

**WOMEN AS LANDOWNERS IN EARLY MODERN ENGLAND**

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**East Kingdom**

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## Women as Landowners in Early Modern England

My persona's name is Juliana Osborne. Juliana, a gentlewoman, lives in the 1530's in northern Kent, which was the home of my mundane ancestors. Her home is a manor, (that belonged to my ancestors), called Hartlyppe Place, the original spelling of which meant, "gate over which harts leap". Hartlyppe was Juliana's childhood home and now it belongs to her.

But how is this possible, in a patriarchal society, where women are considered subordinate to men, are less educated, and therefore, believed to be unfit to own real property? The common belief, among many modern people, that all property in Early Modern England was inherited by, and owned exclusively by men, making it impossible for women to be landowners, is a misconception. Although there were considerable legal and social restrictions that made it difficult for women to own land, several women did, in fact, manage to become wealthy, prosperous landowners, in their own right.

Some of the source materials used for this research date from times earlier than the 1530's, and some date from a later time; thus, it seems safe to assume that women landowners did exist during the time period. As many of the sources found on this subject were out of print or unavailable locally, I have attempted to support my thesis with the primary and secondary sources that I could readily obtain.

### **Legal Restrictions on Women:**

The **Common Law** of England was the major legal mechanism that attempted to restrict land ownership to men. It evolved from the early Middle Ages in the decisions of local courts, but was largely created by the Normans after the Conquest of 1066. Since the economy of England, at that time, was mainly agricultural, statutes were passed to regulate tenancy, etc. It was also a patriarchal society with a basic belief in the inferiority and thus, subordination of women. Therefore, statutes were passed to restrict women's abilities to own land. One of the most significant of these was the doctrine of **coverture**. According to Barbara J. Harris, a Professor of History and Women's Studies, in her book, *English Aristocratic Women*, coverture meant "that a husband

covered his wife's legal identity during their marriage; thus she had none of the legal rights normally allowed to all men or to never-married women or widows." [Harris 245]. Therefore, married women could not engage in such legal activities as signing contracts, participating in lawsuits, or writing their own wills. This also meant that husbands had legal rights to any personal property belonging to their wives, although they could not sell or mortgage any property belonging to heiresses. They could, however, receive money or other profits from the land. It follows that, married women, also, generally had no legal rights to any personal property owned by their husbands, except that in London and York, widows were entitled to one-third of their husband's goods and chattels.

Another component of the Common Law, was the rule of **primogeniture**, which held that land should descend to males, namely, the eldest son, rather than females, which were in the same relationship to the deceased. "In other words, sons of the deceased inherited before daughters, but daughters inherited before any of their father's other male kin." [Harris 20]. This was another way to restrict women's rights to inherit land, since the line of inheritance would descend through the sons in the family. However, as we shall see later, there was a means, in this rule, for women to be able to inherit land.

There was a way for the landowner to further ensure that the land would go to only male heirs, and this was by using a rule called **entail**. This allowed him to limit inheritance to a certain class of descendants of his body. The most common entail was that of a **male tail**, thus excluding female descendants. As Harris explains it, "Unlike primogeniture, it put collateral males-most often the deceased's brothers or nephews ahead of daughters." [Harris 21]. This rule had some drawbacks, which will be explained later.

Finally, women's rights were restricted by the concept of **dower**. Robert Palmer, in his article, "The Law in 1188: Glanvill", discusses dower in section IV, "Women and the Law". He quotes Glanvill, a legal treatise written about 1188 that detailed common custom, "In common English law usage [dower] means that which a free man gives to his wife at the church door at the time of his marriage.... If he does not nominate dower, then one-third of the whole of his free tenement is deemed to be her dower.... If,

however; the husband nominated dower and it amounts to more than one-third, it cannot stand at such a level, but will be measured up to one-third; for a man can give less but no more than one-third of his tenement in dower.” This rule applied even if the dower was not sufficient to maintain the widow financially. Also, after her death, the land descended to his heirs. She was not permitted to dispose of it according to her will.

Lastly, in Kent, where Juliana lives, the regulation of tenures was not governed by the Common Law, like the rest of the country, but by a law known as **Gavilkind**. Gavilkind is defined by Frank W. Jessup, in his book, *Kent History Illustrated*, thusly, “Gavilkind differed from other tenures in various ways, but the most important of which was that when an owner died without leaving a will his land was divided equally between all of his surviving sons instead of passing wholly to the eldest son...”. [The will of John Maplesden, July 8, 1528, (attached), demonstrates a typical Gavilkind inheritance.] Also, under Gavilkind, a widow was entitled to one-half of her husband’s land, during her lifetime, but only if she remained unmarried and chaste. [Sandys 92]. This grant of land ceased to belong to the widow if she remarried. Therefore, if the parcel of land were large enough to support the widow, and she chose to remain unmarried, she might do well; however, if it was not large enough, she would need to remarry or find another way to provide for herself. Unlike the women under Common Law, Kentish women could not accumulate property through successive marriages.

### **Social Restrictions on Women:**

We have seen that there were several substantial ways in which the laws made it very difficult for women to become landowners, but there were social restrictions, as well. As was mentioned previously, Early Modern England continued to be a patriarchal society. As Harris states it, “ In addition to its material and legal foundations, the patriarchal regime that framed aristocratic women’s lives rested on an ideology rooted in Christianity, the classics, and contemporary science. At its center were the linked assumptions that women were morally and intellectually inferior to men and that male dominance accorded with divine and natural law.” [Harris 24] In *The Book of the Courtier*, by Baldesar Castiglione, translated by Sir Thomas Hoby, in 1561, Castiglione gave a detailed description of the qualities he deemed important in a waiting gentlewoman. These generally included being modest and gracious, good and pleasant.

He cautioned a woman, “To have the understandinge beinge married, how to ordre her husbandes substance, her house and children, and play the good huswyef.” He goes on to say that a woman should “Not to make wise to knowe the thing that she knoweth not, but with sobernesse gete her estimation with that she knoweth.” There are many primary and secondary sources that expound on these beliefs.

It was generally accepted, by both sexes, that a woman’s job was to manage her household and take care of her children. Therefore, women were not educated in schools, as boys were, and their education consisted, for the most part, of learning those skills that were needed to run a household. At a young age, girls were taught religion by their mothers and nurses. They were also taught good behavior and etiquette because these skills could help them win good positions in court or in the households of more wealthy and powerful patrons, and attract appropriate suitors. Although many noble and gentle ladies were taught to read, it was expected that they would read mostly serious moral writings, so as to be virtuous women and instruct their children in these matters, as well. A young lady could be educated, to the point that her knowledge and grace would entertain guests, or shine at the local courts, but she should never appear smarter or more educated than her male counterparts. Alison Sim, in *The Tudor Housewife*, elaborates that “They (16<sup>th</sup> century women) were not even allowed to try their skills in some areas. All the professions were closed to them, and all means of entering them, so that women could not attend either the universities or the Inns of Court.” [Sim 31]

It is interesting, however, to note that the training of these women must have included some math, since they were responsible for handling, or at least overseeing, the finances of the estate, ordering and purchasing goods and supplies, etc. They also had to have some basic knowledge of the most common languages, in order to entertain the occasional foreign guest. They were often the local “doctor” and needed a working knowledge of herbal medicine, and as we shall see later, they needed to know something of the law in order to protect the property they owned. The fact that many Early Modern women managed their estates quite successfully attests to their intellect and knowledge in a variety of areas. The fact that their husbands often depended on them to manage affairs during long absences from home, also attests to the fact that women, in practice, were not subordinated as much as we might expect.

### **Circumventing the Restrictions:**

We have seen that there were a great many legal and social obstacles, in Early Modern England, that made it nearly impossible for women to become landowners, in their own right, and yet, several women managed to do it. How was this possible?

Some means were built into the law, and fairly simple to accomplish. First of all, there is a common misconception that under the Common Law, all land descended to the eldest son. This is incorrect. According to Amy Louise Erickson, in her article entitled, “Common Law versus Common Practice...”, only freehold and some copyhold land descended this way, and then only in cases of intestacy or where no other arrangements, such as a settlement, had been made.” [Erikson 24] This, in itself, eliminated some property from the Common Law restrictions. Also, under the rule of primogeniture, a landowner could will lands to a daughter(s) if he had no surviving sons, and no male entail on his land. Daughters, as mentioned above, took precedence over other male kinsmen. Heiresses were rare and very desirable as marriage partners, and although their husbands might have control over their lands while alive, they could not sell or mortgage them, and the lands reverted back to the heiresses when the husbands died. [The wills of Raphe and Jean Bell, 1605&1506 (attached) are examples where there were no apparent male heirs; so therefore, their daughter became an heiress.] Another example is given in *The Pastons and Their England*, where H.S.Bennett states, “ Then acting in the accepted way, he looked about him for a suitable match, and finally chose Agnes, the daughter and heiress of Sir Edmund Berry of Harlingbury Hall in Hertfordshire. By the marriage settlement, Paston was to have the manor of East Tuddeham in Norfolk, and besides this, Agnes inherited much property from her father, including the manors of Marlingford, Stanstede, and Harlingbury.” [Bennett 2,3]

A second, and probably the most common way, that women became landowners was through multiple successful marriages. When the first husband died, the widow received one-third of his land for the duration of her life. If she remarried and was widowed

again, she would receive another one-third of the second husband's land, and so on. There are several examples of women who were in this position, including Lady Lettice Tresham, Bess of Hardwick, Honor, Lady Lisle, and others. In *The Tudor Housewife*, Alison Sim even gives an example of "Thomasine Bonavetura, a poor girl from a peasant family from Cornwall, had three wealthy London merchant husbands, Thomas Burnaby, Henry Gall and Sir Thomas Purcival." [Sim 13] [The will of John Skellye (attached) is an example of a wife inheriting property for her lifetime, then it passes to their son.]

There were other less obvious ways that women became landowners. Often, their natal families would stand to gain from improving a woman's position and therefore, fathers, or brothers were willing to come to the lady's assistance. Husbands, also, who wished to ensure benefits for their wives and children were willing to use means to circumvent the Common Law. According to Barbara Harris, "Aristocratic men's dependence on their wives and widows limited the degree to which they could subordinate them in practice...when it suited their interests, husbands permitted and even directed their wives to perform tasks forbidden to them by the common law. Similarly, many noblemen and knights bequeathed their widows more movable and real property than they were required to by the common law or their marriage contracts." [Harris 8]

**Marriage settlements** and **uses** (trusts) were yet another, very effective way that families could establish separate properties for married women, namely heiresses and widows who owned property from a previous marriage. There were two types of settlements; a **strict** settlement and a less commonly known type called a **trust** or **use**. For the purposes of this paper, we will focus on the latter. This type of settlement was frequently used during the Early Modern time period. This "settlement is the trust for a married women's 'sole and separate estate', which preserved a woman's independent interest in specified property during her marriage." [Harris, Common Law, 21] Some reasons for wanting to protect the woman's property rights were, in the case of first brides, that the parents might suspect the groom's motives if the bride had more wealth than he, or they might be concerned that the new husband would squander the wealth. They would want to ensure that the property would pass to the wife's children and not

the husband's by a second marriage. By the same token, a widow who was remarrying would want to protect property obtained from her first husband, and also ensure her right to make a will if she died under coverature. Due to the nature of Early Modern law and social customs, it was imperative for women to do whatever they could to protect themselves financially, particularly as widows, and also to provide for their children's futures. [The wills of Johanna de Cobham and Katherine Sauage (attached) are examples of women who owned property and made their own wills.]

This leads us to another way to circumvent Common Law, which was by means of a **jointure**. Jointures negated Common Law dowers, and were common during this time period. They were established as part of a marriage contract. The jointure provided for income from land to be given to both the husband and wife while they were married, and the jointure passed to the survivor to use during his/her lifetime. This primarily provided income for widows since husbands frequently predeceased their wives, and the widow could continue to receive her jointure if she remarried. Fathers set up jointures for their daughters, through marriage settlements, because they knew that most estates were not worth enough to provide adequate financial support through Common Law dowers (i.e. one-third of the estate.) Of note, is the fact that until 1536, women were able to claim both dower and jointure. After that, The Statute of Uses in 1536 eliminated the dower if the woman already had a jointure.

Finally, a new way to get around the law came into being around 1500 called **Common Recovery**. This was an invention of lawyers, which was actually a legal fiction created to enable landowners to break entails on their lands because entails had some drawbacks. Over time, it would sometimes happen that a landowner would end up with no land for his younger children. Also, some landowners preferred to leave their property to their daughters instead of other male relatives. Therefore they persuaded their lawyers to create common recovery, which would allow them to break the entails, and leave their property to their daughters, if there were no sons. [Harris 21] This had definite advantages in that fathers could use inheritances due to daughters to negotiate better marriages for them, or they could exclude male heirs whom they felt were irresponsible or otherwise unfit to inherit the property. They could ensure that their property descended to their own children, rather than to brothers, nephews, etc.“ To

secure his daughter Agnes's advantageous marriage to Sir Edmund Brudenell, for example, John Bussey, an ordinary gentleman, broke the entail on his inheritance in her favor." [Harris 21]

In Kent, there were similar reasons why some landowners wished to circumvent Gavilkind laws, so they used Acts of Parliament to free the lands from Gavilkind in order to will them to whomever they wished. {Jessup 36}

Lastly, men frequently left wills with bequests to their wives that were greater than the laws required. Often the couples had established good relations between them, and the husbands, acknowledging all that their wives had contributed, wanted to provide for them and also their children. According to Harris' research, "Eighty-four percent of 523 men with surviving wives left them property over and above their dowers or jointures. A small number-59 men, or 11 percent-included real estate among these extra bequests." [Harris 131] Usually, these properties would descend to the husbands' heirs when the wives died, but some men willed the property to their wives with rights of inheritance. Most husbands also left their spouses dwellings or manors to live in, and often the women were allowed to keep their clothing and jewels and other movable goods. Of course, much depended on the wives' relationships with their husbands, and the good and fair natures of those men, in these circumstances. According to Barbara Harris' study, seventy-seven percent of the men studied made their wives executors or supervisors of their estates, and thirty-five percent made them the sole executor. [Harris 129] This attested to their confidence in their wives' abilities to manage their finances and their estates.

There were also cases where wives and widows were treated very badly by their husbands. In those cases, the women had to depend upon other male relatives, wealthy and powerful patrons, and/or their own abilities to defend themselves in various courts to get the property and goods owed them. In addition, there were cases where other family members, particularly stepsons and in-laws, hotly contested these bequests, and some women, indeed, whole families, fought viciously for generations over inheritances of land (e.g. the Paston and Lisle families, among others.) What is interesting, is that, in many cases, the women eventually were victorious. It is evident, from these situations

that Early Modern women had to have a good working knowledge of the laws, as well as how to use social and political connections to their benefit.

### **Summary and Conclusions:**

It is commonly believed, among modern people, that land, in Early Modern England, was exclusively owned by men, and that women, being subordinate to these men, could not be landowners. Indeed, there were many legal and social restrictions that made it very difficult for women to own property; however, it was not impossible. Both women and men, (at times) stood to gain from women owning land, and therefore, several ways were devised to accomplish this. There were several women, during this time period, who became wealthy, powerful, landowners, despite the limitations put upon them.

In thinking of my persona Juliana's position, in light of this information, I have decided to make her an heiress, in her own right. This was decided because, as mentioned above, Kent was under the law of Gavilkind. Therefore, in order for Juliana to own Hartlyppe Place in another manner, she would have to be a widow, who didn't remarry, and who's estate was large enough to support her. This would be difficult, since it would be only one-half of her late husband's estate. He would have had to be quite wealthy, which would not fit with my choice to portray a rural gentlewoman. It would also make my persona story quite legally complicated, especially if an Act of Parliament had been employed to free the land from Gavilkind law. Therefore, Juliana will simply be the sole heiress to her father's estate.

## GLOSSARY

[Definitions are quoted from Harris, Barbara J. English Aristocratic Women 1450-1550. Oxford, New York: Oxford University Press, 2002, unless otherwise noted.]

**Common recovery:** By the fifteenth century, therefore, some landowners wanted to bar (i.e., break) entails on their inheritances, In response, lawyers, undoubtedly at the behest of their clients, invented the common recovery, a collusive lawsuit allowing landowners to void entails and bequeath their estates freely. By 1500, the common recovery had transformed the entail into a “freely convertible” estate and permitted fathers to leave their land to their daughters if they had no sons.

**Copyhold:** land not held by the occupier in freehold, but rather in leasehold or copyhold. Manorial law governed copyhold land.

**Coverture:** the common-law doctrine that a husband covered his wife’s legal identity during their marriage; thus she had none of the legal rights normally allowed to all men or to never-married women or widows.

**Dower:** provision for widows under the common law; widows were entitled to the use (usufruct) of one-third of their husband’s land; after their death, it passed to their husband’s heirs.

**Dowry:** property given by the bride’s family to her husband or father-in-law on her marriage, usually in the form of cash paid in installments over a period of years; the bride had no legal rights to her dowry; also called her marriage portion.

**Entail:** estate limited to a person and the heirs of his or her body or to certain classes of the heirs of his or her body; also called a fee tail or an estate in tail. As a verb, to settle property on a person in fee tail. The most common entail was a male tail, which limited inheritance to one’s male descendants.

**Freehold/land held in fee:** also known as fee simple, the estate in real property that includes the right of alienation and inheritance, without restriction on particular heirs; after the owner's death, it would descend according to the rules of primogeniture unless they have been altered by entail or will (after the statute of Wills, 1542); land conveyed to feoffees is no longer held in fee.

**Gavelkind (in Kent)** is a custom annexed and going with lands in Kent called Gavilkind Lands, holden by antient socage tenure, dividable between the heirs male. [Sandys, Charles. *A History of Gavilkind*. Littleton, Colorado: Fred B. Rothman & Co., 1981.] Gavelkind differed from other tenures in various ways, but the most important of which was that when an owner died without leaving a will his land was divided equally between all of his surviving sons instead of passing wholly to the eldest son...[Jessup, Frank W. *Kent History Illustrated*. Kent, England: Kent County Council, 1966.]

**Heiress at law:** a female heir under the common law according to the rules of primogeniture.

**Jointure:** land granted in joint tenancy to a husband and wife at the time of their marriage; the survivor continued to hold the land until his or her death; the husband received the income during the marriage; although the jointure supported the couple, its primary purpose was to provide for the wife in the event she was widowed. A woman continued to receive her jointure if she remarried.

**Primogeniture:** the common-law inheritance rule that the oldest surviving son inherits his father's land; under this rule, daughters may inherit if there are no sons; daughters inherited before any of their fathers' other male kin.

**Use:** an early form of the trust; the owner of the land conveyed legal title to (i.e. enfeoffed) persons known as feoffees for specific purposes designated in the deed of conveyance. The use separated legal ownership from receipt of the profit or benefit of

the land. The common law did not recognize the use and therefore did not protect its beneficiaries if the feoffees violated the terms of the enfeoffment. Chancery recognized and enforced the use as a matter of equity. ...The use permitted landowners to devise their lands by will at their deaths, which was not possible under the common law....

## ONLINE WILLS

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Bk47+48/page%20075.htm>

Will of John Maplesden, 8 July 1528

Kent Archaeology Society

Medieval and Tudor Kent P.C.C. &C.C.C. Wills

10/9/05

(An example of a traditional Gavilkind will.)

<http://www.learningcurve.gov.uk/tudorhackney/localhistory/wills2.asp?Wnum=9>

Will of Raphe Bell, 1605

The National Archives, Learning Curve, Tudor Hackney

5/17/05

(The will leaves the daughter as heiress.)

<http://www.learningcurve.gov.uk/tudorhackney/localhistory/wills2.asp?Wnum=10>

Will of Jean Bell, 1606

The National Archives, Learning Curve, Tudor Hackney

5/17/05

(The will leaves her daughter as heiress)

<http://www.learningcurve.gov.uk/tudorhackney/localhistory/wills2.asp?Wnum=11>

Will of John Skellye, 1607

The National Archives, Learning Curve, Tudor Hackney

5/17/05

(His wife inherits property for her lifetime, then it descends to their son)

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk27/page%20758.htm>

Will of Johanna de Cobham, August 1369

Kent Archaeology Society

Medieval and Tudor Wills at Lambeth

1/15/06

(Johanna owns land and a manor, and made her own will)

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk22/page%20175.htm>

Will of Katherine Sauage, 28 October 1436

Kent Archaeology Society

Medieval and Tudor Wills at Lambeth

1/15/06

(Katherine is also a property owner and made her own will.)

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Limited,  
1998.

## APPENDIX

Tudor P.C.C. Will Transcription by L. L. Duncan - Books 47 & 48 page 75

# JOHN MAPLESDEN, 8 July 1528

JOHN MAPLESDEN, of Maidstone, 8 July 1528. To be buried in the church of Alhalowes in Maidston next vnto the grave of Stevyn Norton belfounder while he lyved. To all the lightes in the church from the 'porterems' sett vward toward the high awter to euery light 4d. To reparacion of the church of Merden £6. 13. 4. under condicion the churchwardeyns and parischens of the same church will be content to take the same money in recompence of certeyn londes late William Millers.

To Elizabeth my daughter 40 mrcs to be taken by reentre yerely of Richard Brottyll of Bremsbeley by John Frankeleyn and Petir Maplesden myn executors and deluiered to Maister Doctour Leeffe, maister of the College of Maidston to behove of said Elizabeth Maplesden my daughter to hir mariage.

Item where as Margaret Millys of Malling widowe and Robert her sonne owe to me 20 marc wherof I forgeve the seid Margaret and Robert Millys £6. 13. 4., the other £6. 13. 4. I geve to said Elizabeth Maplesden my daughter to hir mariage and if the said Robert Millys will redeme the annuytie I have owte of his londes in West Malling and Reyhyesshe for £20 I will that he shall have it as other men shalhave their annuyties in likewise orells the said Annuytie of 26s. 8d. to the mariage of my two yongest sonnes Thomas and Osmond. And also £6. 13. 4. of an annytie in Stockbery and all other annyties to my said two sonnes in likewise.

The money comyng of all my purchased londes in Merden shalbe receyved yerely by my executors and John Mascall myn ouerseer, the space of 10 yeres and deluiered to the maister of the College of Maideston to kepe sauflly to the behove of my two daughters Mildrede and Margaret to their mariage bitwene them to the summe of oon hundred mrcs. And if both die or they be maried then to my thre sonnes Petir, John and Jerves.

To Mildrede my wife all my housholde stuff and plate that she broght to me. To the same Mildrede my wife if she wille abide and dwell here she shalhave mete, drynke and wood for her till Shrovetide next comyng by myn executors and in money 20 mrc and twelve bullocks going at Merden in a felde called Alens felde and 26 mother ewes going at Sutton Valance wt oon Goldsmyth wt a stock that Roger Bocher hath to his ferme in Sutton Valance, 2 quarters of whete and 5 qrs of malte and a quarter of Tarys and 5 qrs of ootts.

To Thomas Johnson my seruant a kowe and to Thomas Williams a kowe and to Joane and Julian my maidens a kowe. Executors Petir Maplesden and John Frankeleyn and John Mascall ouerseer. To euery house of Religion wt in the shire of Kent to pray for my soule 7d. by myn executors after the maner as the testament is of late William Lambe. Residue to Petir Maplesden my sonne executor. To Maister Doctor Leeff maister of the College of Maideston 40s. Last will: My londes and tenements in the which John Mascall gent, John Fraukelyn, John Tybolde, Edmonde Pollyll, Richard Rodde, and Wm. Reme of Maidstone stande feoffed and seased vnto myn vse. My two sonnes Thomas and Osmonde all my londes & e lying on thisside the Stylebrigg wt in the hundred of Maidstone egally when they come to their lauffull age.

After tenne yeres afore rehersed all my purchased londes in Merden egally bitwene my thre sonnes Petir, John and Gerves when they come to their lauffull age and all such londes that come by the mother of Petir John and Gerveys they to have it bitwene them. To said Thomas and Osmonde my sonnes my two houses in Malling.

The anuytie of 10s. yerely I have in Gouthehurst owte of the londes of John Wynneshurst late called Harpers for an obite yerely in the Parische church of Maydstone.

Witness: Thos. Parker, Petir Saunderson and Thos. Johnson.

Proved 9 November 1528 by Peter Maplesden executor. (P.C.C. 39 Porch)

# Will of Raphe Bell

In the name of God Amen.  
This thenth day of October 1661 Raphe Bell of  
Warwicke in the County of Staffs yeoman being of y<sup>e</sup> full  
sounde memorye do make this my last will in forme followinge  
First I bequeath my soule unto all myghty god who gave it  
me and my body to be buried in a churche Churchyard by  
my daughter Juliana Item I give unto my daughter Suzan  
all my freehold lands in and about Marthe and the lease  
wherof I have of M<sup>r</sup> Egerton of land in the same Marthe  
to have and to hold the sayd land from and after the decease  
of my welbelovd wife Jane unto my sayd daughter and  
unto her heires forever And to have and to hold the sayd  
lease unto my sayd daughter Suzan her heires and so  
I give duringe all the residue of yeares wherof shall remaine  
at the death of my sayd wife Jane Item I give unto my sayd  
wife Jane my freehold land in the aforesaided case duringe  
her naturall life Item I give unto my daughter Suzan ten  
pounds Item I give unto my Grandchild Jane Allen forty  
shillings Item I give unto my daughter Mary twenty shillings  
Item I give unto my son in lawe George Allen my best  
shate Item I give unto my lovinge friend Nicholao Miller  
my freehold with the silver buttons beinge thirty five of them  
Item I give unto my Sister M<sup>r</sup> Lettie Colles ten shillings  
Item I give unto my welbelovd wife Jane Bell all my other  
movables and ymovables not before bequeathd my debts  
beinge payd and my funerall expenss defrayed And I do make my  
sayd wife Jane full and sole executrix of this my last will  
and testament utterly revokinge and annullinge all other  
former wills Dated the daye and yeare first above written

Hand  
Bell LX  
167  
41

IN THE NAME OF GOD AMEN. This thenth day of October 1606 [mistake for 1605] I Raphe Bell of Hackney in the Com of Middlesex yeoman, beinge of perfecte memory thanks be to God do make this my last Will in forme followinge

ffyrste I bequeath my Sowle unto Almighty God who gave it me and my body to bee buried in Hackney Church Yard by my daughter Ursula.

Item I give unto my daughter Suzan all my freehold lande in Ould Ford Marshe and the lease which I have of Mr Egerton of Land in the same Marshe to have and to hould the sayd land from and after the decease of my wellbeloved Wife Jane[,] unto my said daughter Suzan and unto her heirs forever. And to have and hould the sayd lease unto my sayd daughter Suzan her Executors and assigns all the residue of yeares which shall remayne at the death of my sayd wife Jane.

Item I give unto my sayd Wife Jane me free lands etc aforesaid mencioned lease deuringe her naturall lyfe.

Item I give unto my Daughter Suzan tenn pounds

Item I give unto my Grandchilde Jane Allen forty shillings

Item I give unto my Daughter Mary twenty shillings.

Item. I give unto my Sonn in Lawe George Allen my best cloake

Item I give unto my lovinge friend Nicholas Miller my frise Jerkin with the silver buttons beinge thirty fyve of them.

Item I give unto my syster Mrs Lettis Calles tenn shillings

item I give unto my wellbeloved Wyfe Jane Bell all my other goods chattelles moveables and ymoveables not before bequeathed my debts beinge payd and my funeral expence defrayed. And I do make sayd good Wife Jane full and sole executrix of this my last will and testament utterly revoking and anhillinge all other or former Wills

Dated the daye and yeare above written by me Raphe Bell written with my own hand. The debts I owe without speciality Thomas Nicholls fower pound and his tythe payd Bartholomewe Artridge thirty two shillings six pence and his tith payd William Munn neere aboute thirty six shillings and his tyth payd Mr Augustin Kellam forty shillings lent by me in money. By me Austin Kellan, Nicholas Miller his mark.

Proved 9 January 1606

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IN THE NAME OF GOD AMEN this xv day of Januarye 1606 I Jean Bell of Hackney in the County of Middlesex Widdowe beinge in perfect memory thanks be to God do make this my last Will in forme followinge

ffyrst I bequeath my Sowle to Almighty God who gave it me and my body to be buryed in Hackney Church yarde by my Husband Raphe Bell.

Item I give unto my Daughter Mary Allen my best gowne

Item I give unto Grandchilde Jeane Allen tenn shillings

item I give unto my Syster Ellen Smith my second beste gowne and my best Hatt

Item I give to Ann Ball my ould Petticoate and tenn shillings of money

Item I give unto my daughter Suzan all my free houlde lande in Ould Forde Marshe and the lease which I have of Mr Egerton of Land in the same Marshe to have and to houlde the sayd Land to her and her assignes for ever and to have and to hould the sayd lease unto my sayd daughter Suzan her executors and assigns dureing all the residue of yeares which shall remayne after my decease.

Item I give unto my foresayd Daughter Suzan Bell all my other goods and chattells moveables and ymoveables not before bequeathed my debts beinge payd and my funeral expences defrayed. And I do make my sayd Daughter Suzan full and sole Executrix of this my last will and testament utterly revoking and anhillinge all other or former Wills[.] Dated the daye and yeare above written. The marke of Jeane Bell. Witness by me Austin Kellam the marke of William Howard the Seale of Jeane Bell Widdowe, by me Symon Egerton.

Proved 22 January 1606

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Will of John Skellye

In the name of God Amen  
John Skellye of Chardney in the County of Middlesex, Yeoman this twentieth  
day of July 1607 beinge vocable of bodye but in full memorye wanted  
to be given unto almighty god do make this my laste will and testament  
in manner and forme followinge: First I bequeath my soule unto  
god my maker and unto Ihesus Christe my sauour and the helpe of  
my sanctifier thee god and our god, nexte my bodye to be buried at  
the dispose of my Executor in Christian buriall Item I bequeath  
unto William Skellye my sonne a meade called Sawtance meade  
containinge fower acres of grounde and one lode, And one rothage lyinge  
in Chymerton lande with three acres of pasture belonginge to the same  
and fower acres of pasture and a halfe lyinge south and south adrey  
mynge to the marsh to him and to his heires of his bodye lawfully  
begotten and for wante of such heires unto John Skellye and  
his heires, and for wante of heires to the right heires barke against  
Item I bequeath unto my wife this Skellye my house dwellinge  
house situate in Chymerton with osthed and barke side and alle  
other out houses stables and edifices there unto belonginge what so ever  
Item I give more unto my wife fower acres be it more or lesse beinge  
a fild called parant hild Item fower acres more lyinge in three  
severall filds one called the hillye fild with two other adreymys to

IN THE NAME OF GOD AMEN I John Shellye of Hackney in the County of Middlesex yeoman, this twentieth day of July 1607 beinge weake of bodye but of perfect memorie thankes be given to Almighty God do make this my laste Will and Testament in manner and forme followinge

ffirst I bequeath my sowle unto God my maker and unto Jesus Christe my Saviour and the holye ghost my sanctifier three persons and one God [,] nexte my bodye to bee buryed at the dispose of my Executor in Christian buryall

Item I bequeath unto William Shelley my Sonn a meade called Laurence meade conteininge five acres of grounde and one roode and one cottage lyinge in Humerton Lane with three acres of Pasture belongine to the same and fower acres of pasture and a halfe lyinge in south mill feild adjoininge to the Marshe to him and to his heiares of his boddy lawfully begotten and for wante of such heires unto John Shelleye and his heires and want of heires to the right heires back againe.

Item I bequeath unto my Wife Alice Shellye my nowe dwellinge house settuate in Humerton with Orchard and backsides and all other out houses, stables and eddifices thereunto belonginge whatsoever

item I give more unto my Wife fyve acres be it more or less beinge a field called Pawnehill

Item, Seaven acres more lying in three severall feilde one called the Hillye feild with two other adjoininge to the same.

Item I give unto my Sonn John Shelley after the decease of my sayd Wife all those lands houses and tenement afore named unto him and his heires of his boddy lawfully begotten and for want of issue backe againe unto the lawful heires.

Item I give unto my said Sonne John Shelley foure acres of lande beinge more or less called the Rie feild abuttinge upon the butte goinge into Well Streete.

Item I give unto my sonn John Shelley one acre of several grounde bee it more or less lyinge in Weeke Lane and another feild called the gravell feild

Item I give unto my Daughters twenty pounce apiece and one to be anothers heire yf they should chauce to dye

Item I make my executors my Wife and John Shelley my Sonn

Item I make Henry Bannister gent and Thomas Wood gent the overseers of this my laste Will and Testament to see all things performed and if any controversy be they to decide it. In witness herof I have hereunto sett my hande and seale the daye and yeare above written. John Shelley Sealed and delyvered in the presence of us Fraunce Cullumbell script Rychard Harrison John Barkum

Proved 3 August 1607.

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## Medieval & Tudor Kent Wills at Lambeth - Book 27 Page 758a

### JOHANNA DE COBHAM, Will August 1369

JOHANNA DE COBHAM ET DE STARREBURGH, 13 August 1369 (43 Edw. 111) To be buried in the churchyard of St. Mary Overey (Sce Marie Overthere) in Southwark viz before the entrance of the conventual church where the image of the blessed Virgin sitteth at the top of the said entrance (sedet in sublimo dicti hostii) and I ordain and wish that a plain marble stone be placed over my body and that it be sculptured with a cross of metal in the midst of the stone and round about the stone these words in French "Vos q' p ici passietz pr lalme Johane de Cobham prietz" (Gifts to the church). I leave to the ringing of the bells "in belfreto" of the said church 3s. 4d. (Gifts to church of Lyngefeld in Surrey) and a frontel of the Arms of Berkele and Cobham standing in white and purple. Also a chasuble "et unum album de Armis Berkele et Cobham de veluetto".

I wish in case my goods at my death are not sufficient to pay the debts of my reverend Lord and mine that my executors with one mind sell my water mill in **Edenbridge** (in Ponte Edulmi) which I bought of the heirs of Shardenne as fully appears by their deeds and also my 'hospitium' in Suthwerk. A chaplain to celebrate in the church of Langleborel (Wilts) for the soul of Sir John de la Mare Knight, Sir Reginald de Cobham, Sir Thomas de Berkele and of my benefactors. To Sir William de Wrotham my chaplain 10 marcs.

(The above reference to Edenbridge and the following are the only other Kent references. The Inventory of plate = £83.17.6 and the sum of the Manors per annum £326.0.2). These are the computations of the farm of my marshes in Kent viz of Aubynesmerssh in Elmele of the farmer Wm. Symme and his sureties £26.13.4. Itm for my marsh called Lytelouene viz of John Aleyn my farmer (firmarius) there per ann. 106s. 8d. Item for Mullefletesmouth of Robert Bonhomme per ann 16s. Itm for Shardemerssh of Simon atte Boure and his brother per ann. £13.6.8. Itm for Woldhammersh 33s. 4d. by the hands of the Prior of Rochester 'firmarius' there. Item for Neweheth three marks 3s. and 4d. by the hands of John Warde 'firmarius' there. Item for Shelue 24 marcs 6s. and  $\frac{3}{4}$  d. by Henry atte Watre 'firmarius' there. Item for Aldyngton xj marcs by John Moonk. Itm for Westwell 4 marcs by Richard Bethynden farmer there. Item for Newegar 100s by Anicia Chamberleyn sometime wife of Chamberleyn of Melton farmer there. Item for Denhull  $4\frac{1}{2}$  marcs by Sir Thomas de Graunsom 'firmarius' there. Item for Stonrokke 63s. 4d. per ann. Item for Dagmanyshope 10s. per ann. Total of the farms (firmarum') of County Kent for the said marshes and land let to farm 110 marcs and  $20\frac{3}{4}$  d. Item Walter Brounyng and his suerties responsible for my manor of Chyddyngston let to him £61. 16s. Memorandum that the management (iconomia) of my manor of Orkesden (?in Eynsford) in Kent is in my hands and is not let. Probate granted 3 May 1370 (114 Wytleseye).

## Medieval & Tudor Kent Wills at Lambeth - Book 22 Page 175

### Katherine SAUAGE, Will 28 October 1436

KATERINE SAUAGE. 28 October 1436. To be buried in the church of Bobbyng in the chancel of the Blessed Mary next to Arnold Sauvage Knight late my husband. To the high altar 20s. To sustentation of the lights viz of the Lord's Sepulchre the High Cross and St. Katerine 9 cows. To the high altar of the church of Sydyngbourne 26s. 8d., and to the same church my best 'carpes' and to the works of the church 10 marcs. To the church of Bobbyng two other 'carpes' viz one before the high altar and the other before the altar of the Blessed Mary there.

I make Thomas Seyntleger, John Horne, Thomas Sprynget and Peter Dynley, clerk, my executors and John Seyntleger supervisor. Last will: made 28 October 15 Henry VI. that if she shall die of this infirmity which at present vexes her then her feoffees shall sell all her manor of Babeford to the greatest value and fulfill the legacies given before and that Elizabeth daughter of Lord de Scales have my best cup with cover of silver and gilt and a silver pot, my best bed containing in it a pair of sheets of Raynes., a featherbed and all the apparell and my books called 'Premer' and that the poor in the hundred of Myddleton have of my goods and chattels £10 distributed amongst them, and the poor within the lordship of Shorne have 100s. and the poor in the parish of Stonham Aspall 100s. Also that my executors ordain a stained cloth for the Lord's Sepulchre in the church of Bobbyng to the value of 5 marcs.

And that my executors deliver for the hall of the Manor of Bobbyng a certain cloth called 'Hallyng' of white with black lions of tapestry work there to used with three 'costers' of the same suit and for the chamber there a covering of white cloth, "Worstede", with black lions and with 'curteys' and colours to the same. Under condition that William Clyfford does not contradict nor impede the will of the said Katerine nor any part, and that Alianore daughter of William Clyfford continuing in good governance to her wedding shall have 20 marcs and that Peter Dynley, clerk, have yearly for his life of my goods and chattels 8 marcs and the chapel of Cheselhelde with all its commodities, to celebrate for my soul and all benefactors on festival days in the parish church of Bobbyng and certain other days in the chapel aforesaid or in the said church. If the same Peter refuse service in the chapel and church then my executors shall ordain another chaplain to the chapel and service aforesaid during the life of the said Peter. She made John Seyntleger supervisor. (First and third person used).

Proved at the manor of Charryng 22 December 1436 by Thomas Seyntleger, John Horne, Thomas Sprynget and Peter Dynley executors. (459b Chichele I).