

Hertfordshire in History: Nineteenth-Century Poverty and Early Modern Probates. Local History Projects in their Historical Context

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Introduction

This article arises from a brief discussion with John Smith, erstwhile editor of this journal, following a paper given to the St Albans Archaeological and Architectural Society in October 2000 entitled 'Poverty in Hertfordshire in the mid-nineteenth century: working women and poor old men'.¹ Our discussion focused upon one of the central issues to which professional local and regional historians return time and time again, and that is the relationship between the professional and the amateur branches of the historical community. Before any offence is taken, let it be quite clear that in this sense 'professional' refers to those trained historians who follow the discipline, usually on a full-time basis, in return for remuneration, while 'amateur' refers to those individuals who, trained or not, follow the discipline for no pecuniary reward. As J.D. Marshall, himself a great advocate of co-operation between professionals and amateurs, has recently written, 'amateurism does not necessarily entail amateurishness', even if (he feels) 'much published local history is still of regrettably poor standard'.² Marshall is far from alone in this appraisal of 'much' (note, not all) local history, and one can find more or less distant echoes in the writing of such great professional practitioners of local history as W.G. Hoskins and Alan Everitt. Writing in 1972 in the second edition of his classic *Local History in England*, Hoskins felt that a 'fundamental criticism may be levelled against local history as it is often written today: that it is preoccupied with facts and correspondingly unaware of problems'.³ In a somewhat harsher vein Alan Everitt, in his inaugural lecture at the University of Leicester given in 1970, remarked that 'so much local historiography, though undertaken from the most praiseworthy motives, is still amateurish as well as amateur'.⁴ J.D. Marshall has elaborated his views at some length in a recent book, where in the most strident of terms he rails against antiquarianism as a veritable Trojan horse within the citadel of the local historical community, apparently decorative and benign but in fact an enemy within which deserves redefinition as 'an inability to distinguish what features of the past are historically significant; an indiscriminately romantic attitude to the past', or even 'an historical heresy'.⁵

One of the main issues that has concerned all three of the writers quoted above, as indeed it has concerned other professional local historians, is the need for the local historian to select information that is historically significant, and to organize it in an intellectually coherent way. Here is Hoskins again:

'Local historians have not yet succeeded in emancipating themselves completely from the tradition of the great antiquaries of the past...

Many local historians go on writing... without perceiving the fundamental questions which they should be engaged in answering. All the facts about the past life of their village or parish have for them an equal value; and their histories therefore become a series of chapters without any unifying central theme, and each chapter an assembly of more or less unrelated facts....'⁶

What is often pejoratively described as 'parish pump' local history has a long pedigree, forming an extension of an antiquarian tradition that stretches back to the later years of the sixteenth century.⁷ Many early county histories emerged from this tradition and the authors of these new historical works, the publication of which for one scholar amounted to a veritable 'Historical Revolution',⁸ were well-educated local gentry, professionals or clergy with little or nothing in the way of formal historical training, writing about the localities in which they lived, for the benefit of their peers in those same localities, and about topics of interest to a restricted social group.⁹ They reflected a developing sense of national identity which coexisted with a growing inclination for local gentry to associate themselves patriotically with their own county, commonly referred to at the time as their 'country', whose antiquity and heraldic pedigree they therefore wished to establish and publicize.¹⁰ Our own Hertfordshire received early interest from John Norden, who published his *Description of Hertfordshire* in 1598, but then had to wait until 1700 to receive detailed treatment again, when Sir Henry Chauncy completed his two volume *Historical Antiquities of Hertfordshire*. Just 28 years later Nathaniel Salmon again celebrated the history of the county, in a work the full title of which is *The History of Hertfordshire; Describing the County, and its Ancient Monuments, particularly the Roman. With the Character of Those that have been the Chief Possessors of the Lands. And An Account of the Most Memorable Occurrences*. Salmon's work was not well received in some quarters at the time, the antiquarian Thomas Hearne noting in 1729 that it was 'mostly from Chauncy, with a continuation', while a later Hertfordshire historian, Robert Clutterbuck, railed against 'the mis-spent time and whims of Salmon'. Salmon might well have come to agree, for while writing another history, of the county of Essex, he died in 1742 in poverty in a garret in Johnson's Court, Fleet Street, and was buried the next day in an unmarked grave in nearby St Dunstons' churchyard.¹¹

Many readers of this journal will be familiar with these works, or with the later county histories of Britton and Brayley, Clutterbuck or Cussans.¹² Some of them are useful to the local historian, even if others are highly derivative, but their usefulness is often limited by their purpose,

preoccupations and approach. Many are dominated by descriptions of the lineage of the county's gentry and aristocracy, usually closely followed by architectural descriptions which themselves usually revolve around the county's churches. The county's scenery often also features prominently, but the emphasis tends to be upon the picturesque rather than upon soil conditions, topography and agricultural practice. Visits from royalty will almost invariably get a mention, but one learns almost nothing about the lives of the ordinary inhabitants of the county's towns and villages. Rarely will one find comparisons with other counties, while their histories look inward at the county rather than outward towards events occurring in the nation at large. They are dominated by facts, and virtually devoid of analysis. Their sub-titles often give them away, and hence Britton and Brayley's *Topographical and historical description*, we are forewarned, contains 'an account of its towns, castles, antiquities, churches, monuments, public edifices, scenery, the residences of the nobility, gentry & c. accompanied with biographical notices of eminent and learned men to whom this county has given birth'.

This is not the place for a full-blown history of the way in which local history has developed from this elite, antiquarian tradition: it has been introduced to reveal the deep roots of a tendency that writers such as Hoskins, Everitt and Marshall still find to be prevalent in amateur local history through to the present day. For despite the 'democratization' of local history, in *some* of its manifestations it shares in the failings of the elite antiquarian approach. That is, it can often be dominated by factual information of dubious interest to anyone other than enthusiastic local residents, at worst only to the author him or herself. It looks inwards towards the parish or village, rather than outward towards the county and nation. It fails to compare its subject parish or village with other communities, and fails to place its development within any wider historical context. It therefore sits in a vacuum, reflects a parochialism that is only enhanced by displays of enthusiasm for matters of trifling significance, and it gives local history a bad press. Nor is it only English scholars who have worried about such matters. In the United States too Carol Kammen has written about her concern that 'carelessly written local history can lead the public to believe that history is boring or not worth doing well'. And she too advocates the same recipe recommended by her English counterparts:

'Because of the importance of local history – to those of us who practice it and to the public at large – it is important that local historians consider what they do in some larger context... Local history has common aspects that transcend the particularities of one community or another. And it is those common threads that local historians need to grasp. They must understand that the history of Portland, Oregon, or Pocatello, Idaho, fits into a regional and national context, either as part of that pattern or as apart from that pattern. They must realize that questions of one place can be asked of other localities, thereby creating comparative history.'¹³

What emerges clearly from these considerations is the need for local histories to be set within their *historical context*. This brings me back to my discussion with John Smith, for it was this need that he so clearly appreciated, and which (we both recognized) can be problematic for the

amateur local historian. What the amateur local historian can readily bring to his or her work is great enthusiasm, dedication and deep local knowledge, often born of years of experience that it is almost impossible for an 'outsider' to acquire. What they often cannot bring is the depth of understanding of the historiography and historical context for particular historical themes and events that results from full-time study of these issues at undergraduate and postgraduate levels, reinforced by years of teaching at the cutting edge of the discipline at colleges of further and higher education. Neither the professional historian who lacks the local insight, nor the amateur historian who lacks the depth of knowledge of the historical background, is culpable, and their respective 'weaknesses' are both understandable and inevitable. And while they will usually try to make good these relative deficiencies, one of the most constructive ways forward is for the amateur and the professional to work together, forming an alliance that combines their respective talents to create a potent force for the development of the history of the region or locality in which they are interested. As Michael Drake wrote in 1994, 'it is apparent that there has for too long been an unnecessary divide between the so-called amateurs and professionals. They operate in the same areas and share the same sources, many of the same concerns and, to some extent, the same methodologies. Only in the questions asked do major differences emerge'.¹⁴ Since its very inception in 1968 this philosophy has lain at the heart of the academic journal *Local Population Studies*, and has recently spawned another journal in the form of *Family and Community History*, which grew out of an Open University course (now withdrawn) that was led by Michael Drake for many years.¹⁵

Such an alliance can take different forms. Cooperation can involve a division of labour, with different end products in view. An example is the work of the Centre for Regional and Local History at the University of Hertfordshire, which has coordinated the computerization of the 1851 and 1891 censuses for the county, assisted by a veritable army of family historians and genealogists. Professional historians, undergraduate and postgraduate students at the University have utilized this data to produce dissertations, academic articles and books. In turn the Centre has produced surname indexes, or has provided sub-sets of the data on disk, to assist the researches of the family history and genealogical community.¹⁶ A similar approach has been taken by the Kingston Local History Project, based at the Centre for Local Studies at Kingston University.¹⁷

An alternative approach follows a long tradition of professional/amateur collaboration that has often been based in WEA or university extra-mural classes, and this involves a group project conducted by amateur historians led by a professional tutor. There are numerous examples that could be cited, such as the early modern Reading project carried out by students attending an adult education course sponsored by the Joint Committee of the University of Reading and the Reading WEA between 1977 and 1980, led by Joan Dils; or the recent work of the Uppingham Local History Study Group led by Alan Rogers; or the ambitious seventeenth-century project of the Mourholme Local History Society led by J.D. Marshall, upon which an extensive report is provided in a recent edition of *The Local Historian*.¹⁸ All of these and many more have borne fruit in publications that have transcended the parochial and have

added significantly to the stock of historical knowledge even if, from a strictly academic standpoint, some reservations might remain.¹⁹ Such work can be intra-mural as well as extra-mural: hence the work of 12 undergraduate students at Lancaster University in the academic year 1993-4 led by Michael Winstanley resulted in the publication of a very valuable short book on child labour in nineteenth-century Lancashire.²⁰

Projects based upon adult education classes led by professional tutors, however, often require a considerable commitment of time and effort (by all parties) and can take many years to bear fruit, in the case of the Mourholme project extending to eight years from start to completion.²¹ Readers will no doubt be familiar with the seventeenth-century St Albans project, conducted by a sub-group of the St Albans Archaeological and Architectural Society led by John Smith, whose work began fully 12 years ago at the time of writing (2002), and is only now beginning to produce results in the form of articles and, shortly, a book.²² For more circumscribed projects, however, it may be that there is another approach. If a professional historian could define the parameters of a particular local history project, identify the sources and explain how they might be employed, trace the historiography and describe the historical context, and present this reasonably succinctly in a prominent local history journal, then this might just provide an adequate basis upon which amateur historians could build, and inspire them to conduct research within the context provided. The remainder of this article will attempt to do just that for a small range of historical topics which are of particular interest to the present writer but are also 'suitable cases for treatment' as defined by current concerns and debates in the academic literature.

Poverty in Nineteenth-Century Hertfordshire

The first topic is poverty in the nineteenth century, which centres upon the impact of the Poor Law Amendment Act of 1834. This act involved a complete and radical overhaul of the mechanisms for poor relief, embodied new principles, and has been viewed by many historians as a fundamental turning point in English social history. But, as we will see, it is a subject that still generates debate and disagreement, and offers the opportunity for the local historian to make an important contribution.

The backdrop to the felt need for complete reform of the poor law system in the early nineteenth century was the growing burden of poor relief which arose from rising expectations and from the pressure of a rapidly growing population and rising prices in the second half of the eighteenth century. As late as 1800, despite considerable urban growth in the eighteenth century, almost 70 per cent of the English population lived in the countryside, and landed wealth still underpinned the English political system. Not surprisingly, it was the burden of *rural* poverty that dominated the political agenda, as real wages in the countryside fell, and unemployment and under-employment increased.

The eighteenth century had seen an enormous increase in poor law expenditure. Total expenditure rose tenfold between 1696 and 1802-3, expenditure per head of the population rose more than sixfold; most of this increase took place in the second half of the eighteenth century,

with a clear acceleration towards the end of that century.²³ It was in rural areas that relief expenditure was generally at its highest, for not only were real wages under pressure as food prices rose, but enclosure had steadily diminished the amount of common land available, while allotments became increasingly rare. Furthermore, by-employment in cottage industries was increasingly challenged by centralized production in the towns and factories of the Midlands and the north. Inadequate wages, under-employment and seasonal unemployment, these were the inter-related problems afflicting the English countryside, particularly in southern England where such difficulties persisted long into the nineteenth century.

The poor relief systems that were developed to cope with this were varied. It was once thought that the so-called Speenhamland System held general sway. This was introduced at Speenhamland in Berkshire in 1795, and supplemented the incomes of labourers by cash payments determined by the size of their families and the prevailing price of bread, and was thus an allowance in aid of wages. But this was by no means the first time this form of relief was used, and nor was it necessarily the most common up to 1834, despite the emphasis given to its iniquities in the 1834 Poor Law Report. Indeed, by then it may have been in decline, and there is evidence that the granting of child allowances to large families was far more common by the early 1830s than was allowances in aid of wages. Other systems of relief were used too: payments to seasonally unemployed labourers; provision of work, usually in road mending; the so-called roundsman system, where seasonally unemployed labourers would be offered to farmers at reduced wages, the deficit being made up by the parish; and the labour rate, only common from the 1820s, which allowed farmers to employ pauper labour in lieu of payment of poor rates. The least common means of relief was the workhouse, which housed only 8 per cent of the one million paupers recorded in 1802-3, and very few indeed of the able-bodied poor.²⁴ This was the economic and social background to the New Poor Law, but ideas were influential too. The new political economy, the founding father of which was Adam Smith, which was to become enshrined in what is now known as 'classical' economics, taught that the market was paramount, and free private initiative and vigorous competition would result in improvement to the general welfare of all. State intervention, therefore, was to be minimized. Malthus's *Essay on the Principle of Population*, published in 1798, was deeply influential. In this pessimistic view of the potential for human progress, he argued that population has a natural tendency to outrun the food supply, population growing in a geometrical progression (2, 4, 8, 16, 32 etc.) and food production only in an arithmetic progression (1, 2, 3, 4, 5 etc.). The result would be famine, warfare, misery and vice, unless prudential restraints were introduced in the form of delayed marriage and celibacy. But, Malthus argued, the poor laws encouraged early marriage and excessive breeding by providing support to labourers with large families, undermining the prudential restraint that he saw as necessary. In a sense, therefore, the system of poor relief actually created the poor that it maintained. Malthus would have done away with the system of poor relief altogether, but this would have been anathema to a third intellectual current, that of utilitarianism. Utilitarianism was a system of moral philosophy developed by Jeremy

Bentham, which advocated pursuit of ‘the greatest happiness of the greatest number’, and recognized that the state had a role in the achievement of this through the development of appropriate social policies. Edwin Chadwick, a follower of Bentham, was one of the key figures behind the development of the New Poor Law, and drafted the Report of 1834 upon which it was based.

A final factor, perhaps more debatable, has been emphasized by Peter Mandler, and this concerns the changing attitudes of the country gentry, and the ensuing crisis he identifies in rural social relations.²⁵ Agricultural improvement, sometimes but not always involving enclosure of land, was a feature of the later eighteenth and early nineteenth centuries, and during the Napoleonic Wars the cultivated area was extended under the encouragement of the high prices that wartime embargoes ensured. When war ended in 1815, it was clear that there was excess capacity in the countryside: for despite the growth of population production was outstripping demand, and prices were generally low. These difficult circumstances for agriculture, and particularly the crisis of 1817, encouraged a sea change in rural social relations and attitudes: the paternalism of the country gentry was replaced by a new emphasis upon the natural order and the primacy of property rights over customary rights. The notion of the right to relief was replaced by the principle of deterrence: not at this stage necessarily the deterrence of the workhouse, but the deterrence of menial and meaningless labour for those who had no work. Even before the Act of 1834, therefore, a hardening of attitudes on the part of the country gentry and aristocracy could be seen, epitomized by the activities of Joseph Sabine, esquire, in North Mimms as well as by the regime introduced at Hatfield and Welwyn, where the authorities had already taken determined steps to cut back on relief rolls.²⁶ These attitudes hardened further as a consequence of the rural unrest that afflicted southern England in 1830-31, known as the Swing Riots.²⁷ When the New Poor Law was introduced in 1834, the country gentry may have objected to its centralizing tendencies, but for the most part they stood four square behind the principle of deterrence.

The Poor Law report of 1834, although preceded by two years of research and enquiry, was quite extraordinary in its partiality, and its findings were used highly selectively to bring to fruition a preconceived project. It built upon the concept of pauperism – a morally degrading condition of dependency – that had emerged from the debates of the preceding years, further fuelled by an upsurge of evangelical Christianity. The notion of an undifferentiated labouring poor, with only the vagrant poor standing on the sidelines, was replaced by a notion of the self-supporting poor and the indigent. Only the indigent were to be given relief: the sick, old, orphaned and so forth were to be relieved on the old terms. The real change came in attitudes towards the able-bodied poor, who were to be discouraged from dependency and hence pauperism at all costs. Under no circumstances were they to be granted outdoor relief but were only to be relieved in the workhouse, where conditions were to be harsh and regimented, and hence only those truly in dire need would wish to enter them. This was the principle of ‘less eligibility’: the situation of the able bodied pauper was to be rendered less eligible than that of the poorest independent labourer. And it was

underpinned by the notion that poverty, to quote from the report, arose from ‘fraud, indolence or improvidence’: it was a voluntary, and therefore eminently reversible, condition.²⁸

To achieve these ends, the Poor Law Amendment Act of 1834 required the establishment of Unions of Parishes, each of which was to build its own workhouse. In Hertfordshire, for example, there were 13 of these Unions, each encompassing, on average, about 13,000 people. Across England and Wales there were 595 Unions, though individual parishes remained financially responsible for their own poor until 1865, and the parish also remained the place of settlement.²⁹ Control was to be in the hands of Boards of Guardians, elected on a restricted property franchise, and these were in turn responsible to a three man Poor Law Commission. The system was to be a national one, uniform and centralized. It required the redeployment of resources on a large scale to build the necessary workhouses, and represented the culmination of a period of over 30 years in which basic notions of poverty were redefined, to emphasize once again the culpability of the poor, unless they were in some way disabled. It signalled the withdrawal of paternalism, and its key aim was to reduce dependency in general, but the burden of the poor rate in particular.

How successful was it? With regard to its effects upon the poor rate – its primary goal – it was very successful. From a national total of £7 million in 1832, by the mid-1840s expenditure had fallen to around £5 million, and stabilized at between £5 million and £6 million for the next 20 years, only rising once again to £7 million in the late 1860s.³⁰ This was achieved despite the fact that the national population of Great Britain grew from about 16 million in 1831, to 26 million in 1871, indicating a significant *per capita* decline in poor law expenditure. There was again considerable success in terms of the building of workhouses. The southern counties, where the burden of rural poverty was greatest, were quickest to act, the northern counties generally slower, but 331 Unions had built a new workhouse within five years of the passing of the Poor Law Amendment Act. By 1870 this figure had risen to some 492 and virtually all of the rest had modified an existing workhouse, for by this time they were almost universal.³¹

Whether or not the *principles* of the Act were uniformly applied is, however, more contentious. One school of thought, favoured by historians such as Michael Rose and Anne Digby, emphasizes the variability of practice – both between and within regions. Indeed, subsequent orders from the Poor Law Commission themselves encouraged divergent practices. For while most rural areas and southern towns outside of London were governed by the Outdoor Relief Prohibitory Order of 1844, which allowed relief for able-bodied males only inside the workhouse, 142 unions were allowed to adopt the Outdoor Labour Test Order of 1842, which permitted outdoor relief to those prepared to undertake monotonous and arduous work outside of the workhouse. But on top of this, regional surveys such as Digby’s study of East Anglia have suggested that there was considerable variety of practice, in some instances local Boards of Guardians acting in ways that ran counter to the principles of 1834, producing in these areas considerable congruence with the pre-1834 situation.³² On the other hand, there are also local studies,

notably that on Bedfordshire by William Apfel and Peter Dunkley, that reveal a fundamental discontinuity centred upon 1834.³³ Here it is quite clear that the situation of able-bodied male paupers was transformed along the lines the act required, and the dramatic fall in relief expenditure was almost wholly at their expense. Hence Apfel and Dunkley emphasize 'the extent to which workhouse administration as a deterrent system was particularly aimed at adult able-bodied males in good health', and note that during the 1840s 'the outdoor population of able-bodied paupers was made up overwhelmingly of a depressed segment of the female workforce.'

In contrast to those who stress variability of practice, and in support of the conclusions of Apfel and Dunkley, is the particularly strident voice of Karel Williams. Williams has analysed the figures published centrally, the reports of the Poor Law Commission and Poor Law Board, from which he concluded that outdoor relief for able-bodied men was effectively abolished after 1850. Although historians can indeed find the able-bodied relieved outside of the workhouse, the number of able-bodied *men* so relieved was very small indeed. In the 1840s their number was moderate, around the 40,000 mark, but from 1849 to 1861, the counts of the pauper population that were made on 1 January each year show an average of only 5,700 men relieved in England and Wales due to unemployment. Taking the longer view, the average for the years 1852-1912 was under 5,000, a figure Williams describes as 'negligible', which indeed it is compared to the total number on relief, which ranged between about 750,000 and 1 million in the period 1850-1914. Hence Williams concludes, 'In the twenty years after 1834, a line of exclusion was drawn against able-bodied men. Relief to unemployed and under-employed men was effectively abolished and this abolition was not a temporary or local phenomenon; it was national practice for sixty years from 1852 to 1912'.³⁴

This is a very powerful and well supported argument, for although the Poor Law Boards' reports are far from easy to interpret, there seems to be no way in which the male able-bodied poor might have been 'hidden' within an alternative category of relief, and nor does it seem likely that local Boards of Guardians were able to so effectively disguise their practices from the central Poor Law Board as to hide relief to the unemployed completely. The argument is not settled, but there has been no real challenge to Williams: as David Englander points out in his recent book, 'These claims have not been disproved. No engagement has taken place'.³⁵

One thing we can be sure about is the fact that, despite the centrality of the workhouse to the principles of the new system, the great majority of paupers continued to receive relief in their own homes. In 1849-50, out of a relief total of over one million, 88 per cent were receiving outdoor relief. Little had changed 20 years later, when in 1869-70 85 per cent of the total were on outdoor relief.³⁶ The last 30 years of the century saw some changes, however, for from the 1870s there was a renewed campaign to reduce expenditure, particularly targeted at outdoor relief, which has been dubbed the 'crusade against out-relief'. A series of depressions in the 1860s particularly affected the casual poor in London, and relief payments in these years soared. This decade also saw the Lancashire cotton crisis (caused by the American Civil War), which allowed

contemporaries once again to draw a distinction between what they saw as the 'deserving' Lancashire textile workers and the 'undeserving' denizens of darkest London. The result was a new wave of concern over the administration of poor relief, and concerted attempts to cut relief rolls, pursued particularly thoroughly in predominantly urban unions. Now the workhouse test was to be applied to women as well as to men. Renewed efforts were made to apply the 'liable relatives clause' of the Act, requiring claimants to seek help from members of their families before approaching the state. Furthermore, particularly in London, moral criteria were more commonly used to discriminate between the deserving and undeserving, 'bad character' or 'improvidence' being more frequently cited as reasons to refuse relief.³⁷ The campaign was very effective. In 1869-70 just over one million people were relieved, some 4.6 per cent of the population. By 1879-80 the figure was down to a little over 800,000, just 3.2 per cent of the population. Through to 1914 the proportion of the population relieved remained low, falling gently over time to a figure of just 2.0 per cent in 1914.³⁸ Simultaneously, there is strong evidence that, through from the 1870s to the end of the century, charitable resources played an increasing part in the overall relief strategy of the nation's poor.

The central debate concerning the impact of the 1834 Poor Law Amendment Act, therefore, concerns its effect upon able-bodied men. But we must remember that women were always particularly in danger of falling into poverty, due to low earnings, fewer employment opportunities, family responsibilities, the impact of marital breakdown, and the fact that they live longer than men.³⁹ Throughout the history of the New Poor Law, as indeed under the Old Poor Law, women comprised the majority of recipients of poor relief. Widows with children were particularly vulnerable, making up 10-20 per cent of all paupers between 1849 and 1900. In the 1850s and 1860s possibly one in three of all widows aged 20-45 received relief, usually to supplement inadequate earnings rather than to replace the need to work, though this figure dropped later in the century as the crusade against out-relief began to target women as well as men.⁴⁰ Married women had no independent status in the eyes of the poor law: they were subsumed by their husbands, and would thus have to follow him into the workhouse if unable to live independently. Preliminary work for Hertfordshire, however, reveals that – in this county at least – there were remarkably few families to be found in workhouses at mid-century, and very few married people indeed below the age of 60, although it is clear also that relief practice could vary from one poor law union to another. In Hertfordshire as elsewhere, unmarried mothers were prominent in workhouses, reinforcing the association between single parenthood and poverty, as well as reflecting their moral standing in the eyes of the authorities, for unmarried mothers were frequently refused out-relief, leaving the workhouse as their only means of maintenance.⁴¹

Children formed some 30-40 per cent of the total number of paupers from the mid-nineteenth century onwards, the great majority of them – as with women – receiving outdoor relief, possibly over 80 per cent.⁴² This is not, however, an excessively large figure, for nationally children comprised over 35 per cent of the total population in the

nineteenth century, at least until levels of fertility started to decline in the last quarter or so of the century.⁴³ Local studies reveal that in Hertfordshire they constituted just 34 per cent of workhouse inmates, compared to 37 per cent for the country as a whole, with particularly low figures in those parts of the county that provided employment for children in the form of straw plaiting. In two Hampshire workhouses, by contrast, they made up 40-44 per cent of the total, again emphasizing local variability, if within similar parameters.⁴⁴

The proportion of the pauper population who were elderly is difficult to determine, for no precise definition of 'elderly' was provided, and they are subsumed in the published returns within the category 'aged and infirm'. This category constituted between 42 and 49 per cent of the total in the second half of the century, and it is likely that the majority of these were elderly, emphasizing the strong relationship that existed between poverty and old age.⁴⁵ Although the majority of these were in receipt of out-relief, local studies have shown that substantial numbers are to be found in workhouses, and here they have been counted more carefully. In two Hampshire workhouses those aged 60 and above accounted for 20 per cent of the total number of inmates; in Leicester in 1881 those aged 61 or over amounted to 38 per cent of the total; in 11 Hertfordshire workhouses in 1851 they accounted for 32 per cent.⁴⁶ To put these figures into context, however, we need to know the proportion in this age group in the population at large: in the county of Hertfordshire as a whole in 1851 the elderly (aged 60+) amounted to under 8 per cent of the population, showing that they are *massively* over-represented amongst the workhouse population. In Hertfordshire there is also a marked skew towards men: fully 7 per cent of all men aged 60 or over in Hertfordshire were incarcerated in workhouses in 1851, and fully 10 per cent of those aged 70 or over.⁴⁷ These are quite startling figures, and suggests that the rosy picture of life for the elderly painted in a series of recent articles by David Thomson requires considerable qualification.⁴⁸ Indeed, his remarks that 'In the middle decades of the last century the aged formed a minor portion of any workhouse population', and 'the average workhouse of a century and more ago contained relatively few aged persons' are both at odds with the Hertfordshire evidence, although it is clear that there was a significant national north/south divide.⁴⁹ When national data becomes available at the end of the century, this local picture is reinforced, for the elderly through from 1891 to 1921 are massively over-represented in poor relief institutions, and that over-representation is again particularly marked for men.⁵⁰

This brief sketch of current thinking on poverty and poor relief in the nineteenth century provides the essential context for further research on the subject in Hertfordshire. The overriding question, of course, is how does the Hertfordshire experience compare with the 'national trends' that can be identified? We might wonder whether this is a sensible question to ask, given the evidence that exists for variation between regions and counties. Should we, alternatively, be looking at Hertfordshire as a *type* of county – southern, agrarian, corn growing? Or is this still too simplistic, ignoring the variety of economic activities that exist within the county, and particularly the contrast between the straw plait region towards the south and west and the more predominantly agricultural

region of the north and east? The answer is that we probably need to consider poverty in nineteenth-century Hertfordshire from all of these perspectives. The data on numbers relieved and totals paid in poor relief published in contemporary Parliamentary Papers, which form the basis of the national totals presented above, are invariably broken down by county, and hence it is possible to compare the Hertfordshire experience with that of other counties and regions. For example, the 4th annual report of the Poor Law Board, which relates to 1851, reveals that on 1st January that year there were 105,359 inmates in workhouses across England & Wales, out of a total population of 15,428,116, or 0.7 per cent of the total population.⁵¹ In Hertfordshire the returns give a figure of 2,223 out of a population of about 188,532, both of which figures appear to include those Poor Law Unions that straddled the county boundaries. This gives a proportion of 1.2 per cent, some two-thirds higher than the national figure. For July 1st, the proportion in workhouses nationally was 0.6 per cent, for Hertfordshire it stood at under 0.8 per cent, still above the national average, but now slightly less than one-third higher. This would appear to indicate clearly that in Hertfordshire, a heavily agricultural county, the summer months brought some relief: seasonal unemployment was a pressing problem, amply reflected in the high figures for workhouse inmates during the winter months when agricultural work was most scarce.

But this is only part of the story, for considerable numbers of poor continued to receive relief outside of the workhouse. These included the sick, widows, orphans, illegitimate children and their mothers, those who were not able-bodied, as well as small numbers of men relieved 'on account of want of work, or other causes'. The total for England and Wales on 1st January 1851 was 726,071, a further 4.7 per cent of the population. In Hertfordshire there were 9,601, or 5.1 per cent of the population. For the 1st July the proportion nationally stood at 4.5 per cent, for Hertfordshire it was 4.8 per cent. These are much closer to the national figures than were those for workhouse inmates, and they fluctuate less by season, which appears to indicate that the problem of seasonal unemployment in agriculture in the county was dealt with largely through the mechanism of the workhouse. In Lancashire, by contrast, the most obviously industrial of English counties, the proportion of the population relieved in the workhouse fluctuated far less markedly between January and July, while the great majority of the additional paupers relieved in winter as compared with summer received outdoor rather than indoor relief. The Hertfordshire data studied here, along with the evidence contained in the Answers to Rural Queries in the 1834 Poor Law Report, thus appears to contradict the recent statement that 'winter unemployment in English agriculture is likely to have been modest even in the nineteenth century'.⁵²

As measured in this admittedly unsatisfactory manner, therefore, poverty in Hertfordshire appears to have been a little more acute than the situation nationally. If we take the average for these two days of the year and add together paupers in receipt of *either* indoor or outdoor relief, we arrive at a figure 11,135 for the county, 5.9 per cent of the population. Nationally the figure was 5.2 per cent, while in Lancashire it was just 3.6 per cent. Why should the Hertfordshire figure stand above the national one? Clearly, there is the thorny question of different attitudes towards

entitlement to relief to consider, but even if one accepts Steve King's evidence for a north-west/south-east divide in the century or so before 1820, with payments in the south and east generally being both more generous and wider in scope, there is as yet no compelling evidence that this extended into the New Poor Law era.⁵³ There is also another answer, one already touched upon, that is rooted in widely attested economic and social realities: this was a difficult period for English agriculture, and particularly for those southern and eastern agricultural counties where corn growing predominated over pasture farming. In these areas, which of course includes Hertfordshire, the supply of labour, quite simply, often exceeded the amount of work available. English agriculture, and particularly arable agriculture, had been in difficulties since the end of the Napoleonic Wars. During the war years grain was in short supply, and thus every effort was made to increase production. With the end of the war in 1815, the agricultural sector possessed excess capacity and prices fell dramatically. Foreign competition, alleviated but not entirely removed by the Corn Laws, did not help. Farmers responded by cutting costs, either through the introduction of improved agriculture, of which there is much evidence in Hertfordshire, or through cutting wages. At the same time population was growing rapidly, and there can be no doubt that the labour market was overstocked: there were simply too many men looking for too little work. Agricultural wages fell, although as prices fell too the net effect may not have been detrimental to standards of living. The real problem was the lack of *regular* work, and there is much evidence, at least for southern, arable England, to suggest that seasonal unemployment increased markedly, and longer term unemployment may have increased as well. These trends help to explain the apparently higher than average incidence of poverty in mid-century Hertfordshire, and in particular the surge in the number of inmates that we find in the workhouses in the winter months.⁵⁴

The foregoing discussion should indicate how it is possible, indeed necessary, to consider the experience of Hertfordshire within a broader perspective, to relate it to national developments while at the same time focusing upon the particular features of its economy – in this case its agrarian basis – that are likely to render it different to some counties, and possibly similar to others. But note too that this discussion has been based largely upon data collected at national level, and for just one year. Not only is this clearly an inadequate basis for generalization, but it should also highlight the further scope that exists for future research, on other adjacent years to provide a surer foundation, but also for the ensuing decades, to carry the story forward into the later nineteenth century.

Further research is needed too at sub-county level, for research to date suggests that there may well have been variations within the county, particularly a contrast between the straw plaiting region and the rest of the county. All other things being equal, one might expect that the higher family incomes commanded in areas where there was considerable employment for women and children would impact upon levels of poor relief. This thesis has yet to be fully examined for Hertfordshire, but analysis of the occupants of the county's workhouses in 1851 does suggest that the straw plait industry may have had an impact.⁵⁵ Across the county as a whole, children

constituted a lower proportion of workhouse inmates than was found in two Hampshire workhouses. Furthermore, of 11 union workhouses in Hertfordshire, the four which exhibited the lowest proportions aged under 15 among their inhabitants on census night in 1851 were Berkhamsted, Hemel Hempstead, St Albans and Hitchin, and in each of these the sex ratio in this age range was heavily skewed towards boys. It can be no coincidence that these were the very areas where the straw plait and hat industries were primarily located. Again such features require further exploration, through a study of outdoor as well as indoor relief, and by tracing the changing profile of workhouse populations through to the end of the nineteenth century, by when the straw plait trade was largely moribund. But it seems already clear that nineteenth century workhouse populations were not an undifferentiated mass, and that local and regional economic opportunities were a potent factor in determining their age and sex profile, and help to explain the substantial variations that can be found both within and between counties.⁵⁶

There is scope for much more detailed research on the county's workhouses. The Admissions and Discharges Registers for the Hatfield and St Albans Unions survive in long runs, and permit a far more systematic analysis of their inhabitants than do the decennial census returns, which provide just a snapshot at one point in time.⁵⁷ A preliminary study of the Hatfield Union Register for the years 1836–61 has already revealed a number of interesting features, such as a considerable predominance of men over women, a clear relationship between years of economic depression and numbers of admissions, considerable short-term coming and going in response to seasonal unemployment, and the existence of a small number of incorrigible recidivists.⁵⁸ There is much scope too for qualitative as well as quantitative research. The Hatfield Register, in its early years, is replete with fascinating observations on the physical and moral condition of the inmates. For example, while most inmates were 'well behaved', the master found Caleb Ellis (a frequent visitor to the workhouse) to be 'drunk, very abusive', while William Clarke was described in June 1856 as 'a very saucy and threatening man'; Elizabeth Sale also demonstrated 'violent and abusive behaviour' on her admission in February 1852, while in March 1853 Emma Harris is described, with an almost audible sigh, as 'a very idle and dissatisfied woman'. For a number of Hertfordshire Unions Boards of Guardians Minute Books survive, which might be used in conjunction with more unusual documents such as the well known diary of Benjamin Woodcock, master of Barnet Union Workhouse, for further consideration of contemporary attitudes, as well as to determine the true nature of the workhouse regime as it affected the inmates.⁵⁹

Perhaps the biggest question of all, however, is the one that remains the subject of unresolved debate in the historiography outlined above, and this is the impact of the 1834 Poor Law Amendment Act upon the able-bodied poor, and particularly upon the male labourer. Was the situation in Hertfordshire similar to that in nearby Bedfordshire, where 'the main cuts in relief were almost certainly directed at able-bodied paupers', resulting in 'a precipitous decline in able-bodied pauperism'?⁶⁰ Or were alternative means found to relieve the able-bodied male poor, without requiring resort to the workhouse? Are the 'revisionists', who argue for considerable continuity

between pre- and post-reform administration of poor relief, correct, or is it time to revisit revisionism? It is only through detailed local research that these large questions can be approached, and although Hertfordshire is not blessed with the best collection of local relief rolls, the combined study of local and national poor relief data must surely help to throw at least some light upon this important issue. An approach to this question that considered formal poor relief within the context of the entire panoply of shifts employed by the poor to get by, often described as the 'economy of makeshifts', would be an exciting proposition, and would involve consideration of child and female employment, family support and assistance, formal and informal charity and self-help in the form of friendly societies and other clubs, as well as resort to both outdoor and workhouse relief. It would also represent a considerable challenge.

Probate Documents as a Source for Hertfordshire History

The final section of this paper will take a different approach to that employed in the last section, and rather than focus upon a particular historical theme will discuss the various ways in which a particular historical source, the last will and testament, can be used by the local historian. There are three main classes of probate document that historians commonly employ: the will, the inventory and the account. Probate inventories are lists and valuations of a deceased persons' goods drawn up after their deaths, while probate accounts record the various transactions entered into by either the administrator or the executor of the deceased's estate. Both are very valuable historical sources, and the various economic and social features of early modern society they can be used to reveal have been comprehensively discussed in a recent publication.⁶¹ For Hertfordshire, to date it is only probate inventories that have been used at all extensively: Paul Glennie's valuable work on Hertfordshire agriculture 1550-1700 was based largely upon 2,150 probate inventories proved in the Archdeaconries of St Albans and Huntingdon. Lionel Munby, with the assistance of his WEA class held between 1976 and 1980, has transcribed and discussed 54 King's Langley inventories 1498-1659, a project which also inspired Philip and Barbara Buller to transcribe the 127 wills, 77 inventories and 20 administration bonds that survive for Sarratt between 1435 and 1832. Lionel Munby has also written an introduction to 69 inventories transcribed by the Bricket Wood Society, while for the town of Hertford Beverly Adams has transcribed and analysed 76 inventories which survive for the period 1660-1725.⁶² As far as the present writer is aware, no concerted use has yet been made of the 549 probate accounts that survive for Hertfordshire between 1556 and 1753.⁶³

Wills survive in greater quantity than inventories or accounts, both for Hertfordshire and in general: over 1.1 million have already been indexed for the period 1500-1700, while as many as two million may survive between the mid-sixteenth and mid-eighteenth centuries.⁶⁴ Their survival varies both chronologically and geographically, the latter often for no obvious reason. Hence, while the general increase in record keeping and changes to the laws governing inheritance usually ensures that larger numbers are extant from the mid-sixteenth century forwards, St

Albans archdeaconry excels in the fifteenth century with over 1,300 wills surviving for 1430-80, and 303 for the small town of St Albans alone between 1471 and 1500.⁶⁵ Apart from the transcription of 303 St Albans wills for 1471-1500, and transcription and discussion of 124 for Kings Langley 1498-1659, 109 for Bricket Wood and 44 for Hertford 1660-1725, Hertfordshire wills to date have been put to limited use.⁶⁶ Of these only the Kings Langley study features Prerogative Court of Canterbury wills, the highest probate court in England where the wills of the wealthier inhabitants of southern England are to be found.⁶⁷ It is hoped that the following discussion of their value to the local historian will help to encourage further work on this source.

Before discussing the various ways in which wills can be used, it is important to appreciate that any surviving sample will not adequately reflect the population as a whole. Will writing, unsurprisingly, was far more common among the wealthier social groups in early modern England, those with significant personal goods or property to bequeath. Land ownership in particular rendered will making advisable, and the devising of lands by will was encouraged by the Statute of Wills of 1540 and subsequent legislation.⁶⁸ The precise sector of the population for whom wills survive is, however, difficult to establish, for while the poor are clearly badly under-represented wills survive for at least some testators of modest means, and will-making may sometimes have been encouraged by the existence of family responsibilities.⁶⁹ Accordingly, quantitative estimates of will survival vary considerably: studies for some localities indicate that perhaps only 10 per cent of adults left wills, while for others figures of the order of 33 per cent have been calculated.⁷⁰ In larger towns numbers appear to have been relatively low, no doubt partly because a higher proportion of urban populations were poor: a study of Cambridge and Reading found that, respectively, 12 per cent and 10 per cent of adults left wills in the early seventeenth century, or 19 and 17 per cent of adult males.⁷¹ This, of course, would not affect Hertfordshire, where large towns were notable by their absence through from the early modern period to the later nineteenth century.

Given that wills could not be written by minors, and were commonly drawn up as death approached, they will also be biased by age, and as such may largely relate to either those at the height of their achievements or to those already past their peak. Relatively few testators wrote their wills while in good health, although it was not unknown for a will to be written in advance and then signed on or near the deathbed, sometimes with the addition of a codicil modifying the bequests made.⁷² Those who did this often held positions of spiritual or political authority, and may thus have wished to set an example, although Benjamin Trott of All Saints, Cambridge, took no chances by writing his will in August 1665 'in regard of the danger of these infectious times': in the event it was not proved until 1668.⁷³ In later seventeenth century St Albans old age, despite good health, could encourage will-making, as in the case of Margaret Mease who, although 'in good health', made her will in 1659 'knowing myself to be aged', her will not being proved until 13 years later.

What is quite clear is that women are severely under-represented among testators. Married women could only write a will with their husband's approval, as granted by

Zachary Soones of Colchester to his wife Judith in 1662, probably because she had been married before and owned a number of say looms that she wished to bequeath, but few such wills survive.⁷⁴ Certainly by the sixteenth century female testators are largely spinsters or widows. Prior's analysis of Prerogative Court of Canterbury wills 1558-1700 shows that married women never accounted for as much as one per cent of the total, despite a slight increase after the Interregnum, while in the lower courts in Gloucestershire the numbers are tiny.⁷⁵ Widows' wills are far more numerous, reflecting the enhanced possibility of both independence and prosperity that widowhood could bring, for the fortunate minority of widows at least, and widows could thus form a sizeable proportion of all testators.⁷⁶ As a result, in the Diocese of Ely women constituted roughly 11 per cent of testators in the 1540s, the proportion rising to a peak of just over 20 per cent in the 1630s and falling back thereafter, while in Gloucester Consistory Court 1541-80 women's wills accounted for almost 18 per cent of a sample of over 7,000.⁷⁷ Similar figures, of the order of 20 per cent, have been found in a variety of studies of towns large and small: exactly 20 per cent of testators were either widows or spinsters in Hertford 1660-1725, while in both Kings Langley 1498-1659 and Bricket Wood 1447-1742 the figure stood slightly lower at 15 per cent.⁷⁸ These figures tally quite closely with those presented in Amy Erickson's general survey, which found that women constituted 12-17 per cent of willmakers in the sixteenth century, around 20 per cent in the seventeenth, and 25 per cent by the early eighteenth, the vast majority being widows.⁷⁹ Wills thus provide a perhaps surprising degree of insight into the affairs of the widowed female population of early modern England, in both town and countryside and in geographically disparate regions.

Wills are what might be described as a 'semi-structured' historical source: although they lack the regularity of, for example, a census, they tend to conform to a common format and include similar types of information.⁸⁰ Hence they commence with the date of their dictation, the testator's name and, usually, also their occupation or status and place of residence. Many testators proceed to mention their state of health and usually describe themselves as 'sick in body', but also 'whole in mind and in good and perfect remembrance', or some similar phrase. The remaining content of wills varies according to what individuals had to leave. Land, buildings, livestock, trade goods and tools, furniture and household utensils, and articles of clothing, are all commonly found, besides gifts of money in cash or bonds. Real estate is often problematic, however, for inheritance of land could also be ensured by other means, such as manorial custom. The appointment of executors, supervisors or overseers and the naming of witnesses comes at the end of the document, together with the testator's signature or mark. The grant of probate, in Latin until 1733, is found on both register copies and original wills. The majority were not written by lawyers, although testators who used the Prerogative Court of Canterbury were more likely to employ them. Very occasionally they were written by the testator himself, as in the case of John Hill, a shopkeeper of Hertford, who in 1705 was sufficiently proud of the fact to note that his will was made 'with my owne handwritting'.⁸¹ Most were written by parish clergy and other educated men with considerable

experience in drawing up a will, although townspeople were more likely to use scriveners or public notaries, if only because of their availability.⁸²

We can now turn to the uses to which wills have been put by historians, one of the oldest of which is to establish levels of charitable giving, most comprehensively examined in Jordan's monumental trilogy.⁸³ Through examination of charitable bequests from wills proved in all levels of ecclesiastical court, in addition to bequests made in donors' lifetimes from ten English counties, Jordan concluded that '...during the early modern period a veritable revolution had occurred during which private donors, men who held in view a vision of the future, had repaired the damage society had sustained from the slow ruin of the Middle Ages...a revolution too in which men's aspirations for their own generation and those to come had undergone an almost complete metamorphosis, as the essentially religious interests of the later Middle Ages yielded to social aspirations which were most aggressively secular...'⁸⁴

A total of £3.1 million was devoted to charitable causes between 1480 and 1660 in these ten counties, almost £1.5 million of this to either the relief or social rehabilitation of the poor, while religious bequests declined from 53 per cent of the total in 1480-1540 to just 7 per cent by 1561-1600, and only recovered to 12 per cent by the mid-seventeenth century, a feature also found locally in Kings Langley.⁸⁵ Jordan's figures show a trough in the 1540s followed by a great outpouring in the 1550s, steady growth in the Elizabethan period, and a further surge in the early seventeenth century climaxing in the 'incredible generosity which marks the years 1611-1640'.⁸⁶

A veritable industry has grown up dedicated to criticism of Jordan's methods and conclusions: above all he failed to allow for inflation, and deflation of his figures does produce a somewhat different trend, in particular a sharp fall in total donations through from the 1560s to 1590s, now followed by a more modest recovery, but nevertheless one that produces a net real increase of 83 per cent when the decadal averages for secular bequests 1611-40 are compared with 1480-1540.⁸⁷ But philanthropy, in many of its guises, is cumulative, and it is particularly important to remember that 82 per cent of benefactions took the form of endowments, with little variation between counties.⁸⁸ Hadwin's further reworking of the data to allow for this, for all of its methodological uncertainties, produces a more accurate picture of the total available to the poor: while the situation pre-1540 defies estimation, between the mid-sixteenth and mid-seventeenth centuries the value of privately provided poor relief expanded by more than a factor of four.⁸⁹ Moreover, further deflation to allow for population growth still reveals a *per capita* expansion well in excess of a factor of two.⁹⁰

Methodological difficulties remain, however. One particularly worrying problem is that charitable endowments may have failed through mismanagement or misappropriation. The extent of this is impossible to calculate. Jordan does appear to have conducted appropriate checks for the larger endowments at least, and a recent study of Exeter finds that funds were generally well-administered.⁹¹ His data must also underestimate informal philanthropy which left no record, particularly

that offered on a day-to-day basis, and there is considerable literary evidence to suggest that this was declining during the second half of the sixteenth century. Furthermore, substantial charitable bequests *may* have had an adverse impact upon willingness to establish formal poor rates.⁹² Estimates of 'generosity' must also take account, not only of the sums given, but also of the ability of the donor, and although Jordan did make efforts to estimate the wealth of a sample of donors and the percentages of that wealth the different classes gave to charity, he did not identify changes over time.⁹³ For Worcester, Alan Dyer has compared charitable bequests with inventory totals, to conclude that not only were total charitable bequests lower in 1600-19 than 1550-69, but they were lower still as a proportion of the total wealth available.⁹⁴ How typical Worcester was in this respect remains to be seen.⁹⁵

Two further problems must be noted, as well as some possibilities. Wills do not record the sum total of charitable donations. Jordan also used a range of other archival sources, and will bequests accounted for only 63 per cent of the aggregate total, rising to 78 per cent in Bristol but falling as low as 28 per cent in Buckinghamshire.⁹⁶ Second, wills held locally and proved in consistory or archidiaconal courts will also convey an inadequate impression, for in Jordan's sample as much as 94 per cent of the total benefactions made by will were found in the Prerogative Courts of Canterbury and York.⁹⁷ Notwithstanding such difficulties, the value of wills has been far from exhausted, particularly at the local level. Rarely is any serious attention paid to the geographical distribution of giving, apart from reiteration of Jordan's key conclusion about the overwhelming importance of the contribution of London merchants in particular, and urban philanthropy in general.⁹⁸ Regional and local differences deserve fuller exploration, and these could be substantial. Within the small county of Buckinghamshire, while 85 per cent of its parishes benefited from donations in excess of ten shillings, less than one in five possessed endowments 'sufficient to serve as social catalysts'.⁹⁹ Donations by social and occupational class and by gender could be further explored too: female philanthropists were by no means insignificant, although they contributed more as a proportion of the total in rural areas than they did in London.¹⁰⁰ Their charitable interests differed somewhat from those of men, in Buckinghamshire, Yorkshire and in London showing more wholly secular concerns.¹⁰¹ Class differences are evident in Retford in Nottinghamshire 1600-42, where 44 per cent of testators gave to the poor, the percentage making gifts declining with social status: 78 per cent of gentlemen made charitable bequests, 45 per cent of yeomen, 37 per cent of tradesmen and 33 per cent of husbandmen and labourers. Legacies of real estate were most commonly made by gentlemen, yeomen and tradesmen, while women were predominant in gifts of household moveables.¹⁰² Only further research will indicate how typical or otherwise such patterns were.

Another well rehearsed use of wills is to indicate religious belief. It was once regarded as a straightforward procedure to infer religious persuasion from will preambles and hence determine the speed and extent of religious change, particularly in the aftermath of the Reformation. The work of Dickens on Nottinghamshire and Yorkshire, distinguishing 'traditional' from 'non-traditional' wills 1538-51, provides an early example, subsequently followed

by historians of both rural and urban society, often with the additional employment of a 'neutral' category.¹⁰³ In 1971 Margaret Spufford published an important article, discussing the possibility that will formularies reflect the opinion of the scribe as much as the testator, which might render them questionable as evidence of true religious belief.¹⁰⁴ Her conclusion, based upon Orwell and Willingham in Cambridgeshire, was that although standard formulations can indeed be found and associated with particular scribes, there was a sufficient range of choice of scribes for a testator to choose a man with at least the same general beliefs as himself, while when an individual held particularly forceful religious opinions these come through clearly in the terminology employed in his will, a point soon endorsed in a study of late seventeenth century Matlock.¹⁰⁵

Since then, standard formularies for religious preambles to wills have been identified, the first in *Fly. An Almanack*, published in 1657, followed rapidly by West's *Simboleography* which dates from 1590, although Spufford cast doubt upon the circulation and influence of the latter.¹⁰⁶ More recently, a much earlier formula has been identified in the will of William Tracy of Gloucestershire, written in 1530, which was probably disseminated in manuscript before it was printed in Antwerp in 1535. Although only a few individuals used this preamble, it was employed in areas as widespread as Sussex, Gloucestershire, Suffolk, London and Yorkshire.¹⁰⁷ In a sample of 3,000 Gloucestershire wills made between 1541 and 1580, 350 different preamble formulas were used, but 325 of these were used by just 20 per cent of the sample, scribes tending to provide neutral statements in the absence of any strong expression of preference by the testator.¹⁰⁸

Will preambles have been described as 'an idiosyncratic mixture of formula and personal expression',¹⁰⁹ and there has been further debate concerning the significance of the use of particular forms of words, as well as of the significance or otherwise of neutral forms. Some historians go so far as to deny they possess any meaning at all, though most give them at least qualified credence.¹¹⁰ Recent work has emphasized the need carefully to examine the full range of preambles, in all of their complexity, and hence Litzenberger groups them into 17 preliminary categories before reducing these to the conventional 'traditional', 'neutral' and 'protestant' classifications.¹¹¹ These debates must be borne in mind when assessing the conclusions drawn from wills. What studies to date appear to indicate, however, is considerable regional variation in the speed with which Protestantism was embraced. Testators in the city of York remained remarkably conservative through to the brief reign of Mary, whereafter the majority adopted a neutral formulation. Clearly Protestant wills accounted for roughly one-third of the total 1560-90, rising to 45 per cent in the last decade of the century, and only then did traditional formulations disappear completely.¹¹² This contrasts with the counties of Nottinghamshire and Yorkshire more generally, for here non-traditional wills begin to appear in the late 1530s, becoming increasingly significant until they formed a clear majority by the early 1550s.¹¹³ In Gloucestershire, there was a pronounced swing away from traditional preambles in Edward's reign, although the close attentions of the radical Protestant Bishop Hooper may have had a decisive influence here. Traditional forms revived under Mary but declined rapidly

thereafter, neutral wills accounting for over 85 per cent through the first 20 years of Elizabeth's reign, and clearly Protestant formulations only reaching 7 per cent of the total in the 1570s. Here, therefore, the new religion was embraced only slowly.¹¹⁴ For Retford in Nottinghamshire Marcombe has traced the trend through to the later sixteenth century, revealing a collapse in Catholic preambles during the reign of Edward VI and a revival in the Marian interlude, with Protestant preambles gaining ascendancy from the 1580s.¹¹⁵ Duffy also identified a Marian reaction in the wills of the parish of Otley in Wharfedale, reflected in the use of a revised Catholic formula, a tendency that he regards as widespread and found also in towns such as Leeds.¹¹⁶

Some of the best studies use wills together with other sources to trace the gradual acceptance of the reformed church. Two examples are Litzemberger on the diocese of Gloucester 1541-80, and Whiting's work on popular religion in the Diocese of Exeter. Litzemberger analyzed 8,000 wills, besides the records of ecclesiastical courts, bishops' papers and parish and borough records, and these additional sources confirm the evidence of will preambles, showing considerable resistance to religious change extending well beyond 1559, and little indication that the new religion was making clear headway until the 1580s.¹¹⁷ Whiting combines the evidence of churchwardens' accounts with wills to suggest that the conventional view of the south west as 'remote, conservative and change-resistant' is false, for popular support for Catholicism was waning by 1547, and collapsed in most places during Edward's reign, more noticeably in the east of the region than in the west.¹¹⁸ However, positive support for Protestantism remained a minority activity throughout the Reformation decades, though more apparent in town than countryside, and wills containing possibly Protestant preambles constituted only some 12 per cent of the total in the diocese of Exeter as late as the 1560s.¹¹⁹ Catholic devotion may have been largely suppressed, but it was most usually replaced by 'conformism, passivity, or even indifference'.¹²⁰ The combined work of Mayhew and Goring, setting will preambles and bequests alongside other evidence, has shown that the process of religious change was particularly slow in Sussex, though more rapid in the east than the west, in the Weald than in the Downs and in urban and industrial areas than in agricultural ones.¹²¹

Turning to the early seventeenth century, from his study of some 70 Sussex gentry wills made between 1620 and 1670, Fletcher found 'that the doctrine of justification by faith was universally accepted in gentry circles'.¹²² More recently, Duffin has analyzed 366 Cornish gentry wills between 1600 and 1660. Like Fletcher she took three features of preambles as indicative of likely Puritanism: a 'demonstrable confidence in predestination', 'a stated belief in physical resurrection' and 'emphasis on personal sin'. She found that 24 per cent mentioned predestination, 8 per cent a belief in physical resurrection, and many of these two previous categories also emphasized personal sin; 7.4 per cent included all three indicators, 25.1 per cent included at least one.¹²³ In the diocese of Ely, however, mention of election was rare. Working from the premise that 'idiosyncratic and strongly flavoured dedicatory clauses give an absolute minimum of testators with strong convictions', Spufford has sampled the Ely diocesan wills, finding the first mention of election in 1590, and just 31 further examples

from 1,600 wills over the next 40 years. But while ardent Calvinists might have despaired at their small number, it is notable that the social composition of this 31 covered the complete spectrum, including servants, labourers, a cross-section of petty craftsmen and yeomen.¹²⁴ Finally, a recent examination of late seventeenth century St Albans' wills exemplifies the necessary caution with regard to reading too much into their dedicatory clauses. In tracing 375 male dissenters in this strongly nonconformist town, Pat Howe uses wills as evidence of nonconformity only if they are wholly unambiguous, otherwise seeking substantiation from independent evidence.¹²⁵

As indicators of religious belief wills must clearly be used with great care. Duffy's skepticism as to their value as an index of the growth of popular Protestantism, as opposed to a reflection of the resilience of Catholicism, may be overstated, but he is surely right to warn against oversimplified interpretations of preambles, the placing of excessive emphasis upon omission rather than commission and the influence that a prudential response to external constraints and ministrations might have had.¹²⁶ For this reason, the increasingly sophisticated analyses of will preambles by Litzemberger and others are to be welcomed and, particularly when employed in conjunction with other sources, can assist in mapping out not only the geography and chronology but also the social incidence of religious belief in early modern England.

For economic historians wills are often less useful than probate inventories, but they have been used for both small and large scale surveys of occupations and status. The attraction of wills is that they are among the most numerous of personal documents to survive, and although by no means all testators gave their occupation or status, it is usually possible to build up a viable sample from the number that do, while the body of many wills also mention the names and occupation or status of other local inhabitants.

John Patten's study of occupations from wills in Norfolk and Suffolk 1500-1700 is the largest regional survey of its kind, employing a total of over 150,000 wills, though focused specifically upon the urban system.¹²⁷ The scalograms drawn by Patten from this impressive dataset indicate increasing sophistication and specialization within urban economies as the heights of the urban hierarchy are approached and towns grew in size. Furthermore, despite a high degree of overall stability in the East Anglian urban hierarchy, the larger towns were not only growing more rapidly between 1603 and the 1670s than they had in the previous 80 years, but they were becoming much more economically advanced: towns in general had 'become more modern', but it was 'the larger ones that had become most modern'.¹²⁸ Nevertheless, across the seventeenth century the presence of distributive retailers became almost universal, even in the smaller East Anglian towns.¹²⁹

Patten's survey employs occupational ranking as its key analytical tool, while other urban studies have generally attempted to identify occupational structure. A pioneering example is Alan Dyer's study of Worcester 1540-1620, which revealed a highly industrialized town with 40 per cent employed in the cloth industry prior to 1590, and 50 per cent thereafter.¹³⁰ Wills were also relied heavily upon in a comparative study of occupations in Cambridge,

Colchester and Reading 1500-1700, being used to identify the trades of 4,594 individuals, sufficient to elucidate their changing economic structures despite the relative paucity of information for the earlier sixteenth century.¹³¹ As in East Anglia, these towns also exhibited growing sophistication and specialization and an expanding range of occupations, already evident by the mid-seventeenth century.¹³²

It is, perhaps, paradoxical that will evidence has been used more extensively in urban studies, where alternatives are more commonly available, than in rural surveys, but a first step towards the rectification of this is provided below by Evans' examination of occupations in Cambridgeshire from roughly 19,000 men's wills proved in the Diocese of Ely 1551-1800.¹³³ This clearly identifies the problem of nomenclature, for the precise activities of those described as 'yeomen', 'husbandmen' or 'labourer' are difficult to determine unless wills are read in full, or used in conjunction with inventories. Nevertheless, the overwhelming dominance of agriculture in the county can be demonstrated, there is some indication of the long-term decline of smallholders in some areas, while the unusually large numbers of labourers' wills appears to indicate the persistence of smallholders in others, such as the Isle of Ely and fen edge parishes.

Occupational evidence from wills, rural or urban, is inevitably socially biased to some degree, and does not provide comprehensive coverage. This is revealed by the rare opportunities that arise to compare will data with parish registers or census returns that give occupations. From the parish register of the small Suffolk market town of Halesworth, 77 different occupations could be identified 1653-99, only 20 of which occur among the wills of Halesworth testators in the same period. Even when gentlemen, yeomen, husbandmen, soldiers, servants and labourers are omitted, the Halesworth register records 25 crafts and trades excluded from Patten's list for East Anglian towns during the half century 1650-99.¹³⁴ For early seventeenth-century Cambridge, the number of labourers recorded in wills is far smaller than the proportion revealed by a census of five of the town's poorer parishes in the 1620s.¹³⁵ The bias to be found in wills is, however, at least predictable, and probably less likely to be affected by changing demographic, social and financial pressures than is the case with freemen and apprenticeship records. But for many historians the key consideration will be availability, for relatively few long series of apprenticeship indentures or freemen's admissions survive, particularly for unincorporated towns such as those which dominated the Hertfordshire landscape.¹³⁶ Wills can be found for most towns, and indeed most villages, covering the entire pre-industrial period. For comparative purposes, therefore, particularly over long time spans, the use of wills is not simply preferable, but is essential.

A careful reading of wills can often provide much more than a bare indication of the range and structure of occupations. Wills have been successfully used to gain at least an impression of the relative wealth of different occupational or ethnic groups, either alone or in conjunction with inventories.¹³⁷ They can also, however, offer additional insights into the organization of particular industries and occupations. From Worcester wills Alan Dyer was able to deduce that independent producers were far more common than were weavers employed by putting-out

clothiers, while the regular use of spinners working in their own homes only became common towards the end of the sixteenth century.¹³⁸ Retained employees are also found in the Colchester cloth trade by the later seventeenth century: John Winnock, baymaker, left £1 per loom to 'all my weavers that work for me', whilst Solomon Fromanteel left the same sum to 'all my weavers that are masters of families and have my tackling to work in'.¹³⁹ The extent of diversification into investment in lands and tenements can also be established, as Reed has shown for seventeenth century Ipswich.¹⁴⁰ In Hallamshire in Yorkshire, wills show that local cutlers commonly farmed a smallholding, and also indicate the crucial importance of water power to the trade.¹⁴¹ Cambridge wills reveal a diverse array of trade and craftsmen holding booths in Stourbridge Fair, investment ranging from the one-eighth of a booth bequeathed by John Munnes in 1586 to the 40 left by Robert Chapman, alderman, in 1563; others reveal the complexity of the fair.¹⁴² For ports, wills help reveal the structure of investment in shipping. Hence in Colchester, whilst mariners and merchants were the most prominent owners of ships, other occupations include glovers, clothiers, doctors and clockmakers, four of the 48 identified being women, with vessels most commonly held in fractions, occasionally as small as one thirty-second.¹⁴³

Wills are particularly valuable for what they reveal about women's work. The evidence is often oblique, taking the form of specific bequests of either property or tools to a widow, from which it might be inferred that she was to carry on her late husband's trade.¹⁴⁴ For Salisbury, Wright suggests that as much production was based in the home, the descent of the family dwelling *may* also indicate descent of the business, although this could have been a strictly temporary arrangement.¹⁴⁵ Wright also found examples of specific bequests of tools to wives, but they were few in number, and the low proportion of females who retained servants or apprentices is taken to confirm that 'comparatively few women took over their spouse's business'.¹⁴⁶ This may be unduly pessimistic: in Cambridge, Colchester and Reading, specific bequests of tools to wives, or of widows themselves bequeathing 'the tools of my trade', indicate that some women at least were active as butchers, brewers, bakers, innholders, vintners, barbers, weavers and clothiers, tallowchandlers, pinmakers, brasiers and armourers, suggesting that the economic activities of women far exceeded their traditional roles in marketing, brewing or as spinners for the cloth trade.¹⁴⁷ In sixteenth century Sheffield, similar bequests of cutlers' tools were made to wives and daughters.¹⁴⁸ More quantifiable evidence, such as the Oxford apprenticeship records, indicate that the participation of widows was low when trade was booming, only increasing in depressed periods, while in early eighteenth century London only some 5-10 per cent of businesses were run by women, and most of these were 'feminine businesses'.¹⁴⁹ On the other hand, wills clearly indicate that women, particularly widows, not only played their part in a range of occupations, but also participated in economic life as property owners, shipowners, owners of booths in major English fairs, as leaseholders of woolmarkets, owners of fulling mills, as moneylenders and could enter into partnerships with male counterparts.¹⁵⁰ They also provide rare glimpses of true familial partnerships, such as in the will of Robert Reeve of Reading, clothier, written in 1620, which gives

full recognition to his wife Alice, who 'hath laboured hard with me through all her youth in the getting of all mine estate'.¹⁵¹

Given the availability of parish registers from 1538, it is perhaps unsurprising that the use of wills for demographic purposes has generally been marginal or supplementary, usually restricted to the study of mortality.¹⁵² Despite their social bias, the number of wills proved does provide a useful indication of the major epidemic outbreaks in early modern England, even for diseases which particularly affected the poor, such as plague. They therefore form a useful supplement to parish register data, filling gaps in registration and providing vital information on the earlier sixteenth century, as well as for the mid-sixteenth century when few registers survive.¹⁵³ As an index of fertility, the numbers of children mentioned in wills can only stand as a weak surrogate, for there are too many unknowns to contemplate, particularly the age profile of the will-leaving population which may itself be affected by prevailing death rates. Nevertheless, a recent study of Cambridge, Colchester and Reading does indicate a distinct upward shift in replacement rates after the mid-sixteenth century, and a stabilization in the seventeenth, which corresponds closely to trends in these towns' populations revealed by parish register evidence, suggesting the possibility that a rise in urban fertility may have contributed to their late sixteenth and early seventeenth century expansion.¹⁵⁴

Wills can, however, be used for other demographic purposes, and hence for seventeenth century Colchester they have been employed to gauge the extent of integration of the immigrant 'Dutch' community through the patterns of intermarriage they reveal.¹⁵⁵ Another interesting recent suggestion by Razzell is to use wills as a check upon standards of burial registration.¹⁵⁶ Early analysis indicates that up to 43 per cent of testators could not be traced in burial registers for the later sixteenth and early seventeenth centuries, the proportion decreasing substantially to roughly 17 per cent by the early nineteenth century. The evidence to date is, however, narrowly based, and the will-leaving population is by no means a cross section of early modern society. If a key reason for these results is that testators were often buried outside their parish of residence, it is probable that the wealthier will-leavers would be more likely than the poor to be able to make such arrangements, and thus registers may more accurately reflect burials of the lower social classes. In this regard, an analysis of the proportion who left instructions to be buried outside of their parish of residence, broken down by period and social class, might prove informative.

One topic that has particularly benefited from the use of wills is the study of family and kinship. The range of kin named as beneficiaries is a powerful index of the depth and range of kinship bonds in early modern society, but such bonds can also be assessed through analysis of the role of kin as witnesses, overseers, executors or guardians of children. Precise quantification of bequests is often impossible, the strength of the bond they indicate difficult to interpret, and the life-cycle stage of the testator and its effect obscure, but it would be perverse to argue that the patterns they show indicate nothing at all. The seminal contribution is Wrightson and Levine's study of Terling in Essex, which appeared in 1979, the same year in which Vann explored family structure in Banbury from will

evidence.¹⁵⁷ These studies, and others conducted since, have led Wrightson and Levine recently to conclude that 'statistical studies of the relatives recognized in the wills of the inhabitants of a now quite substantial number of English parishes are unanimous in showing that the range of kin mentioned...was genealogically both narrow and shallow'.¹⁵⁸ Despite a degree of variation between communities, few individuals were included in wills beyond the range of the immediate nuclear family, siblings, sons- and daughters-in-law, grandchildren, brothers- and sisters-in-law and nephews and nieces. This was as much if not more true of the northern industrial community of Whickham in Durham as it was of more southerly agricultural villages, for here, although 70-80 per cent of testators recognized kin beyond their immediate family, the range was similarly restricted, while kinship links between householders were in fact considerably less dense than in Terling.¹⁵⁹

The strength of both social and family relationships has recently been emphasized by Spufford and Takahashi, who argue from the evidence of will witnessing in Chippenham and Willingham that both family and friendship networks continued to operate across any economic divisions one might attempt to impose.¹⁶⁰ But another recent study of eight Lincolnshire parishes 1567-1800, from counts of 10,763 bequests made in 1,442 wills, firmly concludes that testators increasingly focused upon the nuclear family at the expense of unrelated individuals and the community at large, and identifies key periods of change as the decades around 1600 and the mid-later eighteenth century.¹⁶¹

Despite its formal nature, a will can occasionally reveal much about the quality of early modern relationships. Lawrence Stone's thesis that there was little affection between spouses in the early modern period, for example, can be countered by the expressions of trust and love between married couples found in numerous wills.¹⁶² Most men with under-age or no children clearly expected their wives to be capable of managing the family farm or business, and a high proportion made their wives sole or joint executrices.¹⁶³ Wills proved in the Archdeaconry of Sudbury 1636-9 bear this out, 55.1 per cent of men who mentioned a wife appointing her as sole executrix and another 15.2 per cent making their wives joint executrices.¹⁶⁴ The figures for Thame and Woodstock are very similar, although here it seems to have been unusual for widows to inherit their husbands' business.¹⁶⁵ Marriages that were both loving and companionate thus appear to have been the rule in early modern England, at least for the majority of the population. But there is also evidence in wills of affection for children, either in the manner in which legacies are carefully divided between heirs, or in provision for education and guardianship, and perhaps most powerfully in the way in which provision is often made even for as yet unborn children. On the other hand tensions can be revealed too, providing frequent evidence of resentment towards step-parents, and occasional indications of attempts to control unruly children through the threat of withdrawal of legacies. In London, however, by the late seventeenth century parents rarely went this far, the majority of fathers providing no sanction even against daughters marrying without consent.¹⁶⁶

There is no doubt that the nuclear family was of central concern to willmakers at all levels of English society, and

this is particularly evident in the arrangements made for the transmission of lands and tenements. Freehold land was readily devisable by will, arranged by feoffments to use prior to 1536, and the Statute of Wills of 1540 and subsequent legislation encouraged the practice, although for lands held by knight service of the crown only two-thirds could be bequeathed freely, protecting crown wardship rights. Women were expressly forbidden to devise freehold land by will in 1542-3, although examples have been found of wives doing just that despite statutory prohibition.¹⁶⁷ The situation with copyhold land was more complex. Freedom of alienation of land for copyholders by inheritance was established by 1500, despite legal restrictions on devising such land by will, and as early as the thirteenth century there is some evidence that copyhold land could be sold despite customary restrictions upon descent.¹⁶⁸ By the sixteenth century, however, practice varied widely: in some parts of the country copyhold land by inheritance (as opposed to years or lives) could be freely devised by will, whilst in others, such as Swaledale in Yorkshire, it could not. Similarly, at Long Wittenham, Oxfordshire, copyholds for lives were never devised by will, but transferred by surrender in the manorial court.¹⁶⁹ One mechanism often used to avoid customary restrictions was for a tenant to surrender lands to the use of his will, an example of which comes from Hertfordshire. Hence in 1671 Timothy Lane of St Stephens in Hertfordshire, 'one of the customary tenants of the manor of Park', bequeathed his lands as he desired, 'being empowered by a surrender taken the 7th day of May 1669 by Mr William Ellis, gentleman, steward of the manor aforesaid to the use of my last will and testament'.¹⁷⁰

Even where it was legally possible to devise land by will the opportunity was not always taken and manorial custom was relied upon instead, as at Ombersley in Worcestershire where customs relating to copyhold by inheritance were particularly strong.¹⁷¹ On the other hand, land was sometimes devised by will in a manner completely at odds with manorial custom.¹⁷² Despite such inconsistency, there are many instances where wills can be employed to indicate inheritance practices. Even where manorial custom was clear, as at Kibworth Harcourt in the south Midlands, wills provide essential information to complete the picture of inheritance. Here, Howell has shown that while peasant land holdings were kept intact by the sixteenth century, passing in most instances to the widow alone when all the children were minors but more commonly to a son if over the age of 21, every effort was made to accommodate other family members. Hence, inheriting sons were usually given responsibility for the maintenance of the widow on the family property, while younger children were frequently given the stock and the gear, often returned to the use of the heir in exchange for maintenance.¹⁷³ Much the same procedure was adopted in the west Midlands villages studied by Christopher Dyer, an earlier tendency to divide holdings being superseded by bequeathing them intact by the early sixteenth century, other children being provided with goods or cash instead.¹⁷⁴ A strong concern to provide for all family members was found by Spufford in Chippenham, Orwell and Willingham in Cambridgeshire. Here, however, this was sometimes achieved by division of the landholding itself, though most commonly by burdening it with onerous obligations to other close family, which in the long run had a similar

effect upon the survival of smallholdings unless they were rendered viable by the diversity of opportunities that the fenland community of Willingham provided.¹⁷⁵ Spufford notes, however, that wills do not provide a complete picture, for land was commonly passed to heirs as they came of age, and hence in this area the will sample is skewed towards testators with younger children to provide for.¹⁷⁶ Towards the lower end of peasant society, Alan Everitt also found that primogeniture by no means always held sway, identifying many examples of division of lands and goods, more or less equally, between all dependants.¹⁷⁷ Erickson's work on Lincolnshire, Sussex and Yorkshire left her in no doubt that while eldest sons tended to be favoured in the transmission of landed property, 'it was expected that both daughters and younger sons might have the equivalent value in moveables that the heir had in land', and Churches' study of Whitehaven 1660-1750 more than bears out these conclusions.¹⁷⁸

It is not only for peasant society that wills can prove valuable in this respect. Cooper's survey of inheritance practices amongst the great landowning families employs wills alongside other sources, showing the increasing prevalence of primogeniture, more easily achieved through the strict settlement in the seventeenth century, although provision for younger sons tended to be more closely related to their number rather than anything else.¹⁷⁹ Furthermore, wills provide clear evidence of the persistence of provision in land for younger sons in some cases, as well as revealing a considerable increase in the size of marriage portions provided for daughters.¹⁸⁰ In towns, the evidence suggests that businesses tended to be precarious, rarely extending further than three generations, and it is possible that the custom of dividing money and moveable goods between the widow and children by the provision of thirds played a part in this.¹⁸¹ There is, however, as yet no full blown study of inheritance practices in provincial towns, although late seventeenth and early eighteenth century London wills reveal that the middle classes generally tended towards primogeniture in the disposal of their real estate, but shared money and goods very equally between heirs.¹⁸²

Generally, men and women were not treated equally when it came to inheritance. Jane Whittle's analysis of female landholding in six Norfolk parishes 1440-1580 from wills, court rolls and estate surveys revealed low numbers holding land throughout the period, a product of an inferior legal position and pervasive cultural attitudes; where they did inherit, this was often due to their precarious economic situation.¹⁸³ In late seventeenth and early eighteenth century Hertford there were clear gender differences between recipients of different types of legacy, men being much more likely to receive land and tools, women to receive linen and household goods, providing a reminder of the basic division of gender roles that, despite exceptions, this society sustained.¹⁸⁴ Amussen has pointed out, however, that when widows made wills they 'had very different considerations' in mind from men. They seldom had to establish their children but, when they did have land to dispose of, they were more likely to favour daughters than sons, providing 'a subtle critique of the patriarchal assumptions of the period'.¹⁸⁵ Furthermore, the Prerogative Court of Canterbury and Oxfordshire women's wills examined by Prior indicate 'greater independence both economically and psychologically' by the end of the seventeenth century, as larger numbers

of wives made wills without their husband's consent, left nothing to their spouses and showed greater independence in provision for their children's future.¹⁸⁶

David Cressy has established himself as the historian of early modern literacy, employing the evidence of signatures and marks on wills, marriage licences and depositions made in church courts 1560-1700, the majority drawn from London, Essex, East Anglia, Devon and Durham. He finds that a series of irregular fluctuations produced a long-term reduction of illiteracy across these years, but behind this picture lies a diversity of social, gender and geographical experience. Gentlemen were almost universally literate throughout, except in Elizabethan Durham, whilst labourers and women were almost universally illiterate, apart from a dramatic increase in female literacy in late seventeenth century London.¹⁸⁷ Trade and craftsmen were three-quarters illiterate in the 1560s, but only 50 per cent so by the early seventeenth century, making just limited further improvement thereafter, although those in London and Middlesex performed better.¹⁸⁸ Yeomen made much greater progress than did husbandmen, the latter remaining roughly 80 per cent illiterate throughout, the former achieving a level of just 25 per cent or so, despite setbacks at the start and end of the seventeenth century.¹⁸⁹

A question mark must remain over the relationship between the ability to sign a document and literacy, however. Both Cressy and Schofield have argued that the ability to sign generally indicates an ability to read, probably to read fluently, and the likelihood of an ability to write other things, a view supported by nineteenth century English and French evidence. Moreover, the ability or inability to sign is at least standard, direct and universal, and therefore represents a valid comparative tool.¹⁹⁰ It does appear to be true that reading would usually be learned before writing, but while this might be taken as indicative of the literacy of those who could sign, it might also mean that others who did not get so far as to learn how to sign could also read, while some of those who could sign their names might not be able to write fluently.¹⁹¹ The additional problem remains of instances where individuals signed on one occasion and made a mark or another, apparent from the wills examined for Helpston, Northamptonshire in the seventeenth and early eighteenth centuries, a problem that cannot always be explained by incapacity or failing health.¹⁹² But the fact that wills were so commonly made shortly before death, by individuals who were inevitably frail, probably means that they are less reliable than other documents upon which signatures can be found, Cressy suggesting that they might exaggerate illiteracy by as much as 25 per cent.¹⁹³ Most progress is likely to be made where signatures are studied alongside other possible indicators of literacy, such as school foundations, book production and book ownership, although unfortunately wills and inventories generally provide little information on the latter topic due to the low value of most popular books.¹⁹⁴

The uses to which wills can and have been put by early modern historians has by no means been exhausted by the foregoing discussion: household utensils, furnishings and clothing are sometimes described in more detail than is given in inventories, they can often assist in dating the foundation of institutions such as workhouses or hospitals, rates of interest are frequently mentioned, architectural historians can learn from references to wainscot or glass

windows, and wills have also been used for dating the changing fabric of churches.¹⁹⁵ This is clearly a source that offers vast potential for the study of a wide range of topics in the fields of economic, social and demographic history. It is a potential that remains unfulfilled, for the surface of this huge body of data has hardly been scratched, and the great majority of studies based largely upon this evidence have been very local in focus. This is perhaps unsurprising, for reading, transcribing, processing and analyzing wills is a highly time-consuming task, particularly for those proved in the prerogative courts, where the wealth of most testators often led them to dictate testaments of considerable length. Clearly, however, we need more studies of particular localities in order to contextualize the conclusions drawn to date, but there is as much if not more need for broader surveys, intrinsically comparative, and drawing upon wills proved at all levels of ecclesiastical court.

For Hertfordshire, where only limited use has been made of early modern wills to date, this represents another considerable challenge, and the foregoing discussion gives rise to an extensive list of questions. Did Hertfordshire share in the late sixteenth and early seventeenth century increase in charitable giving, and its reorientation towards secular ends? Were women donors, as in nearby Buckinghamshire (this 'most stubbornly secular of all English counties'), more inclined to support secular causes than were men?¹⁹⁶ Did Hertfordshire share with Buckinghamshire a reorientation towards endowed forms of relief, a preference for almshouses over social rehabilitation, and rely more extensively than many other counties on the charitable gifts of its aristocracy and gentry while benefiting in a more modest way from the generosity of London merchants?¹⁹⁷ How swiftly was the reformed religion taken up in Hertfordshire, and was there any variation according to ease of communications with London, or between town and countryside? Can we gauge the strength of Calvinism on the eve of the Civil War, and its social incidence? What can a study of occupations reveal about the nature of the economy of the county, the early existence of industries that are known to have become prominent at a later date or about the sophistication of the county's towns? Do they, despite their generally small size, reflect the process of modernisation found in seventeenth century East Anglia, or at least the spread of distributive retailing? Do wills provide any evidence of women's work? How frequent were 'crisis' mortalities in the county, as compared with Devon or Essex?¹⁹⁸ Were towns affected more frequently and severely than rural parishes? Was the range of kin mentioned in wills 'genealogically both narrow and shallow', and did this vary by social class or over time?¹⁹⁹ Do wills reveal cold and calculative relationships, or do they provide indications of strong emotional bonds, companionate marriages and the love of children? Do they show the dominance of primogeniture, and were both younger sons and female children adequately provided for, if not in land then in moveable goods and cash? Could Hertfordshire testators sign their names – men, women, gentry, yeomanry, husbandmen and tradesmen – and what does this tell us about their educational ability and how it changed over time? What can wills reveal to us about changes in lifestyle and culture?

Systematic analysis at parish or township level of one or more of the above topics is not beyond the individual researcher; while more comprehensive transcription and

analysis would form a fascinating research project for a local history study group. Perhaps such aspirations are too modest, and one might envisage a longer term project to transcribe all the extant wills for the county. Whether or not such an ambitious suggestion is taken up, it is hoped that the introduction to wills as historical evidence offered here, and the context provided for their use to date, will serve to encourage their fuller exploration for the county of Hertfordshire and the various communities within it. If such exploration is conducted within a systematic, analytical framework, employing a comparative approach that situates local research within a broader perspective, then the study of wills will not only advance the cause of history in Hertfordshire, but also that of Hertfordshire in history.

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Notes

- 1 The title may be familiar to readers, as versions of this talk have been given to a number of local history societies over the past few years.
- 2 J.D. Marshall, 'A co-operative local history project and some lessons learned from it', *The Local Historian*, Vol. 31 (2001), p. 66.
- 3 W.G. Hoskins, *Local history in England*, 2nd edn (London, 1972), pp. 26-7.
- 4 A. Everitt, 'New avenues in English local history', reprinted in R.C. Richardson (ed.), *The changing face of English local history* (Aldershot, 2000), p. 141.
- 5 J.D. Marshall, *The tyranny of the discrete. A discussion of the problems of local history in England* (Aldershot, 1997), p. 46 and chapter three, *passim*.
- 6 Hoskins, *Local history in England*, p. 27.
- 7 For useful discussions of this tradition see Hoskins, *Local history in England*, pp. 17-26, and R.C. Richardson, 'Introduction: the changing face of English local history', in Richardson (ed.), *The changing face of English local history*, pp. 1-11.
- 8 F.S. Fussner, *The Historical Revolution. English historical writing and thought 1580-1640* (London, 1962).
- 9 For example, J. Norden, *Historical and chorographical description of the county of Essex* (1594), edited by H. Ellis, *Camden Society*, Vol. 9 (1840). Hoskins, *Local history in England*, pp. 18-21.
- 10 A. Everitt, *The community of Kent and the Great Rebellion 1640-60* (Leicester, 1973). It is, of course, possible to overstate the importance of localism in this period: see, for instance, J.A. Sharpe, *Early modern England. A social history 1550-1760* (London, 1987), pp. 115-16.
- 11 N. Connell, 'Nathaniel Salmon (1675-1742)', *Hertfordshire's Past*, Issue 50 (2001), pp. 5-12.
- 12 J. Britton and E.W. Brayley, *A topographical and historical description of Hertfordshire* (London, 1810); R. Clutterbuck, *The history and antiquities of the county of Hertford*, 2 vols. (London, 1815-27); J.E. Cussans, *History of Hertfordshire*, 2 vols. (London, 1870-1).
- 13 C. Kammen, 'Introduction: local history – in search of common threads', in C. Kammen (ed.), *The pursuit of local history: readings on theory and practice* (Walnut Creek, California, 1996), pp. 12-13.
- 14 M. Drake, 'Introduction' to Drake (ed.), *Time, family and community. Perspectives on family and community history* (Oxford, 1994), p. 6.
- 15 *Local Population Studies* is published twice yearly for an annual subscription of just £12, runs an annual day conference in St Albans and produces a range of associated publications. All enquiries should be addressed to the LPS General Office, Department of Humanities, University of Hertfordshire, College Lane Campus, Hatfield, Herts., AL10 9AB: email lps@herts.ac.uk.
- 16 For a fuller description see N. Goose, 'Participatory and collaborative research in English regional and local history: the Hertfordshire Historical Resources Project', *Archives*, Vol. XXII (1997), pp. 98-110. The key publications to date are N. Goose, *Population, economy and family structure in Hertfordshire in 1851. Vol. 1 The Berkhamsted region* (Hatfield, 1996) and *Population, economy and family structure in Hertfordshire in 1851. Vol. 2 St Albans and its region* (Hatfield, 2000).
- 17 See P. Tilley, 'Creating life histories and family trees from nineteenth-century census records, parish registers and other sources', *Local Population Studies*, No. 68 (2002), pp. 63-81.
- 18 J. Dils *et al.*, *Redding 1540-1640* (Reading, 1980); Uppingham Local History Study Group, *Uppingham in 1851: a night in the life of a thriving town* (Uppingham, 1851); Mourholme Local History Society, *How it was: a north Lancashire parish in the seventeenth century* (Mourholme, 1998); Marshall, 'A co-operative local history project'. See also A. Rogers, 'Participatory research in local history', *Journal of Regional and Local Studies*, Vol. 15 (1995).
- 19 See the comments on the Reading project in Goose, 'Participatory and collaborative research', p. 99, and the review of Uppingham in 1851 in *Local Population Studies*, No. 66 (2001), pp. 92-4.
- 20 M. Winstanley (ed.), *Working children in nineteenth-century Lancashire* (Preston, 1995).
- 21 Marshall, 'A co-operative local history project', p. 69.
- 22 See N. Alvey, 'Growth in the population of St Albans from the seventeenth to the nineteenth centuries', *The Local Historian*, Vol. 30 (2000), pp. 150-9; P. Howe, 'Identifying nonconformity in late-seventeenth century St Albans', *Local Population Studies*, No. 68 (2002), pp. 9-25; J.T. Smith and M.A. Nodl (eds.), *St Albans 1650-1700: a borough town and its people* (Hatfield, 2003).
- 23 P. Slack, *The English poor law 1531-1782* (Basingstoke, 1990), Table 1, p. 30.
- 24 The background to the New Poor Law is dealt with very clearly and succinctly in the following recent books: A. Kidd, *State, society and the poor in nineteenth-century England* (Basingstoke, 1999), pp. 8-29; D. Englander, *Poverty and poor law reform in 19th century Britain, 1834-1914* (London, 1998), pp. 1-13; L. Hollen Lees, *The solidarities of strangers. The English poor laws and the people, 1700-1948* (Cambridge, 1998), pp. 82-111. For an emphasis upon regional differences see S. King, *Poverty and welfare in England 1700-1850. A regional perspective* (Manchester, 2000).
- 25 P. Mandler, 'The making of the new poor law *redivivus*', *Past and Present*, No. 117 (1987), pp. 131-57.
- 26 *Report from the Select Committee on the Poor Laws*, Parliamentary Papers 1817, Vol. VI, pp. 68-9; *Report of the Royal Commission on the Poor Laws*, Parliamentary Papers 1834, Vol. XXIX, Appendix (A), pp. 156-7.
- 27 For the Swing Riots see E.J. Hobsbawm and G. Rudé, *Captain Swing* (Harmondsworth, 1973).
- 28 Englander, *Poverty and poor law reform*, p. 12.
- 29 The place of settlement was the parish where an individual had the legal right to claim relief, and to which they could be returned should they fall into dependence elsewhere (unless they had fulfilled certain conditions that entitled them to relief in their new parish).
- 30 Kidd, *State, society and the poor*, Appendix, Table A1, p. 168. See also M.E. Rose, *The relief of poverty, 1834-1914* (2nd edn, Basingstoke, 1986), Appendix A, p. 50.
- 31 K. Williams, *From pauperism to poverty* (London, 1981), p. 77.
- 32 A. Digby, 'The labour market and the continuity of social policy after 1834: the case of the eastern counties', *Economic History Review*, Vol. 28 (1975), pp. 69-83.
- 33 W. Apfel and P. Dunkley, 'English rural society and the New Poor Law: Bedfordshire 1834-47', *Social History*, Vol. 10 (1985), pp. 37-68.
- 34 Williams, *From pauperism to poverty*, pp. 71, 75; Rose, *Relief of poverty*, p. 50.
- 35 Englander, *Poverty and poor law reform*, p. 86.
- 36 Calculated from Rose, *Relief of poverty*, Appendix A, p. 50.
- 37 Kidd, *State, society and the poor*, pp. 48-52; Englander, *Poverty and poor law reform*, pp. 19-24;

- 38 Rose, *Relief of poverty*, Appendix A, p. 50.
- 39 P. Thane, 'Women and the poor law in Victorian and Edwardian England', *History Workshop Journal*, Vol. 6 (1978).
- 40 Kidd, *State, society and the poor*, pp. 37-8; Rose, *Relief of poverty*, p. 20; Englander, *Poverty and poor law reform*, pp. 17-19.
- 41 N. Goose, 'Workhouse populations in the mid-nineteenth century: the case of Hertfordshire', *Local Population Studies*, No. 62 (1999), pp. 58, 62-4.
- 42 Kidd, *State, society and the poor*, pp. 42-4.
- 43 E.A. Wrigley and R.S. Schofield, *The population history of England 1541-1871: a reconstruction*, (London, 1981), Table A3.1, pp. 528-9.
- 44 Goose, 'Workhouse populations', pp. 57-8; P.R.A. Hinde and F. Turnbull, 'The population of two Hampshire workhouses, 1851-61', *Local Population Studies*, No. 61 (1998), pp. 41-2.
- 45 Kidd, *State, society and the poor*, pp. 39-40; Rose, *Relief of poverty*, p. 20.
- 46 Hinde and Turnbull, 'Two Hampshire workhouses', p. 41; S. Page, 'Pauperism and the Leicester workhouse in 1881', *Transactions of the Leicestershire Archaeological and Historical Society*, Vol. 63 (1989), p. 89; Goose, 'Workhouse populations', p.59.
- 47 Goose, 'Workhouse populations', p. 60.
- 48 D. Thomson, 'The decline of social welfare: falling state support for the elderly since early Victorian times', *Ageing and Society*, Vol. 4 (1984), pp. 451-82; D. Thomson, 'The welfare of the elderly in the past. A family or community responsibility?', in M. Pelling and R.M. Smith (eds), *Life, death and the elderly* (London, 1991), pp. 194-221. For alternative views see Lees, *The solidarities of strangers*, pp. 172-3, 186-90, 277-8, and P. Thane, *Old age in English history: past experiences, present issues* (Oxford, 2000), pp. 165-71.
- 49 D. Thomson, 'Workhouse to nursing home: residential care of elderly people since 1840', *Ageing and Society*, Vol. 3 (1983), pp. 46-8.
- 50 M.A. Crowther, *The workhouse system 1834-1929* (London, 1981), p. 235.
- 51 *Poor Law Board, 4th Annual Report*, Parliamentary Papers 1852, Vol. XXIII, pp. 94-101.
- 52 *Report of the Royal Commission on the Poor Laws*, Parliamentary Papers 1834, Vol. XXX, Appendix (B.1), pp. 217-27; G. Clark, 'Farm wages and living standards in the industrial revolution: England, 1670-1869', *Economic History Review*, Vol. 54 (2001), P. 489.
- 53 King, *Poverty and welfare*, pp. 141-269.
- 54 J.D. Chambers and G.E. Mingay, *The agricultural revolution 1750-1880* (London, 1966), pp. 112-47; K.D.M. Snell, *Annals of the labouring poor: social change and agrarian England 1660-1900* (Cambridge, 1985), pp. 15-66; A. Armstrong, *Farmworkers: a social and economic history 1770-1980* (London, 1988), esp. pp. 62-6.
- 55 This is dealt with more fully in Goose, 'Workhouse populations', esp. pp. 58-9.
- 56 Lynn Lees has similarly concluded that economic opportunity exerted a strong influence upon the likelihood of pauperism among women: *The solidarities of strangers*, pp. 197-9.
- 57 The Hatfield register survives for 1836-87 and 1894-1918: Herts Archives and Local Studies, BG/HAT; the St Albans registers cover the years 1835-54, 1900-02, 1911-52.
- 58 Goose, 'Workhouse populations', pp. 64-6.
- 59 R.M. Gutchen. 'An introduction to the diary of Benjamin Woodcock, master of the Barnet Union Workhouse, 1836-1838', in Gutchen *et al.*, *Down and out in Hertfordshire: symposium on the Old and New Poor Law* (Stevenage, 1984); for Royston Union see B.J. Davey, *Ashwell 1830-1914: the decline of a village community*, University of Leicester, Department of English Local History Occasional Papers, Third Series, no. 5 (Leicester, 1980), pp. 29-31.
- 60 Apfel and Dunkley, 'English rural society', p. 41.
- 61 T. Arkell, N. Evans and N. Goose (eds), *When death do us part: understanding and interpreting the probate evidence of early modern England* (Aldenharn, 2000). Available from the LPS General Office (see note 15). A fuller consideration of wills as an historical source can also be found in this volume.
- 62 P. Glennie, 'Continuity and change in Hertfordshire agriculture 1550-1700: I – Patterns of agricultural production', *Agricultural History Review*, Vol. 36 (1988), pp. 55-75; P. Glennie, 'Continuity and change in Hertfordshire agriculture 1550-1700: II – Trends in crop yields and their determinants', *Agricultural History Review*, Vol. 36 (1988), pp. 145-61; L.M. Munby (ed.), *Life and death in Kings Langley 1498-1659* (Kings Langley, 1981); P. and B. Buller, *Pots, platters and ploughs: Sarratt wills and inventories 1435-1832* (Sarratt, 1982); M. Parker *et al.*, introduced by L.M. Munby, *All my worldly goods. An insight into family life from wills and inventories 1447-1742* (Bricket Wood, 1991); B. Adams (ed.), *Lifestyle and culture in Hertford: wills and inventories, 1660-1725*, Hertfordshire Record Publications, Vol. 16 (Hertford, 2000).
- 63 The number which survive for each county is given in A. Erickson, 'Using probate accounts', in Arkell, Evans and Goose (eds), *When death do us part*, Table 5.1, p. 104. One solitary account for Kings Langley is transcribed in Munby (ed.), *Life and death*, pp. 51-2, four for Bricket Wood in *All my worldly goods*.
- 64 Arkell, Evans and Goose (eds), *When death do us part*, Table 3.1, p. 39; A.L. Erickson, *Women and property in early modern England* (London, 1993), p. 204.
- 65 S. Flood (ed.), *St Albans wills 1471-1500*, Hertfordshire Record Publications, Vol. 9 (Hertford, 1993).
- 66 Flood (ed.), *St Albans wills*; Munby (ed.), *Life and death*; Parker *et al.*, *All my worldly goods*; Adams (ed.), *Lifestyle and culture*. The Kings Langley wills have also been employed by Erickson in *Women and property*, esp. pp. 158-60, 164-8, 205-6, 220.
- 67 The tripartite division between Archdeaconry, Consistory and Prerogative Courts needs to be appreciated, for any study which does not include all three levels of ecclesiastical court will omit a portion of testators, and produce a biased sample, adding to the problem posed by the fact that testators in general are a sub-set of the general population: see Arkell, Evans and Goose (eds), *When death do us part*, pp. 4-7, 11, 40-4. The St Albans wills transcribed by Flood were all proved in the St Albans Archdeaconry Court; those for Hertford transcribed by Adams in the Archdeaconry Court of Huntingdon. Ecclesiastical administration in the county is complicated by the fact that the Bishop of London had jurisdiction in the east, the Bishop of Lincoln in the west.
- 68 32 Henry VIII c.1, 34 & 35 Henry VIII c.5.
- 69 S. Coppel, 'Wills and the community: a case study of Grantham', in P. Riden (ed.), *Probate records and the local community* (Gloucester, 1985), pp. 78-9; M. Zell, 'The social parameters of probate records in the sixteenth century', *Bulletin of the Institute of Historical Research*, 57 (1984), pp. 107-113; M. Spufford, 'Peasant inheritance customs and land distribution in Cambridgeshire from the sixteenth to the eighteenth centuries', in J. Goody, J. Thirsk and E.P. Thompson (eds), *Family and inheritance. Rural society in western Europe 1200-1800* (Cambridge, 1976), pp. 170-1; N. Evans (ed.), *Wills of the Archdeaconry of Sudbury 1630-1635*, Suffolk Records Society, 29 (1987), p. xi; D. Levine and K. Wrightson, *The making of an industrial society. Whickham 1560-1725* (Oxford, 1991), p. 283.
- 70 The higher figure is for Staplehurst in Kent, the lower for the market town of Grantham in Lincolnshire: Zell, 'Social parameters', pp. 110-112; Coppel, 'Wills and the community', p. 78. For a fuller discussion see Arkell, Goose and Evans (eds), *When death do us part*, pp. 44-5.
- 71 N. Goose, 'Fertility and mortality in pre-industrial English towns from probate and parish register evidence', in Arkell, Evans and Goose (eds), *When death do us part*, p. 195.
- 72 S. Coppel, 'Willmaking on the deathbed', *Local Population Studies*, 40 (1988), 37-45.
- 73 PRO PCC wills, Year Books of Probate, 1668, f. 55, will of Benjamin Trott, All Saints, Cambridge.
- 74 Essex CRO, D/A BR 8/77, will of Zachary Soones, proved 1667.
- 75 M. Prior, 'Wives and wills 1558-1700', in J. Chartres and D. Hey (eds), *English rural society, 1500-1800: essays in honour of Joan Thirsk* (Cambridge, 1990), pp. 208-10.

- 76 B.A. Holderness, 'Widows in pre-industrial society: an essay upon their economic functions', In R.M. Smith (ed.), *Land, kinship and life cycle* (Cambridge, 1984); M. Hodges, 'Widows of the "middling sort" and their assets in two seventeenth-century towns', in Arkell, Evans and Goose (eds), *When death do us part*, pp. 309-11.
- 77 E.J. Carlson, 'The historical value of the Ely Consistory probate records', pp. xxi-xxii, in E. Leedham-Green and R. Rodd (eds), *Index of the probate records of the Consistory Court of Ely 1449-1858*, British Record Society, 103 (1994); C. Litzenger, 'Local responses to changes in religious policy based on evidence from Gloucestershire wills (1540-1580)', *Continuity and Change*, 8 (1993), p. 418.
- 78 Calculations for Cambridge, Colchester and Reading by the present writer, from 6,195 wills proved in prerogative, consistory, archdeaconry and peculiar courts, produced an overall figure for 1500-1699 is 22 per cent, rising from 16 per cent in the early 16th century to 26 per cent in the later 17th century. See also C. Cross, 'Northern women in the early modern period: the female testators of Hull and Leeds 1520-1650', *Yorkshire Archaeological Journal*, 59 (1987), pp. 83, 85; Hodges, 'Widows of the middling sort', pp. 308-9; B. Adams (ed.), *Lifestyle and culture*, p. xv; Parker et. al., *All my worldly goods*; Erickson, *Women and property*, Table 12.1, p. 205
- 79 Erickson, *Women and property*, pp. 204-5.
- 80 For an excellent, extended discussion of the process of will-making and the institutional and personal ties that it reflects in a local context see Levine and Wrightson, *Whickham*, pp. 288-94.
- 81 Adams, *Lifestyle and culture*, p. 131.
- 82 For more detail see Arkell, Evans and Goose (eds), *When death do us part*, pp. 47-50.
- 83 W.K. Jordan, *Philanthropy in England, 1480-1660* (London, 1959); W.K. Jordan, *The charities of London, 1480-1660* (abridged edn, Connecticut, 1974, 1st edn 1960); W.K. Jordan, *The charities of rural England, 1480-1660* (London, 1961).
- 84 Jordan, *Philanthropy*, p. 240. The city of Bristol is included as one of Jordan's 10 'counties'. Unfortunately Hertfordshire is excluded, but close attention is paid to nearby Buckinghamshire: *Charities of rural England*, chapter II, pp. 23-88.
- 85 Calculated from Jordan, *Philanthropy*, Table 1, p. 368; Munby (ed.), *Life and death*, p. xiii.
- 86 Jordan, *Philanthropy*, pp. 243-5.
- 87 W.G. Bittle and R.T. Lane, 'Inflation and philanthropy in England: a re-assessment of W.K. Jordan's data', *Economic History Review*, 29 (1976), pp. 203-10, calculations from Table 3, p. 209; J.F. Hadwin, 'Deflating philanthropy', *Economic History Review*, 31 (1978), pp. 105-17.
- 88 Jordan *Philanthropy*, p. 24.
- 89 Hadwin, 'Deflating philanthropy', pp. 112-13.
- 90 Hadwin, 'Deflating philanthropy', p. 113, and see E.A. Wrigley and R.S. Schofield, *The population history of England*, pp. 531-3.
- 91 P. Slack, *Poverty and policy in Tudor and Stuart England* (London, 1988), pp. 169-70; Jordan, *Philanthropy*, p. 33; but see W.T. MacCaffrey, *Exeter, 1540-1640* (2nd edn, Cambridge, Massachusetts, 1975), pp. 109-10, who finds that loan funds remained largely intact through from the later sixteenth to the mid-seventeenth century, and whose conclusions are now supported by C.S. Evans, '“An echo of the multitude”: the intersection of governmental and private poverty initiatives in early modern Exeter', *Albion*, Vol. 32 (2000), pp. 408-28.
- 92 T. Wales, 'Poverty, poor relief and life-cycle', in Smith, *Land, kinship and life-cycle*, p. 359.
- 93 Jordan, *Philanthropy*, pp. 330-7 and Table VII, pp. 376-7. He did, however, provide the raw data for calculation of the changing proportion of various charitable donations made by the different socio-economic groups: Table XI, pp. 386-7.
- 94 A. Dyer, *Worcester in the sixteenth century* (Leicester, 1973), pp. 241-2.
- 95 Dyer's methodology might itself be questioned, for he compared total recorded charitable giving with total inventory values for different periods, regardless of the changing numbers of individuals concerned, rather than matching individual bequests with wealth.
- 96 Jordan, *Philanthropy*, pp. 23-4.
- 97 Jordan, *Philanthropy*, p. 23.
- 98 London provided £1.9 million, 61 per cent of the aggregate total for 1480-1660: Jordan, *Philanthropy*, p. 241 and see Jordan, *Charities of London, passim*.
- 99 Jordan, *Charities of rural England*, p. 73.
- 100 In Buckinghamshire women formed 13.5 per cent of all donors, and provided 13.0 per cent of the county total; in Yorkshire they formed 13.0 per cent of donors, providing 12.55 per cent of benefactions; and in London 14.9 per cent providing 9.1 per cent: Jordan, *Charities of rural England*, pp. 27, 224; Jordan, *Charities of London*, pp. 28-9.
- 101 Jordan, *Charities of rural England*, pp. 27-33, 96-8, 224-5; Jordan, *Charities of London*, p. 30.
- 102 D. Marcombe, *English small town life: Retford 1562-1642* (Nottingham, 1993), pp. 115, 274-6.
- 103 A.G. Dickens, *Lollards and Protestants in the diocese of York* (London, 1959), pp. 171-2, 215-18; D. Palliser, *The Reformation in York 1534-1553* (York, 1971), pp. 28-9, 32.
- 104 M. Spufford, 'Religious preambles and the scribes of villagers' wills in Cambridgeshire, 1570-1700', *Local Population Studies*, No. 7 (1971), reprinted in Arkell, Evans and Goose (eds), *When death do us part*, pp. 144-57.
- 105 Matlock Population Studies Group, 'Wills and their scribes', *Local Population Studies*, 8 (1972), pp. 55-7.
- 106 B. Capp, 'Will formularies', *Local Population Studies*, 14 (1975), pp. 49-50; E. Poole, 'Will formularies', *Local Population Studies*, 17 (1976), pp. 42-3; M. Spufford, 'Will formularies', *Local Population Studies*, 19 (1977), pp. 35-6.
- 107 J. Craig and C. Litzenger, 'Wills as religious propaganda: the testament of William Tracy', *Journal of Ecclesiastical History*, 44 (1993), pp. 423-30.
- 108 Litzenger, 'Local responses', pp. 434-5.
- 109 Craig and Litzenger, 'Wills as religious propaganda', p. 431.
- 110 Levine and Wrightson are at the former end of the spectrum in arguing that 'they tell us little of the personal faith of the individual man or woman': *Whickham*, p. 291.
- 111 Litzenger, 'Local responses', pp. 420-1.
- 112 D. Palliser, *Tudor York* (Oxford, 1979), pp. 248-54.
- 113 Dickens, *Lollards and Protestants*, p. 172.
- 114 Litzenger, 'Local responses', pp. 417-18, 427-8.
- 115 Marcombe, *English small town life*, pp. 222-5, 254-5, 279.
- 116 E. Duffy, *The stripping of the altars: traditional religion in England c. 1400-1580*, London, 1992), pp. 517-23.
- 117 C. Litzenger, 'Responses of the laity to changes in official religious policy in Gloucestershire (1541-1580)' (unpublished Ph.D. thesis, University of Cambridge, 1993).
- 118 R. Whiting, *The blind devotion of the people* (Cambridge, 1989), p. 145.
- 119 Whiting, *Blind devotion*, pp. 155-71 and graph H, p. 278.
- 120 Whiting, *Blind devotion*, p. 171.
- 121 G.J. Mayhew, 'The progress of the Reformation in east Sussex 1530-1559: the evidence from wills', *Southern History*, 5 (1983), pp. 46-8; J. Goring, 'Reformation and reaction in Sussex 1534-1559', *Sussex Archaeological Collections*, 134 (1996), pp. 141-54.
- 122 A. Fletcher, *A county community in peace and war: Sussex 1600-1660* (London, 1975), p. 63.
- 123 A. Duffin, *Faction and faith: politics and religion of the Cornish gentry before the Civil War* (Exeter, 1996), pp. 43-5.
- 124 Spufford, *Rural dissenters*, pp. 17-18.
- 125 P. Howe, 'Identifying nonconformity in late-seventeenth century St Albans', *Local Population Studies*, No. 68 (2002), pp. 9-25.
- 126 Duffy, *Stripping of the altars*, pp. 5, 504-23.
- 127 Patten, *English towns*, chapter 6.
- 128 Patten, *English towns*, pp. 294-6.
- 129 C. Shammis, *The pre-industrial consumer in England and America* (Oxford, 1990), pp. 227-8.
- 130 Dyer, *Worcester*, pp. 81-3
- 131 N. Goose, 'Economic and social aspects of provincial towns: a comparative study of Cambridge, Colchester and Reading, c. 1500-1700 (unpublished Ph.D. thesis, University of Cambridge, 1984), chapter 3; N. Goose, 'Decay and regeneration in seventeenth century Reading: a study in a changing economy', *Southern History*, 6 (1984), pp. 53-74; N. Goose and J. Cooper, *Tudor and Stuart Colchester* (Chelmsford, 1998).

- 132 N. Goose, 'In search of the urban variable: towns and the English economy, 1500-1650' *Economic History Review*, 39 (1986), p. 177.
- 133 N. Evans, 'Occupations and status of male testators in Cambridgeshire, 1551-1750', In Arkell, Evans and Goose (eds), *When death do us part*, pp. 176-88.
- 134 N. Evans, 'Occupations in parish registers: a note', *The Local Historian*, 15 (1983), p. 361.
- 135 N. Goose, 'Household size and structure in early-Stuart Cambridge', *Social History*, Vol. 5 (1980), Table 2, p. 361, reprinted 136 Rook identifies five medieval boroughs, but in 1673 the county contained 17 market towns, producing the highest density of markets per square mile of any English county: T. Rook, *A history of Hertfordshire* (Chichester, 1984), p. 40; A. Dyer, 'Small market towns 1540-1700', in P. Clark (ed.), *The Cambridge urban history of Britain Vol. II 1540-1840* (Cambridge, 2000), p. 430.
- 137 Dyer, *Worcester*, pp. 85, 89, 113, 120, 234; Palliser, *Tudor York*, pp. 141-4; Goose, 'Decay and regeneration', pp. 64-5; Goose and Cooper, *Tudor and Stuart Colchester*, pp. 99-100.
- 138 Dyer, *Worcester*, pp. 97, 100.
- 139 PRO, PCC wills, Cann, f. 50, John Winnock, baymaker, St Peters, Colchester, 1685; Essex Record Office, Bishop of London Commissary Court wills, Solomon Fromanteel, baymaker, St Nicholas, Colchester, 1694.
- 140 M. Reed, 'Economic structure and change in seventeenth-century Ipswich', in P. Clark (ed.), *Country towns in pre-industrial England* (Leicester, 1981), pp. 100, 117.
- 141 D. Hey, 'The origins and early growth of the Hallamshire cutlery and allied trades', in J. Chartres and D. Hey (eds), *English rural society, 1500-1800. Essays in honour of Joan Thirsk* (Cambridge, 1990), pp. 353, 357-8.
- 142 Cambridge University Library, Archdeaconry of Ely wills, Thomas Hobson, carrier, St Benedict, Cambridge, 1568; John Munnes, St Clement, Cambridge 1586; Alice Bradley, widow, Holy Sepulchre, Cambridge, 1616; John Johnson, locksmith, 1666. PRO, PCC wills, Chayre, f. 9, Robert Chapman, Holy Trinity, Cambridge, alderman, 1563; Sadler, f. 2, John Badcock, alderman, 1635.
- 143 From analysis of all Colchester wills proved in the PCC, Consistory, Archdeaconry and Peculiar courts, 1500-1700. PRO, PCC wills, Berkeley, f. 3, Robert Morphee, St Peters, Colchester, dyer, 1656.
- 144 Transmission of property to widows in rural areas will be discussed below under inheritance.
- 145 S. Wright, '“Churmaids, huswyfes and hucksters”: the employment of women in Tudor and Stuart Salisbury', in Charles and Duffin, *Women and work*, p. 112.
- 146 Wright, '“Churmaids”', pp. 113-14.
- 147 Goose, 'Economic and social aspects', pp. 101-2.
- 148 Hey, 'Origins and early growth', p. 347.
- 149 M. Prior (ed.), *Women in English society 1500-1800* (London, 1985), pp. 105-10; P. Earle, *The making of the English middle class. Business, society and family life in London 1660-1730* (London, 1989), p. 173.
- 150 From Cambridge, Colchester and Reading wills 1500-1700; Cross, 'Northern women', p. 89.
- 151 Berks CRO, Archdeaconry of Berkshire wills, Robert Reeve, the elder, clothier, Reading, 1620.
- 152 The one major study for the early modern period is P. Slack, *The impact of plague in Tudor and Stuart England* (Oxford, 1985), especially chapter 3.
- 153 Goose, 'Fertility and mortality', pp. 200-11.
- 154 *Ibid.*, pp. 196-200.
- 155 N. Goose, 'The “Dutch” in Colchester: the economic influence of an immigrant community in the sixteenth and seventeenth centuries', *Immigrants and Minorities*, 1 (1982), p. 272.
- 156 P. Razzell, 'The conundrum of eighteenth-century English population growth', *Journal of the Social History of Medicine*, 44 (1998), pp. 477-8.
- 157 K. Wrightson and D. Levine, *Poverty and piety in an English village: Terling, 1525-1700*, 2nd edn (Oxford, 1995, 1st published 1979); R.T. Vann, 'Wills and the family in an English town: Banbury, 1550-1800', *Journal of Family History*, 4 (1979), pp. 346-67.
- 158 Wrightson and Levine, 'Postscript: Terling revisited', in *Poverty and piety*, p. 192.
- 159 Levine and Wrightson, *Whickham*, pp. 330-33.
- 160 M. Spufford and M. Takahashi, 'Families, will witnesses, and economic structure in the Fens and on the chalk: sixteenth and seventeenth century Chippenham and Willingham', *Albion*, 28 (1996), pp. 379-414.
- 161 J.A. Johnston, 'Family, kin and community in eight Lincolnshire parishes, 1567-1800', *Rural History*, 6, pp. 176-92.
- 162 L. Stone, *The family, sex and marriage in England 1500-1800* (abridged edn, Harmondsworth, 1979), pp. 70, 81-2; Erickson, *Women and property*, pp. 156-7; Marcombe, *English small town life*, p. 148.
- 163 B. Todd, 'Freebench and free enterprise: widows and their property in two Berkshire villages', in Chartres and Hey, *English rural society*, pp. 181-8. Wills from a diversity of regions and community types 1414-1710 reveal that between 63 and 89 per cent of husbands names their wives as sole or joint executor: Erickson, *Women and property*, pp. 156-8
- 164 Evans, *Wills 1636-8*, p. viii.
- 165 Hodges, 'Widows of the middling sort', pp. 309-10.
- 166 Houlbrooke, *English family*, p. 215; Earle, *Making of the English middle class*, p. 188. For a short but fascinating discussion of children's games and toys, which drives another nail into the coffin of the Ariès thesis that argued for the absence of a distinct childhood in pre-modern times, see N. Orme, 'Child's play in medieval England', *History Today*, Vol. 51, No. 10 (2001), pp. 49-55.
- 167 34 & 35 Henry VIII c. 5; Prior, 'Wives and wills', pp. 202-3.
- 168 A. Macfarlane, *The origins of English individualism* (Oxford, 1978), pp. 106-8; R.A. Houlbrooke, *The English family 1450-1700* (London, 1984), p. 231; Wrightson and Levine, *Whickham*, p. 281.
- 169 Todd, 'Freebench and free enterprise', pp. 177-8.
- 170 Hertfordshire CRO, Archdeaconry of Huntingdon wills, Timothy Lane, St Stephens, yeoman, 1671. Another example is to be found in Parker, *et al.*, *All my worldly goods*, p. 160.
- 171 P. Large, 'Rural society and agricultural change: Ombersley 1580-1700', in Chartres and Hey, *English rural society*, pp. 107-12.
- 172 E.P. Thompson, 'The grid of inheritance: a comment', in Goody, Thirsk and Thompson, *Family and inheritance*, pp. 342-3.
- 173 C. Howell, 'Peasant inheritance customs in the Midlands 1280-1700', in Goody, Thirsk and Thompson, *Family and inheritance*, pp. 139-46.
- 174 C. Dyer, 'Changes in the size of peasant holdings in some west Midland villages 1400-1540', in Smith, *Land, kinship and life cycle*, p. 292.
- 175 Spufford, 'Peasant inheritance customs', pp. 156-76.
- 176 Spufford, 'Peasant inheritance customs', pp. 169-76.
- 177 Everitt, 'Farm labourers', pp. 455-6.
- 178 Erickson, *Women and property*, pp. 61-78; C. Churches, 'Women and property in early modern England: a case study', *Social History*, 23 (1998), pp. 165-80.
- 179 J.P. Cooper, 'Patterns of inheritance and settlement by great landowners from the fifteenth to the eighteenth centuries', in Goody, Thirsk and Thompson, *Family and inheritance*, pp. 192-233.
- 180 Cooper, 'Patterns of inheritance', pp. 220, 306-27.
- 181 W.G. Hoskins, 'The Elizabethan merchants of Exeter', reprinted in P. Clark (ed.), *The early modern town: a reader* (London, 1976), p. 151; Dyer, *Worcester*, p. 180.
- 182 Earle, *Making of the English middle class*, pp. 314-15.
- 183 J. Whittle, 'Inheritance, marriage, widowhood and remarriage: a comparative perspective on women and landholding in north-east Norfolk, 1440-1580', *Continuity and Change*, 13 (1998), pp. 33-72.
- 184 Adams, *Lifestyle and culture*, p. xxxi.
- 185 S. D. Amussen, *An ordered society* (Oxford, 1988), pp. 91-2.
- 186 Prior, 'Wives and wills', pp. 219-21. It must be said, however, that the numbers upon which Prior's conclusions are based are very small indeed.

- 187 D. Cressy, *Literacy and the social order. Reading and writing in Tudor and Stuart England* (Cambridge, 1980), pp. 106-7, 142-7.
- 188 Cressy, *Literacy*, pp. 153-4.
- 189 Cressy, *Literacy*, pp. 156-7.
- 190 Cressy, *Literacy*, pp. 53-5; R.S. Schofield, 'Measurement of illiteracy', in J. Goody (ed.), *Literacy in traditional societies* (Cambridge, 1968), pp. 318-25.
- 191 M. Spufford, *Small books and pleasant histories. Popular fiction and its readership in seventeenth-century England* (London, 1981 & Athens, Georgia, 1982), p. 45; Schofield, 'Measurement of illiteracy', p. 324.
- 192 M. Moyse, 'Helpston in the seventeenth and early eighteenth centuries: a study based on wills', *Northamptonshire Past and Present*, 9 (1997-8), pp. 333-43; Cressy, *Literacy*, p. 58.
- 193 Cressy, *Literacy*, p. 108.
- 194 Spufford, *Small books*, p. 48; Munby, 'Introduction' to *All my worldly goods*, p. viii.
- 195 Evans, 'Inheritance', pp. 53-4; Goose and Cooper, *Tudor and Stuart Colchester*, p. 90; will of Thomas Robinson, blacksmith, St Runwald, Colchester, 1662; B. Haward, 'Medieval masons', in D. Dymond and E. Martin (eds), *An historical atlas of Suffolk*, 3rd edn (Ipswich, 1999), p. 168.
- 196 Jordan, *Charities of rural England*, pp. 28, 88.
- 197 Jordan, *Charities of rural England*, pp. 39-42, 81-6.
- 198 Slack, *Impact of plague*, pp. 79-110.
- 199 See above, fn. 158.