29/41.

complemented another inventory with other assets, or whether he was uniquely successful in having given them all away before his death, is not known.

Some of the inventories list tools and supplies associated with the deceased's trade; for example, baker Henry Smith's includes scales for bread and 16q of wheat. Others confirm that the deceased had traded as a pewterer, a blacksmith or a shoemaker. Richard Keare's 1618 inventory reveals that he was an innkeeper, although described as a gentlemen in the inventory (he had been mayor in 1596 and 1612), as it includes two humbertons and two hogsheads of beer in the cellar (as well as nine empty hogsheads), brewing equipment, and a plethora of tables and stools in the hall and front parlour, including 'playing tables'.⁶¹⁶ Unlike Muldrew found at King's Lynn, however, no surviving Chichester will or inventory mentioned ownership or part ownership of ships.⁶¹⁷

Exclusions from inventories sometimes led to disputes, as with the inventory of another former mayor, Thomas Norton, in 1624. His assets amounted to £71, of which only £9 was money owing to him on two bills. The probate account, drawn up by his widow Elizabeth, showed that he owed £76 in debts. Joseph Shallett, mercer (see 4.4.2 below), was also pursuing Norton for debt, but Elizabeth Norton stated that all her husband's assets had gone on settling his other debts and providing a funeral suitable for a former mayor. She denied that she had appropriated any of the property, left anything out of Norton's inventory, or undervalued items therein. However, it was alleged that Norton's estate had been worth a

⁶¹⁶ WSRO Ep/29/541. Keare occupied the *Lion* inn just outside the east gate; in the previous century this Dean and Chapter building had been William Moore's smithy [Morgan, p. 167]. A 'humberton' was a local measure of 42 gallons [James R. Brown, 'Brewers' Tales: making, retailing and regulating beer in Southampton, 1550-1700', *Journal of the Brewery History Society*, 135 (2010), p. 27].

⁶¹⁷ Craig Muldrew, 'Interpreting the Market: The Ethics of Credit and Community Relations in Early Modern England', *Social History*, 18, 2 (May 1993), p.171.

thousand marks (£667), which would have been more than sufficient to enable his widow also to repay the debt to Shallett.⁶¹⁸

4.2.3 Probate Accounts

Probate accounts generally included any debts owed by the deceased. Peter Spufford found that in rural east Kent almost all of the 13,000 probate accounts incorporated debts of some sort, commonly including tithes, taxes or servants' wages. About 80% had what Spufford calls 'deliberate borrowing': the reasons for these debts were commonly unspecified but they would frequently have been for goods or services supplied on credit. Just over 25% of the Kent accounts included debts supported by documentation: obligations, bonds, bills or speciality. Spufford notes that the proportions with documented debt increased from about 15% in the first decade of the seventeenth century to over 30% in the third decade.⁶¹⁹ Spufford, observing that a study of Shropshire inventories by Trinder and Cox found that only 11% included documented debt, tentatively concluded that there were far fewer lenders on formal instruments than borrowers. However, he found no evidence of this from the Kent probate accounts, the biggest source of lenders being close and extended family. Other Kent lenders were commonly given the appellation 'Mr', suggesting a practice of local gentry loaning their surplus out at interest.

Observations from just 35 Chichester accounts can provide at most limited evidence to support or extend Spufford's findings but nevertheless produce some interesting results. The mean value of testators' assets was £78. Twenty-six of the accounts listed one or more debts owing by the testator at the date of their death. The average aggregate debt for these testators was £42. There was a total of 206 debts. The largest number of debts for a single testator

⁶¹⁸ C2/ChasI/S28/27; WSRO Ep/III/9/1. Ironically, Joseph Shallett had been appointed by Norton as one of the two overseers of his will, tasked specifically to see that his debts were paid [McInnes, p. 1101].

⁶¹⁹ Spufford, 'Long-Term Rural Credit', 213-28.

was 26 (Thomas Champion, see below) and the largest aggregate debt was George Adearn's £140. The average number of debts per testator was 8. Eight of the accounts were for women, all widows. Two of these included the unadministered debts of late husbands, and only one of the other six included any debt, and that was for only 13d. Amongst frequently mentioned types of debt, as Spufford found in Kent, were rents, tithes or taxes outstanding, and wages due to servants. About 25% of other types of debt were stated as being documented, most frequently by 'obligation'. Occasionally references were made to the testator's 'book' but for most debts just the name of the creditor was provided. 37% of the creditors were specifically described as being from Chichester, with many other names also recognisable as such. A further 17% of creditors were outside Chichester, most commonly from neighbouring parishes but also from London (4), Hampshire (3), Kent (2) and Dorset (1). Twenty-three debts to practitioners of named trades were listed, including blacksmiths, mercers, butchers, an armourer, a pewterer and a goldsmith. Commodities or services purchased but not paid for included grain, bread, butter, meat, wood, coals, horse hire, rug-dyeing and building repairs. Only two lenders were mentioned in more than two accounts, supporting the hypothesis that there was a well-spread lending network in the city in the early seventeenth century rather than particularly prominent lenders. Joseph Shallett was mentioned three times, being owed £83 by George Adearne on three debts but only £4 in total by the other borrowers (one 'for wares, as upon his book'). Robert Tupper, beer brewer of St Pancras, was mentioned four times, but was owed less than £14 in total (once for 'wheat and other supplies').

Alderman (John) Cawley was mentioned twice, in 1615 and 1616, and a debt to him was also mentioned in the 1614 nuncupative will of Melior Wardour. Cawley had been mayor on three occasions and is the only individual from the study period with a surviving

memorial in Chichester Cathedral (Figure 4.6)⁶²⁰ Cawley, a brewer, accumulated considerable wealth and land, and was able to send his eldest son, William, to Oxford and the Inns of Court (Figure 4.7). William used part of his father's legacy to found an almshouse for 'decayed tradesmen' outside Chichester's north gate in his father's memory. He was one of the MPs for the city in 1628, later achieving infamy as one of the 'regicides', the commissioners who signed Charles I's death warrant.⁶²¹

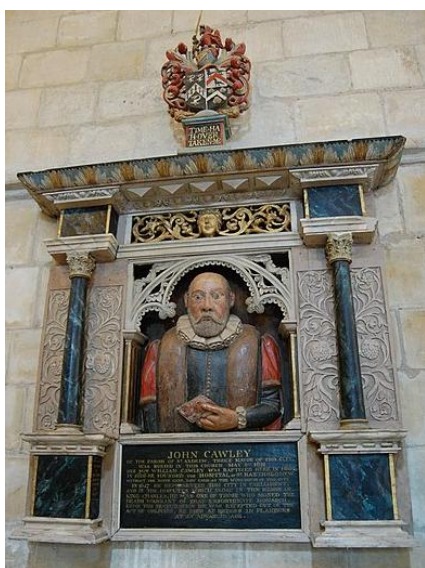


Figure 4.6 Memorial to John Cawley



Figure 4.7. William Cawley, aged 18 (1620)

In March 1618, Joan Champion of St Pancras parish died only five days after her husband Thomas, an (equestrian) collar maker. Uniquely, Joan's will, inventory and probate account all survive, as does Thomas's will, which unusually lists some debtors and creditors, and his agricultural assets.⁶²² Joan was Thomas's sole beneficiary, apart from a small bequest to his physician. The inventory valued Joan's estate at £138. No debts owing to Thomas were included, despite three totalling over £10 being listed in his will. The probate account, which

⁶²⁰ McInnes, p. 1031.

⁶²¹ WSRO Ep III/9/1, accounts of Robert Ford and Peter Palmer the younger; James McInnes, 'John Cawley: Thrice Mayor of Chichester', *Chichester History*, 40 (2024), p. 58; HoPO, 'Cawley, William (1602-1667), of East Street, Chichester, Suss.'

⁶²² WSRO Ep IV/10/1/1621, Ep III/4/9 f.111v, 112r, STD I/3 f.55v, 156r.

was not submitted until June 1621, lists 26 debts owed by Thomas on his death totalling over £125, many of which were not mentioned by Thomas in his will. Eleven were by bond or obligation, and all were to local people apart from one to his sister at Wisborough Green. One debt was stated to be payable on ‘Sloe fair day’.⁶²³ The complexity of identifying and agreeing settlement amounts for all these debts may account for the gap of over three years before submission, the inventory having been compiled in the month of death.⁶²⁴ After funeral and other expenses, the account showed a shortfall of just 5s.⁶²⁵

Examining the other cases where inventory and account both survive, only those of brazier Henry Bracey show material amounts of both lending and borrowing by the deceased. Bracey was owed at least £17 (probably far more, but the inventory is badly damaged) by at least a dozen people.⁶²⁶ At the same time, he had eight creditors totalling £38, including £4 to a London pewterer. Of the other cases, three (including two widows) were predominantly lenders, and five (including the Champions) were predominantly borrowers.

Thirteen of the thirty-five accounts declared a shortfall, and the other twenty-two a surplus. Some of the shortfalls were computed only after some lenders had accepted lower sums as a compromise, so disguising the extent of the shortfall. In other cases, a declared shortfall might mask the availability of other assets immune from creditors or already removed by relatives. In two of the accounts, amounts are owed on bonds to the mayor and citizens of the city, suggesting that it was the practice of the corporation to lend to city traders. James Maybank, a clothworker and dyer, had borrowed £60 on bond, having first obtained three

⁶²³ Sloe Fair was held annually in Chichester in October [Pat Saunders, ‘Chichester’s Sloe Fair’, Novium Museum, Chichester (accessed on 12 Sep 2025 at <https://www.thenovium.org.uk/article/28853/Chichester-s-Sloe-Fair>)].

⁶²⁴ The typical length of time to complete a Chichester probate account was about a year.

⁶²⁵ The close balance may have been an artificial construct, see below.

⁶²⁶ WSRO Ep/III/4/11, f.78.

other men to stand surety to whom he had provided a counterbond of £120.⁶²⁷ Henry Bracey the brazier owed the corporation £5 on bond in 1621. The 1602 account for Ralph Chauntler (mayor four times) included eight debts, three of which were to other city merchants (an obligation of £20 to Thomas Brigham, mercer, and £1 lent by each of Edward Lawrence, brewer and James Collins, mercer). Brigham and Lawrence would both go on to be mayor. Chauntler also owed £11 by obligation to widow Catherine Alwyn.

From the years 1613 to 1625, about forty probate accounts also survive from the peculiar parishes which lay outside the city, including the immediately adjacent Rombaldwike, East Lavant and New Fishbourne. Of these, fourteen specifically mention debts to Chichester lenders, usually only one per account, although Edmund Dawes of Bersted owed £12 on bonds to three Chichester lenders. Beer and wares in general were mentioned as reasons for the debt, and one of the debts was to a mercer. The only lender to be named more than once was John Farrington, who in 1625 was owed both by Dawes and by another Bersted resident John Lylliat. Joseph Shallett was named by John Balden of Pagham in 1617 as being owed 38s 3d by Balden's 'hand and seal'.⁶²⁸

Neither probate accounts, nor the other sources examined in this section show evidence of any one large or frequent lender within or external to the city, or of the city's merchants being a particularly important source of finance to its hinterland, unlike Brunell observed at Rouen for example.⁶²⁹ Nevertheless, as expected, a credit economy is found to have thrived in early modern Chichester, with ample evidence of its regulation via the legal machinery of local and national courts. Widows with capital would lend out at interest; and some more

⁶²⁷ WSRO Ep/IV/10/1. Maybank had been a founder member of the clothworkers and dyers guild in 1616. [WSRO ChiCity/AH/11]. The city corporation lost money on this transaction, as Maybank's widow was only able to repay £30 12 6d, Maybank's inventory being valued at less than half the sum of his debts.

⁶²⁸ WSRO Ep III/9/, IV/10/1.

⁶²⁹ Brunelle, *The New World Merchants of Rouen*, pp. 49-82.

wealthy inhabitants, such as Thomas Jarman, had many debtors at the time of their death, seemingly built up over their lives. There was also a significant credit network within the controlling oligarchy, including that by up-and coming merchants to their more established peers. Tradesmen often had many informal debts from customers, a fair proportion of which were not expected to be recoverable, something which a successful merchant might seek during his lifetime to minimise through regular use of the law. The indebtedness observed to London merchants might suggest a considerable trade between the Chichester and the capital: further evidence for this, and for the nature of Chichester's maritime trade more generally is detailed in the next section.

4.3 Chichester's Trade

4.3.1 Seaborne trade

Many of Chichester's merchants were involved in maritime trading, both coastal and overseas. As noted earlier, port books which recorded this trade in detail survive sporadically from 1566, as do some earlier customs records. The extensive outward trade in grain has already been covered in Chapter 3; in this section, inward trade will be considered, as will outward trade in other commodities.

The first ship that Customer Ralph Rode (see 3.1 above) recorded arriving at Chichester from overseas (on 27 September 1561) was *Mary*, carrying a mixed cargo worth over £12, including onions, cabbages, vinegar, lace, plaster of Paris, paper, combs, cards, and 3,000 'tassels' (teazels, used for raising a nap on cloth); no port of origin was named. Other cargoes arriving between then and January 1562 included wool, bay salt, lambskins and parchment; all brought by English merchants. Some of these items were clearly destined for the clothing industry which was still active at this time both in the city and in hinterland towns such as

Petworth and Midhurst.⁶³⁰ Generally, arrivals from overseas were rare. For the twelve years or part years between 1566 and 1599 for which the relevant port books survive, recorded arrivals averaged only four a year. The largest number was 14 in 1584-5, including wine and hops from France; salt, sugar and spices from Portugal; and green woad from the Azores. The importers were almost all English merchants, although only around half were Chichester men.⁶³¹ The number of arrivals from overseas increased slightly at the start of the seventeenth century: the most active period may have been between 1603 and 1606 when 50 vessels arrived in three years.⁶³² The importers were a mix of English and foreign merchants, with only some recognisable Chichester names amongst the former. Perhaps the most interesting arrival was the 70t *Nightingale* of Chichester, which in January 1608 brought a large cargo of raisins and sack from Malaga, the cargo being shared between eight Chichester merchants. By the 1620s, inward voyages had fallen back to an average of five a year, the cargoes largely being cloth or salt from France or hops, fish, cheese and salt from Flushing or Rotterdam. Those responsible were mainly foreign shipmasters trading in their own name, although Chichester merchants such as John Margerom brought occasional mixed cargoes of grocery and other wares from the Netherlands.⁶³³

The only non-grain outgoing overseas cargo in 1561-2 was wood ash (a cleansing agent) probably bound for Normandy.⁶³⁴ Other waste products such as bones, horns, glovers' clippings and parchment shreds were also regularly exported during the study period, as were cloth, hides, beer and apples. They went more frequently to France than to elsewhere.

⁶³⁰ VCH Sussex, 2, pp. 255-7.

⁶³¹ E190/741/14.

⁶³² This was a period of grain surplus; but as few of these 50 ships departed carrying grain, it does not appear that it was the ready availability of an outbound cargo that brought them to Chichester, although prosperity engendered by the surplus may have done so.

⁶³³ See e.g. E190/761/1

⁶³⁴ E122/200/7.

The earliest coastal shipping records of the study period show ships from Southampton and Poole bringing wine, cloth of various types, prunes, green woad, and oranges; from Dartmouth came cargoes of fish; from London came hops, pitch and tar, candle wicks, and coal; and from Rye, baskets of cruses (small earthenware jars), brushes, hemp, alum and madder. Most of these items would have originally come from overseas. Outbound, salt was sent to Arundel; salt, wine and figs to Lewes; and fish was shipped to London; much of which would not have originated in Chichester, Merchants' places of residence were not recorded, although recognisable Chichester merchants were responsible for much of the outbound trade and some of the inbound trade; particularly noticeable is the prominent role of Thomas Farrington in the shipping of grocery commodities from London to Chichester.⁶³⁵ Other items which arrived included iron spades and shovels made in the Weald and brought via Lewes, pears, lemons, and millstones. Between Michaelmas 1567 and Michaelmas 1568, thirty-four ships arrived at Chichester from other English ports; Chichester merchants, including Thomas Farrington again, were responsible for only one third of these; merchants of London and Southampton and other places being responsible for the majority. Cargoes included coals from Newcastle, foodstuffs, salt, wine, soap, cloth, haberdashery, dyes, iron, and domestic hardware.

In years of grain surplus, the number of inbound coastal voyages was a fraction of the outbound ones. For example, between Christmas 1614 and Christmas 1615 there were 106 outbound voyages recorded, all but two carrying grain but only 25 inbound ones.⁶³⁶ One of these arrivals was the 30t *Elizabeth* of Chichester, with a cargo of Paul Ryley's from London: 2t of 'grocery wares', and quantities of alum, beer, pots, starch, resin, pitch and tar,

⁶³⁵ E122/38/34,170/2. Southampton was an important source of imported 'wine, woad, canvas and other commodities' for Sussex, according to a 1572 objection from its citizens to a proposal to permit imported goods to pass instead through Portsmouth, closer to Sussex [J. L. Wiggs, 'The seaborne trade of Southampton in the second half of the sixteenth century' (MA thesis, Univ. of Southampton, 1955), pp. 49, 134].

⁶³⁶ E190/757/7.

hops, tow, fish, and deal boards; a range of produce similar to that observed fifty year earlier. This voyage was the return leg of an outward grain voyage, the round trip taking a surprisingly long 32 days, doubtless due in large part to awaiting favourable weather and winds.⁶³⁷ Twelve of the 25 voyages were from Southampton, the cargoes usually a mix of canvas and other cloth from France, dried fruit, wines, sugar, salt, and other miscellaneous goods.⁶³⁸ Similar cargoes were brought by Chichester merchants from Dartmouth (four voyages) and Plymouth (two). As noted in 3.1.3, the Dartmouth voyages (and probably the Plymouth ones too) were return voyages with malt having been the outward cargo.

A coastal cargo which grew significantly from its small beginnings in the 1560s was coal from north-east England. It gradually replaced the diminishing local supply of fuel wood and charcoal (e.g. for blacksmith William More, see 4.2.1 above). In 1630, nine ships brought a total of 88 chalders of coal to the city, brought mostly by Chichester shipmasters trading in their own right; volumes would reach over 800 chalders by 1731.⁶³⁹

From the port books, pictures can also be built of the work of Chichester ships, their masters and crews. For example, *Mayflower* of Sidlesham (14t, master John Andrews) arrived at Chichester on three occasions between Michaelmas 1574 and Easter 1575. She may have docked at Dell Quay or at Sidlesham itself, the books do not specify. On 11 November, she arrived from Southampton laden with six ways of Portuguese salt belonging to Richard Sedgewick of Portsmouth.⁶⁴⁰ She departed on 15 November, carrying 6t of English iron bound for Poole. She returned on 7 December from Poole, with 40 pieces of ‘great raisins’

⁶³⁷ E190/18/1 (London).

⁶³⁸ For Southampton’s trade with Sussex, see David Frank Lamb, ‘The seaborne trade of Southampton in the first half of the seventeenth century’ (M.Phil. thesis, University of Southampton, 1971), pp. 138-9.

⁶³⁹ E190/763/5. Four of the ships came from London and five directly from Newcastle, mainly in the summer months. Similar shipments from Newcastle took place in the other seventeenth-century years from which records survive i.e. 1609, 1615 and 1619 [E190/755/12, 757/7, 758/9].

⁶⁴⁰ A ‘way’ was a volumetric measure of dry goods, equal for salt to 42bu [Zupko, p. 435].

for Thomas Farrington and left on 12 December bound for London carrying 70q of grain for Thomas Bates of London. Finally, she returned from London on 11 February with a selection of wares (including fish, soap, nails, pitch, and candles) for John Cook, another Chichester merchant, and sailed on 13 February for London with a further 70q of grain for Bates. Examination of the port books of the other harbours she visited, if they survive, would enable the duration of her various voyages to be determined.

In the 1580s, the inconvenience of having to transport goods between Dell Quay and the city was recognised. Whilst the city maintained a stone quay, there were no warehouses or lodgings for merchants and mariners. Carriage from the quay to the city was also expensive due to the ‘deepenes fowlenes and tediousness of the waies’, and was often completely unavailable around harvest time, causing lightermen to miss tides, merchants to breach their contracts with ship owners, or goods to be left on the quay at the mercy of the weather and thieves. To stop the perceived decline in trade this was causing, a canal was proposed to be dug from Dell Quay to the suburbs of the city, with a wide path along its embankment. Although an act of parliament was passed, nothing was built until the early nineteenth-century.⁶⁴¹

More light can be cast on the wine trade between Southampton and Chichester by examining the port books of the larger port. For example, between Michaelmas 1590 and Easter 1591 eleven cargoes of wine arrived at Chichester, of which only one was brought for a Chichester merchant, Thomas Billett the vintner. One was brought for a London merchant and the others for Southampton merchants, particularly John Errington, who was fully or partly responsible for six of the shipments. Errington was a regular importer of Gascon wine from Bordeaux to Southampton, for example taking delivery of 49 tuns on 17 November in a 70-ton

⁶⁴¹ 27 Eliz. c.22; *VCH Sussex*, 2, pp. 99-102.

Southampton ship.⁶⁴² The same day he dispatched six tuns to Chichester in an eight-ton ship and another four tuns following in a separate ship the next day. Those who owned the wine (and had imported into Southampton) therefore usually retained responsibility for its transshipment, although whether they already had Chichester buyers lined up is unclear. However, only a minority of shipments to Chichester coincided with recent imports to Southampton, implying that the Southampton merchants often supplied Chichester from existing stock. No Chichester merchant imported wine into Southampton in this half-year period, although the local merchants did not have a monopoly as London and Salisbury merchants were also active. As a vintner, Thomas Billet may have found it more efficient to buy in quantity in Southampton, possibly from multiple wholesalers, and arrange his own shipping.⁶⁴³ It is beyond the scope of this thesis to make a full study of Chichester's recorded maritime trade, although this would be a valuable exercise for the future.

The volume of inbound trade recorded appears small for the provision of a city with a populous hinterland. Whilst some of this may represent under-recording of cargoes due to fraud, smuggling or carelessness, goods landed at Portsmouth (part of the port of Southampton) also travelled overland to Chichester, especially during the summer months when the roads would have been surer. Many goods from London, too, may have travelled overland, by pack-horse train or, when terrain and weather allowed, by cart: by 1637, a regular carrier service ran between the *Queen's Head* in Southwark and Chichester on two days each week.⁶⁴⁴ Little evidence remains of the use of these routes to Chichester but does for other places in the south-east: for example, by far the largest part of the cloth made in Winchester in 1565 travelled to London overland rather than by sea from Southampton.⁶⁴⁵

⁶⁴² Wiggs, 'The seaborne trade of Southampton', p. 99.

⁶⁴³ E190/817/8 (Southampton).

⁶⁴⁴ Taylor, *The carriers cosmographie*.

⁶⁴⁵ Rosen, 'Winchester in Transition', p. 149.

The next section briefly examines some other aspects of the city's inland trade and associated financial and communication arrangements.

4.3.2 Inland trade, money remittance and communication

Little is known of the inland trade of Chichester, or of the financial *modus operandi* of its merchants. This section casts light on these topics, showing in particular the problems merchants, and others, faced in transferring money from place to place and in communicating over distance, and the ingenious but not always reliable solutions sometimes adopted. Further evidence on these topics will be seen in the longer case studies of 4.4 below.

The trading reach of Chichester's merchants is nicely illustrated by Robert Bedicke, upholsterer, who between 1587 and 1589, bought several properties in the Headacre, an area outside the east gate of Chichester.⁶⁴⁶ Bedicke's shop may have been in one of them, as it was described as being located 'in the suburbs of Chichester'. He did not just trade from there, though, as in the 1590s, he employed Richard Vicars on a wage of £10 a year to 'travell uppe and downe the cuntrye to fayres and marketes' with £100 of goods on packhorses, there to sell them and to make account on his return.⁶⁴⁷ In 1598, Bedicke had a falling out with Vicars which led to them suing each other in the mayor's court in Marlborough (Wiltshire), presumably one of the markets or fairs Vicars visited. Vicars claimed £20 in unpaid wages as well as money lent to Bedicke; Bedicke alleged that Vicars had not accounted for all the sales he had made. Not wanting to get involved in their business, the mayor of Marlborough made them enter into bonds to meet again back in Chichester, at alderman Richard Keare's *Lion*, to come to a reckoning.⁶⁴⁸ When they met, they failed to reach agreement and Bedicke had Vicars arrested and held in the city gaol,

⁶⁴⁶ Royal Berkshire Archives D/ED/T224.

⁶⁴⁷ REQ2/281/65.

⁶⁴⁸ See 4.2.1 above.

only agreeing to his release when he became bound to pay Bedicke £20 for certain stock he had purchased in Bedicke's name, including in Drayton (Berkshire), presumably another stop on Vicars' route. In a similar but smaller-scale fashion, William Clowson, an itinerant upholsterer who lived 'over against the cross' in Chichester, travelled in 1656 with his pack horses to Horsted Keynes, where he sold a decorated coverlet, curtains, blankets and a bolster to Giles Moore the vicar; and shoemaker Thomas More of Arundel clearly also travelled, bequeathing his horse, pack-saddle and two hampers in his 1613 will.⁶⁴⁹

Returning to Robert Bedicke, by 1595 his financial situation was weak. He entered into a statute staple to pay £200 to London upholsterer John Hodgeson, possibly for stock on credit.⁶⁵⁰ He also owed £63 11s 4d to five merchants, probably also Londoners: Thomas Palmer, skinner, Francis Middleton, upholsterer, Richard Caverley, draper, John Nevell, draper, and Thomas Edward, fishmonger. He had difficulty repaying these debts, and in 1596, transferred all his assets secretly into the hands of his father-in-law John Hardham, allegedly to frustrate his creditors, 'especiallie the London[er]s because they were furthest frome him [and] to them he owight most'.⁶⁵¹ By 1601, Bedicke was living in Bosham and had sold his Headacre properties for £120, perhaps to satisfy some of his creditors.

John Roman was a Chichester mercer who sold from his shop 'Lynen Cloth Spice and other thinges necessarie for householde'. His situation provides a good example of the money transmission difficulties of the time. Roman had bought goods on credit from merchants in Thames Street in London and on London Bridge and needed to pay for them in cash. By coincidence, his brother-in-law John Ryman was due to receive money in London and did not want to hazard it on the road to Chichester. Roman therefore wrote off amounts Ryman

⁶⁴⁹ Dorothy Davis, *A History of Shopping* (London, 1966), p. 143; Danae Tankard, *Clothing in 17th-Century Provincial England* (London, 2020), p. 71.

⁶⁵⁰ LC4/192 f.396r.

⁶⁵¹ Robert Bedicke had married Alice Hardham at St Bartholomew in 1587.

owed him for wares purchased in Chichester, and Ryman settled Roman's debts in London (the transaction being documented by a bill of exchange).⁶⁵² This approach to money transmission between Chichester and the capital was not uncommon, Thomas Whatman, esquire, settled many of mercer Joseph Shalletts's debts to London merchants in exchange for offsets to amounts he owed Shallett for mercery wares.⁶⁵³ The method was not itself without risk, as John Smith found out when, about 1586, he agreed that Thomas Turges could pay £50 that Smith owed on a bond to a London draper; in return, Turges' debt to Smith would be reduced by the same amount. However, Turges retained the bond rather than returning it to Smith or destroying it, later suing Smith for it. Smith described Turges as 'a man of a very bad consience'.⁶⁵⁴ Similarly, around 1625, Gaston Butcher of Petworth, yeoman, was indebted a Londoner: he heard that a fellow yeoman, John Strudwick of Foxbridge, was bound for London, so asked him to deliver the £10 2s owing. Not finding the man, Strudwick claimed to have left the money with the porter of the *George* inn in Southwark (where the Guildford carrier stopped) who had promised, but failed, to pass it on.⁶⁵⁵

There were other solutions for remitting money from Chichester, rarely mentioned in contemporary sources. In 1632, Edward Osbourne wanted to pay £42 he owed on a bond to Dr Hugh Barker, then resident in Oxford. Barker first sent the bond to his agent in Chichester, John Swayne, who then handed it to Osborne and sent £42 in gold to Barker in Oxford via William Neville, Chancellor of the Chichester diocese, who was travelling to Oxford. The gold was enclosed in a sealed container, to save Neville the trouble of weighing

⁶⁵² REQ2/259/72, 96.

⁶⁵³ C3/418/139.

⁶⁵⁴ C2/Eliz/S11/57.

⁶⁵⁵ C3/415/124.

and telling it.⁶⁵⁶ Probably Neville was travelling with others who would have provided protection against robbery. On another occasion, Barker's tenant Richard Hill justified a delay in payment of rent because the rippier of Chichester would not take it except at a charge of a groat a pound (1.7%), so he had waited until he could find a friend to bring it. He then met, at Sir Thomas Bowyer's house, a Mr William Whaley, who was bound for London, and he agreed to take the money, presumably without charge.⁶⁵⁷

Swayne also used others to remit collected rents to Barker, including merchants Stephen Humphry and John Margerom, who provided bills of exchange, Humphrey's for £30. Margerom said that he would get a payment to Barker within 14 days: Swayne considered that, as a merchant, Margerom should be as good as his word; nevertheless, he did not pay him until he had heard that the money was in Barker's hands.⁶⁵⁸ He later wrote that Margerom had gone with a ship laden with malt to the West Country but would issue another bill on his return. Swayne also sent money via his brother-in-law, asking Barker to send a receipt by return, and he sent £35 by Christopher Lewkenor, the Recorder of Chichester.⁶⁵⁹ Another time, Swayne became aware that a Sir Francis Englefield had been in Chichester for a few days. He made enquiries and found Englefield's estate to be good and him to be a noble, honest gentleman. He paid Englefield money due to Barker, and sent Englefield's bill for £61 4s 2d to him. In a later letter he wrote to Barker saying that he hoped that Englefield has discharged the bill.⁶⁶⁰

⁶⁵⁶ Barker, 2, f.54. Dr Hugh Barker died in 1632, and Swayne continued to act as agent for his widow, Mary. Both are referred to just as 'Barker' in this section hereafter.

⁶⁵⁷ Barker, 2, f.64; A rippier was a carrier of fish; Sir Thomas Bowyer, Bt, former MP for Bramber, Sheriff of Surrey and Sussex 1626-27, lived at Leythorne Park south-east of Chichester. William Whaley may have been a dyer of Pulborough (see e.g. WSRO SAS-BA/298).

⁶⁵⁸ Barker, 2, ff.58, 66.

⁶⁵⁹ Barker, 2, ff.60, 5.

⁶⁶⁰ Barker, 2, f.40. Englefield's mother was a sister of the 2nd Viscount Montague of Cowdray Park. [RBH Biography: Sir Francis Englefield Junior, Bart. \(1562-1631\) \(berkshirehistory.com\)](http://berkshirehistory.com)

Sometimes even making a local payment was problematic, such as when in 1588, Robert Whitfield of Chichester, gentleman, owed £30 on a bond to William Hildrop of Bosham. The payment was specified to be in Chichester. But when the date came, Whitfield lay sick five miles from the city, and flooding in any case made it very dangerous to travel. Two days later, he sent his son Thomas to Bosham, where Hildrop allegedly agreed to accept the payment later that day at Whitfield's house in Chichester. Thomas Whitfield rode to the city, but Hildrop never came; rather, he assigned the bond to Robert Hanley of Chichester, who refused to accept payment, instead suing Whitfield, who now lay sick in Chichester, for the penalty of the bond. Whitfield, via his son, asked the Bishop of Chichester, 'being Hanley's 'Lord and m'', and other gentlemen to arbitrate, but Hanley refused participate. However, the Court of Requests subsequently ruled that Hanley was being unreasonable and should accept the £30 plus costs of 5 marks, which he did.⁶⁶¹

Even the sending of a letter was a somewhat fraught process, often delayed until a reliable person could be found to deliver it. For example, in 1628, one of Hugh Barker's Chichester creditors, Richard Collins, explained that a letter to Barker was being carried to Oxford by someone he had just discovered was travelling there imminently, repeating the message of three other letters sent to Barker previously at London which Collins was unsure had reached him.⁶⁶² Later that year a letter took over three months to reach Collins in Ireland from Oxford.⁶⁶³ Some letters did travel relatively quickly, for example in May 1634, John Swayne in Chichester received a letter from Mary Barker in central London on a Saturday that was dated the previous Monday; and news of the failed Gunpowder Plot had reached Chichester by 9 November 1605, as Hugh Barker mentioned in a letter of that date the 'late

⁶⁶¹ REQ1/15 ff.287v, 288v, 306v, 334v, 335r, 2/128/42. Hanley was warden of the Bishop of Chichester's palace [Peckham, p. 121].

⁶⁶² Barker, 2, f.15.

⁶⁶³ Barker, 2, f 17.

and most dangerous treason’, enclosing a proclamation which he said contained some of the traitors’ names.⁶⁶⁴ Sometimes a messenger might be used to carry a letter, as when Thomas Turges, mayor of Chichester, sent an urgent message to the Lord Admiral; however, it was delayed three days due to the messenger falling sick on the road. When Turges’ wife Anne needed to get documents signed in East Grinstead, she sent them via a ‘footman’, who returned with the signed documents to Chichester two or three days later.⁶⁶⁵

4.4 Three case studies

The three studies below examine the lives, trade and finances of three Chichester merchants of differing times and statuses, so providing holistic microhistorical clusterings of elements of the somewhat fragmented findings in the earlier parts of this chapter.

4.4.1 Thomas Turges

Thomas Turges was an Elizabethan Chichester merchant who ‘not only use[d] the trade of me[r]chandizing but also did kepe a shopp of me[r]cery and haberdash wares’. His sales to merchant Thomas Lane of Fishbourne included ‘linnen and woollen cloth spices reasons prunes sugar canvas lockarom [and] hollon’; he also bought wheat and barley from Lane.⁶⁶⁶ As noted in Chapter 2, Turges was one of the most litigious Sussex merchants of his day, providing an almost unparalleled opportunity to peer into his life.

Turges was born about 1542.⁶⁶⁷ He was probably the son of James Turges of Petworth, in whose will of 1551 an underage son Thomas is mentioned.⁶⁶⁸ The earliest record of him in Chichester dates from October 1565, when he and his wife Agnes (widow and executor of

⁶⁶⁴ Barker, 2, f.1; WSRO Ep/III/6, box 407, folder 3, f.116.

⁶⁶⁵ BL Harley 703 f.39r: C2/Eliz/T9/60.

⁶⁶⁶ REQ2/148/44.

⁶⁶⁷ In October 1587, Turges declared his age 45 [STAC5/C70/10].

⁶⁶⁸ WSRO Ep/I/27/STC I/8, f 59v.

Chichester mercer John Hardham who had died the previous year) sued one of Hardham's creditors in the mayor's court.⁶⁶⁹ Turges had been bequeathed £20 from his father to be received when he was 20, when he would also have received the accumulated rent of some Petworth copyholds which descended to him. This money may well have facilitated his entry into Chichester's commercial sphere and made him an attractive marriage prospect to Agnes despite his youth. On marriage, he would have come into possession of John Hardham's estate, including trading stock, and possibly his premises too. No records have been discovered of Turges having served an apprenticeship either in Petworth or Chichester. Turges' route to establishing himself by marrying an asset-rich widow was by no means unusual: Robert Monke, encountered at the beginning of chapter 1, did this; as did 25% of London craftsmen and tradesmen around this time.⁶⁷⁰

In 1568, Turges rented a barn and some cottages and gardens in St Martin's parish, paying £4p.a. for 39 years, some or all of which he then sublet.⁶⁷¹ A son, William Turges, was baptised in 1571.⁶⁷² In 1571, he stood surety for Portsmouth mercer, William Allen, on a bond of £100 to pay £47 10s to John Allen, innholder, and Thomas Taylor, butcher, both of Arundel.⁶⁷³ The Arundel men must have considered Turges by then to have been of sufficient substance to be an acceptable surety for such a sizeable sum. He was sufficiently well settled in the city by 1572 to be one of the assessors for second payment of the 1571 lay subsidy, paying 5s on goods assessed at £5, slightly above the modal amount for the city of 4s on £4 of goods.⁶⁷⁴ By 1573, Turges was dealing with leading Chichester merchants

⁶⁶⁹ Hardham had died in 1564 [McInnes, p. 783]. The registers of St Peter the Great are missing between April 1559 and April 1569, so no record of the marriage exists.

⁶⁷⁰ Keith Wrightson, *English Society 1580-1680* (1982; repr. Abingdon, 2003), p.89

⁶⁷¹ C3/222/13. Newman leased the properties from the city's hospital of St Mary's.

⁶⁷² Parish Registers of St Peter the Great, which did not at this time include either parent's name. The Thomas Turges baptised there a year earlier might also have been a son, although may have died in childhood.

⁶⁷³ REQ2/277/65. At the time the payment was due, William Allen was 'at the seas in trade of merchandise', a voyage from which he never returned as he was drowned

⁶⁷⁴ E179/190/283.

and with the inhabitants of the city's satellite parishes, as in that year he was sued by former Chichester mayor John Sherwyn for a debt of £30, and by Richard Millington of Bosham, whom he countersued for £20. He also sued another former mayor, Laurence Adearne, for £33 10s.⁶⁷⁵ In that year, as described in 3.1.1 and 3.3.1 he was also actively involved in trading grain in and from Chichester, not all of which was legal. As mentioned, a brief stay in the Fleet prison was the consequence.

The other commodities in which he traded, and the places with which he traded, were varied: salt shipped from Portsmouth and shipped to Lewes; codfish and ling brought from Shoreham; iron shipped from Rye to Southampton; beer sent to Plymouth; soap, stone pots and three tons of 'grocery wares' delivered from London; and iron ordnance (sakers and minions) from Lewes to Southampton. He used mainly local ships, although his iron was carried by a Southampton boat.⁶⁷⁶

His business ethics were not particularly scrupulous, as in addition to his 1573 activities, in 1575 he was accused by the bishop of Chichester of receiving pirate goods.⁶⁷⁷ Despite this accusation and his previous imprisonment, in 1577 he was considered to be sufficiently reliable to be asked to be, and accepted as, a surety of John Young for the office of Customer of Chichester.⁶⁷⁸ For this, Turges became bound to the Crown in £200 to pay £100 if Young failed to pay collected revenue to the Crown.⁶⁷⁹ Also in 1575, Turges was assaulted on the highway at Blatchington, losing his horse worth £4 and £8 7s in money, which was quite a sizeable amount of money to carry. The robbers were caught and sentenced to hang.⁶⁸⁰

⁶⁷⁵ WSRO ChiCity/W/2 ff.32, 389, 43, 45.

⁶⁷⁶ E190/739/20, 24, 740/5; E112/45/15.

⁶⁷⁷ Surrey History Centre, LM/COR/3/184.

⁶⁷⁸ E122/38/25.

⁶⁷⁹ E112/45/118.

⁶⁸⁰ Cockburn, *Sussex Indictments Elizabeth I*, p. 106.

Sometime between 1571 and 1583, Turges' wife Agnes died. Turges then married Ann Richards of Yaverland (Isle of Wight). Further children followed, including daughter Cecily and sons Richard, Thomas and Simon.⁶⁸¹

At various times, Turges was also an employer. In 1577, London haberdasher Robert Ligert supplied caps and hats to Steven Eaton, described as Turges' servant or factor.⁶⁸² A decade later, Turges was employing William Wright, who was trusted to receive money for Turges and record this in Turges' books. Around the same time, he had an apprentice, Thomas Powell.⁶⁸³ Turges also traded jointly with others. In or before 1580, he and Thomas Weston, a Chichester gentleman, bought a large quantity of bay salt from John Motler of Marennes in France, in part payment for which Turges was to deliver nine ordinary kerseys to Motler (see 5.2 below). Weston was, perhaps, the financier of the deal rather than an active participant.⁶⁸⁴

Turges did not hesitate to use various legal devices to avoid or recover debt. He refused to pay Ligert for the caps and hats Eaton had bought, claiming that they were on the servant's own account. Ligert had the Chichester bailiff attempt to arrest Turges in the street, but he fled into his house. The bailiff, a neighbour of Turges, consulted the city Recorder, and they thought it more politic to take Turges' bond for £100 to pay the debt in three months' time than to enter his house by force; an indication that by 1577 Turges had a certain social status in the city. That same year, George Fenner had hired a ship of Newport, Isle of Wight, to carry 160q of his own wheat to Madeira. Before it sailed, Turges came to the Isle of Wight

⁶⁸¹ Sir Henry St George (Joseph Jackson Howard, (ed.)), *The Visitation of London 1633, 1634 and 1635*, Vol. II, Harleian Society, XVII (1883), p. 300; McInnes pp. 1042-5 (will of Anne Hills). No baptismal record has been found for Simon Turges, but he replaced his brother Richard as a cathedral chorister after the latter's voice had broken in 1601 [Peckham, p. 154].

⁶⁸² REQ2/61/3, STAC5/T19/23, T29/23, T33/34.

⁶⁸³ REQ2/277/67.

⁶⁸⁴ REQ2/290/32, 291/36.

with court process for the stay of the ship and cargo. The ship was only allowed to sail when the merchant sailing with the ship, probably as factor for Fenner, promised that goods brought back from the voyage would be delivered to Turges in part payment of debts owed to him by Fenner. The ship returned with a cargo of woad, 12t of which (worth £340) was for Fenner, and this was duly delivered to Turges at a waterside storehouse at Langstone (Hampshire).

In 1582, John Kemp the younger of Havant (Hampshire) had accumulated debts to Turges in excess of £100. Kemp's father had stood surety for his son, and Turges resorted to the Portsmouth court of piepowder (market court) to recover his money from the father. When the mayor of Portsmouth released the father prematurely from custody, Turges had the confidence and legal support to sue the mayor and burgesses of Portsmouth for his losses.⁶⁸⁵ John Sturges of Wolverton (Somerset) became bound to Turges in a statute staple for £500 in 1579. Turges had allegedly lent him up to £300 in expectation of receiving an inheritance from Sturges of the manor of Wolverton and the moiety of the manor of Rawde, although Turges himself denied this suggestion without advancing an alternative reason for the loan. Turges' name was sometimes written Sturges, so it is possible that he was, or considered himself to be, a relative of Sturges. Despite considerable legal effort, he may well have been unable to recover anything from Sturges, the sheriff of Somerset having allegedly released Sturges from arrest without the debt being repaid.⁶⁸⁶

Turges had a storehouse in Chichester (possibly the barn in St Martin's parish mentioned above). In 1580, he contracted with fellow merchant, Christopher Hargrave, to receive 21q of wheat there. Hargrave delivered 4q, which Turges considered to be of such poor quality

⁶⁸⁵ REQ2/129/13.

⁶⁸⁶ STAC5/T6/16, T13/25, T21/26, T33/25, 7/30/48, CP40/1438d #790, C2/Eliz/S2/48.

that it needed re-winnowing, yielding only 2q of useable grain. Hargrave later promised to deliver the balance at Chichester harbour. Turges also traded in woad. Around 1583, he sold three loads of woad to Robert Mussoll of Midhurst in exchange for 13 Hampshire kerseys.⁶⁸⁷

In addition to trading, Turges also acquired, jointly with fellow city merchant George Chatfield, the farm of the customs and tonnage of wine imported via the port of Chichester (i.e. anywhere between Folkestone and the Hampshire border). Turges and Chatfield even tried to claim the tonnage on some Gascon wine from a shipwreck at Hastings.⁶⁸⁸ Turges also invested in land; in 1581 buying 40 acres in the parishes of Bosham, Oving and Fishbourne.⁶⁸⁹ He also leased two properties from the city corporation, which he sub-let: a small tenement in West Street to Thomas Ottar, and one in North Street ‘neere the Crowne’ to Gilbert Miller.⁶⁹⁰ He also retained his copyhold property in Petworth, described as a house in the town’s market place and various arable land and pasture.⁶⁹¹

Turges attained the pinnacle of Chichester mercantile life when he was selected by his peers as the city’s mayor for 1584/85. Early in his mayoral year, a constitutional crisis arose in the city when, as described in 4.1 above, James Colbrand entered the election for one of the city’s two parliamentary seats. The city oligarchy’s preferred candidate was Richard Lewkenor, the city recorder (who, as noted earlier, was a lawyer frequently used by Turges). Turges postponed the election day to enable Lewkenor’s supporters to canvas sufficient support to defeat Colbrand, Lewkenor himself being in London for the legal term.⁶⁹²

⁶⁸⁷ STAC5/T20/25, T28/14, T31/30, T38/39.

⁶⁸⁸ E112/45/1, 57. It may have been in connection with this farm that Turges and Chatfield sued William Lobdell, a merchant of Eastbourne [CP40/1439f #36].

⁶⁸⁹ WSRO Add Mss 37094.

⁶⁹⁰ ChiCity/AJ/1.

⁶⁹¹ Peter Jerome, *Cloakbag and Common Purse* (Petworth, 1979), p. 47.

⁶⁹² Neale, *The Elizabethan House of Commons*, pp. 252-3.

The following year, Turges met with the deputy lieutenants of the county in Steyning where he asked that the city be permitted to appoint its own captain of militia as had been the tradition. They told him that he would have to write to the lieutenant, Lord Howard of Effingham, which he did two days later when back in Chichester. However, the following day a letter arrived from the deputies informing him that Howard had appointed Colbrand as captain. Turges' letter of complaint to Howard was delayed, but when it arrived Howard wrote to his deputies saying he agreed the citizens should choose the captain, although subject to the deputies' approval of the candidate as he considered that the late mayor had been very unfit to make such an appointment. Turges immediately wrote to the deputies, saying that the city would produce its own candidate.⁶⁹³ Despite Turges' involvement, Colbrand became captain; and, as also mentioned above, used his influence in that role to cause further disruption at the 1586 parliamentary election, accusing the mayor and aldermen (Turges was by then one) of malpractice.⁶⁹⁴

At this time, Turges was still actively trading. In January 1584 he shipped 60q of Portuguese salt from Southampton to Chichester. The following month he brought in a hundred barrels of herring. In August, he brought in more salt from Portsmouth and in November seven tuns of Gascon wine from Bordeaux.⁶⁹⁵ In February 1587, he shipped 3t of cast iron ordnance (three sakers and three minions), 3t of iron, and 1t of anvils from Lewes to Southampton.⁶⁹⁶

In October 1585, after Turges' mayoral year had ended, Lord Admiral Howard approved the issue of letters of marque to Turges and William Fenner to take *Galleon Fenner* of Chichester to sea to capture Spanish goods. Two months later they became jointly bound to

⁶⁹³ BL Harley 703, f.39. The late mayor was not named, but Turges' immediate predecessor was Ralph Chauntler who was suspected of having Catholic sympathies [Manning, *Religion and Society*, pp. 85n, 93n, 243].

⁶⁹⁴ STAC5/C70/10, C8/16, C41/1, 7/19/32.

⁶⁹⁵ E190/742/23, 37, 816/5.

⁶⁹⁶ E190/817/1.

Howard in £1,000 to fully report and account for all goods recovered. They also became bound in an additional £100 to provide proof that £500 of their goods had been detained by the Spanish (reprisals being the rationale for privateering).⁶⁹⁷ The grain detained in *Marigold* (see 3.1.2 above) may well have been part of those goods. Turges ‘set out’ *Galleon Fenner* (i.e. equipped and supplied it) most likely in exchange for a share in the profits of the voyage. Turges purchased ‘oxen and beaves’ from William Brand. Butcher Gregory Whatman of St Pancras parish testified that he had killed the oxen, of which there were twelve. They were then weighed at Mr Cooke’s house outside the Eastgate and ‘powdered’ and packed into hogsheads to victual the ship.⁶⁹⁸

The outcome of *Galleon Fenner’s* voyage is not known, although it seems unlikely to have been financially favourable, as in 1586, Turges owed £440 to Edward Richards of Yaverland in the Isle of Wight (probably a relative of his second wife) and £460 to London draper Thomas Rowe, for both of which his uncle William Colnett and cousin Barnabas Colnett had to be sureties, and he had to put up all his land and goods as security to them.⁶⁹⁹ That year, he also needed to borrow £50 from William Brand to stock his shop: when Turges did not repay the £50 when due, Brand discovered to his dismay that Turges’ assets were already assigned and so could not be appropriated.⁷⁰⁰ Despite his seemingly precarious financial situation, Turges contracted the same year to pay Thomas Brigham £110 for the leases of properties of St Mary’s Hospital on the south side of East Street, one prominently located at the corner of East and South Street.⁷⁰¹ In 1587, Turges paid 13s 4d subsidy; only eight

⁶⁹⁷ HCA25/1, 2, ff.102, 103, 105. *Galleon Fenner* was a sizeable ship of 185t burden [https://shipsandthings.fandom.com/wiki/The_British_Fleet_1588, accessed 15 Nov 2025].

⁶⁹⁸ REQ2/277/67. ‘Mr Cooke’ was William Cooke who inhabited a tenement on the north side of the street leading from the east gate to St Pancras church [WSRO Cap I/Hobby f.363]. ‘Powdered’ presumably meant salted.

⁶⁹⁹ C2/Eliz/T9/60.

⁷⁰⁰ REQ2/277/67. One of the assignees was Turges’ uncle William Colnett

⁷⁰¹ C2/Eliz/T9/60. This is likely to be the property for which Turges paid a fine of 4d to the city in 1586 for its encroachment onto South Street and a further 4d for its cellar door opening there [WSRO ChiCity/AJ/1]

gentlemen or merchants of the city out of a total of 58 paid higher amounts on their goods, suggesting that despite his seeming financial difficulties, Turges' aldermanic status meant that he had to bear an appropriate share of the city's burden.⁷⁰²

A key member of Turges' trading network was John Young, the Customer of Chichester, for whom Turges had stood surety. In 1581, as noted in 3.3.3 above, he had sold Young 500q of grain. In 1587, he conspired with Young in an unsuccessful attempt to assign to the Crown some uncanceled bonds held by Turges, in part settlement of Young's own substantial debts to the Crown. One of Turges' debtors was successful in having this device deemed illegal by the Court of Exchequer. This, together with other legal devices described earlier, reveals Turges to have been, perhaps unconsciously, someone who, as Tim Stretton describes, undermines community trust through using legal but unethical financial practices.⁷⁰³ In 1588, seemingly of financial necessity, he sold his land in Bosham, Oving and Fishbourne to his uncle Colnett for £500.⁷⁰⁴

In 1590, Turges was evicted over a missed rent payment from a property he had been renting in St Martin's parish since 1568, the payment being demanded on the due date in person by the owner at the property, where it was strictly payable under the terms of the lease. Turges commented that, although he was in London on business, his house was 'but a stones cast distance' from the premises, where his wife or servants could have paid. He added that he took money at his shop in the city most days, and that the property owner could have had the 10s rent in money if it had been demanded at the shop.⁷⁰⁵

⁷⁰² E179/258/11.

⁷⁰³ See 2.1 above.

⁷⁰⁴ ESRO SAS/M 57-58.

⁷⁰⁵ C3/229/118.

Turges and Young's relationship later soured, probably as both their financial situations became more desperate. In 1591, Turges sued Young in relation to several bonds and bills which Turges considered had been fulfilled in reckonings made between the two men. Young had refused to return the documents and Turges thought he intended to assign them to the Crown too; not an unreasonable assumption given the previous attempt. Turges also sought to be released from his surety for Young's office, for which he had not obtained a counterbond from Young.⁷⁰⁶

Also in 1591, Henry Percy, Earl of Northumberland, who owned Petworth House, was accused in a Chancery suit brought by his tenants of restricting common rights, imposing unreasonable entry fines and other breaches of manorial custom. Turges, as one of the tenants, was the lead complainant, perhaps being selected for his status in the county. He delegated the management of the suit to another tenant, William James.⁷⁰⁷ The Earl responded in 1593 with a suit in Star Chamber: Turges was the first-named defendant, and in a deposition he denied any involvement in an alleged riotous breaking of fences enclosing part of the estate.⁷⁰⁸

In 1593, Henry Chamberlayne, a Chichester mercer, was accused by Turges of stealing six pieces of silk worth £6 and £34 in money from him. Chamberlayne was found guilty but allowed benefit of clergy.⁷⁰⁹ The same year, at a time of prohibition of grain transportation, Turges was granted a licence to export 80q of wheat from Shoreham, and he and others were

⁷⁰⁶ E112/45/90; REQ2/163/109. Assigning bonds to the Crown meant that they would be sued and execution obtained more easily than in a private suit.

⁷⁰⁷ Jerrome, *Cloakbag and Common Purse*, pp. 47, 98; C78/90/11. One of the allegations was that Turges had been asked to pay a fine of £7 for admission to the house in Petworth when it descended to him, the traditional amount being only 7s.

⁷⁰⁸ STAC5/N1/16. There is no evidence that Turges' widow or sons continued to be involved in the dispute after his death.

⁷⁰⁹ Cockburn, *Sussex Indictments Elizabeth I*, p. 265.

also licenced to export barley from there and to export 50q of barley and 60q of wheat from Arundel. He was again licensed to export wheat the following year.⁷¹⁰

Turges fell ill later in 1593 and struggled to raise money to repay a debt of £50 to Richard Lathowe of Havant, which he had borrowed in July 1592. He therefore sent merchandise worth £400 to William Wright, for him and his brother Robert to sell on Turges' behalf, repay Lathowe, and return the surplus to him or his heirs.⁷¹¹ On 8 March 1594 Turges died intestate in his East Street house, and was buried in Chichester cathedral.⁷¹² Administration was granted in June to his eldest son William, who was himself a Chichester merchant.⁷¹³ William Turges was subsequently involved in several suits in respect of his father's business. One suit was with the Thomas Lane mentioned at the start of this section, whom William sued at common law for debts in his father's books.⁷¹⁴ Lane replied that the debts had been paid, alleging that before his death Turges had been forced to borrow frequently, sometimes in small sums, to meet his needs, implying that his credit was much impaired.

The places of residence of those debtors Turges (or his administrator) sued at Common Pleas are shown in Figure 4.8. The majority of debtors were relatively close to Chichester, the main exception being London. They were mainly from the yeomanry (15), with 7 from the gentry, 3 clerks and 3 fellow merchants. Almost all of his creditors sued him in London, although several had alternative locations in Sussex, including one in Chichester itself, so Turges' business with them could have been local. These data are consistent with Turges'

⁷¹⁰ E122/222/36B.

⁷¹¹ C3/292/75.

⁷¹² McInnes, p. 1024. Curiously, the parish registers of St Peter the Great only record the burial of a Thomas Turges in March 1595.

⁷¹³ C2/Eliz/T9/60; *Index to Acts of Administration in the Prerogative Court of Canterbury 1596-1608*, accessed on 25 Nov. 2025 at

https://www.ancestry.co.uk/search/collections/1610/records/1011880?tid=&pid=&queryId=b21f0595-f65b-4c1b-b7d5-1c983cc3ac8d&_phsrc=qWt1567&_phstart=success.

⁷¹⁴ REQ2/148/44.

main business model being to buy goods on credit from London and to sell them to the inhabitants of Chichester and its hinterland, also frequently on credit.

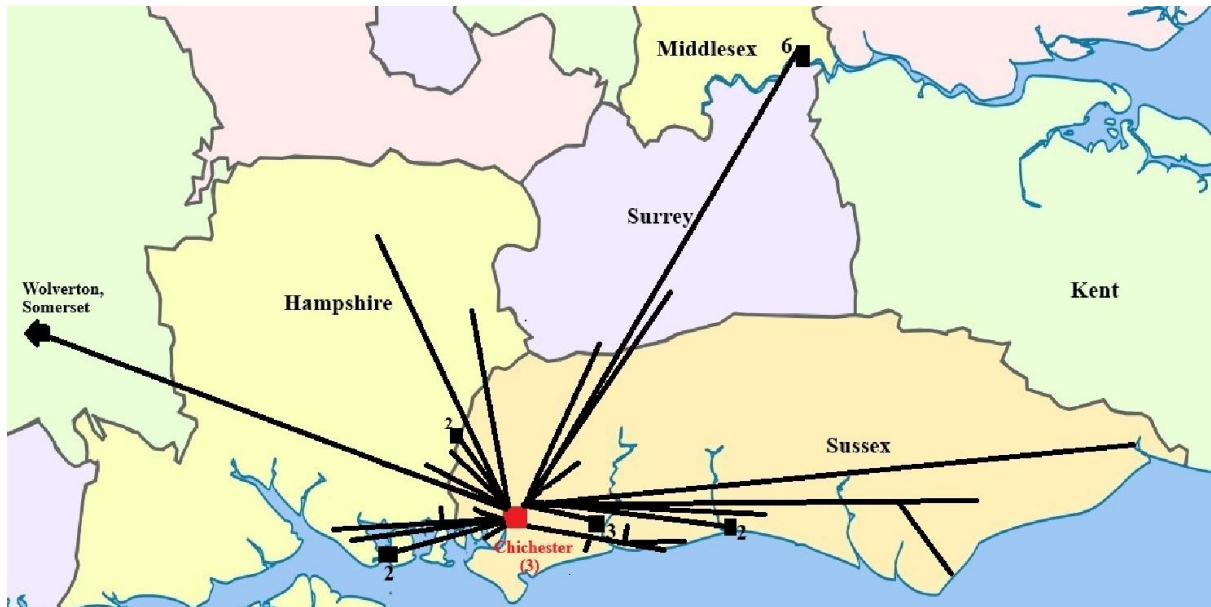


Figure 4.8. Location of some of Thomas Turges' debtors

After Turges' death, his widow claimed that she had given up her jointure of Turges' free lands 'for the upholding of his credit' and had excluded herself from the dower of various of his lands. She had persuaded friends to lend him money and enter into 'greate Bondes' for him; and she had procured his liberty when he was in prison.⁷¹⁵ There are no records to suggest Turges' sons continued his business in Chichester or became involved in the city's civic affairs. In 1633, sons William, Thomas (a warden of the Grocer's Company) and Simon were all living in London.⁷¹⁶

4.4.2 Joseph Shallett

Joseph Shallett was born in Harting, in the downs north of Chichester, in February 1582, the son of yeoman Richard Shallett.⁷¹⁷ He came to Chichester about the age of 14, where he was

⁷¹⁵ C2/Eliz/T9/60.

⁷¹⁶ 'The Visitation of London', p. 300.

⁷¹⁷ SFHG, Harting.

apprenticed to John Chapman, a mercer only a few years older than himself.⁷¹⁸ About 1600, Chapman had acquired from William Holland the lease for 21 years of a house and shop in the marketplace, also buying the merchandise that was in the shop.⁷¹⁹ The shop was described as ‘the fittest place in the market for buying and selling’. It was probably in East Street, as it was from there in 1604 Chapman was presented to the Chichester court leet for not paving in front of his shop door and not mending his cellar door.⁷²⁰ Chapman traded from the East Street premises for about seven years, but neglected to obtain any documentation of the lease. In 1608, he sold his stock and the residue of the lease to Shallett for over £900 (of which Shallett paid only £200 up front) and travelled to Spain. He also transferred an indentured apprentice, Anthony Leafe, to Shallett. The lease, the debt, and the apprentice were all later to prove problematic for Shallett.⁷²¹

The Chichester port books reveal the type of goods that Chapman and Shallett traded. In 1608, Chapman shipped a cargo from Sanlúcar in Spain of 60q of Spanish salt and six butts of sherry.⁷²² In July 1609, Shallett brought from Southampton a cargo of prunes, alum, canvas, Guernsey cloth, and raisins: the ship returned to Southampton with 34q of Chapman’s oats.⁷²³ In March 1615, Shallett shipped canvas and hessian, again from Southampton.⁷²⁴

⁷¹⁸ WRSO Ep/III/5/1, 47-48; C2/Jas1/C4/28. Chapman had been born in Cowfold in 1579 [West Sussex, England, Church of England Baptisms, Marriages and Burials, 1538-1812, accessed 15 November 2025 at https://www.ancestry.co.uk/search/collections/62121/records/678062?tid=&pid=&queryId=2ec37d28-77a4-4806-b1a8-f1144549711c&_phsrc=qWt1539&_phstart=successSource].

⁷¹⁹ C2/Jas1/C4/28.

⁷²⁰ WRSO ChiCity/K/4. The same year Chapman was also presented in respect of offences in North Street so may have had more than one premises.

⁷²¹ Chapman returned from Spain after two years, afterwards living at West Hampnett.

⁷²² E190/755/7.

⁷²³ E190/755/12; A ‘piece’ of raisins or other dried fruit denoted a large container, perhaps a straw basket, of no specific weight.

⁷²⁴ E190/757/7.

In May 1609, Shallett married Chapman's sister Joan at Tangmere.⁷²⁵ A son, Francis, was baptised at St. Olave in Chichester in October 1610 and a daughter Mary there in 1614. Further sons Joseph and John were baptised at Harting in 1613 and 1616 respectively. The Shalletts also had other children who did not survive to adulthood.⁷²⁶ After he had been in the East Street shop for about a year, Shallett asked William Holland to issue him with a formal lease. Holland refused and instead obtained an indictment for forcible entry against Shallett and Joan, expelling them and letting the shop to someone else. Shallett had to take another property which he described as 'nothings so fitt for the utterance and vent of his ... wares' and considered that he had sustained a loss of at least £200.⁷²⁷

Shallett probably then had to trade from inferior premises for several years. In September 1610, he was listed as living in North Street, paying 5s, a relatively small amount, on the value of his goods in the lay subsidy.⁷²⁸ In 1613, he brought a suit against cathedral official Dr John Drury relating to money lent by Drury to another Chichester merchant, Richard Clarke, for whom Shallett had stood surety but Clarke had failed to repay the loan on time. Shallett alleged that Drury had refused to accept late payment, and that he had brought the suit to prevent Drury suing him for the penalty. Drury brought a countersuit against Shallett, saying that Shallett held a counterbond and could perfectly well seek to recover the penalty from that.⁷²⁹

Shallett took his civic duties seriously: in 1612, he served on a bailiff's court jury; in 1614, he was a churchwarden for his parish of St Olave's; in 1615, he was city bailiff, presiding

⁷²⁵ Edwin H W Dunkin (ed.), *Calendar of Marriage Licences Recorded in the Peculiar Courts of The Dean of Chichester and the Archbishop of Canterbury*, SRS, 12 (1911), p. 184; SFHG, Tangmere.

⁷²⁶ SFHG, Chichester, Harting; PROB 11/296/499.

⁷²⁷ C2/Jas1/C4/28.

⁷²⁸ E179/191/350.

⁷²⁹ C2/Jas1/D4/29. Dr John Drury was Commissary of the diocese of Chichester from 1608. He held various ecclesiastical offices and was also a Master of the Court of Chancery [CCed, Person ID 12258; Joseph Foster (ed.), *Alumni Oxonienses*, vol. 1 (Oxford, 1891), p 426; Peter M. Wilkinson, *Church Court Depositions in the Consistory Court for the Archdeaconry of Chichester: General Introduction*, SRS, Add Vol 2, pp. 25-26].

over the court of the liberties.⁷³⁰ By January 1615, he was able to lease a shop from the Dean and Chapter of Chichester cathedral, with a cellar below and a chamber above, located on the corner of the west side of South Street ‘nere unto the high cross’, which was a prime location.⁷³¹ When, in 1616, he gave evidence in a defamation case before the Dean of Chichester’s peculiar court (see Chapter 5), he affirmed his deposition with a confident and practiced signature (Figure 4.9).⁷³²

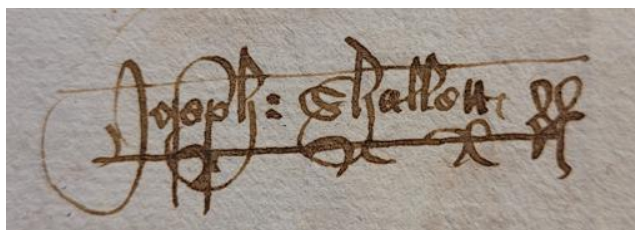


Figure 4.9. Signature of Joseph Shallett

Notwithstanding that in 1616 he was reprimanded by the Dean’s court for trading on a Sunday, Shallett’s status in city society was clearly advancing.⁷³³ And perhaps because of his eagerness to work every day, so was his commercial success. In August 1617 he acquired the lease of the larger premises adjacent to his corner shop, described as a ‘tenemente, shoppe, backside and halfe well’, again from the Dean and Chapter. He traded this and his existing lease for a single forty-year lease for both buildings, paying 26s 8d a year for the new premises on top of 20s a year for his existing one.⁷³⁴ The same year, he and Chapman commenced a suit in Chancery against their former apprentice, Anthony Leafe, alleging that he had serially embezzled goods and money from their shops whilst left in sole charge. They claimed that Leafe’s lifestyle had been way above the level he could have afforded as an apprentice, sending money to his family and keeping a horse and some fighting cocks. Leafe

⁷³⁰ WSRO ChiCity/M/3 f.6, M/6, f.7.

⁷³¹ WSRO, Cap/I/27/2, f.138. The lease had been bought by Joseph from John Roman, alderman (mayor in 1594).

⁷³² WRSO Ep/III/5/1, 47-48.

⁷³³ WSRO Ep/III/6, box 408, folder 1, 22.

⁷³⁴ WSRO Cap/I/27/2, f.181.

responded that the allegations were not provable, and that in any case he had paid Shallett £5 in 1613 to end his apprenticeship, the settlement explicitly precluding any actions arising from his apprenticeship.⁷³⁵

In 1618, doubtless to invest his trading profits, Shallett paid £60 for a copyhold property at Woodmancote a few miles north-west of Chichester.⁷³⁶ That same year, Chapman was knighted by James I at Aldershot (Hampshire) in September 1618, having established sufficient wealth to support that status.⁷³⁷

Shallett was chosen as mayor of Chichester in 1621.⁷³⁸ As mayor, he was the lead commissioner for collecting the lay subsidy in September 1622, in which he personally paid 10s. His easily recognisable signature can also be found on writs issued during his mayoralty summoning individuals to appear before the city's court of record or ordering their goods to be seized by the bailiff.⁷³⁹ As mayor, he also signed the indenture which permitted prominent merchants to form the merchants' guild in the city described earlier, although he was not himself one of its founder members.⁷⁴⁰ In his mayoral year, Shallett sued William Edmonds for a debt of £11 15s in respect of mercery wares. Shallett listed the items provided to Edmonds which include silk and silver lace, black and brown thread, buttons and loops, white paper, a pair of stockings for 3s 6d, an ounce of nutmeg for 4d and a pound of gunpowder for 15d, illustrating just some of the items available in Chichester at this time.⁷⁴¹

As Shallett's civic status grew, the relationship with his brother-in-law, Sir John Chapman, seems to have become more fractious, culminating in two Chancery suits in 1623. Shallett

⁷³⁵ C3/305/20.

⁷³⁶ C2/JasI/S10/34; PROB 11/296/499.

⁷³⁷ John Nichols, *The Progresses etc of King James the First*, vol. 3, London (1828), 492.

⁷³⁸ Mentioned in C2/JasI/G2/67 (see later).

⁷³⁹ WSRO ChiCity/W/13.

⁷⁴⁰ WSRO AH/12.

⁷⁴¹ C3/346/29, 347/41.

had stood surety for many of Chapman’s borrowings (Table 4.3) and was allegedly refusing to return the counterbonds he had had, even though Chapman claimed to have supplied evidence that each debt had been repaid when due.

Name	Occupation/ Status	Amount (£)
John Greenfield	merchant	50
Thomas Farrington	merchant	200
Thomas Greenfield	merchant	60
John Pannett	merchant	100
Dr Drury	cathedral official	200
Dr Hugh Barker	cathedral official	100, 100, 150
Hester Paine	widow	50, 50

Table 4.3. Borrowings of Sir John Chapman for which Joseph Shallett was a surety

Chapman’s borrowing was all from Chichester residents and was by bond for six-month terms; showing both that substantial credit could be obtained within the city, and that for large amounts it was the practice even for lenders well-known to each other to obtain bonds with sureties. The list also neatly encapsulates three of the main sources of local lending in the city: merchants, ecclesiastical officials and widows.

The suits also provide further evidence of commodities which Chapman and Shallett traded. The former alleged that Shallett owed him for currants, raisins, four score pounds of whale fins, and twelve and a half pounds of tobacco.⁷⁴² Shallett, in response, presented a list of the many items he had supplied to Chapman since taking over his business, without receiving payment. It included many yards of cloth of various descriptions, silk ribbon, a 200lb barrel of Irish beef, oatmeal, capons, geese, ducklings, rabbits, fresh fish, quinces, salt, butter, sugar and hops.

⁷⁴² C2/JasI/C7/45, S15/17; C2/JasI/Addenda/11; C4/157/24. ‘Whale fins’ referred to baleen, sometimes called whalebone.

There was a further demonstration of the relationship breakdown between Shallett and Chapman at about the same time. Whereas in 1614 Shallett had been happy to act as surety for the marriage licence of Chapman's brother, Nicholas, a fellow Chichester merchant, in 1623 he had to resort to law to recover a debt from Nicholas.⁷⁴³ Shallett obtained judgement for debt in the 'mayor's court' (presumably the court of record), and the mayor's serjeant, Robert Field, was sent to confiscate goods at Nicholas's house. Field found the goods being loaded onto a cart so that they could be taken to Sir John's house at West Hampnett, the latter claiming that he had bought the goods from his brother before the judgement but had allowed him to retain custody of them until now. Field was then allegedly assaulted. The matter came before a specially convened session of the peace in the Chichester town hall, which found against Sir John, who then complained to Star Chamber, alleging a corrupt process at the session. He claimed that Shallett, being a man of great influence in the city (which he probably was, having recently been mayor), had packed the jury with his supporters and encouraged the witnesses to perjure themselves.⁷⁴⁴

Shallett died in November 1624. His death must have been sudden, as, like Turges, he did not have time to make a written will; although in a nuncupative will he appointed his wife Joan as his executrix.⁷⁴⁵ Doubtless concerned about the possible influence of Sir John Chapman on Joan and his children, his eldest son Francis then being just 13, he specifically requested that Chapman 'shall not meddle with any part of my estate' and requested that fellow merchants Henry Chitty and Thomas Collins, both of whom had been mayor of Chichester, assist Joan in the 'p[er]fecting of her Accompts'. Unlike Anne Turges, Joan Shallett continued her late husband's business: in 1625 she was presented at the Court Leet

⁷⁴³ Dunkin, *Calendar of Marriage Licences*, p. 184.

⁷⁴⁴ STAC 8/90/17.

⁷⁴⁵ PROB 11/144/652.

for trading on a Sunday.⁷⁴⁶ She also inherited Shallett's liabilities: in 1627, Thomas Whatman initiated a suit against her; his complaint related to the prices he had been charged for clothes he had regularly bought from Shallett since around 1613, naming his nine children as a reason for his frequent purchases. Whatman alleged that Shallett had confessed on his deathbed to have been very hard with those he dealt with. Whatman had tried to ascertain from Joan what he truly owed, resulting in the matter being referred to Sir John Chapman and one other to 'Cast over the reckonings and accountes' between them (seemingly despite Chapman being Joan's brother and at odds with her late husband). Whatman had not agreed with the outcome, claiming that he had made payments on Shallett's behalf to two London merchants, a mercer and a hosier which ought to be deducted.⁷⁴⁷ Joan must nevertheless have managed the business well, as at least two of Shallett's sons were well-educated: Frances was admitted to Middle Temple in 1628 and called to the bar in 1638; and Joseph graduated M.A. from New College, Oxford, in 1639.⁷⁴⁸

4.4.3 Thomas Fenner

Chichester's mercantile gentry consisted of two broad types: those who had achieved this landed status through purchase, marriage or inheritance; and those who had been born into it. Joseph Shallett's apprentice-master, John Chapman, was typical of the first type; progressing from city merchant to country gentleman, and, exceptionally, to knighthood. Thomas Fenner was an example of the second sort. He was one of the six sons of John Fenner, esquire, of Ifield and Eleanor Goring, sister of Sir William Goring.⁷⁴⁹ Goring was a man of considerable status: vice-chamberlain and a member of Edward VI's Privy Council,

⁷⁴⁶ Hilda Johnstone, *Churchwardens Presentments, Part I, Archdeaconry of Chichester*, SRS, 49 (1948)

⁷⁴⁷ C3/418/139. Whatman was MP for Chichester in 1621 and 1624 and for Portsmouth in 1626 [HoPO, 'Whatman, Thomas, 1576-1630'].

⁷⁴⁸ H.A.C. Sturgess, *Register of Admissions to the Honourable Society of the Middle Temple*, Vol.1 (1949), p. 121; Joseph Foster (ed.), *Alumni Oxonienses*, vol. 4 (Oxford, 1891), p. 1338.

⁷⁴⁹ HoPO, 'Goring, Sir William (by 1500-54), of Burton, Suss.'

twice MP for Sussex, and thrice sheriff of Surrey and Sussex. Thomas was probably born at Ifield in the 1530s. His father died in about 1558: over the next few years, his mother and his eldest brother, John, sold most of the family land in the north of the county and bought land in the Chichester area.⁷⁵⁰ Thomas's brother, George (born c1530), married an heiress, Elizabeth Norland: he also acquired property in the Chichester area and dwelt initially at Earnley, being joined there by Thomas.⁷⁵¹

Possible evidence of Thomas's commercial activities can be found as early as 1563, when Thomas Jarman of Chichester recorded that he was owed 7s by him (and 24s by his brother George).⁷⁵² However, the first definite evidence was in December 1564, when Thomas's and his recently acquired ship, *Mynykyn* of Portsmouth were invited to join two other ships in a trading voyage to West Africa under the overall command of Edward Cooke of Southampton. Thomas loaned Cooke £40 in money and a cable (a band of tightly woven ropes for anchoring or towing) worth £10. He victualled *Mynykyn* with beer biscuit and beef and laded four packs of kerseys (woollen fabric) and 40 pieces of poldavis (canvas), the latter costing 22s the piece. He met the other ships at Dartmouth, where eight or ten more packs of cloth were loaded onto them. They set sail, but at Cape St Vincent they were violently accosted by three French ships. Having suffered multiple casualties, they aborted their voyage. Thomas returned to Itchenor with at least thirty chests of sugar and five tons of Brazil wood (used for dyeing), acquired from a Portuguese ship *en route*, much of which was then transferred to two smaller ships and taken to London.⁷⁵³ There was subsequently a

⁷⁵⁰ WSRO Add Mss 27005-6, 49935; ESRO AMS 6400/2; *Calendar of the Patent Rolls Preserved at the Public Records Office: Elizabeth*, Vol. 1 (London, 1933), pp. 431-432.

⁷⁵¹ Peckham, p. 31; John Philipot, *The Visitation of Kent taken in the years 1619-1621*, Harleian Society, XLII (1898), pp. 136-7. George gave his age as 72 in 1602 [STAC 5/A34/8]. Thomas had three other brothers: Edward the elder (a prominent lawyer), Edward the younger (a Chichester merchant like Thomas) and William.

⁷⁵² McInnes, p. 60.

⁷⁵³ K. R. Andrews, 'Thomas Fenner and the Guinea Trade, 1564', *The Mariner's Mirror*, 38, 4 (1952), pp. 312-14 (largely a transcription of a deposition in HCA1/36); Ian Friel, 'Chichester's Pirates? The Fenner Family in the 16th century', unpublished text of presentation to the Chichester Local History Society, 14 March 2018; David Loades, 'Thomas Fenner', *ODNB* (2008) <https://doi.org/10.1093/ref:odnb/9290> (accessed 8 Oct

dispute over the legality of Thomas's acquisition of the sugar and wood, the Admiralty Court sending him to the Vice-Admiral of Sussex to provide a bond for £500 in case the outcome went against him.⁷⁵⁴

In 1566, his brother George led his own small fleet, which he had fitted out in Portsmouth, on a similar venture, actually reaching the coast of Guinea. George's venture was no more successful than Thomas's, returning with a similar small cargo; although he did win lasting fame by successfully fending off an attack by a much larger Portuguese fleet.⁷⁵⁵ The contemporary accounts of the two voyages may well embellish the brothers' roles in the expeditions or seek to conceal their original intentions. Certainly, before departing, George had to provide a bond of £500 not to raid any of the queen's subjects or allies and not to trade in any port to which the King of Spain had given particular privileges, for which his 'eldest brother' (i.e. John), 'a man of fayre possessions', was required to stand surety.⁷⁵⁶ The bond was a concession to the Spanish ambassador who wanted George, and John Hawkins who was intending a similar venture, prevented from trading anywhere in the West Indies or the Spanish American territories.⁷⁵⁷

Ian Friel has suggested that Thomas and George were by the mid-1560s already merchants of some ability, considered competent to make long trading voyages and adequately skilled to fight at sea.⁷⁵⁸ This may be so, but there is little surviving evidence of how such experience

2024); Kipling, 'The West Sussex Captains'; E178/2270. This inquisition of May 1565 refers to Thomas's ship as being the *Mary Flower*

⁷⁵⁴ SHC LM/COR/3/50.

⁷⁵⁵ Walter Wren, 'The voyage of M. George Fenner to Guinie and the Islands of Cape Verde' in Richard Hackluyt, *The Principal Navigations Voyages Traffiques & Discoveries of the English Nation*, Vol VI (1589-1600, reprinted 1904, Glasgow), pp. 266-84; Arthur Beckett, 'Two Chichester Adventurers', *The Sussex County Magazine*, III, 1 (1929), pp. 18-25.

⁷⁵⁶ SP12/40 f.204. By this date John was a justice of the peace for Sussex. For the Parliamentary sitting commencing in September 1566, he represented Midhurst, having replaced the lately deceased incumbent.

⁷⁵⁷ *Calendar of State Papers Spanish, Elizabeth*, Vol I, pp. 589, 593, 659. Letters from Diego Guzman da Silva (ambassador to England) to Phillip II. Accessed on 26 Nov. 2025 at <https://archive.org/details/dli.ministry.01131>.

⁷⁵⁸ Friel, 'Chichester's Pirates?'

might have been acquired. George was already the owner or part-owner of three ships at the time of his Guinea voyage, using one of them to ship grain from Chichester to London, but there is no way to know how frequently he sailed in them.⁷⁵⁹ The brothers nevertheless doubtless saw the possibility of a large profit from trade with western Africa (and possibly onwards to Spanish America) such as John Hawkins had made in his first two voyages; and being able to raise the capital necessary to finance such a voyage, may well have relied at least in part on the skills of others such as their ships' masters for navigation and nautical fighting skills. George's voyage was almost certainly partly financed by a loan of £1,100 from Edward Worsop, a London merchant, to whom George and his elder brother John had become bound in £1,500 for repayment shortly before the departure.⁷⁶⁰ While George was absent on his voyage, their elder brother John died. An inquisition post-mortem revealed that he had disposed of his manors held from the Crown in 1564 or 1565 (including Bonewicks in Ifield, sold to Worsop for £505): the sales may well have been to help finance his younger brothers' voyages.⁷⁶¹

Thomas also regularly shipped grain by sea from Sussex ports. For example, in December 1568, he exported 100q of wheat in the *Mary & Ann* of London (60t) from Arundel to 'parts over seas' under the licence of the town of Arundel: the merchant mark in Figure 4.10 appears next to this entry, and may reflect the arms used by the Fenner brothers (Figure 4.11).⁷⁶² The same year, Thomas arranged that grain trader Thomas Mascall of Chart (Kent) would deliver 1,000q of malt in two instalments to a Norfolk port for him. Mascall allegedly delivered the first 500q of malt late, causing Thomas difficulty with those to whom he had

⁷⁵⁹ SP12/39 f.32 The ships were moored at 'townes rithe', which would appear to have been near Ichenor; E122/38/34.

⁷⁶⁰ SP46/38 ff.178, 180. Worsop had not recovered this debt a decade later, when he assigned the bond to tax collector George Hayes. Hayes, in 1592, petitioned Burghley for aid in obtaining execution against George, who had long since transferred ownership of most of his property to his son.

⁷⁶¹ WARD7/11/82.

⁷⁶² E190/738/15.

promised the malt, and making it impossible for his ship to return in time to collect the second 500q when due.⁷⁶³ Thomas's shipments of grain to Ireland between 1579 and 1583 have been described in 3.4 above.

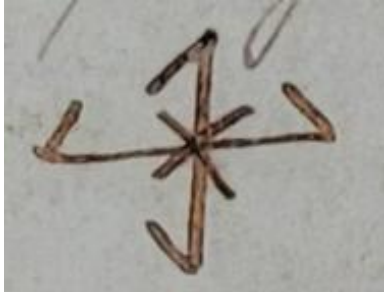


Figure 4.10. Merchant mark used by Thomas Fenner



Figure 4.11. Arms used by the Fenner brothers⁷⁶⁴

Thomas was the defendant in nineteen Common Pleas suits in the sample of Chapter 2 and plaintiff in one. Most of Thomas's debts appear to have arisen in London, although there are several Sussex debts and some from elsewhere. Several of the debts were the consequence of defaults on bonds (obligations) or bills. One debt of 1578 was for the purchase of armaments; another, of 1572, was mainly for lengths of woollen cloth and some ropes bought from a clothier of Tiverton (Devon).

In a ship of 80t, 'appoynted warrlyke', Thomas captured a Portuguese caravel near Plymouth from a French privateer who had already taken her on the high seas. She carried a cargo of sugar and Brazil wood. He also took the French captain's armour and weapons, the clothes and money of his soldiers and sailors, and four Portuguese prisoners. The French captain complained to the queen, mentioning that Thomas already had a prize laden with wine, and requested that Thomas be arrested and the captain's prize returned. Thomas was required to

⁷⁶³ REQ2/104/75. Mascall sued Thomas for 1000 marks; Everitt, 'The marketing of agricultural produce', pp. 75, 97.

⁷⁶⁴ From the memorial to Edward Fenner the younger in the parish church of Hayes (author's photograph). Both George and Thomas used this device to seal documents (see e.g. the letter from George to vice-admiral William Moore [Surrey History Centre LH/COR/3/207] and a 1588 letter from Thomas to Walsingham [SP12/212 f.105]).

appear at the Admiralty Court to explain himself.⁷⁶⁵ Thomas's ship may have been that which, in 1573, George Fenner 'Rigged out of the porte of South[amp]t[on] one ship called the George of iii^{xx} tonnes in warlike manner' with 'one of his brothers cap^{ten}'.⁷⁶⁶ This voyage would now be described as 'privateering', the profits from which were an attraction to gentlemen with a modicum of wealth. It was essentially state-sponsored piracy against an enemy of the country, at a time when the maritime strength of England lay in its armed merchant fleets rather than the much smaller number of royal ships. Kenneth Andrews wrote that the Fenner brothers, and other Chichester men such as John Young and George Ryman of Apuldram, were part of a network of privateers along the south-east coast, especially Southampton, Portsmouth and the Isle of Wight.⁷⁶⁷ He added that these 'professional' privateers were 'sometimes' merchants as well as sailors, which, for Thomas Fenner at least, understated the extent of his mercantile activity.

In December 1572, Thomas prevailed upon Olyff Burr and John Byrd, London merchants, to provide a guarantee of 200 marks to the Crown that he would not sell to foreigners the *Bark Fenner*, a ship of 150t which had just been built at Shoreham: this guarantee was required as Thomas had received an allowance (which was typically £37 10s) from the Crown in 1571 to build the ship.⁷⁶⁸ Byrd was a regular financier of Thomas's ventures, although he sometimes struggled to get repayment, having to sue Thomas for £40 debt in 1571 and again for a much larger sum in 1593 (see below).⁷⁶⁹

⁷⁶⁵ HCA 24/44 f.96 undated.

⁷⁶⁶ SP12/124 f.26. The report was made four years later in 1577.

⁷⁶⁷ Andrews, *Privateering*, pp. 93-4. There is no evidence that John Young, the Customer of Chichester, captained the ships he sent out privateering: Andrews may have conflated his career with that of a Captain John Young active at the same time.

⁷⁶⁸ HCA 25/1, box 2, f.510; Cheal, *Shoreham*, p. 147. To encourage the building of merchant ships suitable also for use in time of war, a grant of 5s. a ton was payable for all vessels built of 100t or more. Burr was Byrd's father-in-law [Harley, 'Merchants and Privateers', p. 53].

⁷⁶⁹ CP40/298f #383, 1506f #291.

In September 1584, Thomas and William Fenner (either his brother of that name or a nephew) freighted a new ship, the *John* of Chichester, which sailed to France with George's son, George Fenner the younger, as merchant.⁷⁷⁰ Thomas was not aboard, which may well have been because he was chosen one of the members for New Shoreham in the parliament of 1584, succeeding another brother, Edward the elder, who had sat for the same borough in the preceding 1572 parliament. The parliament of 1584 met in October and November of that year and in February and March of 1585: Thomas sat on committees concerning fish (7 Dec. 1584) and tellers and receivers (10 Mar. 1585).⁷⁷¹ He was not in the subsequent parliament which met for a month from September to October 1586, perhaps because for a year from the summer of 1585, Thomas was flag captain to Francis Drake for a voyage to the West Indies, only returning to England in the following summer. Drake had also been a member of the 1584 parliament, serving on the same fish committee as Fenner, so they may have met there if they did not know each other before.⁷⁷² Drake brought home £67,000 in captured wealth, of which Thomas would have had a share. Thomas subsequently captained queen's ships in several major campaigns, including against the Armada. Lord Admiral Howard wrote to Walsingham that Drake, Hawkins, Frobisher and Thomas Fenner were regarded by the world as the most experience sailors in the country.⁷⁷³

In addition to his naval leadership, Thomas used his mercantile experience and political connections to gain contracts to supply the queen's ships. For example, in early 1588, Thomas was acting as deputy to the surveyor-general of victuals for the navy when he

⁷⁷⁰ SP 12/173/1 ff.62, 146.

⁷⁷¹ HoPO, 'Fenner, Thomas'. This reference incorrectly states that Thomas Fenner the MP is not the same man as Drake's flag captain.

⁷⁷² M Oppenheim (ed.), 'The Naval Tracts of Sir William Monson, vol. 1', *Navy Records Society*, XXII (1902), p. 124.

⁷⁷³ John Knox Laughton (ed.), *State papers relating to the defeat of the Spanish Armada, anno 1588*, vol. 1, Navy Records Society, I (1894), pp. 202-3.

shipped 100q of malt on two occasions from Chichester to Plymouth.⁷⁷⁴ And, in 1589, before the 'English Armada' expedition sailed to Spain, Thomas and Thomas Holmes were responsible for victualling ships in Portsmouth and Southampton, for which they were paid £4,020 by Drake. Thomas also provided supplies of iron shot for the expedition,⁷⁷⁵ The 1589 expedition was largely unsuccessful; Thomas wrote to Walsingham that he had spent £1,000 of his own money on the voyage, and £800 in the previous (Armada) year. He had only £1,200 left, with which he hoped to finance, 'with friends', a voyage to 'the Indies' to capture gold and silver for the queen.⁷⁷⁶ Two months later, he had to defend himself before the Council again. He was accused of bringing merchandise from Spain and of bringing naval stores to Sussex for his own use. He denied the first charge; and said that the stores were just the residue of the £400 of victuals he had provided at his own expense for the ship he captained.⁷⁷⁷

Thomas seems to have had Walsingham's patronage, as in his 1589 letter, Thomas thanked him for 'all youre favors and particularly for y^e causes of my Iron mylles'.⁷⁷⁸ Up until 1566, Thomas had held the lease of an iron furnace in Ifield, which stood on land formerly owned by his father.⁷⁷⁹ In 1580, he had invested in the emergent Welsh iron industry, buying an iron foundry in the Usk valley (Wales), which he let to others. By 1589, the Usk foundry was jointly owned by Thomas, London haberdasher John Challenor, and three others. It is not known what help Walsingham provided. In 1584, Thomas was sued by two Bristol merchants for a debt of £400 relating to an obligation made there in 1582 concerning 200t

⁷⁷⁴ E190/744/28.

⁷⁷⁵ R. B. Wernham (ed.), *The Expedition of Sir John Norris and Sir Francis Drake to Spain and Portugal, 1589*, Navy Records Society, 127 (1988), pp. 114-115; PC2/15 f.341.

⁷⁷⁶ *ibid.*, pp. 194-5.

⁷⁷⁷ Cecil CP18/47.

⁷⁷⁸ SP12/225 f.43.

⁷⁷⁹ REQ 2/226/4.

of Welsh iron. He and Challenor subsequently operated the Tintern Wire Works, for which, in 1594, it was claimed that they owed the large sum of £1,200 in rent.⁷⁸⁰

Thomas was also favoured by the Lord Admiral, as when in 1590 he appeared before the Council and had to promise to pay one of its clerks for corn he had bought from him, Howard stood surety for him.⁷⁸¹ And in January 1591, he was issued with letters of reprisal by Howard for the privateering adventure he hoped would restore his fortune. Thomas and John Byrd provided a bond of £5,000 for the good behaviour of the expedition. Byrd and John Garway, a London clothier, also part financed the expedition, Thomas becoming bound to them for £400 in April 1591. The same month, he shipped 60 barrels of wheat flour meal, 10q of peas, 200 yards of sailcloth, and two chests of musket shot from Chichester to Portsmouth, presumably as supplies for the voyage. In June 1591, more supplies arrived in Southampton (or Portsmouth) from London in a convoy of six ships. These included ordnance (6 sakers, 6 minions, muskets, gun carriages, barrels of shot, gunpowder and matches); pitch and tar; over 70 tuns of beer; hogsheads of vinegar; pipes of Canary wine; large quantities of beef, pork, peas, beans, suet and oatmeal; cables and hawsers; and chests of apparel. There is, however, no evidence that the voyage ever went ahead.⁷⁸² In 1592, Thomas was sued by Byrd and Garway for the £400 bond.

In 1593, Thomas was still pursuing his complaint against John Young, the Customer of Chichester, which had begun over a decade earlier (see 3.3.3 above). Before this complaint could be resolved, Thomas died intestate at Selsey in June 1596.⁷⁸³

⁷⁸⁰ M B Donald, *Elizabethan Monopolies* (Edinburgh, 1961), pp. 76, 98, 122-8; CP40/1420 f #740, 1421 f #521.

⁷⁸¹ Laughton, 'State Papers', vol. 2, p.333; PC2/17 f.851.

⁷⁸² HCA 25/3 Part 1, ff.307, 308; CP40/1506 f#291; E190/746/3, 817/11. Andrews (*Elizabethan Privateering*, p. 245) showed that one of the ships in the intended small fleet, the *Golden Noble*, sailed instead with the Earl of Cumberland later that year.

⁷⁸³ *Index to Acts of Administration in the Prerogative Court of Canterbury 1596-1608*, accessed on 25 Nov. 2025 at

4.4.4 Observations on the three case studies

Whilst Thomas Turges and Joseph Shallett typified the fairly stolid mercantile oligarchy of Chichester and other similar town and cities of these times, Thomas Fenner lived a life closer to that of the merchant adventurers who opened up England's trade to the world, having few peers in Elizabethan Chichester (or Sussex). Turges' and Shallett's trading networks were predominantly within the city and hinterland, although with some customers or suppliers elsewhere in the south-east, particularly London. Neither appear to have had more than a very limited network overseas, nor to have had any political connections. Thomas Fenner's network was much broader, later including major naval and political figures and substantial London merchants, and extending to Ireland and the continent; its development doubtless assisted by family connections and marriage.⁷⁸⁴

Like other successful merchants of the time, Thomas Turges invested his profits in city and country property and in at least one privateering venture. He was more ready than many to use litigation to achieve his financial aims and did not overly fear actions against him. It is also telling that of ten Common Pleas suits between 1578 and 1584, Turges was plaintiff in eight and defendant in only two, whereas in the eleven suits of 1585 and one of 1593 he was defendant in eight and plaintiff in four. The balance shifted again after his death when in 1595 his son William Turges was plaintiff in seven suits and defendant in only one. A picture emerges of a successful and diverse trading career which later descended into financial difficulty: possibly Turges was not able to recover the large sum lent to John Sturges; or maybe he made a loss on the voyage of the *Galleon Fenner*; or perhaps the suits against the Earl of Northumberland cost him dearly; or maybe he had to pay out the surety for John

https://www.ancestry.co.uk/search/collections/1610/records/1020448?tid=&pid=&queryId=86b702b8-ccfc-453b-8ef5-7a324c3e2234&_phsrc=qWt1573&_phstart=success.

⁷⁸⁴ In addition to his Goring mother, he married into another influential county family, the Bellinghams [C3/187/55].

Young; or possibly it was a combination of factors, brought to a head when his illness gave his creditors the chance to get the upper hand.

Joseph Shallett came to the city as a young apprentice, traded as a general merchant, participated initially in lesser collective associations, traded both wholesale and retail in a wide but not unusual range of products, and developed a wide network of financial and trading partners, including amongst the city oligarchy. His climbing of what Barry described as the 'ladder to betterment' enabled him in due course to achieve the mayoralty.⁷⁸⁵ Like Turges, he died young, although he seems never to have experienced the financial problems that Turges did.

In contrast, Thomas Fenner was born into a land-owning, minor gentry family. As a young man, he was able to afford to participate in an early trading expedition to the West African coast. Encountering, but overcoming, armed resistance, it is likely that his expedition lost considerable money, although boosted his reputation as a sea captain. Fenner subsequently engaged in privateering as well as in more conventional maritime trade. He established grain trading connections with Ireland, from which, as well as from his time in Parliament, he developed good connections with Walsingham, Howard and Drake, resulting in naval supply opportunities, assistance with some troublesome investments, and captaincies of queen's ships, which provided early reward but later proved financially costly. His long-time connections with London merchant John Byrd, who himself had ships transporting grain out of Sussex, proved a source of finance for his privateering voyages.⁷⁸⁶

Relatively little seems to have changed in the city between Turges' and Fenner's heyday and that of Shallett forty years later. Shallett did not have to accommodate the inconveniences

⁷⁸⁵ See 4.1 above.

⁷⁸⁶ E190/743/10.

of war in the same way as did the other two – and the range of products he traded may have been a little wider, including tobacco and a greater range of spices. Turges and Fenner were heavily involved in the grain trade but there is no evidence that Shallett ever was, nor that he supported or conducted privateering as they did. Perhaps the city was becoming less adventurous: certainly, in 1609, mayor Edward Laurence had advised the Privy Council that the city’s merchants had no interest in participating in a proposed company of merchants trading with France.⁷⁸⁷

4.5 Conclusions

Early modern Chichester was a small but fiercely independent city largely governed by an oligarchy of mayor and aldermen. This ruling elite consisted mainly of those described as merchants, a situation similar to other cities at this time; for example, in Norwich between 1551 and 1625, over 70% of aldermen were from the distributive trades.⁷⁸⁸ Chichester’s merchants traded outward largely in grain and inward in a range of commodities they could retail within the city and its hinterland, such as salt, fish, fruit, wine, grocery wares, coal from Newcastle, cloth from Brittany, and glassware from Normandy. Some arrived by sea, although much must also have come overland, albeit sometimes just from Portsmouth or Southampton. In some years, its maritime trade was dominated by non-local merchants, a feature which Metters also observed for Jacobean King’s Lynn.⁷⁸⁹ Inbound cargoes had frequently first been transhipped at ports capable of harbouring larger ships such as London, Southampton or Dartmouth. In most years, there was little direct overseas trade, the

⁷⁸⁷ SP14/45 f.146. The company was nevertheless chartered in 1611 [Edmond Smith, *Merchants* (Yale, 2021), p. 68].

⁷⁸⁸ Pound, *Tudor and Stuart Norwich*, p. 77.

⁷⁸⁹ Metters, *The King’s Lynn Port Books*, p. 35.

exception being grain exports at times of surplus, which also fostered additional inbound laden voyages.

That Chichester's mercantile clique and those close to it were heavily involved in the financial networks of the city is unsurprising. However, there is no evidence that any one individual in the city dominated lending or borrowing, and there would have been few traders who did not have both debtors and creditors throughout, and probably well after, their working lives. Many owed money to Londoners, either for trade credits or money lent; yet payment, or even communication, over a distance was problematic, the solution often being pragmatic.

The successful and wealthier merchants invested their profits in agricultural land outside the city (seeking upward social mobility, as Brunelle observed at Rouen); some even financed privateering ventures, providing victuals in exchange for a share in any prizes captured.⁷⁹⁰ Those merchants with appropriate maritime experience, such as Thomas Fenner, sometimes personally captained such privateering ventures; one consequence of which was that the city was able to contribute more than its fair share of naval captains to the fleet which defeated the Armada of 1588.

Entry into the merchant class of the city could be, as with Thomas Turges, by marrying the widow of a merchant, or, like Joseph Shallett, through serving an apprenticeship and then taking advantage of an opportunity to obtain premises and trading stock on credit. Two later mayors, Peter Cox and Henry Chitty, had both been 'servants' of the wealthy William Holland.⁷⁹¹ There was also some hereditary progression into the city oligarchy, but no more

⁷⁹⁰ Brunelle, *The New World Merchants of Rouen 1559-1630*, pp. 49-82.

⁷⁹¹ McInnes, pp. 162-71.

so than observed in similar-sized towns. Hoskins observed similar marital, apprenticeship and familial routes to self-establishment in Elizabethan Exeter.⁷⁹²

Resorting to the courts to resolve financial disputes was commonplace. The city courts were kept busy with mercantile disputes, generally but not exclusively between two local parties; some, especially if one of the litigants was not local, were appealed or taken directly to the Westminster common law or equity courts, and occasionally to Star Chamber. Being excessively litigious, or litigated against, was not necessarily a barrier to civic progression, as Thomas Turges' life demonstrates. Turges and Thomas Fenner were even both briefly imprisoned without apparent adverse consequence to their future careers. The city's merchants frequently acted as sureties for a fellow merchant's borrowings, demonstrating a trust established by a good knowledge of the borrower's creditworthiness and experience of their fair dealing. Chapter 5 will examine credit and reputation in more detail.

The city did not prosper or grow like some competitor ports such as Bristol or Exeter. Its shallow harbour was one factor but the oligarchical protectionism of the merchant guild and the new-founded trade guilds probably also served to stifle innovation, something Stedman observed at Carlisle (a similarly-sized cathedral city and county town with a similar oligarchic guild and corporation).⁷⁹³ The products in which it traded changed relatively little over the period, a phenomenon observed by MacCaffrey at Exeter, although the range of imported goods widened a little, incorporating tobacco for example, and a greater volume of coal arrived from Newcastle.⁷⁹⁴ It has been remarked that the development of specialised trade was key to economic growth: apart from malting often carried out as an adjunct to

⁷⁹² Hoskins, 'The Elizabethan Merchants of Exeter', pp.163-87.

⁷⁹³ Stedman, 'Carlisle', pp. 312-32.

⁷⁹⁴ MacCaffrey, *Exeter*, p. 173.

other trades, Chichester never managed to do this, further contributing to the stasis as it did at Carlisle.⁷⁹⁵

⁷⁹⁵ Stedman, 'Carlisle', pp, 350-1.

5. REPUTATION, CREDIBILITY AND CREDIT

The previous chapters have shown the extent to which it was necessary to trust in others when conducting business, whether as a lender, a surety, a money-transmitter or merely a sender of letters. Such trust derived in part from personal experience, but also from reputation, such as when John Swayne enquired of Sir Francis Englefield before deciding to entrust him with money.⁷⁹⁶ This chapter argues that reputation was vital in early modern mercantile communities: its loss excluding men from many trading opportunities and rendering their testimony before courts less credible. It uses Sussex evidence to demonstrate that whilst challenges to reputation were vehemently defended, they were perhaps not as damaging to longer-term success as that vehemence might have suggested, just as a short time in the Fleet prison was not either, as has been observed earlier.

The historiography of early modern reputation is wide, although generally focussed more on either allegations of sexual incontinence against women (affecting also the allegedly cuckolded man) or on the honour and reputation of the gentry than on the impact on the trading ability of the mercantile class.⁷⁹⁷ Yet, as noted in the preceding chapter, fear of exclusion from local trading networks, and so of ready access to credit, was a real concern. Craig Muldrew has identified the indistinguishability of early modern reputational and financial credit, and Alexandra Shepard has shown that concepts of such credit derived from patriarchal expectations of male provision and self-control, so were more easily demonstrated by married male householders than most other members of society.⁷⁹⁸ Dinah Winch has, while accepting that a man's sexual reputation made a significant contribution

⁷⁹⁶ See 4.3.2 above.

⁷⁹⁷ See, for example, L. Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996); Elizabeth A Foyster, *Manhood in Early Modern England* (London, 1999); Richard Cust, 'Honour and Politics in Early Stuart England: The Case of Beaumont v. Hasting', *Past & Present*, 149 (1995), pp. 57-94.

⁷⁹⁸ Shepard, *Meanings of Manhood*, p. 186

to others' assumptions as to his honesty, decency and conformity, pointed out that many defamation suits were elements of ongoing disputes over property or money. She added that plaintiffs in defamation suits would inevitably claim reputational damage, as the law required this to be demonstrated. There was also, she wrote, an aspect of defamation suits which manifested a 'jockeying' for social position within a community.⁷⁹⁹ In a similar vein, Jacqueline Wilkinson concluded that competing tradespeople who fell out vied with each other to see who could bring the most impressive list of witnesses to speak up for them in court thereby underlining their position in local society.⁸⁰⁰

This chapter examines the perceived and actual impact on financial creditworthiness, 'network' membership, testamentary credibility and general reputation of impugning individuals' moral reputations with allegations not just of sexual incontinence but also of dishonesty, insobriety, violent behaviour or religious unorthodoxy. It firstly considers the role of reputation in litigant and witness credibility in the equity and conciliar courts, including attacks aimed at diminishing the credibility of opposing litigants' testimony, and defence or enhancement of litigants' own credibility; statements of financial worth are specifically considered. Secondly, from more general testimony to these courts, a study is made of the role that reputation played in the maintenance of a functioning credit economy. The impacts of more general slanders and libels are considered on social and financial standing, including several examples of previously unreported 'performative' libel, which are specifically examined to establish the effect these public defamations had on the life and business activities of their targets; reputation potentially being very fraught in trading communities which depended on credit.

⁷⁹⁹ Dinah Winch, 'Sexual Slander and its Social Context in England c. 1660-1700, with special reference to Cheshire and Sussex' (Univ. of Oxford, D.Phil thesis, 1999), p.241-3.

⁸⁰⁰ Jacqueline Wilkinson, 'What do patterns of church court litigation tell us about social and cultural relationships in Hampshire between c1550 and c1610?' (Univ. of Winchester, PhD thesis, 2021), p. 235.

5.1 Reputation and credibility

Since Roman times, courts had been concerned about the possibility of perjury by witnesses. Medieval legal guidance reiterated ancient codes that the most important criterion was a potential witness's integrity and good reputation; a history of true and fair dealing strongly suggested that they would testify honestly. Their rank or social status was also relevant: those of higher status could be assumed to be better educated and aware of the temporal and spiritual consequences of perjuring themselves. Possession of greater wealth also suggested that the risk of succumbing to bribery was lower. In the seventeenth century, Michael Dalton in his advice to country justices summarised these three factors as '*Conditio, ... fama et fortuna*' (rank, reputation and worth).⁸⁰¹

This guidance was of generic applicability across common law courts, civil law courts, and the Westminster equity courts and Star Chamber, although where oral testimony was given unrecorded, little direct evidence survives of enquiries into witness credibility. Even for the 'English bill' procedure courts there is limited evidence of interrogatories pertinent to establishing the *fama* or *fortuna* of witnesses. Status/occupation, gender and age were, however, commonly stated in depositions, adding to *conditio* two other elements Dalton mentioned: '*sexus, aetas*'.⁸⁰² However, the reputation of the litigants, rather than of the witnesses, were regularly raised in these courts, with the purpose of challenging an opponent's credibility or establishing one's own.

Allegations of a lack of self-control occurred regularly, such as when in 1600, Drew Pickhayes of East Grinstead and Edward Brandon of London, gentlemen, acquired an

⁸⁰¹ Michael Dalton, *The Country Justice Containing the Practices of the Justices of the Peace out of their Sessions* (London 1618; 1690 edition) p. 409; Shepard, *Accounting for Oneself*, p.10.

⁸⁰² Location was also frequently disclosed; when combined with status/occupation, this helped identify those who might have a vested interest or particular loyalty.

interest in a battery works, a place where iron plate was hammered into armour, pans and other necessities. They arranged with William Whitbred and others to bring skilled workers from overseas. Later, there was a disagreement over the financial terms contracted; Pickhayes and Brandon in their bill alleging that Whitbred was unsuitable, 'beinge a man geven ov[e]r to drinkinge and dru[n]ken[n]es'.⁸⁰³ Similarly, when in August 1590 Robert Wheeler, parson of Jevington, failed to deliver grain to Richard Reddam (see 3.2 above), Reddam sued, stating that Wheeler had been arrested 'in an Ale house where and in suche places lyke ... he hath consumed much money'.⁸⁰⁴ Another clergyman, Dr William Overton, was in 1579 accused of 'being otherwise disposed than was meete or became A man of his p[ro]fession'.⁸⁰⁵ Such accusations against clergymen's reputations also featured in ecclesiastical court hearings, such as when Ralph Markham, vicar of Madehurst, who had brought a suit of defamation against one of his female parishioners, was accused in turn in 1584 by multiple witnesses of being drunk in an Arundel tipling house, there denying the existence of witches, the devil or hell, and of propositioning several women.⁸⁰⁶ The parish clerk of Slinfold lost his position around 1586 following allegations that a parishioner had discovered him in the parsonage with the parishioner's wife, his breeches down. The clerk claimed that his good name and fame had been impaired and that he was worse thought of as a consequence.⁸⁰⁷ When assessing the credibility of the evidence against the accused in these cases, the ecclesiastical judge may well have been aware of Bracton's medieval rule

⁸⁰³ REQ2/254/53.

⁸⁰⁴ REQ2/55/37, 292/40.

⁸⁰⁵ REQ2/164/167.

⁸⁰⁶ Depositions, 12, pp. 157-163.

⁸⁰⁷ Depositions, 12, pp. 326-328.

*‘Fama vero quae suspicionem inducet oriri debet apud bonas et graves personas idque non semel sed saepius, vanae autem voces populi non sunt audiendae’.*⁸⁰⁸

The late Thomas Ellis of Cliffe near Lewes was a ‘subtle and crafty man much given to haunt and frequent Innes and Alehouses’ where he ‘did ... entangle other poor and simple men into vaine and idle wagers and unconscionable bargains’. So alleged Robert Alworke of nearby Ringmer in 1613, explaining that Ellis had persuaded his late cousin ‘a simple and ignorant man’ to become bound to pay Ellis £40 on his (re)marriage or death. Alworke considered that his cousin had only received in return an old and diseased horse hardly worth 30s or 40s and some lengths of canvas from which to make a suit.⁸⁰⁹ Whatever the truth of the transaction, Alworke clearly intended to reveal Ellis as a fraudster and was not ashamed to portray his late cousin as an easy victim to gain the court’s sympathy.

John Verall of Sandwich, gentleman, was sued by Pulborough carpenter Henry Campion in 1600, over the non-return of a bond for a debt which Campion alleged was satisfied when he and his brother provided timber to make the frame of Verall’s new house. Campion, according to Verall, was leading a ‘loose and careles lyefe’ and ‘used no other trade but Cardynge, dycyng & suche lyke excersyses’. He had lost at dice money given to him to free his brother from debtors’ prison and ‘suffred his brother most unnaturallie to dye in pryson’.⁸¹⁰ Another litigant, it was claimed, lived a debauched course of life ‘grievous and odious to all Civile people’.⁸¹¹ A ‘civil’ person at this time was one considered to be well-

⁸⁰⁸ Dalton, *The Country Justice*, p. 414. This translates as ‘A report which will induce suspicion must arise from good and serious persons, and that not once but often; but the voices of the people are not to be heard in vain’.

⁸⁰⁹ REQ2/391/20.

⁸¹⁰ REQ2/187/3.

⁸¹¹ REQ2/402/25.

bred and courteous, a gentleman or gentlewoman. More generally, ‘civility’ implied peace and order, and compliance with societal norms.⁸¹²

Occasionally a more unusual allegation was made concerning reputation. In 1609, tallow chandler John Batchelor of Lewes was attempting to gain recompense for goods his wife had given to one of his creditors in his absence overseas, which he claimed were of greater value than his debt. The creditor, local butcher John Matthews who had supplied Batchelor with tallow, began his answer by alleging that Batchelor was ‘a factious & seditious fellow’ who was suspected of being a Brownist and had fled to the Netherlands in the mid-1590s. Matthews added that in a letter to his wife, who had remained in Sussex, Batchelor had asked her to settle his debts other than one to Samuel Norden, rector of Hamsey, whom Batchelor ‘most scoffynglie ... called by a nicke name Catercapp Norden’ (a reference to the Canterbury cap of the established church). Considering this *ad hominem* attack potentially damaging, Batchelor denied being a Brownist himself, claiming somewhat dubiously that he had gone abroad because two of his sons and a brother living there were Brownists, and he had successfully reconverted them to the Church of England.⁸¹³

As mentioned in 4.1 above, James Colbrand referred his failure to be elected as one of the MPs for Chichester in 1586 to Star Chamber. In response to Colbrand’s bill, the mayor and aldermen addressed interrogatories to him which were clearly intended to denigrate him. He was asked whether he had fought with his neighbour, John Young, soon after he had arrived in the city, and had been bound over to keep the peace. He was also asked if he had quarrelled with another Chichester resident, and whether he had hired men to assault a servant of Lord

⁸¹² Peter Burke, Brian Harrison and Paul Slack (eds.), *Civil Histories: Essays Presented to Sir Keith Thomas* (Cambridge, 2000), p. v.

⁸¹³ REQ2/420/9. The Brownists were an extreme English Puritan sect, who sought freedom from persecution abroad. Norden was of Puritan leanings, although when admonished had agreed to conform [Manning, *Religion and Society*, pp. 212-213]. Batchelor presumably considered Norden to have betrayed his principles.

Lumley in London. He was also challenged that during the election campaign, he had visited some of ‘the inferyor sorte of the inhabitauntes’ to persuade them ‘by fayre meanes or foule’ to support him, an action clearly regarded as beneath the dignity of a putative member for the city.⁸¹⁴ John Young’s own credibility had been disparaged by Thomas Fenner in charges laid before the Privy Council in 1581 (see 3.3.3 above). Fenner stated that Young ‘keepeth soe great a porte that he accompteth him selfe not inferior to any gentleman in the shire’, yet before he had been appointed Customer ‘he was of so base a calling that he kept a tipplinge house’. He added that Young spends nearly £1,000 a year, ‘by which his dissolute prodigality his evill gettings are wastfully spent’.⁸¹⁵

5.1.1 Case study – Maye v Hepden

One night at Thomas Barham’s alehouse in Burwash in eastern Sussex, a man was led naked up and down the house with a ‘stringe tyed to his prevye members’. Some of the customers ‘termed him a beare’ and ran against him barking as if baiting an animal. The man accused of organising this was Thomas Hepden, a local yeoman ironmaster. His accuser in a 1592 Star Chamber suit was Thomas Maye. Thomas was the son of George Maye, a local gentleman who also had interests in the county’s iron industry. But did it really happen like this, or was Maye just trying to undermine Hepden’s reputation, and so the credibility of his evidence? The alehouse event was just one of several vivid accusations Maye made against Hepden in the suit, including that Hepden threatened him with a dagger, an act of riotous behaviour which brought the suit within the ambit of Star Chamber.⁸¹⁶ In his defence,

⁸¹⁴ STAC5/C73/24; Neale, *The Elizabethan House of Commons*, pp. 250-260.

⁸¹⁵ SP12/150 f.44.

⁸¹⁶ STAC 5/M40/39, M16/22, M13/6, M13/23. For Star Chamber jurisdiction and practice, see for example J. A. Guy, *The Court of Star Chamber and its records to the reign of Elizabeth I* (Public Records Office Handbook No. 21, 1985) or Daniel Gosling, ‘The records of the court of Star Chamber at The National Archives and elsewhere’ in K. J. Kesselring and Natalie Mears (eds.), *Star Chamber Matters* (London, 2021), pp. 19-39.

Hepden brought an equally imaginative range of accusations against Maye and his witnesses.

Although the bill expressing Maye's complaint does not survive, interrogatories and depositions for both parties do. The suit appears to have followed several episodes of animosity between Hepden and the Maye family, including a dispute relating to Burwash forge and an allegation of theft ten or twelve years previously (i.e. in about 1581).⁸¹⁷ The latter episode began when Hepden rode with friend and fellow ironmaster Thomas Stollion and another man to the house of Edward Hullett, gentleman, at Ticehurst about five miles from Burwash, where Stollion bought a horse from Hullett. Whilst there, they allegedly saw a quantity of money and other valuables lying around in Hullett's parlour: Hepden was reportedly heard to comment to his companions 'Bye godes bloode, I would it were in mye pockett'. That night, Hulett was robbed. His brother John, who was sleeping in the room above the parlour, said he had been disturbed by a loud noise and raised the alarm. He claimed that he had seen the robbers departing and that they had a dog with them, just as Hepden and his companions had had earlier in the day. The next morning, Hulett called out his neighbours and borrowed a bloodhound and tracker from a local gamekeeper. They followed a trail in the broad direction of Burwash until it was lost near the parish boundary.

Hulett then went to Hepden's father's house to enquire where Hepden had been the night before and, depending on whose testimony is believed, either he then publicly accused Thomas of the crime or rumour thereof grew from the visit. Thomas Maye's father, George, testified at length that he had always been convinced that Hepden had been the thief as he, George Maye, had heard that Hulett had immediately accused Hepden and then been seen to go a local Justice of the Peace for an arrest warrant. However, Hulett himself testified that

⁸¹⁷ For the forge dispute, see Kipling, 'A Star Chamber case', pp. 207-8.

whilst in the heat of the moment he had accused Hepden, he soon came to suspect his own brother instead. Further, his visit to the magistrate had been to obtain a licence to make starch rather than for a warrant. George Maye claimed to have been unconvinced by this *volte-face*, suggesting in his testimony that Hepden had 'Cuninglye' compromised with Hulett to ensure that he brought no formal charge and instead cast suspicion on his brother. Despite this claimed lingering suspicion, George Maye had been happy enough in 1590 to sell him 14 acres of land in Burwash.⁸¹⁸

Hepden had two of his former servants or apprentices testify, with remarkably clear recollection after such a long time, that on the night of the alleged robbery, he was at home and after supper retired upstairs to his chamber with his wife. Further, he could not have left without them knowing as they slept in a small room under the stairs and would have been awakened by the unlocking and unbolting of the doors at the top and bottom of the stairs. Hepden had, they said, only descended whilst they were preparing to depart for work the next morning.

Thomas Maye's second allegation related to an incident early in 1591, when a fight occurred developed, also at Thomas Barham's alehouse, between Hepden and Richard Foster, a butcher. Some days later, Foster died: Maye alleged that the injuries inflicted by Hepden were the cause, but again found no one willing to swear to this, not even Foster's widow.

The third incident allegedly took place on Whitsun Tuesday 1591 at the Lewes borough fair. Hepden was drinking wine at an alehouse known as the sign of the White Horse with his brother Goddard and a preacher called Featherstone, when Thomas Roper, a Burwash butcher, came in and told him that Maye was nearby with his companions, mocking

⁸¹⁸ BL Add Ch 29746.

Hepden.⁸¹⁹ Hepden, who had been snubbed in the street by Maye that morning, became in his own words ‘styrred up with some coller’ and got up and said that he would ‘lay his dagger on his [Maye’s] pate’, but his companions dissuaded him. Maye asked witnesses to swear that Hepden actually did leave the inn, draw his dagger and come towards him, threatening to stab him, only then being constrained by his companions. However, none of Maye’s witnesses confirmed this version of the events, whereas Hepden’s all confirmed that they had not seen him threaten Maye in person.

The next complaint was the ‘bear-baiting’ described at the start of this case study. However, witnesses would say no more than that Hepden, when he became aware of the goings-on, berated the participants, after which they stopped. Maye also complained that on another evening Hepden led a disorderly party with guns, musical instruments and ‘other engynes’ around the Burwash alehouses ‘drinkinge, shootinge & playinge to the great terrour, affraye and feare of the queens people’. However, his solitary witness, Edward Brabon, another Burwash innholder, only said that Hepden and five or six ‘honest artificers’ came into his house, carrying instruments and one fowling piece, and quietly drank five or six pots of beer. As they left, the man with the gun fired a couple of shots and Brabon reprovved him for it. Hepden did not even bother to challenge this accusation with an interrogatory.

There was also a religious element to the dispute. Maye accused Hepden of having called Burwash curate Hugh Walker a ‘verye knave’ and threatening that if he met him out of the town he would ‘beate him like an Arsewoorme’ (‘arseworm’ being a slang term for a small person), an accusation Hepden did not deny. It was also alleged that one Sunday morning Hepden entered the seat (quite possibly a box pew) in Burwash church from which Walker

⁸¹⁹ The *White Horse* was located in Lewes High Street and has long since been demolished (Helen Poole, *Lewes Past* (Phillimore & Co, 2000), p. 109). It is mentioned in other contemporary court records as a place where men agreed to meet to settle debts, or made other financial arrangements (e.g. REQ 2/204/39 (1594) and REQ2/255/3 (1590)).

was saying divine service, interrupting him and pushing him violently aside. Hepden admitted his intrusion, believing that Walker was provocatively using the seat which had conventionally been Hepden's father's, rather than leading the service from his usual place. However, as witnesses testified that Hepden normally sat in the chancel rather than in that seat, it is possible that Walker was simply unaware of the significance of his choice. Walker did not explain in his evidence why he had chosen this seat, deposing rather inconclusively that Hepden had said 'Mr Walker, geave me roome in mine owne seate' and rubbed against his right leg so that, being weak with sickness, he moved lest he should have fallen.

Hepden went on the offensive as to Walker's credibility, doubtless both to justify his boorish behaviour towards Walker and to discredit evidence Walker had given regarding the death of Richard Foster. In response to Hepden's interrogatories, George Maye deposed that one day in early 1591 Walker had arrived at his house in Brightling with a woman who was 'w'h Childe' whom he shortly thereafter married. George Maye added that he had heard of many 'bad misdemeano^{rs}' committed by Walker and his wife.⁸²⁰ This was surprisingly honest testimony given that it tended to discredit one of his son's key witnesses. There was also disquiet in Burwash that little was known of Walker's background, having been appointed curate of Burwash only in April 1591.⁸²¹ Henry Collins testified that Walker had admitted to preaching 'agaynste his conscience' to satisfy some parishioners. He also said that a maid-servant of the Walkers had told him that some of the Walker's clothes which had been on a hedge (presumably drying after she had washed them) had been stolen, and Walker had told

⁸²⁰ Hugh Walker and Alice Brierley were married at Brightling on 3 February 1591; a girl, Livewell, was baptised there on 7 June 1591.

[https://www.ancestry.co.uk/search/collections/62049/records/3737752?tid=&pid=&queryId=1d2de92d-5d4a-49a3-9dd8-780482f1de49&_phsrc=qWt1556&_phstart=successSource]. In the parish register (copied some years later with her name mis-transcribed as 'Liwalla'), she was described as being the daughter of Alice Walker, which differed from the regular practice of attributing a child born in wedlock to its father; presumably Walker was refuting parenthood [see also W. H. Challen, 'The Minshull Family', *Notes and Queries*, 7, 9 (1960), p. 342; 'Alfriston vicar's sons pressed as soldiers', *Sussex Notes & Queries*, II, 6 (1929), pp. 183-186].

⁸²¹ CCEd, person ID 34531.

her that she must pay for them. She suggested that offering a small reward might produce some information, but Walker instead offered to teach her to conjure for them, saying that he would make a circle on the table and she should ‘stande by the Bedside upon her heade and pyse backwarde’. Divination for lost or stolen goods by conjuring was not unknown at this time, even by clergymen, although the methods recorded do not include Walker’s suggested technique.⁸²²

Hepden was also reported by several witnesses to have canvassed them to join with him to get a minister at Burwash more of their own persuasion. He apparently had in mind the same Mr Featherstone he had been meeting at Lewes fair. He claimed that this would surely make George Maye leave the parish. It is unclear from this testimony whether Hepden’s dislike of Walker was doctrinal or was because of Walker’s seemingly lax morals. Walker seems to have been a Puritan, as he gave most of his children characteristic east Sussex late Elizabethan Puritan names: Feargod, Livewell, Bidenata, Continent, Lovegod, and Christophilus.⁸²³ George Maye was considered to be ‘zealous in [the Protestant] religion’ when in 1587 he was under consideration for the county bench.⁸²⁴ Nothing is known of Hepden’s confessional stance, but his brother Goddard would also appear to have been of Puritan leanings, giving his children names such as Thankful and Return (sons) and Constant, Hopestill and Fearnot (daughters).⁸²⁵ There was also a financial angle, as Hepden

⁸²² Keith Thomas, *Religion and the Decline of Magic* (London, 1972), Penguin online edition, pp.105-110; Andy Woods, *Faith Hope and Charity* (Cambridge UP, 2020), p. 37.

⁸²³ Parish registers of Brightling, Burwash and Alfriston, in East Sussex, England, Church of England Baptisms, Marriages and Burials, 1538-1812, accessed on various dates at <https://www.ancestry.co.uk/search/collections/62049/>. Walker is, though, not listed as amongst the county’s late Elizabethan and early Stuart Puritan clergy [Manning, *Religion and Society*, p. 201]. For the Puritan naming phenomenon in east Sussex, see Nicholas Tyacke, *Aspects of English Protestantism c.1530–1700* (Manchester, 2001), pp. 90-110.

⁸²⁴ Sir Henry Ellis, ‘Certificate concerning the justices of peace in Sussex in 1587’, *SAC*, II (1849), p. 58. George Maye never became a JP, although son Thomas, who had probably been educated at Gray’s Inn, later did [Joyce E Mousley, ‘Sussex Country Gentry in the Reign of Elizabeth’ (University of London PhD thesis, 1955), p. 613-14].

⁸²⁵ Tyacke, *Aspects of English Puritanism*, p. 97. Goddard had also, in 1591, been reported for not taking communion at Burwash for over a year.

claimed that Walker wanted to keep the ‘viccarage corne’ (i.e. the tithes of grain) which Hepden claimed to have acquired.

In October 1592, whilst the Star Chamber case was in progress, Walker left Burwash to become vicar of Alfriston. This may have been a consequence of the antagonism of Hepden and some of the other parishioners or might simply have been an ecclesiastical promotion. Although Hepden in his interrogatories implied that Mr Featherstone replaced Walker, the ecclesiastical records (albeit possibly incomplete) show that his replacement in October 1593 was Robert Porter, a cousin of George Maye.⁸²⁶ It has not been possible to identify a Featherstone as a licenced clergyman in Sussex in this period, and it may be that if he preached in Burwash it was without licence.

Hepden also used his interrogatories to produce testimony as to his own reputation and to confirm the negative attitude towards him. Nine of his twenty witnesses responded, all affirmatively, to the question of whether he was ‘gen[er]allye esteemed and reported in the p[ar]ishe and countrie where he dwelleth to be a man of verie good Religion discrec[i]on credit & abilitye.’ And the same number agreed that George Maye had been ‘of long time displeased with and disliking of’ Hepden and that Thomas Maye has made his complaint ‘Cheifflye upon displeasure’ with Hepden and ‘of purpose to vex and trouble him’.⁸²⁷ The witnesses answering these two interrogatories were a range of Burwash tradesmen, husbandmen and yeomen. There is no suggestion in the surviving documentation that Hepden sought testimony from any local gentry, not even those with whom he had done much business over the years, although fellow ironmaster Thomas Stolyon testified that he had known Hepden for 18 years (i.e. since 1575), that he was always of good life and honest

⁸²⁶ CCEd, person ID 78685; PROB11/83/86. Confusingly, in his Star Chamber testimony, George Maye stated that Walker had displaced Featherstone, by licence of the bishop.

⁸²⁷ That suits were brought to vex litigants was a commonly observed accusation

conversation, that he no more robbed Edward Hulett than did the Mayes, and that the suit was vexatious.

Several of Hepden's interrogatories challenged George Maye's credibility as a witness: alleging that he had sought to bribe witness John Byne to support him against Hepden; that Maye was paying for his son to prosecute the suit; that Maye had procured Walker to sue Hepden in the court of High Commission on similar matters; and that Maye had been heard to say that he would spend up to £100 to see Hepden defeated. Maye denied all these defamatory allegations. Hepden also alleged that Agnes Walker (not a relation of Hugh Walker but an 18-year-old serving girl at Thomas Barham's alehouse) had said that she been promised 20 nobles by Thomas Maye to travel to Robertsbridge to testify before a magistrate.

Although the original records of the outcomes of Star Chamber cases are lost, this suit was reported contemporaneously. John Hayward, a barrister of the Inner Temple who practised in the court and made notes on numerous suits which he considered to be of particular interest, recorded that 'divers witnesses were examined and proved nothing at all'. The whole affair rebounded on Thomas Maye, as the suit was dismissed, and Maye was 'fined £40 with imprisonment'.⁸²⁸

This suit is remarkable for the number and diversity of the accusations made by both litigants against the other's reputation, and by Hepden against those of the witnesses too. Arguably, this tactic aided Hepden more than Maye, as the former was victorious. Moreover, Hepden would seem not to have been adversely affected either in status or financially, as in 1594 he took over the operation of Thomas Pelham's forge at Bivelham, showing that Pelham

⁸²⁸ Baildon, *Les reportes del cases in Camera Stellata*, p. 81. Exchequer records show that Maye paid a Star Chamber fine of £10 in 1597, which may or may not have been for this suit [E159/414 Michaelmas Term, 39-40 Elizabeth (1597)]

considered him to be reliable and financially competent. Hepden also continued to sit on assizes juries (in 1597 and 1598), and his eldest son, also Thomas, was admitted to Lincoln's Inn in 1600, being then described as a gentleman.⁸²⁹

5.1.2 'Worth' and 'credit'

Craig Muldrew argues that the distinction between economic and social credit had not yet arisen in the study period, and that to be of good credit or standing in a community automatically represented an ability to repay debts taken on.⁸³⁰ Certainly, when John Ayles, of Felpham, husbandman, complained that the judges in a *nisi prius* hearing at the assizes at East Grinstead in 1573 had given credence to false evidence against him from a tailor and a butcher, he accused the court of 'estemyng [them] to be men of creadytt', clearly meaning credibility.⁸³¹ In the suit between Maye and Hepden in 1596, the reporter noted that Hepden was 'a man of good fame and credit in Sussex and had £200 in land'. The latter point did not appear in any of the surviving written testimony and was a rare example of 'worth' being explicitly mentioned in the context of a Sussex 'English bill' trade and debt suit.⁸³² It was nevertheless a common and important input to the credibility of a person's testimony before civil law courts at this time. The evidence of a person of higher worth would likely be given greater credibility, and that of someone of no worth discounted.⁸³³ A specific interrogatory was therefore regularly addressed to witnesses before ecclesiastical and other civil law courts, asking them to state their worth, which was to be declared net of debts. Witnesses were often also asked how they gained their living and whether they had been paid to give evidence or had some other financial obligation to the litigant on whose part they were

⁸²⁹ *Lincoln's Inn Admissions, vol. I, 1420-1799* (Lincoln's Inn, 1899) p. 129, <https://archive.org/details/VOL114201799>.

⁸³⁰ Muldrew, 'Interpreting the Market', pp.177-8.

⁸³¹ STAC5/A23/9, A27/28.

⁸³² Baildon, *Les reportes del cases in Camera Stellata*, p. 81.

⁸³³ See for example Muldrew, *The Economy of Obligation*, or Alexandra Shepard, *Accounting for Oneself*

testifying.⁸³⁴ All these questions had the objective of demonstrating how likely a witness was to have been swayed in their testimony by financial pressures. This was not an unjustified concern, as there was a widespread belief that witnesses subordinate to litigants could be pressured into perjury by threat or financial incentive. Such concern had been engendered by experience, both local and, following the formalisation of perjury as a statutory offence in 1563, by numerous Star Chamber suits.⁸³⁵ Similar questions appear not to have been asked of the litigants themselves, most likely because these courts relied less on the litigants' own submissions, considering them likely to be biased, and more on whether credible witnesses could support a suit.⁸³⁶

Alexandra Shepard has accumulated a database of more than 13,000 witness statements, including 761 from the Lewes archidiaconal court and the three peculiar courts of Sussex between 1580 and 1625.⁸³⁷ Of these, 616 included explicit declarations of worth, with a mean of £44, a median of £10 and a mode of £2 (this amount was given by over 10% of witnesses). The distribution was skewed by two witnesses giving their worth as £1,000 (the only esquire, from Eastbourne, and a gentleman of Plumpton), a wealthy yeoman claiming £800 or £900 and five more claiming between £500 and £750 (a gentleman, an alderman and three yeomen). At the other end of the spectrum, several witnesses claimed to have no wealth, whilst a tenant farmer from Balsdean and a Shoreham mariner claimed only 3d and 4d respectively. The average worth claimed by different statuses and occupations of male

⁸³⁴ Shepard, *Accounting for Oneself*, pp. 10-12.

⁸³⁵ Hillary Taylor, 'The price of the poor's words: social relations and the economics of deposing for one's 'betters' in early modern England', *Economic History Review*, 72, 3 (2019) pp. 829-31.

⁸³⁶ Wilkinson, 'Church Court Depositions', pp. 22-3. Litigants' own evidence to the Chichester Archdeacon's court was not recorded in deposition books but were left unbound; most have not survived.

⁸³⁷ Sussex interrogatories pertaining to the worth of witnesses first appear in 1586, quite late compared to some other jurisdictions [Shepard, *Accounting for Oneself*, pp. 11-13].

witnesses is shown in Table 5.1.⁸³⁸ Whilst 78% of male witnesses overall disclosed their wealth, only 54% of gentry and 67% of mercers did so. 90% of clergymen made a disclosure.

Status/Occupation	N	%	£
Gentry	26	4	317
Clergy	31	5	39
Yeomen	133	22	87
Mercer	9	1	56
Other trade	158	26	19
Husbandmen	219	36	21
Servant	17	3	23
Not given	23	4	15
	616		45

Table 5.1 Number and mean worth of male Sussex witnesses by status/occupation (n=483 for mean worth, as not all witnesses provided this information)

Declarations of worth were not free from challenge. For example, in 1620, John Tanner of Laughton, a witness for the plaintiff, declared his worth as £1 to Lewes archidiaconal court. Witnesses for the defendant claimed that he was not to be trusted, being a poor, needy fellow having only a little cottage to live in and no other means of support. Another witness claimed that as a recent creditor of Tanner, he had been unable to recover as much as £1 from his assets. Yet others claimed that he was employed by the plaintiff and would surely perjure himself on request. Fellow witnesses for the plaintiff supported Tanner, saying that he was a man to be believed on his oath, whilst disparaging the worth of the defendant's witnesses as being of small or no credit.⁸³⁹

As noted earlier, the value of goods used as a base for the determination of an individual's contribution to a lay subsidy were unrealistically low.⁸⁴⁰ The extent of this understatement

⁸³⁸ I am grateful to Alexandra Shepard for giving me access to her data, which excludes the Chichester archdeaconry, so covers most of the eastern division of the county and most of urban and suburban Chichester but excludes most of the remaining parts of the western division. Only 16 of the 145 female witnesses specified an occupation (all 'maid' or 'servant'). 27 females stated a worth (14 widows, 10 spinsters and three unspecified), ranging from 10s to £100 with a mean of £11.

⁸³⁹ Shepard, *Accounting for Oneself*, pp. 183-4.

⁸⁴⁰ See for example Cornwall, *Lay Subsidy Rolls 1524-1525*, pp. xxxi-xxxiii.

of wealth can be estimated from ecclesiastical court testator declarations. For example, in 1622, Chichester alderman Thomas Brigham was taxed on £4 worth of goods, but in response to interrogatories the following year, he declared his net worth as 100 marks, a sixteen-fold difference.⁸⁴¹ Wills, inventories and probate accounts also often provide indications of wealth, although there are caveats relating to amounts either legally or illegally excluded. Sometimes, these also emerge in disputes between creditors and executors. For example, Joan Fowler, a poor widow of 80 from Lamberhurst lent £8 to her brother Miles Berry, a London carpenter. Berry died, and so did his executor, leaving Fowler unpaid. The executor's executor claimed Berry's estate had been used to pay his debts and meet funeral costs. Fowler claimed Berry had been worth £300 and so there ought to have been a substantial surplus.⁸⁴² In the suit between Kydder and Cole described in 3.2.1, Kydder felt it necessary to attack Cole's worth, asking witnesses to confirm that Cole was a 'troublesome man' given to suits of law without just causes, which has resulted in him impoverishing himself and bringing him 'litle worth'. Several witnesses confirmed this, one adding that Cole was 'as troublesome a man as any in all the countrey'.⁸⁴³

Creditors refusing to accept bankruptcy proposals also challenged claims of worth. For example, in 1618 William Rasold of East Marden, labourer, claimed to have been 'a man of a competent estate & worth and meanes to live uppon' and able to pay his debts, until he incurred losses and suffered long imprisonment for his own debts and those of others for which he had stood surety. One of his creditors, John Pitt of Chidham, yeoman, said that he never knew Rasold to have sustained losses or to have been imprisoned 'unles it were out of

⁸⁴¹ WSRO Ep/III/5/1, ff.96-8; E179/191/361A.

⁸⁴² REQ2/421/40.

⁸⁴³ REQ2/33/72.

his owne evill dispoc[i]on'. Pitt claimed that Rasold refused to sell his land to pay his creditors, which was why he was unwilling to compromise.⁸⁴⁴

5.2 Reputation and credit

As noted earlier, the early modern economy depended hugely on the granting and acceptance of credit. For such an economy to function effectively, lenders needed to be assured of generally being repaid, and this in turn depended on the creditworthiness of the borrower. Creditworthiness, or lack thereof, was expressed in a variety of ways. For example, £200 worth of barley had been sent by cathedral official Dr John Drury to John Binden of Chichester to mill. This had been appropriated by Joseph Shallett (see 4.4.2 above) when he had brought an action in the city courts against Binden for debt. Challenging Drury's claim, Shallett doubted that he would have trusted so much grain to a man 'of such meane estate' as Binden.⁸⁴⁵ As noted in 1.2.1 above, Shallett had also sued William Edmonds for the cost of cloth supplied to Edmond's servant, which Edmonds claimed was the servant's own debt: Shallett had retorted that he would not have given the servant 40s credit on his own account.⁸⁴⁶

Business activities going awry could reflect badly on the perceived trustworthiness of the individual concerned. It allegedly did for Ralph Smith, who contracted with John Rutter in autumn 1591 to fatten pigs on Rutter's land in Sussex and Hampshire. Smith obtained pigs from various owners and drove them to Rutter's lands. There he found many other pigs, which meant there was insufficient food to fatten his pigs. When he returned them to their owners, they were in worse condition than when he had collected them. He considered that he had lost the 'credyct good will and love' of the pig owners, having also had to pay out at

⁸⁴⁴ REQ2/424/133.

⁸⁴⁵ C2/JasI/D4/29.

⁸⁴⁶ C3/346/29, 347/41.

least 20 marks compensation.⁸⁴⁷ A diminished credit rating made it difficult to trade and borrow, which Thomas Lane implied was Thomas Turges' situation in his last years (see 4.4.1 above) when he alleged that Turges was 'driven many tymes to borrow dive[r]s som[e]s ... sometymes very small som[e]s ... to supply his present wantes and necessityes'.⁸⁴⁸

Unsurprisingly, fear of diminution of creditworthiness haunted those whose financial transactions had not gone well. For example, in 1596, William Hildrop of Bosham, yeoman, borrowed £50 on bond from Thomas Brett, yeoman, of Cuckfield for a year at 10% interest. At the end of the term, Hildrop was unable to pay the amount due. He pleaded with Brett not to put the bond into suit as it would 'bring his name in question'.⁸⁴⁹ Similarly, John Baptist, a foreign 'free denizen' of London and a goldsmith, around 1593 bought wood growing on land in Harting from John Gawber. Gawber then allegedly cut and carried away 500 oak trees from the land, each worth 10s, so Baptist refused to pay a residue of £20 that he still owed for the land. He then sued Gawber before Gawber could sue him, to avoid 'hurte [to] his credit (w[hi]ch ... was great as well w[i]thin & about the Cittee of London as in the p[ar]tes beyond the seas)'. This tactic dramatically backfired. Gawber had influence in London, and Baptist was roughly handled and held in the Wood Street compter until he dropped his suit, a writ of *habeus corpus* even allegedly being ignored. Subsequently, several of Baptist's other creditors started actions against him, causing him to be 'utterly discredited'. Baptist further alleged that his weakened credit compelled him to enter into dubious bargains to continue trading, including one with a London scrivener for three pieces

⁸⁴⁷ REQ2/270/39.

⁸⁴⁸ REQ2/148/44.

⁸⁴⁹ REQ2/26/127. Although Brett was keen to get his money back, he asked Hildrop to give him one month's notice of when it would be paid, as he had a 'weak' house. He was presumably afraid of theft if he had such a large sum of money unexpectedly delivered.

of cloth which turned out to be ‘full of holes & eaten w[i]th mothes’ which he was unable to sell overseas as he had intended.⁸⁵⁰

One market day in 1574, Thomas Turges, then still making his way in the commerce of Chichester, was approached in public by the under-sheriff of Sussex with an order from Exchequer to recover £100 on a port bond Turges had provided, by seizing Turges’ goods. To avoid public humiliation and the financial impact of seizure, Turges felt it necessary not only to enter into a bond to pay the £100 if he could not prove the cargo had been delivered but also to pay the under-sheriff’s expenses of £7.⁸⁵¹ Public exposure of a weak financial position was a constant worry; so much so that Thomas Gainsford, in his 1616 epistolary manual *The Secretaries Studie*, included a formulaic letter to send to a friend who had refused to grant credit, parts of which read, somewhat verbosely: ‘your last deniall of trifles, and glorious liberty of deceiveable speeches to please your selfe, hath made me contemptible to servile creatures, and debarred my desires’, concluding ‘I urge not this, to draw you to any inconveniences concerning your purse, but to keepe us both upright touching our credits, and so with a meere disturbed hand, and troubled minde, I bid you farewell; but I am resolved to endure no further unsavory jests against me’.⁸⁵² John Puckle the younger of Lewes was equally keen not to lose face before his father, for whom he acted as factor in overseas trade in the early 1580s. He took various goods on credit from London grocer Richard Gott which he was unable to sell. Gott allegedly threatened to tell Puckle’s father that his son was in debt unless Puckle entered into a bond for the debts. The naïve Puckle did this, making it much easier for Gott subsequently to sue, which unsurprisingly he did. Puckle countersued at the Court of Requests, claiming that Gott had blackmailed him into entering into the bond.

⁸⁵⁰ REQ2/179/14. Baptist had previously, in December 1590, shipped timber from Chichester to London [E190/746/31].

⁸⁵¹ E112/45/15.

⁸⁵² Thomas Gainsford, *The Secretaries Studie* (London, 1616), pp. 16-17.

Gott answered derogatorily that Puckle's challenge was 'rather a verie childish and foolish act'.⁸⁵³

By 1602, Ralph Wood of Rye, chandler, had been making losses for some years, blaming this on defaulting customers, inflationary cost increases and unwise suretyship. He borrowed money at high interest 'for the Keping of his Credit', meaning that as long as he was seen to repay debts when due, others would continue to extend him credit. This could not last, and by late 1602 or early 1603 he was requesting a commission of bankruptcy. His creditors included a butcher, a linen draper and a capper, probably trade or personal creditors, and also a goldsmith, from whom he had probably borrowed money.⁸⁵⁴ His creditors probably regretted their generosity.

Sometimes, a lender found out too late about the reputation of someone to whom they had lent money. In 1589 John Watts advanced £25 to London merchant John Bovyatt to supply timber for a shipbuilding project. Receiving nothing, Watts travelled to Arundel where Bovyatt claimed to have the timber. He found none at Bovyatt's house there. Enquiries locally allegedly revealed that Bovyatt was considered 'a verie badd fellowd & desceytfull in his actiones'.⁸⁵⁵ Similarly, in about 1584, Richard Gravesend of Shoreham (see 2.1 above) bought timber from Edward Carell of Shipley, esquire. There was a dispute over delivery and payment: Gravesend claimed that he had 'great trusted upon the Credibtt & worship' of Carell; Carell countered that Gravesend 'wil nor dothe ev[er] paye anye of his saide Credytors but suffereth them to p[ro]cede to the uttermost of the Lawe'.⁸⁵⁶ Alternatively, a belief in someone's trustworthiness might turn out to be untrue, such as when in about 1620

⁸⁵³ REQ2/48/46, 253/62; CP40/1437d #207, 1439f #377.

⁸⁵⁴ REQ2/291/90.

⁸⁵⁵ C2/Eliz/B17/13.

⁸⁵⁶ REQ2/212/54.

John Hanson of Lewes's father lent £6 to a mercer 'upon his word & credit'; the debt was denied following the father's death.⁸⁵⁷

Litigants would sometimes present witnesses to testify to their own creditworthiness, such as when John Head, an East Grinstead mercer, was willing to testify that Thomas Hawen, yeoman of the same town, 'was Reputed an honest dealing man' who had always paid Head on demand.⁸⁵⁸ In 1595, William Cheeseman of Rotherfield, yeoman, bought the rights to operate the iron furnace at Godsen in Lower Beeding for three years from John Middleton of Horsham, gentleman. Part of the payment was to be made in the form of iron produced at the furnace. Subsequently, there was a dispute between the parties as to the amount and quality of iron delivered. Another gentleman, Anthony Goldsmith of Maresfield, testified that dealings between him and Middleton amounted to over £5,000, that they never disagreed in their accounts and that Middleton had never tried to deceive him. Indeed, Middleton was 'as firme a man of his word as any that [he] had ever dealt w[i]thall'. Other witnesses testified that they had also had unproblematic dealings with Middleton, including a yeoman of Nuthurst whose dealings with him were worth up to £900 and another of Beeding whose were worth £700 or £800 every year.⁸⁵⁹ We see from this that even (minor) gentlemen found it helpful to have testimony to their honesty in business, and that quantification of the sums at stake added strength to such affirmations. Yeoman deponents were acceptable as well as those of fellow gentry. Other supportive terminology used by litigants or deponents included that someone 'always hath bene takne for an honeste man' or was of 'good reputac[i]on of lief, and in his Commerce well esteemed'.⁸⁶⁰

⁸⁵⁷ REQ2/301/19.

⁸⁵⁸ REQ2/219/32.

⁸⁵⁹ REQ2/186/35.

⁸⁶⁰ REQ2/390/70, 401/78.

In 1586, Thomas Turges clashed with his fellow Chichester resident Thomas Weston, gentleman, over whether Turges had delivered nine kerseys for Weston to a buyer in France. Weston openly accused Turges of delivering fewer but falsely entering the higher quantity in his account book, calling him a ‘a false and naughty man’. Turges in turn alleged that Weston was ‘longe a verry backward man in payment of his dettes butt also sumwhat wrangling in his reckonings’. So confident was Weston that Turges had defrauded him, that he proposed that each party would enter into a bond of £200 to pay the other £100 if they were proved to be wrong. Turges, whose ‘chief Lyvingy dydd depend uppon his creddytt and plaine and true dealing w[i]h all men’, accepted, and then went to considerable lengths, including sending to France for a certificate, to prove he was right. He obtained judgement for £100 in the mayor of Chichester’s court.⁸⁶¹ Weston refused to pay, so Turges sued Weston in the same court for the £200 penalty. Weston considered that as Turges was ‘not dempnified to the valewe of one graye grote’, he should not have to pay anything. Although we do not know why Weston doubted that Turges had delivered all the kerseys, once Turges had been publicly accused of false dealing he had to act to maintain his reputation, having little choice but to accept the wager and attempt to prove his honesty. Weston was the cause of his own downfall by making such a large wager without any evidence to prove his allegations. Turges justified pursuing Weston for the full penalty of the bond in part to cover the costs of his lawsuits but also to disprove the slander against his name.

Another legal tactic was to disparage an opponent by casting doubt on their financial credit or on their social credit in the community, so potentially impugning their credibility as a witness, as Weston did of Turges in the example immediately above. Interrogatories on behalf of William Brand of Chichester, defendant in another suit brought by Turges, asked

⁸⁶¹ REQ2/290/32, 291/36.

whether Turges' shop book was not 'discredited and proved to be untrue', and had Turges not had men arrested for debt already paid? However, only one witness, Alderman Raphe Chauntler, was willing to testify to Turges' disadvantage. Even then, he only deposed that Turges had, on one occasion, sued a surety over the non-delivery of some wheat as recorded in his books, but a court had concluded that the surety was only responsible for part of the wheat. Turges, in his interrogatories, asked whether Brand did not 'offer him great injurie' by making such an accusation.⁸⁶² As in this example, such defamatory allegations often related not specifically to the suit in question, but to the more general alleged behaviour of the opposing litigant.

There were, of course, those for whom defamation was probably appropriate. In 1631, when John Swayne was unable to collect the rents of two of Dr Hugh Barker's Chichester tenants, he wrote privately that they 'doe swallowe up enough in superfluous pottes' as would pay their rent. One was a 'very idle fellowe and a gamester' and 'a fellow of that idle and dishonest carriage'.⁸⁶³ Had this statement been made publicly, Swayne may have faced a charge of defamation, which will be examined next.

5.3 Reputation and defamation

Accusations relating to reputation were not, of course, made only in legal proceedings, but also orally or in published writings. The actual or potential impact that public slander or libel had on the victim's social or financial standing was taken seriously and often led to a suit of defamation. Defamation was a long-standing offence under ecclesiastical law. Although it was essentially a social offence, robbing the victim of their good name and undermining their credit in the community, it was considered by the church as a breach of the ninth

⁸⁶² REQ2/277/67.

⁸⁶³ Kipling, 'Hugh Barker', p. 19.

commandment – not to bear false witness against one’s neighbour. Minor disputes between neighbours therefore usually came before the lower ecclesiastical courts. However, the secular courts increasingly accepted defamation suits in the late medieval period, with Star Chamber being increasingly favoured in the later Elizabethan period as it gave a person the opportunity to defend an attack on their honesty and honour in front of the country’s leading statesmen.⁸⁶⁴

An accusation of defamation before Star Chamber was a serious matter, as one possible punishment for those found guilty was removal of their ears.⁸⁶⁵ This extreme sanction may well have been reserved for those slanders considered more egregious, such as those against the monarch, Privy Council members, or other prominent individuals, which might even be considered offences against the medieval law of *scandalum magnatum*.⁸⁶⁶ William Prynne was perhaps the most well-known person to suffer this penalty, but it was also for example imposed in 1582 on a man for slandering Lord Abergavenny in writing in a manner ‘tending in some sort (if they had been true) to the loss of His Honour’s life and living’, and in 1596 on two soldiers convicted of slandering the Lord Admiral.⁸⁶⁷

One Sussex complaint made direct to the Privy Council in the mid-1570s was relatively mild in tone but of political significance within the county. It incorporated libels of personal, legal and financial natures. It was one element in a wider dispute over religious observance and local civil power which arose between the Bishop of Chichester, Richard Curteys, and a section of the county gentry thought to have recusant tendencies, prominent amongst whom

⁸⁶⁴ Adam Fox, *Oral and Literate Culture in England 1500–1700* (2002, Oxford), p. 301. Peter D. Clarke, ‘Canon and Civil Law’ in Candace Barrington and Sebastian Sobiecki (eds.), *The Cambridge Companion to Medieval English Law and Literature* (2019, Cambridge), p. 34; Diane Strange, ‘From Private Sin to Public Shame: Sir John Digby and the use of Star Chamber in Northamptonshire and Bedfordshire, 1610’, *Midland History*, 44, 1 (2019), pp. 39-55.

⁸⁶⁵ Louis A. Knafla, *Kent at Law 1602*, 3, List and Index Society Special Series, 51 (2012), p. xix.

⁸⁶⁶ Baker, *An Introduction to English Legal History*, p. 466.

⁸⁶⁷ Kesselring, *Star Chamber Reports*, pp. 26, 129.

was Sir Thomas Palmer (see also 3.3.2 above). This dispute has been described and analysed by Manning, although without specific consideration of the claimed reputational impact of Curteys' libels on Palmer and others.⁸⁶⁸ It was necessary for the JPs to challenge the accusations robustly, as their credibility in office depended in large part on the opinion of the populace on their probity; in particular that they were not using their office for personal gain.⁸⁶⁹ A petition was made to the Privy Council against Curteys by Palmer, together with Richard Earnley and Thomas Lewkenor esquires, alleging that the bishop had 'soughte ... to bringe them in discredit & infamye'.⁸⁷⁰ The bishop had allegedly called Palmer 'an olde foole', falsely putting about that the Privy Council had 'greate rebuked and taunted' him for bringing a previous complaint against the bishop. He had accused Earnley of being a conveyor of corn and a helper to those who would convey it without licence, a clear suggestion of abuse of office, as Earnley was (as noted earlier) a commissioner against the transportation of corn. Lewkenor had been called 'a proud arrogante foole' and a 'notorious papiste'. The bishop had also told various people that Lewkenor had no lands or living and was 'of very simple Credite in his Countrie'; and that he was greatly indebted to Londoners. Lewkenor countered that as to his credit he 'referreth him self to the reporte & tryall of the honorable and worshipfull of his Countrie': he also denied owing any money to Londoners. In response to the petition, the bishop was unable to recall making any of the specific allegations, although had heard that both Earnley and Lewkenor has made disparaging remarks about him to one Marshall of Rye.⁸⁷¹ A commission appointed by the Council rebuked the bishop and urged him to reconcile with the three men.

⁸⁶⁸ Manning, *Religion and Society*, pp. 80-110.

⁸⁶⁹ Michael J. Braddick, 'Administrative performance: the representation of political authority in early modern England' in Michael J. Braddick and John Walter (eds.), *Negotiating Power in Early Modern Society* (Cambridge, 2001), pp. 184-5.

⁸⁷⁰ SP12/112 ff.103, 105.

⁸⁷¹ SP 12/112 f.113.

For most people, the spiritual courts represented a readier and cheaper forum for defending reputation than the Westminster Courts. They could not, though, provide any financial recompense, as only ecclesiastical punishments were available if a suit was successful. Nevertheless, a slanderer having to make public confession of fault in the local church at Sunday service, would have gone a long way to assuage concerns over potentially damaged reputation or credit.⁸⁷² As with other such courts, defamation suits in the Archdeacon of Chichester's Court were in the main brought to counter allegations of moral failure, most often sexual. Some allegations were made by men, although whether from a sense of moral duty or some baser motive is often unclear. A good example is Richard Urvy of Petworth, who recruited two witnesses to join him in his parlour to witness Henry Martin and Alice Amersham commit adultery. The crafty Urvy, whose house adjoined that of Amersham, had a hole in the partition wall. He and the witnesses waited until late in the evening, when they were able to observe Martin and Amersham *in flagrante* on the hall floor. One of the witnesses added that there was a 'common fame' of Martin and Amersham's behaviour in and around Petworth.⁸⁷³ In another defamation suit before the same court in 1602, Joan Abias was accused of calling Scholastica Standish of Felpham the whore of Thomas Hollis.⁸⁷⁴ Scholastica and her second husband Thomas, a yeoman farmer, had sued Hollis, a weaver, in the Court of Requests in 1596 over monies retained and land unfairly obtained whilst Scholastica had been a widow and Hollis had worked for her.⁸⁷⁵ It seems unlikely that she was actually Hollis's mistress. Interestingly, two (male) witnesses testifying on her behalf stated that her reputation had not been harmed by the accusation and the other two witnesses, one male and one female, did not testify on that question.

⁸⁷² Ingram, *Church Courts, Sex and Marriage*, pp. 292-319.

⁸⁷³ Depositions, 15, pp. 237-239.

⁸⁷⁴ Depositions, 3, pp. 364-372.

⁸⁷⁵ REQ2/274/46.

Jane Godley called out Abraham Amherst of West Hoathley for allegedly having ‘unlawfull Carnall Copulac[i]on’ with one of her servants. This drew ‘his Creditt and Reputac[i]on in question’ and defamed him amongst his neighbours. He brought an action against Godley in a Chichester ecclesiastical court and she was excommunicated. Her son John Godley and two of his brothers then slandered Amherst, calling him ‘ a Runagate a Rogue and a begger’ and alleging that he maintained a bastard son at Wittersham (Kent). To prevent further insult, Amherst obtained a writ against John Godley, requiring him to provide surety of £80 forfeitable if he slandered him again. In his answer to John Godley’s subsequent complaint at the Court of Requests, Amherst made an allegation against Jane Godley’s character, namely that she had not lived with her husband for thirty years but with another man who was the father of John Godley and his brothers and had left them over £2,000 in his will.⁸⁷⁶

Accusations of theft or witchcraft were other reasons for a defamation suit. For example, in 1580 Simon Underhill of St Pancras parish, Chichester, had accused Magdelene Weston of bewitching his wife so that she now lay dangerously ill. At a recent ‘lawday held in a close ‘w[i]thout Estgate’, he had encountered John Weston, Magdalene’s husband, at Robert Exton’s house. They had exchanged ‘very hott woordes’. Underhill said that his wife fell ill after John Weston had come to his house and they had fallen out. If she died then he would see Weston’s wife hanged. Magdalene Weston had allegedly been suspected of being a witch for 19 years, having at one time been driven from Pagham for this. Underhill even accused John Weston of marrying her to learn some of her cunning. Witnessed testified that her good name had been impaired.⁸⁷⁷

⁸⁷⁶ REQ2/402/25.

⁸⁷⁷ Depositions, 15, pp. 227-34.

In 1603, in the Chichester shop of Henry Clarke, saddler, Jane Allen accused John Chapman of attempted rape.⁸⁷⁸ Also present were Clarke's wife, Susan, John Hobson, glover, and others. Allen's uncle, Peter Williamson also discussed the allegations with several other men of the city, including: John Exton, merchant, who was standing at the door of his house; Anthony Smith, merchant, who was sitting at his door in North Street; James Coverley, shoemaker, who had gone with Williamson to drink beer at the North Street house of Robert Ford; and Andrew Webber, tailor, who came later to Ford's house. Hearing of these accusations, Chapman sued Allen and Williamson for defamation in the Archdeacon's Court. All six men who had heard the allegations testified on Chapman's behalf that his good name and fame had been much impaired and that he was not so well thought of as before. It seems quite likely that John Chapman was the young merchant who had acquired a lease to premises in East Street in 1600, and who, as noted in 4.4.2 above, subsequently prospered, and was knighted in 1618. So there was no lasting damage to his reputation.

In 1608, Richard Bishop and Nicholas Jarrett of Battle claimed to have been libelled in a letter sent to Edward Welche 'who keepeth a com[m]on Inn and selleth wyne' in the town.⁸⁷⁹ Its contents included a wish that Jarrett 'be of good comefort after the next shedding ... hee shalbee as free as he was before I came', and what they took as a reference to Bishop, 'Commend me to uprith[e] [upright?] Richard and tell hem he caries his hornes best of anny mane in the towne'. The letter was ostensibly signed by Orwen, a clergyman, but the complainants alleged that it had been sent by Thomas Couchman junior ('a kinde of Captayne') and Lawrence Sharpe. This was despite the letter seemingly referring to them pejoratively as 'sawgring [swaggering?] Cochman and unconstant Sharpe'. Couchman and Sharpe had allegedly spread the libel in Sussex and Kent, even explaining to those who did

⁸⁷⁸ Depositions, 3, pp. 604-11, 624-6.

⁸⁷⁹ STAC8/47/10.

not know that a ‘shedding’ was when an animal cast its horns. Bishop was particularly concerned that the letter had created an unwelcome nickname for him, although ‘upright’ was surely far from the worst sobriquet possible. The letter was sent to Welche with the clear intention that its contents would be conveyed to the customers of his inn, possibly including by being read out there to those many unable to read. This makes it potentially a form of performative libel, a communication form which is discussed further below.

5.4 Performative libel in early modern Sussex

Dinah Winch has challenged the accepted view that men were reluctant to litigate over reputational challenge, fearing the greater exposure this would bring. She found that men in the later seventeenth century commenced defamation suits (often concerning sexual slanders) in almost equal numbers to women, with the possible exception of direct allegations of cuckoldry. She concluded that the consequences of undefended loss of reputation were generally more important than the additional exposure of litigation.⁸⁸⁰ The examples in this section, from an earlier time than Winch’s study, support her hypothesis, going on to demonstrate, though, that public exposure alone did not lastingly damage reputations and societal prospects.

Clare Egan has identified that provincial libel had performative elements, whether in the utterance of the libel in public spaces or the delivery of written libel by fastening it to a local landmark.⁸⁸¹ There was even performance in Star Chamber itself, it being a requirement that any scandalous writing should if possible be attached to the bill of complaint. If not

⁸⁸⁰ Winch, ‘Sexual Slander’, p. 164.

⁸⁸¹ Clare Egan, ‘Jacobean Star Chamber records and the performance of provincial libel’ in Kesselring and Mears (eds.), *Star Chamber Matters*. pp. 135-53.

available, or for oral defamation, the slander should be set out *verbatim* in the bill and generally read out in Court.

Several examples of particularly egregious Sussex performative libel can be identified. The first example was allegedly targeted at Bishop Richard Curteys, already mentioned in relation to another controversy. It had been written around the end of 1575 by Thomas Hills and Ranulph Barlow, both of whom held office under the Dean and Chapter and dwelt in the Cathedral Close. Angry at the bishop's treatment of him, Hills admitted that he had written a short poem satirising the bishop, the characters in his verses bearing similar names to those of the bishop and some of his supporters. Abuses of which Hills thought the bishop guilty were mentioned. Hills' house was searched by the archdeacon of Chichester, who found another rhyme, this time mocking alderman and deputy Customer John Sherwyn, who allegedly wished to be recognised as a gentleman, fraudulently claiming an entitlement to a coat of arms. Nothing could be proved against Barlow, but Hills was imprisoned in the London compter and later sentenced by Star Chamber to stand with his ear nailed to the pillory, as well as to be imprisoned in the Fleet until he had paid a £50 fine. It is unlikely that this sanction was carried out, as the Privy Council wrote to Curteys instructing him to remit the fault Hills had committed against him. Unfortunately, the poem does not survive, most likely being separately presented in court rather than transcribed in the bill.⁸⁸²

An example where the full text of the libel does survive occurred in Petworth in 1608.⁸⁸³ At four o'clock in the morning around Michaelmas, a paper was affixed to a fence post of Richard Morris's house near the marketplace. Morris was a chapman, and the town constable. His brother having drawn his attention to the paper, he sent his servant to collect

⁸⁸² STAC5/C43/19, C64/28; PC2/10 f.436, 11 f.77 ; Manning, *Elizabethan Sussex*, pp. 104-7; Kesselring, *Star Chamber reports*, p. 63.

⁸⁸³ STAC8/148/27. One aspect of this suit has been briefly discussed by Adam Fox in 'Ballads, Libels and Popular Ridicule in Jacobean England', *Past & Present*, 145 (1994), pp. 47-83.

it and read it in his bed. It was a 12-verse rhyme entitled ‘Annys Frye her late & pittifull lamentac[i]on for her former lewed life & vile abominac[i]on’. It began as follows:

*Oh mye hart is soo hardened that I cannot repent
mye liefē is soe lewd, it makes me lament,
I feare godes wrathe uppon me will sease,
hes Ma[jes]^{tie} so highlie I did wilfullie displease.*

It continued by relating an alleged example of Anne’s unfaithfulness to her husband:

*And often when mye husband was in bed
I would abide upp to sett hornes one his head.
At another time when I should have benn at prayers,
I w[i]’h a knave was taken one the staires.*

The libel then turned to her husband’s business practices:

*Toe lye & foresweare I thought it noe synne,
mye husband of me to learne did beginner,
To gett goodes in our handes wee never did spare
to cosen all men was our cheifest care.*

It concluded:

*Some surelie will blame me for writinge soe plain,
I was alwaies shameles & soe will remaine
Written bye me shamelesse Nan Frye,
A whore I was borne & soe I will dye.*

Soon, the verses were circulating around the town in written copies or by recitation, once even allegedly being passed on orally in the parish church at the time of the Sunday divine service. One copy was discovered in the hall of Robert Sadler's house, apparently having been thrust in at a broken window. This version had a crude illustration on the reverse of a man's head with two great horns upon it and the letters G and F next to it.

Anne Frye was the wife of George Frye, a mercer of the town, and she and her husband were not slow to bring a suit for defamation in Star Chamber against Thomas Wesden (Westdean), gentlemen and keeper of an inn in the town, seven other Petworth residents and two Londoners. Defending largely his own reputation rather than that of his wife, George (aided no doubt by his legal counsel Thomas Malet) claimed that no offence 'doth more injuriously blemishe & traduce the good name & Credite of ... Marchantes and Tradsmen whose Creditt & reputac[i]on is most p[re]tious and deere unto them' as the publishing of slanderous writings. Also, that the Fryes' 'whole estate consisted in there credite amongst there neighbours & good usage of there customers'. As the rhyme had accused George of cozenage and deceit in the exercise of his trade, its publication had allegedly led to the loss of many customers as well as to 'very great & intolerable shame & discredett amongst there neighbours'.

Had the bill alone survived, it would have painted a picture of a successful local merchant and his dutiful wife who had been defamed, possibly to ease the way for a rival in the mercery trade. However, the defendants' answers and the witness testimony reveal a different scenario. First of all, George Frye was not in Petworth when the libel was posted. Since the previous August he had been in the King's Bench prison for debt, unable to redeem himself, a fact expressed in the rhyme:

*And then I p[er]swaded him to goe to the gaile,
while I like a whore might gaine bye mye taile,
bye this meanes I did my libertie procure,
Whilst he poore Coockold doth prison indure.*

Moreover, according to the defendants George Frye had not traded as a mercer for several years before the libel, he and Anne having become ‘p[er]sons of noe credytt nor reputac[i]on w[i]‘hin the said towne of Pettworthe’. There was also ill will between George Frye and his brother Nicholas. The rhyme related:

*I never respected one more then another,
but caused mye husband to sue his owen brother.*

and George had indeed recently sued Nicholas in Chancery.⁸⁸⁴ There also appeared to be no love lost between the two brothers’ wives, Nicholas’s wife Joan (the daughter of the lead defendant Thomas Westdean) and Anne. Joan was reported by a witness to have been standing at her chamber window when the libel was first discovered at four in the morning, and to have laughed and rejoiced when hearing the libel read out. She was also accused of transmitting the libel, saying to others ‘there was Nan Frye her Arse is never drye, she has gonn & made her will & sett it upp upon Richard Morrises gate and made him her overseer’. The defendants directed their interrogatories to suggest that Ann might have promulgated the libel herself, to blackmail the defendants into paying her to stop the suit. And it does appear that she had persuaded Robert Sadler to pay her £10 to remove him from the suit.

⁸⁸⁴ C2/JasI/F2/1. This was a dispute over their father’s estate and followed Nicolas suing George (C2/Eliz/F1/43).

The interrogatories of both parties focussed far more on the writing and dissemination of the libel than on its veracity. No specific evidence was sought or provided of George Frye's business practices other than his indebtedness, and no evidence was presented of Anne Frye's alleged adultery.⁸⁸⁵ The rhyme did make the following claim:

*Thus I did continue as suttle as a Foxe,
till seaventeene hooles at once brake owt of the poxe.*

and the Fryes did ask their witnesses to declare that Anne was free from the pox (i.e. syphilis).⁸⁸⁶

George Frye was probably once a respected member of the Petworth community: he had, for example, held the office of churchwarden for 1599-1600.⁸⁸⁷ More than a decade before the libel action, though, Anne Frye had brought a defamation suit against a Henry Beach, who also kept a shop in Petworth. He had sent her a message via her maidservant that she was a 'forrydden jade', that he would prove her to be one and would make 'h[e]r hart Ake in h[e]r belly' before he was done with her. Beach had also asked Thomas Pymble, a young haberdasher recently arrived in the town from Lewes, to call Frye by the same names.⁸⁸⁸ And he had asked William Mose to tell her she was an 'ara[n]t ara[n]t' (*sic*). The maidservant, who had been with Frye about a year, testified to her mistress's good character, but Richard Morris deposed that there had been rumours of incontinency. Morris's wife Edith said that while she was in Beach's shop buying starch, she had heard Frye's maid pass on a message to him that he was a knave, to which the 'jade' response was given. She also

⁸⁸⁵ The truth of a libel was not held to be an adequate defence before Star Chamber, as a breach of the peace was potentially caused by the libel, irrespective of its veracity [Winch, 'Sexual Slander', p. 49]

⁸⁸⁶ Whilst it was not normally slanderous to accuse someone of having a particular illness, unless this affected his or her profession or trade, accusations of syphilis or leprosy were considered actionable in law [Baker, *An Introduction to English Legal History*, pp. 469-470].

⁸⁸⁷ SFHG, Petworth, christenings 1599.

⁸⁸⁸ Pymble, then a hatter, was one of the defendants in the 1608 suit.

related that Frye had confided that some of her neighbours had been telling untruths about her.⁸⁸⁹

Westdean, too, had been the subject of a previous minor defamation suit. In 1603, he and a Margaret Goodman were reported as arguing as they walked through the Petworth streets. Outside the door of John Byumble's mercery shop, Westdean called Goodman an 'arrante whore' and a 'Greenewiche birde', presumably Greenwich being then known for prostitution. Another witness heard Westdean say that he would 'teache a whore to spitt in a mans face'. The testimony survives of three witnesses who testified at the request of Goodman's husband. The two female witnesses thought Goodman's reputation had been damaged by the name-calling, but the male witness did not. There is no way of knowing whether John Goodman was acting solely to defend his wife's honour, or whether he considered the accusation reflected badly on him, too.⁸⁹⁰

Whilst the George Frye's reputation as a merchant was seemingly irreparably damaged before the verse libel was posted, two further Sussex libels with performative elements allegedly had adverse financial and reputational impact upon their merchant or minor gentry victims. The first came before Star Chamber in October 1595, when John Duffield, esquire, of Chichester complained against Anthony Bickley, gentleman.⁸⁹¹ Duffield alleged firstly that Bickley and others had, earlier that year, spread a rhyming libel about Chichester Cathedral officials and some of the city's leading citizens, namely Dr Coxe, Dr Blaxton and his wife, Prebendary Richard Kitson, George Ardern and John Raymond (probably Ryman). The parts concerning the latter two being quoted as:

⁸⁸⁹ Depositions, 8, pp. 407-14.

⁸⁹⁰ Depositions, 3, pp. 510-15.

⁸⁹¹ STAC 5/D7/37, D26/29.

*The English sainte begins to loath his Cate,
The pampered Jade must be fedd in a bare lowe ground*

(Ardern's wife was called Katherine) and the cryptic:

*John Reymond hath noe other meanes to woo;
but pigeons and bacon and how doe yo[u] doe.*

The rhymes became so popular that 'almost ev[r]ie boy in the said towne can reherse div[ers] p[ar]ts thereof'. However, Duffield's main charge related to a second rhyme directed at him personally. Duffield said that he was one of Her Majesty's captains at the sea. He had certainly been captain of the queen's ship *Answer* between January and June 1592.⁸⁹² He claimed that he had been organising a voyage to the West Indies, on which he had laid out a large sum of money, only to have all the seafaring men he had recruited drop out as a consequence of the libel, which made him 'odious and infamous'. The words quoted in the bill began with what appears to be an epigraph:

To the most execrable dux diabolorum shame and slander to all captayn shipp, his allreddye sentenced impietye w[hi]ch w;sheth all increase of hellhood; Vicecomes Uvidall:

It then continues in a contemporary sestain form, rhyming a-b-a-b-c-c, the first stanza of which was:

*The viscountes slave hath lefte his stable charge;
and gallopps to the sea to fishe for state
the scabbed squire is fitted w[i]th a barge,
w[hi]ch ill besems the filth of such a mate, And*

⁸⁹² E351/2229.

*prigging longe Crabbd Markham he doth meete
whoe dubbes him dux of his dambd thevish fleete.*

Duffield claimed that the rhyme identified him, as in his youth lived with a Mr Uvedall, who later was sheriff ('vicomes') of Hampshire.⁸⁹³ He also said that he had captained a ship owned by one Markham who had a 'croked bodie'.

The next verse provided a not-so-subtle clue to his name:

*he is come home w[i]'h rape of flemishe spoyle
w[i]'h huffe and duffe in Feild and Cittye too.*

The rhyme made mockery of Duffield's origins as a butcher's son:

*how cann the Garbage of A butchers shop,
yeld ought but carion and slaverye,
how can the turdes that from the shamells dropp,
bring els[e] but poyson to the standers bye.*

It suggested that he was not a proper gentleman:

*A dastard Craven disdained in chivalraye,
And farther is thy stock from smell of gentie.*

His sexual morals and religious faith were also slandered:

*The stinke of sodom w[i]'h knaves bauds and hoores,
one these infernall drugges his fayth ys ground*

⁸⁹³ A William Uvedale was Sheriff of Hampshire in 1560 and again in 1594.

*An Athist an infidell A devil,
worse than the wyckdst kinde of evell.*

Duffield suggested that Bickley had deliberately intended to prevent the voyage because of a long-standing grudge he bore against him. Bickley, he added, was also ‘A mann suspected in religion’. Denying all the allegations, Bickley brought a countersuit against Duffield in the same court, saying that he and his wife ‘lived ... with good credit and reporte and withe like name and fame, amongst all people’, and alleging that Duffield had put about slanderous rhymes about him, viz. that he was:

*A libeller A Cuckoulde, and bearethe A Busshoppes name,
and dares nott shewe his face for shame.*

And that he married a glover’s daughter ‘because he loved Trotters well’. The libel also extended to his wife Alice, that she was ‘a fore rydden mare, or Bitch valyante, withe a Ladder to scale A wall’:

*and to her tacklinge close to stande,
to incounter A Captaine hande to hande*

‘withe mucche other like and worsse matter’. By these rhymes, he and his wife are made ‘the bye worde and scoffinge stocke of diverse leawde and evill disposed p[er]sons’.⁸⁹⁴

Duffield unsurprisingly denied all these charges. Bickley then issued interrogatories to Duffield in which he asked if Duffield also wrote that ‘the glovers dawghter is the most forrydden mare from North to South or from East to Weste’. Duffield was asked if he had

⁸⁹⁴ STAC 5/B18/18, B93/18. Not much is known about Bickley. He claimed a distant relationship to Thomas Bickley, bishop of Chichester 1586-96. In 1590, a son of his was baptised at St Andrew’s, Chichester. In 1596, he was living in East Street where he paid 2s 8d subsidy on land worth 40s yearly (most of East Street lay within St Andrew’s parish) [E179/190/333].

published these libels at the ‘com[m]on bowlinge greene att Chichester’, if he was the man who held or took away the ladder and whether he had named the ‘captaine’ and where and when the ladder was set up. He was also asked whether he had published any libel in the City of London. Apart from stating that he had known the Bickleys for twelve years, Duffield refused to answer any of these leading questions, other than to deny making or contriving any libels about Bickley in London. There is little further evidence of Duffield in local or national records to determine the impact of the libel on him, although in 1609 he was still being titled ‘Captayne’ in a 1609 port book when he sent 30q of wheat from Chichester to Southampton.⁸⁹⁵

The final example comes from 1601, when John Exton, haberdasher, Peter Cox, merchant, and their wives (both named Mary), initiated a suit against John Balladine, servant to London merchant John Cobbe, John Warder, innholder at the sign of the Crown where Balladine lodged, and others.⁸⁹⁶ The allegations related to the authorship and dissemination of verses which allegedly depicted Exton and Cox being simultaneously cuckolded. This was an attempt to ‘overthrowe ... [their] credit and reputacion’.

The poem, of 124 lines, is written in rhyming couplets in iambic pentameter, and tells of two merchants who ‘each with th other had a share ... in dealinge or in trade’. It begins:

A true Description of a jest
Performed upon and in a cheste
Two neighbors dwelling on one coast,
Though where it were I will not bost

⁸⁹⁵ E190/755/12. A rank like this was rarely if ever used in the Chichester books, so its use may well have been ironic.

⁸⁹⁶ STAC5/E3/19, E8/23, E15/23.

It tells that when the first merchant left home on a long journey, his wife quickly invited their neighbour round. The first merchant, having suspicions of his wife's fidelity, returned home unexpectedly. His wife hurriedly hid her lover in a large chest. The merchant then invited his neighbour and his wife to join them in a meal. Only the wife came, not knowing where her husband was. The first merchant then sent his own wife out on an errand; then with his neighbour's wife

*He laid her flat upon the chist,
And there he us[e]d her as he list,
It was that Chist, o monstrous wonder,
She lay aloft her husband under.*

On his own wife's return, he asked her for some sugar, which was kept in the chest. After his wife prevaricates, the first merchant opened the chest, unexpectedly (to him) revealing his neighbour. Both merchants now realised what has happened and the poem ends:

*Since nowe abroad to well its knowne
The hornes they were are all there one
Their supper ended with my story
Wher[e] with I pray you be not sorry.*

Exton and Cox were not mentioned by name, nor even was Chichester. However, they claimed that Balladine and the others had made it known that the poem was about them when reciting it. Also, it was alleged that certain lines could be interpreted as cryptic references to their names. The first merchant was described as 'a cocke of the game / yet mean I not to tell his name', which was claimed to be a reference to Peter Cox. The second was described as being 'Exceeding glad', which was claimed to be a reference to Exton. One

witness, Cox's brother-in-law Clement Taylor a tallow chandler, thought that the final word in the couplet 'Yet this there freindshipp did not end / But to there wives it did extend' was the reference to Exton. Both these latter allegations seem tenuous, although they may have been based on the relevant words' enunciation in oral performance.

There is an echo of this rhyme in that of 1608 against George and Anne Frye mentioned above:

*Mye husbandes jelosie was the first cause,
w[i]^ch made me to breake godds most holye lawes
Whilst he poore cookcold laye hid in a chest,
to lie w[i]^h a knave I made but a jest.*

One can but wonder whether the 1601 rhyme was still remembered in western Sussex seven years later, or whether as had been claimed by Balladine, that rhyme was a rehash of an older and more widespread fable which was again being referenced here. The device of a lover hiding in a chest from a returning husband certainly featured in the contemporary humorous jig *Singing Simpkin* (c. 1595) which also incorporated the device of someone being sent out to buy wine to give the lovers time (albeit the husband in the jig).⁸⁹⁷

Exton and Cox both lived in the North Street of Chichester, where in 1610, Cox paid the subsidy of 8s 4d on his goods. Exton was assessed even higher at 10s (only two merchants paying more than this in the city).⁸⁹⁸ Both Cox and Exton were exporters of grain to Spain (see 3.1.3 above). Cox also had a shop in the city from which, around 1621, he sold 'Cloth

⁸⁹⁷ Robert Cox, *Actæon and Diana: with a pastoral story of the nymph Oenone: follow'd by the several conceited humours of Bumpkin, the Huntsman, Hobbinall, the Shepherd, Singing Simpkin, and John Swabber, the Seaman. In four interludes* (London, 1656), pp. 11-17; L Douglas, 'Singing Simpkin and the Humour of John Swabber' (2016), accessed on 10 July 2025 at <https://shakespeare400.kcl.ac.uk/student-reviews/singing-simpkin-and-humour-john-swabber/>.

⁸⁹⁸ E179/191/350.

& other necessaryes' for a man's suit and woollen cloth for a woman's 'gowne & petticoate'.⁸⁹⁹ Cox was aged about 27 when the verse was written and Exton about 33.⁹⁰⁰ Balladine, a relatively recent arrival in Chichester, admitted to writing the verses, but said that he had heard the tale at an inn in Emsworth whilst travelling to Portsmouth. The innkeeper's wife said she had told him it because he came from Chichester, but he thought that it was probably a merry jest she told to many travellers and was about no specific place or people. On returning home, he was inspired to write the tale in verse form, 'not much unlike to Chaser his Baynd' (presumably meaning Geoffrey Chaucer's *Canterbury Tales*, which had the same verse form). His aim was solely to provide amusement for his friends. He added that if Cox and Exton thought they were being referred to, their consciences must have been troubling them. Witnesses' testimony was mixed; some claiming that they had not associated the verses with Exton and Cox, others that they had or even that Balladine or one of the other defendants had told them this. Unfortunately, the decisions of the court have been lost, so the outcome is unknown. However, Balladine does not appear any more in Chichester records, whereas Exton (in 1609) and Cox (in 1624) both went on to be mayor of Chichester, so their credit and reputations certainly had not been permanently damaged. Cox, though, had to wait longer for that honour, possibly due both to business problems and further scandal. Around Michaelmas 1607, Worley Heberden of Fishbourne, apparently intoxicated, came into Cox's shop in North Street one market day when the shop was busy. Cox's wife, Mary, allegedly called him a 'drunken rogue' and a 'drunken rascal', Heberden reportedly responded by calling her 'arrant queane', 'Jade' and 'scurvie whore'. It may have been that Heberden knew of the rhyme of six years previously, or he may just have been using common contemporary insults to women with no specific knowledge of Mary's past.

⁸⁹⁹ Depositions, 30 p. 83. Having made a big sale, Cox then invited the customers to come and dine at his house.

⁹⁰⁰ Depositions 26 p. 262, 30, p. 83.

There was then fight between Hebeden and another man in the shop which resulted in Heberden receiving a bloody nose.⁹⁰¹ Also, in 1616, Mary Cox was accused of basely slandering merchant Henry Chitty whilst he was walking near the market cross of Chichester one evening. Chitty, in riposte, told her to ‘goe hoame and tell her husband he should goe to london to pay his debt[es] or els he would be sent for’.⁹⁰² Chitty may well have been aware that all was not well with Peter Cox’s business activities at this time. Cox, however, remained active in Chichester trade for many years, as seen for example in 3.4 above.

5.5 Conclusion

The maintenance of a good reputation in whichever communities a person lived and traded was of as great importance in early modern Sussex as elsewhere in England. It was common practice, when the grounds existed, to attempt to cast aspersions on an opposing litigant’s reputation, or on that of their witnesses, so potentially diminishing their credibility before the court. Dalton’s verse read in full:

*‘Conditio, sexus, aetas, discretio, fama,
Et fortuna, fides; in testibus ista requires’⁹⁰³*

and this chapter has provided examples of these being challenged or promoted by litigants, particularly reputation and worth, but also orthodoxy of religious practice. Even a claimed rank was sometimes questioned, as was Duffield’s, his humble origins as a butcher’s son

⁹⁰¹ Depositions 26, pp. 45-9. Dinah Winch remarked that, for example, calling a woman ‘whore’ was often a generic insult rather than a claim to knowledge of actual infidelity, although still exposing the caller to legal challenge.

⁹⁰² Depositions 26, 127-30.

⁹⁰³ ‘Rank, sex, age, discretion, reputation, worth and faith; you will need these in witnesses’; Dalton, *The Country Justice*, p. 409. Shepard, *Accounting for Oneself*, p.10, n. 32.

being posited in published verse as a bar to his being regarded as a proper gentleman; similarly John Sherwyn's desire for a coat of arms was mocked.

There was, as Muldrew observed, no obvious separation of moral reputation from financial creditworthiness; it being considered that those of strong personal ethics would put great effort into keeping their word and making repayment on time or, if delayed, would pay for forbearance without need of legal persuasion. There was considerable local public knowledge of others' financial worth within Chichester, with a statement of it often being demanded from witnesses in ecclesiastical courts and also being known for lay subsidy purposes, at least by the assessors (who were typically the more influential merchants of the city). This public knowledge would have made it easier to assess the risk of loss in advancing a loan or standing surety, and so who was admitted or excluded from local credit networks, and also signpost those whose testimony was likely to be accorded credibility.

There was a willingness by men to defend libel in public which supports Winch's hypothesis that the chance of vindication outweighed the disadvantages of wider exposure. However, the extent to which an undefended defamation would actually have affected a person's creditworthiness, as opposed to the automatic claim that it would do so, seems to have depended upon whether it was a slander against fair business dealings or against a person's general behaviour and sexual morals. The latter appears from the evidence more easily to have been shrugged off than the former, as the subsequent successful careers of Thomas Hepden, John Exton and, to a lesser extent, Peter Cox demonstrated. Thomas Turges, on the other hand, was almost certainly negatively affected by allegations of false book-keeping and other dubious financial practices; his creditworthiness in later life being badly affected. Brief imprisonment for illegal trading practices could be survived, as it was by Turges, Thomas Fenner, William Devenish, and others.

Even locally well-disseminated performative libel was not necessarily a great impediment, as Cox and Exton's futures and probably Duffield's too, demonstrated, although the community memory of these scandals may well have lingered. It was, though, probably too late for George Frye's reputation to recover, having already been damaged by his long imprisonment for debt. Performed libels were not uncommon in Elizabethan and Jacobean England. Two of the three Sussex examples were clearly written to provide a coarse amusement for the reader or listener, with an element of vindictiveness against the targets who had perhaps already become local figures of fun. The 'chest' example is more restrained, its humour no more than Chaucerian. These suits can provide many other insights into aspects of the social history of early-modern Chichester and Petworth, which are outside the scope of this thesis. They are deserving of further study.

6. GENERAL CONCLUSIONS

Robert Monke eventually returned to Horsham, but on his death in 1607 he was still ‘very much behinde hand in his estate’, quite possibly indicative of a life affected by community awareness of his flight from his creditors thirty years earlier. He was, though, still considered by the parish to be a ‘gent’, this status (and a base income) deriving from a local manor of arable fields and oak woodland held by right of his wife which he had managed to retain despite all his financial troubles.⁹⁰⁴ The economy of early modern Sussex was, like elsewhere in England, highly dependent directly or indirectly on such agriculture. In most of the county, production and consumption were localised, but from the south-east surplus grain production was, in many years, transported elsewhere in the county or the country, or to Europe. Two other industries generated further significant economic activity, and also environmental opprobrium: the commercial exploitation of timber for fuel or construction, and the smelting of iron. Together, these three industries fostered an active coastal and overseas shipping trade, predominantly outbound, although the county’s mercantile population also maintained a steady inwards flow of supplies for the port towns and their hinterlands. Crucial to this economic activity was the ready availability of credit across the social spectrum, which required, in turn, effective social and legal mechanisms for the protection of lenders.

This thesis has presented research exploring the lending practices in the county and the nature of its participants, which in turn has illuminated aspects of the county’s trade, focussing on the historiographically-lacking areas of the Sussex grain trade and the mercantile community of Chichester. Several previously unstudied contemporary sources have been interrogated, including Thomas Pelham’s account book, Dr Hugh Barker’s letters,

⁹⁰⁴ WSRO Par 106/1/1/2, burials May 1607; C2/Jas1/B9/9.

the 1573 Exchequer grain transportation writs, and several Star Chamber performed libel suits. More familiar sources, under-utilised in the context of Sussex, have also been drawn upon, including Court of Requests and other ‘English bill’ court records, state papers, port books, and probate inventories and accounts. Some of these sources have been used in novel ways, often facilitated by modern electronic cataloguing, including the plea rolls of the Court of Common Pleas.

The analysis presented in Chapter 2 extends the scholarship of debt to an earlier date and/or to a different geography, demonstrating that lending in early modern Sussex was largely within localised networks not dominated by particular individuals in any location.⁹⁰⁵ A secondary credit network extended between Sussex and London, incorporating both London merchants supplying their county counterparts and wealthier Londoners financing projects in the iron trade or privateering. Knowledge of the law enabled the canny merchant to minimise debt defaults and delay the repayment of their own creditors. Local providers of finance (when not traders selling on credit) were often family, friends or acquaintances, often acting out of social duty, although probably with a hope of future reciprocation either from the borrower or from their mutual wider local network. The wealthier local gentry families also lent extensively to family, and also to their tenants or lower social status neighbours as evidenced for example by the account books of Thomas Pelham or the practices of Anthony Foster of Trotton. Lending by widows and, within Chichester, by the wealthier merchants and church officials was also observed.

Specific trading networks existed for the county’s grain trade, particularly that out of its western ports. At the start of the study period, the main trading network linked western

⁹⁰⁵ B. A. Holderness, ‘Credit in a Rural Community, 1660–1800: Some Neglected Aspects of Probate Inventories’, *Midland History*, 3, 2 (1975), pp. 94-116 and ‘Credit in English Rural Society before the Nineteenth Century, with Special Reference to the Period 1650-1720’, *Agricultural History Review*, 24, 2 (1976), pp. 97-109; Muldrew, *Economy of Obligation*, pp. 95-119.

Sussex growers with the bakers, brewers and badgers of Rye and Hastings, often but not always facilitated by local merchants acting as middlemen who engrossed smaller amounts of grain, some acquired in exchange for goods provided to the growers. Some Sussex merchants, such as Thomas Turges and Thomas Fenner, also shipped to overseas markets, although this was not without political risk. As demand from eastern Sussex declined, new markets had to be found for the grain, especially in the west of England and London, the latter fuelled by the insatiable demand from the rapidly growing capital for bread and, particularly, beer. This change in markets allowed growth in the trade between the 1560s and the 1620s. The grain trade was materially influenced by two factors: weather and state interference, the latter frequently engendered by the former. Trade volumes fluctuated following good and bad harvests, necessitating many interventions of the privy council to mitigate their effects, stabilise prices, avoid social conflict, and meet the needs of London, English military forces, and friendly foreign states. There was widespread non-compliance with state diktats, especially amongst elements of the merchant classes, sometimes only discovered after specific investigations were launched. Nevertheless, there was a generally compliant local implementation of restrictions and monitoring by the county gentry in their role as commissioners for the restraint of the trade, albeit with some internal, personal disputes founded on religious differences.

Turning specifically to Chichester, it has been shown that its merchants formed one of several communities in the city, the ecclesiastical community and that of minor landed gentry being others. As Muldrew found at King's Lynn, a sizeable proportion of Chichester household heads participated in debt litigation in a given year, perhaps 50%, indicative of a communal local network of lending, which extended into other city communities including the ecclesiastical, and also to the city's hinterland and to mercantile. The case studies of Turges and Shallett show that being adept at using litigation to ensure the right outcome of

a financial transaction or lawsuit, or at least being wise enough to employ knowledgeable local legal counsel, was an essential part of a successful early modern merchant's skillset.

One key aspect emerging from the analysis of the city's shipping trade was the significant presence of non-Sussex merchants, such as Southampton merchants delivering wine to Chichester or London merchants transporting large volumes of grain overseas from Sussex ports. This is not to say that Sussex merchants did not participate in these trades, although their involvement appears generally to have been occasional, such as Thomas Turges' grain trades, or opportunistic, as with Thomas Fenner's supply of Ireland. Chichester's merchant class were more engaged in bringing in cloth, utensils, and groceries from larger English ports, to sell in their own shops in the town or distribute more widely, although even this involvement appears to have declined by the 1620s. Hampered by its silting harbour and limited hinterland from engaging in large-scale export and import activity, and its inward-facing oligarchy, Chichester merchants experienced continuity rather than change over the study period; only their confessional stance shifted, a change which would subsequently divide the city during the Civil Wars.⁹⁰⁶

Credit at this time had a wider sense of personal reputation or worth, relevant to both to the ability to borrow and the credibility of testimony. Reputation was seen to be a personal attribute which, when impugned, was fiercely defended through ecclesiastical and lay courts. Attacking the character of opposing litigants or their witnesses was a common legal tactic, as moral failings such as intemperance, implying a failure to live up to patriarchal expectations of self-control and sufficiency, would be expected to impact negatively on credibility. Nevertheless, merchants were surprisingly often sued and arrested for debt or imprisoned for evading restrictive trading laws; although this seems to have had little impact

⁹⁰⁶ Fletcher, *A County Community*, pp. 258-9

on their future careers, perhaps being regarded as simply an inevitable hazard of trade, especially if the debt avoided or deferred was to an 'outsider' from the local community. Even being the target of widely disseminated libel was not necessarily a long-term obstacle. However, allegations of fraudulent record-keeping or of loss of creditworthiness were more concerning; if they became part of the local 'fame', exclusion from local credit networks and future trading opportunities would surely follow.

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E 178 Special commissions of inquiry

E 179 Subsidy rolls

E 190 Port Books

High Court of Admiralty

HCA 24/4 Instance and prize courts

HCA 25/1, 2 Warrants, bonds and bails for betters of marque

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LC 4 Rolls and entry books of recognizances on statute staple

Court of King's Bench

KB 27 Coram Rege rolls

Privy Council

PC 2 Registers

Prerogative court of Canterbury

PROB 11 Will registers

Court of Requests

REQ 1 Order books

REQ 2 Bills, answers, interrogatories, depositions, etc

State papers

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Star Chamber

STAC 5, 7, 8 Bills, answers, interrogatories, depositions, etc

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Add Mss Additional manuscripts
Cap/I/10 Diocese of Chichester capitular records: dean and chapter: chapter papers
ChiCity Chichester city archives

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- /AH Indentures between the Corporation and the City Companies.
- /AJ Rent rolls
- /K Court leet and view of frankpledge
- /M Bailiff's court
- /N Court of quarter session
- /W Mayor's court (court of record)
- Ep/I Archdeaconry of Chichester
 - /11 Deposition books
 - /27 Probate testamentary records
 - /29 Probate Inventories
- Ep/III Dean of Chichester's peculiar
 - /4 General act books
 - /5 Deposition books
 - /6 Court papers
 - /9 Probate papers
- Ep/IV/10 The exempt deanery of Pagham and Tarring: administrators' accounts
- MP Miscellaneous papers
- PM Printed maps
- SAS-BA Montague family deeds
- STD I/3 Dean's peculiar court: will register

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