

# DANIEL BROWNINGE OF CROWFIELD: A LITTLE-KNOWN HIGH SHERIFF OF SUFFOLK AND THE STOWMARKET ASSIZES OF 1695

by DAVID ALLEN

SOME YEARS AGO, in the course of archival cataloguing work in the Suffolk Record Office at Ipswich, the present writer discovered a small bundle of correspondence and papers relating to the execution of the office of High Sheriff of Suffolk by Daniel Browninge of Crowfield in 1695.<sup>1</sup> Quite apart from their usefulness as an illustration of the High Sheriff's duties, the working of the shrievalty and the expenses of the office in the late 17th century, these papers are of interest on two other counts. In the first place they relate to a man who, though of sufficient local prominence, wealth and landed estate to qualify him for service as High Sheriff, appeared to be otherwise unknown; and secondly they concern in part the arrangements made for the holding of the Lent Assizes of March 1695 in Stowmarket, which was not the usual Assize town.

Most of the official letters addressed to Browninge as High Sheriff were written by his Under-Sheriff, Bartholomew Paman the younger of Wickhambrook, and with a few exceptions which were to be left at Ipswich or at the Stonham 'Pie', were directed to him at his residence at Crowfield Hall. The Hall was the manor house of the manor of Crowfield-cum-Bocking in Crowfield, yet no mention of the Browninge family's connexion with the manor is to be found in any of the standard sources. Copinger's account of the descent of the manor states that it was acquired by John Harbottle, an Ipswich merchant, from Sir Roger Wodehouse in 1547. On Harbottle's death in 1587 it passed to his daughter Joan, wife of Thomas Risbye of Lavenham, and afterwards to their daughter and coheir Elizabeth, wife of Henry Wingfield. Crowfield was then held successively by their son Harbottle (d. 1645), Harbottle's son Henry (d. *post* 1657), and Henry's son, the second Harbottle Wingfield. Copinger, who so often slides silently over gaps in the record, next states that the manor was purchased by Henry Harwood, the implication being that he bought it from the Wingfields. Again according to Copinger, Harwood bequeathed Crowfield to his relation William, son of Arthur Middleton, sometime acting Governor of South Carolina, whose son, William Fowle Middleton of Crowfield, was created a baronet in 1804 (Copinger 1905–11, II, 294–95). The antiquary David Elisha Davy is no more informative, stating merely that Harwood purchased the manor (no date is given), and implying that he succeeded the Wingfields.<sup>2</sup> J.J. Muskett repeats the story that Harwood purchased Crowfield, and gives a date 'sometime previous to the year 1722',<sup>3</sup> while the Revd Edmund Farrer also asserts the Harwood purchase, although he admits that 'I can nowhere find a statement when this property passed from the Wingfields' (*E.A.M.*, 11 (1917), nos 4993, 4999). As will become apparent, there are a number of errors in these accounts; the true descent of the manor and estate of Crowfield is detailed in the Appendix.

For a number of years during the 1670s and 1680s a bitter and protracted dispute was kept up between the inhabitants of Crowfield (then and for long afterwards a hamlet of Coddendam) and the Vicar and parish officers of Coddendam, concerning the provision to be made for services at All Saints', the chapel of ease in Crowfield. There exists a detailed narrative of the controversy,<sup>4</sup> concerning which much more is said below. For the present we need only note the statement that 'in or about the yeare of our Lord 1675, the then churchwardens of Coddendam did demand of Daniell Browninge of Crowfield, *who had then but newly come to dwell in Crowfield* [author's italics], payment to thire rate for his lands that lay in Crowfield'. The key statement, however, is contained in a survey of the manor and estate of Crowfield compiled in 1673 by the then lord, the second Harbottle Wingfield, who concluded his 'particular' with the following signed and witnessed declaration:

And all and every the Landes, Messuages & tennementes mentiond in this pertickler contayninge fowr sheets of paper together with all the wrights [*sic*] profits and priviledges herein set downe as belonging therunto are part of my Estate this day sould unto Daniell Browninge as witnes my handwrichting this 5th daye of Aug<sup>st</sup> 1673.<sup>5</sup>

Wingfield was clearly in severe financial difficulties. His 'particular' makes plain that some land had already been sold; other parts of the property were mortgaged and, following the sale to Browninge, were assigned, as usual in such circumstances, to trustees nominated by him to attend the inheritance of the freehold.<sup>6</sup> The sale agreed on 5 August was completed on 1 November 1673, at a price of £5,420.<sup>7</sup> Browninge was evidently in no hurry to take possession; on 20 November Wingfield granted him the contents of Bocking Hall and its buildings in exchange for permission to remain in occupation of the house until Michaelmas 1674.<sup>8</sup> Browninge presumably took possession towards the end of that year. He was certainly in occupation by 3 August 1675, when he held his first general court baron as lord of the manor of Crowfield-cum-Bocking.<sup>9</sup>

Some clarification of nomenclature is needed at this point. The manor of Crowfield-cum-Bocking had originally been two separate manors, each with its own manor house (both now demolished). The original Crowfield Hall occupied a moated site near All Saints' Chapel, while Bocking Hall lay about half a mile to the south-west, also within a moated enclosure (Fig. 6). Daniel Browninge's correspondence, as already stated, was addressed to him at Crowfield Hall, but it is clear that Bocking Hall, which Wingfield occupied, was by this date the sole manor house and was in the

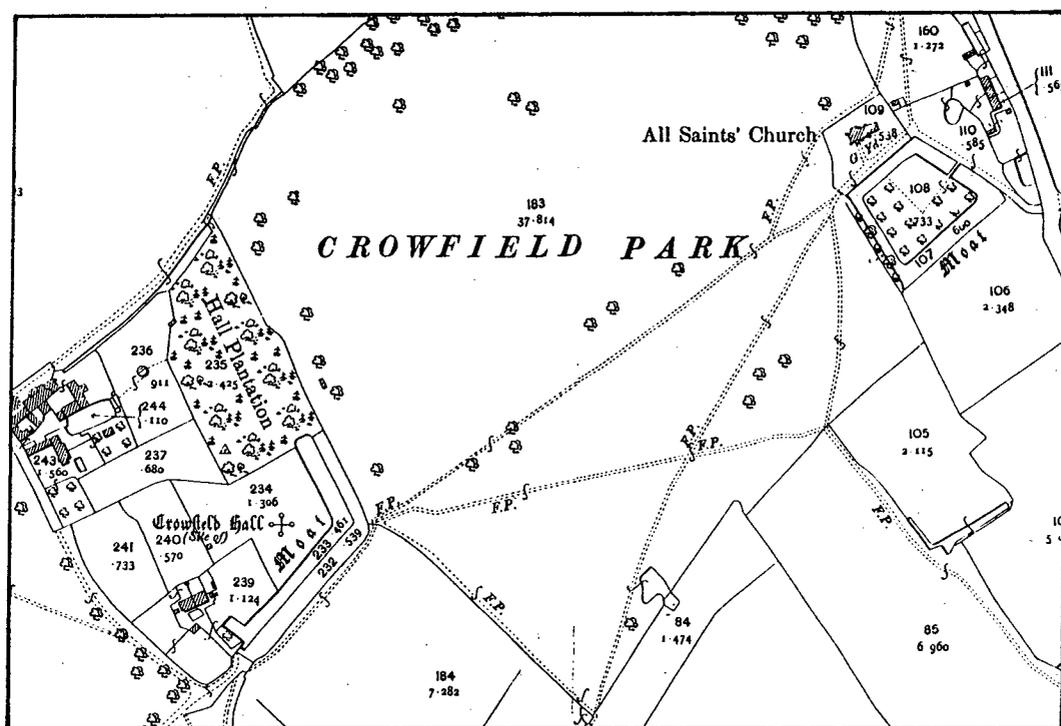


FIG. 6 – Map showing the sites of both Halls at Crowfield. The original Crowfield Hall, reduced to the status of a farmhouse by 1673, lay within the moated enclosure next to All Saints' Chapel (top right), while the site of Browninge's house, Bocking Hall (renamed Crowfield Hall by his time, rebuilt in 1728 and demolished in 1819) is about half a mile to the south-west (bottom left). (Reduced from the 25in O.S. map, 2nd edn, 1904.)

process of being renamed. The 1673 'particular' describes it as 'the capital messuage called Crowfield Hall alias Bocking Hall and the Old Hall', and shows that (the original) Crowfield Hall was now a farmhouse, let out to a tenant, John Bungay.<sup>10</sup>

Who, then, was Daniel Browninge? The purchase deed of 1 November 1673 describes him as a merchant of London, and his will reveals that he owned plantations (presumably of sugar cane) in Barbados, which had been settled by the English in the 1620s. While it has not proved possible to establish the location or extent of his own Barbados estates, we know that from 1685 until 1700 he held, as mortgagee, two plantations called Dedmarten's and Consett's, containing in all 750 acres, in the parish of St John. These properties, leased to a Captain John Higginbotham at a rent of £2,200, were mortgaged to Browninge on 23 March 1684/5 by Major-General Christopher Codrington for £3,448 12s. plus interest, and redeemed by Codrington's son and executor Christopher on 16 January 1699/1700 for £4,042 12s. Dedmarten's plantation boasted three stone-built windmills, a large (sugar) boiling house with seventeen coppers and a still house with four large stills. Two hundred and fifty working negro slaves – men, women, boys and girls – and about twenty young negro children were mortgaged along with the plantations, as was a sloop with its tackle.<sup>11</sup>

Browninge may have been the Daniel, son of Daniel Browninge, baptised at St Vedast, Foster Lane, London on 17 September 1620 (I.G.I.), although, if so, he would have been seventy-four years old at the time of his nomination as High Sheriff of Suffolk for 1695, rather elderly to be burdened with the responsibilities of the shrievalty. He also had Cambridgeshire and Essex connexions: the will of his widow, Hester,<sup>12</sup> includes bequests of £50 each to 'the two daughters of William Layer of Shepreth in Cambridgeshire, esquire, my late husband's kinsman'; William Layer (1651–1717) was the son of William Layer (1614–98) by his wife Dorcas, daughter of Jeremy Browninge of Essex.<sup>13</sup>

Daniel was twice married. His first wife has been identified only from the 1673 purchase deeds of the Crowfield estate, which was conveyed to him and to 'Isabella Browninge alias Isabella Holmes alias Isabella Dickinson'. She is not stated to be his wife in the text of any of the deeds, and it is very unusual for the status of parties not to be specified in formal evidences of title. But an endorsement made on the main purchase deed of 1 November at the time of its enrolment in Chancery reads 'Wingfield et al[iii] et Browninge et ux[or]', thus establishing the relationship. The aliases probably represent her maiden surname and the name of a previous husband. Nothing else is known of her family, except for bequests in Hester Browninge's will of £100 each to Elizabeth Newby and Anne Ustenson, both described as 'kinswomen of my husband's first wife' (who is not, however, named). Hester, Daniel's second wife, was baptized at St Margaret's, Westminster, on 6 March 1646/7 (I.G.I.). As her baptismal record and her and her husband's wills reveal, she was one of the daughters of Henry Middleton, esquire of Twickenham, Middlesex, and a sister of Edward Middleton (d. 1685), who had emigrated to Barbados and acquired property there before moving on to South Carolina, where he established plantations on large tracts of land granted to him in Berkeley County. Hester and Daniel were married on 21 July 1685, significantly (as will become apparent) at Devonshire House, the principal London meeting house of the Society of Friends. At this time Hester was still resident in Twickenham.<sup>14</sup> She was closely related to several prominent London merchant families. One sister was married to the Quaker merchant John Harwood (whose son Henry, as we shall see, was to inherit the Crowfield estate). Her niece Isabella – another Quaker – was also the wife of a London merchant, John Eccleston (see Appendix), while another niece and namesake, Hester, was married to Selby Mucklow, also a member of the London merchant community.<sup>15</sup>

Daniel's will shows that, in addition to the Crowfield estate, which included lands in Crowfield, Coddenham, Stonham Aspal, Gosbeck, Pettaugh and Creeting St Peter, he purchased property

elsewhere in Suffolk. This included lands belonging to John Davies, gent. in Ashfield-cum-Thorpe, unspecified property acquired from Sir Thomas Hare, bart, and a capital messuage called Twammell or Wammell with lands and tithes in Mildenhall, bought from Henry Warner. The Mildenhall property evidently formed part of the lands of the manor of Wamhill, the seat of the Warner family, which were sold off piecemeal in the later 17th century, allegedly to support the extravagant lifestyle of Henry Warner, the then head of the family (Copinger 1905–11, iv, 184–86).

Daniel Browninge made his home in Crowfield from 1674 until his death. If he had hoped to lead the peaceful life of a country gentleman after his retirement from active participation in mercantile affairs, he was to be disappointed, for shortly after his arrival in Crowfield he was plunged headlong into a bitter controversy which was to rage for a decade, involving him in much unpleasantness, inconvenience and expense. This dispute, briefly touched upon above, concerned the status of All Saints' Chapel, Crowfield, in relation to the mother church of Coddendam, and was also connected with the question of church rates. It is detailed in an exhaustive narrative of the grievances of the inhabitants of Crowfield.

Two copies of this statement have survived, both in the same contemporary hand, one in each of the family archives of two long-serving Vicars of Coddendam: the French Huguenot Balthazar Gardemau, Vicar from 1690 until his death in 1737 (and thus well acquainted, as his parish priest, with Daniel Browninge); and John Longe, Vicar from 1797 to 1834. In a note on his copy Longe attributes the authorship of the statement to Harbottle Wingfield. There are indeed very close similarities with the hand of those parts of the 1673 'particular' of the Crowfield estate, written in the first person and signed by Wingfield, which trace the descent of the property through his family, and also with the inventory of the contents of Bocking Hall annexed to Wingfield's grant of them to Browninge, but it is difficult to see how Wingfield can have been the author. The family had vacated the Hall before the end of 1674 and seems to have left the parish before the opening of hostilities. Certainly the Wingfields are not mentioned in the statement itself as parties to the dispute; there are no entries for them in the Coddendam with Crowfield parish registers later than the 1660s, and no later monuments to them either in Coddendam Church or Crowfield Chapel. We can confidently state that the documents are not in Browninge's hand, for a substantial specimen of his handwriting has fortunately survived among the records of Crowfield manor.<sup>16</sup> However, the narrative places so much emphasis on Browninge's rôle in the controversy and, more tellingly, its account (quoted below) of his humiliating encounter with his influential neighbour Sir Nicholas Bacon of Shrubland<sup>17</sup> is so circumstantial, that it is difficult to escape the conclusion that the document was drawn up at his instigation, and some of it at least from his oral testimony. Moreover, the Longe copy of the text includes an unsigned copy of a covering letter addressed to one of the Bishop of Norwich's officials which Longe himself attributes to Browninge. It could be argued, too, that the compilation of such an 'account of some of the troubles, sufferings and charges' of the people of Crowfield would have come naturally to a man of a Quaker cast of mind: in their 'sufferings books' the Quakers in this period maintained a meticulous record of Friends' persecution at the hands of the authorities. The evidence for Browninge's Quaker associations will be discussed in due course. The most likely explanation is that the 1673 'particular' and inventory and both copies of the Crowfield narrative were all written by an estate steward or other scribe whom Browninge inherited from Wingfield.

The narrative sets out that All Saints' was established in medieval times by the Bishops of Norwich as a chapel of ease, and that the Vicars of Coddendam 'time beyond the memory of any man alive' had served the cure there, either in person or by employing a curate. Traditionally the Chapel had always been maintained by the inhabitants of Crowfield who, moreover, elected their own officers and paid their own rates separately from Coddendam. They had never, they alleged, been troubled for not attending Coddendam Church, though if the Chapel was out of repair they were

free to go there or to any neighbouring parish church. That there was such a freedom of choice seems to be borne out by a clause of Browninge's 1673 purchase deed of the Crowfield estate, which conveyed to him

four pews with their appurtenances in the south isle [*sic*] in the parish church of Coddendam . . . being the pews antiently belonging to the Mannor house of Crowfeild . . ., and all the interest, rights, priviledges and Immunities that the said Harbottel Wingfeld hath, may or can clayme to have in and to the Chappell of All Saints in Crowfeild aforesaid and all other matters whatsoever belonging thereunto.

The fuse was apparently lit in 1675 when Browninge, as we have seen, was asked, shortly after his arrival, to contribute to the Coddendam churchwardens' rate. 'Beinge then a stranger to the customs and manners [*sic*] of the towne of Crowfeild', he made enquiries of some of the leading inhabitants. This led to a search of the records of the Norwich Consistory Court, which revealed a 1614 ruling by the Chancellor of the diocese to the effect that the people of Crowfield were only required to pay towards the repair of the nave, porch and belfry of Coddendam Church.<sup>18</sup> This situation the inhabitants of Coddendam refused to accept.

From then on, relations between Crowfield and Coddendam deteriorated. The dispute was linked to, and exacerbated and overshadowed by, the sustained attempt by the then Vicar of Coddendam, William Smith<sup>19</sup> (as the compiler of the narrative expressed it, 'for his owne ease of body and purse') to avoid either conducting services at Crowfield Chapel in person or paying a curate to deputize for him. Battle was joined on two fronts, the Vicar taking his case to the ecclesiastical courts while the churchwardens and constables took action at Quarter Sessions and Assizes. Both Vicar and parish officers were aided and abetted by the patron of the living, Sir Nicholas Bacon. Browninge was singled out for special attention. As he was lord of the manor and the most substantial landlord in Crowfield this is hardly surprising; but, as we have seen, it was he who apparently brought matters to a head in 1675, and he may well therefore have been regarded both by the parish authorities and by Bacon as the leader of the opposition to Coddendam's claims.

When the dispute began, Crowfield Chapel was 'much decayed and ruined'; for some years the people of the hamlet had attended Coddendam Church, and William Smith had had no occasion to officiate at Crowfield since his appointment to the living in 1664. But when Bishop Anthony Sparrow conducted his visitation on his translation to the see of Norwich in 1676, he ordered the inhabitants of Crowfield to repair the Chapel and provide it with suitable ornaments. Before carrying out the work, however, they obtained an undertaking both from Bacon as patron and from the Vicar, that, once the building was made fit for worship, Smith would perform such services there as the Bishop should appoint. Accordingly, sixty pounds were spent on restoring and equipping the Chapel, and on 16 September 1678 the inhabitants petitioned the Bishop to order the resumption of services there. Though the petition was granted, the Vicar was given leave to appeal; in the interim services would continue to be held only at Coddendam. On Bacon's intervention the time limit for the appeal was extended, and despite the Vicar's earlier undertaking matters were allowed to drag on until 22 May 1679, when the Bishop ruled in favour of Crowfield and ordered Smith to serve the cure there.

For a time he complied; John Turner of Helmingham<sup>20</sup> was appointed curate, and took up his duties at Crowfield on 8 June 1679. Smith had not yet conceded defeat, however, for he petitioned for a fresh hearing in the Consistory Court, as a result of which Daniel Browninge and another Crowfield resident, Edward Rowe, were summoned to Norwich on 27 April 1680 to show cause why the Bishop's order should not be declared null and void. Without even waiting for the Court's decision, Smith on 29 August 1680 dismissed his curate, after instructing him to inform his congregation that services at Crowfield would be discontinued. This led the Chancellor of the diocese, Dr Robert Pepper,<sup>21</sup> on 16 December, to order the sequestration of the Crowfield tithes, which were to be used to pay ministers to officiate in the Chapel. On 22 March 1680/1 Pepper made an interlocutory decree upholding the Bishop's original order and awarding costs against Smith. Even

so, Browninge and Rowe had been put to 'grat truble of traveling & expense in the sute above thirty pounds'.

Smith now took his case to the Court of Arches, the court of appeal for the province of Canterbury, once again citing Browninge and Rowe to appear to answer him. At a full hearing on 8 December 1681 Sir Richard Lloyd<sup>22</sup> upheld Pepper's decree, remitted the case back to Norwich, dismissed Browninge and Rowe and once again awarded costs against the Vicar.

Eventually, on 16 February 1681/2, with his tithes still under sequestration, Smith made a partial capitulation, writing to Browninge that 'I intend God willing to be at the Chappell of Crowfeld this next Sunday in the morning . . . then & ther to performe my minesterall office . . . I shall make bould to set my mare in your stable with your good leave . . .'; a somewhat insolent request in view of the fact that by now he had subpoena'd Browninge and others to appear before the Exchequer Court for non-payment of the sequestered tithes.

Even now, Smith was prepared to take only the morning service at Crowfield. In April 1682 he was again admonished by the Chancellor of Norwich to fulfil the terms of the Bishop's original order of 22 May 1679. Rather than pay a curate, he elected for a time to take two Sunday services at Crowfield, thus neglecting the cure of Coddendam, until August, when he successfully petitioned the Chancellor for permission to take one service each Sunday in each building, alternating morning and evening. Browninge, on behalf of Crowfield, counter-petitioned for the restoration of both services in the Chapel. In the following January the Bishop revoked his Chancellor's order, and the Vicar appealed once more to the Court of Arches; whereupon Browninge and Rowe made a counter-appeal for the order of August 1682 to be declared null and void. On 21 November 1683 Sir Richard Lloyd gave his judgement in favour of Crowfield and ordered both sides to pay their own costs. On 8 December an officer of the Court of Arches, in Browninge's presence, served a monition on Smith to serve the cure of Crowfield according to law, and finally, on 30 April 1684, the Court made an order freeing the people of Crowfield from any obligation of attendance at Coddendam Church.

While these events were taking place in the ecclesiastical courts, the Vicar's allies, the parish officers of Coddendam, aided by Sir Nicholas Bacon, carried the war on to a second, secular, front, with Browninge and a few other leading inhabitants of Crowfield – Jonathan Ruse, Edward Rowe and Anthony Noblet – bearing the brunt of their actions. These men, and sometimes larger numbers of Crowfield men and women, were repeatedly summoned to appear before both the Court of Quarter Sessions at Ipswich and the Assizes, for failure to attend service at Coddendam Church, in spite of their regular attendance at Crowfield Chapel when services were held there, or at neighbouring churches when the Vicar neglected his duty. The prosecutions were clearly malicious. For example, on 16 March 1681/2 John Talmach, petty constable of Coddendam, presented Browninge and nine others at the Assizes for non-attendance at the Church on two Sundays, notwithstanding that the Vicar had officiated in their presence at Crowfield for one service on each of the days in question. Not surprisingly, the Grand Jury returned the bill *ignoramus*. As a result of this harassment, the defendants petitioned the Assize Judge, Sir William Montagu,<sup>23</sup> who wrote on the foot of their petition on 24 March 1681/2:

I desire the Justices of the peace not to suffer the Inhabitants of Crowfeild to be farther presented upon the statute of pryimo Elizabetha, beinge of opynyon they have fully satisfied the Intent of the statute by goeing to thire Parochiall Chappell which the Bishop of Norwich hath certefyed under his Episcopall Seale to be ther propper place for Repayinge to Divine Service and Receveinge the Sacramentes.

Yet presentments by the parish officers of Coddendam continued up to the autumn of 1685, with Browninge being either the sole defendant or numbered among those presented on every occasion. On 10 May 1683 he suffered the utter humiliation, as a landed gentleman, of being summoned before his neighbour and fellow-squire Sir Nicholas Bacon, a Justice of the Peace, to show cause 'why he should not be punisht according to law for not resorting to Coddendam Church to worship

ther two Sundayes before'. On his appearance at Shrubland the following day Browninge defended himself, declaring that he was not bound to worship at Coddendam, and citing in support the decisions of the Bishop of Norwich, the Assize Judge Sir William Montagu, the Grand Jury and the Court of Arches that Crowfield Chapel was the proper place for the inhabitants to hear divine service, which should be performed there by the Vicar of Coddendam or his curate.

But the said Sr Nicholas Bacon said that this was not satisfaction to hym, hee would have two shillings or strayne [*distrain*] goods for it. The said Browninge alsoe aledged that those two Sundayes the vicar of Coddendam neglecting his duty at the Chappell [he] went to Stonham Aspoll Church to worshipp ther. All would not please soe two shillings he had to please hym.

Bacon's personal intervention in the dispute did not end here. Although Browninge received holy communion at Crowfield Chapel on 6 April 1684 (Low Sunday), an attempt was made to prosecute him for non-attendance at service at Coddendam that day; and when John Beames, constable of Crowfield, refused to present him, Bacon presented the constable for his neglect of duty. Bacon, in acting contrary to the rulings of both the ecclesiastical and the secular courts, had clearly allowed a conflict of interests to arise between his rôles as Justice of the Peace and as patron of the living and supporter of his Vicar. It seems difficult, too, to avoid the conclusion that his actions were coloured by personal animosity towards Browninge.

The narrative of Crowfield's 'trubles, suffringes and charges', from which the foregoing paragraphs are greatly condensed, is by its very nature highly partisan, and from this evidence alone and from this distance in time we cannot precisely judge the rights and wrongs of the case. The account is, however, quite circumstantial; specific dates are given for many of the events related; and it is clear that the authorities at the time came down overwhelmingly on Crowfield's side. Both the Assize and Quarter Sessions records for these years are very far from complete, but the surviving Quarter Sessions bundle<sup>24</sup> for the Sessions held at Ipswich on 12 January 1682/3 confirms that Browninge, together with Anthony Noblet and his wife, Jonathan Ruse and six others were presented for failure to attend Coddendam Church on two Sundays in August 1682. Apart from Browninge, who was styled 'gentleman' in the presentment, all the other men were mere yeomen, and at least one of them, Robert Plumley, was, as we shall see, Browninge's tenant. Browninge may well, therefore, have been perceived as the leading spirit on the Crowfield side and this, together with his mercantile origins and his status as a newcomer – an interloper – may go some way towards explaining Sir Nicholas Bacon's animosity. Browninge's Nonconformist leanings and connexions are almost certainly another important reason; these are discussed below in another context.

Surprisingly, for a landowner of his undoubted affluence (and he must also have enjoyed a considerable income from his Barbados plantations, to judge from the annual rental of the property mortgaged to him there), Browninge never served as a Justice of the Peace. No original 17th-century Commissions of the Peace for Suffolk are known to be extant. By chance, however, nine Suffolk Assize rolls for the period 1680–95 have survived among the county's Quarter Sessions records; all of them contain lists of the *nomina ministrorum* – the names of the county, borough and hundred officers, including the Justices of the Peace, whose attendance at Assizes was mandatory – but in not one of them does Daniel Browninge's name occur.<sup>25</sup>

Browninge's omission from the Commission of the Peace is unlikely to have been from choice. Admittedly the financial prerequisites of the office were few; the statutory fees received by the Justices for some duties were insufficient even to pay the salaries of the personal clerks maintained by most of them at their own expense to relieve them of some of the drudgery of office. These fees, as the Elizabethan antiquary William Lambarde put it, were a trifle, intended merely as an encouragement 'to let them know that [the legislators] doe behold their well doing, [rather] than that themselves do stand in neede of recompence' (Lambarde 1614, 368). Most of the time-consuming work of the Justices was unpaid and, while the social prestige of the magistracy was an important factor, the

over-riding attraction of the office was undoubtedly the considerable power and influence in local affairs which it conferred. Given the factions and rivalries prevalent in county society in the 17th century, a gentleman lacking a seat on the Bench at Quarter Sessions was at a serious practical disadvantage (Allen 1974, xiii). The truth of this in Browninge's case has already been spectacularly demonstrated: had he been a fellow Justice he would surely not have been summarily commanded to appear before Sir Nicholas Bacon at Shrubland, nor would he have been cited to appear before his peers at the Ipswich Quarter Sessions.

Could politics or religion have played a part in Browninge's exclusion from the Bench? Many members of the London merchant community in the later 17th century were Whigs with Nonconformist leanings, and Nonconformity and High Church Toryism were mutually antipathetic. In Browninge's case the evidence is contradictory. The only known direct reference to his political views occurs in his shrieval year. On 10 October 1695, one Samuel Bury, concerned about the outcome of the forthcoming parliamentary elections, wrote to a Stowmarket grocer called Garwood:

I am informed you have a Considerable Interest in Mr Alexander of Needham, who is the High Sheriff's great Agent, and therefore yt is not onely in my own name, but in the name of others, to request you to influence what you can with the respect to the Election of Knights of the Shire which will be the 4th of Nov. as you know. Very much service to the Country and safety to the Sheriff himself will depend upon his carrying the Scales even betwixt both partyes: I am told he has pretty much espoused the Tory party, but I do not doubt of your readiness in this as well as other things to serve your Country and the true Protestant Interest.<sup>26</sup>

On the other hand, though Browninge, as the narrative of the Crowfield–Coddendam dispute has shown, was a regular attender at services of the Established Church in the 1670s and 1680s, and even after the 1689 Toleration Act was prepared to take the Anglican Sacrament to obtain the certificate required to qualify him for the onerous, expensive and unpopular office of High Sheriff, which many men would have been anxious to avoid, there is overwhelming evidence that he had close Quaker connexions and sympathies, which sit strangely with his alleged Tory principles. Even before the Restoration of the monarchy Quakers, with their conviction at that time of the apostasy of all other denominations and the unconventional means by which, in their early years, they asserted this belief, had fallen foul of those in authority. At the Midsummer Quarter Sessions of 1656 the Essex Justices of the Peace denounced the sect, whose members, 'minding and deviceing to hinder and obstruct the due worship and service of Almighty God, doe often enter into the publique Assemblies of the good people of this Country . . . and doe there greatly disturbe such Assemblies and reproach, traduce and highly abuse with many invective railings and other opprobrious speeches the Ministers and dispencers of Gods word . . .' (Allen 1974, xxviii–xxix, 88). To post-Restoration Tories, the Quakers were anathema.

Yet, as we know from the High Sheriff's papers, including Bury's letter quoted above, Browninge's financial agent and man of business was William Alexander, the Quaker ironmonger of Needham Market. Although the Alexander Bank at Needham was not formally established until 1744, the Alexanders were transacting banking business at an earlier period. William Alexander's will devised to his executors 'all my stock in money, bills, bonds, mortgages [and] book debts'.<sup>27</sup> He was the son of William Alexander (d. 1681), the first member of his family to become a Quaker, who had been committed to the county gaol for promulgating Quaker tenets (Matthews 1926, 145; Bidwell 1900, 373–74). Browninge's relationship with William Alexander was not confined to their business dealings. That they were on terms of close personal friendship is shown by Browninge's bequest of £100 to Alexander (who, today, leaves money to his banker?), and £200 – a very considerable sum – to Alexander's daughter Grace Pinder, whose own father left her only £5.

Much more importantly, however, Daniel and both his wives were themselves of the Quaker persuasion. On 18 November 1672, shortly before Daniel left London for Crowfield, an Isabella

Browninge was a signatory to an epistle sent by a London Box Meeting of the Society of Friends to Quaker women in Barbados. The same Isabella – the signatures are a conclusive match – signed the marriage certificate at the Quaker wedding of Samuel Gouldsbury and Leedy [Lydia] Cornalles in Ipswich on 13 December 1674, while on 2 September 1678 her name also appears as a signatory, with others, on a copy of a certificate from the Monthly Meeting at Woodbridge consenting to the marriage of Robert Pitman to Anna Elmy.<sup>28</sup> Isabella's interest in Barbados, taken in conjunction with her move from London to Suffolk at the crucial period and Daniel's own Quaker connexions, makes it virtually certain that she was the Isabella (alias Holmes, alias Dickinson) mentioned in the 1673 Crowfield purchase deeds and identified from them as Daniel's first wife.

Despite Daniel's regular conformity to the Church of England, his second marriage, as we have seen, took place in a Quaker meeting house. This was not indicative of his mere tolerance of his new wife's religious beliefs, for the Quakers were strict in their opposition to members marrying outside their own Society. When the marriage was first proposed to the Monthly Meeting at Kingston, Surrey – the nearest Meeting to Hester's home in Twickenham – on 6 May 1685, Daniel (who, as required, attended in person with Hester) was instructed 'to bring a certivecatt from his Freinds out of the cuntry whereby freinds may be better satisfied as concerning the matter proposed'. The certificate was duly produced at the next meeting on 1 July, when full consent to the marriage was obtained (Wilkins 1975, 126–27). Daniel was thus clearly himself a member of the Society of Friends.

His commitment to the Friends seems, however, to have been ambivalent, even lukewarm. In order to serve as High Sheriff he was prepared not only to take the Anglican Sacrament but also to swear the oath; the Act (7 and 8 William III, cap. 34) permitting Quakers to affirm was not passed until 1696, when his shrieval term had ended, and in any case did not extend to those holding public office. Moreover, as we are about to see, he was a tithe owner. Yet both the swearing of oaths and the tithe system were contrary to Quaker principles.

Hester, on the other hand, was a devout Quaker. In 1704, the year after Daniel's death, she was responsible for erecting the Quaker meeting house at Needham Market; the land for this and for the adjoining burial ground was given by her to trustees for the use of the Society. Two years later, in 1706, she gave a hundred-acre farm (later known as Birch House Farm) in Washbrook, Chattisham and Little Wenham to Quaker trustees, the rents to be applied after her death for teaching and apprenticing poor children and the relief of poor Quaker widows and other distressed Quaker women in Suffolk.<sup>29</sup> By her will she bequeathed £100 'to or for the use of the workhouse that is managed by the people called Quakers . . . in . . . Clerkenwell Green' in London. (As already mentioned, and as shown in the Appendix, some of her London relations, including two future owners of the Crowfield estate, were also Quakers.) It was in disposing, during her lifetime, of the inappropriate tithes in Mildenhall bequeathed to her by her husband that Hester revealed her religious beliefs most clearly. On 20 November 1705 she gave away the tithes to Thomas Bradbury, the owner of the lands out of which they were payable, stating her reasons in full (and surely in her own words) in the deed of release. Such a personal statement in a formal title deed is so unusual that it is worth quoting at length for this reason alone, quite apart from the evidence it gives of Hester's religious convictions.<sup>30</sup>

But for Christ Jesus his sake and a good Consyence towards Almighty God I cannot receive them [the tithes], Beleiveing according to the Holy Scriptures of Truth That the Preisthood is changed which tooke Tithes under the Law And that Christ Jesus who was manifested in the Flesh Did by his death and sufferings upon the Cross putt an end to that Law and Preisthood to which Tithes did belong, And alsoe did sett up his everlasting Preisthood unto which he gave noe Comandement for the payment of Tithes, But ordained his Ministers to preach the Gospell freely.

The gift was made on the strict condition that neither Bradbury nor his heirs, nor any other future owner of the land, should ever again pay the tithe, or demand its payment from a tenant.

Accused of Tory sympathies, conforming regularly to the Church of England, receiving its sacraments, and deriving benefit from tithes, yet being a member of the Society of Friends (however ambivalent his attitude to Quaker tenets) and having two wives and a financial agent and close friend all holding advanced and unconventional religious views which were anathema to High Church Tories, Browninge's true political and religious stance remains an enigma. Yet it seems very probable that his Quaker connexions were at least partly responsible for denying him a place on the Justices' Bench. It cannot be that he refused to take the oath, for he was prepared to do so when nominated High Sheriff. It may not be too fanciful to detect here, once more, the influence of Sir Nicholas Bacon. Bacon was an influential High Tory, who was intruded into Ipswich Corporation as a Portman by the Crown in 1684 on the remodelling of the borough charter during the Tory resurgence after Charles II's dissolution of the 1681 Oxford Parliament; and that emasculated Corporation elected him a member of James II's loyal Tory Parliament on 16 March 1684/5 (Reed 1973, 268–69). His influence may well have helped to block the path of Daniel Browninge – merchant, interloper, Quaker (albeit by no means fully committed), and chief opponent of Bacon's protégé the Revd William Smith of Coddendam – to the Bench at Quarter Sessions.

Browninge's apparently rather half-hearted Quakerism is no bar to understanding the determination with which he fought, first to secure the re-opening of Crowfield Chapel, and then for the resumption of the full service of the cure there. Since the law obliged him until 1689 to attend a Church whose form of government and worship may have been uncongenial to him, he may well have decided to use Church law to ensure that he could at least worship conveniently near to home – All Saints' was, after all, a chapel of *ease*. Moreover, the Quaker commitment to fair dealing with one's neighbours may well have induced him, as a good landlord, to seek the same advantage for his tenants.

Daniel Browninge's name was pricked for High Sheriff on 6 December 1694 (Hughes 1898, 133). He lost no time in preparing for the task ahead: even before the issue of the Letters Patent confirming his appointment he had entered into an agreement on 11 December with Bartholomew Paman the younger of Wickhambrook, whereby Paman undertook to execute the office of Under-Sheriff for the year for forty guineas.<sup>31</sup> Within the week Paman was in London, from whence he wrote to Browninge on 18 December that the Letters Patent of office would pass the Great Seal the following Thursday (20 December).<sup>32</sup> On 6 January 1694/5 the Revd Balthazar Gardemau, William Smith's successor as Vicar of Coddendam with Crowfield, issued the necessary certificate that Browninge had that day received the Sacrament from him according to the rites of the Church of England.<sup>33</sup> It is interesting to note that Browninge took the Sacrament not in Crowfield Chapel but at Coddendam Church; could it be that the long controversy about the status of All Saints', Crowfield, had not even yet, after so many years and a change of incumbent, been finally laid to rest?

It now fell to the new High Sheriff to make arrangements for the holding of the Lent Assizes. Since medieval times, two judges of the central courts, assigned to each of the six circuits into which the country was divided for the purpose, had visited the shires twice a year during the vacation, empowered by virtue of their several commissions of the Peace, Oyer and Terminer, General Gaol Delivery, Assize and *Nisi Prius* to try most criminal and civil cases. The system lasted until 1771 (Baker 1979, 20). Suffolk in the 17th century formed part of the Norfolk Circuit, along with the counties of Bedford, Buckingham, Huntingdon, Cambridge and Norfolk (Giuseppi 1963, 128).

Until the Ipswich Sessions House fell into disrepair during the 14th century, the itinerant judges were accustomed to sit either at Ipswich or in the vicinity of Bury St Edmunds, but thereafter they found Bury a more convenient stage on their circuit between Cambridge and Thetford. Not until about 1584, however, did the Assize Court sit within the town itself. Because of Bury Abbey's jurisdiction over the town until the Dissolution, the Assizes were first held at Catteshall in Great Barton, and later on Henhowe Heath, just north of the town (Statham 1988, 80).

In the later 17th century the Court did occasionally meet in Ipswich, as for example in 1685 when Lord Chief Justice Jeffreys presided in the Common Hall, which required propping up to make it safe for such a large assembly (Redstone 1948, 102). At this time, indeed, efforts were made by Ipswich Corporation and the gentry of the eastern part of the county to persuade the judges to transfer the Assizes permanently to Ipswich. The Bury authorities believed that 'the conveniency of our Sheire house . . . beyound that of theirs', together with 'a respectfull and generous entertaining of the Judges and their associates' would 'very much conduce to prevaile with them to continue the Assizes at this place'. But as a precaution, to ensure that the quality of the entertainment provided was 'answerable to their qualities and expectations, and not inferior to what is offered them in other places', the Town Clerk was instructed on 16 March 1690/1 to solicit subscriptions from Bury's innholders, vintners, butchers and bakers, 'the most imediate gainers from that concourse of people'.<sup>34</sup>

The summer Assizes were held at Ipswich again in 1690 and 1694, on both occasions in specially constructed booths, presumably because of the ruinous condition of the Common Hall, and on the latter occasion, not to be outdone by Bury, the Corporation appointed collectors 'to take of the Innholders, Butchers and Maulsters what they will give for and towards the charges' of the judges' entertainment.<sup>35</sup> The decision to hold the Assizes of August 1694 in Ipswich may have been at least in part political, since the opportunity was taken to bring in a new Commission of the Peace, from which a number of High Church Tories were excluded in favour of Low Church, pro-Dissenter Justices. One of those excluded, Edmund Bohun, noted that 'this made a great noyse, and looked so ill that I endeavoured to have had a meeting of all the gentry to consider what was to be done. But I could not obtaine it, men being divided and enraged the one against the other of all parties'.<sup>36</sup>

Although work was begun on a new Shire House in Ipswich in 1698, with the aid of a £300 contribution from the county, the Assizes appear to have been held in the building only once, in 1740, during a serious outbreak of smallpox at Bury. Bury successfully retained its position as the Assize town until 1839, after which, because of Ipswich's rapid expansion in population, it became customary for the Court to sit in both places.<sup>37</sup>

On 7 February 1694/5 Paman, who had again travelled to London, wrote to inform the High Sheriff that the Suffolk Assizes had been fixed for 20 March, and would be held at Bury St Edmunds before Mr Justice Neville and Mr Justice Rokeby. A postscript, dated the same evening, reported a change of plan: unusually, the Assizes would be conducted by a single judge; Justice Rokeby would now be coming alone.<sup>38</sup> Something unforeseen evidently occurred during the next few days which made it inconvenient or impossible for the Court to be held at Bury. It was proposed at short notice to abandon the Suffolk sitting and proceed direct from Cambridge to Thetford which, straddling the boundary between Suffolk and Norfolk, was the latter county's usual Assize town; but in the end it was agreed, on the evening of 11 February, that the Assizes for Suffolk would take place at Stowmarket.<sup>39</sup>

In the 19th century it was claimed that Stowmarket had been in former times a chartered borough (White 1844, 274–75), but no evidence for this has been found and, as Claude Morley points out (Morley n.d.), the influence of St Osyth's Priory, which held Abbot's Hall, the main manor in Stowmarket, until the Dissolution, would have prevented the acquisition of borough status. At least partly for a similar reason Aldeburgh, in the grip of the Prior of Snape as lord of the manor, did not receive its first charter until 1547 (Allen 1982, 3–4, 22–23), while Bury, long overshadowed by its powerful Abbey, did not become a borough until 1606 (Statham 1988, 57). Stowmarket, because of its central position in the county, was, however, the place where county meetings and elections were held, although contested elections were transferred to Ipswich, the county town (Hollingsworth 1844, 129; Scarfe 1988, 145n.). The Revd A.G.H. Hollingsworth, the 19th-century Vicar and historian of Stowmarket, claimed (1844, 129), on the evidence of papers then said to be in the church chest but apparently no longer extant, that Assizes were held in the town for a brief period during the reign of Charles I, but no direct evidence of this has been found (see however note 47 below).

We cannot say for certain why the Assizes could not be held at Bury in March 1695. It is true that both the Shire House and the gaol there were in need of repair in the early part of the year. On 8 March the Guildhall Feoffees, who owned and leased out the Shire House, instructed John Steckles to repair it by 1 May, and on the following day the Corporation gave orders for the strengthening of the gaol 'for the security of prisoners'.<sup>40</sup> This explanation is not altogether satisfactory, however, for it does not fully account for the very short notice of the change of venue. Moreover, if the Assizes could be held in temporary booths in Ipswich, as they were in 1690 and 1694, and in Stowmarket as they were to be in 1695, the same expedient could surely have been adopted at Bury; and the gaol there was surely more secure than whatever temporary arrangements could be made for the prisoners at Stowmarket.

The most usual reason for a sudden change in the regular meeting place of courts in the 17th century was an emergency such as epidemic or fire. In Essex, where the county Assizes and Quarter Sessions were normally held at Chelmsford (Colchester was a liberty of itself), the Sessions were transferred to Braintree in July 1637 when there was a serious outbreak of plague in the county town (Allen 1974, xv). In the same month the Bailiffs of Ipswich wrote to inform the Privy Council that, because of plague at Bury, the forthcoming Suffolk Assizes would be held at Ipswich, which was free of sickness (Richardson 1884, 516). But by 1695 plague was a thing of the past, and there was no serious outbreak of fire at Bury after 1608 (Statham 1988, 68–69, 80). Even so, the possibility of a sudden outbreak of disease, such as smallpox, at Bury in February 1695 cannot be discounted (smallpox, as already noted, caused the transfer of the Assizes to Ipswich in 1740). There is, however, no indication of this either in the minutes of Bury Corporation or in the burial registers of St James's or St Mary's parish in the winter of 1694/5.

Once it had been decided to abandon the sitting at Bury, the initial proposal to proceed direct from Cambridge to Thetford, rather than to hold the Assizes at Ipswich, may have been politically motivated, an attempt to avoid any risk of a repetition of the furore caused there the previous year by the introduction of the new Commission of the Peace. We know, however, that the final decision to sit at Stowmarket was the result of intensive lobbying. Moreover, it seems to have been taken for Daniel Browninge's personal convenience, for Paman, the Under-Sheriff, wrote on 12 February to let him know that 'yesterday in the Evening the Assizes for Suffolk were (with great difficulty) settled at Stowmarket, great interest being made for Thetford, in settling whereof I had much trouble, which I undertooke for your Ease absolutely'.<sup>41</sup> Understandably, great inconvenience would have been caused to the High Sheriff and his officers in arranging for Suffolk cases to be tried in the next county and having the prisoners awaiting trial transferred to Thetford. Moreover, if indeed Browninge was that Daniel baptized in London in September 1620, he was now in his seventy-fifth year, and the journey might well have been an ordeal. It was not altogether unknown for private influence to play a part in changing the venue of a court (Redstone 1948, 102); but it seems strange that a man who, as we have seen, lacked the influence to secure his nomination to the Commission of the Peace, was nevertheless apparently in sufficiently good odour with the authorities in London to carry the day. Admittedly his old enemy Sir Nicholas Bacon was dead, and the political climate had changed after the Revolution (though this consideration would apply equally to appointments to the Bench); but Browninge's new-found favour remains one more enigma, though we may suspect that influential friends and relations in the London merchant community were mobilised on his behalf.

The letters which Paman wrote to Browninge and William Alexander on 12 February to notify them that the place of assembly had been changed to Stowmarket contained much helpful advice on how the Assizes should be organized. It seems very likely, therefore, that in selecting his Under-Sheriff Browninge had approached a professional, a man with previous experience of the office and well acquainted with procedure. Paman lived at Wickhambrook, only eleven miles from Bury St Edmunds, conveniently situated for the normal Assize venue. He now advised Browninge to approach Captain Blossé and ask him to entertain the Judge, since Blossé's house was the only one suitable for the Judge's lodging. Moreover, since there was no shire house in Stowmarket, Blossé's

permission should be sought for the construction of a temporary booth, in which the Court would sit, on the Camping Ground near his house. The only suitable place where the High Sheriff's customary Assize dinners could be held was the 'Greyhound' inn, and Browninge was advised to reach an early agreement with the landlady, to allow her as much preparation time as possible.<sup>42</sup>

To Alexander, Paman sent more detailed instructions for the erection of the booth:

Pray take care it be made by such men as well understand it, for the Judge will be very angry if it be not convenient, for he is a very lame & infirme man, and his seate must be very Easey. I hope you will take the care of the wholl management of this affaire and then I am well satisfied it will be well done.<sup>43</sup>

Mr Justice Rokeby was himself apparently greatly concerned about the accommodation to be provided. Paman informed Browninge on 19 February that the Judge was particularly anxious that his lodging should be at Blossse's house, and also that the building of the temporary court should be in the charge of 'some carefull Freind in whom you can safely Trust', and that it 'may be as warme as possible, for he is a very Tender man'. The Judge did however stipulate that, so long as it was properly fitted up, only one booth would be required for both Crown and *Nisi Prius* (i.e., criminal and civil) cases. This was an important consideration, for it would 'spare you a good summe of money . . . [for] as far as I can understand it here [in London], the inhabitants of Stow will not partake of any of that charge, but I hope you will bring them to better terms in the Country'. Finally, Paman advised that the most suitable place for the High Sheriff's own lodging was Mr Blackerby's house, 'it being a Little remote from the Towne, which wilbe very noisy (and not agreable with your Temper) during the Time of the Assizes'.<sup>44</sup>

Captain Charles Blossse was the owner of Abbot's Hall in Stowmarket. When the Howe family disposed of the manor of Abbot's Hall to Thomas Blackerby – like Daniel Browninge a London merchant in origin – they retained possession of the manor house itself. Blackerby's local residence, where Browninge was recommended to make his lodging, was at either Columbine Hall or Thorney Hall. Alice, only daughter of John Howe, who was born at Stowmarket in 1657, the year of her father's death, married Charles Blossse at Market Weston in 1681, and the family lived at Stowmarket until Charles's death there in 1724.<sup>45</sup> Charles Blossse was a sea captain, who had had a ship, the *Victory*, built in Ipswich, and voyaged to Russia and the Mediterranean (Edgar 1868, 15).

The Camping Ground, where the temporary Assize Court was erected, is still so called on the 1839 tithe map, although on the accompanying apportionment and subsequent Ordnance Survey maps it appears as the Camping Land. It lies very near to Abbot's Hall (Fig. 7), so that the Judge's lodging, the temporary court house and the church to which the Judge would process for the Assize service were all within a convenient distance for an elderly and infirm Judge. 'Camping grounds' or 'camping closes' were very common in East Anglia, being used for the game of camping or camp-ball, a cross between football and handball, often played with very large teams and no little violence. Originating in medieval times, the game survived well into the 19th century. Many of the playing fields had been given or bequeathed to the township for the use of the inhabitants in perpetuity, while others, like that at Abbot's Hall, remained private property, let or lent at appropriate times for recreational use (Dymond 1990, 165–92).

It is hardly surprising that Sir Thomas Rokeby, in his delicate state of health, should have been concerned about the makeshift accommodation in which he was expected to hold his court in winter; a large modern 'portacabin' would probably appear luxurious in comparison. We should bear in mind, however, that law officers in the provinces at that period tolerated conditions that were far from ideal even when permanent buildings were available. The Sessions House in Chelmsford, for instance, where the Essex Quarter Sessions and Assizes were held, also served as the market hall. It was a free-standing building, resting on eight wooden columns; the colonnaded area on the ground floor was occupied by the Crown and *Nisi Prius* Courts. Apart from a degree of protection afforded by certain private buildings which encroached on parts of the north and east sides, the courts were open to the weather. It is recorded that in July 1689 the Chelmsford constables

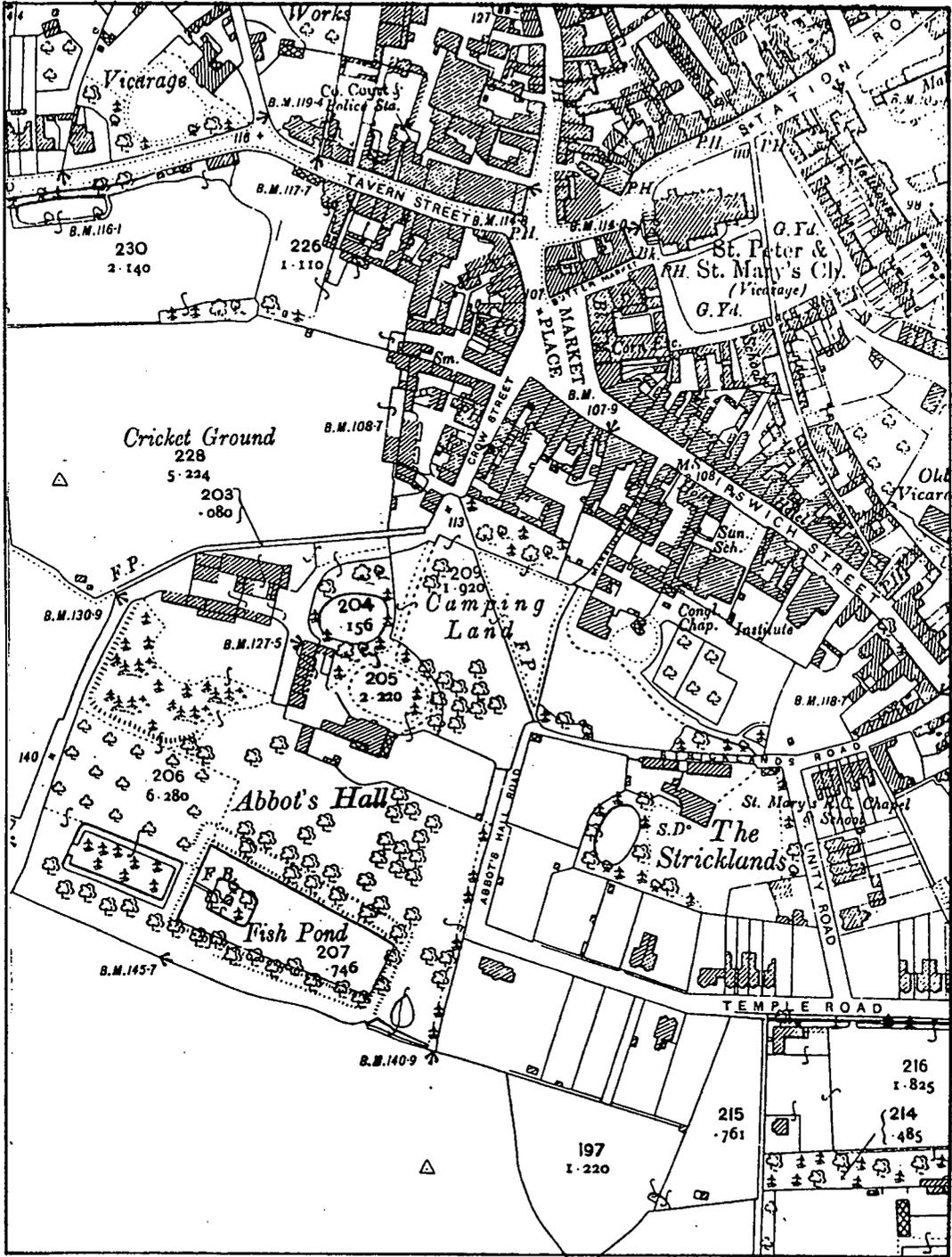


FIG. 7 - Stowmarket, showing (centre) the Camping Ground (Camping Land), site of the temporary Assize Court in March 1695, conveniently situated both for the Judge's lodging at Abbot's Hall and for the parish church where the Assize service would have been held). (Reduced from the 25in O.S. map, 2nd edn, 1904.)

had to hang the *Nisi Prius* Court with canvas to shade the Assize Judges from the sun; and that they had to do so again at Quarter Sessions the following October to shield the Justices from the wind. Though the *Nisi Prius* Court was enclosed in 1714, the Crown Court remained open to the elements until the building was demolished in 1789. With the increase in wheeled traffic in the 18th century, it was not unusual for the Assize Judges to have to halt proceedings, since the noise of passing carts and carriages made it impossible to hear what was being said.<sup>46</sup> At Bury St Edmunds conditions were less primitive, but on more than one occasion funds were found to improve the Shire Hall only after threats to remove Bury from the Assize circuit (Statham 1988, 80).

The arrangements for the Stowmarket Assizes seem to have been carried out largely as Paman had planned. Captain Blossie had apparently expected to be approached, and had been confidently expected to agree both to entertain the Judge and to allow the use of the Camping Ground.<sup>47</sup> The booth was certainly constructed, at a cost of fourteen pounds,<sup>48</sup> and the High Sheriff's dinners were duly held at the 'Greyhound', though apparently not without some profiteering at Browninge's expense – Alexander, in letting Browninge know that he had settled the bill, lamented that 'before many witnes itt cost ye more then I was willing'.<sup>49</sup>

Browninge's papers bear eloquent testimony to the innumerable details for which the High Sheriff was responsible at the Assizes, and to the great expense of the office. The list of what he was expected to provide, both in terms of ceremonial and of entertainment, extends to more than two closely-written pages. To give but a single example of these minutiae, the marshal appointed to lead the men who were to carry javelins in the Judge's procession was to have a similar livery to that of his men, but of cloth which was between 12d. and 18d. a yard more expensive, better made up, a more exact fit, and with 'more ornament in buttons & turninge up at the sleeves'. He was also to have a hat and band edged better than the rest, a silk scarf for his waist longer than those of the trumpeters, a favour for his hat, a broad belt, and a fee of 40s., together with 40s. a day for board wages.<sup>50</sup> Fortunately, in Paman and Alexander, Browninge had two willing, competent and reliable lieutenants. Whatever had been the reasons for transferring the Assizes from Bury St Edmunds, the difficulty was purely temporary; the summer Assizes that year were held as usual at Bury, beginning on 9 July.<sup>51</sup>

Browninge had seven more years to live. There is no evidence that he held any public office again, and indeed Bartholomew Paman's comment on the congenial remoteness of the High Sheriff's proposed lodging for the Assizes suggests that this may not have been unwelcome to him in his declining years. His old adversaries Bacon and Smith were dead, and peace seems to have been restored to Crowfield. It may be assumed that, lacking a seat on the Bench, he occupied himself with his estate and tenants. Even in this sphere he had his difficulties. On 7 May 1691 the death of his tenant Robert Plumley (one of those who had been prosecuted with him for non-attendance at Coddendam Church) had left Browninge, as executor of his will, guardian to his daughter Ann, then eight years old.<sup>52</sup> Browninge remained responsible for Ann Plumley's maintenance out of her father's estate for the rest of his life; her quitclaim of all legacies was ultimately made to Hester Browninge in her widowhood. Browninge's accounts of his expenditure on Ann's maintenance show that she was a troublesome and idle ward. She first came to live with the Brownings on 15 May 1691, and between March 1693 and July 1699 was placed out in service on nine separate occasions. With William Alexander at Needham Market she lasted barely a month; and Margaret Bedford of Woodbridge (another Quaker), with whom she was placed in 1696, wrote to Hester Browninge on 15 September that year requesting the girl's removal, for 'I have 2 girles com from London and I want her Room mor then her Company, for I have Littell for her to doe and ett is butt a Littell thatt she will doe. Therfor I wold have ye send for her as suddenly as ye can'.<sup>53</sup>

Daniel Browninge died in the spring of 1703: his will was proved in the Prerogative Court of Canterbury on 25 May that year. If the record of the baptism at St Vedast, Foster Lane, London in September 1620 does in fact relate to him, he was eighty-two years of age. He was a man pugnacious in defence of his interests, as his dealings with the Coddendam authorities show, and

at the same time generous to his friends (the Alexanders) and conscientious in his relations with his tenants. Though he was drawn to the Quakers before the time of his second marriage, he was nevertheless prepared to conform to the Anglican Church and to swear oaths, and was sufficiently Establishment-minded to purchase and hold inappropriate tithes, in contravention of Quaker principles. Though he was twice married he appears to have been childless, or at least not to have left any surviving offspring, for he bequeathed the whole of his real estate both in Suffolk and Barbados to his wife outright, and not merely for her lifetime as would otherwise have been usual. Hester survived him by eleven years, dying in the spring or early summer of 1714. By her will, proved on 22 June, she bequeathed all her late husband's Suffolk property to her nephew Henry Harwood, and the Barbados estates to her nephew Arthur Middleton of South Carolina, the son of her late brother Edward.<sup>54</sup>

One final mystery remains: neither Daniel's nor Hester's burial is recorded in the parish registers of either Coddendam with Crowfield or any of the other Suffolk parishes where they held property or where Daniel had worshipped in the 1670s and 1680s rather than attend Coddendam Church when no services were held at Crowfield. Nor have any of the county's antiquaries recorded a monumental inscription for either of them. It is possible, if unlikely, that, even after so many years' residence in Suffolk, they opted for burial among their relations in London, although no direction for this was given in either of their wills. But given the old mutual antipathy between Daniel and the Coddendam authorities, and his and Hester's close association with the Society of Friends, one is inclined to believe that Hester directed that they should both be buried in a local Quaker burial ground. If so, however, the record has not survived.<sup>55</sup>

## APPENDIX

### THE DESCENT OF THE MANOR AND ESTATE OF CROWFIELD: A CORRECTION

Copinger's account (1905–11, II, 294–95) of the descent of the manor from the Wodehouse family to the Wingfields, outlined at the beginning of this article, is fully borne out by Harbottle Wingfield's 1673 'particular'. As we have seen, the property was purchased by Daniel Browninge in that year, and bequeathed by him to his widow Hester in 1703. She left it on her death in 1714 to her nephew and executor Henry Harwood of Little Chelsea in Kensington, son of John Harwood of London, merchant, by his wife Katherine (née Middleton). Henry moved to Suffolk and rebuilt Crowfield (formerly Bocking) Hall in 1728. The inscription on his tombstone in Crowfield Chapel states that he died on 10 December 1738. He did not, however, as Copinger states, leave the property to William Middleton, for he died intestate and it passed to his sister and administratrix Isabella Eccleston, Hester Browninge's niece and the widow of John Eccleston of London, merchant.<sup>56</sup> By her will dated 5 May 1743 she left the property in trust to the use of her son Theodore for life, with successive remainders to his sons and daughters, and ultimate remainder, in default of issue, to her cousin William Middleton of South Carolina, the son of Hester Browninge's late nephew Arthur Middleton who had inherited the Browninge plantations in Barbados. Though Isabella's will was not proved until 25 June 1753, she had in fact died in 1746, and was buried, at her own request, in the Quaker burial ground at Kingston upon Thames.<sup>57</sup> Theodore, her son and executor, died in 1753, having 'for some years intermeddled' with her will, as the certificate of probate expressed it, but leaving the final execution of it to his own executor Samuel Alexander, who travelled from Suffolk to arrange his Quaker funeral at Kingston. Interestingly, Alexander is described as 'steward on the Suffolk estate', the family thus continuing to act for the Brownings' heirs at Crowfield, as William Alexander had for Daniel himself.<sup>58</sup> Theodore Eccleston's last surviving child had died about a year earlier,<sup>59</sup> so that William Middleton now inherited Crowfield under the terms of Isabella's will.

Through the Middletons, the property descended to the Lords De Saumarez, who thus ultimately

derive their title to it, not from an 18th-century Harwood purchase as stated by Copinger and others, but from Daniel Browninge's 17th-century second marriage to Hester Middleton. Henry Harwood's 1728 Crowfield (Bocking) Hall was demolished by Sir William Fowle Middleton in 1829. By now, the family, the heirs of the Brownings, had purchased the Bacon family seat at Shrubland, a prospect which would have given little satisfaction to Sir Nicholas Bacon in the days of his enmity towards Daniel Browninge.

#### ACKNOWLEDGEMENTS

I am most grateful for advice, assistance and information provided by Miss Joan Corder, Miss Jane Isaac, Mr Edward Martin, Dr Joanna Martin, Dr Patricia Murrell, Miss Susan Rodwell and my wife Marion. I owe a special debt of gratitude to Mrs Valerie Norrington for much enthusiastic help in unravelling the intricacies of the Brownings' Quaker connexions.

#### NOTES

(All manuscripts cited are in the Ipswich Branch of the Suffolk Record Office unless otherwise stated.)

- 1 The documents (HA 93/6/6/7-61) form part of the De Saumarez archive.
- 2 B.L. Add. MS 19,084, f. 254; microfilm copy in S.R.O.I., J 400/3.
- 3 Information supplied by Muskett to W.M. Lummis (Lummis 1933, i, 47).
- 4 There are two copies, one in the Gardemau archive (S1/6/2), the other in the archive of the Longe family (HA 24: 50/19/4.5(11)).
- 5 'Particulars relative to the Mannor and Rights of the Crowfield Estate'. HB 8/1/388. There is an attested copy, dated 1819 (HB 8/1/389), and another copy of the same date in the Longe archive (HA 24: 50/19/14.5(22)); both were made in connexion with a tithe suit in Chancery between the then Vicar of Coddendam with Crowfield, John Longe, and Sir William Middleton, owner of the estate.
- 6 Deeds of mortgage (1665) and assignment (1673), in HB 8/5/126. The trustees, Henry Middleton of Kensington, gent. and John Harwood of London, merchant, were relations of Browninge's second wife Hester; both families were to figure prominently in the history of the Crowfield estate.
- 7 Bargain and sale enrolled, 1 Nov. 1673, in HB 8/5/126.
- 8 Grant with inventory annexed, in HB 8/5/126.
- 9 Manor court book for the years 1675-97, HB 8/1/381. Browninge's bold signature is on the tide page.
- 10 I am grateful to Dr Joanna Martin for confirming this interpretation. Wingfield was assessed on fifteen hearths in the 1674 Hearth Tax and Bungay on only three (Hervey 1905, 87); the original Crowfield Hall had probably by now been reduced in size by partial demolition.
- 11 Browninge's will is P.R.O., P.C.C. Prob. 11. 473, f. 232, proved 15 May 1703. There is a copy (RB 6/5, p. 282) in the Barbados Department of Archives, but no other documents relating to Browninge or his estates are held there (David Williams of the Department of Archives, Black Rock, St Michael, Barbados, pers. comm., 2 Aug. 1996). Details of the mortgage and redemption of the Codrington plantations are given in Oliver 1894-99, i, 153 (who however describes Browninge tentatively and wrongly as 'of Cowfold (?), Sussex', rather than Crowfield, Suffolk); I am greatly indebted to Mrs Valerie Norrington for this reference.
- 12 Proved in the P.C.C., 22 Jun. 1714; probate copy in S.R.O.I., HA 93/5/135.
- 13 Layer family pedigree from a transcript of the Shepreth parish registers in the Cambridgeshire Record Office.
- 14 On the Middletons of Carolina, see the Introduction by W.R. Serjeant to the typescript catalogue of the Middleton Papers, S.R.O.I., HA 93/M. For Daniel's and Hester's marriage, see the transcript at Friends House, London, of the registers in the P.R.O., Book 833, p. 548 and Book 875, p. 138. I am indebted for these references to Mrs Valerie Norrington.
- 15 See Hester Browninge's will, and the Quaker trust deed of Birch House Farm, Washbrook, 24 Apr. 1706, FK 6/7/38; for the latter reference I am grateful to Mrs Valerie Norrington.
- 16 The reference numbers of both copies of the narrative are given in note 4. The inventory is in HB 8/5/126. Browninge's handwriting appears on an out-of-court conditional surrender of copyhold property by way of mortgage, taken unusually before the lord of the manor himself rather than his steward, on 9 Nov. 1696 (HB 8/1/395). On Gardemau, see Fitch 1968.
- 17 Sir Nicholas Bacon, b. c. 1615, son of Nicholas Bacon; inherited Shrubland on his father's death in 1658; created Knight of the Bath, 1660; M.P. for Ipswich, 1685-87 (Lummis 1933, 33).
- 18 In 1634, thirty-four inhabitants and 'outsitters' of Crowfield contributed to a rate for repairing the lead of Coddendam

- Church, and for carpenters' and masons' work on the building: rate assessment found among the Coddenham glebe terriers, FF 569/C49/4.
- 19 William Smith (1631–90), son of John Smith, Rector of Cockfield. Sizar of St John's, Cambridge, 1648; B.A., 1652/3; M.A., 1656; Vicar of Coddenham, 1664 (Venn 1927, pt 1, vol. iv, 113). Buried in the chancel at Coddenham, 4 Mar. 1689/90 (Coddenham parish register, FB 37/D1/1).
  - 20 Probably the John Turner admitted sizar at Christ's, Cambridge, 1668; son of Gregory Turner of Brockford; B.A., 1671/2; ordained deacon at Norwich, 1672/3, and priest, 1679/80; 'licensed to Wherstead, Suffolk', 1673; probably Rector of Flowton, 1695; Vicar of St Matthew's, Ipswich, 1697 (Venn 1927, pt 1, vol. iv, 275).
  - 21 Robert Pepper (1636–1700), son of Sir Cuthbert Pepper, kt, of Farington Hall, Durham. Admitted pensioner (aged fourteen) of Christ's, Cambridge, 1651; B.A., 1654/5; M.A., 1658; Ll.D., 1664; fellow, 1658–67; Chancellor of Norwich, 1673; advocate in Doctors' Commons, 1678; monumental inscription in Norwich Cathedral (Venn 1924, pt 1, vol. iii, 344).
  - 22 Sir Richard Lloyd (1634–86): fellow of All Souls, Oxford; D.C.L., 1662; successively advocate in Doctors' Commons, Admiralty advocate, Chancellor of the dioceses of Llandaff and Durham, Dean of the Arches, and Judge of the High Court of Admiralty (*D.N.B.*).
  - 23 Sir William Montagu (?1619–1706); Attorney-General to Charles II's Queen, 1662; serjeant-at-law and Lord Chief Baron of the Exchequer, 1676; removed from the Bench on his refusal to give an unqualified opinion in favour of the prerogative of dispensation, 1686; assessor to the Convention, 1689 (*D.N.B.*).
  - 24 B 150/1/1.
  - 25 Assize rolls, B 104/1/17–25. As records of the central courts, these rolls owe their survival to their unauthorised retention locally among the Quarter Sessions records; the P.R.O., where they should be held, has only sixty-one bundles of Assize documents from the Norfolk Circuit covering the years 1653–95, recovered from private custody in the 1930s (Giuseppi 1963, 128). Had he been a Justice, Browninge would in any case have been excluded from the Commission for the duration of his shrieval year, 1695, since sheriffs were not allowed to hold any other Crown office.
  - 26 Browninge's papers, HA 93/6/6/44.
  - 27 Proved in the Court of the Archdeacon of Suffolk, 25 Jan. 1706/7, IC/AA1/84.
  - 28 The Barbados epistle is in Friends House Library, London, Box Meeting MSS 25, p. 2. The 1674 marriage certificate is in Woodbridge Monthly Meeting minute book 1075 (P.R.O., RG6/1110, p. 51; microfilm copy in S.R.O.I., J424/4), and the copy of the 1678 certificate in minute book 1069 (P.R.O., RG6/1449, p. 35; microfilm in S.R.O.I., J 424/2). I am indebted to Mrs Valerie Norrington for these references, and also to Mr Malcolm Thomas, Librarian at Friends House, who compared the Box Meeting signature with a photocopy of that from the Woodbridge minute book for 1674, and in a letter to Mrs Norrington confirmed that they 'resemble one another very strongly *throughout*, not just in terms of the initial "B" but even down to the assertive dotting of the final "i"'.<sup>1</sup>
  - 29 For the gift of the meeting house at Needham, see 'A Schedule of the Meeting Houses, Burial Grounds, and other Estates and Property belonging to the Suffolk Quarterly Meeting of Friends, revised 1837' (FK 6/6/2); for the deed of Birch House Farm, see FK 6/7/38. I am indebted for both these references to Mrs Valerie Norrington.
  - 30 I have seen nothing like this statement in a deed of title in almost thirty years' experience as an archivist. The deed itself is S.R.O.B., E 13/4/25.
  - 31 Articles of agreement, HA 93/6/6/7.
  - 32 Paman to Browninge, HA 93/6/6/8.
  - 33 Sacrament certificate, HA 93/6/6/12.
  - 34 Bury St Edmunds Corporation minute book, S.R.O.B., D4/1/2, f. 250v., 16 Mar. 1690/1; I am indebted for this reference to Dr P. Murrell.
  - 35 Ipswich Great Court book, C5/14/5, f. 86r.; Clarke 1830, 66–67.
  - 36 Rix 1853, 120–21; I am indebted for this reference to Dr P. Murrell.
  - 37 Ipswich Great Court book, C5/14/5, f. 113v.; Clarke 1830, 70–71; Redstone 1948, 102–03.
  - 38 Paman to Browninge, HA 93/6/6/13. Sir Thomas Rokeby (1631–99), a Justice of the Common Pleas, 1669, transferred to the King's Bench on 28 Oct. 1695 (*D.N.B.*).
  - 39 Paman to William Alexander and Browninge, 12 Feb. 1694/5, HA 93/6/6/14, 15.
  - 40 Bury St Edmunds Guildhall Feoffment Trust minute book, S.R.O.B., H2/6/2.1, p. 218, 8 Mar. 1694/5; Bury Corporation minute book, S.R.O.B., D4/1/3a, p. 28, 9 Mar. 1694/5. I am indebted to Dr P. Murrell for both these references.
  - 41 Paman to Browninge, HA 93/6/6/15.
  - 42 Paman to Browninge, 12 Feb. 1694/5: HA 93/6/6/15. The landlady of the 'Greyhound' was Margaret Herne: see the receipt for the High Sheriff's dinners, 29 Mar. 1695, HA 93/6/6/29.
  - 43 Paman to Alexander, 12 Feb. 1694/5: HA 93/6/6/14. Sir Thomas Rokeby was now about sixty-four years old, and was to die within five years. Though he is described in *D.N.B.* as 'a man of profound piety', his Presbyterian leanings apparently did not preclude those outbursts of irascibility which were such a well-attested trait among the judges of the period – Charles II's Lord Chief Justice Sir William Scroggs and Lord Chancellor Jeffreys, to name but two.
  - 44 Paman to Browninge, 19 Feb. 1694/5: HA 93/6/6/18. One booth would be sufficient because, unusually, only one judge would be present to try both Crown and *Nisi Prius* cases.
  - 45 Alice Howe was born on 23 May and baptized on 28 May 1657, and her father John was buried on 5 Sept. 1657 (Stowmarket parish register, FB 221/D2/2); John Howe's burial entry describes him as 'Lord of the Mannor of Abbots

- Hall'. Alice's marriage to Charles Blossie took place on 20 June 1681 (Market Weston parish register, S.R.O.B., FL 604/4/1), and Charles was buried on 1 Jun. 1724 (Stowmarket parish register, FB 221/D2/3). I am indebted to Mr Edward Martin for this information.
- 46 Allen 1974, xv–xvi; much of this information was originally given to me by the late Miss Hilda Grieve, Deputy Editor of the *Victoria History of Essex*.
- 47 Paman to Browninge, 12 and 19 Feb. 1694/5: HA 93/6/6/15, 18. This tends to lend credence to Hollingsworth's claim that Assizes were held at Stowmarket in Charles I's reign; there may well have been local memories of the Assize Judges being lodged at Abbot's Hall and temporary courts erected on the Camping Ground.
- 48 Paman's receipt for money paid by Alexander on Browninge's behalf, 26 Mar. 1695: HA 93/6/6/27.
- 49 Alexander to Browninge, 31 Mar. 1695: HA 93/6/6/31.
- 50 HA 93/6/6/54.
- 51 Paman to Browninge, 26 Jun. 1695: HA 93/6/6/32.
- 52 Executorship papers, HA 93/5/152–62: Ann Plumley's date of baptism (7 Jan. 1682/3) is endorsed on the wrapper, and Robert's date of death on a copy of his will, HA 93/5/153.
- 53 HA 93/5/160. The letter's style of address shows that Margaret Bedford was a Quaker.
- 54 For Daniel's and Hester's wills, see notes 11 and 12 respectively. Browninge's papers contain no material relating to the title to, or administration of his property in Barbados. Any documents presumably passed, on Hester's death, to Arthur Middleton, and remained with that branch of the Middleton family that stayed on in America after William Middleton inherited Crowfield (see Appendix).
- 55 Because of obvious gaps in the Quaker records (some of which can be verified from other sources) it is thought that at least one early Quaker minute book for the Needham Market and Mendlesham area (in which there would have been pages set aside for registering births, marriages and deaths) is missing (Mrs Valerie Norrington, pers. comm.).
- 56 See Isabella Eccleston's papers relating to the administration of Henry Harwood's estate, HA 93/5/54.
- 57 The probate copy of Isabella Eccleston's P.C.C. will is in S.R.O.I., HA 93/5/55. Her date of death (11 Jul. 1746) is given in a letter from John Mucklow of London to his cousin William Middleton at Goose Creek, South Carolina, dated 24 Aug. 1746, HA 93/M2/1.
- 58 Letter to William Middleton, South Carolina, from his London agent George Udny, notifying him of his inheritance, 14 Jan. 1753, HA 93/9/375.
- 59 *Ibid.*

## REFERENCES

- Allen, D.H. (ed.), 1974. *Essex Quarter Sessions Order Book 1652–1661*. Chelmsford.
- Allen, M.E., 1982. 'The Development of the Borough of Aldeburgh 1547–1660: Aspects of the Economy of the Borough' (unpublished M.A. thesis, University of Wales).
- Baker, J.H., 1979. *An Introduction to English Legal History*, 2nd edn. London.
- Bidwell, W.H., 1900. *Annals of an East Anglian Bank*. Norwich.
- Clarke, G.R., 1830. *The History and Description of the Town and Borough of Ipswich*. Ipswich.
- Copinger, W.A., 1905–11. *The Manors of Suffolk*, 7 vols. London and Manchester.
- Dymond, D., 1990. 'A Lost Social Institution: the Camping Close', *Rural History*, vol. 1, no. 2, 165–92.
- Edgar, M.G., 1868. *Aedes Edgarorum: a Descriptive Catalogue of the Portraits at the Red House in Suffolk*. Ipswich.
- Fitch, J., 1968. 'Balthazar Gardemau: a Huguenot Squarson and his Library', *Proc. Huguenot Soc. London*, XXI, no. 3, 240–72.
- Giuseppi, M.S., 1963. *Guide to the Contents of the Public Record Office*, 1. Revised edn, H.M.S.O., London.
- Hervey, S.H.A. (ed.), 1905. *Suffolk in 1674, being the Hearth Tax Returns*, Suffolk Green Books, no. XI, vol. 13. Woodbridge.
- Hollingsworth, A.G.H., 1844. *The History of Stowmarket, the Ancient County Town of Suffolk*. Ipswich.
- Hughes, A. (comp.), 1898. *List of Sheriffs for England and Wales, from the Earliest Times to A.D. 1831*, Public Record Office Lists and Indexes, no. IX. London.
- Lambarde, W., 1614. *Eirenarcha*. London.
- Lummis, W.M., 1933. 'Material for a History of Coddenham' (unpublished typescript and MS in Local Studies Collection, S.R.O.I.).
- Matthews, P.W., 1926. *History of Barclays Bank Ltd*. London.

- Morley, C., n.d. 'History of Suffolk' (unpublished typescript in S.R.O.I.).
- Oliver, V.L., 1894–99. *The History of the Island of Antigua . . . from the First Settlement in 1635 to the Present Time*, 3 vols. London.
- Redstone, L.J., 1948. *Ipswich Through the Ages*. Ipswich.
- Reed, M., 1973. 'Ipswich in the Seventeenth Century' (unpublished Ph.D. thesis, University of Leicester).
- Richardson, W.H. (ed.), 1884. *The Annalls of Ipswicke . . . by . . . Nathaniel Bacon . . . Recorder and Town Clerk . . . 1654*. Ipswich.
- Rix, S.W. (ed.), 1853. *The Diary and Autobiography of Edmund Bohun Esq.* Privately printed, Beccles.
- Scarfe, N. (ed.), 1988. *A Frenchman's Year in Suffolk*, Suffolk Records Soc., xxx. Woodbridge.
- Statham, M., 1988. *The Book of Bury St Edmunds*. Buckingham.
- Venn, J.A., 1922–54. *Alumni Cantabrigienses* (10 vols). Cambridge.
- White, W., 1844. *History, Gazetteer and Directory of Suffolk*. Sheffield.
- Wilkins, J., 1975. 'Society of Friends, Kingston Men's Monthly Meeting Minute Book' (typescript transcript in Friends House Library, London).

*Abbreviations*

- B.L. British Library.
- E.A.M. *East Anglian Miscellany*.
- I.G.I. International Genealogical Index of the Church of Jesus Christ of Latter Day Saints.
- P.C.C. Prerogative Court of Canterbury.
- P.R.O. Public Record Office.
- S.R.O.B. Suffolk Record Office, Bury St Edmunds Branch.
- S.R.O.I. Suffolk Record Office, Ipswich Branch.