RADULPH AGAS

Virtue Unrewarded

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Radulph Agas’s one claim to national fame rests on his pioneering achievements as a surveyor, his detailed maps of Elizabethan London, Oxford and Cambridge. However he deserves to be remembered also for his long struggle against the ruling elite of Suffolk, greater and lesser gentry alike, a struggle which he waged in the cause of loyalty to Church and Queen. Unfortunately for Agas, such pure motives were not enough; he found himself a victim of the system he sought so earnestly to defend.

Agas was a cripple from birth, and his background was obscure. Probably he was a member of the Norfolk family of Agas, a clan of substantial yeomen who lived in the Wymondham area and who by the 17th century claimed the right to bear arms. His first surviving appearance in national records is in a complaint to the Privy Council in 1582 when he was an unsuccessful Norfolk parson and already about forty years old; his complaint rather pathetically described a parish campaign of persecution against him which had brought him into discredit with his Bishop. Although he succeeded in having his chief opponent examined, reprimanded and put under bond, it is likely that soon after this he abandoned his undistinguished clerical career. His enemies were later to taunt him that he had been deprived of his benefice for ‘being as deformed in shape and body, as in conditions’.

1 Dictionary of National Biography, i, p. 173 (N.B. the inaccuracies in that account). For Agas’s work at Dunwich, see T. Gardner, Historical Account of Dunwich (London 1754), p. 20; for his survey of Akenham Manor, BL Add. 41305. Norman Scarfe, Proc. Suff. Inst. Arch., xxxii (1970), p. 34, suggests that the account of Dunwich dated 1573 and addressed to ‘Master Deye’ (BL Harl. 532, ff. 32 seq.) is by Agas. Harl. 532 is not in Agas’s hand (cf. e.g. BL Add. 12497, f. 342); nor is it in the hand of John Stow the antiquary, although he has made some marginal notes. The hand and orthography are early 16th-century in character, suggesting that the author was an elderly man. It is therefore unlikely that Agas wrote the account.

2 East Anglian Pedigrees, Norfolk Record Soc. xiii (1940), pp. 1–2.

3 Agas’s complaint in PRO, SP 12/155/65 is dated 8 Oct. 1582, but must be of 1580. Privy Council’s letter to Nathaniel Bacon, Thomas Hogan, William Blennerhasset and John Spelman, to examine John Ferter the younger of Gressenhall on Agas’s complaint, 12 March 1581 (APC XII, p. 355). Same to same, to take action against Ferter, 17 May 1581 (APC XIII, p. 54). Agas was instituted as Rector of Gressenhall in 1578 and was succeeded by Edward Chamberley in 1583; the Ferors were an old-established family in the parish (Francis Blomfield, History of Norfolk (London 1808 ed.) ix, pp. 515 and 519. The taunt occurs in John Iye’s Bill, PRO, STAC 3 J15/10. The spelling and punctuation of all English quotations have been modernised.
Nevertheless Agas possessed considerable abilities which gave him some success in the infant profession of surveying. He was not averse to publicising his talents, which, as one of his surviving advertisements shows, included the ability to read old records and to restore any that were 'obliterated or dimmed', to copy the Old and New Testaments 'seven times in one skin of parchment, without any word abbreviate or contracted', and to remove and replant without injury trees of a ton or two in weight.\(^4\) Such diverse talents compensated him for his physical deformity and no doubt produced that sense of self-righteousness, even superiority, which shines out from all his writings. This no doubt did little to endear him to his Norfolk parishioners, but was to carry him through a decade of troubles in the 1590's. 'Touching [his] infirmity and bodily weakness . . . he saith that as he received the same by the providence of God in his mother's womb, so hath he always with humble thanks unto his Creator willingly born and suffered the same with many and sundry good gifts, which he hath in the goodness of the Almighty hitherto used and hereafter shall use to the benefit of many and harming of none.'\(^5\)

Agas based a business which took him to all parts of the south of England on his house at Stoke-by-Nayland, and his main battles were fought with the chief landowner of Stoke, Sir William Waldegrave. Sir William, who lived at Smallbridge in the nearby parish of Bures, had acquired an interest in Tendring Hall, the chief manor of Stoke, for the life of his wife, who had gained it in dower on the death of Sir Thomas Rivett, her first husband, in 1582.\(^6\) At Sir William's death in 1613 he was described by an earnest Protestant neighbour in his somewhat gloomy diary as 'vir patriae charus, sed pietatis inops'—a man dear to his country, but lacking in godliness.\(^7\) 'Charus' indeed. The Waldegraves of Bures could look complacently on two centuries' worth of splendid family tombs in their parish church, and Sir William had continued the traditional family influence at the top level of county life. In 1563, while still a young man, he was elected senior M.P. for Suffolk, although his junior colleague was a knight and he then merely an esquire;\(^8\) he sat on the Commission of the Peace from at least 1564, with two breaks, into the next century;\(^9\) in the 1570's he was on the Norwich Ecclesiastical Commission, and he was twice Sheriff.\(^10\)

\(^4\) BL Add. 12497, f. 342.
\(^5\) Agas's Answer, PRO, STAC 5 J15/10.
\(^8\) *List of Members returned to Parliament*. 1878, i, p. 406.
\(^9\) See Commn. of Peace for 1564, *CPR Eliz.*, iii, p. 141; for his subsequent omissions, see below, n. 15.
\(^10\) *CPR Eliz.*, vii, 213, 2606; PRO, *Lists and Indexes*, ix, p. 88.
A Muster Commissioner for much of his career, he headed the five captains of the Suffolk men who marched to Tilbury in 1588.\footnote{Suffolk in the XVIIth Century (Ryece's Breviary), ed. Lord Francis Hervey (1902), p. 92; for Commn. for Musters cf. e.g. PRO, SP 12/67/87; BM, Harl. 474, f. 34.}

The Waldegraves' religious sympathies, however, remained distinctly conservative. Sir William's cousin, Sir Edward, had been Keeper of the Wardrobe to Queen Mary and a member of her Council; by 1561, the year of his death, he was in prison in the Tower and his family were accused of hearing Mass at their Essex house.\footnote{Hervey, op. cit., p. 141; CRS, i (1904), p. 49.} Many of Sir William's relatives remained open adherents of Rome into the next century.\footnote{Cf. e.g. Responsa Scholarum, CRS, lv (1963), p. 417 (John Waldegrave).} He himself took for his second wife Griselda, sister of the fugitive third Lord Paget, the lady who brought him the manor of Tendring Hall, and he became one of the executors of that unfortunate peer.\footnote{Copinger, op. cit., i, p. 218; APC, xiv, p. 352.} Lady Waldegrave became an open recusant and caused Sir William's temporary removal from the Commission of the Peace in a national purge of J.P.'s with recusant wives in 1587; he suffered a much longer period of absence from the Commission during the 1590's until after his wife's death in 1600.\footnote{Lady Waldegrave appears on the Recusant Roll for 1592, pr. CRS, xviii (1916), p. 324. Sir William was omitted from the Commission in Dec. 1587 (PRO, SP 12/206/85), was restored by 1590 (BM Eger. 3788, f. 32), dismissed again before Feb. 1593 (omitted in Liber Pacis, Hatfield House MS 278, f. 41v.) and finally restored 4 July 1601 (PRO, C231/1, f. 115).}

Agas was not the man to confine his opinions of Sir William's 'pietas' to the privacy of a journal, but what support could he look for against a figure of such formidable local prestige? There is some evidence that he enjoyed Burghley's patronage; there are letters from him to Burghley and Robert Cecil in the Cecil Papers, and Agas was described as 'well reputed of my late good Lord' to Cecil in 1599; he himself later claimed to have performed good service to the Queen and Council.\footnote{HMC, Hatfield MSS, ix, p. 63; PRO, STAC 5]15/10 (Answer of Agas).} This probably gave him some assistance in his struggle—after all, the Council had heard his appeal in the Gressenhall affair with sympathy—but one suspects that Agas was by temperament a lone crusader.

Our main source of information on the conflicts between Agas and the Suffolk 'Establishment' derives from the surviving documents in three Star Chamber cases of 1595 and 1598, all of which complement each other. From these it appears that the conflict began about 1589, when Agas presented a tenant of his, a clothier named Bradley, at Bury Assizes for 'sundry seditious speeches' against Henry VIII and Elizabeth, but the case was dismissed,
Agas alleged, through the subornation of witnesses. Some time after this Agas had an extraordinary interview with Sir William, in which he criticised the knight for not pursuing Bradley for his treasons and for not calling the witnesses; he went on to recall how Waldegrave had entertained Lord Paget, his brother-in-law, before Paget's flight from England. Finally Agas took Sir William to task for allowing the erection in a prominent place in Stoke church of a monumental brass for the daughter of Francis Mannock, a wealthy Catholic gentleman who also lived in Stoke. Agas 'did take offence' at her effigy and at its Latin epitaph, which celebrated the lady's virtues and Catholic piety, 'and liked not to have such praises engraven about it, the gentlewoman being of such religion in her life-time as before shewed ...'.

Sir William's reaction to this impudent scolding may be imagined, but Agas had by no means contented himself. He repeated the substance of his words in a letter to John Gurdon, a neighbouring J.P., and it soon came to the ears of both Gurdon and Waldegrave that Agas had told a labourer of Sir William's 'I am a good subject, you serve none'. This was too much; Gurdon was a good Protestant but also a good neighbour and gentleman, whose sister had married one of the Waldegraves of Bures, and it was he who acted first. He arrested Agas and charged him with a breach of the peace; Agas refused to be bound for his good behaviour, so he was gaol'd for the night. It was a considerable punishment for him, 'being an impotent and lame man', to find himself released from Sudbury gaol the following morning seven miles from his home at Stoke. Meanwhile Sir William, who happened to be Sheriff that year, had not been idle; soon Agas found himself haled off to London to face an action for slander in King's Bench. Here, if Agas is to be believed, the sinister forces of establishment did their worst. Two sureties had arranged to bail him, but he was brought before the Court two days before the date that they had arranged to appear. On his appearance the Lord Chief Justice together with another judge unknown to Agas, and John lye, 'an officer or Clerk of the Court', who happened also to live in Stoke, and who will reappear in Agas's story, cried 'with great clamour...'

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17 Ibid., A17/14 (Agas's Bill); also ibid., A8/35, 33/6, and see below, n. 33.
18 Ibid., A8/35 (Agas's Answer). Only the indent of the brass survives in the church, on the east wall of the north chancel chapel, but the epitaph is recorded in Cambridge U.L., Hengrave MS, 2, f. 170 and includes the line: 'vivens pietatis alumna Catholica numen religione colens' (living as a child of godliness, attending the Divine Will through the Catholic religion).
19 For Gurdon descent see J. J. Muskett, Manorial Families of Suffolk (Exeter 1894), i, p. 284.
20 PRO, STAC 5 A33/6 (Attorney-General's Bill).
21 Ibid. (Agas's Answer).
and noise "away with him, away with him", meaning the defendant. The judges were no doubt irritated to find an unscheduled case before them, but Agas chose to place a darker construction on their words. Amid the turmoil of this somewhat Biblical scene Agas’s protests and offers of bail went unheard, and he was taken away to the King’s Bench Prison. He was soon released, but only to stand trial for a second action for which he was also refused bail, and he returned to prison, during which time the verdict went against him.22

At this stage Agas may have used his acquaintance with the Cecils, for once more he managed to get a petition presented to the Privy Council complaining of Sir William’s treatment of him, and accusing Lady Waldegrave of recusancy for good measure. Since Lady Waldegrave appeared on the Recusant Roll for 1592 he was probably right; as recusancy was involved the Council saw the opportunity to pass the buck for examining the case to the Archbishop of Canterbury.23 Seven months later, on 2 March 1591, they sent a rather curt letter to Sir William requiring him to have Agas released; evidently some of Agas’s charges had struck home.24

However, Sir William was quick to answer with his side of the case. He stressed Agas’s obstinacy and used the argument best calculated to appeal to the Council, that he had been forced to bring his case against Agas to repair his ‘credit and reputation’. The Council, having required Agas to make humble acknowledgement of his offence, sent a noticeably more friendly letter to Sir William, asking clemency for ‘a poor man that God hath visited with want of his limbs’, provided that the offence was not repeated.25

There the affair might have ended; but Agas was not satisfied with his release. He convinced himself that the undertaking of good behaviour that he had given represented some sort of capitulation by Sir William, an ‘acquittance’ on his own part, secured under duress for any harm that Waldegrave might have done him. Accordingly he wrote out four copies of his grievances to be presented to Lord Chief Justice Popham when he came to Bury St. Edmunds for the Assizes, and took them to Bury on 23 July 1595; Popham, intercepted before a sermon, refused to receive them, so Agas turned to Sir Robert Jermyn, Sir John Higham, Sir Philip Parker and Sir Nicholas Bacon, ‘very religious and virtuous knights’, pillars of the county government and staunch Protestants who might be expected to listen sympathetically to his tale of

22 Ibid., A8/35; ibid. A33/6 (Agas’s Answer). John lye was probably the Essex J.P. whose name appears in various late Elizabethan Libri Patis in the Essex sections.
23 For Lady Waldegrave’s recusancy see n. 15; APC, xix, p. 298 (5 July 1590).
24 Ibid., xx, p. 324.
25 Ibid., xxi, p. 90 (5 May 1591).
injustice and Popish misdemeanours. Alas for Agas’s hopes! He now found himself before the Court of Star Chamber facing a charge of issuing seditious pamphlets.26

The Complaint against and Interrogatories for Agas, which are liberally sprinkled with quotations from his pamphlet, indicate how disastrously his pen had run away with him in describing his wrongs. Agas had been very free with comments about royal justice such as ‘there is no difference in justicing the faulty, and condemning the innocent’, and he had only himself to blame if the Interrogatories, with unusual vigour, demanded ‘Upon what consideration did you undertake to teach and instruct Her Majesty what remedies were to be used for the reforming of her government? What profession are you, and wherefore do you vary so far from your profession as to intermeddle with the direction of Her Majesty’s government?’ Lacking Agas’s love of antiquarian lore, they asked him why he had recommended ‘some assize of trail-baston’ to examine the administration of justice; most dangerously of all for the unfortunate surveyor came the demand why he had published ‘such manifest slander and disgrace of the government and Judges of the realm’ and what help he expected from ‘the multitude, and common people’.27 In the troubled conditions of the 1590’s, with the execution of the Brownists not so many years before, and the government nervous of any manifestation of popular discontent, Agas’s single-minded pursuit of justice had led him into the most serious apparent treason.

In his replies Agas told his long story and sought to explain his grandiloquent phrases. In his Answer to the Attorney-General’s Bill of Complaint he denied any slander against the legal profession—his grievance was only against Sir William and Mr. Gurdon.28 Again and again, however, he reiterated his accusations against Lady Waldegrave: under questioning he singled out as his chief enemies Bradley the clothier and Lady Waldegrave, suggesting, perhaps, a feud of many years standing in Stoke. Agas was no revolutionary. Faced with a barrage of unsympathetic Interrogatories he stressed that he had never intended ‘the multitude’ to see his pamphlet, and summed up his loves, his grievances and his obsessions in a cry of anguish: ‘He ever did and doth think the laws of this land to be very good and most necessary for the life of man, only he did think the law then to be made an instrument to quash and crush the innocent, when as under the colour of law men be wrongfully vexed, molested and troubled as this defendant hath been (as he thinks) by the means of the same Lady Waldegrave...’29

26 PRO, STAC 5 A8/35 (Agas’s Answer).
27 Ibid. (Interrogatories ex parte Regine).
28 Ibid., A33/6.
29 Ibid., A8/35 (Agas’s Answer).
The Court kept Agas waiting some five months for re-examination, but apart from that we cannot tell what happened to him in this case. He does not appear among the estreats of fines in Star Chamber examined by T. G. Barnes, so perhaps the judges decided that he had been sufficiently frightened by his ordeal. However, he had not finished with Star Chamber.

One of the emphases in Agas’s professional advertisements was the importance of surveying in stamping out frauds by tenants who took advantage of uncertain boundaries to their tenements, ‘for that more abuse in concealments, encroachments, etc. hath been offered in these last hundred years than in 500 before’. The direct occasion of his second appearance in Star Chamber was his effort to bring the Crown its rights, and himself a little profit. John Payne, a neighbour of his, had died leaving a minor as heir: Agas had been instrumental in showing that some of his land was held in chief of the Crown by knight service and that therefore the younger John was a royal ward. It was probably no coincidence that the younger Payne’s step-father was one William Iye, son of John Iye, one of the Clerks of the Court of King’s Bench. Agas could hardly have forgotten the part that Iye had played in his old humiliation, for he had much emphasised Iye’s role in his previous depositions; no doubt the memory lent added keenness to his pleasure in doing his duty. Interestingly, Iye had also granted a tenancy to Agas’s old adversary and tenant Bradley after his eviction by the aggrieved surveyor.

Agas was appointed agent for Thomas Browne, the absentee royal farmer of Payne’s escheated lands, and it does not require much imagination to see why, a few days after Agas had demanded the royal third of the issues from Payne’s estate, there was a major fight between the Agas household and Iye and his supporters, on 1 August 1598. The evasions in the welter of testimonies from both sides are enough to indicate that this was no fictional combat, and it resulted in both sides lodging their complaints in Star Chamber by the following November. Agas got his in first, but meanwhile his enemies had been active elsewhere.

Inevitably Agas was unpopular in the neighbourhood. Apart from anything else, as he himself said, he seldom lived at Stoke for more than twenty days at a time; even today commuters are little thought of in rural Suffolk. Stoke, too, was full of Waldegrave

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30 Ibid. (opinion of Sir Edward Anderson); T. G. Barnes: Fines in the Court of Star Chamber, 1596-1641, typescript, PRO, Round Room press 14.
31 BM Lansd. 165, f. 91; pr. with brief commentary by H. Darby on Agas as surveyor in Geog. Jour., lxxxi (1928), pp. 531-2.
32 PRO, STAC 5 A17/14 (Agas’s Bill); HMC, Salisbury MSS ix, p. 63.
33 STAC 5 A3/20, A17/14, A38/10, A45/12, J15/10, J22/19.
tenants. It was in Stoke, therefore, that the Ive faction concentrated their first attack. They called in two neighbouring J.P.'s and within twelve days Agas had been indicted for riotous behaviour in an incident of the day before the main fight. It is hard not to feel a twinge of sympathy for him when one sees that one of the two J.P.'s was John Gurdon, his adversary of 1590; moreover the Deputy Clerk of the Peace who drew up the indictment was one William Grimwade, from whom Agas had unsuccessfully and bitterly demanded a copy of the evidence of Bradley's sedition back in that first skirmish. There is a touch of plausibility in Agas's claim that William Forth, the other J.P. using 'very indirect means to have that indictment found', sent the jurors into the hall of the inn where the hearing was taking place 'among a company of poor clamorous persons called thither for the purpose being servants and tenants unto your said subject's adversaries'.

However this Stoke indictment was only the preliminary to a much more serious presentment as a common barrator at Bury Assizes, brought about, Agas alleged, on the advice of Justice Forth; the indictment was found. Again, the chief personnel of the Commission had changed little since Agas had presented his pamphlet in 1595, so the evidence, whatever it was, brought by Ive's brother-in-law, would not have come as a total surprise to those present. However Ive and his friends had given their cause a better chance by frightening off witnesses for the defence, so Agas alleged—they had brought no less than nine suits against him and his two elder sons. William Ive admitted bringing four of these suits, including actions of slander and trespass, so there seems to have been some substance in the claim, and presumably it was because of his preoccupation with these cases that Agas took so long to turn to Star Chamber. The Ives' final stroke was to have an indictment found at Stoke against Agas for riotous behaviour in the main fight of 1 August, after his Bill had been entered in Star Chamber.

At this point, amid the usual confusion of mutual character assassination, contradictions and denials, our knowledge of the case breaks down. The week after Agas's enemies had been examined on his complaint, on 9 February 1599, Thomas Browne, the royal farmer of Payne's lands, wrote to Robert Cecil on the surveyor's behalf. If Cecil remembered his father's regard for both Browne and Agas, and the service they had done him, he

84 Ibid., A17/14; A8/35.
85 Ibid., A33/6; A8/35.
86 Ibid., A17/14 (Agas's Bill).
87 Ibid.
88 Ibid., A45/12 (Ive's Answer and Interrogatories to him).
89 HMC, Salisbury MSS, ix p. 63.
would write to Lord Chief Justice Popham asking him to do the right thing when he heard the latest riot charge against Agas at Bury Assizes. We might think that Popham was not the best person to tackle over this; considering the part that he had played in the pamphlet affair four years earlier, but Browne seems to have heard only his protégé's side of things: he referred to Agas's efforts to have some punished for 'unloyal' speeches about the Queen. He darkly stressed the 'wealth and countenance' of Agas's opponents, and talked of his weakness and lack of counsel—we may, indeed, note that Agas wrote out his own Bill of Complaint and Answer in Star Chamber, more probably from motives of professional pride than from poverty.

It is likely, with this foothold in the world of central politics, that Agas managed to weather the worst of his enemies' harassment. In any case, he was on firmer ground this time; the county's ruling elite might vent its annoyance on him at a local level but it could hardly present him in the same harsh light to central authority now that his main fault was the procuring of a good prize in wardship for the Crown. He certainly escaped the perpetual imprisonment that Browne feared for him, for seven years later he was showering advertisements and sage advice on Sir Julius Caesar. In 1621 he was still sufficiently notorious in his own county for our Suffolk diarist to note the death of 'Rafe Aggar the cripple'.

From the 1570's few gentlemen of Catholic religious sympathies played a part in Suffolk county government. Among those thus excluded from the forty or fifty names which regularly appeared in the county Commission of the Peace were some of the wealthiest gentlemen in Suffolk, Sir Thomas Cornwallis of Brome, his son-in-law Sir Thomas Kytson of Hengrave and Edward Rookwood of Euston. Only two religious conservatives maintained a long-term place in the Commission, one of them Philip Tilney of Shelley and the other Sir William Waldegrave. Both of them reaped the benefits of consistent outward conformity to the Elizabethan Settlement: acceptance into a ruling élite of firm Protestants, many of whose members were active supporters of very radical Protestant

40 Cf. STAC 5 A17/14 (Bill) with BL Add. 12497, f. 342.
41 BL Lansd. 165, f. 91; Add. 12497, ff. 342, 346.
42 Winthrop Papers, i, p. 439.
44 Tilney's son Charles was executed for his part in the Babington Plot in 1586 (State Trials, i, pp. 126-135). Cf. William Cardinall junior's allegations of Tilney's reluctant conformity in PRO, STAC 5 C20/33 (1591).
clergy. Unlike Norfolk, Elizabethan Suffolk reveals little evidence of faction or intrigue among its governing élite; it was a relatively harmonious as well as a compact group. When one of its members was threatened, even by such a preposterous gadfly as Agas, the group reacted instinctively in the defence of their colleague. Hence Agas, to his bewilderment, was to find that leading gentlemen like Gurdon and Higham whose religious outlook was the same as, if not more radical than, his own, rejected his attempt to further the cause of Protestantism and justice, and supported a prominent conservative.

One might see Agas as a symbolic figure for the Civil War that was to overwhelm England within half a century: new science confronting an old order of society—if so he was a somewhat unimpressive symbol and his confrontation a sadly messy one. Yet for all his absurdities, his fussy antiquarianism and extreme conceit, for all his trials at the hands of men less virtuous than himself, he has achieved at least a measure of recognition, as a pioneer of surveying if not of Civil War—a paragraph in the Dictionary of National Biography. It is probably the reward that he would have cherished most.

ABBREVIATIONS USED IN THE NOTES

BL Add. British Library, Additional MSS.
BL Eger. British Library, Egerton MSS.
BL Harl. British Library, Harleian MSS.
BL Lansd. British Library, Lansdowne MSS.
CRS Catholic Record Society publications.
HMC Historical Manuscripts Commission publications.
PRO Public Record Office.
SP 12 State Papers Domestic, Elizabeth I.
STAC 5 Proceedings in the Court of Star Chamber, Elizabeth I.

45 Of 10 signatories to the petition to the Privy Council on behalf of the Suffolk radical ministers deprived in 1583 (the best of 4 surviving versions is BL Harl. 367, f. 24, which includes the signatories) all were in the Commission of the Peace for that year and 7 were members of the inner group of 14 leading gentry who formed the county Commission for Musters.

46 On faction in Norfolk cf. A. Hassell Smith, County and Court: Government and Politics in Norfolk 1558–1603 (Oxford 1974), especially Parts iii and iv. The evidence of Star Chamber suits and private correspondence indicates a very different situation in Suffolk.