

## HENRY HATCH AND THE BATTLE OVER HIS WILL<sup>1</sup>

Mrs. P.G.M. HYDE. M.A., M.Litt.

Henry Hatch was a man of vision. He has long been recognised in Faversham as a great benefactor, because he left his estate to the town, after providing a life tenancy for his wife, Joan. W. K. Jordan, who wrote on *Social Institutions in Kent*, reckoned that the properties had a capital value at his death of about £2,400 7s. 0d. and that it was the largest single benefaction for municipal betterment in Kent in the period. What has probably not been realised is the extent to which his dreams inspired his fellow townsmen for the rest of the century. Furthermore, as his wife survived him by forty years and as there were a number of lawsuits with disappointed relatives, the townsmen learnt to unite in the face of danger and showed a strong community feeling, certain that Hatch's plans were now theirs by right. They were, indeed, prepared to make a considerable sacrifice to carry them out. In an eighteenth-century document, it was reckoned that they had spent £619 8s. 2d., while Jordan estimated £200 in mortmain and £300 in legal costs. They raised £226 12s. 2d. from taxes on the inhabitants, and, in order to pay them back, had to sell most of the town lands. The local historian, Jacob, reckoned that their legal costs 'amounted to upwards of £300 more than the full value of the estate bequeathed upon a fair estimation.' He added that only a few people put in a claim of return for tax and commented on 'the commendable stand the members of the corporation then made.'

During the intervening years, the town built a sluice to scour the

<sup>1</sup> Punctuation has been added and modern spelling has been used throughout. Most of the evidence has come from depositions in the various lawsuits, which are in Kent Archives Office [KAO] in Maidstone.

creek – one of Hatch’s dreams – and, when the estate finally came to them in 1574, worth £66 13s. 4d. per annum,<sup>2</sup> £10,860 in 1983,<sup>3</sup> their prompt response was to build a Market House.<sup>4</sup>

The lawsuits, incidentally, provide us with a delightful thumbnail sketch of Joan. It is obvious from the provision for her in his will that Henry must have been fond of her. We also see some of the problems of being a rich widow, something of the workings of a great merchant house and the development of what was virtually a dynasty of fishmongers, first at Faversham and later in London. We catch a glimpse of rich and powerful men in the background, pulling strings and hoping for a share in the spoils. All the while, there was endless to-ing and fro-ing and constant communication between Faversham and London, very reminiscent of the play ‘Arden of Faversham’. We cannot help but be aware of what one townsman, John Ambrose, called ‘the common fame and voice of the country about Faversham concerning the gift’.<sup>5</sup>

We can learn something of what was in Hatch’s mind when he made the will from evidence in the Chancery case thirty-five years later, following disputes over the land. According to John Elsten of Boughton-under-Blean, a husbandman, he was ‘repairing a wharf where the new crane now standeth’, two years before the death of Hatch (1533), when Hatch came up and told him that he ‘did the repairs of his own proper charge and said that it had cost him already £40 and what it would stand him in more he knew not’. Elsten, ‘much commended him for the same, and said the town was much beholding to him for it’. Hatch said that he meant to bestow more than that for the use and commodity of the town, and thereupon said that he meant to bestow such cost upon the haven and creek that a ship with two tops might come up to the crane. He further said that he ‘would also built a market house for the benefit and ease both of the town and country’, saying further to Elsten, ‘Here I got my goods, John, and here I will leave them, for I have no children’, or words to like effect. Elsten added that ‘none was present while he was sitting at breakfast with Mr Hatch but a boy called Thomas Harris and a maiden called Marian, who was a servant in Mr. Hatch’s house and they were now both dead long ago’.<sup>6</sup>

<sup>2</sup> E. Jacob, *The History of Faversham*, 64–6; 132–3; KAO Fa LB 37; W. K. Jordan, ‘Social Institutions in Kent, 1480–1660’, *Arch. Cant.*, lxxv, 62–70.

<sup>3</sup> Information from the Clerk of the Municipal Charities, Faversham.

<sup>4</sup> E. Jacob, *op. cit.*, 60–3. According to John Wreake the timber for it came from St. Austin’s in Canterbury: Canterbury Cathedral Library, Wilson Collection, Hatch suit.

<sup>5</sup> E. Jacob, *op. cit.*, Appendix VIII, 197–202; KAO Fa LB 17; John Ambrose.

<sup>6</sup> KAO Fa LB 9, John Elsten, Fa LB 25/1; John Elsten; Canterbury Cathedral Library, Edward Wilson Collection, Hatch suit.

Both Henry Hatch and his wife came from Kent and had several links there with minor gentry families. He was born in Sundridge, which is three miles west of Sevenoaks, and he left £10 under certain circumstances towards the repair of the church there.<sup>7</sup> He was the son of Henry Hatch and Alice, who was the daughter of a gentleman called John Parker of Kent.<sup>8</sup> The Parkers were quite a clan and, in disputes over the will, first Maurice Moorcock of Hever, Kent, one branch of the family, and then Edward Parker of London, another branch, claimed to be Hatch's nearest living relative and heir and brother's and sister's children. Edward's father, Thomas Parker had at one time been a scholar at the Abbey School of Faversham and boarded with Hatch, who made very much of him and said that he was his next and dearest kinsman. More of the Parkers later.

It is difficult to disentangle the parentage of his wife, Joan, but there can be no doubt about her birthplace, because she referred in her will to Lynsted in Kent 'where I was born'.<sup>9</sup> According to one visitation, she was the daughter of one Finch of Kent, and there was indeed a long established family in Lynsted of that name.<sup>10</sup> Nevertheless, it seems more likely that she was the daughter of Geoffrey Farrard or Forwood, as it says in an otherwise muddled visitation.<sup>11</sup> In the Hatch suit, John Rixe referred to Geoffrey Farrard, father to Mrs. Hatch, and in her own will, Joan referred to 'my brother Farrard's children', leaving them £3 6s. 8d. each, a total of £20, and 'those children that have sold their land to have no part of this legacy, but the same part or parts to be of him or them to go to use of the poor in the parish of Lynsted'.<sup>12</sup>

The position is further complicated because Joan remained on close terms with her sister Elizabeth, who married three times. On the death of her first husband, Mr King, by whom she had a daughter, Katherine, she married John Finch, alias Goldfinch, hereafter called Goldfinch, who was descended from the Goldfinches of the North,<sup>13</sup> by whom she had at least four children, Henry, Richard, Thomas and Dorothy, all of whom were mentioned in Hatch's will.<sup>14</sup> After the

<sup>7</sup> KAO PRC 32/15/216 Henry Hatch *d.* 1533.

<sup>8</sup> 'Vis. London 1568', *Harl. Soc.*, 1957-58, 95, Parker.

<sup>9</sup> PRO, PCC 29 Peter 1573-4; Lady Joan Amcotts.

<sup>10</sup> 'Vis. London 1568' *Harl. Soc.*, 1957-58, 95; 'Vis. Kent', *Harl. Soc.*, 42, 14-15, 30, 67.

<sup>11</sup> Lincolnshire Pedigrees, *Harl. Soc.*, 50, 14-15.

<sup>12</sup> PRO PCC F34 29 Peter 1573-74, Lady Joan Amcotts, Canterbury Library, Wilson Collection Hatch suit.

<sup>13</sup> 'Vis. London 1568', *Harl. Soc.*, 1957-8, 140; Goldfinch.

<sup>14</sup> KAO PRC 32/15/216; Henry Hatch *d.* 1533.

death of Goldfinch in 1541,<sup>15</sup> she married Simon Auncell and, when he died in 1548,<sup>16</sup> she stayed on in Faversham and kept her sister informed of what was happening there, because Joan had by then moved to London. Elizabeth said in the Chancery case that she knew Hatch four years before he married her sister and that he was married to her about twenty years.

The most important figure in this article, apart from Henry Hatch and his wife Joan, was Elizabeth's son, known as Henry Goldfinch. He met Hatch as a child of five, was brought up in his house and went to school in Faversham. He was in the house at the time of Hatch's death and remained with Joan thereafter acting as her factotum, even travelling overseas for her.

Henry Hatch arrived in Faversham before 1510, when he was both churchwarden and one of the Common Council,<sup>17</sup> where he was variously described as a merchant,<sup>18</sup> or fishmonger.<sup>19</sup> He is not mentioned in customs records in 1514–15 but, by 1520–21, he was trading in bullocks, bay salt, hops, oil, wine and raisins, as well as fish.<sup>20</sup> On his brass in Faversham Church there is the coat of arms of the Cinque Ports and the emblem of a fish. He is also described as a merchant adventurer, but, unfortunately, his name has not yet been found amongst the records of the Merchant Adventurers of London.<sup>21</sup> In any case, his clerk, Jerome Oxenbridge, who later became a grocer in Canterbury, remembered how he used 'to keep the book of account of all such merchandise as was brought from beyond the seas of as much wares as did amount to the sum of thirteen or fourteen score pounds (£260 or £280)'.<sup>22</sup>

Considering that Hatch was a man of obvious stature, he played a remarkably small part in public affairs in Faversham. He became Chamberlain in 1518, Auditor in 1522 and a jurat in 1531. Presumably, he was comparatively young when he died, but we

<sup>15</sup> PRO PCC F34 Alenger; John Goldfinch *d.* 1541 and appointed Henry Amcotts and overseer of his will.

<sup>16</sup> KAO PRC 17/26/49; Simon Auncell 1547.

<sup>17</sup> KAO Faversham Town Book. Information received from Arthur Percival, Esq., M.B.E.

<sup>18</sup> KAO Fa LB 9; Jerome Oxenbridge.

<sup>19</sup> KAO Fa LB 9; John Greenstreet. Payment was made by the Crown in 1534 to Mrs. Hatch of Faversham for fish. *CAL S.P. Dom.*, 1534, 515.

<sup>20</sup> PRO E122/130/2; 130/4; 208/2; 208/3.

<sup>21</sup> *Acts of Court of the Mercers' Co.*, 1453–1527 Camb, 1936.

<sup>22</sup> Oxenbridge was born in Sandwich, Kent, and became a grocer and apothecary in Canterbury after the death of Hatch. At the age of 81 he gave evidence in the Hatch suit and was, by then, living in Croydon, Surrey. Canterbury Cathedral Library, Wilson Collection, Hatch suits, KAO Fa LB 9, FA LB 13, FA LB 14.

cannot be sure of this, because we do not know his date of birth. He may also have been such a busy trader that he had no more time for public office.<sup>23</sup>

We now come to the crucial period. In 1533, Hatch became ill and died of the plague about 14 days later.<sup>24</sup> During that time, he made a will and, it is because the contents of this will led to a case in Chancery thirty years later, that we know from the interrogatories, examinations, depositions and breviats as much as we do about what happened in those last days. There were, naturally, conflicting accounts, some supporting the town of Faversham and others favouring the nearest relative, Edward Parker, and his allies, the widow, Joan, and Henry Goldfinch.

What seems to have happened is as follows. A key figure was Hatch's clerk, Jerome Oxenbridge, aged 80 by then, who had been in constant attendance upon Hatch for about a fortnight before Hatch's death and said that Hatch had always had a copy of his will to hand. This was indeed, corroborated by Goldfinch, who always claimed that there were various wills, both in paper and parchment, amongst Hatch's possessions.

Oxenbridge went on to say that this will was made about three days before Hatch died, in a paper book with his own hand. Then Oxenbridge and one John Johnson, alias Antony of Fordwich, Kent, were told to write it out. Johnson was a Protestant and a servant of Thomas Cromwell, and it should be noted that the Chancery case hinged on whether he was or was not, an honest man. This is the first inkling we have of a great man in the background in this case, though it was known that John Caslock, the last Abbot of Faverham, was in touch with Cromwell about the Abbey's dissolution a few years later.<sup>25</sup>

When the will had been written, it was read out in the parlour by Oxenbridge in the presence of John Goldfinch, who was Hatch's brother-in-law, Richard Dryland, who was one of Hatch's

<sup>23</sup> KAO Faversham Town Book.

<sup>24</sup> KAO Fa LB 13; Henry Goldfinch.

<sup>25</sup> John Johnson, alias Anthony, was a member of a well-known family in the Isle of Thanet and was a merchant of Fordwich and Canterbury. He was described in his will in 1565 as a groom of the Queen's Great Chamber. Peter Clark, *English Provincial Society*, 1977, 50, 61, 417n; 'Vis. Kent 1574' and 1592, *Harl. Soc.*, 75, 2; 'Vis. Kent 1619', *Harl. Soc.*, 42, 75; PRO PCC 26 Morrison 1565; Canterbury Cathedral Library, Wilson Collection, Hatch suit; Bodleian Library, Oxford, Edward Crow Collection; KAO Fa LB 9, W. Telfer, *Faversham Abbey and its last Abbot, John Caslock*.

executors,<sup>26</sup> John Antony, alias Johnson, John Bringbourne,<sup>27</sup> and Mr. Belke,<sup>28</sup> who were all witnesses. John Davy, who was mentioned in the will,<sup>29</sup> and Thomas Thomas made their mark. Hatch then gave the will to his wife and told her to lock it up. Thomas Stransham, who later acted as solicitor for Faversham, said that the will was entered in the Town Book by Beverley by order of Mr. Sell about 26 years earlier in the time of Mr. Merden, Mayor (1540).

The opposition told quite a different story, for they claimed that Hatch was speechless and that his memory had failed when he made that will. Joan's sister, Elizabeth Auncell, was with him and saw Bringbourne and Johnson busy writing. They and Dryland were very angry when they saw her and told her that Hatch had put his hand to the will. She suspected that they were still writing it and went up to Hatch and asked him how he was and found that he was speechless. She left them still writing with Davy and Thomas there as well. Her story was corroborated by a maidservant, Elizabeth Lewen, who told how Mr Colwell<sup>30</sup> of Faversham had come to visit Hatch, who said that he was very ill and lacked good counsel. Shortly after that he became speechless and so continued for four days from Tuesday to Saturday and only spoke briefly after that before he died. She was sure that the will was false because he had not mentioned her even though she had been married from his house and he had treated her

<sup>26</sup> Richard Dryland was Mayor in 1519, 1524, 1531 and 1532–33. He came of an old and wealthy local family who lived at Cooksditch, virtually in the town centre – the mediæval house was rebuilt in the eighteenth century and its successor remains. In 1546, he took part in obtaining the 1546 charter and the licence of mortmain and, in the same year, he contributed £3 9s. 2½d. towards the building of the town conduit. He was accused by Joan Hatch and her friends, of having persuaded Hatch to leave his lands to the town. 'Vis. Kent 1530 and 1574' *Harl. Soc.*, 74, 9 KAO PRC 17/30/42, Richard Dryland 1550.

<sup>27</sup> John Bringbourne was a jurat whose wife, Katherine, later married a Mr Swan. KAO Fa LB 9.

<sup>28</sup> Thomas Belke had known Thomas Parker, and eighteen years previously his father, William Belke, had gone to London over the affair; Canterbury Cathedral Library; Wilson Collection, Hatch suit; KAO Fa LB 9.

<sup>29</sup> He was a common councillor in 1521. In the will of Henry Hatch, John Davy was responsible for looking after the annuity of Henry Goldfinch until he came of age. Later he joined with Sir John Norton, Kt., and Master Sackville and Mr Lewkenor in saying that Richard Dryland and others of Faversham had drawn up the will in the town's favour when Hatch was past speech. KAO PRC 32/15/213; Fa LB 9; Canterbury Cathedral Library, Wilson Collection, List of Officers.

<sup>30</sup> Richard Colwell was mayor in 1534 and died during his mayoralty. His son, Robert married Dorothy, daughter of John Goldfinch, by whom he had many children. Elizabeth Auncell left him as overseer in her will in 1575. 'Vis. Kent 1574', *Harl. Soc.*, 74, 40–41; Bodleian Library, Edward Crow Collection, p. 196; PRO PCC 57 Pickering.

like a sister. She and her husband had been with him the most during his sickness.

She went on to say that for four years several people of Faversham, including Thomas Arden's son-in-law, had tried to persuade her to change her evidence.

Hatch's widow, Joan, complained that she had been kept out of his company one day and one night presumably while the will was made. Katherine Swan, formerly the wife of one of the witnesses, John Bringbourne, had heard that Joan was much offended with the will. Goldfinch put their case the most bluntly. He said that Hatch was speechless almost two days before he died and also before his will was finished. One Sir Richard Sackville, of whom more later, had told Goldfinch that John Antony, alias Johnson, wrote it and set Hatch's hand to the same will after his memory failed.

Henry Hatch wrote a long and incredibly complicated will,<sup>31</sup> with a number of contingency plans, which were never needed, but are as interesting to us today as the provisions carried out. It was written on May 6th, 1533, and he began as a good Catholic, by commending his soul to the mercy of God, the Blessed Virgin Mary and to all the holy company of Heaven. It is obvious, from the bequests he made to Faversham Parish Church and a number of other churches in the vicinity, that he was a deeply religious man, not someone who was just making a token gesture. He asked to be buried in the Parish Church of Faversham, before the Bachelors light, and left 6s. 8d. to the church for tithes forgotten and a chest bound with iron, which he bought of Henry Estey of London, in which to put the jewels and plate. He allows for 21 poor people to receive 1d. each every Sunday for two years after his death. His next bequest was to the children of Elizabeth, Joan's sister. He left Katherine, Henry, Richard, Thomas and Dorothy<sup>32</sup> £40 and an annuity of 53s. 4d. in all, making elaborate contingency plans for them. After a bequest to the monastery of St. Saviour's, Faversham, of £10, he remembered Thomas Parker, the son of William Parker of Dartford, with £10, and the children of his cousin Moorcock, and of his brother, with 6s. 8d. each. He wanted £6 13s. 4d. to be spent at his burial, month's mind and twelve month's mind, and an honest priest to sing and say for his soul at the altar of St. Peter and St. Paul for two whole years for a salary of £6 13s. 4d. He appointed his wife Joan and Richard Dryland of Faversham the Elder, as executors. It was later claimed by the

<sup>31</sup> FAO Fa PRC 32/15/212-16; Henry Hatch; *Misc. Gen et Her.*, Series III, 1919, 45-6.

<sup>32</sup> cf. KAO PRC 17/26/49.

relatives that Richard Dryland was the man responsible for getting the estate for the town.<sup>33</sup> Hatch said he was to have £5 for his pains over the will. Robert Maycote of Faversham,<sup>34</sup> was to be the overseer and to have 40s. 0d. The residue of his goods he left to his wife, Joan, with the stipulation that, if she married again, she should find surety to perform the last will and testament. The witnesses were John Davy, John Johnson, Jerome Oxenbridge, Edward Vessy, William Belke and Thomas Thomas.

We then come to the disposition of his lands. He arranged that an inn, called the Fleur de Luce, and a tenement, called The George, were to be sold for the payment of his debts and bequests.<sup>35</sup> Joan was to have for life his dwelling house and lands in the Isle of Harty, Kent, which he had purchased of John Joye of Gillingham, and Icklesham, Guestling, Udimore and Brede in Sussex, which he had brought from Reginald Lewkenor of Faversham<sup>36</sup>. After her death, one of the jurats and one of the commoners of Faversham were to be appointed by the mayor and most of the jurats and some of the commonalty. They were each to receive for their pains 20s. 0d. a year and expenses for five years. They were to come before the mayor and four of his brethren with four of the most honest discreet commoners in Hatch's house and give a true account of what was due. Hatch showed great forethought in planning how his estates should be administered and he must surely have consulted some of his fellow jurats before making these plans. He then set out how this revenue was to be spent. 40s. 0d. was to be used on the repair of Partridge Lane and the way leading from there to the quay and £10 on the repair of common wells and 15s. 0d. a year to the Observant Friars of Canterbury, if Joan died within twenty years of his decease which, of course, she did not. During the following nine years, the revenues were to be spent on the repair and maintenance of the haven or creek of Faversham and, for the last six years, for the repair and maintenance of the Parish Church and its ornaments, that is to say, £26 13s. 4d for a new pair of organs, £15 for a new hearse cloth, and the residue in making a new jewel house. During those twenty years there was to be a yearly obit of 13s. 4d. for the soul of Hatch and his

<sup>33</sup> KAO LB 9 Henry Goldfinch; Fa LB 24 breuiat.

<sup>34</sup> According to his son William, Robert Maycote gave advice to Hatch. He also organised a subsidy for Faversham in 1514, *Cal. S.P. Dom.*, 1509–13 no. 2862(7); Canterbury Cathedral Library, Wilson Collection, Hatch suit; KAO, PRC 32/15/214.

<sup>35</sup> The Fleur de Luce and The George were sold to Ralph Woolgate of Lynsted, uncle of Joan Hatch, KAO Fa LB 9; John Greenstreet.

<sup>36</sup> He was said to have been involved in the plot to deceive Joan Hatch and he died in 1540, KAO Fa LB 9; PRC 17/23/50.



wife Joan. The jurat and commoners were to be changed, at the discretion of the mayor and most of the jurats and some of the commonalty. He then went on to say that, if the town could obtain the king's licence of mortmain, then it could hold the lands to the use and maintenance of the haven and creek, highways within a mile of the town and maintaining the ornaments of the Parish Church. The cost of the licence could be paid from the revenues of his estate.

Hatch again made contingency plans in case the licence was not obtained. He said that all his lands were to be sold by his executors, or, failing that, the Mayor of Faversham and two of the most discreet jurats, his brethren, and the churchwardens of the Parish Church. £120 was to go towards a suit of copes to the use of the Parish Church, £20 towards a pair of silver candlesticks, and £20 for a pair of silver censers. He left £240 towards the repair and improvement of the haven or creek of Faversham and £50 to making a new market house. He wanted £40 to be spent in repairing the highway between Hog Cross and Ewell and £10 in Church Lane. Another £20 was towards maintaining a morrow mass and £20 for smocks and shirts to be given to the poor of Faversham. There was £10 to the repair of Sundridge Church 'where I was born.' Then £10 to the repair of the Church of Icklesham in Sussex, and £6 13s. 4d. to the church of St. Thomas the Apostle in the Isle of Harty in Kent, both places where he had lands. £5 to the repair of the nearby Parish Church of Davington and £20 to the church of the monastery of St. Saviour's in Faversham followed. He then showed his religious leanings by leaving 5 marks to every house of Friars Observant in England, 5 marks to the house of Blackfriars in Canterbury and 40s. 0d. to each of the houses of Blackfriars at Winchelsea. As a merchant, he must often have been irritated by the state of the roads, for he left £20 to the repair of the highway from Hog Cross through Preston Street and so to Boughton, and £20 to the repair of Sumpters Way, between Saint Agnes Cross and the stone church. We then come to a list of parishes with which he must have had links, although we cannot always be sure what they were. Towards the repair of the church of Lynsted, where his wife, Joan, was born, he allowed £10, and he added £5 for the repair of the fowl ways where there was most need. He left £5 to the repair of the church at Ore in Sussex, where he had lands, £5 to the repair of the church of Luddenham, and 40s. 0d. to the church of Buckland, both about two miles from Faversham.

The chapel of Wilmington, to which he left £5, was a mile or so north-west of Dartford, where the Parkers lived. He left 40s. 0d. to the repair of the church of Goodwynston and £10 each to the marriage of poor maidens in Lynsted and Faversham.

Finally, he allowed 40s. 0d. each to the mayor and his brethren and

churchwardens for their pains, and the residue of the land was to be given to the poor, at their discretion.

Hatch made the will on a Tuesday and he was buried on the following Saturday. Six months later, just before Michaelmas, Joan rode with her brother-in-law, John Goldfinch, and her servant Thomas Mitchell, to Canterbury to prove the will.

Now we come to the law suits. These were complicated and stretched over so many years that it is probably helpful to give a brief summary of them before dealing with them in more detail. The first and second were brought in the Court of Common Pleas by a relative, Maurice Moorcock, but they were defeated by Joan and her second husband, Sir Henry Amcotts,<sup>37</sup> who deliberately enlisted the support of Faversham. Many years later, a case was brought in Chancery by another relative, Edward Parker. The townsmen were appalled at the prospect and were, as Jacob says,<sup>38</sup> always convinced that it was brought because they would not give a long lease to Goldfinch. Parker alleged that the proved will had been obtained by guile, when Hatch was speechless, and that he himself had the original will. Nevertheless, Parker's will was declared to be a forgery and Faversham won the case.

It is important to remember, in what follows, that much of Joan's evidence may be suspect, but, all the same, it has the ring of truth in some of its background information. She had a strange tale to tell concerning Sir Christopher Hales and his kinsman, James Hales. Sir Christopher<sup>39</sup> lived near Tenterden and was Master of the Rolls and an associate of Thomas Cromwell, altogether a powerful local figure. James<sup>40</sup> was a lawyer, later a sergeant-at-law, and another powerful local figure, who went mad and committed suicide in 1554. Joan said, on one occasion, that it was the other executor, Richard Dryland,<sup>41</sup> who persuaded her to have the will rewritten because it was blotted. On another occasion, she said that Christopher Hales, Kt., sent to her as he was riding up to London to the term after Easter, after she had proved the will, wishing her to meet him as he came back from London at the King's High Sumpter Way near Faversham leading

<sup>37</sup> After Hatch's death, Joan married Henry Amcotts, a stockfishmonger, who became Lord Mayor of London, 1548-49, was knighted in 1548 and died in 1554. The Rev. A.B. Beavan, *The Aldermen of the City of London, passim*.

<sup>38</sup> Edward Jacob, *The History of Faversham*, 132.

<sup>39</sup> DNB; *History of Parliament, 1509-58*, 274-5; Peter Clark, *op. cit.*, 13, 37, 40, 54, 62, 289, 419 n.

<sup>40</sup> DNB 'Vis. Kent 1619', *Harl. Soc.*, 42, 59; Peter Clark, *op. cit.*, 41, 81, 83, 86-7, 100, 424-5 n.

<sup>41</sup> KAO Fa LB 9; John Amcotts; PRC 17/30/42 Richard Dryland.

from Sittingbourne to Canterbury. He then told her that he understood she had proved her husband's will at Canterbury, but he said it was not written in form of law but was erased or blotted. Therefore, he advised her to come to his house at Canterbury, and to bring the will with her. He said, otherwise, she would be the first to repent it. Accordingly, she carried the will to Canterbury, and there stayed at John Johnson's house. John Johnson, alias Antony, it should be remembered was the Protestant servant of Cromwell's who had written the will and was a key figure in the case.<sup>42</sup> The next day she went with Johnson to Sir Christopher Hales's house, where she that day both dined and supped and at that time delivered the will to him. He earnestly urged her to marry his kinsman Mr James Hales, and told her that, if she would marry him, he would then see that her husband's lands should remain to her and James Hales and to their heirs. James Hales also lodged there and spoke of marriage. She, not liking him, declared to Sir Christopher Hales that she never meant to marry again. At that time, Johnson urged her to marry James Hales, but all this was in vain. In the end, after she had stayed at Canterbury the space of six days and wanted to go home, she asked for the return of her husband's will. Thereupon, Sir Christopher, not being able to persuade her to marry his kinsman, went into his study and brought out a will, which she then thought was the self same will as she could neither read or write. It was, though sourly pointed out later by a lawyer in a scribbled aside that she went 'with brother Goldfinch and man Mitchell who both could read'.<sup>43</sup>

Elizabeth Auncell had heard her sister say that if she had married James Hales this reckoning would never have been, meaning the business about her husband's will.<sup>44</sup>

Joan claimed that Mr Reginald Lewkenor of Faversham was also a suitor. He had sold Hatch most of the lands Hatch held in Sussex, and he died in 1540.<sup>45</sup> Joan alleged that when he saw his marriage hopes dashed and knew that Sir Henry Amcotts had been privately at Faversham and was likely to succeed in his suit, he sent word to Thomas Boleyn, Earl of Wiltshire, the father of Anne Boleyn.<sup>46</sup> Lewkenor let him know about the alteration of her husband's will and that Maurice Moorcock, then servant to the earl, was next of kin to Hatch. Whereupon, the earl sent Mr. Sackville to Faversham. Mr

<sup>42</sup> Peter Clark, *op. cit.*, 50, 61, 417 n.

<sup>43</sup> KAO Fa LB/25/1.

<sup>44</sup> KAO PRC 32/15/214; PRC 17/23/50.

<sup>46</sup> *The Complete Peerage*, Revised 1959 739; DNB; Peter Clark, *op. cit.*, 19, 21, 413 n.

Sackville was later Sir Richard Sackville, known as Fill-Sack, a kinsman of Boleyn and later Under-Treasurer of the Exchequer and Chancellor of the Court of Augmentations.<sup>47</sup> The earl sent Sackville to Lewkenor to learn the truth of the matter. Sackville came to her on St. John's Day in the Christmas holidays, declaring to her that he had process to serve upon her, but did not mean to trouble her at that time, as he had heard that she was to marry a friend and neighbour of his father's in London, meaning Amcotts. Sackville had a house in St. Paul's Wharf. He added that, for her sake, he would do the best he could to put things in good order, although she had been shamefully beguiled and deceived by those whom she greatly trusted. After her marriage, the Earl of Wiltshire and Mr. Sackville came to their house in London, when the earl accused him of withholding certain lands from a servant of his, naming Moorcock. He added to Amcotts that, if he would deliver the evidence and render the lands quietly, all would be well. If not, he would obtain the lands by order of law. Amcotts denied this, but the earl answered that, unless he made him a better answer within a short time, he would enter upon the lands, saying further that he would bring forward credible gentlemen and Hatch's own servant, who would depose that Hatch died intestate and past memory before his will was half made or finished. Even if the will had been made and finished before his death, yet would he bring forth good proof that such writing and wills as Amcotts and his wife had under the bishop's seal were never Hatch's will nor devised by him, but that the same were merely forged and devised after the death of Hatch. And, so saying, the earl departed, very angrily, and shortly afterwards brought an action at common law in the name of Moorcock against the farmer of Lady Amcott's lands in Sussex.

In 1538, Maurice Moorcock, an aged and poor man, brought a case in the Court of Common Pleas, a plea of trespass against William Linsford, a husbandman and tenant of Lady Amcotts, concerning her estate in Icklesham, Sussex. The Earl of Wiltshire died soon after and Henry Amcotts said that, if the earl had lived, he would have lost. Moorcock renewed his suit in 1542. Amcotts was persuaded to fight the case and made sure that Faversham joined him by contributing £6 to the case and £9 or £10 to the repair of a storehouse and the maintenance of a salt marsh. It was said in the course of the Chancery case later that Dryland had been the greatest worker to bring the lands to Faversham and to arrange that Mr Amcotts argued with

<sup>47</sup> Peter Clark, *op. cit.*, 129–30; DNB; *History of Parliament, 1509–58*, III, 246; Sir Richard Sackville sought a lease, but it was already granted to Sir Henry Isley. KAO Fa LB 13.

Moorcock, and he also offered that the town should pay money to help. Moorcock, at that same time, pleaded with Amcotts to be good to him, kneeling in the street before him, and was so importunate that many times Lady Amcotts, knowing of his coming, would cause the doors to be shut against him. Sir Henry said Moorcock afterwards revived the suit against the tenant by the means and procurement of Sackville. Amcotts pitied him, but Joan could never abide to hear of him.<sup>48</sup>

Moorcock lost the case, and in 1546 the town sought and obtained a licence in mortmain in the same year that it became a corporation; Joan joined them in the suit, but said privately that they should have waited till she was dead.

Now came a new development. One day Amcotts was looking in her wooden chest in her absence, and found the will in paper and compared it with the other will which he also found there under seal and discovered that they disagreed. When he was in his counting house, he called her to him and read the will in paper to her and said to her in the hearing of Goldfinch that he prayed God to forgive the people who had altered her husband's will. She had never heard both the wills read. Amcotts now found the Earl of Wiltshire and master Sackville's words true and said he would not have gone to law against Moorcock as he did for £1,000 three years ago. Sir John Norton,<sup>49</sup> Kt., and Master Sackville and John Davy, one of the witnesses, and Mr Lewkenor said that it was Richard Dryland and others of Faversham, who first procured her to go to Hales in Canterbury, deceiving an honest, simple woman, who could neither read nor write. The claim was that the inhabitants of the town of Faversham fell out amongst themselves. Master Lewkenor, who was then a suitor in marriage said nothing to her, which might have warned her.

Amcotts died in 1554 and a description of his funeral procession is given in the diary of Henry Machyn.<sup>50</sup> In his will, he asked to be buried in the Parish Church of St. Michael next Crooked Lane, in the Fishmongers' Chapel, to the north side of the altar. For the children of John Goldfinch, Henry, Richard, Thomas and Dorothy, £40 was to be divided amongst them or the longer liver. To the repair of Fishmongers' Hall, where he inhabited and the wharf belonging to the same, £20. Then he gave the wife of his late brother Auncell a black gown. He left lands in Surrey and Sussex to his wife, then to the

<sup>48</sup> KAO Fa LB 13, LB 15 Goldfinch.

<sup>49</sup> *History of Parliament, 1509–58*, III, 246.

<sup>50</sup> Diary of H. Machyn 1550–63, *Camden Society*, 42, 68, 70, 339.

children of his late daughter. Finally, he appointed Joan the executrix of his will.<sup>51</sup>

After Amcotts' death, Sir Richard Sackville said to her that he could tell her more of the indirect dealing and practice of will and writings after her husband's decease than either she or Mr Amcotts heard or knew of. He took her by the hand and offered her £500 to be one of her executors, only to the intent that the writing concerning her husband might be performed for Hatch's kinsfolk. He also wanted a lease of some of the lands.

When Moorcock died not long after, Sir Richard Sackville sent for Thomas Parker, another cousin of Hatch, who was then in Marshalsea prison, wanting him to renew cousin Moorcock's suit, but he answered that he would not do so while Lady Amcotts was alive. At that time, Goldfinch's brother Richard, of the Inner Temple, borrowed the will that Lady Amcotts had from his brother.<sup>52</sup> There was great controversy for three years between Richard Goldfinch and Lady Amcotts, because Richard said she had not done right in hindering the truth for the undoing of Moorcock, a poor man and a cousin of Hatch. Richard kept the will for a long time, in spite of frequent requests to return it, but he died in Lady Amcotts' house, and Henry then found it crowded in a corner of an old chest there. Within a year, Thomas Parker asked to see it and pulled out two other wills, one of paper and one of parchment. Parker said he had had it more than 30 years and had showed the will in parchment to Sir Henry Amcotts a year after he was Lord Mayor of London. He said the copy came from his father, William Parker, who got it from Joan six weeks after the death of Henry Hatch. A month later, Parker wanted it back, but died before collecting it. Goldfinch, had known his son, Edward Parker, for 14 years and more because Parker lived near the customs house where Goldfinch had reason to go for dealing with customs on merchandise and wares coming from beyond the seas. Edward eventually managed, through a friend, to persuade Goldfinch to hand over the will, which Parker then took to Canterbury to be registered. In the ensuing Chancery case, a careful collation was made of the proved will and Parker's 'original' will, which we will henceforth call 'Parker's will'. It states that, for the most part, 'they agree in matter, but vary in words'. After minor bequests to relatives, the proved will said that The George and The Fleur de Luce were both to be sold, but Parker's will said that The Fleur de Luce was not to be sold if fish and plate – an interesting

<sup>51</sup> PRO PCC F9 More; 'Lincolnshire Pedigrees', *Harl. Soc.*, 50, 14–15.

<sup>52</sup> *Inner Temple members*, 1547–1660 25; PRO PCC 40 Holney 1571.

comment on where Hatch's wealth lay – were enough to pay Mr Lewkenor for his lands in Sussex. The chief difference was that in the proved will, there was a remainder to the town for 20 years and in Parker's will for 51 years.

The case put for 'Parker's will' was that Hatch's will was made when he was past memory and (had) lost his speech; that the will whereunto witnesses' hands were attached was not according to the register; that Johnson was an honest, credible man and 51 years was written in his hand; that if the lands were forfeited to Lewkenor for want of payment after Hatch's death, and after assured again, then the will could not be good. The claim went on that Moorcock had sought to disprove the will and that Edward Parker's brother, Henry, now claimed to be the next heir.

The case against 'Parker's will' was that Hatch's will was published to the mayor and immediately recorded in the town book, which agreed. There was a difference, not only in the lengths of sheet of paper, but also in the disposition of land. It was pointed out that Goldfinch had the very will of Henry Hatch, whereby it may also be supposed that the hand of Hatch with the hands of other witnesses were forged.

The chief witness at Canterbury was Jerome Oxenbridge, who agreed that the original was all of Johnson's hand known and proved. It later emerged that Oxenbridge had only been allowed to see the last page with his own signature. By the time of the Chancery case he had changed his mind and decided that it was cut short. A gentleman from Canterbury, Thomas Stransham, who had been a leading inhabitant of Faversham,<sup>53</sup> was asked by the mayor in 1570, Robert Fagg,<sup>54</sup> who was sick, to go and look at 'Parker's will' to compare it,

<sup>53</sup> His brother, Robert (1535–1604), was secretary to the first Earl of Pembroke and a Fellow of All Souls in 1563. Information from Arthur Percival, Esq., M.B.E. Thomas himself had been at school with Thomas Parker who, 'was a good grammarian when he himself learned but his accidents or primer'. Stransham lived in Faversham for many years and was mayor in 1554, part of 1556 and 1557. He was under-steward to the town under Mr Roper and solicitor for the town in the Chancery case. He advised the town to call 'the ancients'. He was particularly asked to help 'during the sickness of Robert Fagg'. He died in 1578. E. Jacob, *op. cit.*, 121; Canterbury Cathedral Library, Wilson Collection, Hatch suit; KAO Fa LB 9, Fa LB 12, Fa LB 15, Fa LB 22, PRO PCC 30 Langley.

<sup>54</sup> Robert Fagg bought, sold and leased land in Faversham. He took great interest in the foundation of the grammar school. He was sick when mayor in 1570, and Thomas Stransham acted in his place in the Hatch suit. He was living as a jurat in the town in 1573 with three servants, but an inventory of his property was made in 1574. A.D. Munden, *Education in Faversham*, 9, 13, *Cal. Pat.*, 1554–5, 228; 1560–3, 252; 1563–6, no. 2404; 1572–5, no. 1411; KAO Fa LB 22; CPM 3 1573; PRC 10/7/345–51, Inventory 1574.

which he nervously did. He was pleased to find a number of differences. By that time, the town of Faversham was extremely anxious about what was happening. Stransham then asked a gentleman, called Cyriak Pettit,<sup>55</sup> to go to London to see Lady Amcotts, who was now aged and impotent, and he went twice in one year. He was to find out who would have the lands and he asked her for the truth, when she, putting her hand to her mouth, making a cross, said she always told the truth and added. 'Well, I could say more'.

On October 13th, 1567 two doctors in Chancery, Dr Huycke and Dr Gibbon, had ordered a special chest to be kept at Lady Amcotts' house in London, with all the papers relating to Hatch's estate therein. The chest was to have three keys, one of which was to be kept by the town of Faversham, one by Edward Parker and one by Lady Amcotts. Goldfinch, who stayed with Lady Amcotts and had charge of her house and books of account and bills of debt, described how she lived in Fishmongers Hall, for 20 years, but moved to a house in Thames Street, where she had less room. She had, by then, become very aged and feeble. About three years before, Matthew Amcotts, who was a lawyer, looked at her writings to see if she had enough evidence and felt that she had. Another fishmonger, Vincent Amcotts, was a servant of Lady Amcotts, and had been to her house in Thames Street and seen Parker there. Goldfinch said that all such writings were put in great canvas bags, fast knit up and stowed in a corner or end of the same chest by themselves, covered and laid under a sheet and pillow. There had to be three present to open it as the lid was heavy with some great hasps of iron hanging on it and a great iron bar. Such plate as she had therein was to lend to the company of Fishmongers once in two years at their choosing of the Wardens.<sup>56</sup>

On May 13th, 1568, Edward Parker, attorney, took possession in the name of his uncle Edmund, a priest, of lands in Icklesham, Guestling, Udimore, and Brede in Sussex, formerly part of Hatch's land. Lands in Faversham were included a day later. The following month, on June 4th, he leased some of it to Goldfinch. It was probably this agreement which John Gamble of Setford said later that he had witnessed at his inn at Gravesend four years before. He described how Edward Parker, his uncle Edmund and Goldfinch, all met there, when a scrivener was present.

<sup>55</sup> Cyriak Pettit of Boughton under Blean was a gentleman who bought and sold land in Faversham. He was appointed executor by Elizabeth Auncell in 1575. 'Vis Kent 1574 (1-2) and 1592' *Harl. Soc.*, 100 19-20; 'Vis. Kent 1663-8' *Harl. Soc.*, 54, 130; *Cal. Pat.*, 1555-7, 379; 1563-6, no. 2404; KAO Fa LB 14, Fa LB 25/1; PCC 57 Pickering.

<sup>56</sup> KAO Fa LB 9; Henry Goldfinch.



## HENRY HATCH AND HIS WILL

The people of Faversham were always convinced that the Chancery case arose because the town would not grant a lease of Hatch's lands to Goldfinch, after Lady Amcotts' death.<sup>57</sup> Goldfinch sublet some of his land to Thomas Paramore, who was equally doubtful about his position and sought advice from Sergeant Manwood, another well-known local figure. Goldfinch, intervened to tell Manwood that Hatch's will was not his true will and that there were heirs that claimed the lands. Manwood replied that that would then be fine.<sup>58</sup>

The link between Parker and Goldfinch was confirmed by Michael Lagowe of Faversham,<sup>59</sup> who carried messages and provisions from Faversham to Lady Amcotts in London. He told the court how, two years before, he was sent by Mrs. Auncell to Lady Amcotts with a warning that people from the town planned to come to London in gang week (rogation week) while he was there; Goldfinch, said to him, if Faversham would grant him the lease, 'he could so use the matter that Parker should never have it . . . I have in this house that can quickly make him afraid'.<sup>60</sup>

The position of the town was also carefully considered by lawyers. Can a jurat and a commoner exercise authority for twenty years? Does the nomination of a jurat and a commoner hold good after the death of a tenant for life? Would the authority of the jurat and commoner hold good after the death of a tenant for life? Would the jurat and commoner have interest in the land and are they removable? Was giving money for the use of the haven and highways in order? Can ornamentation of the church be included? It was also pointed out that Faversham had no corporation when the will was made.

Once the Chancery case had been started, the town of Faversham brought an action of waste against Lady Amcotts and she, allegedly being very ignorant and very doubtful which complaint she should answer, made no reply and the town got judgement.

Joan died in September, 1573. In her will, she asked the Fishmongers if they would allow her kinsman, Goldfinch, to inhabit the house where she then dwelt, with the commodity of the water-side, at her present rent. She also left him the lease of her houses and market place in Faversham, which she had had of the Lord Abbot. The lands that she held of the Abbey were referred to in an earlier

<sup>57</sup> KAO Fa LB 9 John Ambrose, Michael Lagowe; E. Jacob, *op. cit.*, 132.

<sup>58</sup> KAO Fa LB 15; Thomas Paramore; Fa LB 12; Peter Clark, *op. cit.*, *passim* Manwood.

<sup>59</sup> Michael Lagowe was living in West Street in 1573. KAO Fa CPM 3.

<sup>60</sup> KAO Fa LB 9; Michael Lagowe; Fa LB 14 Cyriak Pettit; Fa LB 25/1, Cyriak Pettit.

case, but are otherwise something of a mystery. It was once said that by four rent books of the Lord Abbot of Faversham it appeared that there were feoffees of the same lands upon the death of Hatch. The abbot made his books thereafter. She then left various household goods to Henry and tokens to her sister, Elizabeth Auncell, to Henry and his children, and to various other relatives. She remembered the poor of the parish of Lynsted, where she was born. The residue she left to Goldfinch, whom she appointed her executor, together with her physician, James Good. She asked to be buried near her husband in St. Michael's Crooked Lane.<sup>61</sup>

At about this time, Faversham granted a lease of lands in Icklesham, Guestling and Brede in Sussex to Sir William Brooke, Lord Cobham, the Lord Warden of the Cinque Ports, for £40 for 21 years. This was, no doubt, in order to secure powerful support for the town.

Goldfinch also claimed that Faversham took possession of the estate after her death, and he asked for damages.

The town's expenses continued to mount. In 1575, the mayor, John Skyrre, put in for expenses laid out in going up to London for himself and ten jurats and commoners for the town for the trial of the Hatch suit.<sup>62</sup>

The final outcome was the agreement made between Faversham and Edward Parker in 1578, under which Faversham was to have all Hatch's lands in Kent and Sussex, and, in return, Parker and his heirs were to have Wykham Farm, Sussex, on payment of £40.

A footnote – Elizabeth Auncell of Faversham was living in Preston Street in 1573 and 1574, but died in 1575, remembering her son Goldfinch and his children, her daughter Dorothy Colwell and her family, and the children of her sons, Richard and Thomas. She appointed Henry Goldfinch and Cyriak Pettit as her executors.<sup>63</sup>

There has, so far, been no further trace of Edward Parker or Goldfinch.

<sup>61</sup> PRO PCC Peter 1573; KAO Fa LB 33.

<sup>62</sup> Canterbury Cathedral Library, Wilson Collection, Hatch suit.

<sup>63</sup> PRO PCC 57 Pickering; KAO CPM 3 1573; CPM 4, 30 July 16 Eliz.