

## Women and the Law in Early Modern Europe

### Overview:

How did women use courts and legal spaces either to confront oppression or express their choices? Using legal sources from England and France, we will explore the ways in which women's agency is expressed in litigation, whether as protagonists or witnesses.

### Organizers:

Susan D. Amussen, British history, University of California, Merced [samussen@ucmerced.edu](mailto:samussen@ucmerced.edu)

Esther Brot, Early modern British history, King's College London, [esther.brot@kcl.ac.uk](mailto:esther.brot@kcl.ac.uk)

Anna Young, Early modern European history, Vanderbilt University, [anna.c.young@vanderbilt.edu](mailto:anna.c.young@vanderbilt.edu)

Emily Fine, Early modern English literature, University of Alabama [emfine1@ua.edu](mailto:emfine1@ua.edu)

### Contact:

Anna Young, Ph.D. Candidate

[anna.c.young@vanderbilt.edu](mailto:anna.c.young@vanderbilt.edu)

(615) 953-8860

735 Tulip Grove Rd. #123

Hermitage, TN 37076

Department of History

Vanderbilt University

2301 Vanderbilt Place

PMB 351802

Nashville, TN 37235

In this workshop, we will examine how legal institutions functioned as a spaces of agency, creating both possibilities and constraints for women as legal actors. Earlier histories of women's criminality or sexuality tended to focus primarily on the punitive and disciplinary aspects of early modern courts. However, more recent scholarship has focused on how the same institutions dedicated to upholding patriarchal mandate within the family and the state also provided women with a potentially powerful means to establish their claims on property, paternity, or reputation. Drawing upon the tools of social and cultural history, this workshop will examine how women engaged with and used legal mechanisms and legal spaces in sixteenth and seventeenth-century Europe, whether as litigants, witnesses, or the accused. The focus of this workshop promises to speak across the conference themes, as we explore different ways through which to read legal sources for choice, complicity, and the production and maintenance of gendered relations.

The focus will be largely methodological, and seek to incorporate the tools of literary theory in regards to reading the performances or "fictions" through which gendered categories were produced and contested in legal institutions. Some of the most innovative scholarship in early modern women's history has deployed tools from a variety of disciplines to read for the silences or gaps that often complicate a straightforward reading of legal sources, despite their enormous utility to reconstructing the lives of otherwise forgotten people. We have thus appended a further suggested reading list to this proposal, intended as a brief introduction to some of the methods that other historians have used and the issues they have encountered.

After a brief introduction (including to particular legal contexts that shape the readings) we will focus discussion around four primary sources, distributed by each of our organizers. Each of these sources represents very different circumstances in which women and men negotiated patriarchy and authority through encounters with legal institutions in England and in France; they also represent different types of evidence.<sup>1</sup> The first source comes from the Officialité of Paris, an archbishopric court that held primary competence over ecclesiastical and matrimonial disputes. It concerns a suit for annulment from 1619-20, brought by Judith Chocut, against her husband, Jean L'Homme, a master painter in Paris. Chocut claimed that her husband was impotent and had never consummated their marriage of three years. Pierre Darmon (1979) famously argued that impotence trials like this one constituted an unholy alliance between women, who brought forth the overwhelming majority of cases, and ecclesiastical judges, designed to oppress and embarrass men with what we may now call erectile dysfunction. However, this case suggests that the operation of gendered expectations about marriage, procreation, and household authority were considerably more complex in cases alleging impotence. Even in instances where women seemed to be directly challenging their husbands' honor and demanding sexual satisfaction, their options were in fact much more constrained and often directed by family interests.

Our second source also examines potential failures of or challenges to patriarchy, although from the perspective of men it implicated. We plan to distribute an extract from the *Diary of Newgate Gaol* by Carleton Smith, Keeper of Newgate, which details the period of service that Carleton Smith completed as keeper of the press yard at Newgate Gaol in London from April 5, 1717 to July 18, 1717. The Court of Aldermen, part of the governing structure of the Corporation of London, appointed Smith to oversee state prisoners, Jacobites, in Newgate after a series of successful and attempted escapes. Smith was the keeper of a specific group of inmates; the warden of the entire prison remained in charge and the Court of Aldermen made Smith responsible to the warden and to themselves. Upon a casual examination, this

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<sup>1</sup> It is possible that organizers will substitute another source for those described, but the questions will remain the same.

diary can offer insight into Jacobite imprisonment. However, it also reveals the interactions of men in positions of power. We can read this source then as a map of how men with authority in the early modern period dealt with each other. The Court of Aldermen was technically the higher ranked group of individuals. In practice, wardens had more power in their prisons and the aldermen had little ability to contradict this authority except in extreme situations. The Diary of Carleton Smith allows us to ask how men who held a form patriarchal masculinity worked with each other, and did this affect the shape of their masculinity? This is a different perspective on gender and law. Rather than how did those outside of patriarchy negotiate it, how did those within its grasp and at its helm deal with others of similar status? Was their status as patriarchal men a benefit in these situations?

A third source is a set of depositions from the Consistory Court of Norfolk in 1595, when a young woman accused her former master, a parish priest, of raping her and impregnating her, and then arranging her marriage to another man. In a dramatic scene, she brought her child to church during evensong, and presented it to the priest to take care of. The intersections of gender and class in the various depositions provide opportunities to see how women and men sought to negotiate their relationships.

A fourth source examines the life writing of Grace Mildmay, a Northamptonshire Puritan who dedicated her 1,000 folio volume of meditations and prayers to her daughter and grandchildren upon her death in 1620. In addition to meditations, her manuscript volume contains life writing detailing a legal battle with her sister over her father's estate and her husband's attempt to free up his own lands from an entail so that his estate could descend to their only daughter. Mildmay's meditations reveal women's complex interactions with competing systems of inheritance in early modern England as she fought to ensure an inheritance for herself and her daughter.

Based on these texts, we hope to raise some broader questions drawn from the following sets of concerns:

1. **Methodological:** How does one account for formulaic or seemingly scripted language, filtered through the pen of a notary or the litigants' own manipulation of legal norms? How do we distinguish between what might seem on its face like "just" legal strategizing and authentic experience? Where did lay people's knowledge of legal norms or institutions come from? How do we move between an institution and the individuals that it contained in order to situate agency? Does understanding that an institution is made up of a body of singular actors allow us to consider law and legal institutions as a means of accessing a "lived" and "real" patriarchy? What is the relationship between writing about legal contests and documents from those contests?
2. **Historical:** What were the acceptable grounds upon which a woman could challenge male authority or patriarchy? How did public reputation and gendered expectations structure legal exchanges? Were there instances in which men also could confront and negotiate patriarchy, even while upholding it? How do we wed our historical analyses to time without falling into the trap of ahistoricism? How do these negotiations help us understand the contours of patriarchy and the tensions within it?
3. **Pedagogical:** What is the utility in teaching legal sources as gender history? How might our methods change in presenting these kinds of texts to undergraduates? Should we combine sociological and historical information to facilitate students' understanding of gender history?

Altogether, we think that these readings and questions promise to provoke a productive discussion of early modern women's interactions with the law.

### Document One: Testimony against Robert Dey, Norfolk

The following are excerpts from two lawsuits in the Norfolk Record Office Consistory Court Deposition Books. As you will see, there is testimony from two women about the behavior of Robert Dey, the rector of Cranwich in Norfolk. I'm focusing here on the testimony of Agnes Green, though Elizabeth Purkey alias Bate's story is even more dramatic. I have modernized spelling throughout.

Norfolk Record Office DEP/28

#### December 1595: Office Case con Robert Dey, Rector of Cranwich, ff. 235-56 passim

Edmund Moundeford, Kt, of Feltwell, 48:

Elizabeth Purkey, Catherine English and Agnes Greene had each been servants to Mr. Dey; both Elizabeth and Catherine had claimed to have been pregnant by Dey. After the birth of the child she claimed that she was married to Dey "in God's sight".

Dey had taken Agnes Greene to court for saying "he would have had the use of her body". Moundeford had persuaded Dey to drop the suit, having a regard that Mr. Dey's name should not further go in question, as also pitying that the same poor woman should be driven to such charges." At the same time, he persuades Green to stop alleging assaults.

John Oxburrow, Rector of Mundeford

It was "publicly and commonly among honest, grave and credible persons noted, named, voiced and vehemently suspected" that Dey was father of Elizabeth Purkey's child. She had served Dey for 6 months, then became Oxburrow's servant. She was pregnant when she arrived. First accused Dey; "Not long after her said accusation of Mr. Dey to be father of the said child, she the said Elizabeth was married to Robert Bate, Thaxter. . . by the means and procurement of one William Oxburgh was married the sister of the said Mr. Dey. The said William Oxburgh had agreed with the said Bate to give him a certain sum of money in lieu of the said marriage whereupon the said Bate demanding some assurance therefore, he the said Wm. Oxburgh did tender him by word this deponent's bond . . . for the paymen of £6 to the said Bate at or about Michaelmas then next following.

Agnes Green of Igburgh in Norfolk, singlewoman, 28 years old

Servant to Dey for c. 6 months. He "would have had carnal knowledge of this deponent's body as at one time this deponent being in the kitchen of the parsonage house of Cranwich in the morning by break of day, washing up of the vessels, before she should go to milk he the said Dey did come to her, and would have kissed her and offered in strying manner to put his hands under her clothes or petticoate, and used violence to have forced her to have had to do with her. Whereuppon this deponent was constrained to tumble down the dishes which greatly wet the house. And so she came away to milk the neat, and at her return, saw how her said master had made clean the house, and had swept away the water. She also saith that almost all the night next before, as this deponent did lye in bed with an old blind woman, being his aunt, and the said Mr. Dey being also in another bed in the same room. . . which was usually their

lodging place, her said master did call to this deponent and often moved her to come to him to bed, giving many sighs as tokens of love, which he professed to her.

Further she said that at another time when as there was two tailors working at her master's said house, he said master bade her go make a bed for them at another tenement of his own hard by the parsonage which he had bought whither this deponent was not soon come into the bed chamber but that the said Mr. Dey came thither also alone by another way, and there would needs have cast this deponent upon the bed and did thrust his hands under this deponent's clothes, and touched therewith her privities, although she resisted him to her power, . . . and this deponent struggling with him, died away in a swoon by his extreme usage until he then revived her with holding her up to the air. And when he saw he could not have his will, and lust over her, he went his way.

And she said that at another time while she was kneading of dough in the chamber of the parsonage house, where her master's man's bed stood, her said master came softly behind her & took her suddenly in his arms and carried her to the bed whereupon he laid her by force and cast her clothes over her head, laying her bare from the middle downward, having his britches hanging down on his hams, and then would needs have had to do with her, insomuch as he nipped her thighs with his fingers to make her part her legs. So that she had no way to hinder his unlawful desire but to keep her legs across, the which she did, although he nipped her that the marks were to be seen a month after, and at last without having his desire, he went away.

Mr. Dey did serve this respondent in the consistory court of Norwich, as she taketh it, for reporting of his forsaid behavior toward her, where she was condemned, as she have heard, but in what sort, or how, she . . . cannot tell."

Elizabeth Purkey alias Bate of Narborough:

Testifies that Dey was the father of the child. He "did beget the same child in a lower chamber of the parsonage house of Cranwich in the morning in summer time, having the use of her body upon a bed where this deponent did use to lie, and she further saith the he had the use of her body several times after. Also she said that [this] as also of adultery by the said Dey committed with Caterhine English in the years and months asserted there have been and is a common speech and report in Cranwich and elsewhere."

Notes that "If Mr Dey would have given her husband all such money as was promised him for marrying her this respondent that then her said husband would never have stirred or moved any of the said matters of incontinency against Mr. Dey. (Several other witnesses confirm this.)

Edward Bate of Beeston, Thaxter, father to Robert Bate

They were told that Elizabeth Purkey was owed a legacy of £10, as well as two cows and some sheep, in addition of 40 marks. Promised far more than there was.

**May 1596: Robert Dey con Leonard Poole, Richard Dey, Robert Bate, and Elizabeth Purkey alias Bate**

Agnes Burges, of Cranwich, wife of Roger Burges:

At Evening Prayer on Trinity Sunday a year earlier, Elizabeth Bate charged "That Mr. Robert Dey to be the natural father of a young child which she then brought with her being about 4 weeks old, and so laid down the said child there in the church of Cranwich and went her way." Agnes walked through the streets of Cranwich to find someone to nurse the said child.

## Document Two: Suit against Jean L'Homme, Paris

The following contains several extracts from a suit for annulment brought in 1619 before the diocesan court of the Officialité of Paris by Judith Chocu (or Chorquet) against her husband, Jean L'Homme. Judith Chocu claimed that her husband was impotent and had not consummated their marriage after three years, having separated from him after about seven or eight months of marriage and on this basis requested that her marriage be declared invalid. Following routine procedure for these kinds of claims, the parties first underwent a physical examination by sworn experts appointed by the court, followed by a semi-public demonstration before the same medical experts, written defenses, and an interrogation. The Official annulled the marriage on April 11, 1620 and Jean L'Homme was bound to pay amends, court costs, and support.

All transcriptions and translations are my own. Punctuation has been added for ease of reading.

Source: Archives Nationales Z1o 104-105, minutes of the Officialité of Paris

### October 3, 1619, report of medical experts

"We, Nicolas Allain, doctor in medicine, Jean Riolan, master barber surgeon and Jeanne Dehault certify that following the sentence of the noble and venerable person Monsieur the Official of Paris, absent due to sickness, we have seen and diligently visited Jean L'Homme in his natural and shameful parts, which we found passably conforming and proportionate. And so that by all inspection we could not at present judge his potency or impotence, because virility does not depend only on the integrity of the said parts, but on the natural heat, which one cannot know but by action. At the same time, we also visited Judith Chocu in her natural and shameful parts, which we found clean, intact, and not corrupted, and the said Chocu a virgin, and entirely capable of receiving a potent man and capable of marriage. Done at Paris the third day of October in the year 1619."

[Although the results of this report were inconclusive, the Official initially moved to annul the marriage on the basis of Judith Chocu's virginity, in a document dated from October 7, 1619. However, Jean L'Homme's public attorney contested the use of the examination of the wife to condemn the husband and ordered a further series of examinations and interrogations. On October 26, 1619, the Official ordered the parties to perform sexual congress [*congrès*] before another committee of experts to better diagnose L'Homme based on the "action" mentioned in the above report. Unfortunately, the experts' report from the congress is missing for this particular case.]

### Interrogation of Judith Chocu, October 27, 1619

"Said that her name is Judith Chocu, age 22 or 23, that she has a father and mother...and her father is a *greffier* in Paris, that she has professed the so-called Reformed religion for ten years...

"[Asked] if she was married to the defendant.

"Said yes, for three years in the month of August.

"[Asked] where they were married.

"Said in the church of Saint Eustache.

"[Asked] if since that time she lived there.

"Said that it was but seven or eight months.

"[Asked] if she formed a valid marriage.

"Said no.

"[Asked] if during the eight months L'Homme lived in good order [or household; *ménage*].

"Said no and that immediately after the said marriage me made some attempts but he could not achieve her [carnal] company because he had in his parts. With its usage, some impediment appeared and he began to use violence...to beat her at her work. After about one month, she left because he had so mistreated her...to return to her parents. And also he used great violence to push her out of the bed.

"[Asked] if he had her [carnal] company.

"Said no that he was not capable, despite his efforts...that he could not do it except by using his fingers in the attempts that he made.

"[Asked] if she, out of refusal or resistance blocked him.

"Said no.

"[Asked] if he had the parts required.

"Said yes, but he could not.

"[Asked] if she knows the reason that he could not.

"Said that she did not know anything, that this was an impotence.

"[Asked] if she complained to someone.

"Said yes and that her parents reproached him when she was for some time transported to them, that he render himself more capable of the works of marriage, because by May last year he had not had her [carnal] company...

"[Asked] if she knows what impotence is.

"Said yes, in which one is not capable of having carnal company and that he could not.

"[Asked] if she knows that it [impotence] is erection, intromission, and ejaculation.

"Said no, but that her mother and relatives had asked for a long time if she had his carnal company and she told them no.

"[Asked] if she obeyed him in all things.

“Said yes, that she refused him nothing.

“[Asked] if the said defendant marked her shameful parts?

“Said no.

“[Asked] if he acted with violence.

“Said yes, and impotent he threw her out of the bed with violence...he also threatened her for complaining to her father and mother and for soliciting them grew angrier...”

“[Asked] if she was a virgin and not corrupted.

“Said yes.

“[Asked] if she consented to submit to the visitation of the expert physicians, surgeons, and matrons...”

“Said yes...”

### ***Procès verbal* for Judith Chocu, October 27, 1619**

[The *procès verbal* was often a polemical defense written on behalf of each party by each of the *procureurs*, or the public attorneys, and submitted to the court as evidence.]

“For Judith Chocu plaintiff in declaration of nullity of a so-called marriage, against Jean L’Homme, master painter of Paris, defendant in the said cause. [She] said that three years and more ago the parties by the common consent and by the desire of their relatives and friends contracted a marriage and celebrated it with all the customary solemnities required in such a case in the parish church St. Eustache in Paris, the parish of the plaintiff. Since the celebration of the marriage, the parties lived together, ate and slept continuously together like man and wife for the space of seven or eight months.

“During this time, although the plaintiff showed all the respect, obedience, and friendship that a wife ought to her husband, and although he the defendant put himself to the duty of consummating the marriage, he was not able to, despite his intent, because of his impotence and manifest frigidity, even though he made use of illicit means possible to him, only to serve himself of such violence, rage, and fury that he used tools [*ferriements*] and forced her with his fingers. Seeing that he could not achieve his intention, and because of these evil treatments and assaults of the defendant, [she] went straight from the house, having informed her father and mother some four months after the solemnization of the so-called marriage, without however revealing his impotence, because of her modesty and honesty. Her father and mother, seeing that she wished to absent herself from him, and that he wished to seize the silver [*vaiselle d’argent*] and the household goods most precious to the plaintiff, proceeded by the authority of Monsieur the Civil Lieutenant to seize the said goods, since which time they were returned...due to the promise and assurance given by the defendant to treat her as a wife [*maritalement*] and no longer molest and mistreat her in the future.

“The parties lived together well, ate and slept together without interruption for three months or thereabouts. During this time, the defendant, wishing the consummate the marriage like before

and unable to execute his design, continued not only the same furious and violent activities as before, but used even greater ones. Such that the plaintiff could not bear such pains and violence [and] was constrained each time to cry out assault. These cries and clamors were heard many times by the servants in the house where the parties lived, on the corner of the Rue St. Honore...

"Therefore, doubting that this could be because of the said impotence, [she] inquired on this subject and the father and mother of the plaintiff constrained him to recognize the visit of experts in various places and parts by many persons, who said he could not consummate the said marriage. [L'Homme] believed himself to be bewitched and to have the *aiguillette* knotted.<sup>2</sup> With this knowledge, the parents and friends of the parties advised them to put themselves in good estate and have a mass celebrated in order to end the sorcery, if there was some. [L'Homme] agreed and on a certain day he went with the plaintiff to the church of St. Germain L'Auxerrois to achieve this effect. However, he immediately left without saying goodbye and exited, testifying by this to his impotence and frigidity, although he agreed with her parents, who around a year ago confided with him to find some [solution?], whether to return to parties to one another, or to obtain an appeal for nullity of marriage.

"On this, the parents of the plaintiff wished to make clearly known the impotence of the defendant and his abuses, but the plaintiff did not wish to avow her resistance, as she bore and bears all the obedience that a wife ought to her husband. It was apt to return the parties together for some time in a house of their relatives and friends...nevertheless, the defendant recognized his infirmity and fault and, unable to consummate the marriage for the eight months that he lived with her, he could not bear the least witness of his virility, not wishing to agree to the deliberation supplied by the common relatives and friends of the parties. They remained separately in a particular house without seeing or frequenting each other. The plaintiff recognized the danger to the salvation of her soul by living in such a way, as the so-called marriage between the parties was null and all nullity and could not continue in this fashion. By the advice of counsel, this was made known before us [the Official]."

#### *Procès verbal* for Jean L'Homme, October 27, 1619

"Against which finding, below [is what] the said Horry<sup>3</sup> has concluded on this so-called marriage, celebrated in the face of the Holy Church... [That] the plaintiff, blinded by her own passions, since three or four days after their marriage was celebrated, has not shown L'Homme the respect that God commands her to bear to her husband, a defect arising from the most bold, extraordinary, and intolerable faults that one could ever imagine. She left the house without listening to her husband and remained twelve days before she consented to return. She was favorably received on the part of her husband, with some remonstrances tending to her correction, without prejudice to her if she promised to comport herself more wisely...All the rest of the time she lived with her said husband, rather than keeping the household, she absolved herself from the housework [*ménage*] and [from] giving drink and food to her husband

<sup>2</sup> The *aiguillette*, or ligature, was a commonly feared kind of sympathetic magic intended that made men impotent. The spell was often symbolized by tying a knot. On beliefs surrounding the *aiguillette* in early modern France, see Emmanuel Le Roy Ladurie, "The Aiguillette: Castration by Magic," in *The Mind and Method of the Historian*, trans. Siân and Ben Reynolds (Brighton: Harvester Press, 1981), 84-96.

<sup>3</sup> The *procureur*, or public attorney, representing Jean L'Homme in court.

and to the men who worked under him in his art as a painter. Libertine and incorrigible that she was, she passed days and nights playing cards in the house of another and in the present company where she was found, when her husband with his men had left their work to take their meal, but found none. Finally, she denied her husband his wealth, and she extorted the sum of two *écus* in gold pieces for her clothes, her linens, her night shirts...[and] was content to seize all their furniture, which could easily be transported: beds, the coffer, tables, sideboard, chairs, stools and the tools of the household [*ménage*], two months after the celebration of their marriage.

“Today, [she sees] her husband reduced to penury and indigence, with nothing left to him except what cannot be carried away – knowledge of the art of painting. After having ruined him in wealth, she seeks to take from him his honor, confirming her enmity and bad faith. She cited him [before the court] to see her marriage declared null for his impotence and natural frigidity. To which, the said defendant responds that she is badly formed [*mal formée*], that the said marriage was celebrated before the Holy Church, out of the desire and common consent of their parents and friends and also that it was consummated between them. He is a natural man and capable of marriage. As for the deposition that the plaintiff made before the law, he is not responsible for this action, as she did not stay with her husband three years, nor two years, nor even one year, as they were married only four months. At many various times she caused dissensions because of her insolence and poor comportment...leaving often to drink, to [engage in] disorders...as well as to infuriate the defendant. He offers to deny all these lies coming from her [and argue] for the case of remaining together [*adhesion*], with facts, in the case of two visits [by experts]...Signed, Viran.”

#### **April 11, 1620 - Declaration of nullity of marriage**

“We have declared null the marriage contracted between the parties due to the impotence of the defendant, whom we have forbidden to marry another on pain of nullity and by law. It is permitted to the plaintiff to pursue marriage elsewhere as she sees fit. And the defendant is condemned to the costs of the case towards the plaintiff, the task reserved without prejudice to her for damages and costs claimed by her as she is able and needs to...”

Diary of Newgate Gaol, By Carleton Smith Keeper -April 5, 1717- July 16, 1717  
 London Metropolitan Archives-Reference Code: CLA/035/02/001

Conventions:

This has been as closely transcribed as possible from line breaks, to spelling and grammar. In regard to line breaks, when the sentences are longer than the width of the page the sentence continues on to the next line, but I start the next real sentence on the following line.

This hand does not contain Secretary style abbreviations, thus everything is transcribed as it looks in the archival document. The original version of this journal was destroyed during the blitz, so there are only images of the original document. So this is a transcription from a replication.

1

A Journal

Or Remarks and Observations made on the  
 Behaviour of the Keepers Officers Turnkeys  
 Rebel=prisoners &x at the Pressyard of Newgate  
 From fryday April to the 5<sup>th</sup> 1717. To Thursday July 18<sup>th</sup>, 1717  
 by Carleton Smith, who was Appointed by the Honble the  
 Court of Aldermen to take Charge of the State=  
 Prisoners there(Since the Escape of George Flint  
 Who was Indited for High Treason) and to Aid and  
 Assist the Keeper; to oversee and Superintend the  
 Several Underkeepers Turnkeys and Officers that  
 they Respectively performe there Duty; pursuant to  
 An order of the Said Court of Aldermen made at  
 Guildhall on Tuesday, April the 2<sup>nd</sup>, 1717, to which is  
 Added a Table of the Officers names, the Regiments  
 they belong to, the Days They Mounted Guard, and how  
 often; also a List of the Prisoners Names under my  
 Care, who has been Discharg'd, and when, and how many  
 Is Remaining. and Lastly, in an Alphibettical manner  
 The Names of The Rebel=prisoners and of those that  
 came to visit them.

2

To the Honble Sir Charles Peers Knight and Aldermen, one of the  
 Honble Comissioners of His Majesties Customs at London.  
 Honourable Sir,

The many favours Your Honour has heap'd upon me from  
 Time to time calls for more servis, than in my present Circumstances  
 I am Capable of Rendering. **[Excerpted]**

But in the meantime I hope your Honour  
 will not dispise this Small offering (which is the Second of  
 this Nature) that Comes with as much Sincerity as I have  
 acted in the Compileing of it tho' it is as full of Imperfection;  
 as it is Empty of Shoole Learning; but that I hope your Honour will  
 pass by with Candor; and Turn your Eye to those Passages where  
 Treachery, Hypocrisy, Injustice, Ingratitude, & Disobedience  
 In the Prison=keepers and Prisoners is Discover'd. I am sure  
 there Actions and Expressions at Sundry times during my 15 weeks  
 Continuance there; has been very grateing to me; for which  
 I have sometimes Long'd to make Reprisals: but that not being

my business to do, but to keep them in Costody: I have as faithfully done it, as if my Life were to go for the Loss of one Prisoner, which has often been Indainger'd by them but they have not been Suffer'd to prevail: **[Excerpted]**

your Most Humble Faithful & Obedient Servant to Command  
Carleton Smith.

4

Twelve a Clock. Mr. Pitt has been here under some uneasiness, hat we do not Look after the state prisoners in the Master side as well as here; but I ans=wered that we Could not do it with safety: but if he wou'd bring them into the Press=yard we wou'd take care of them. I am apprehensive that his Designe is to part us two, that so (if he has any Designes that's Ill) he may the better accom=lish it. For there is but 5 of them there, who are not able to pay him as these do that are here (as I am Inform'd) for here is more than Room Enough; we having but 33 prisoners in all. At 9 a Clock we went to Lock up per=suant to our Orders: and by way of precaution we Left word with the Sentinalls at the Doore whose names are James Orr of Colonel Cammills Compnay in the 3<sup>rd</sup> Regiment nad Robert Hyde of the same; that they should not suffer any one to pass in or out, till we Should Return; leaving Black Jack at the Doore with the key. We took in with us Mr. Rowse and Mr. Perry. We had not been in very Long when Mr. Pitt comes & Demands Enterance of the Sentinals; who Refus'd him according to their order Receiv'd. Upon which he told 'e, he was the keeper (and called black Jack to affirm it) but still they Refus'd him. At length there was an outcry made for us: upon which I came downe & found mr. Pitt, not at the Press Yard doore, but at his Window which Looks into it, Raving & Calling me Sorry=Impudent fellow; Sawey blockhead &c. for Denying him Enterance into His a prison: But I reply'd, it was the sentery: for I had no such Designe to keep him out, neither did I think that he wou'd come at such a time when we was locking up, for if I had, I would have Left orders accordingly. But such Reasoning would not avail any=thing: upon which he went round to the Door and was Let in, proceeding in his Railery as before; Declareing, that we should not stay here; for for (sic) the Prison was His in Spight of any body; and therefore Demanded

5

us to be gone. But we having more Regard to the orders of my Lord Mayor & the Court of Aldermen than to him, in this: proceeded to our Locking up (which by our being hindred by him) we had not finnish'd till near Eleven a Clock, Leaving all the Prisoners is Costody. When I took my Leave of him, I Assur'd him, that this Rough Treatment he at first had given us, should be Laid before the Court of Aldermen; not Doubting of being Redress's; for if the Doors are to be open'd when we are within a Locking up, there may at that time be prisoners let out: and as for our both going in at once, it is that we may be Wittness's for, or assit (sic) one another in case of Need; Saturday April the 6<sup>th</sup>.

**[Excerpted]**

6

Incoragegment of the two Soldiers that did their Duty well the Last Night; I have Given them Sixpence to Drink. Just now I went & Informed Sir William Thompson, of our Rough Treatment from Mr. Pitt which he as promis'd shall be prevented for

the Future; and that the matter shall be heard at the next Court of Aldermen. **[Excerpted]**

8

Tuesday April the 9<sup>th</sup>.

We Came to or post this morning at 7 a Clock when the prisoners were Unlock'd. At Ten we Inspected them and found them all in Costody. According to my promise (that I would Inform the Court of Aldermen of the Rough Treatment we at first Received from Mr. Pitt) I have been at Guildhall; but my Lord Mayor being Ill and so not there; the matter before that the Honble Court could to be stated; but however; I address'd myself to the two Worthy Shertiffs; giving them my Case to Read Who Promis'd, that my Grevances should be Redress'd, and that if I wanted Any other power than what I had, I should have it: bidding us to go on as we had done and persue our Orders without Alteration. **[Excerpted]**

13

**[Excerpted]**

Goodfryday April the 19<sup>th</sup>.

We Came to our post this morning at 7 a Clock when the Prisoners were unlock'd at Ten the Doors were shut up during Divine Servis. Captain Moorehead of the 3<sup>rd</sup> Regiment Relieved the Guards at 12 a Clock; Soone after we Inspected the Prisoners & found them all in Costody. They have all been very sober & orderly except Captain Silk who Curs'd & Swore prodidiously upon

14

the account of the Doors being shut; but Mr. Rowse affirming that on these Days it was always done; the storm was then appeased. At nine a Clock we went to Lock up, & had finnish'd before Ten when we Left all the Prisoners in Costody. Soone after at my going away, I I understand that the Captain had order'd his Drums to beat the Tattoo Along the Streets; upon which I went to him & wou'd have prevented It, by Telling him; that such a thing was never done before at this place; that it would allurum the People; besides it was an Infringmont upon the Libertys of the City, and the prerogative of my Lord mayor; who I Belev'd would not be very well pleased when he heard of it (should be he do it) besides; this was a Free City, & not a Garrison; & that they only Came for the Security of the State prisoners &c. Yet for all that I ahd said, he still Insisted upon it, & would do it he said, now, & when Ever he Came upon this Guard. Upon which I ans=wer'd. that he had been here several times before, & never did it then, & why now? He said it was according to the Rules of war, and so order'd it to be done; which as I said, so it did alarum the People, who Crowd'd in the Street, Doors & Windows to know the Occasion: upon which I told him, that I would Accuaint my Lord Mayor of it, for if such tings as these were suffer'd, there was then an End of our freedom, and that in time they might come & quarter Soldiers upon us too: but I hoped my Lord Mayor wou'd Redress this newsance, for that in former times, the Lord Mayors us'd to make the Guards go without the City to the Tower: and others when they did suffer them, would not Let them beat their Drums;

28

**[Excerpted]** Monday May the 6<sup>th</sup>.

We Came to our Duty this morning at 7 a Clock when the Prisoners were unlock'd. At Eleven we view'd them & found them all in Costody. Captain Chanterell of the 1<sup>st</sup> Regiment

Relieved the Guards at 12 a Clock. Mrs. Flint has Receiv'd the News that her Husband who made his Escape from hence was safely arriv'd in France, which ha given her abundance of Joy **[Excerpted]**

29

**[Excerpted]** Wednesday May the 8<sup>th</sup>.

We Came to our post this Morning at 7 a Clock when the Prisoners were unlock'd. At Eleven we Inspected them & found them all in Costody. Captain Pattirson of the 1<sup>st</sup> Regiment Relieved the Guards at 12 a Clock. Several of the prisoners appointed a Badger to be brought here to be bated by Doggs in the yard; which I thought was no ways proper, & therefore Design'd to have stop'd it; which

30

Mr. Pitt has aprov'd of; sending me word not to Let it go in. Accordingly When it Came I Refus'd it Enterance, upon which the Prisoners sent to Mr. Pitt, Requesting his Consent; but without Success: at which they have been very much Nettled. At nine we went in to Lock, but did not finish before Ten (by Reason of the Backwardness of those that have most Commonly been so; one of which is Mr. Cassills; who in a Reflecting Manner said, that my Lord Mayor was wiser than the King &c) We left all the Prisoners in Costody. The Officer Turnkey & Soldiers have don their Duty well,

32

**[Excerpted]** Monday May the 13<sup>th</sup>.

We Came to our Duty this morning at 7 a Clock when the Prisoners were unlock'd. At Eleven we Inspected them & found them all in Costody. Captain Wheeler of the 2<sup>nd</sup> Regiment Relieved the Guards at 12 a Clock. Severall of the Prisoners being Desireous of taking the air upon the Leads, The Turnkey was willing to Grant their request; but I have oppos'd it, as thinking it not safe: altho' they bost that they are within the Act of Indemnity. But this their

33

sting has been a Little Damp'd, by the news they have now Received, the Act, if it be general; will a Considerable time before it takes place. Tis now Mr. Rowse's week to Lock up, who came not so to do, till half an hour past nine; so that it was near Eleven before we had Completed, when we Left All the Prisoners in Costody. I am Inform'd that this his Indulgence to the Prisoners, arises from the Large sums of Money, he Received from them at their first Coming in. So that Servants as well as the Master has help'd to fleece them. The Officer & Soldiers have done their duty well.

35

**[Excerpted]** Sunday May the 19<sup>th</sup>.

We came to our post this Morning at 7 a Clock when the Prisoners were Unlock'd. At Ten the Doors were Shut up During Divine Servis. At Twelve Captain Waller of the 1<sup>st</sup> Regiment Relieved the Guards. Soon after we view'd the Prisoners & found them all in Costody. About three the Doors were shut up During Divine Servis. Great numbers of people that were let up through the Lodge, to here the Condem'd sermon have Come out at our Door, which oblidged us to be very nice in our Observations, for fear that Prisoners should Come out with them in Disguise. But our fears are at an End: **[Excerpted]**

Monday May the 20<sup>th</sup>.

We Came to our post this morning at 7 a Clock when the Prisoners were unlock'd At

Eleven we Inspected them & found them all in Costody. Great numbers of people that were to see the Condem'd prisoners in the Chappel, has Come out at our Doore, but all Due Care was taken to prevent any prisoners Coming out with them. **[Excerpted]** This afternoon

This afternoon a Woman bigg with Child going up to one of the Debtors in the Commonsides with A Riding hood on, was pull'd downe Stairs in an Inhumane Manner, by one of the Sentinals that Assum'd that Power; though it was not his duty; (for it is the Press Yard Prisoners they have all along Look'd to, & no others: & so are to prevent women with Riding hoods going in there). This Abuse was Complain'd of to the Officer, who Dismiss'd him without punishment, he being only Reliev'd. And because I was speaking of Such unjust doings; a Soldier, one Charles Constantine; Abus'd me with gross names; upon which I bid him to go to his Guard Roome (for he was standing

36  
Sentry) and be quiet; or Else I wou'd Complaine of him to his Officer: but this only Serv'd to Inrage him the more; whereupon I did Complaine to his Officer, who Instead of Punnishing him; gave me a Check, & bid me go About my Business which I did, saying, that I wou'd take another Course: upon which he order'd him to be taken prisoner. Both the Sergants whose names I Cannot Learn has bitt their Lipps, Shook their Canes, Curs'd & Swore at me; Vowing Revenge and Declareing, that if I do not Appear Against the Soldier at a Court Marsh= all (tho' they did not Let me know when it wou'd be) that is should be the Worse for me.

52

**[Excerpted]** Saturday June the 22<sup>nd</sup>.

We came to our post this Morning at 7 a Clock when the Prisoners were unlock'd. At Ten, we view'd them & found them all in Costody. **[Excerpted]** Captain Silk has taken the liberty to Abuse Mr. Menzies

with Gross words and Assarting, that a very fine Lady that Came to Enquire for

53  
Mr. Grearson, was a Notorious whore, & that she Came to him; which he denying and that Justly to, as knowing Nothing of her; the Captain thereupon Continu'd his Assertion & Gross Language, strikeing by the Prisoners who parted them: upon which the Captain Abus'd them all, and Call'd for Mr. Perry & Rowse to come & put Mr. Menzies in the hole or Commonsides (which Last place he has Threaten'd his with for a Long time) but they Refus;d it, Mr. Pitt not being in Towne; upon which he Threaten'd Mr. Rowse, saying, you Dogg wont you? Then it shall be the worse for you: after which begin full of Rage he broke into the Roome where Mr. Menzise & his friends were Sitting, & Strikeing over them at him; Mr. Menzies in his Defence took a Candlestick & Out him over the hand which made him Bellow more than before **[Excerpted]**

both Confin'd to their Roomes, the Captain Vowing what shou'd be done when Mr. Pitt Comes. This his Confident Bullying & Bosting at all times, is oweinge to the Encouragement Mr. Pitt gives him in being so Conversant & famillier with him, both in Eating & Drinking; no wonder seeing it is Common for Governors and Deputy Governors that are of one stamp to do so.

WITH FAITH  
— AND —  
PHYSIC

THE LIFE OF A TUDOR GENTLEWOMAN  
LADY GRACE MILD MAY  
1552 - 1620

LINDA POLLOCK

A JULIET GARDINER BOOK

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## INTRODUCTION

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**D**IARIES AND AUTOBIOGRAPHS are rare documents for pre-Civil War England; those compiled by women are rarer still. In the papers of Lady Grace Mildmay (1552-1620) we have not only one of the earliest surviving autobiographies of a woman written in her own hand but also an extensive collection of scriptural meditations and medical papers. These manuscripts are a particularly rich and diverse collection for this period and provide an exceptional opportunity to investigate the universe of an Elizabethan gentlewoman. Notwithstanding their importance, only a few extracts from these papers have previously been published.<sup>1</sup>

Lady Mildmay was a member of the privileged landed élite of England which constituted about two per cent of the entire population. She did not frequent the court, nor partake in the normal recreational pursuits of the gentry but preferred to reside in relative obscurity in rural Northamptonshire. Women in Elizabethan society were the 'weaker vessel', barred from a university education and from many professions and schooled in compliance with the wishes of their husbands. Yet, as is well known, patriarchy did not prevent women from exercising autonomy and independence in certain spheres, nor hinder them from manipulating the established system to achieve their ends. Lady Grace was in many ways an accepting product of Elizabethan society and in many others a quiet circumventer of the gender barriers.

Her manuscripts constitute a substantial contribution to sixteenth-century spirituality, to the practice of early modern medicine and to the role of early modern élite women. Her surviving papers consist of 85 folios of autobiographical recollections, over 900 folios of spiritual meditations, and 250 folios on diseases, medicines and treatments. The autobiography and meditations are contained in the same black volume, written in a clear Italian hand. The medical papers are in two volumes, the first dealing mainly with the symptoms and causes of disease and herbal remedies; the second mainly with the manufacture of medicines, including chemical ones. In addition there are some miscellaneous personal papers: her will, some correspondence, some accounts for the Apethorpe estate, the home of the Mildmay family, and papers on the litigation she was involved in. The edition here has been organized around three topics: family, religion and medicine. Each part comprises an introduction to the topic and manuscripts, and excerpts from the latter.

In her autobiography Lady Mildmay described her home life, her upbringing, her governess, her parents, her husband and her father-in-law, Sir Walter Mildmay, chancellor to Queen Elizabeth. She related how she thought children should be reared and educated, how servants should be regulated and how homes should be governed. The journal is more a selection of reminiscences than a systematic retelling of her life. It is introspective but not intimate. Few emotions appear on the pages and hence we gain insight into the workings of Lady Mildmay's mind, but not her heart.

Lady Mildmay was Protestant, at a time when England was slowly becoming

converted from Catholicism. Her meditations document her private communion with her God, her tussles with her conscience, her views on Roman Catholics, her aims for the godly community of England and above all her exultant delight in Jesus Christ. It is in this section of her papers that her feelings come to the fore. Her meditations enable us to focus on lay spirituality, on what it meant to be a Protestant during such a turbulent time, and on faith rather than secular ideology as a vital component of religious belief.

Recent scholarship in the history of medicine has highlighted the importance of the role of women in the provision of medical services. Lady Mildmay's medical papers detail for us the type of medical care an élite woman could offer. There is information on the causes and symptoms of disease and the appropriate treatment for them, and on the manufacture, with ingredients and cost, of medications. Her papers reveal that there was little difference between the care offered by a university-trained physician and that offered by a self-taught woman. The historical conjuncture of the paucity of licensed practitioners, the availability of vernacular medical treatises and the acceptance of traditional female nurturing skills enabled those women who were sufficiently educated, leisured and affluent to find an intellectually gratifying and functionally satisfying outlet in medicine.

The papers are too voluminous to publish verbatim. It was decided to reproduce all of her autobiographical recollections, about 10 per cent of her meditations and about 40 per cent of her medical papers. Much of the omitted material in the meditations consists of repetition (there was a great deal of this), prayers for specific occasions and accounts of Old Testament stories. The extracts from the medical papers have been reproduced in the order in which she wrote them, those from the meditations largely so with the exception of her views on Catholics, which she had inserted at f. 482 and I have placed at the end of the selection, and a few extracts from the autobiographical section relating to spiritual matters which I have inserted at the appropriate juncture. These religious passages were accompanied by a host of biblical references in the margins, which I have not transcribed. Her autobiographical recollections were somewhat disjointed and I have reorganized them into a more coherent order, including with them some domestic information which Lady Mildmay had placed in her spiritual journal. The folio numbers are given with each extract to enable the reader to place it in its original position. The folio numbers are those provided by Lady Mildmay and there are pagination errors.

The spelling has been modernized and all dates are given new style. Lady Mildmay had a pronounced tendency to write in long sentences linked with commas and 'ands'. I have at times separated the clauses into sentences in order to increase reading fluency and ease of comprehension. There are many grammatical slips in the manuscripts, especially that of using singular verbs for plural subjects and vice versa. There are also several places where words have been omitted or where there appear to be too many words for the sense of the sentence. In those cases in which the slip was easy to correct, I have done so, placing my additions within square brackets; the rest have been left unaltered. Lady Mildmay had revised her journal and in this edition I have included her insertions and excluded her deletions, except when the latter alter the sense of the entry. In these cases both the deletion, marked

## INTRODUCTION

by {}, and the emendation have been transcribed. The meditations were often composed as a list of sentences without paragraphs. I have divided these into paragraphs as I thought the sense suggested. I have used clipeses to indicate where part of an entry has been omitted.

The selection of material was shaped by current historiographical concerns, by my view of what would be interesting to the reader as well as what was important for understanding Lady Mildmay's life. I have tried to convey as fully as possible the nature of the entire collection of manuscripts and transcribe a representative sample of them.

### MARITAL LIFE

Mine own observation of Sir Walter Mildmay, having been with him almost twenty years uprising and downlying in his house who was wise, eloquent and methodical in all his speeches which proceeded from a clear judgment and true grounded discerning of whatsoever he spake of, with the applause of all men that heard him.

First, touching matters of commonwealth wherein he (being chosen by his country) had a place and voice to speak betwixt the Queen of England his mistress and her subjects in divers parliaments, and by his place of chancellor of the exchequer to speak betwixt one man and another, yea concerning the Queen and her subjects, touching her revenues. In all these he showed himself most faithful, equal and just and carried all matters with the contentment of all parties. Without encroaching to himself vain ostentation and glory of the world and with not enriching of his own estate by the Queen's rents [f. 32] or treasure, wherein he might with a safe conscience wash his hands in innocency. Though he did see many abuses wherein the Queen and state was wronged by greater men than himself put in trust, which example he might have followed as well as they, but that he did detest and abhor from his heart such false and wicked dealings, which could expect from God no blessing in the end.

He ever persuaded the Queen his sovereign, in such a gracious manner to demand all her duties, services and obedience from her subjects as they might yield all and more than they were well able unto her Majesty, rather in love and faithful hearts towards her than by constraint or violence to be urged from them. And also he would say, he ever found it the best means to persuade her subjects with arguments of reason and love, whereby they might rest assured of her Majesty's love and tender affection towards them as a nurse and mother of her commonwealth, rather than by harsh and distasteful speeches to strike their hearts with a doubtfulness of her love and care of their estates [f. 33].

He was of an humble and lowly spirit, affable towards all men from his childhood unto the day of his death and tractable unto all goodness and virtue, with as few evils in him as could be found in a mortal man except original corruption which remaineth in all men in some measure, yea even in the best men but Christ.

When the greatest offices in the land did fall, he might have laboured by his friends, by his own means and by the Queen, her own judgment of his worthiness, to have enjoyed one of those places as they fell; but he said he was assured that he could not perform his fidelity and good service in those places which he would and wished by occasion of the urging of some great men, who also might move him to do many things contrary to his conscience, wherefore he rather refuseth these high places than sought them. When others of his own sort did seek after titles of honour to be made of the nobility, he shunned those ambitious titles and was content with his calling and sought them not. When others were never satisfied in purchasing of lands and adding more and more thereunto continually, he was content with his moderate portion and said that he had enough and that he would purchase no more though he had means

sufficient to have left a far greater revenue to his posterity than he did [f. 34]. He thanked God for that he had and confessed himself not worthy of the least part.

In his own private house, his household and family and all sorts of people that resorted unto him did admire his innocent and unspotted carriage of himself amongst them in all his words and actions, ready to do every man good and hurt to no man.

He was a very pleasant conceited man at his table and continually would minister good occasions and give wise and profitable speeches to the great content of his servants and those that sat with him. He would never suffer any man to be evil spoken of at his table by any man whosoever, but he would cut him off in his speech and reprove him in a gentle and good manner. Neither would he suffer any of what calling soever he were to talk at his table of high matters of state, of the Queen, her counsel, nor of the nobility irreverently, nor prophanely of God, but he would cut off their speech in such a wise and loving manner that they ever took it in good part and revered him.

He was to his power a great favourer of all good learning and of the true profession of the gospel, as appears sufficiently to the world by that flourishing religious learned Emmanuel College founded, built and in good measure endowed by him of his own great charges [f. 35]. He gave exhibition to divers strangers who were men of learning and truly religious. He charged his own land with yearly stipends to two colleges in Cambridge.

The worst man that ever repaired unto him would speak well of him and confess that they had cause to love him. Certainly whosoever he be that maketh himself an instrument to divide the King and his subjects deserveth, of them both, to be cast out and to be accursed both of God and man. It is a dangerous thing for a man to put his hand betwixt the bark and the tree, according to the old proverb [f. 35].

And further I have thought good to call to mind the extraordinary love and favour of this said worthy person towards myself in my tender youth which love was such that he desired me of my father to marry with his eldest son. His son, being then more willing to travel to get experience of the world than to marry so soon, was unwilling to give ear thereunto [f. 37]. But his father told him if he did not marry with me, he should never bring any other woman into his house. Upon which importunity of his father, he was content and entered into communication with him what jointure he would make me and what allowance he would give for our maintenance in his own time. His father answered him again by earnest protestations and vow in the presence of the lady his good mother, saying: 'Dost thou distrust me Anthony? Here I speak it before God, if thou marry with this woman I will give thee all that I have and whatsoever else I can procure, shall be thine. And further [i]f I do it not, thy mother shall be witness against me in heaven', expressing the same with tears which moved the hearts of himself and his mother to weep also. Whereupon he yielded unto his father and the marriage was concluded betwixt him and me upon the trust of his fidelity and good hope that he would

never alter his mind nor break his said oath and vow, the consummation of that marriage being the seal of that bond [f. 38].

My father-in-law gave me this posie in my wedding ring 'maneat inviolate fides' that is to say: 'Let thy faith remain inviolate' which in the very instant of my marriage I received most religiously, with a full resolution (by the grace of God) to perform the same unto the end of my life. Wherein he bound me unto his son as he had before bound himself unto him upon that condition of our marriage.

After which we lived with him almost twenty years, receiving no more maintenance from him but £130 by year bare pension to pay our servants' wages and apparel ourselves and to defray all other charges whatsoever, which could not by any means possible suffice in any competency (the least part of) our necessities. For my husband followed Queen Elizabeth her court and was appointed by her Majesty to go forth with ambassadors that went about any special business and was employed divers times therein for his own experience. Whereby he might be the better enabled to serve his prince and country at all opportunities and occasions, all which he did upon his own charge without craving any [f. 39] allowance from the Queen or from anybody else, keeping men and horses answerable to such a course of life as well at home as abroad.

Which was a strange thing how he could do this without running himself so far in debt, that all or a very great part of his father's whole estate could not have been able to discharge the same. But God who can make a little go far put into his mind to remember, a time to spare and a time to spend, which he did observe in all his expenses, wherein God reserved a blessing for the future times. Yet could he not but be in debt, which he was. And when his father died, not long before his death he divided his land almost equally betwixt him and his second brother and likewise his plate and household stuff and left him no money or not much. And therewithal bound his portion of land by a perpetuity and made me no jointure, (but left me to the third which might be troublesome and uncertain). Neither did he leave any sufficient portion for the preferment of his only child and daughter. My husband finding himself so straitened that he could make me no jointure, nor give his daughter [f. 40] any portion, nor make any estates good unto his tenants but only for his own life for fines received, nor pay his debts, nor ransom himself if he should be taken prisoner by some extraordinary occasion.

He sought to enlarge himself by the parliament and propounded all these said points to that honourable court, where they were received as things most reasonable and fitting to be yielded unto, both in nature and conscience. But his brother would not by any means be persuaded to give his consent that the least title thereof should be granted unto him, though less than the one half of my husband's land would have satisfied all his demands and his brother might have confirmed the residue of his land to himself and his posterity by the parliament. By which obstinacy and evil nature of his brother the parliament dismissed of the cause and left off to take consideration of it, leaving it to the law and he constrained to remain still in his wants.

Then he, being thus provoked, adventured to set himself at liberty by

cutting of the entail and perpetuity which thing he did perform by the law of the land and according to the law of God, {the law of nature} in that thereby he was enabled and did provide for me and for his daughter and discharged all his debts, to the good contentment of us and many other[s] [f. 41] {but his brother and his children}.

All which the right hand of God hath brought to pass in his unspeakable love and mercy towards us and our posterity. And shall not we remember or shall we be ashamed to acknowledge and confess the same from generation to generation for ever, God forbid? For our thankfulness for one benefit is the craving of another and God always accepteth a thankful mind. The best may cure even the most reverent men and women which errors came to their affliction of themselves and others. But {all this was done that we might let us} be wholly cast upon God and receive all from him, and know for certain that the greatest love in earthly parents is but hatred in comparison of the love of God to his children [f. 42]. . .

I thought myself in the house of God all the time of mine abode with my father-in-law, for that no evil company was permitted to resort to his house nor to appear in his presence, whereby I was preserved from the sight or hearing of evil. And nothing but good examples and good counsels and continual exercise in the word of God was preferred unto me, [f. 43] wherefore I esteemed myself more happy to live with him (if it had been but) with bread and water than with any other with a continual feast.

The lady his wife was also a virtuous woman and dutiful to her husband, in all chastity, obedience, love and fear towards him as ever I did know any and she instructed me likewise to become a faithful wife unto her son. Whereof there was great proof made in all their time by many afflictions and contrary occasions which fell out betwixt me and my husband and betwixt us and them.

My husband was much from me in all that time and I spent the best part of my youth in solitariness, shunning all opportunities to run into company least I might be enticed and drawn away by some evil suggestions to stain mine unspotted garment and so be robbed of mine innocency; for I durst put no considerance in myself for mine own defence. And some great personages, ladies of mine acquaintance, would persuade me to go with them to court, to feasts, marriages and plays, [f. 44] saying that it was [a] pity my youth should be swallowed up without all pleasure or delight in the world. Mine answer was that God had placed me in this house and if I found no comfort here, I would never seek it out of this house and this was my certain resolution. And as I gave myself wholly into God, in the sincerity of my heart; so he received me graciously and preserved me in safety and diverted and prospered me in all my ways, and left me not comfortless but put into my mind many good delights wherein I spent my time almost continually.

First, in divinity every day as my leisure would give me leave and the grace of God permit and draw me. I did read a chapter in the books of Moses, another in one of the Prophets, one chapter in the Gospels and another in the Epistles to the end of the Revelation and the whole Psalms appointed for the day, ending and beginning again and so proceeded in that course. Wherein I

found that as the water pierceth the hard stone by often dropping thereupon, so the continual exercise in the word of God made [f. 45] a deep impression in my stony heart, with an aptness to incline unto the will of God and to delight in the meditation thereof upon every occasion of thought arising in my mind, or upon whatsoever mine eye did behold or mine ear did hear, applying the same as I was directed by the spirit of God. Which said course was the only stability of my mind and my stay and comfort in all the troubles and calamities of my whole life.

Also every day I spent some time in playing on my lute and setting songs of five parts thereunto and practised my voice in singing of psalms and in making my prayers to God and confessing my sins, which were ever ready to meet me in every thought and to turn me away from God and from all goodness. For the more a man inclineth himself to virtue and to depart from evil, the greater will be his temptations and idleness is the devil's opportunity.

Also every day I spent some time in the herbal and books of physic and in ministering to one or other by the directions of the best physicians of mine acquaintance, and ever God gave a blessing thereunto [f. 46].

Also every day I spent some time in works of mine own invention without sample of drawing or pattern before me, for carpet or cushion work and to draw flowers and fruits to their life with my plumett upon paper. All which variety of exercises did greatly recreate my mind, for I thought of nothing else but that I was a doing in every particular one of these said exercises. And though I was but meanly furnished to be excellent in any one of these exercises, yet they did me good in as much as I found in myself that God wrought with me in all.

And further, betwixt the time of my father-in-law, his death, and the cutting of the said perpetuity, our daughter was to be given in marriage and her father had no portion to give her. Whereupon I gave her all my present possession of mine own inheritance, being the flower and best part of my whole portion, my husband having his life in it also. Then was there nothing left unto me for my security but the other part of my portion of inheritance contained in my mother's jointure, which was questionable and to be recovered [only] with much suits in law after her death, [f. 47] so that if my husband had died at that time I should have had no land but the bare rent of about some £300 by year, not sufficient to keep any house to maintain the calling of my father's daughter nor for my husband's wife. Neither could I have been able to contend by law with my husband's brother for my thirds,<sup>2</sup> nor with my sister for the right of mine inheritance whereunto she laid claim. In all which, my state in mine age stood upon hazards.

My husband, in a due consideration thereof and in his good nature and thankful mind unto me for my extraordinary love to his daughter, thus to dispossess myself for her sake and his own of so great a portion whereby I might have put myself into great want and disgrace in mine age, made great haste to break and cut off his perpetuity, fearing he should not live to perform the same. At which time when he went up to London about this business and finished it, I knew nothing thereof but at that very instant I made means unto

him, that he would be pleased to repair the parsonage at Oundle wherein I had my life, that I might have an house to go unto and to convey my stuff upon any sudden occasion that might befall me [f. 48] (for my husband was then very sickly) with this resolution: to spend my whole life in that place in the most private manner possible and never to have lived with my daughter or to be beholden unto her or to any other friend whosoever, with great contentation of mind and mortification to the world. Without repentance of whatsoever I had given, wishing it much more with the abundance of God's blessing therewith to my daughter and to her worthy and honourable husband who deserved the same and their children [f.49]. . .

And further I must not let slip out of my mind what God hath done for me in mine own particular inheritance whereunto I was lawfully born. Sir Henry Sharington of Lacock in Wiltshire, knight, my father, had only three daughters then living and [f. 50] upon our marriages he divided his land into three parts and entailed the same unto us with a perpetuity. It happened that our eldest sister died without children that lived and her part was to be divided betwixt me and my younger sister according to the words in the conveyance and according to the articles of the covenants of our marriage so intended. Yet, notwithstanding, when my father died he was persuaded to alter his mind {to break his covenant towards me} and to forget that my sister and I proceeded both from one father and from one mother and that I had ever been his obedient and loving daughter and that I had never provoked him to displeasure by any misdemeanour toward[s] him anyway. But God did behold mine innocency and my natural and faithful heart to my father and forgot it not according unto the scriptures. Though my father and my mother forsake me, yet the Lord will gather me up and how the Lord hath made good his word unto me he knoweth and I have approved.

For my father, lying on his deathbed, [f. 51] did before a judge by name Judge Meade, revoke his said former conveyance and established another wherein he gave my sister two third parts of his best land and gave me but one third part of his worst land. And I coming to visit my father, not thinking to find him so near his end (for his great danger in his sickness was kept from me), I was brought into his chamber upon a sudden at the very instant when the judge was there and those accompanying which were plotters and workers of this unjust alteration, and upon the sight of me they scattered one from another and put away the books and parchments. As soon as I had done my duty to my father, I was carried out of his presence into another room where there came to me my mother, my sister and mine uncle, my mother's brother, one after another to persuade me and to comfort me in my sorrow for my father that he was my good father and loved me and that all his care was for me more than for my sister; wherein I was innocent and suspected no injury towards me, my conscience bearing me witness that I never deserved the same. At which time I desired to watch with my father and to lie in the house but I could not be permitted thereunto until they had effected [f. 52] all that business in hand and after that, I lay in the house and was entertained in all kindness as though there had been no such matter and all well with me. And

I entreated them to put my father in mind to be good unto his old servants and to the nearest of his blood and kindred who stood in need thereof, and also to remember some friends of his unto whom he was beholden for many kindnesses, which friends also combined themselves against me in this conspiracy. Wherein they requited me evil for good and hatred for my good will, whereof God was witness and turned his loving countenance towards me.

And when my father drew nearer and nearer towards his end, the pangs of death appearing in his face and I kneeling down by his bedside weeping at the view thereof, he looked sternly upon me and shook me hard by the hand saying 'Oh Grace, Grace, Grace, I pray God bless thee, thou shalt have much trouble with thy land I tell thee, but I pray God thou mayest well overcome it' [f. 53]. These were his last words unto me wherein, assuredly, the blessing of God was included. And sometime in his fit of the stone, he was heard to say, 'oh, that it were to do again'.

After my father was dead, my sister came to me and said my father hath set out our portions and the books are drawn that each of us may take our part, which is: you have only that third which was mine, and I have that part which was given unto you with that other part also which was allotted unto our eldest sister and I would my brother Mildmay would come and take his part. And I answered her, that I thought he would not lose his part for want of taking it when he did see his time. Then further I asked her, and is it so indeed that my father hath dealt thus with me who never offended him willingly, but ever sought to please him in all things with as much duty and love as any child he had? If God moved him thereunto without any indirect dealings by your husband, yourself, or any other friends for you, then the will of [f. 54] God be done, I beseech him to give his blessing therewithal and my small portion shall content me as well as your great portion shall content you. But if you have laboured my father by all means to work and bring to pass this unnatural wrong towards me, I commit my whole cause into the hand of God and do most earnestly desire him to be judge betwixt you and me and to right and defend my cause. Then went I into a place by myself alone and poured out my heart unto God with abundance of tears, confessing mine unworthiness of the least part and after I had committed my care unto God, my mind was satisfied and never troubled after.

And after the funeral was ended my father-in-law Sir Walter Mildmay caused diligent search to be made whether that said last conveyance were lawfully returned into the court of record and enrolled there, and it was found that my father did not live out the time to make out that his last deed good in law. Whereupon there was exceptions taken thereunto and the matter was so effectually followed that within the very next {same} term after that last conveyance was made, it received an absolute overthrow by law and the first conveyance stood good in its former force. Then when they did see this part of their hope frustrate[d], they gave it out that they had another [f. 55] string to their bow, which was that my father had made a lease of that land contained in that last conveyance unto my said sister for a thousand years. Whereupon my father-in-law instantly called those words in question.

And some reasonable time after my sister's first husband died, she assured herself or was married to her second husband, by whose means she was fallen into great trouble. Whereupon she was constrained to make suit to my father-in-law, as to her only friend on whom she did wholly rely, and he performed all things to do her good and helped her out of her troubles and was unto his dying day her most faithful friend. Notwithstanding he had heard of the speeches betwixt her and her first husband a little before his death, for he persuaded he to be content and to give me leave to enjoy my portion equally with her, for as much as there was enough for us both, saying it was pity I should be wronged for that I had not deserved it, or words to this effect. Whereunto she answered, 'doth thy heart fail thee now; I will be drawn in pieces with wild horses before ever I will yield unto her'.

But howsoever her mind was then in this her trouble, she gave consent that this said lease for a thousand years should come to a trial in law and so the suit [f. 56] proceeded and the said lease received a judgment and was cancelled by order of law. Yet when my father-in-law was dead, they gave it out that they hoped to bring the matter about to another trial and to overthrow that judgment after my mother's death. And when my mother was dead, my sister fortified the house to keep me out by force and kept her possession of all the lands but only that part of mine contained in my mother's jointure which my husband held by force against her. My husband also told her that it were good for us both to end this chargeable course in the beginning, when unto she answered that she would be torn in pieces with wild horses before she would give over. But after a whole year's expenses and charges in this business, God did put it into my sister's mind to yield unto an equal partition and dividing of our portion betwixt us which was performed accordingly to both our great contents, all strife ended, natural love revived and confirmed, with all well wishing to each other and our posterities as to ourselves even from our hearts, all which was the work of God expressly. For who could have reconciled us in love and peace but God even the same God which worketh all things for the best for his children [f. 57].

This hath been a great part of the pilgrimage of my whole life, wherein God hath been ever with me, in all companies, at all times and places, opportunities and necessities, setting himself as it were in person against all mine opposites in their strong and strange opposition; for they were my sister and her husband and their friends for show working my father and mother thereunto against me {and though they might do with their own what they would right or wrong to their children being their subject}. But God the Lord of life and Father of our fathers prevented and frustrated their purposes when he cut off my father 24 hours of time and suffered him not to live to do me hurt; and when he preserved the life of my husband in many extraordinary and great dangers to do me good; and when my sister's heart was humbled by the great troubles which God laid upon her after her first husband's death. And in the meantime the Lord so led and carried me in all my ways and preserved mine innocency so unspotted in their sight, that they could not accuse me in the least crime, yet I am not thereby justified before God.

For if I had been undutiful to my husband or disobedient and undutiful to my parents and given to a wicked course of life and conversation, God himself would have forsaken me and taken all his graces from me and have delivered me up unto the will of [f. 58] mine adversaries, and all good friends and means would have turned against me. But all men, seeing God to take my part, pitied me and wished me all good success and gave me their best furtherance, and specially those men in place best able to do me good, for I was ever beloved of all good men and conversed most with them and that was the gracious gift of God who also kept all wicked company from me. And I have ever approved it the best way to keep innocency to avoid and shun all evil company and to hate, abhor and detest all wickedness and all the shows and appearances thereof. [f.59]. . .

What have I gained by the troubles of my whole life, even that which I have learned: (that is to say) to put no confidence in man nor in any child of man, nor in any earthly things which are all changeable and uncertain and there is no truth in them. According to the scriptures all men are liars, even the best of them. All men by corrupt nature are apt to provoke and offend one another, as parents their children and children their parents, husbands their wives and wives their husbands, masters their servants and servants their masters, whereupon there ariseth such strife and contention as though they could never be reconciled. But if every one were instructed in their duties one towards another, with the fear of God in their hearts, exercising those virtues of meekness, temperance, patience, chastity, love and obedience, the spirit of God would never leave them until a peace were concluded betwixt them [f. 61]. . .

There was never any thing more blessed unto me in this life than mine afflictions and trials which were never greater than God enabled me to bear. I ever received them as the messengers and tokens of the love of God unto me, even as I have no less found and proved them {in all respects no less approved them}. [pt. 2, f. 34]. . .

Sir Anthony Mildmay was in favour and grace with Queen Elizabeth all her days, frequenting her court all his youth; and also served her state. He in foreign employment being sent with ambassadors and oftentimes by them employed in the business, as namely twice into Scotland, twice into the low countries, once into Germany with Prince Casimir and lastly ambassador lieger in France with King Henry the fourth, and was with him at his recovery of Amiens from the King of Spain. All which services he performed most sufficiently and faithfully according to her Majesty's trust, which she did ever testify and acknowledge, and with the approbation and good allowance of the whole state.

And further also since the reign of our gracious King James, he with the assistance of Sir Edward Montagu and Sir Charles Montagu, knights with their men, horses and furniture undertook the business against the rebels at Newton-field in their commotion, with as great leniency as was possible to be showed for that they were their countrymen until they found their obstinacy to be such that they could not be reclaimed from their rebellion by persuasion, fair

promises or by threatenings, but only by force. Whereupon Sir Henry Mildmay, knight, his kinsman, being leader of his horsemen and troop made the first breach and entrance in upon them, behaving himself also very valiantly to the great peril of his life, for they with whom he did encounter were very resolute and stout men as possibly could be dealt with all in that kind, and in short space they yielded and were dispersed, [f. 62] wherein a matter of great moment was effected for the safety of the King and whole commonweal. Sir Henry Fulkes was leader of the footmen, who was dangerously wounded amongst the rebels but yet recovered. Which service if it had not been done that very instant, danger to the whole realm might have risen by a more general uproar.

For all which his well deserving, Sir Anthony never craved any reward of the Queen during her life, nor of the King's Majesty since his coming to the crown, but always contented himself with their love and favour the which he had unto the end of his life. Performing all the said services upon his own charge, except only his bare allowance which he received of the Queen when he went ambassador into France.

Also the noble Earl of Exeter of his honourable disposition, for the good and benefit of his country undertook the business of Clowes' cross betwixt Lincolnshire and Cambridgeshire, for the draining of the country round about. And for that his greater affairs would not permit him residence in the country, his Honour joined Sir Anthony Mildmay with himself therein as an undertaker, unto whom he committed the whole oversight and managing of the work; not sparing his own purse in his absence to do good in that behalf whereby so many men, women and children might be benefited and great quantities of land drained and enriched, wherein the King himself and commonwealth had an interest [f. 63].

And about two years after there arose a great flood, which by the benefit of the clowe was carried away and the whole country of Holland preserved and therefore the good and willing minds of Honourable undertakers are not to be forgotten for the encouragement and good example of others. Which work was performed in one whole year anno domini 1612 through his care and diligence and directions and the Earl of Exeter's allowance thereof from time to time. This work after this undertaking cost the country but £1000, (besides some eight score pounds laid out betwixt the said undertakers of their own monies) which was levied in one year. And the said Sir Anthony Mildmay did deliver up a true account thereof to the country to a farthing and so left it. Which business had been undertaken many years before by divers with above £3000 charge to the country without sufficient effect or sufficient account thereof [f. 64]. . .

LADY GRACE'S MEDITATION UPON THE CORPSE  
[OF HER HUSBAND]

Let me behold my corpse which lieth folden in scarclothes, leaded and confined here before me yet unburied and consider: he was as I am, and as he is, I shall be. His candle is put out, his fire is quenched and he hath made

## EXTRACTS FROM SPIRITUAL MEDITATIONS

### **Men's traditions in religion, we may not receive.**

Whereby all the sacrifices of the old law ordained by God are finished and abolished. How then should not all other sacrifices ordained by the tradition and invention of men be holden for a lie and an execrable thing? And so much the more vile and wicked is it, in that it prophaneth the blessed body of our Lord Jesus and maketh a mock of him and is an abominable idol. Whereupon we may not ground our faith upon pain of damnation, nor yield faith thereto. Also they deny that their sacrifice of the altar is the right sacrament, wherein there is not that sign, representation nor remembrance of the cross, death and blood of Christ Jesus that ought to be. Nor any promise of life or grace of the spirit of God adjoined thereunto. But the whole popish substance thereof is a lie and an abominable idol, utterly empty and void of the presence of God. Wherefore we may not receive the same upon pain of our damnation [f. 606].

### **The body and blood of Christ are pledges and seals of our assurances.**

For our Lord Jesus Christ did institute his last supper in another manner than Papists use, giving unto us with an outward sign, an invisible grace. Wherein by our faith, we eat his flesh and drink his blood and participate with him of all his heavenly graces. And receive the same as pledges of his love and seals of our assurances in him and of all his faithful promises of life everlasting, peace and glory without end, even God in us and we in him. Man hath a wonderful society with God upon the earth, in receiving of this holy supper of the Lord, being received faithfully, according to his word and holy institution [f. 606-7].

### **Abuse of the sacraments, a damnable heresy.**

And whereas the Lord hath ordained but one sign in baptism which is water, which is used in the outward washing, Antichrist hath presumed to add spittle, salt and cream and other taves {the sign of the cross without the which there were no perfect baptism which he} which gross usage, yea wicked abuse of this holy sacrament, hath no warrant from God, nor is witnessed by the father, the word and the spirit which three are but witness in heaven. Nor by the spirit, the water and blood (which three agree in one as our witnesses in earth). {Neither doth the holy and blessed trinity ratify the same} nor are our consciences satisfied therewith but we must reject such execrable blasphemous boldness {and most damnable heresy, we may not retain} upon pain of damnation [f. 614].

### **To direct our attentions. The nearest kindred, the greatest adversary.**

I have had continued experience all my days of the vanities of this life, in mine own particular, whereby I am taught to turn away my face from beholding them, to put no confidence in them, nor to be led by them or to love them, or rejoice or glory in them; but to shun, despise and abhor them. And only to magnify and praise the goodness of the Lord which hath ever followed me so from time to time, as I am not able to express the least part thereof, but is worthy to be remembered of me and all that discerned of me, from one generation to another.

For I have received violence and wrong in mine infancy and swaddling clouts, to the hazard of my life and the Lord preserved me. When I was young and tender in my father's house, the Lord sealed me for his own by his gracious and holy spirit and instructed and prepared me for my times following. When I was married and became a woman in the world, I was childless almost ten years and then in my greatest troubles and wants of comfort, the Lord sent me children. And when a great part of the inheritance which was to descend from my father to me as well as to my other sister was given away by him from me to her. And also when no jointure was assured me by my husband or by his father which both tended to the prejudice of me and of my posterity. Then the Lord looked upon me and restored and established me my whole portion, both by the law of God and the law of the land assisting me. Mine adversaries being those which should have been my chiefest friends, even fathers, sisters and brothers, notwithstanding their protestation of friendship and love and all outward shows thereunto belonging. And also in mine own house amongst my servants and family I have found much disturbance by their unfaithful and unthankful dealings wherein they rendered me evil for good [ff. 617-8].

**The sabbath day's work.**

How have I spent this holy sabbath wherein the Lord requireth of us nothing but holiness in all our thoughts, words and actions? In the beginning of this day by the gracious motion of the Holy Spirit, I have earnestly desired (above all things) to give myself wholly unto God and to serve and please him with my whole heart. Let the Lord for his truth and mercy's sake, as he began, conclude this day and answer me graciously that he is well pleased [ff. 653-4].

**We are known of God before all beginnings.**

God knoweth who are his from before all beginnings, whom he knew he also predestinated to be made like unto the image of his son, that Christ might be the first born among many brethren. Moreover, whom he predestinated, them also he called and whom he called, them also he justified and whom he justified, them also he glorified.

Let us give all diligence to make our calling and elections sure. And as he which hath called us is holy, so let us be holy in all manner of conversation.

**Christ filleth all things.**

Christ is the lamb slain from before all beginnings for all the faithful who are predestinated to be the children of God by Christ. For in Christ we are known of God the father, we are predestinated, called, justified and glorified, so ancient is our calling and so strong is our foundation laid in Christ, even from all beginnings unto the times of eternity without end. And hath not God given unto us strong and inviolable assurances and unfallible proofs thereof in our hearts whereby we may know the same to be so? Doth God only know us and have we no knowledge of him? God forbid. To this same purpose and end that we should have our parts in him, Christ was revealed from the beginning [ff. 659-60].