



'The Ties that Bind:
Marriage, Family, and Fortune.
A Study on English and Venetian Families
during the Seventeenth Century'.

Lisa Dallavalle

Thesis submitted for assessment with a view to
obtaining the degree of Doctor of History and Civilization
of the European University Institute

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European University Institute
Department of History and Civilization

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Statement of language correction

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Abstract

'The Ties that Bind: Marriage, Family, and Fortune offers a fresh perspective on the European family through a parallel study on a group of English and Venetian families during the latter part of the seventeenth century. The families in this study were all connected to the legal profession, and shared a similar socio-professional status. However, their worlds were remarkably distinct, England and Venice were governed by different norms and laws, they represented different sides of the confessional divide, as well as the North-western European divide. These differences had an impact on their experiences of family life.

This study will focus on three major themes, marriage strategies, inheritance and family affiliation, and family relationships and hierarchies. Through these three issues, this study will examine in parallel how the different geographical, cultural and legal settings of England and Venice impacted experiences of marriage and family life. Building on a wide range of sources including, testaments, court cases, citizenship reports, family archives, and correspondence, this thesis will examine the English and Venetian families through a series of case studies. In so doing it will provide a broader range of experiences within the family between two rather distinct groups.

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INTRODUCTION

Dear Hart,

My sad Parting was so far from making me forget you, that I have scarce thought upon myself since, but wholly upon you. Those dear Embraces w[hi]ch I yet feel, and shall never loose, being the faithful testimonies of an indulgent Husband have charm[e]d my soul to such a Reverence of your Remembrance that were it possible I w[oul]d with my own Blood cement your dear limbs to life again and (with Reverence) think it no sin to rob Heaven a little longer of a Martyr. Oh my Dear you must pardon my Passion, this being the last moment or fatal word that you will ever receive from me and know that till the last moment I can imagine you shall live, I will sacrifice The Prayers of a Christian and the Groans of an afflicted wife – and when you are not, w[hi]ch soon by sympathy I shall know, I shall wish my Dissolution that so we may go Hand in Hand to Heaven. Tis too late to tell you what I have and what I have not done for you, how I was spurn[e]d from the Door because I came to beg Mercy. The Lords lay not your Blood to their Charge. I w[oul]d fain discourse longer with you but dare not. Passion begins to drown my Reason, and will not rob me of my Devoire w[hi]ch is all I have left to serve you. Adieu therefore my dearest dear Ten Thousand times and since I must never see you more take this Prayer. – May your Faith be so strengthened that your Constancy may continue and then I know Heaven will receive you to that Place of eternal Bliss whither Grief and Love will in a short Time I hope translate your sad but constant wife ever to love your ashes when dead [...].¹

Arundel Penruddock to John Penruddock

15th May 1655

These were the last words that Arundel Penruddock wrote to her husband. The following morning he was executed, as the leader of a failed attempt to restore Charles II to the throne. While this attempt failed Charles II eventually succeeded and retook the throne in 1660. The letters exchanged between John and his wife provide a rare window into the last words exchanged between a husband and wife. Few spouses ever had to face such circumstances.

The English families in this study were the contemporaries of Penruddock. One of them, Unton Croke, was responsible for Penruddock's capture, and a copy of his wife's letter was found in another's (Sir Edward Dering) family archive. In the absence of letters or diaries gauging the

¹ Centre for Kentish Studies (CKS), U350, C2/104.

strength of family ties or their relationships can be difficult. Although the voices of the families in this study may not have survived, they were rarely indifferent to the major events of their lives.

The European family has been studied from several different angles, and through a variety of sources and methods. Broader European studies have shown general trends and the more regional studies have uncovered similarities, differences and nuances at the local level. However, there are relatively few parallel empirical studies that examine experiences of the family up close. This thesis aims to fill that gap, by examining a group of English and Venetian families from the non-noble elite during the seventeenth century. The worlds that these families lived in were notably different. The point of this thesis is to conduct an in depth study on the English and Venetian families in parallel and to establish how the different worlds they inhabited affected their experiences of marriage and family life. In so doing we can come to a more nuanced understanding of the European family.

Approaches to Marriage and the Family in Early Modern Europe

Interest in marriage and the family in a European context grew partly from the research conducted by historical demographers, most notably the work by the Cambridge Group for the History of Population and Social Structure led by Peter Laslett. Through their intensive work on parish records, these leading scholars established the basic characteristics of the pre-industrial European family, focusing on elements such as marriage patterns, residential patterns, age of first marriage, and the proportions of never married men and women.²

These characteristics were subject to any number of pressures, and could change by region, decade, social status, or geographical setting. Still they were the subject of much discussion from the 1960s onwards. Households were divided into four main categories: solitary, nuclear, non-family and complex. Solitary households consisted of just one resident. Nuclear households contained a married couple either with or without children, or a widow/widower with children. Non-family households were the reverse of nuclear households; they could consist of residents who were not related to each other, or of unmarried relatives. All other household types were listed as complex, but within this category there were two main subcategories, extended and multiple. Extended households consisted of the nuclear household plus one or more unmarried or childless relatives.

² For an overview of these discussions see, Michael Anderson, *Approaches to the History of the Western Family 1500-1914* (Cambridge: Cambridge University Press, 1980), 1–24.

Multiple households contained more than one married couple, this could be done either vertically when parents and adult children were married and lived in the same household (this was also known as a stem family, when the elder son brought his wife to live with his parents), or horizontally (also known as *frèreche*), when for example married brothers lived together.

In 1965, John Hajnal advanced the idea of a Western European marriage pattern (which he later revised to the Northwestern marriage pattern), where he drew a line from St. Petersburg to Trieste creating an East/West divide.³ Hajnal argued that Western Europe had a distinctive marriage pattern which was characterised by a higher presence of never married men and women (10-20%), and a late average age of first marriage (for women, 26 years old and for men, 28 years old).⁴ In 1972 Peter Laslett and Richard Wall, in *Household and Family in the Past Time*, reinforced and advanced Hajnal's revised argument that in Northern Europe late marriage and nuclear neolocal households were predominant, while in Southern Europe early marriage and patrilocal complex households were more common.⁵ The argument being that in the North, men and women would work for a period before marriage, so that they could establish their own household, while in the South, where there was less pressure to establish a new residence, couples married at an earlier age.

Initially the Hajnal line and European marriage pattern seemed sound, as studies such as Christiane Klapisch Zuber and David Herlihy's study on the Florentine Catasto (1427) confirmed that complex households were more common among Tuscan families.⁶ Still, as time moved on, regional studies on the family in the Mediterranean revealed that these broad theories were not so applicable. Nuclear households, late age of first marriage, and higher rates of never married men and women were the predominant trends in Northwestern Europe.⁷ Similarly, complex households were more common in Central Europe and Austria, as well as in Northern regions of the Iberian Peninsula

³ J. Hajnal, "European Marriage Patterns in Perspective," in *Population in History: Essays in Historical Demography, Europe and the United States*, ed. D. V. Glass and D. E. C. Eversley (London: Aldine Transaction, 1965), 101–46.

⁴ In 1980 Hajnal revised his model to the Northwestern marriage pattern.

⁵ Peter Laslett and Richard Wall, *Household and Family in Past Times* (Cambridge: Cambridge University Press, 1972); John Hajnal, "Two Kinds of Preindustrial Household Formation System," *Population and Development Review* 8, no. 3 (1982): 449–94; Richard Wall et al., eds., "Family and Household as Work Group and Kin Group: Areas of Traditional Europe Compared," in *Family Forms in Historic Europe* (Cambridge: Cambridge University Press, 1983), 513–64.

⁶ Christiane Klapisch-Zuber and David Herlihy, *Tuscans and Their Families: A Study of the Florentine Catasto of 1427* (New Haven and London: Yale University Press, 1985); For more on age of marriage among the families in Venice, the Veneto and Florence, see James S. Grubb, *Provincial Families of the Renaissance: Private and Public Life in the Veneto* (Baltimore: Johns Hopkins University Press, 1996), 4–6.

⁷ Hajnal, "Two Kinds of Preindustrial Household Formation System"; Wall et al., "Family and Household as Work Group and Kin Group: Areas of Traditional Europe Compared"; David R. Weir, "Rather Never than Late: Celibacy and Age at Marriage in English Cohort Fertility, 1541-1871," *Journal of Family History* 9, no. 4 (1984): 340–54; R. Schofield, "English Marriage Patterns Revisited," *Journal of Family History*, 1985; E. A. Wrigley and R. S. Schofield, *The Population History of England, 1541-1871: A Reconstruction* (Cambridge: Cambridge University Press, 1989).

and Italian States.⁸ However, in Southern Iberia and regions of Southern Italy nuclear households were more common.⁹ Moreover in Southern Italian regions nuclear households were accompanied by a trend of early marriage.¹⁰

The challenges placed by Southern Italian and Iberian marriage and residential patterns might have been argued away if they were the only two exceptions in the grand scheme, but they were not. Subsequent research on household and marriage patterns in the Mediterranean, have revealed that they were too changeable for such broad theories to work effectively.¹¹ Household and marriage patterns could change and vary according to social status, urban or rural environment, or even by century. Moreover, the whole household system could be affected in the event of a severe plague, flood, famine or fire. Such events may have been rarer but they were still a real threat. It has been widely agreed that applying such broad models to the diverse regions of the Mediterranean did not work, but the idea behind them and the comparative framework that it established on a European level is compelling.

The Hajnal line has endured for Northwestern Europe (England, Scandinavia, the Low Countries, Germany and Northern France) and is still used for comparative studies on the family. However, the premise of studying household types and marriage patterns did not escape criticism. The reliability of parish and tax records as sources, particularly in regard to how the nuclear family was

⁸ For central Europe see, Michael Mitterauer and Reinhard Sieder, *The European Family: Patriarchy to Partnership from the Middle Ages to the Present* (Chicago: University of Chicago Press, 1982); For Northern and Central Italy see, Giovanni Levi, "Famiglie Contadine Nella Liguria Del Settecento," *Miscellanea Storica Ligure*, no. 5 (1973); Klapisch-Zuber and Herlihy, *Tuscans and Their Families*; Alain Collomp, "Ménage et Famille: Études Comparatives Sur La Dimension et La Structure Du Groupe Domestique," *Annales. Histoire, Sciences Sociales* 29, no. 3 (1974); For France see, Jean Louis Flandrin, *Families in Former Times*, trans. Richard Southern (Cambridge: Cambridge University Press, 1979); John W. Shaffer, *Family and Farm: Agrarian Change and Household Organization in the Loire Valley, 1500-1900* (Albany: SUNY Press, 1982); A. Fauve-Chamoux, "Les Structures Familiales En France Aux XVIIe et XVIIIe Siècles," ed. J Dupâquier, vol. 2 (Paris: Presses Universitaires de France, 1988), 317–47.

⁹ For Southern Iberia Robert Rowland, "Nupcialidade, Familia, Mediterraneo.," *Boletín de La Asociación de Demografía Histórica* 5, no. 2 (1987): 128–43; Robert Rowland, "Sistemas Matrimoniales En La Península Ibérica (siglos XVI-XIX). Una Perspectiva Regional," in *Demografía Histórica En España*. (Madrid: Ediciones El Arquero, 1988), 72–137; David Sven Reher, "Marriage Patterns in Spain, 1887-1930," *Journal of Family History* 16, no. 1 (1991): 7–30.

¹⁰ For the Italian States see, David I. Kertzer and Caroline Brettell, "Advances in Italian and Iberian Family History," *Journal of Family History* 12, no. 1 (January 1, 1987): 87–120; Francesco Benigno, "The Southern Italian Family in the Early Modern Period: A Discussion of Co-Residential Patterns," *Continuity and Change* 4, no. 01 (May 1989): 165–94, doi:10.1017/S0268416000003623; David I. Kertzer and Dennis P. Hogan, "Reflections on the European Marriage Pattern: Sharecropping and Proletarianization in Casalecchio, Italy, 1861-1921," *Journal of Family History* 16, no. 1 (January 1, 1991): 31–45; Marzio Barbagli, "Three Household Formation Systems in Eighteenth- and Nineteenth-Century Italy," in *The Family in Italy from Antiquity to the Present*, ed. David I. Kertzer and Richard P. Saller (New Haven: Yale University Press, 1991), 250–70; Piero Viazso, "South of the Hajnal Line: Italy and Southern Europe," in *Marriage and the Family in Eurasia. Perspectives on the Hajnal Hypothesis*, ed. Th L. M. Engelen and A. P. Wolf (Amsterdam: Aksant, 2005), 129–63.

¹¹ William A. Douglass, "The South Italian Family: A Critique," *Journal of Family History* 5, no. 4 (Winter 1980): 338–59; Pier Paolo Viazso, "What's so Special about the Mediterranean? Thirty Years of Research on Household and Family in Italy," *Continuity and Change* 18, no. 01 (May 2003): 111–37, doi:10.1017/S0268416003004442.

categorised, was one challenge.¹² The other major criticism was around the superficial nature of the results, as establishing the mean household size by community overlooked issues such as social status or chronology. Moreover focusing on the household exclusively obscured the role of kinship ties and inheritance practices on the family.¹³ Despite these criticisms the work conducted by Laslett and the Cambridge school made an invaluable contribution to research on the family.¹⁴

Family beyond the Household

Defining the family is a complex task. While it had strong links to the household, kinship ties were not limited to those living under the same roof. Although the term *familia* in Latin could be used to describe the household including servants, it could also refer to all those who shared the same *paterfamilias*.¹⁵ Jean Louis Flandrin has argued that during the early modern period the sense of kinship shrank to cousins, uncles and aunts, and that distant kin became less important.¹⁶ Although the broad kinship groups such as the Scottish clans, or the Genoese *Alberghi*, still continued, the connections between narrower branches and lineages may have become stronger. While residential patterns and household types may have nuanced how the family was culturally conceived, the role of wider kin was an important element in family life.

Studies on inheritance practices provide another view of the family that was not limited to the household.¹⁷ Modes of transmission varied across Europe, and how wealth was transmitted could play a rather definitive role in family hierarchies and dynamics. It also placed kinship within the

¹² In the same vein, how illegitimate children and temporary residents were categorised varied from recorder to recorder skewing the composition of households in some communities. Lutz K. Berkner, "The Stem Family and the Developmental Cycle of the Peasant Household: An Eighteenth-Century Austrian Example," *The American Historical Review* 77, no. 2 (1972): 398–418; Lutz K. Berkner, "The Use and Misuse of Census Data for the Historical Analysis of Family Structure," *Journal of Interdisciplinary History* 5 (1975): 721–38.

¹³ Michael Anderson provides a good overview of these criticisms: Michael Anderson, *Approaches to the History of the Western Family, 1500-1914*, Studies in Economic and Social History (London: Macmillan, 1980), 27–28.

¹⁴ Two legacies of this comparative European perspective has been position of servants, and care of the elderly in Northern and Southern Europe. Raffaella Sarti's article on servants provides an excellent overview on these discussion. Raffaella Sarti, "Criados, Servi, Domestiques, Gesinde, Servants: For a Comparative History of Domestic Service in Europe (16th-19th Centuries)," *Obradoiro de Historia Moderna* 16 (2007): 9–39; Raffaella Sarti, "A Masters Discourage the Marrying of Their Male Servants and Admit Not by an Any Means the Marriage of the Female: Domestic Service and Celibacy in Western Europe from Sixteenth to the Nineteenth Century.," *European History Quarterly* 38, no. 3 (2008): 417–49, doi:10.1177/0265691408091467; For old age and welfare see, David I. Kertzer, *Aging in the Past: Demography, Society, and Old Age* (Berkeley: University of California Press, 1995).

¹⁵ Mitterauer and Sieder, *The European Family*, 1–10; Naomi Tadmor, *Family and Friends in Eighteenth-Century England: Household, Kinship and Patronage* (Cambridge: Cambridge University Press, 2001), 103–166; Raffaella Sarti, *Europe at Home: Family and Material Culture, 1500-1800*, trans. Allan Cameron (New Haven: Yale University Press, 2002), 31–37.

¹⁶ Flandrin, *Families in Former Times*, 11–49.

¹⁷ This approach to family and kinship ties was based of the work of anthropologists and sociologists like Meyer Fortes and Jean Claude Levi Strauss.

terms of lineage.¹⁸ Still, areas where primogeniture was common practice would have been remarkably different to those where the paternal inheritance was divided equally among all legitimate sons. Bequeathing family wealth to a single heir was used more by the nobility and social elites who wanted to ensure that the family fortune remained intact, while equal division of fortune favoured those lower down the social scale, particularly families that worked together in business, such as merchants or artisans. Women's agency within these two systems varied across Europe, as the rights of women to bequeath their dowry changed according to region and law.

Testamentary bequests could also be an indicator of affection and obligation beyond the immediate nuclear family. Jack Goody has underlined the significance of these connections; through marriage alliances and testamentary transmission, he argued that individuals could express marital, collateral and affinal ties.¹⁹ Similarly, the bonds created by blood and marriage could also vary according to their environment; in rural areas where there was little mobility and high levels of endogamy, the sense of mutual obligation and solidarity would have been different to urban communities with exogamous marriage patterns. Moreover, the bonds of spiritual kinship could also play a significant role in a person's life.²⁰

The characteristics of kinship ties were also subject to a European divide. Northwestern European areas that had nuclear neolocal households were considered to have weaker kinship ties.²¹ The care of the elderly has been one point where this geographical divide was more apparent. Building on the work of demographic historians, David Reher argued that caring for the elderly in Northern Europe (where very few ageing parents lived with their children), took a different form, in contrast

¹⁸ For broader discussions on inheritance practices and kinship ties see, Jack Goody, "Inheritance, Property and Women: Some Comparative Considerations," in *Family and Inheritance Rural Society in Western Europe, 1200–1800* (Cambridge: Cambridge University Press, 1978), 10–36; Mitterauer and Sieder, *The European Family*, 10–20; Keith Wrightson and Richard M. Smith, "Kinship in an English Village: Terling, Essex 1550–1700," in *Land, Kinship and Life-Cycle* (Cambridge: Cambridge University Press, 1985), 313–32, <http://dx.doi.org/10.1017/CBO9780511560811.010>; David Cressy, "Kinship and Kin Interaction in Early Modern England," *Past & Present*, no. 113 (1986): 38–69; Keith Wrightson and David Levine, *Poverty and Piety in an English Village* (Oxford: Oxford University Press, 1995), 186–221, <http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780198203216.001.0001/acprof-9780198203216>; David Gaunt, "Kinship: Thin Red Lines or Thick Blue Blood," in *Family Life in Early Modern Times, 1500–1789*, ed. David I Kertzer and Marzio Barbagli (New Haven: Yale University Press, 2001), 257–87; Amy Louise Erickson, *Women and Property: In Early Modern England* (London: Routledge, 2002), 212–216; Katherine A. Lynch, *Individuals, Families, and Communities in Europe, 1200–1800: The Urban Foundations of Western Society* (Cambridge: Cambridge University Press, 2003), 12–21; Hannes Grandits and Patrick Heady, eds., *Distinct Inheritances: Property, Family and Community in a Changing Europe* (LIT Verlag, 2003).

¹⁹ Jack Goody, *The Development of the Family and Marriage in Europe*, Past and Present Publications (Cambridge: Cambridge University Press, 1983), 222–239; Benigno, "The Southern Italian Family in the Early Modern Period," 184–188.

²⁰ See, Guido Alfani and Vincent Gourdon, eds., *Spiritual Kinship in Europe, 1500–1900* (London: Palgrave Macmillan, 2012).

²¹ Cressy, "Kinship and Kin Interaction in Early Modern England"; Keith Wrightson, "Mutualities and Obligations: Changing Social Relationships in Early Modern England," in *Proceedings of the British Academy*, ed. P. J. Marshall, vol. 139, 2007, 157–94, doi:10.5871/bacad/9780197263945.001.0001.

to areas where co-residence was much more common. By relying on the parish or municipality to care for the poor, sick and elderly, Reher argued that areas such as England had weak kinship ties.²² While there were probably nuances and variations between these two contexts, it does show that Northwestern Europe followed a different cultural norm. However, this was not a uniform opinion as Michel Verdon argues that weak family ties with less formal obligations could lead to stronger family bonds in the long term, as co-residence did not equal family harmony.²³ Bourdieu's definition of kinship may help to clarify such notions, as he drew a distinction between 'official kin', who turned up to official events, such as marriages and funerals, and 'representative kin', who were present and active in each other's daily life.²⁴ The two types of kin may have played a different role in each other's lives, but physical proximity was not the only benefit that kinship ties could bring.

In England, where kinship ties were considered weaker, studies have shown the important economic, professional and social contribution that kin could make to one another. Building on more qualitative sources, Alan Macfarlane's study on Ralph Josselin showed the wide circle of kin that played a role in Josselin's social world.²⁵ Likewise, David Cressy's use of family letters has demonstrated the strength of kinship ties over time and space.²⁶ Others like Richard Grassby and Jeremy Boulton, have focused more on family ties and solidarity within an urban and suburban setting.²⁷ Both works underlined the networks, opportunities for preferment, and social credit that wider kin could give one another. With such evidence, it seems likely that the obligations of kinship ties varied across Europe, and that in areas such as England wider kin may not have been physically present, but could still be relied upon as sources for support and aid from a distance.

²² David Sven Reher, "Family Ties in Western Europe: Persistent Contrasts," *Population and Development Review* 24, no. 2 (1998): 203–34, doi:10.2307/2807972.

²³ Michel Verdon, *Rethinking Households: An Atomistic Perspective on European Living Arrangements* (London: Routledge, 2002), 129–147.

²⁴ Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice (Cambridge: Cambridge University Press, 1977), 32–38; Lynch, *Individuals, Families, and Communities in Europe, 1200-1800*, 12; Tadmor, *Family and Friends in Eighteenth-Century England*, 163–165.

²⁵ Alan Macfarlane, *The Family Life of Ralph Josselin: A Seventeenth-Century Clergyman* (Cambridge: Cambridge University Press, 1970), 105–153.

²⁶ David Cressy, *Coming Over: Migration and Communication Between England and New England in the Seventeenth Century* (Cambridge: Cambridge University Press, 1987), 263–291; Miriam Slater, *Family Life in the Seventeenth Century: The Verneys of Claydon House* (London: Routledge, 1984).

²⁷ Jeremy Boulton, *Neighbourhood and Society: A London Suburb in the Seventeenth Century* (Cambridge: Cambridge University Press, 2005), 228–261; Richard Grassby, *Kinship and Capitalism: Marriage, Family, and Business in the English-Speaking World, 1580-1740* (Cambridge: Cambridge University Press, 2001), 217–265; For a French example see, Julie Hardwick, *Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France* (University Park: Pennsylvania State University Press, 2010), 159–194.

Family and Sentiments

Now we turn to what Michael Anderson has called the sentimental approach to the family.²⁸ This approach was led by Phillippe Ariès, Lawrence Stone, Edward Shorter and Jean Louis Flandrin.²⁹ These works focused largely on patriarchal authority, and that sentiment or emotion was a development of the eighteenth century and not a part of the early modern family. Their arguments, particularly the one advanced by Stone that parental and marital relationships were governed by an affectionless sense of duty and authority, have been thoroughly challenged and put aside. Still the contribution of their works presented a different perspective on the family.

The challenge came in the 1980s when historians began to find expressions of affection within the family. They showed that although marital and parental relationships were couched in terms of authority and obedience, a full range of sentiments were expressed between family members.³⁰ Even among the social elites, they showed that marriages were not formed solely due to parental pressure or economic design, but for a whole range of well-considered reasons that included romantic considerations and likeability.³¹ Moreover, they showed that women were not submissive figures in the household, and that they were able to access agency in the family.³²

These discussions started in a rather English context but they became part of a wider European debate. Steve Ozment's study on the family in the Germanic states and Switzerland challenged Stone and Shorter's interpretation, providing a more nuanced view of the Reformation family.³³ Similarly, Ann Crabb in her study on the Strozzi in Florence, and Stanley Chojnacki's on Patrician

²⁸ Anderson, *Approaches to the History of the Western Family, 1500-1914*, 39–64.

²⁹ Phillippe Ariès, *Centuries of Childhood: A Social History of Family Life*, trans. Richard Baldick (Toronto: Random House, 1962); Edward Shorter, *The Making of the Modern Family* (New York: Basic Books, 1975); Lawrence Stone, *Family, Sex and Marriage in England 1500-1800* (London: Weidenfeld & Nicolson, 1977); Flandrin, *Families in Former Times*.

³⁰ Keith Wrightson, *English Society: 1580-1680* (London: Routledge, 1982), 89–120; Ralph A. Houlbrooke, *The English Family 1450 - 1700* (London: Routledge, 1984); Alan Macfarlane, *Marriage and Love in England: 1300-1840* (Oxford: Blackwell, 1986), 174–210.

³¹ John R. Gillis, *For Better, for Worse: British Marriages, 1600 to the Present* (Oxford: Oxford University Press, 1985); Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge: Cambridge University Press, 1987); Diana O'Hara, "Ruled by My Friends': Aspects of Marriage in the Diocese of Canterbury, c.1540–1570," *Continuity and Change* 6, no. 1 (May 1991): 9–41, doi:10.1017/S026841600000117X.

³² For an overview of these discussions see, Olwen H. Hufton, *The Prospect Before Her: 1500-1800* (London: Harper Collins, 1995), 1–24; Merry E. Wiesner, *Women and Gender in Early Modern Europe* (Cambridge: Cambridge University Press, 2000), 1–12; S. Menchi, Seidel, A Jacobson Shutte, and T Kuehn, eds., *Time, Space, and Women's Lives in Early Modern Europe* (Kirkville: Truman State University Press, 2001); Cissie C. Fairchilds, *Women in Early Modern Europe, 1500-1700* (Harlow: Pearson Longman, 2007); Susan Broomhall and Stephanie Tarbin, eds., *Women, Identities and Communities in Early Modern Europe* (Aldershot: Ashgate Publishing, Ltd., 2008).

³³ Steven E. Ozment, *When Fathers Ruled: Family Life in Reformation Europe* (Cambridge: Harvard University Press, 1983).

spouses in Venice both showed cases of close family bonds and companionate marriages.³⁴ While in all these cases the patriarchal framework was in place, what these more nuanced studies have underlined was that in practice this model was not so restrictive. As Olwen Hufton has suggested, studies on court cases and more personal documents such as diaries and letters have underlined that women in the family could just as easily entangle themselves in bitter arguments and deep loyalties as their male relatives.³⁵

In a similar vein Phillippe Aries's argument that childhood was not a feature of early modern society has been thoroughly undermined.³⁶ Linda Pollock led the argument that childhood was a definitive stage in the early modern family, and stressed the importance of parent-child relationships.³⁷ As with the broader discussions on sentiment this led to a wave of revisionist history that worked to resituate parent-child relationships.³⁸ More recently studies on the history of emotions have brought a fresh perspective to the discussion. One interesting development in particular has been studies on lifelong rather than lifecycle parent-child relationships, which have focused on the role of grandparents, and the relationships between parents and their married children.³⁹ Moreover, by accepting that these relationships were negotiated according to personality and temperament, it has allowed us to move away from the authority and affection dichotomy.

³⁴ Hans Medick and David Warren Sabean, eds., *Interest and Emotion: Essays on the Study of Family and Kinship* (Cambridge: Cambridge University Press, 1988); Ann Crabb, *The Strozzi of Florence: Widowhood and Family Solidarity in the Renaissance* (Ann Arbor: University of Michigan Press, 2000); Stanley Chojnacki, "The Power of Love: Wives and Husbands," in *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore: John Hopkins University Press, 2000), 153–68.

³⁵ Hufton, *The Prospect Before Her*, 5.

³⁶ Ariès, *Centuries of Childhood*; John H. Plumb, "The New World of Children in Eighteenth-Century England," *Past & Present*, no. 67 (1975): 64–95.

³⁷ Linda A. Pollock, *Forgotten Children: Parent-Child Relations from 1500 to 1900* (Cambridge: Cambridge University Press, 1983); Linda A. Pollock, *A Lasting Relationship: Parents and Children over Three Centuries* (Hannover: New England University Press, 1987).

³⁸ Linda Pollock, "Younger Sons in Tudor and Stuart England," *History Today* 39, no. 6 (June 1989): 23; Medick and Sabean, *Interest and Emotion*; Rosemary O'Day, *The Family and Family Relationships, 1500-1900: England, France and the United States of America*, Themes in Contemporary History (Basingstoke: Macmillan, 1994); Ilana Krausman Ben-Amos, *Adolescence and Youth in Early Modern England* (London: Yale University Press, 1994); Anthony Fletcher, *Gender, Sex and Subordination in England, 1500-1800* (London: Yale University Press, 1999); Ilana Krausman Ben-Amos, "Reciprocal Bonding: Parents and Their Offspring in Early Modern England," *Journal of Family History* 25, no. 3 (July 1, 2000): 291–312.

³⁹ Patricia M. Crawford, "The Construction and Experience of Maternity in Seventeenth-Century England," in *Women as Mothers in Pre-Industrial England*, ed. Valerie Fildes (Oxford: Routledge, 1990); Elizabeth Foyster, "Parenting Was for Life, Not Just for Childhood: The Role of Parents in the Married Lives of Their Children in Early Modern England," *History* 86, no. 283 (2001): 313–27; Patricia Crawford, *Blood, Bodies and Families in Early Modern England* (London: Routledge, 2004); Ilana Krausman Ben-Amos, *The Culture of Giving: Informal Support and Gift-Exchange in Early Modern England* (Cambridge: Cambridge University Press, 2008); Anthony Fletcher, *Growing Up in England: The Experience of Childhood 1600-1914* (New Haven: Yale University Press, 2010); Hannah Newton, *The Sick Child in Early Modern England, 1580-1720* (Oxford: Oxford University Press, 2012); Sandra Cavallo and Silvia Evangelisti, eds., *A Cultural History of Childhood and Family in the Early Modern Age* (London: Bloomsbury, 2014); Margareth Lanzinger, ed., *The Power of the Fathers: Historical Perspectives from Ancient Rome to the Nineteenth Century* (London: Routledge, 2016).

Marital Status and Adulthood

One of the outcomes of the above approaches was a growing interest in the connection between marriage, adulthood and authority. Studies on the family from a gendered perspective have outlined that while patriarchal authority was a central theme of family life, how it functioned in practice was variable and negotiable.⁴⁰ This meant that the characteristics of a husband, father or brother were nuanced and differed across space and time.

Interestingly this perspective reveals a major distinction on the basic definition of male adulthood. In England, when a son turned 21 years, he reached the age of majority and was technically free from his father's authority. He might still be an apprentice or servant and subject to his master, but the age marked the beginning of adulthood. Establishing a household, a profession, and becoming a husband were the three traditional ways that men might achieve patriarchal adulthood.

Such a rite of passage was secured by English law and custom, but other areas of Europe were governed by different legal jurisdictions and customs. France, Spain and the Italian States followed the rule of Roman law, which gave the *paterfamilias* the right of *patria potestas* over his dependants. However, these three systems treated a son's path to adulthood in different ways. In France according to the Ordinances of Blois of 1539 and 1556, a son could not marry without his parents' consent until he was at least 30 years old, but marriage emancipated a son from his father.⁴¹ Marriage had a similar transitional role in Spain.⁴² However, in the Italian States, which followed the rule of Roman law more closely, marriage did not emancipate a son from his *paterfamilias*, only the latter's death or a legal emancipation could break the ties of dependency.

For women, marriage was a clear point of transition into adulthood, but for men that was not always the case. These different paths to adulthood were not evident in the conduct literature of the era.⁴³ Moreover, the patriarchal ideal of the family was broadly accepted, it was considered the miniature model of the state. In practice, however, the situation was somewhat different. A man could be 40 years old and married with children, but still be subject to his *paterfamilias*.

⁴⁰ Helen Berry and Elizabeth Foyster, eds., *The Family in Early Modern England* (Cambridge: Cambridge University Press, 2007); Alexandra Shepard, "From Anxious Patriarchs to Refined Gentlemen? Manhood in Britain, circa 1500–1700," *Journal of British Studies* 44, no. 02 (April 2005): 281–95, doi:10.1086/427128.

⁴¹ Jean Domat, *The Civil Law in Its Natural Order*, ed. Luther S. Cushing, trans. William Strahan, 2nd ed. (Boston: Little and Brown, 1850), 13.

⁴² Ignacio Jordán de Assó y del Río and Miguel de Manuel y Rodríguez, *Institutes of the Civil Law of Spain*, trans. Lewis Johnson (London: Joseph Butterworth and Son, 1825), 77.

⁴³ Yael Manes, *Motherhood and Patriarchal Masculinities in Sixteenth-Century Italian Comedy* (London: Routledge, 2016).

Such distinct practices raised questions about the importance of marriage and its role as a rite of passage in early modern society. This perspective was influenced in part by the confessional divide, as in Protestant countries there was no alternative to marriage, whereas in Catholic countries marriage was just one of several options.

During the Counter-Reformation the Catholic Church reinforced the connection between celibacy and sanctity and elevated the religious life above the marital one. All those who did not take holy orders were encouraged to marry; marriage was a sacrament, and it was treated as a moral imperative for the majority.⁴⁴ This normative image seems clear-cut, but in practice there were those who either by choice or circumstance failed to marry or take holy orders. Unlike unmarried women, unmarried men did not present a threat to the social order, and they were largely able to function in society. This was in part due to the influential position that the clergy held within the community; they took on fatherly roles in guiding and educating their parishioners, the Pope was an unmarried father to the Catholic world, and his authority mirrored elements of a *paterfamilias*.⁴⁵ The authority they exercised as unmarried figures permeated to secular bachelors, and meant that they were not as restricted by their marital status, they could establish professions and hold authority in the community as well as over their families.⁴⁶

In Northern Europe the Reformation reinforced patriarchal models of manhood, strengthening the connection between marriage and male adulthood.⁴⁷ The removal of the religious alternative and anti-Catholic sentiment meant that there was no longer a legitimate alternative to marriage, and conduct literature advised against living as a secular bachelor.⁴⁸ In England negative views ranged, from Richard Baxter who quoting from St. Paul (1 Corinthians 7-9) in 1676 argued that the single life would inevitably lead to sin and stated that "It is better to marry than to burn"; to a

⁴⁴ By moral imperative, I want to underline that while in Protestant countries marriage was considered a duty, in Catholic countries, marriage was a sacrament.

⁴⁵ Sandra Cavallo, "Bachelorhood and Masculinity in Renaissance and Early Modern Italy," *European History Quarterly* 38, no. 3 (2008): 392–393.

⁴⁶ Raffaella Sarti, *Nubili E Celibi Tra Scelta E Costrizione (secoli XVI-XX)*, ed. Margareth Lanzinger and Raffaella Sarti (Udine: Forum, 2006), 275.

⁴⁷ The definition of normative adulthood I am using is the one advanced by Alexandra Shepard, which asserts that patriarchal adulthood for men was heavily linked to married middle aged householders, but that such models were flexible and multifaceted. Not everyone was able to access this normative model and those who did not found different ways to access authority. Shepard, "From Anxious Patriarchs to Refined Gentlemen? Manhood in Britain, circa 1500–1700," 291–293.

⁴⁸ Ozment, *When Fathers Ruled*, 1–9.

1696 reprint of Francis Bacon's work that more diplomatically noted: "*Unmarried men* are best Friends, best Masters, best Servants, but not always best subjects; for they are light and run away."⁴⁹ It was probable that during the Civil War and interregnum period, the puritan values which imbued husband and fathers with greater authority, had an impact on attitudes towards marriage and family life, but overall they did not stop lifelong bachelors from accessing domestic authority and living respectable lives. Even so in areas such as England bachelors were acting against familial and communal expectations as well as a stronger normative message.

These opposing attitudes towards marriage did not fit neatly into Catholic and Protestant areas; they were flexible and permeable to regional customs and local laws. For some young men, marriage was not always a choice, as Margareth Lanzinger's study of the South Tyrolean market town, Innichen, highlighted, an example where the municipality made marriage a privilege for those who had a household and practiced a profession, associating bachelorhood with the poor and unworthy.⁵⁰

Recent studies have begun to look at experiences of never-married men and women in a European context. Less research has been conducted on never married men outside of the Italian states, but they are starting to receive more attention.⁵¹ Kate Barclay's article on John Innes, and Julie de Groot, Isabelle Devos and Ariadne Schmidt's, edited volume, have begun to shed more light on the experiences of bachelors.⁵² What both sets of studies have shown is that while never-married

⁴⁹ R. Baxter, *A Christian directory*, Early English Books Online (EEBO), (London, 1673), 477; F. Bacon, *The essays, or councils, civil and moral*, of Sir Francis Bacon, EEBO (London, 1696), 17.

⁵⁰ Margareth Lanzinger, "Homogamy in a Society Orientated toward Stability: A Micro-Study towards a South Tyrolean Market Town 1700-1900," in *Marriage Choices and Class Boundaries: Social Endogamy in History*, ed. Marco H. D. van Leeuwen, Ineke Maas, and Andrew Miles (Cambridge: Cambridge University Press, 2005), 123–48.

⁵¹ Renata Ago, "Young Nobles in the Age of Absolutism Paternal Authority and Freedom of Choice in Seventeenth-Century Italy," in *A History of Young People in the West: Ancient and Medieval Rites of Passage*, ed. Giovanni Levi and Jean Claude Schmitt (Cambridge: Harvard University Press, 1997), 283–324; Stanley Chojnacki, "Subaltern Patriarchs: Patrician Bachelors," in *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore: Johns Hopkins University Press, 2000), 244–57; Monica Chojnacka, *Working Women of Early Modern Venice* (Baltimore: Johns Hopkins University Press, 2001); Sarti, *Nubili E Celibi Tra Scelta E Costrizione (secoli XVI-XX)*; Cavallo, "Bachelorhood and Masculinity in Renaissance and Early Modern Italy"; Sarti, "A Masters Discourage the Marrying of Their Male Servants and Admit Not by an Any Means the Marriage of the Female: Domestic Service and Celibacy in Western Europe from Sixteenth to the Nineteenth Century."; Lisa Dallavalle, "The Moretti Family: Late Marriage, Bachelorhood and Domestic Authority in Seventeenth-Century Venice," *Gender & History* 27, no. 3 (November 1, 2015): 684–702, doi:10.1111/1468-0424.12157.

⁵² J. G. McCurdy, *Citizen Bachelors: Manhood and the Creation of the United States* (Ithaca: Cornell University Press, 2011); Julie De Groot, Isabelle Devos, and Ariadne Schmidt, eds., *Single Life and the City 1200–1900* (London: Palgrave Macmillan, 2015), <http://link.springer.com/10.1057/9781137406408>; Katie Barclay, "Illicit Intimacies: The Imagined 'Homes' of Gilbert Innes of Stow and His Mistresses (1751–1832)," *Gender & History* 27, no. 3 (November 1, 2015): 576–90, doi:10.1111/1468-0424.12151; Elizabeth Harding, "The Early Modern German Professor at Home – Masculinity, Bachelorhood and Family Concepts (Sixteenth–Eighteenth Centuries)," *Gender & History* 27, no. 3 (November 1, 2015): 736–51, doi:10.1111/1468-0424.12160.

women were restricted in part by their marital status, those of wealth and status were able to act relatively independently. Bachelors faced different pressures and legal norms, but in both cases were able to act independently, as long as they could support themselves. It seems that in spite of the ideological, legal and religious attitudes towards never married men and women, in practice wealth and social status could allow them to navigate their marital status, while those from the lower orders were more restricted.

Why English and Venetian Families?

The seed of this thesis was planted in my mind when I saw from my own research interests in England and Venice that similar themes, such as the role of never married men and women in the family, were being discussed along parallel lines but that they did not take each other into consideration.⁵³ These unconsidered parallels placed a larger curiosity in my mind, and I began to look more broadly at studies on the family. I found that very few in depth qualitative studies on the family considered more than one country. This absence or disconnection set me on the path to this research project.

Each country or region in early modern Europe was bound by its own legal, social, political, cultural, or religious distinctions. Moreover, the sources that have survived to illuminate our knowledge of the past also differs widely. However, scholars - in this case historians of the family - often cover the same thematic ground. While broader studies on the European family such as David Kertzer's and Marzio Barbagli's edited volume brings together excellent overviews of family life in a European perspective, or edited books can bring together in depth and specialised debates on the same issue, the authors themselves do not take each other into consideration.⁵⁴ I am not suggesting that all studies of the European family should involve in depth empirical research over several regions, but I am interested to test how a qualitative study on two groups of families from different areas of Europe could benefit discussions on the history of the family.

This thesis will compare the English and Venetian families in this study separately but through three thematic lenses: marriage strategies, inheritance and family affiliation, and family hierarchies and relationships. Through these themes, I will show not only how the experiences of the English

⁵³ The exception here would be, De Groot, Devos, and Schmidt, *Single Life and the City 1200–1900*.

⁵⁴ David. I Kertzer and Marzio Barbagli, eds., *Family Life in Early Modern Times, 1500-1789* (New Haven: Yale University Press, 2001).

and Venetian families varied, but also what thematic silences or absences existed between them, and in some cases heuristically suggest new perspectives or directions for studies on the family.

Choosing to study English and Venetian families from the non-noble elite may be considered an unusual choice, and some may ask what is so special about studying English and Venetian families? The answer in my case is that they provide contrasting examples of the European family. Their residential patterns, family strategies, values of kinship ties, and definitions of adulthood were influenced by different norms and pressures. These distinctions are what make an in depth study on these families along the same thematic lines so interesting. Each generation of a family still had to deal with marriages, the transmission of family wealth, and maintain (if possible) good relations with their relatives. How they dealt with all these issues, the sources used to tell their stories, as well as the approaches used on both sides, can provide innovative ways advance studies on the family. As by examining the two families in parallel, the thematic silences and absences between the two may become visible.

Who were the English Gentry and the Venetian Citizenry?

The non-noble elites in question, the English gentry and Venetian citizenry, consisted of two rather broad groups. To establish a comparable and manageable sample for this study, I decided to refine my focus to those who passed the bar at the Inner Temple (one of the Inns of Court) or practiced the legal profession.⁵⁵ Establishing these parameters also makes for a more productive study, as the social structures of England and Venice do not make for an easy comparison; selecting a group with a shared professional status creates more points of connection. Using a profession places men at the forefront of this study, and 6discussions in this thesis will largely be led by the doors that these individuals open. However, the focus of this thesis is on the family, not just on the men that composed the profession. Keeping this perspective is important, as I do not want to limit the family experiences by gender unnecessarily.

In England the legal profession was considered to be a genteel one. Their professional category gave them a status that was independent of their landholdings. Gregory King calculated that barristers were the equivalent of esquires, and sergeants-at-law were equal to knights.⁵⁶ The gentry were the group between the upper 'middling sorts' and the nobility. Within this social status there

⁵⁵ For an explanation on the legal profession see chapter one.

⁵⁶For an overview of the English legal profession see page 36; Felicity Heal and Clive Holmes, *The Gentry in England and Wales, 1500-1700* (Stanford: Stanford University Press, 1994), 8.

were four main hierarchies: baronets, knights, esquires, and gentlemen. These categories were quite well defined, but were geographically relative, as counties with a large number of baronets and knights would have had a different dynamic to those where there were only a small number of each. At the end of the seventeenth century Gregory King found that there were 780 baronets, 620 knights, 3000-3500 esquires and 12,000-20,000 gentlemen in England.⁵⁷

The gentry were the leading families of the county, and it fell to them to maintain law and order, and to manage the county administration. Local officials, such as the sheriffs, justices of the peace, and magistrates or recorders (judges) were members of the gentry. Whilst these roles were generally filled by the greater gentry (esquires and above), rich families from the lesser gentry were not excluded, and in some counties took a larger role.⁵⁸ Being appointed to these positions gave the office holders an enhanced social status and position within the county, so rising families may have tried to secure administrative offices as a means of establishing their new social position. Even so, certain offices were favoured over others; Felicity Heal and Clive Holmes have shown that the shrievalty was considered one of the more burdensome offices among the gentry.⁵⁹ However, by the end of the seventeenth century the composition of local administration began to shift as fewer families of the greater gentry formed part of the magistracy, giving the lesser gentry greater responsibility in the county.⁶⁰ Whilst the English gentlemen in this study may not all have practiced as lawyers, through their status and family connections they may have found positions within county administration.

The division of social status in Venice was far more formalised and rigid. Venetian citizens were a distinct social group just below the patriciate. Unlike the English group who were inextricably linked to their country estates, Venetian citizens were members of the non-noble urban elite; they may have owned property on the mainland but their main residence was in the lagoon city. Moreover, unlike the English gentry, Venetian sons inherited their father's status but were given no opportunity for social mobility. Citizens made up around 7% (of 188,970 in 1607, and 132,000 in 1670) of the population over the seventeenth century.⁶¹ This group was largely undefined until

⁵⁷ Ibid., 12.

⁵⁸ There is a large literature surrounding the county gentry, for overviews on these discussions see, Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 165–189; B. G. Blackwood, *The Lancashire Gentry and the Great Rebellion, 1640-60* (Manchester: Manchester University Press, 1978), 10–24; Jacqueline Eales and Andrew Hopper, *The County Community in Seventeenth Century England and Wales* (Hatfield: University of Hertfordshire Press, 2012), 1–13.

⁵⁹ Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 174–175.

⁶⁰ Ibid., 187–188.

⁶¹ Andrea Zannini, “Un Censimento Inedito Del Primo Seicento E La Crisi Demografica Ed Economica Di Venezia,” *Studi Veneziani* 24 (1993): 109.

the second half of the sixteenth century when the categories of privilege became fixed. This solidification distinguished the differences between *cittadini originarii*, and the newer members, the *cittadini de intus* and *cittadini de intus et extra* (citizens who could trade within Venice, and citizens who could trade within and without).⁶²

The *cittadini originarii* were native Venetians whose fathers and grandfathers had been born in Venice, and had all maintained civil professions, such as, civil servants, lawyers, physicians, or notaries. The *cittadini originarii* typically worked in the administrative levels of the Venetian government, or as liberal professionals. They may have been excluded from political power, but they still held social authority and power in the city. Institutions like the *Scuole Grandi* – the six major confraternities – were organised and managed by the *cittadini originarii*, which gave them an important civic status within the city.⁶³ Their established influence in the city differentiated the *cittadini originarii* from the second category of citizens.⁶⁴ To become a *cittadini de intus*, a person would have to be a Venetian resident and pay taxes for ten years. To gain the right *de intus et extra*, one would need to be resident for 25 years but that could be shortened to ten years if he took a Venetian wife.⁶⁵

Up until the seventeenth century this definition of the citizenry was valid, but the rising importance of civil status led to a softening between patricians and citizens. This transition was officially noted in 1607, when tax record instructions gave a new definition on how to identify members of the citizenry: "For citizens include lawyers, doctors, notaries, and others that practice civil professions [...]."⁶⁶ Prior to this, newcomers to the city were required to live in the city for ten years before they could gain the recognition of citizenship status. Recent studies have argued that this transition was a first step to formally recognising that the upper level of the citizenry was evolving into a bourgeoisie.⁶⁷ Alexander Cowan found that the term '*uomo civile*' (civil man), which a century earlier would have referred to a patrician became a common term for those who held a civil status

⁶² Alexander Cowan, *Marriage, Manners and Mobility in Early Modern Venice* (Aldershot: Ashgate, 2007), 73.

⁶³ Frederic Chapin Lane, *Venice, a Maritime Republic* (Baltimore: John Hopkins University Press, 1973), 152.

⁶⁴ Andrea Zannini, *Burocrazia e burocrati a Venezia in età moderna* (Venezia: Istituto veneto di scienze, lettere ed arti, 1993), 37–54; Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 73.

⁶⁵ Maartje van Gelder, *Trading Places: The Netherlandish Merchants in Early Modern Venice* (Leiden: Brill, 2009), 34.

⁶⁶ "Per cittadini metterete Avvocati, Medici, Notari, & altri che esercitano professione Civile". *Archivio Storico del Patriarcato di Venezia*, (ASPV), Curia patriarcale. Archivio "segreto", Stati delle Anime, Parrocchia di San Moisè di Venezia, Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime, b. 1.10, 1669; Zannini, "Un Censimento Inedito Del Primo Seicento E La Crisi Demografica Ed Economica Di Venezia," 88.

⁶⁷ Andrea Zannini, "La Presenza Borghese," in *Storia Di Venezia: Dalle Origini Alla Caduta Della Serenissima, Il Rinascimento Politica E Cultura*, ed. Gaetano Cozzi and Gino Benzoni, vol. IV (Roma: Istituto della Enciclopedia italiana, 1996).

regardless of their social status in the city.⁶⁸ Likewise the term '*clarissimo*,' a title conventionally reserved for patricians, began to be used for citizens towards the middle of the seventeenth century.⁶⁹ The blurring line between the patriciate and citizenry was given a greater significance in 1646, when the patriciate began selling noble titles for 100,000 ducats. None of the lawyers in this study bought a patrician title, but had they been willing or able to pay they would have been accepted as patricians.

The growing importance of civility for the English and Venetian groups suggests that both were undergoing a similar social process. However, by looking at them through their professional rather than their social status, we can draw more lines of unity to make a study on them more fruitful.

Why the Seventeenth Century?

Placing this study in the latter part of the seventeenth century was more of a strategic choice. The rising importance of civil/genteel status at the beginning of the century meant that the socio-professional positions of the families in this study became distinct. Without such a clarification it would have been difficult to establish a leveling point for these two groups. Indeed, to attempt to do this study a century earlier for the same families would have been a more difficult task. Nevertheless, the seventeenth century was still a period of significant change, and I found that the second half of the century provided the best opportunity for balance between the two groups.

At the end of the sixteenth century and beginning of the seventeenth century Venice was marked by two significant plagues in 1575-1576 and 1630-1631, which reduced the population by a third each time, but the recovery was a lot slower after the second wave.⁷⁰ This demographic downturn coincided with an economic one, and Venice's supremacy as a commercial city was overtaken by its rising competitors such as Amsterdam and London. From the second half of the seventeenth century Venice was engaged in two wars with the Ottoman Empire over its Mediterranean territories. The first conflict (1645-1669) resulted in the loss of Crete, but the second (1684-1699) allowed Venice to take Morea in Southern Greece. Despite this downward spiral, the Republic's political stability was unchallenged, and there were no major events of social unrest in the city. The

⁶⁸ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 18.

⁶⁹ Giulia Moretti, the daughter and sister of Venetian citizens was referred to as *Clarissima* in the *catastici* records. ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime, b. 1.10, 1692.

⁷⁰ Zannini, "Un Censimento Inedito Del Primo Seicento E La Crisi Demografica Ed Economica Di Venezia."

Venetian lawyers would have grown up experiencing the changes in the city's fortunes and contributing to Venice's war efforts.

The seventeenth century was a more turbulent period in England. The Civil War (1642-1660) marked a fracture point in English history, and the families would have been divided by their loyalties to the King or parliament. The period from the Restoration (1660) onwards has often been incorporated as part of the long eighteenth century. Over the seventeenth century London took its place as a centre for world commerce through its increased manufacturing skills, overseas trade, and conspicuous consumption.⁷¹ In contrast to Venice, the population of London rose from 200,000 to 575,000 inhabitants.⁷²

Politically, the latter part of the seventeenth century covers a period from the restoration of Charles II (1660-1685) to the reign of William and Mary (1689-1702). Charles II was a charismatic king, and on his restoration he re-opened the playhouses, and lifted the censorship on printing, which brought a wealth of cultural production and performance back to the city. His heir was his brother James II, a Catholic, who in 1685 ascended to the throne. Although James II was initially popular, his zeal to give Catholics more prominent government offices and his lack of diplomacy signaled his downfall.⁷³ His reign culminated in the Glorious Revolution (1688), when James II and his family escaped to France. On his flight, the English offered the crown to James II's daughter, Mary, and her husband, William of Orange, who reigned from 1689-1702. These fluctuations of political stability, religion, and favouritism would have had an impact on the families in this study, as unlike the Venetian ones, they were not blocked from political office. Moreover, it was quite probable that some were directly involved in these affairs.

Getting Married in England and Venice

The process of getting married was also regulated differently in England and Venice. In England defining a valid marriage was complicated. There was no set form for a marriage contract, and a wedding could be performed in a church, as a civil service, or simply as an exchange of vows between the couple. Parental consent was required for those under 21 years old, but Laura Gowing

⁷¹ Peter Earle, "The Economy of London 1660-1730," in *Urban Achievement in Early Modern Europe: Golden Ages in Antwerp, Amsterdam, and London*, ed. Patrick Karl O'Brien (Cambridge: Cambridge University Press, 2001), 85.

⁷² R. Finlay, *Population and Metropolis: The Demography of London, 1580-1650* (Cambridge: Cambridge University Press, 1981), 51, see fn 1.

⁷³ Jonathan Scott, *England's Troubles: Seventeenth-Century English Political Instability in a European Context* (Cambridge: Cambridge University Press, 2000), 209.

found that below the elite, parents often consented to their daughter's choice.⁷⁴ The lack of a clear definition implied that marriage was the responsibility of the couple, the family, and the community to make and enforce, rather than of the Church or state. Only in 1753, with Hardwicke's Act, did a clear definition of marriage come into use in England. Until then, the responsibility was placed heavily on the shoulders of the father to ensure that his children were properly married.

The process of Venetian marriage was regulated more heavily. In 1563 the Council of Trent created a clearer definition of marriage. Part of this process was to lessen the influence of families in marriage ceremonies, and make the vows of the individual couples more important. This was expressed through the *Tametsi* decree (1563), which outlined three clear stages for a valid marriage.⁷⁵ The first was that the parish priest had to call the banns during mass three weeks prior to the wedding, which gave the community enough time to uncover any potential impediments. If there was no problem then the second stage, the wedding ceremony, was only valid if it was conducted in the church with two or three witnesses, and the couple freely consented. The third stage was for the couple to consummate the marriage.⁷⁶ This definition was problematic for patrician parents who saw marriage as a family decision.⁷⁷ It would seem that several families attempted to circumvent the new regulations, as in 1663 the State gave the *Avogaria di Comun* (State Attorneys) the authority to oversee that all patrician marriages adhered to the Tridentine reforms.⁷⁸ The *Avogaria di Comun* already controlled the process of patrician marriage, and any marriage involving a dowry that exceeded 1000 ducats also needed to be registered with them. Between the Tridentine reforms and the *Avogaria di Comun*, elite Venetian marriages were rigidly formalised and controlled.

Considering that the connection between marital status and domestic authority was much stronger in England than in Venice, the fact that the Venetian authorities and Catholic Church placed greater controls on the process of getting married in contrast to English ones, highlights a disparity between the two. Couples could still marry clandestinely, but when they married via official channels, their experiences would have been somewhat different.

⁷⁴ Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1996), 156–157.

⁷⁵ Daniela Hacke, *Women, Sex and Marriage in Early Modern Venice* (Aldershot: Ashgate, 2004), 31–33.

⁷⁶ Joanne Marie Ferraro, *Marriage Wars in Late Renaissance Venice* (Oxford: Oxford University Press, 2001), 38–40.

⁷⁷ Hacke, *Women, Sex and Marriage in Early Modern Venice*, 33.

⁷⁸ *Ibid.*, 35.

Not Getting Married in England and Venice

An interesting similarity between England and Venice was that during the seventeenth century both had a higher presence of men and women who never married. In England this trend was largely a feature of the lower orders, while in Venice it was more common among the social elites.

E. A. Wrigley and R. S. Schofield's landmark study on the population of England posited that during the seventeenth century between 20.5% and 22.5% of the population never married.⁷⁹ Over the 1980s these numbers were subject to debate and revision, as issues such as clandestine marriage skewed the figures, leaving a more fluid estimation of between 13% and 27% for those born from 1575-1700.⁸⁰ This percentage was averaged to 20% in Amy Froide's study on spinsters.⁸¹ Still, the age range that Wrigley and Schofield selected is problematic, as they categorised lifelong singles as those between the ages of 40 to 44 years old. Demographic historians who wanted to ensure more precise fertility levels would stick to this menopausal age range for women. However, placing an age limit on when men would marry is problematic, as there was no social age restriction for them.

In Venice, at the turn of the seventeenth century, bachelors represented a significant number of householders. Monica Chojnacka's study of the *status animarum* (state of souls, 1591-1595), found that out of 10,832 bachelors living in Venice, 1,745 (16%) were the heads of the household.⁸² Lifelong bachelors were present in all sections of Venetian society. While not all of them would have remained bachelors, it does show their presence in the city.

The disconnection between marriage and adulthood in Venice and its strong connection in England makes this distinction interesting. While there were unmarried men present in both societies, and by and large they were probably not limited by their marital status, their experiences within the family, and beyond may have differed. In England all sons were encouraged to marry and to establish their own residences. In contrast, elite family strategies in Venice sometimes encouraged elder sons who lived in extended family households to remain unmarried and to become the next *paterfamilias* to look after their siblings, and ensure the longevity of the family.

⁷⁹ Wrigley and Schofield, *The Population History of England, 1541-1871*, 262.

⁸⁰ Ibid., 255–267; Schofield, "English Marriage Patterns Revisited."; P. Earle, "The Female Labour Market in London in the Late Seventeenth and Early Eighteenth Centuries," *The Economic History Review* 42, no. 3 (1989): 328–53; R. Wall, "Women Alone in English Society," in *Annales de Démographie Historique*, vol. 16, 1981, 303–17; Weir, "Rather Never than Late," 345–347.

⁸¹ Amy. M. Froide, *Never Married: Singlewomen in Early Modern England* (Oxford: Oxford University Press, 2005), 2.

⁸² Chojnacka, *Working Women of Early Modern Venice*, 15.

These households were associated more with patricians, merchants, and artisans. This helped to preserve the family fortune but in some cases brothers lived together even without the legal bonds of *fraterna*.⁸³

Recent studies on the English gentry have drawn from debates on manhood and masculinity, and have begun to focus on notions of gendered identity among the English social elites.⁸⁴ They have emphasised that the growing influence of gentility at the end of the seventeenth century diminished the centrality of domestic patriarchal values.⁸⁵ Alexandra Shepard has argued that patriarchy and modes of manhood should be considered separately, and that the patriarchal model was just one of many ways.⁸⁶ Even though these changing models may have influenced English gentlemen, this thesis will focus more explicitly on the social relationships rather than on notions of gendered identity.

Mixing Methodologies, Comparative History, Prosopography, and Microhistory

“Above all a comparative approach forces us to reconsider our assumptions about the uniqueness of our own historical explanation”.⁸⁷

This study is at its very foundation a comparative one. Literature on the European family has shown that families in England and Venice came from rather distinct backgrounds. This thesis will use a comparative parallel framework to provide a heuristic analysis on the marriage strategies, inheritance practices and family dynamics and hierarchies.⁸⁸ This approach borrows heavily from

⁸³ James C. Davis, *A Venetian Family and Its Fortune, 1500-1900: The Donà and the Conservation of Their Wealth* (Philadelphia: American Philosophical Society, 1975), 93–106; Renata Ago, “Young Nobles in the Age of Absolutism: Paternal Authority and Freedom of Choice in Seventeenth-Century Rome,” in *A History of Young People in the West*, ed. Giovanni Levi and Jean-Claude Schmitt (Cambridge: Harvard University Press, 1997), 283–324; Stephen J. Milner and Dennis Romano, eds., “Vecchi, Poveri, E Impotenti: The Elderly in Renaissance Venice,” in *At the Margins: Minority Groups in Premodern Italy* (Minneapolis: University of Minnesota Press, 2005), 256–257.

⁸⁴ Lanzinger, *The Power of the Fathers*; Philip Grace, *Affectionate Authorities: Fathers and Fatherly Roles in Late Medieval Basel* (London: Routledge, 2016).

⁸⁵ Philip Carter, *Men and the Emergence of Polite Society, Britain, 1660-1800* (Harlow: Pearson Education, 2001), 15–52; Jennifer A. Low, *Manhood and the Duel: Masculinity in Early Modern Drama and Culture* (New York: Palgrave Macmillan, 2003); Shepard, “From Anxious Patriarchs to Refined Gentlemen? Manhood in Britain, circa 1500–1700”; Karen Harvey, “The History of Masculinity, circa 1650–1800,” *Journal of British Studies* 44, no. 02 (April 2005): 296–311, doi:10.1086/427126; Henry French and Mark Rothery, *Man's Estate: Landed Gentry Masculinities, 1660-1900* (Oxford: Oxford University Press, 2012); Karen Harvey, *The Little Republic: Masculinity and Domestic Authority in Eighteenth-Century Britain* (Oxford: Oxford University Press, 2012), 2–8.

⁸⁶ Alexandra Shepard, “From Anxious Patriarchs to Refined Gentlemen? Manhood in Britain, circa 1500–1700,” *Journal of British Studies* 44, no. 2 (April 1, 2005): 281–95.

⁸⁷ Heinz-Gerhard Haupt and Jürgen Kocka, *Comparative and Transnational History: Central European Approaches and New Perspectives* (New York: Berghahn Books, 2010), 23.

⁸⁸ *Ibid.*, 3.

the work of Marc Bloch, who through a heuristic approach studied agrarian property structure in early modern Provence.⁸⁹ By examining them in parallel through the same thematic lens, the differences or similarities between them might provoke new directions and perspectives for studying the family. The sources and approaches that have been used to study the English and Venetian families are rather distinct, and so by examining them in parallel we may see new gaps for further research.

In terms of the comparative studies that have already been conducted, there are two in depth studies that have included Venetian families: Peter Burke's work on Venice and Amsterdam, and Alexander Cowan's study on Venice and Lubeck. Both works focused on patrician families during the seventeenth century, and compared the experiences of elite families.⁹⁰

Looking at studies on the legal profession, Wilfred Prest's and David Lemming's studies are the two major works that focused on the members of the Inns of Court.⁹¹ Prest's study examined the legal profession before the English Civil War (1642-1660) from 1590 to 1640, and Lemming's study concentrated on the Inns of Court at the turn of the eighteenth century, from 1680 to 1720. Both of these studies followed prosopographical approaches.

Lawrence Stone notes that social elites, such as lawyers were a suitable target group for a prosopographical study.⁹² During the initial stages of my research, when I was selecting the families for this study, I adopted Stone's approach. Building a collective biography of the families allowed me to establish their basic characteristics. Moreover, it gave me a better sense of which families were suitable for more in depth case studies. Part of this collective research will form the basis of chapter one. However, the rest of this study will focus more on family life and experiences, through a series of individual cases.

In reducing the scale of analysis to case studies, this thesis takes inspiration from a micro-analytical approach. Microhistory evolved in the 1970s and 1980s when Italian historians were looking to change perspective from the macro and quantitative studies, and the influence of the French

⁸⁹ William H. Sewell, "Marc Bloch and the Logic of Comparative History," *History and Theory* 6, no. 2 (1967): 208–18, doi:10.2307/2504361.

⁹⁰ Alexander Cowan, *The Urban Patriciate: Lübeck and Venice, 1580-1700* (Köln: Böhlau, 1986); Peter Burke, *Venice and Amsterdam* (Cambridge: Wiley, 1994).

⁹¹ Wilfrid R. Prest, *The Rise of the Barristers: A Social History of the English Bar, 1590-1640* (Clarendon Press, 1991); David Lemmings, *Professors of the Law: Barristers and English Legal Culture in the Eighteenth Century* (Oxford: Oxford University Press, 2000).

⁹² Lawrence Stone, "Prosopography," *Daedalus* 100, no. 1 (January 1971): 46–79.

Annales School. Instead of focusing on trends or patterns, microhistory favours in depth empirical research that appreciates details. Carlo Ginzburg and Carlo Poni described this approach as a way to 'reconstruct the lived experience'. Jacques Revel prefers the more nuanced definition of 'a program for analysing the conditions of the social experience'.⁹³

One way to trace these experiences is to track the names of an individual or a group of individuals through the archives, and in so doing establish 'a network of social relationships' from which the experiences can be examined.⁹⁴ Although the accessibility and geographical spread of the archives in England and Venice are different, the list of names helped me to navigate them.

The point of this approach is not to be representative, even if the cases are exceptional, they can form what Edoardo Grendi has called a 'normal exception'. Grendi suggests that by focusing on the exceptional we can gain a better understanding of the norm.⁹⁵ While I am unsure how far the case studies in this thesis can live up to the normal exception, through them I will examine the solidarities, dynamics and hierarchies among the English and Venetian families in this study. By taking inspiration from the micro analytical perspective, I hope to provide a nuanced examination of how families experienced the major stages of their lives.

By using a combination of approaches, I believe that this study will provide a different perspective of the family. Although these families were by-products of their environments, it would be foolhardy to try to compare the Venetian Republic with England directly. By focusing on the families and not on the areas they came from, the scales between the two can be kept balanced.

Selecting the Group

The English group was selected in part to complement Prest's and Lemming's studies on the members of the Inns of Court.⁹⁶ Choosing the time range 1661-1667 also corresponds

⁹³ This approach is heavily connected to anthropology and there are many debates surrounding its development, which I will not go into here. Jacques Revel, "The Critique of Social History: Microanalysis and the Construction of the Social," in *Histories: French Constructions of the Past*, ed. Jacques Revel and Lynn Avery Hunt, trans. Arthur Goldhammer (New York: New Press, 1998), 497.

⁹⁴ Carlo Ginzburg and Carlo Poni, "The Name of the Game: Unequal Exchange and the Historiographic Marketplace," in *Microhistory and the Lost Peoples of Europe: Selections from Quaderni Storici*, ed. Prof Edward Muir and Prof Guido Ruggiero (Baltimore: The Johns Hopkins University Press, 1991), 6.

⁹⁵ Prof Edward Muir and Prof Guido Ruggiero, eds., *Microhistory and the Lost Peoples of Europe: Selections from Quaderni Storici* (Baltimore: The Johns Hopkins University Press, 1991), xiv; Giovanni Levi, "On Microhistory," in *New Perspectives on Historical Writing* (Cambridge: Cambridge: Polity Press, 1991), 93–113.

⁹⁶ Prest, *The Rise of the Barristers*, 1991; Lemmings, *Professors of the Law*.

chronologically with the Venetian group, while at the same time sidestepping the Civil War and Interregnum period. The lawyers in this study would have been adolescents during the Civil War, and would have been influenced by the world that changed around them. This study will focus on their family life, and although this may include elements of the Civil War, it will not be the focus of this study.

The Venetian group was established and chosen from the *stati delle anime* and *catastici* (land tax) for Santa Maria Zobenigo for the years 1645-1668. Although the *calle degli avvocati* intersected several parishes, the tax records show that there was a concentration of lawyers living in Santa Maria Zobenigo.⁹⁷ The reason that I used the *catastici* and *stati delle anime* records to locate this professional group was that I found a remarkable collection of *catastici* for Santa Maria Zobenigo, which does not exist for any other parish. The majority of them have been well-preserved and they have allowed me to establish not only the lawyers' residential patterns, but also the age of the inhabitants, and their relationship to the head of the household.

By using different sources to locate these two groups, there are some basic differences between them. The gentlemen of the Inner Temple were a far more homogeneous group, as they were mostly members of the gentry who interacted in the same small social world. While they may not have spent all their time in London, there would have been more points of familiarity between them. In contrast the Venetian lawyers were a diverse group; some had lived in the city for generations, while others were relative newcomers from the mainland or the Venetian territories. While they would have all studied in Padua, and shared the same adolescent experiences, they were not all contemporaries of each other. They may have had familial, social or professional connections but their residence in the same parish connected them in a different way to those from the Inner Temple.

In practical terms tracing English lawyers was more difficult than the Venetian ones. From 1661-1667, 98 lawyers were called to the bar at the Inner Temple, but not all of them left their mark on society. I was only able to trace 57 gentlemen from the Inner Temple, and this refined group will form the English sample for this study.⁹⁸ This group does not represent the elite of the Inner Temple who had more prestigious careers or family backgrounds. The group itself is a mix of both mediocre and prestigious individuals. In comparison, the Venetian case was much more

⁹⁷ In 1624, almost all the *cittadini* in Santa Maria Zobenigo were listed as lawyers, whereas in the surrounding parishes, the professions were more balanced. Biblioteca del Museo Civico Correr (BMCC), Codice Donà delle Rose, 351.

⁹⁸ See Table 1.1.

straightforward. Out of the 47 lawyers that appeared in Santa Maria Zobenigo from 1645-1668, I was able to trace 43 of them to some degree.⁹⁹ The sources themselves made it easier to retrace the Venetian group, as the *catastici* and *stati delle anime* provided me with more reliable information on the families in question than the Inner Temple's admissions register.

The differences between the English and Venetian archives also made it easier to trace the Venetian lawyers. Having all the archives located in one city, in contrast to England where the archives are geographically spread across the country presents different practical challenges when conducting research.

Sources

The experiences of the English and Venetian families in this study may have been notably different, but these differences were accentuated by the creation and preservation of different source types. The practice of writing diaries and account books was not common among the Venetian social elite. They were not compelled by the same need as their Florentine counterparts to keep an account of their daily lives and experiences. The practice was comparatively more common among the English social elite. Likewise, the absence of notaries in England means that the notarial archives in Venice provides a source type that does not exist in England. These different customs and cultural practices directs and shapes the limits of what can be empirically known about the past in different regions, between the English and Venetian families in this study there are some silences that are a direct outcome of such imbalances.

The preservation and accessibility of sources in England and Venice also directs the type of research that can be conducted. In this regard, the fact that England is a country and Venice is a city makes the scale more apparent. All the Venetian archives are located in Venice, while in England they are divided up by county, with a concentration in London. However, the work that has been done in England to digitalise English sources, especially in regards to family history, means that it is now possible to trace birth, marriage and death records online. Similarly, all the testaments placed with the Prerogative Court of Canterbury have been digitalised.

This study draws from a wide range of English and Venetian sources. Throughout this thesis I have tried to strike a balance between the sources in order to keep the comparative element viable.

⁹⁹ See Table 1.2.

For example, I was able to find several inventories and notarial records for the Venetian families, which simply do not exist or have not survived for the English families, for whom there are many more court cases. This does not mean that I have not made use of these sources, but my principal concern has been not to overuse one source type if an equivalent cannot be used on the other side. Due to this issue sacrifices have been made on both sides in order to keep the comparative framework of this study viable. In England I did not make use of all the diaries and letters, and in Venice I limited my use of inventories and notarial records.

Venice

The main Venetian sources that I will use for this study are: tax and census records, wills, inventories, notarial records, citizenship records, genealogical collections, and a family archive.

The tax and census records (the *catastici*, *stati delle anime* and *decime* records) form the foundation of my study. They are held in the ecclesiastical archives, the *Archivio Storico del Patriarcato* and the *Biblioteca del Museo Civico Correr*, while the *decime* are held in the *Archivio di Stato*. For the *stati delle anime*, there were five registers taken during the seventeenth century - 1607, 1624, 1642, 1669; and 1695 - only those for 1624, 1669 and 1695 are complete, since the 1607 survey covers just the parish of S. Polo, and the 1642 one is limited to the sestiere of *Dorsoduro*.¹⁰⁰ The introduction of templates in 1607 gave these surveys uniformity and a greater reliability, but they also removed some crucial details for a study on the family. Besides the householder it is not clear who else resided in the household, and as such the family relationships and household types are not clear. The *stati delle anime* are a limited set of sources for the seventeenth century. What they offer is a clear division of social order and a relatively reliable photograph of each parish.

Where the *stati delle anime* become interesting is when they are used in conjunction with the *catastici*, which not only took into account the heads of household and the amount of rent, but all the inhabitants within those households. Increasingly details such as the householder's surname, his father's name, his profession and the name, status, and age of all the inhabitants were included. Although the details were not taken consistently, collectively they give a far clearer picture of the parish. In total there are twenty surviving surveys that range from 1638-1697, but only five of them

¹⁰⁰ BMCC, Codice Donà delle Rose, 351.

contain real detail: 1645, 1649, 1658, 1665, and 1697, so it is in fact possible to trace the inhabitants of the parish for 50 years.¹⁰¹

The *decime* was a 10% tax on the population's immovable property. To assess the amount of tax a person owed, each land or property owner would submit a declaration of the immovable property they owned in Venice and on the mainland, including any loans on that land. However, for the seventeenth century there was only one *decime* in 1661, and it has not been catalogued by parish but instead by district.¹⁰² Still, I was able to go through the records for San Marco and find 39 *decime* declarations made by my lawyers and their family members.

The citizenship records and genealogical collections held in the *Archivio di Stato* establish the families in their wider context. The citizenship records are the applications made by the families to the state attorneys (*Avogaria di Comun*) to become members of the *cittadini originarii*.¹⁰³ Depending on the case, these applications can provide a lot of basic details about the family for three generations, such as their place of origin, marriages, position in the community, and status. The genealogical family trees were made by the nineteenth century scholars, Giuseppe Tassini and Teodoro Toderini; both collections draw from a number of sources and provide a wider context about the lawyers' marriages and their family ties.¹⁰⁴

Details about the families themselves come largely from wills, inventories, and notarial records. Depending on the family, the notarial archives can provide a lot of information about a family's activities.¹⁰⁵ Testaments are also held in the notarial archive, but the catalogue for them is not complete. Inventories can also provide information on a person's wealth and status, but they vary in detail. I have collected 15 inventories, and in combination with the other sources they provide a wider picture of the lawyers' domestic space.

The final source type, which was perhaps the most important discovery I made while researching in Venice, was the private archive of the Moretti family. Their archive is held in the *Archivio delle*

¹⁰¹ ASPV, Archivio Segreto, Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8-1.10. 1638-1697.

¹⁰² ASVe, Dieci Savi Sopra le *Decime DI Rialto*, San Marco, Condizioni, b. 212-215.

¹⁰³ ASVe. Avogaria di Comun (AdC), *Cittadini Originarii*, 361/1-399.

¹⁰⁴ Giuseppe Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1-5; ASVe, Teodoro Toderini, "*Genealogie delle famiglie Venete ascritte alla cittadinanza originaria*.", *Storia Veneta*, Miscellanea Codici I, vols.5.

¹⁰⁵ The two notarial collections that I have focused on the most in this study are those of Gregorio Bianconi and Simone Porta and Paolo Moretti. ASVe., Atti Notarile, Gregorio Bianconi, 1070-1115, and Simone Porta and Paolo Moretti, 8501-46 and 11016-48.

Istituzioni di Ricovero e di Educazione (IRE), the archive for charitable institutions. The Moretti family's sister Zanetta was the Prioress of the *Ospedale dei Derelitti* (a shelter for orphans and women), and through this connection a lot of property was left to the *Derelitti*. Their archive contains a whole range of documents related to two generations of the Moretti family.¹⁰⁶

England

The foundation source for the English group is the admission registers for the Inner Temple. The registers have been digitalised in a database, which has made it much easier to select and categorise the group for this study. The information within each admissions record varies, and it is meant to include the applicant's and his father's name, status, and address. However, few records were ever fully filled in and a number of details are often missing.¹⁰⁷ Still the family name and place of residence is often enough to identify the individual in question. Through genealogical family trees for knights and esquires, as well as biographical dictionaries and heralds visitations, it is often possible to fill in the rest of the family's basic information.¹⁰⁸

From there I used a combination of parish records, wills, court cases, marriage agreements, and family archives to build a picture of the English families in this study. For English testaments, the copies kept by the Prerogative Court of Canterbury have been digitalised by the National Archives in Kew, which makes them easily accessible.¹⁰⁹ The court cases for the Prerogative Court of Canterbury and the Chancery are also held at Kew.¹¹⁰ The English lawyers in this study were involved in a lot of court cases, often about land or money matters. I have limited the court cases in this study almost exclusively to those relating directly to family matters and inheritance disputes.

Due to the social status of the families considered in this study, several had family archives, which are usually held in the county record offices where their estates were located. These archives vary in detail, but typically include letters, marriage settlements, and family accounts. Given the

¹⁰⁶ Archivio delle Istituzioni di Ricovero e di Educazione (IRE), DER E 169, Giulia Moretti, b.1-6.

¹⁰⁷ Inner Temple's Admission database <http://innertemplearchives.org.uk/index.asp>.

¹⁰⁸ Such as, *Oxford Dictionary of National Biography*, (Oxford University Press, 2004), or Bernard Burke, *A Genealogical and Heraldic History of the Landed Gentry of Great Britain & Ireland* (London, 1871).

¹⁰⁹ TNA, PRO, PROB 11.

¹¹⁰ TNA, PRO, PROB 18 and 24; TNA, C5-11.

geographical spread of these families, I limited my county archive visits to the Flintshire, Cheshire, Bedfordshire, Buckinghamshire and Kent archives.¹¹¹

Chapter Outline

Chapter One will introduce the English and Venetian lawyers as a whole, and provide a background on their profession. This chapter will begin by outlining the basic elements of the legal profession in England and Venice, then establish the characteristics of the English and Venetian families in this study. Drawing from the 57 English and 43 Venetian families, I will examine their place of origin, social status, parentage, father's profession, and position in the family. Establishing these key points will not only set a foundation for the two groups within their own environment, but it will also reveal a general overview of the main differences between the two groups.

Chapter Two will examine the marriage strategies of the English families in this study. The first part will look at the effect of early and late marriage, as well as the presence of bachelors among the gentlemen of the Inner Temple. Then it will focus more specifically on whom they married, and the types of exogamous or endogamous marriages they formed generationally and inter-generationally within their own profession, social group and region.

Chapter Three will look at the marriage alliances that Venetian families made. While there was less pressure on Venetian men to marry, the families that they chose to align themselves with, as well as those that their mothers, sisters, and daughters married into, created connections that enhanced and dictated their social standing in the city. By looking at the marriages they formed this chapter will try to gauge the motives and marriage strategies of these families over generations. The first part will look at the marriage they formed with patrician men and women. The second part will look at the types of citizen marriages that they made and whether they married endogamously within their profession or community.

Chapter Four draws more exclusively on probate court cases and will focus on three case studies of family disputes that followed in the wake of arguments over wealth and land. Although the court cases themselves were about claims over the property, the bitterness over favouritism and wider

¹¹¹ Flintshire Record Office (FRO) Trevor Family; Cheshire Record Office (CRO), Fitton Family, Bedfordshire Record Office (BRO), Farrer Family, Centre for Buckinghamshire Studies (CBS), Roger Hill, Centre for Kentish Studies (CKS), Edward Dering.

family resentments are often revealed in probate court cases. In so doing these case studies will reveal the sense of solidarity within the family and how favouritism or disloyalty could break family ties.

Chapter Five will focus on how family affiliations were expressed in death, and through testamentary bequests. The first part of the chapter will explore burial bequests, and how in contrast to testamentary bequests, they reflected a greater sense of affiliation. This decision was more difficult for married women who had to decide between their natal and marital family, as well as for families that were relatively new to the city, and retained ties in both their place of origin and the city. Through a series of case studies the second part will focus on the testamentary bequests of families over generations, and examine the manner in which family members bequeathed their wealth, and how they used their testaments to exercise agency and authority over their heirs.

Chapter Six will take one family as a case study and examine the life of Sir Edward Dering (1625-1684). Through the use of his family archive, this chapter will focus on Sir Edward's relationship with his natal family, his wife's family, as well as his children and grandchildren. In 1644, Sir Edward became the head of the Dering family, and from that point onward he became responsible for seeing to the upbringing of his younger siblings. By following Sir Edward's relationships with his family members, this chapter will focus on how he acted as a son, brother, husband, father and grandfather, and in so doing see how his family relationships evolved over his lifetime.

Chapter Seven will also focus on one family, the Moretti. Domenico Moretti and his siblings lived together in *fraterna* in the parish of Santa Maria Zobenigo throughout the seventeenth century. Drawing from the Moretti family archives, this chapter will examine the marriages that Domenico's siblings formed, and how his testament affected the next generation of the Moretti family. By this means, I will examine the dynamics of a family living in *fraterna* and how their relationships and hierarchies evolved.

CHAPTER ONE - Men at the Bar

As to the profession of the law, I must say of it in general, that it requires the whole man, and must be his north star, by which he is to direct his time, from the beginning of his undertaking it, to the end of his life[...] he must not only read and talk, but eat, drink, and sleep law.¹¹²

(The Honourable Roger North)

The legal profession was a prestigious one, but across Europe the men who practiced it were quite distinct. This thesis will examine a group of English and Venetian families, who were connected by their shared affiliation to the legal profession. The gentlemen of the Inner Temple, and Venetian lawyers may have shared the same professional status but they were products of their environments. This chapter will introduce the two groups in their professional and family settings, and provide a foundation for this study.¹¹³ After a brief introduction of the legal profession in England and Venice, I will focus on five characteristics of my sample groups: (1) their social status, (2) their places of origin; (3) their fathers' professions and social status, and (4) their order of birth, and (5) residential patterns.

The Legal Profession in England and Venice

The English judicial system was divided into two branches, civil and common law. Following common law, barristers and sergeants formed the upper branch of the legal profession and were trained at the Inns of Court.¹¹⁴ Attorneys formed the lower branch and were trained at the Inns of Chancery. Each Inn of Chancery was affiliated to a particular Inn of Court. Prior to the seventeenth century, only sergeants could practice in court, but with the expansion of litigation in the sixteenth century, barristers took on a larger role until they became a distinct profession after the Civil War (1642-1660).¹¹⁵ The English group for this study will be composed principally of barristers, those who had passed the bar, and were officially able to practice as lawyers.

¹¹² Roger North, *A Discourse on the Study of the Laws* (London, 1824), 7.

¹¹³ There are no direct comparisons for London, and for Venice only two have been attempted for the seventeenth century. Burke, *Venice and Amsterdam*; Cowan, *The Urban Patriciate: Lübeck and Venice, 1580-1700*.

¹¹⁴ The Inns of Court were made up of: Lincoln's Inn, Gray's Inn, Inner Temple, and Middle Temple.

¹¹⁵ Wilfrid R. Prest, *The Rise of the Barristers: A Social History of the English Bar, 1590-1640* (Oxford: Oxford University Press, 1991), 4-9.

Barristers developed as a distinct profession when the Inns of Court were restricting their admissions practices. In 1604, James I decreed that no-one below the descent of a gentleman should be admitted to the Inns of Court.¹¹⁶ In principle this prevented the lower orders from entering the Inns. The admissions registers for the Inner Temple showed that very few applicants were listed as coming from a poorer social background.¹¹⁷ To enter one of the Inns of Court an applicant would need two sponsors from the Inn, who would vouch for his status and character.¹¹⁸ Upon registration a new applicant was supposed to give his father's social status and address as well as his own. However, adherence to these details was not heavily enforced, and in a number of cases the applicant simply wrote his name and that he was a gentleman. The ambiguity of gentlemanly status meant that it is often difficult to know or retrace a family's social status. This was made more complicated by the fact that anyone who graduated from an Inn was considered a gentleman. Those from lower social backgrounds just mixed in, and by the time they graduated, or left the Inn, they would have acquired the contacts, reputation, and social standing among their peers.¹¹⁹

The Venetian legal profession also had a hierarchical system; in basic terms lawyers were divided into *avvocati ordinarii* (patrician lawyers), *avvocati straordinarii* (citizen lawyers).¹²⁰ The *avvocati ordinarii* were a small group of patrician lawyers who like sergeants had a monopoly on practicing in court until the fifteenth century.¹²¹ With an expanding legal system, Doctors of Law from the mainland and *cittadini originarii* (third generation Venetians) were allowed to practice as *avvocati straordinarii* in a limited capacity. However, by the seventeenth century they too had grown into their own distinct profession.¹²² The lawyers in this study are formed principally from this branch of non-patrician lawyers.

Venetian lawyers were not tied to an institution, so the state had greater control over the profession. In the seventeenth century, the basic requirements for becoming a lawyer became stricter. In 1600, the state decreed that they needed to be: a long term resident (if not a *cittadino originarii*), to have

¹¹⁶ Ibid., 88–89.

¹¹⁷ See, Inner Temple Admissions Database, (<http://www.innertemplearchives.org.uk/index.asp>).

¹¹⁸ David Lemmings, *Gentlemen and Barristers: The Inns of Court and the English Bar 1680-1730* (Oxford: Oxford University Press, 1990), 128.

¹¹⁹ Prest, *The Rise of the Barristers*, 1991, 88–89.

¹²⁰ Silvia Gasparini, *Tra fatto e diritto: avvocati e causidici a Venezia nell'età moderna* (Padova: Imprimatur, 2005), 30.

¹²¹ Giuseppi Trebbi, "Le Forme Del Potere: Le Professioni Liberali," in *Storia Di Venezia: Dalle Origini Alla Caduta Della Serenissima, Il Rinascimento Politica E Cultura*, ed. Alberto Tenenti and Ugo Tucci, vol. IV (Roma: Istituto della Enciclopedia italiana, 1996).

¹²² Ibid.

never worked in practical trades, and to pass an exam on "the practices of the palace [courts]."¹²³ This elevation of status and skill was a way to separate lawyers from the less educated *causidici* (*solicitors*).¹²⁴ In 1608, they added a new requirement stating that each new lawyer should practice for at least two years with an established one.¹²⁵ This caused an influx of lawyers in the parishes around San Marco, particularly Santa Maria Zobenigo, Sant' Angelo and San Maurizio, as the majority of legal firms were located in and around the *Calle degli Avvocati*.¹²⁶ Despite this addition it was still felt that the exam did not filter the candidates appropriately. In 1656, the state created a list of 25 questions relating to Venetian law, which was to be renewed every three years.¹²⁷ The point of this exam was to demonstrate a good knowledge of Venetian law and Latin.¹²⁸

The legislation and regulation concerning lawyers illustrated that the state was much more involved in regulating the legal profession than in England. The Inns of Court were separate and independent entities, and were even outside the jurisdiction of London's municipal authorities. Despite the differences of the two systems, the English barristers, and the Venetian lawyers held similar positions within the hierarchy of their profession.

The Requirements of a Legal Education

Once a new member was accepted at an Inn of Court, he became an inner barrister. After seven years of training he would be called to the bar (able to practice as a lawyer), and become an utter (or outer) barrister. When barristers had gained enough experience or prestige with a particular Inn they then rose to become masters of the bench (benchers).¹²⁹ All of these distinctions dictated where they sat and with whom they sat in the dining hall. Titles within the Inns of Court were heavily ritualised. The inner barristers sat at the clerks' bench, while the utter barristers and above sat at the master's bench.¹³⁰

¹²³ Gasparini, *Tra fatto e diritto*, 2005, 61.

¹²⁴ "[causidici] Si chiama quelli che procura le espedizione delle cause, facendo tutti gli atti, conducenti alla medesima"; l: 1 ff. De Or, jur., l. 30, C. Theod de cohorial princ. Cor, V. Interveniente, Sollicitador, Procuratore. Quoted from, Marco Ferro, *Dizionario del diritto comune e Veneto* (Santini e Figlio, 1845). "[Causidici] Are what you call those who expedite things, doing all the official paperwork, leading to the same". Ibid., 62.

¹²⁵ These requirements only properly entered the legal statutes in 1626. Ibid.

¹²⁶ Ibid.

¹²⁷ Ibid., 64.

¹²⁸ Ibid., 65–67.

¹²⁹ Rosemary O'Day, *The Professions in Early Modern England, 1450-1800: Servants of the Commonwealth* (London: Routledge, 2000), 163–168.

¹³⁰ J. H. Baker, "The Third University 1450-1550: Law School or Finishing School," in *The Intellectual and Cultural World of the Early Modern Inns of Court*, ed. Elizabeth Goldring, Sarah Knight, and Jayne Elisabeth Archer (Manchester: Manchester University Press, 2011), 8–26.

Although the Inns of Court ‘trained’ the upper branch of the legal profession, the seven -and later eight-year apprentice model that they offered was flexible. No university degree was required to enter the Inns of Court, and while a number of students had gone to either Oxford or Cambridge, many of them only spent a year or two there.¹³¹ The classes given by the Inns were by no means mandatory either; students who did not wish to attend them could pay a fine for their absence, but as long as they could demonstrate good oratory and rhetoric skills they would still pass the bar.

This lack of discipline did not sit well with the benchers. In 1568, benchers from the Middle Temple tried to block barristers who did not attend or take part in the curriculum.¹³² The education offered at the Inns was a combination of readings (lectures), disputations, and moots (debating and pleading court cases). The lectures gave the students a basic grounding in legal theory and method. The disputations on readers’ cases allowed the students to see legal arguments debated between the sergeants and judges in attendance, while the moots were purely exercises of oratory and rhetoric, where lawyers pleaded the point of their case.¹³³ Utter barristers typically performed the moots, and the benchers or more experienced barristers gave lectures and officiated at disputations. Utter Barristers who wanted to become benchers had to take an active role in the moots. Advancement at the Inns of Court was not just about establishing a practice and developing a reputation; its members were required to give back to the younger members of the profession if they wanted to be given a leading role in the Inn itself. For example, being asked to read at one of the Inns of Chancery was the ritual way in which one became a bencher.¹³⁴

Explaining this process is important because at the beginning of the Civil War (1642) this educational system collapsed. When it re-established itself in the 1660s, the rituals and traditions of the Inns were no longer compatible with the new generation of barristers, and they ceased to function as places of education.¹³⁵ Despite this development they continued to act as educational institutions, but the need to reside at the Inn for seven years was loosened, making it possible to commute from Oxford or Cambridge for the mandatory dinners and readings.¹³⁶ Likewise

¹³¹ Lemmings, *Professors of the Law*, 19–22.

¹³² Baker, “The Third University 1450-1550: Law School or Finishing School,” 16.

¹³³ *Ibid.*, 17–20.

¹³⁴ O’Day, *The Professions in Early Modern England, 1450-1800*, 125–126.

¹³⁵ Baker, “The Third University 1450-1550: Law School or Finishing School,” 22.

¹³⁶ Michael Lobban, “The English Legal Profession and its Education in Historical Perspective,” in *Un progetto di ricerca sulla storia dell’avvocatura*, ed. Guida Alpa and Remo Danovi (Bologna: Il Mulino, 2003), 232–234.

membership within the Inns remained the only way to practice, but over the eighteenth century the ceremony and ritual became the mainstay of training at the Inns.

The members of the legal profession were still expected to be highly educated, well-read, and to possess the values of rhetoric and oratory, but the Inns of Court did not supply the same level of legal training. For the majority of members who entered the Inns of Court, the collapse of the educational system was not a great loss. The Inns of Court were filled with sons of the gentry and nobility who had no intention of becoming lawyers. J. H. Baker estimated that less than 10% of the inner barristers intended to join the legal profession in the fifteenth and sixteenth centuries.¹³⁷ The draw of the Inns of Court was the chance to gain a little legal knowledge, to network with other young members of the elite, and to have a reputable reason for living in London. During the term and holidays the students were involved in drama and literary productions at the Inns. John Donne (1571-1637) and Francis Bacon (1561-1626), were members of the Inns of Court and spent their time there expanding on their literary works; Donne, for instance, wrote his first satire at the Inns.¹³⁸ Numerous plays were performed within the individual Inns, a famous example being William Shakespeare's *Comedy of Errors*.¹³⁹ All of this indicates that even without an educational aspect the Inns of Court still had something to offer their members.

The Venetian attitude to legal training was the reverse. Lawyers were expected and required to have a university education. From the reforms made to the legal profession in the seventeenth century it is clear that the state wanted all lawyers to receive a comprehensive legal training. According to Francesco Sansovino, a lawyer should have studied law for at least five years before he started practicing his profession.¹⁴⁰ He went even further and recommended that along with an understanding of letters a lawyer should be a good humanist and have a thorough knowledge of Greek, Latin, mathematics, and philosophy.¹⁴¹ Whilst they may not have all been good humanists, there was certainly an expectation that lawyers should go to university to study law, and get a solid grounding in legal theory, before they learnt to practice as lawyers in the city. The regulation of the legal profession in 1608, which imposed a five-year university education and a two-year 'apprentice'

¹³⁷ Baker, "The Third University 1450-1550: Law School or Finishing School," 9.

¹³⁸ Sarah Knight, "Literature and Drama at the Early Modern Inns of Court," in *The Intellectual and Cultural World of the Early Modern Inns of Court*, ed. Elizabeth Goldring and Jayne Elisabeth Archer (Manchester: Manchester University Press, 2011), 217–218.

¹³⁹ Bradin Cormack, "Locating the *Comedy of Errors*: Revels and Jurisdiction at the Inns of Court," in *The Intellectual and Cultural World of the Early Modern Inns of Court*, ed. Elizabeth Goldring, Sarah Knight, and Jayne Elisabeth Archer (Manchester: Manchester University Press, 2011), 264–270.

¹⁴⁰ Francesco Sansovino *L'Avvocato. Dialogo nel quale si discorre tutta l'autorità che hanno i magistrati di Venetia con la pratica delle cose giudiciali del Palazzo*, Vinegar, appresso da Lelio Bariletti e fratelli, 1566, 9r.

¹⁴¹ Sansovino *L'Avvocato*, 10r.

model on Venetian lawyers, showed that learning to practice the law in Venice was the finishing touch to a lawyer's education.

The legal profession may not have been educated in a separate institution but the majority of lawyers would have studied in Padua. Like the Inns of Court, Padua was a melting pot for the citizenry, patriciate, and foreign elite.¹⁴² Patricians could only study in Padua, and so citizens would have spent their adolescent years not only following a course of study, but also networking, developing their reputation, and forming friendships with the Venetian elite. When one of the lawyers in this study, Giovanni Francesco Busenello went to Padua he made a lifelong friendship with the patrician Giacomo Badoer.¹⁴³ The creation of this adolescent society would have benefitted the families in this study, as when they graduated and went to practice law in Venice, the friendships they had formed there would serve them well.

In terms of their training, English and Venetian lawyers followed different traditions. Even if the educational system at the Inns of Court had not collapsed, it still would have offered a more practical apprenticeship model of training, whilst the Venetian system required a lawyer to have a university degree. Both Padua and the Inner Temple acted as social mixing pots for the lawyers in this study, and played similar roles in this respect. These two modes of education were distinct, but both worked in their own contexts.

The Image of English and Venetian Lawyers

In England and Venice, lawyers were depicted as having split personas, being both honourable and corrupt. In Venice, the best depictions come from Francesco Sansovino's prescriptive text, *L'Avvocato* (1566), and in the eighteenth century, Carlo Goldoni's opera *L'Avvocato Veneziano*.¹⁴⁴ The seventeenth century was largely quiet when it came to depicting lawyers. In the eighteenth century, the legal system was reformed, paving the way for its modern version. Thus Goldoni's opera fits well into the wave of prescriptive books on lawyers at the time.¹⁴⁵ The stereotypes swung between the virtuous patrician lawyer who, due to his status represented the power of Venetian justice, and the corrupt lawyer who was morally devoid. The patrician lawyer used oral pleading to

¹⁴² Paul. F Grendler, *The Universities of the Italian Renaissance* (Baltimore: Johns Hopkins University Press, 2011), 37–40.

¹⁴³ Arthur Livingston, *La vita veneziana nelle opere di Gian Francesco Busenello* (Venice: V. Callegari, 1913), 32.

¹⁴⁴ Giovanni Rossi, "Rhetorical Role Models for 16th to 18th Century Lawyers," in *Quintilian and the Law: The Art of Persuasion in Law and Politics*, ed. Olga Eveline Tellegen-Couperus (Leuven: Leuven University Press, 2003), 81–94; Silvia Gasparini, *Tra fatto e diritto: avvocati a causidici a Venezia nell'età moderna* (Padova: Imprimatur, 2005).

¹⁴⁵ Rossi, "Rhetorical Role Models for sixteenth to eighteenth Century Lawyers," 93–94.

enforce the truth of the case, while the other was advised to use dramatic flair and, “Exclaim, laugh and cry and finally swear as much as you can so that the judge will be on your side”.¹⁴⁶

In England, corruption was also unfairly placed on attorneys and solicitors. Terms such as *pettyfoggers* were used to describe these men, as it was believed that their corrupt, immoral, and quibbling ways hindered the justice system.¹⁴⁷ In John Dunton's *The Informer's Doom* (1683), an attorney is confronted by an unhappy client who says:

“You that look like a civil citizen, or some handsom Pettifogger of the Law, although your crimson nose betrays, you can sup a cool cup of sack without any chewing, yet have you as much knavery in your side-Pouch there, as would breed the confusion of forty honest men.”¹⁴⁸

This drunk attorney personified the image of a corrupt lawyer. Barristers were not stereotyped as corrupt, as their presumed knowledge of Latin, legal French, and genteel status meant those from the lower branch were easier targets. It was therefore simpler to see barristers as those who reflected the authority, honour, and dignity of justice and the state. In practice, the lower branch were no more corrupt than the upper one, but social status impacted on how the two were represented.

¹⁴⁶ Francesco Sansovino *L'Avvocato. Dialogo nel quale si discorre tutta l'autorità che hanno i magistrati di Venetia con la pratica delle cose giudiciali del Palazzo*, Vinegar, appresso da Lelio Bariletti e fratelli, 1566 quoted from Ibid., 89.

¹⁴⁷ A *Pettyfogger* is defined as, “A lawyer who engages in petty quibbling and cavilling, or who employs dubious or underhanded legal practices; a lawyer who abuses the law.” *pettifogger, n.1*. Oxford English Dictionary Online. Oxford University Press 2014. <http://www.oed.com/view/Entry/141976?redirectedFrom=pettifogger> (accessed May 02, 2014).

¹⁴⁸ John Dunton, *The informer's doom*, (London, 1683), 55.

The Characteristics of the English and Venetian Families

The Place of Origin

Figure 1.1 - Map of English Counties

Table 1.1				
Division of English Families by County				
No	Map Number	County	Family Name	Number of Families
1	6.	Surrey	Baldwyn, Bowyer, Bostock Fuller, Chare, Pettit, Westbrooke.	6
2	10.	Middlesex	Coddington, Foxcrofte, Abdy, Sturmie.	4
3	13.	Oxfordshire	Croke, Croke, Danvers, Tirrill.	4
4	18.	Herefordshire	Nodes, Walker, Tooke, Parker	4
5	8.	Kent	Dering, Edkins, Mann, Wilkinson.	4
6	1.	Cornwall	Harris, Carnsew, Moyle.	3
7	5.	Hampshire	Abbott, Harris, Whetham.	3
8	15.	Bedfordshire	Alston, Farrer, Taylor.	3
9	17.	Norfolk	Armiger, Palgrave, Founteyne.	3
10	3.	Dorset	Bond, Tuberville.	2
11	4.	Wiltshire	Methuen, Wadman.	2
12	9.	Berkshire	Andrews, Sawyer.	2
13	14.	Buckinghamshire	Croke, Hill.	2
14	19.	Warwickshire	Hopkins, Palmer.	2
15	26.	Denbighshire	Trevor, Eyton.	2
16	2.	Devon	Wyne.	1
17	7.	Sussex	Jenner.	1
18	11.	Essex	Argall.	1
19	12.	Gloucestershire	Bathurst.	1
20	16.	Cambridgeshire	Butler.	1
21	20.	Leicestershire	Phillipps.	1
22	21.	Shropshire	Whitcombe.	1
23	22.	Staffordshire	Wolfeaton.	1
24	23.	Cheshire	Fitton.	1
25	24.	Derbyshire	Stanhope.	1
26	25.	Nottinghamshire	Conde.	1
Total				57

Figure 1.2 - Map of Venetian Mainland at the end of 16th Century

Figure 1.3 - Parish Map of Venice

Table 1.2				
The Place of Origin for the Venetian Lawyers in Santa Maria Zobenigo				
Unknown	Venetian (Greek Orthodox)	Venetian Mainland	Venetian	Total
Balbi	Calichiopolo	Fortezza	Alberti	
Bertolli	Frangini	Leffio	Ballarin	
Campagna	Zanfornari	Tirondello	Borghesaleo	
Ferro		Vidalli	Businello	
Ghedini			Cesana	
Hiarca			Conti	
Lio			Corner	
Marcello			Costanzo	
Marcolini			Eugenico	
Martinoni			Imberti	
Ordano			Lucadello	
Pauli			Moretti	
Pauluzzi			Pretti	
Ponte			Riva	
Redetti			Squadron	
Rossi			Varotti	
Ruetta				
Silvani				
Trivisan				
Venier				
20	3	4	16	43

Source: Giuseppe Tassini, *Cittadini Veneziani*, (1888), BMCC, Provenienze Diverse, ms. P.D. c 1-4; ASVe, Teodoro Toderini, "*Genealogie delle famiglie Venete ascritte alla cittadinanza originaria*.", Storia Veneta, Miscellanea Codici I, vols.5; ASPV, "Archivio segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, 1.8-1.10, 1645-1668.

The fact that each new member of the Inner Temple needed sponsors meant that it attracted members from different geographical concentrations. Each of the Inns of Court operated in this way and typically the Inner Temple drew more members from the North, the Midlands and London.¹⁴⁹ Looking at table 1.1, the high concentration of those from the South-East is out of character for the Inner Temple, but Prest's study had similar findings and he attributed this increase to a demographic growth in the South and South-East.¹⁵⁰ The absence of those from the North

¹⁴⁹ Baker, "The Third University 1450-1550: Law School or Finishing School."

¹⁵⁰ Prest, *The Rise of the Barristers*, 1991, 39.

may be explained by the unrest during the Interregnum. Travelling from the North of England to London could take up to a week, and in times of unrest or uncertainty it may not have been considered safe or worth the risk and expense.

Those from the same region were likely to have family or friendship ties. For example, John Trevor (Denbighshire) and Alexander Fitton (Cheshire) lived in neighbouring counties, and Trevor's aunt had married Fitton's father.¹⁵¹ Likewise the Croke family were a prestigious legal family from Oxfordshire, and from 1661-1667 three Croke cousins passed the bar at the Inner Temple.¹⁵² The Inns of Court were a mixing pot for the gentry, but those from the same area would probably have already known each other. Moreover, the practice of families sending their sons to the same Inn as their fathers and brothers would have given these families a legacy within the Inn itself.

The English families in this study may have been geographically diffused in contrast to the Venetian ones, but they held more characteristics in common. Although the Venetian families lived in close proximity to one another, they were by no means a cohesive group. Given that in the seventeenth century all lawyers were listed in the same category as citizens in the parish censuses and tax reports, on the surface it is difficult to distinguish between families who had lived in the city for generations and those who had only recently settled. Unless they applied to become members of the *cittadini originarii* or left some other mark of their family's place of origin, there is no way to gauge where they came from originally.

This is why so many members of the Venetian group are listed as unknown. Occasionally a name in itself could be strange. Such was the case for Piero Antonio Ordano, the *catastici* and Ordano's will listed him by this name.¹⁵³ However, Giuseppe Tassini listed his sister, first as 'Nordato', then later as 'Orda'.¹⁵⁴ In terms of their residence in the city, it seems that Ordano was at least the second generation to live in the city, as when his sister's son, Antonio Cesana applied to become a member of the *cittadini originarii*, the witnesses claimed that Ordano's father was a well-known physician in the city.¹⁵⁵

¹⁵¹ John Burke, *A Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England* (London, 1838), 199.

¹⁵² "Croke, Sir John (1553x6–1620)," J. H. Baker in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/6733> (accessed July 9, 2016).

¹⁵³ Thank you to Luca Molà for pointing out the peculiarity of the name Ordano.

¹⁵⁴ Giuseppe Tassini, *Cittadini Veneziani*, (1888), Biblioteca del Museo Correr, Provenienze Diverse, ms. P.D. c 4, b2, fol. 77 and b.3, fol. 261, Digitalised Images, <http://lettere2.unive.it/manoscritti/tassini/sottohomerica.html>.

¹⁵⁵ ASVe, Avogaria di Comun (AdC), *Cittadini Originarii*, 385/25.

The two families from the *terraferma* that I was able to identify were both members of the mainland nobility. Due to Venetian concepts of social status, only Venetian patricians could hold noble status on the island. Raimondo Vidalli was listed as a 'Conte' but there was no reference to his family on the mainland.¹⁵⁶ Moreover, his family and the marriages he arranged for them give no indication of his noble status. The other nobleman, Triffon Fortezza left more clues as to his status, particularly in the marriages that he arranged, as his daughter Eugenia married Prospero Valmarana, a prominent Veneto nobleman.¹⁵⁷ The two mainland nobles worked and practiced alongside the other members of the citizenry, but their social status set them apart and would have given them an elevated status outside of the city.

The *cittadini originarii* families were those who had settled in Venice for at least three generations. Given their long residence in the city it was likely that this group had greater friendship or kinship ties with one another. This was confirmed in the application to become a member of the *cittadini originarii*, as patricians, citizens and other lawyers were often listed as witnesses.¹⁵⁸ Their longevity in the city made the *cittadini originarii* the most homogeneous part of this Venetian group. However, even within this group there was a distinct religious diversity.

Two of the three Greek Orthodox lawyers were rather distinct from the others. Tommaso Zanfornari was a relative newcomer to the city, while Tommaso Flangini was a patrician whose family was from Venetian Cyprus. Both men maintained close links to the Venetian territories, and those links, in addition to their religious affiliation, made them distinctive. Since the fall of Constantinople (1453), Venice offered immigrants from the Venetian territories a place in the city.¹⁵⁹ Venice was a mercantile hub, and it was composed of many immigrant communities, but by the seventeenth century, the Greek Orthodox community had an established position in the city and they were free to live where they chose, and unlike other immigrants they were permanent members of the community.¹⁶⁰ This permanence meant that over the generations these families would have assimilated into Venetian society.

¹⁵⁶ ASPV, "Archivio segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, 1.8-1.10, 1645-1668.

¹⁵⁷ ASVe, Notarile Testamenti, b. 1196, n.97. 18 October 1699.

¹⁵⁸ ASVe, AdC, *Cittadini Originarii*, 363/3.

¹⁵⁹ Venice was one of the European centres of tolerance. Immigrants of other faiths, ethnic or cultural backgrounds were given space in the city. Ersie C Burke, "The Greek Neighbourhoods of Sixteenth Century Venice, 1498-1600: Daily Life of an Immigrant Community" (Montash University, 2004).

¹⁶⁰ *Ibid.*, 5-18.

The Flangini and Zanfornari families were immigrants from the Ottoman conquest of Cyprus (1571). The fall of this colony led to a number of the Venetian elite in Cyprus immigrating back to Venice. Due to their station, many of them practiced civil professions, including law.¹⁶¹ The Greco-Venetian lawyers show that unlike other immigrants to the city, they did not all live in the same parish or area. They had their own Greek Orthodox Church, San Giorgio di Greci, and this in itself would have given the Greek community a greater parochial unity than the rest of the lawyers in the Venetian sample.

In terms of their place of origin the Venetian and English groups were distinct from one another. In the English case almost all the lawyers came from outside of London but were largely a cohesive group, while the Venetians were residents in the city, but they had more distinct backgrounds. These differences are not a limitation to this study, rather they need to be highlighted and contextualised, so that the English and Venetian groups can be examined properly.

Their Family Status and Parentage

Until the seventeenth century, Venetian social status was tied to place of origin, and length of residency in Venice. Given the lack of social mobility in Venice, sons inherited their fathers' status and had no opportunity to rise further. In England, elder sons could inherit their father's title but younger sons were given a lesser status. The younger sons of baronets and above were esquires, and the younger sons of esquires were gentlemen. Becoming a legal professional or gaining a legal education was one of many ways that sons could raise their status. By gaining favour through his profession the son of a gentleman could in theory become a baronet. How did the gentlemen in this study compare against their fathers in terms of social status?

¹⁶¹ Costas Kyrris, "The Cypriote Family of Soderini and Other Cypriotes of Venice (XVI-XVII Centuries)," *Neo-Hellenika* 1 (1970): 55.

Table 1.3	
The Division of Venetian Lawyers in Santa Maria Zobenigo by Social Status	
Citizens or honourary citizens	26
<i>Cittadini Originarii</i>	16
Patrician	1
Total	43
Source: Giuseppe Tassini, <i>Cittadini Veneziani</i> , (1888), BMCC, Provenienze Diverse, ms. P.D. c 1-4.	

Table 1.4		
The Division of the Gentlemen of the Inner Temple and their Fathers by Social Status		
Social Status	Lawyers	Fathers
Gentleman	16	11
Esquire	27	15
Knight	10	20
Baronet	3	3
Peer	1	1
Unknown	0	7
Total	57	57
Source: Inner Temple's Admission database, http://innertemplearchives.org.uk/index.asp		

The Inns of Court and the Venetian state tried to preserve the social prestige of the legal profession by blocking uncivil or ungente individuals from entering the profession. From the English and Venetian sample groups, it is clear (on paper at least), that those social restrictions were enforced. However, both systems were fallible. In Venice a rich artisan could send his son to Padua, and encourage him to become a lawyer; equally in England, the sons of a rich yeoman were able to enter the Inns of Court. Both these practices elevated the status of the family, but the sons themselves would have been at a disadvantage to the sons that came from more prestigious families.

In terms of the English gentlemen in this study, their range of social statuses in table 1.4 conforms to Wilfred Prest's and David Lemming's larger studies on the Inns of Court.¹⁶² Esquires and above represented the largest body of students and members at the Inns of Court. This implied that even

¹⁶² Prest, *The Rise of the Barristers*, 1991, 89; Lemmings, *Professors of the Law*, 12–15.

for the first generation of students who passed the bar after the Interregnum, the social elite still held a prominent position at the Inns of Court.

The situation was somewhat different in Venice: among the lawyers in Santa Maria Zobenigo, only the patrician Tommaso Flangini, by virtue of his social status, would have been able to practice in the higher offices of the Venetian government. The lawyers from the citizenry may have been limited by their social status, but they had their own ways of distinguishing themselves among their colleagues. Members of the *cittadini originarii* would have had deeper ties and connections within the citizenry. This distinguished them in part from the families that had lived in the city for a shorter duration, but these families also had avenues to access greater prominence. For example, the Leffio family were relatively new to the city. In 1653, Guglielmo Leffio was chosen to manage the tax collection for Santa Maria Zobenigo.¹⁶³ This was not only a recognition of his status but also of his long residence within the parish. Residential mobility was high in the city, and it was unusual for a family to spend their entire lives living in one parish. Nonetheless, by 1653, the Leffio had lived in Santa Maria Zobenigo for almost 60 years.¹⁶⁴ The parish was a hub for the legal profession; living in this part of the city was expensive but it would have been a way for up-and-coming lawyers to live among their socio-professional milieu.

Their Fathers' Professional Status

Table 1.5	
The Professional Status of the Venetian Fathers	
Unknown	25
Lawyer	7
Civil servant	3
Doctor of Law	3
Physician	2
Notary	2
Artist	1
Total	43
Source: Giuseppe Tassini, <i>cittadini Veneziani</i> , (1888), B.M.C.C., Provenienze Diverse, ms. P.D. c 1-4.	

¹⁶³ ASPV, Archivio “segreto”, Parrocchia di Santa Maria del Giglio di Venezia, Stati d’anime, b. 1.10, 1692.

¹⁶⁴ ASPV, Archivio “segreto”, Parrocchia di Santa Maria del Giglio di Venezia, Stati d’anime, b. 1.8, 1653.

Table 1.6	
The Professional Status of the English Fathers	
Unknown	27
Legal professional and politician	7
Member of Parliament	5
Legal professional	3
Municipal Official	3
Bencher of the Inner temple	2
Governmental official	2
Army Officer	1
Clothier	1
Doctor of Divinity	1
Justice of the Peace	1
Linen draper	1
Merchant	1
University Professor	1
Yeoman	1
Total	57
Source: Inner Temple's Admission database, http://innertemplearchives.org.uk/index.asp	

Looking at table 1.5 we can see that 17 of the Venetian lawyers in this study had fathers who practiced a civil profession. By virtue of their status, we can be relatively certain that the fathers of the *cittadini originarii* practiced civil professions, even if their profession is unknown. However, wider family ties could also play a role in the profession a son pursued. The example of Tommaso Zanfornari is somewhat deceptive as his father was an artist from Corfu, but his mother's family (Soderini), practiced civil professions and were more established in the city.¹⁶⁵ Therefore his mother's family may have been more useful to him when he came back from Padua to practice as a lawyer.

In table 1.5 I distinguished between fathers who were lawyers and those that had doctorates in law, because the latter was a notable mark of distinction. The three Doctors were the fathers of the

¹⁶⁵ Costas Kyrris, *The Cypriote family of Soderini and other Cypriotes in Venice (XVI— XVII) centuries*', *Neo-Hellenika*, 1, 1970, 72

Cesana, Corner, and Moretti families. They were prominent members of this group, but only Corner was a member of the *cittadini originarii*. None of the sons, however, pursued doctorates themselves, which underlines that although they had a more intellectual family background, the sons in this study had different ambitions or were disinclined to pursue a doctorate.

Much more information exists for the gentlemen of the Inner Temple. This is largely due to the preservation of genealogies for the gentry. From the wider array of professions there was still a concentration of fathers who practiced a legal profession. Yet family connections also extended beyond a father's influence, and 15 out of the 57 lawyers were given special admittance to the Inner Temple.¹⁶⁶ This meant that they did not need to have two sponsors or to undergo an admittance interview. This manner of preferment was common when a member of their family was a bencher at the Inn.

Not all the gentlemen of the Inner Temple went on to practice as lawyers, but being trained as a barrister was a route to a number of professions. Having family ties within the legal profession made it easier for a barrister to start practicing, and to develop a clientele. Nevertheless, municipal officials, governmental officials, or Members of Parliament may have been able to offer their sons a different kind of preferment. For example, Sir Maurice Abbott was a prominent merchant and between 1624 and 1638, he was the governor of the East India Company.¹⁶⁷ Additionally to this he was politically active in both local and country politics. Abbott's success was probably helped in part by his brother's prominent position, as in 1611 Maurice's brother, George Abbot, became the Archbishop of Canterbury.¹⁶⁸ Such family connections gave Maurice's younger son, George (who was one of the gentlemen in this study) several avenues to pursue for a career. However, he was one of the more obscure characters in this study, despite his prominent family.

Prest's study on lawyers before the Civil War shows that the majority of English lawyers returned home to establish their profession.¹⁶⁹ This was largely because lawyers could use their family connections and reputation to build up a clientele and then they would decide whether they wanted to move up to London or not. Moreover, Prest found that those who were most successful in the

¹⁶⁶ Inner Temple's Admission database, <http://innertemplearchives.org.uk/index.asp>

¹⁶⁷ "Abbot, Sir Maurice (1565–1642)," Andrew Thrush in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/7> (accessed July 9, 2016).

¹⁶⁸ "Abbot, George (1562–1633)," Kenneth Fincham in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2011, <http://www.oxforddnb.com/view/article/4> (accessed July 9, 2016). Kenneth Fincham, 'Abbot,

¹⁶⁹ Prest, *The Rise of the Barristers*, 1991, 25–39.

Westminster courts either had fathers who practiced as judges in London, or had strong family connections in the legal community.¹⁷⁰ Clients believed that if their lawyer had a larger standing or family connection in the legal community, then he would be more likely to sway the judges in their favour. Coming from a family of lawyers, or having fathers or uncles who were judges could help these gentlemen to establish themselves. However even if those connections did not in fact help them, the perception of these links was enough for their clients.

In England and Venice a father's profession had an impact on the professional choices his sons would follow. Less information was available for the Venetian group, but those wishing to become or remain members of the *cittadini originarii* needed to practice a civil profession. In England the options were much wider and this was reflected in the diversity of paternal professions. The majority of these were respectable and genteel, but the different backgrounds in England meant that the gentlemen of the Inner Temple would have had different skills, influences and expectations placed on them.

Their Order of Birth and Household Type

Table 1.7		
Breakdown of Venetian Households		
1638-1665		
Households*		Total
Unknown		2
Solitary		0
Nuclear		13
Complex	Extended	24
	Multiple	4
Total		43
* All these households contained at least one servant.		
Source: Archivio Storico del Patriarcato di Venezia, (ASPV), Curia patriarcale. Archivio "segreto", Stati delle Anime, Parrocchia di San Moisè di Venezia, parrocchia di Santa Maria del Giglio di Venezia, Anagrafi e stati d'anime. B.1.8-1.10 . 1638-1697.		

¹⁷⁰ Ibid., 140–145.

Table 1.8	
The Position that the Gentlemen of the Inner Temple had in the Family	
Position in the Family	No.
Eldest son	30
Younger son	16
Unknown	11
Total	57
Source: Inner Temple's Admission database, http://innertemplearchives.org.uk/index.asp	

For the gentleman of the Inner Temple, order of birth determined their chance of inheriting wealth. The practice of primogeniture in England meant that the eldest son could expect to inherit his father's title and estate, whilst younger sons (unless they received substantial portions themselves) had to secure an independent income. In Venice, order of birth did not affect a son's expectations, as the patrimony would have been divided equally among all sons. In Venice, the elder son was often given more responsibility, and in families with several siblings an elder brother may have been expected to act like a second father, but he had no greater claim to the family fortune. Instead the types of households (see table 1.7) that they lived in was more indicative of their family dynamics.

In terms of Venetian household composition, the presence of family members was constantly changing. Only 13 out of the 43 families in this study contained a husband, wife and children, the rest included at least an extra family member. The 24 extended households in this study ranged in size, from an extra sibling or nephew to several extra natal family members. In 1665, Andrea Redetti's household contained his mother, two sisters, and a nephew.¹⁷¹ These types of households would have been markedly different to brothers who lived in *fraterna* (where brothers would live together, pool their resources and share their debts). In 1653, Pasqual Ballarin headed a household composed of two brothers and four sisters, and by 1658, one of his brothers had married and brought his wife into the household.¹⁷²

¹⁷¹ ASPV, "Archivio 'segreto'", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b.1.10, 1665.

¹⁷² Ibid., b.1.8, 1653.

Multiple households were more common among patricians, merchants and artisans, whose social status and profession made living together in households with two or more married couples more practical. This type of household was less common among urban professionals but there were four families that conformed to this complex household type. However, they were not just created by married brothers living together; one was created by a lawyer, Zuane Battista Rossi, who lived with his wife and parents.¹⁷³ There were many forms of multiple households, and although these were relatively small in size, being responsible for a wider family extended the householder's domestic authority.

These residential patterns concur more broadly with Monica Chojnacka's findings that few unmarried adult children remained in their natal households. Instead they found places with their siblings or extra family members until they married.¹⁷⁴ These co-residence practices also demonstrates that the lawyers in this study were more visibly involved in the daily lives of their natal family members than the English group. In Venice, families that lived together were considered to be stronger than those that lived separately. Their residential patterns suggest that the lawyers in this study headed households and were responsible for a wide array of family members. Although the parallel information for the gentlemen of the Inner Temple does not exist, I would be hesitant to suggest that the majority lived in extended households similar to the Venetians, especially if they were younger sons who could not rely on any expectation of inheritance.

The impact of primogeniture had a more profound effect on the gentlemen of the Inner Temple. Elder sons who stood to inherit often came to Inns of Court to acquire a legal training that would help them to manage the family estate. However, this practice was only applicable to those with large family estates, and the elder sons of gentleman were more likely to seek a legal training to advance their status through a genteel profession.¹⁷⁵ Among the 30 elder sons in this study only six were gentleman, the rest were either esquires or above.

Elder sons of esquires and above could also come to the Inns with the intention of pursuing a legal career. Such was the case for Kendrick Eyton who inherited his father's estate in North Wales. Although he did not work as a lawyer in London, he utilised his connections and position within

¹⁷³ Ibid, b.1.8- 1.10, 1649 and 1665.

¹⁷⁴ Chojnacka found that out of 1071 adult children living at home only 11% were unmarried. See table 1.5 in Chojnacka, *Working Women of Early Modern Venice*, 12.

¹⁷⁵ Prest, *The Rise of the Barristers*, 1991, 93.

his local area to work for the courts in Chester and Flint.¹⁷⁶ His father, Cynwrig, had been a circuit judge for North Wales, so his family reputation, combined with his standing in the county, would have enhanced Kendrick's position.

Elder sons had a greater freedom of choice over whether they would practice a profession or not. Younger sons were in a more precarious position. An exception perhaps was Alexander Stanhope, who was the fifth son of the first Earl of Chesterfield.¹⁷⁷ His legal training could have prepared him for a number of positions. Rather than become a lawyer he chose a governmental position and became a British envoy in Madrid.¹⁷⁸ Training as a lawyer and then taking a governmental position was a common path for those who came to the Inns of Court, and several gentlemen in this study chose this path.

Younger sons could also end up inheriting the family estate later in life. John Trevor was the second son of a Welsh Judge.¹⁷⁹ After he passed the bar, John established himself as a lawyer in London and lived there for most of his life.¹⁸⁰ When his elder brother died childless, John inherited his family's estate but continued to practice his profession. In later life, John became a politician and rose high; under James II he was appointed to the Privy Council and later became the Speaker in the House of Commons.¹⁸¹

Nathaniel Bond was a more representative but still successful example of a younger son. His father Dennis Bond was a linen-draper and prominent puritan in Dorchester.¹⁸² Nathaniel only received a £500 legacy from his father, but after he passed the bar in 1661 he was able to build a successful legal practice.¹⁸³ His family grew in prominence over the latter part of the seventeenth century, and Nathaniel played a role in contributing to his family's prestige in Dorset. In 1673, he took over his brother's position as a recorder (judge) of Weymouth, and became a member of parliament for

¹⁷⁶ Jacob Youde William Lloyd, *The History of the Princes, the Lords Marcher, and the Ancient Nobility of Ponys Fadog: And the Ancient Lords of Arnystli, Cedewen, and Meirionydd* (London: T. Richards, 1882), 161–163.

¹⁷⁷ "Stanhope, Philip, first earl of Chesterfield (1583/4–1656)," P. R. Seddon in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/26252> (accessed July 9, 2016).

¹⁷⁸ Alexander Stanhope, *Spain under Charles the Second; Or, Extracts from the Correspondence of the Hon. Alexander Stanhope, British Minister at Madrid, 1690-1699* (London, J. Murray, 1844).

¹⁷⁹ "Trevor, Sir John (c.1637–1717)," Kathryn Ellis in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/27729> (accessed July 9, 2016).

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

¹⁸² "Bond, Nathaniel (1634–1707)," John Ferris in *Oxford Dictionary of National Biography*, ed. David Cannadine, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/2830> (accessed July 9, 2016).

¹⁸³ TNA, PRO, PROB 11/282/117. 10 March 1658.

Corfe Castle in 1679.¹⁸⁴ Until his death in 1707, he held several seats in Parliament as a Whig, and rose high in his profession to become a bencher at the Inner Temple, and a sergeant-at-law.¹⁸⁵ Much of Bond's success was due to his family connections. Even with his formidable character, without his family's influence and reputation in Dorset he would have found it more difficult to establish a practice as a lawyer, or to find avenues for preferment and advancement. Such was the case for most sons trying to establish themselves; the support and reputation of a prominent relative could propel a son's career, and without this many would have struggled.

One of the key problems of the gentlemen of the Inner Temple was that they did not always practice as lawyers for life. A legal training could be used in many different ways in seventeenth-century England. John Trevor started out as a lawyer, but throughout his life he held several governmental positions and offices. For those who had illustrious careers like Nathaniel Bond, their changing professions and offices are easier to follow, but for more obscure gentlemen it is not always clear what profession they practiced or for how long. Given that this study will focus on their family life rather than their professional one, knowing what profession they practiced or for how long is less important, but it sets them apart from the Venetian group who all practiced as lawyers.

Conclusion

The English and Venetian worlds that these families inhabited meant that they conformed to different professional and family practices, but that is precisely what makes them so interesting. Training to become, and practicing as a lawyer was restricted to those from genteel or civil backgrounds: both the English and Venetian lawyers shared this philosophy and this shared notion unites them.

The goal of this study is to take two groups of families with rather distinct approaches to marriage and family life, and to examine them in tandem through the same thematic lens. The English and Venetian families in this study meet that criteria, and from exploring the similarities and differences between them, we can come to a better understanding of the European family. This introductory chapter has underlined some of these distinctions at a socio-professional level, and with this context in place we can now begin to examine the men behind the profession and their families.

¹⁸⁴ "Bond, Nathaniel (1634–1707)," Ferris in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/2830> (accessed July 9, 2016).

¹⁸⁵ Ibid.

PART ONE

Marriage Strategies

CHAPTER TWO - Men-at-the Bar and their Marriage Practices

In May 1662, Thomas Argall of Great Baddow in Essex passed the bar.¹⁸⁶ His family were well established in the county, his father was a justice of the peace, and his maternal grandfather sat on the Essex county bench.¹⁸⁷ With such family ties, it would not have been difficult for him to practice law in his locality. In 1662, Thomas was 25 years old; passing the bar signaled the end of his education, and it was time for him to establish a position.¹⁸⁸ Due to his legal training, a number of genteel professions were open to him, but family connections as well as his own ambitions also played a role. Making a good marriage was another way to advance his position. Five months after he passed the bar Thomas married Anne Wilde (1645-1713), the daughter of the judge and politician, Sir William Wilde.¹⁸⁹ As the eldest son and heir, Thomas would have been subject to his family's wishes when choosing a bride. The two families were well matched: Wilde had risen to prominence during the Civil War, and was to rise even further during the Restoration, while Argall came from an older more established family.¹⁹⁰ However, Argall's case was not representative of most elder sons, as when his father passed away, he left Thomas only his books and a small bequest. His main heir was his wife, Alice, and after her death the estate was to be sold and divided between Thomas's younger siblings.¹⁹¹ There was no sign that relations between father and son had broken down - quite the opposite - after they married Thomas and Anne went on to live near his family in Great Baddow. Given this, it was possible that Thomas received his inheritance portion when he married, as he would have needed some land and wealth to establish a household and to offer Ann a jointure, but this example is still unusual.

Thomas and the gentlemen of the Inner Temple had grown up during the Civil War. Their families had weathered these years, and in 1660, the Restoration of the monarchy brought hope of stability. Their marriages were important for their families, and would have been useful in advancing their profession, status and fortune.

¹⁸⁶ Inner Temple Admissions Database, Thomas Argall, <http://www.innertemplearchives.org.uk/detail.asp?id=13965>.

¹⁸⁷ Edward Bysshe, *A Visitation of the County of Essex. 1664-1668*, ed. Joseph Jackson Howard (London, 1888).

¹⁸⁸ They may have started a profession while they were still registered at the Inner Temple, but that would have been dependent on their family connections.

¹⁸⁹ Joseph Lemuel Chester and George John Armytage, eds., *Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869* (London: Harleian Society, 1886), 65, <http://archive.org/details/allegationsforma00cant>.

¹⁹⁰ Prest, *The Rise of the Barristers*, 1991, 152–155; Bysshe, *A Visitation of the County of Essex. 1664-1668*, 8.

¹⁹¹ Essex Record Office (ERO), Archdeaconry Records, Commissary of Bishop of London, Wills, D/ABW 66/6, Thomas Argall, 19th July 1670.

Marriage was a serious business, matches were considered and discussed by a wide circle of family and kin. If the courtship progressed successfully, the marriage, particularly the dowry portion and jointure (a widow's annual allowance), would have been negotiated thoroughly. During the seventeenth century, the jointure replaced the dower portion (a third of the husband's estate). Under this new system, a widow's portion was set according to the size of her dowry, not her husband's wealth. However, the ratio between dowry and jointure was variable. In 1600 it was 5:1 but by 1700 it had increased to 10:1.¹⁹² This variable set a bargaining point for families from different backgrounds, but with the increasing ratio, families would have needed to offer higher dowries in order to secure their daughters a reasonable jointure. Another important consideration was the pocket allowance that a wife would receive during her marriage, as it formally dictated her economic agency. In theory, once the marriage took place, wives lost their legal identity and became the property of their husbands - they could not own anything, sign contracts, or retain legal control over their children. In practice there were avenues for wives to retain control of their property, but it was not common practice.¹⁹³

The increasing use of strict settlements by landed families during the Restoration added another important layer to marriage negotiations.¹⁹⁴ The strict settlement was established when the eldest son married; it formally agreed the patrilineal succession of the family estate from father, to eldest son, to eldest son in tail. It also put restrictions on their ownership of the estate giving them only a lifetime interest. Securing the estate in this way meant that any portions intended for younger sons or daughters' dowries also needed to be included in the settlement.¹⁹⁵

These negotiations placed lawyers in a unique position to garner private information about elite families, as they played an integral role in marriage proceedings. Both sides would have used their own lawyers, giving the lawyers themselves an intimate knowledge of the family's financial and

¹⁹² Erickson, *Women and Property*, 119–120.

¹⁹³ For wives to own property they would have needed to establish a separate settlement, it worked as a trust that they could administer independently. Their family members could establish a separate trust for them at any time, but if the wife wanted to keep portions of her property out of her husband's reach, it would need to be done before hand.

¹⁹⁴ Lloyd Bonfield, *Marriage Settlements, 1601-1740: The Adoption of the Strict Settlement* (Cambridge: Cambridge University Press, 2008), 55–120.

¹⁹⁵ However I was only able to find three marriage agreements for the families in this study, of which only one was a strict settlement. While it was quite probable that during the latter part of the seventeenth century several of the families in this study secured their estates through a strict settlement, it is not clear which families preferred this method of transmission.

social standing.¹⁹⁶ These issues were the subject of much gossip and debate within the small world of the urban and rural elite. Whilst the lawyers in question would not have spread the details publicly, when they, as fathers were surveying the marriage market, inside knowledge could have proven useful.

The Inns of Court operated informally as a marriage market.¹⁹⁷ The formal events at the Inns brought together its members, and gave fathers the opportunity to consider potential marriages. Such was the case for Thomas Argall. His father-in-law Sir William Wilde was a bencher at the Inner Temple, and his brother-in-law, Felix Wilde, was also admitted while Thomas was training at the bar. Besides the financial and social benefits of the marriage, having Sir William as a father-in-law would have made it easier for Thomas to establish a practice.¹⁹⁸ In England, practicing law was less about training and knowledge and more about establishing a reputation and having connections within the legal community. Marrying the daughter of a neighbouring family in Essex would have strengthened Thomas's position in the county, but these were not the only issues for consideration - many of the gentleman in this study were active in the city and the country, and some may have looked for brides who enhanced their standing in both places.¹⁹⁹

In terms of marriage patterns for those who trained at the bar, Wilfred Prest's landmark study on the Inns of Court prior to the Civil War, found that only 3% of barristers never married; the rest formed alliances with other legal professionals or married within an elite circle of: the landed gentry, merchants, and intellectual professions.²⁰⁰ Choosing whom to marry was in part dictated by order of birth. In theory, elder sons had less agency than their younger brothers, but unless the latter received a stipend from their family, they would have needed a stable income before they looked to marry. Fathers would have been cynical towards any prospective sons-in-laws who did not have a good income, and would have been even less inclined to trust them with their daughter's dowry.

What makes this study more complex in part, is that it examines families from several different counties over England and Wales, not just a group of elites from particular counties. Studies on gentry families have shown that prior to the Civil War, the upper and lower gentry followed

¹⁹⁶ Prest, *The Rise of the Barristers*, 1991, 121–123.

¹⁹⁷ *Ibid.*, 118–122.

¹⁹⁸ *Ibid.*, 12–48 and 116–126.

¹⁹⁹ Prior to the Civil War, Prest found that out of 52 legal professionals only 19 sought brides from the same counties. *Ibid.*, 121.

²⁰⁰ *Ibid.*, 116–121.

different marriage patterns.²⁰¹ The lesser gentry married more within their own county, while the upper gentry married more widely. However, these trends fluctuated from county to county making it difficult to apply them broadly. For example, the Lancashire gentry married more exclusively with families from their county, while the Essex and Kentish gentry were more likely to marry brides outside their county.²⁰² This was fueled in part by the growth of London as a marriage market, especially after the Restoration.

Whether the families in the study married endogamously or not, the majority would have married those of the same religious denomination as themselves. Whilst some non-Anglican families could and did form inter-faith marriages, most would have preferred to marry within their own religious community.²⁰³

When to marry was also an important consideration, the latter part of the seventeenth century saw a growing trend in the late age of first marriage (for women twenty-six years, old and for men twenty-eight), and non-marriage.²⁰⁴ These trends applied more to the lower orders, but even so there was a general anxiety surrounding delayed marriage at the end of the seventeenth century.²⁰⁵ Those that married in their forties would, until their marriage, have been indistinguishable from lifelong bachelors. In 1695, the authorities even went so far as to place a tax on bachelors over 25 years old, as a means of gaining extra revenue.²⁰⁶

The attractions of Restoration London may also have caused some to drag their heels when looking for a bride. Charles II and his court breathed colour back in to the London scene. As adolescents training at the bar (even if they only lived in the city for a short period), they would have

²⁰¹ For discussions on this issue, see Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 61–62; Houlbrooke, *The English Family 1450 - 1700*, 74–75; Vivienne Larminie, “Marriage and the Family: The Example of the Seventeenth-Century Newdigates,” *Midland History* 9, no. 1 (1984): 1–22, doi:dx.doi.org/10.1179/mdh.1984.9.1.1; Blackwood, *The Lancashire Gentry and the Great Rebellion, 1640-60*, 26–27; Stone, *Family, Sex and Marriage in England 1500-1800*, 60–62; Miriam Slater, “The Weightiest Business: Marriage in an Upper-Gentry Family in Seventeenth-Century England,” *Past & Present*, no. 72 (1976): 25–54.

²⁰² Blackwood, *The Lancashire Gentry and the Great Rebellion, 1640-60*, 26–27; Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 61–63.

²⁰³ Jan Broadway, “Agnes Throckmorton: A Jacobean Recusant Widow,” in *Catholic Gentry in English Society: The Throckmortons of Coughton from Reformation to Emancipation*, ed. Peter Marshall and Geoffrey Scott (London: Ashgate Publishing, Ltd., 2009); Crawford, *Blood, Bodies and Families in Early Modern England*, 175–208; Sarah L. Bastow, “Aspects of the History of the Catholic Gentry of Yorkshire from the Pilgrimage of Grace to the First Civil War” (University of Huddersfield, 2002), 100–181, <http://eprints.hud.ac.uk/id/document/1691>; John Trevor Cliffe, *The Yorkshire Gentry from the Reformation to the Civil War* (London: The Athlon Press, 1969).

²⁰⁴ Wrigley and Schofield, *The Population History of England, 1541-1871*, 260–262.

²⁰⁵ Mccurdy, *Citizen Bachelors: Manhood and the Creation of the United States*, 26–29; Paul Griffiths, *Youth and Authority: Formative Experiences in England, 1560-1640* (London: Clarendon Press, 1996), 351–389.

²⁰⁶ Froide, *Never Married*, 165–168.

experienced these changes, and most likely have taken advantage of them. Drinking excessively, fighting, gambling, and visiting brothels were part of the adolescent experience.²⁰⁷ In practice, marriage and fatherhood would not have hindered the continuation of such lifestyles, but bachelors were freer than their married counter-parts.²⁰⁸ Male infidelity was not uncommon, and as long as husbands were respectful of their wives, keeping a mistress was usually tolerated.²⁰⁹ The greater danger came when husbands lost their reputation or could not control the family's finances. For example: Sir George Walker, whose father was advocate to Queen Catherine of Braganza, started off promisingly.²¹⁰ In 1674 when he was 35 years old, he inherited his father's estate. Three years later he married, and the following year he was created a baronet.²¹¹ Until this point his star was on the rise, but by 1690 he had alienated his father's estate, wasted his fortune, and died in the King's Bench prison, heavily in debt. The only saving grace was that his wife Susanna Byne was a co-heiress, and her estate in Sussex was the only inheritance her son received.²¹² Not all husbands were responsible - both bachelors and husbands could act irresponsibly, but a bachelor was less likely to have dependents who relied on his income and good name.

Taking these discussions into account, this chapter will try to examine the marriage patterns of the gentlemen in this study by looking at when and whom they married. Although the general trends of late marriage and non-marriage were present in the lower orders, were these trends visible among the gentleman in this study? Their membership at the Inns of Court linked them, but they were a socially and regionally diverse group. They would have faced different familial pressures when it came to whom they married. Prest's study noted a high level of intermarriage at the Inns of Court prior to the Civil War, and that only 19 out of 52 barristers in his sample married women from the same county.²¹³ How did the gentlemen in the study reflect this trend? With the growth of London as a marriage market, was there a notable shift in their marriage patterns?

²⁰⁷ Alexandra Shepard, *Meanings of Manhood in Early Modern England* (Oxford University Press, 2006), 92–126.

²⁰⁸ Even some of the most notorious libertines like the Duke of Rochester were married men.

²⁰⁹ Susan E. Whyman, *Sociability and Power in Late-Stuart England: The Cultural Worlds of the Verneys, 1660-1720* (Oxford: Oxford University Press, 2002); Elizabeth A. Foyster, *Manhood in Early Modern England: Honour, Sex, and Marriage* (Cambridge: Longman, 1999).

²¹⁰ John Burke, *A Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England*, by J. and J.B. Burke (London, 1838), 549.

²¹¹ John Venn, ed., *Alumni Cantabrigienses: A Biographical List of All Known Students, Graduates and Holders of Office at the University of Cambridge, from the Earliest Times to 1900*, vol. 1 (Cambridge: Cambridge University Press, 2011), 351.

²¹² Burke, *A Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England*, by J. and J.B. Burke, 549.

²¹³ Prest, *The Rise of the Barristers*, 1991, 118–122.

English Bachelors

Table 2.1		
Breakdown of Marital Status by Age Among the Gentlemen of the Inner Temple		
Age of Marriage	No.	%
Never Married	8	14
Unknown Age	16	28
21-25	7	12
26-30	10	18
31-35	10	18
36-40	6	10
Total	57	100
Source: Inner Temple Admissions Database; Joseph Lemuel Chester and George John Armytage, eds., <i>Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869</i> (London: Harleian Society, 1886), http://archive.org/details/allegationsforma00cant ; Joseph Lemuel Chester and Sir George John Armytage, eds., <i>Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699</i> (London: Harleian Society, 1886), https://archive.org/details/allegationsforma2324ches .		

Lifelong bachelors were not common among the gentlemen in this study, but there was a small yet significant number that never married. Being a gentleman bachelor was not necessarily an impediment to these individuals. Given that the legal controls placed on unmarried men and women during the sixteenth century (such as the Statutes of Artificers 1563) were targeted at the poor and propertyless.²¹⁴ Gentlemen bachelors were not subject to these controls; their wealth and status removed any formal limitation placed on their marital status and they were free to establish professions and operate in society without restriction.²¹⁵ Many of these men may have planned on getting married eventually, but never found the right partner. Whether their bachelor status was out of choice or necessity, as they got older their families would have encouraged them to marry, but as long as they were financially independent, widowed mothers, or unmarried sisters or nieces could be used to supplement the domestic role of a wife.²¹⁶

²¹⁴ Mccurdy, *Citizen Bachelors: Manhood and the Creation of the United States*, 24–29. The Statute required all unmarried men under the age of 30 who had been apprenticed, to practice their trade, and compelled those between 12 and 60 years old, who owned property worth less than £40 to enter service or husbandry if unemployed. Those who failed to comply with this statute would face charges of vagrancy.

²¹⁵ Barclay, “Illicit Intimacies.”

²¹⁶ Froide, *Never Married*, 75–79.

The figures listed in table one show that 10 barristers out of 57 never married. This figure is somewhat misleading, as two of them died prematurely only a few years after they passed the bar, and it is impossible to know how old they were when they passed away. Although it is impossible to know whether these bachelors intended to marry or not, they all died unmarried.

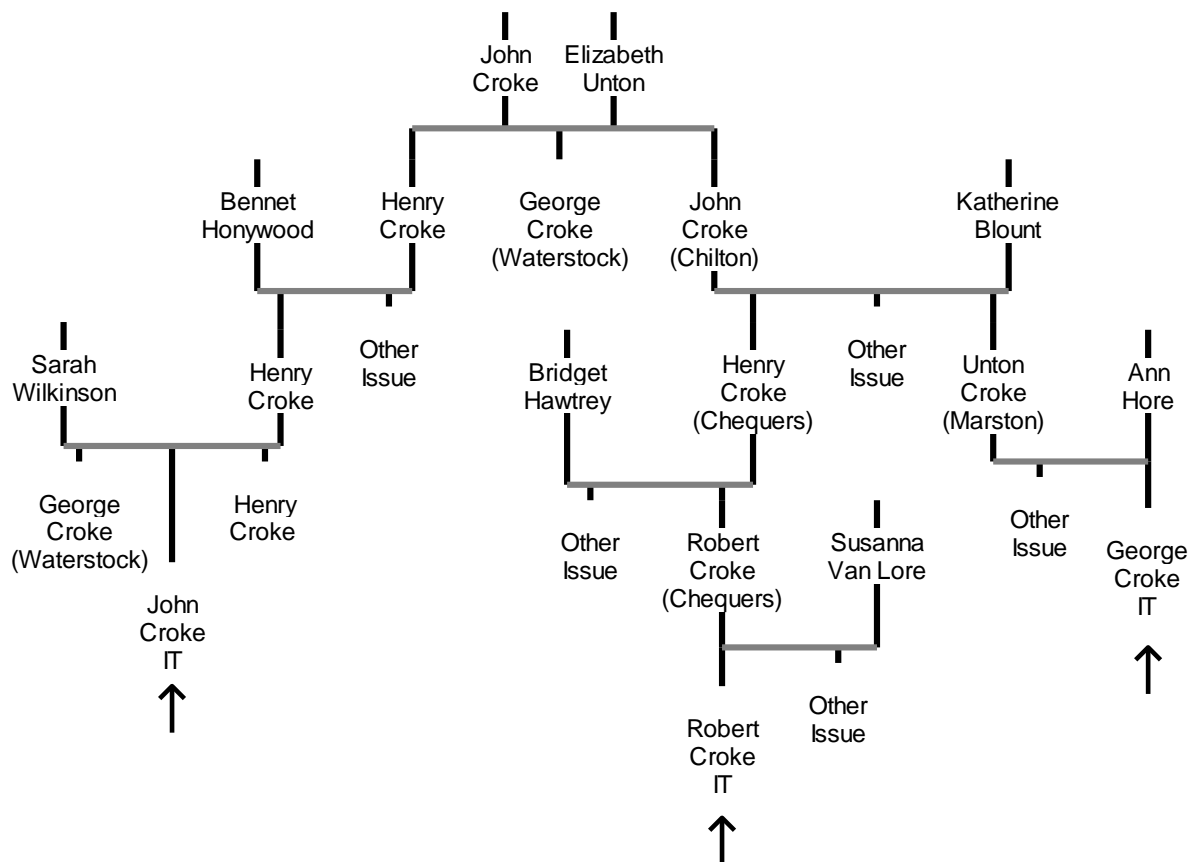
What is more coincidental is that three of the ten were from the same family. John, Robert and George were distant cousins of the Croke family. The Crokes were a family of legal professionals and public officials, who held their family seats in Buckinghamshire and Oxfordshire.²¹⁷ At least one son from each branch attended the Inns of Court. During the seventeenth century 19 members of the Croke family were admitted to the Inner Temple, the majority of whom were specially admitted because their fathers, uncles or grandfathers were masters of the bench.²¹⁸ The three cousins in this sample were from three different branches, but at the Inner Temple where their family name and reputation was well-established, they probably would have felt a stronger sense of connection.²¹⁹

²¹⁷ John Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland* (London, 1833), 357–358.

²¹⁸ See, Inner Temple's Admission database, <http://innertemplearchives.org.uk/index.asp>. Three members of the Croke family were benchers at the Inner Temple during the seventeenth century.

²¹⁹ Joseph Foster, ed., *Covert-Cutts, in Alumni Oxonienses 1500-1714*, (Oxford: University of Oxford, 1891), <http://www.british-history.ac.uk/alumni-oxon/1500-1714>.

Figure 2.1
The Croke Family



George Croke, a younger son of the prominent barrister, Unton Croke of Marston, was the most obscure of the three cousins, most likely because he was one of the two bachelors that died prematurely.²²⁰ He passed the bar in 1665, but was not mentioned in his father's will in 1670, and was not listed amongst Unton's surviving sons.²²¹ Having almost no time to establish a profession, let alone to marry, he died leaving very little trace of himself. In early modern England the rate of premature death was high, surviving childhood was only the first step, and it was common practice among the gentry and nobility to have large families to try to preserve the family line. Felicity Heal and Clive Holmes's study of the wider gentry found that, of the 203 baronets made by King James I between 1611 and 1623, only 35% were able to trace their lineage from father to son by 1700.²²²

²²⁰Inner Temple Admissions Database, George Croke, 1653-1665, <http://www.innertemplearchives.org.uk/detail.asp?id=13749>

²²¹ The Alumni Oxonienses suggests that George fathered a son, Richard, but given that he was born in 1675, and that George must have passed away before 1670, the connection seems unlikely.

²²² Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 24.

George's branch of the Croke family was fortunate, as his elder brother Unton, survived to inherit his father's estate.²²³

Not all branches of the Croke family were as fortunate. Robert Croke was the eldest of 13 siblings, and his family held their seat at Chequers, Buckinghamshire.²²⁴ As the eldest son and heir, a legal education would have proven useful in the running of the family estate. After he passed the bar in 1661, Robert followed in his father's footsteps and became a Member of Parliament for Wendover, and in 1670, he was granted his father's position as Clerk of the Pipe in the Court of Exchequer.²²⁵ At 34 years old, Robert was close to becoming one of the 'older bachelors' in this study and it was likely that his family were pressuring him to marry. His death in 1671 put an end to any plans or ambitions that his family might have had for him. Whether he would have followed the other gentleman in this study and married before he reached his 40th year is unknown, but there is no evidence that he intended to marry in the months before his death. However, his death had a more profound impact on his family, as he was not the only one of his siblings to pre-decease his father - out of Robert's 13 siblings only three of his sisters survived. Consequently, the family seat at Chequers and their other holdings passed out of the family through their marriages.

The third branch of the Croke family was more fortunate, and several sons survived into adulthood. With the family line secure, the challenge became educating and guiding their younger sons into suitable professions with secure incomes. John Croke was one of the younger sons in question. His family held their seat in Waterstock, Oxfordshire. His father was a Doctor of Divinity, and prior to his marriage, he was a Professor of Rhetoric at Gresham College, London.²²⁶ Although both paternal and maternal families pursued intellectual professions, John and his two brothers followed very different paths. After their father's death in 1641, John's elder brother inherited the estate at Waterstock, and became the rector there, while John's younger brother became a linen draper in Haymarket.²²⁷ John was the only one of his brothers to attend the Inner Temple, but it seems that he was not inclined towards the law, church or academic life. Instead he established himself as a courtier, and sometime after he passed the bar in 1663, was allegedly appointed as a gentlemen of

²²³ For more on Unton Croke see page 127.

²²⁴ Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, 357–358.

²²⁵ Thomas Blount, *Nomo-Lexikon, a Law-Dictionary Interpreting Such Difficult and Obscure Words and Terms as Are Found Either in Our Common or Statute, Ancient or Modern Lawes*; Early English Books Online (London, 1670), 36v; Leonard Naylor and Geoffrey Jaggar, *The House of Commons, 1660-1690*, ed. Basil Duke Henning, vol. 2 (Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/croke-robert-1636-71>.

²²⁶ He resigned his position with the intention of marrying, and gave his chair to his new brother-in-law Edward Wilkinson Alexander Croke, *The Genealogical History of the Croke Family, Originally Named Le Blount* (Oxford, 1823), 552–555, <https://archive.org/stream/genealogicalhist01crok#page/n8/mode/1up>.

²²⁷ *Ibid.*, 556–560.

the bedchamber to Charles II.²²⁸ John's proximity to the King and the opportunities associated with the office were potentially lucrative, as long as the cost of mixing in court circles were kept in check. Like the Inns of Court, the Royal Court also worked as a marriage market, and with his new position John would have been well placed to make a good marriage. Nevertheless, like his cousin Robert, he too died before he could marry, in 1670 when he was 38 years old.²²⁹ His intentions towards marriage were unknown. Like his cousin Robert, he was in no rush to marry, and could have sought a bride in his forties or beyond. When compared with the other gentleman in this study both Croke cousins were in the older minority. There would have been no impediment to them marrying after they turned 40, but their delay in marrying suggests that there was no sense of urgency for either cousin to seek a bride.

All three cases emphasise the importance of lineage to these families. Losing sons when they were in their twenties, thirties, or older, would have been difficult for their parents. Besides the emotional cost, the family would have had expectations for their sons. Robert Croke as the eldest son would have been raised as his father's heir, and his parents would have made plans based on that expectation. Less would have been formally expected of John and George, but their deaths would have affected their family's dynamic.

The majority of gentleman in this study married; the minority that died as bachelors left little evidence of themselves. The Crokes were a prestigious family, and this made it possible to outline the circumstances surrounding the three Croke cousins. Not all the gentleman of the Inner Temple came from such families, they left behind only fragments of their activities. More in-depth studies on lifelong bachelors at this social-professional level need to be done to fully understand the importance of marital status at the upper middling and gentry level.

²²⁸ Although John was listed as a gentleman of the bedchamber in Burke and the *Alumni Oxonienses*, no John 'Croke', 'Crooke', 'Cooke' or 'Crook' was listed as a court official of any kind. So there is some question as to role he filled, but if he was in fact a gentleman of the bedchamber, he would have received a basic salary of £1000 per annum. Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, 357; Foster, "Covert-Cutts," in *Alumni Oxonienses 1500-1714*; J. C. Sainty, "'The Bedchamber: Gentlemen of the Bedchamber,' in Office-Holders," in *Office-Holders in Modern Britain: Volume 11 (Revised), Court Officers, 1660-1837*, ed. R.O Scholz (London: University of London, 2006), 14–19, <http://www.british-history.ac.uk/office-holders/vol11/pp14-19>.

²²⁹ Foster, "Covert-Cutts," in *Alumni Oxonienses 1500-1714*.

Early Marriage and Late Marriage

Table 2.2	
Marriage Breakdown in Relation to Passing the Bar Among the Gentlemen of the Inner Temple	
Point of Marriage	No.
Unknown	15
Before Passing the Bar	8
On Passing the Bar	4
1-5 years	11
6-10 years	6
11-15 years	4
15+ years	1
Total	49
Source: Inner Temple Admissions Database; Chester and Armytage, <i>Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869</i> ; Chester and Armytage, <i>Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699</i> .	

The majority of the gentleman in this study married between 26 and 35 years of age.²³⁰ Getting married was traditionally a way of signaling to society that they had established themselves and were ready to support a wife and children. Marrying in their early twenties when they were still training for a profession, may have been viewed as premature. However, for elder sons of the gentry (or younger sons who already had an estate), marrying at a younger age was relatively common. Looking at tables 2.1 and 2.2, all those that married between 21 and 25 years of age were elder sons, but only three of them got married while they were still at the Inner Temple.²³¹ Marrying before they passed the bar implied a greater sense of urgency - only eight out of the 55 gentlemen married while they were still at the Inner Temple. The timing of these marriages suggests that there were special circumstances surrounding these marriages, especially for those who were 25 years old and under.

The motives for these marriages are not always clear. Love matches, in particular, are more difficult to identify. From examining the marriages that these younger men formed, some of their motives become clearer. Thomas Jenner, a rich yeoman's son from Sussex, married when he was 23 years

²³⁰ See Table 2.1

²³¹ All figures concerning their age were compiled by looking at the marriage allegations, the Oxoniense and Cantabrigiense alumni registers and comparing them with the dates that they passed the bar at the Inner Temple.

old, two years before he passed the bar. His bride, Ann, was an heiress and the granddaughter of Dr Leonard Poe, who had been one of Queen Elizabeth's physicians.²³² Jenner was a social climber, and his marriage made it easier for him to climb higher. The fact that he was able to make such a good match was likely due to the influence of his patron, William Herbert, Lord of Powys.²³³ While studying at the bar, Jenner also entered his service, and presumably remained in his employ after he passed the bar. Lord Herbert had the reputation of being a Catholic zealot, so it was presumably through this connection that Jenner prospered when James II came to the throne. In the few years of James II's reign, Jenner rose to become a Judge at the Court of Common Pleas in Westminster, and fell when James II lost his throne.²³⁴ Marriage alliances between established families and social climbers was a common tactic, but it was Jenner's youth that made this marriage more remarkable: what he or his father offered to secure the marriage is not clear, but from outward appearances it was a success.

Not all of his contemporaries were so fortunate, and some who married early lived to regret their decision. In 1675, after he had been married for 15 years, when he was heavily in debt, Henry Dering wrote to his brother saying,

I can now noe way wade through the dejecting troubles, I could almost wish that I had never endeavored to be just, but have left all this money in my wives' lap, and gone beyond the sea many a year a goe... but qua natale solum [this is native soil]. Ere me thinkes th[a]t Linquenda et placens Uxor [your estate and your pleasing wife], should be only till death.²³⁵

Dering may have been 28 years old when he married, but he was still two years away from passing the bar.²³⁶ For those without financial support marrying early was a gamble. When husbands could not manage the financial demands of their family, then those like, Henry Dering could begin to regret their situation.

At the other end of the spectrum were those who married in their late thirties. There were many motives for remaining unmarried for longer. In principal, those who married later in life conformed

²³² Edward Foss, *The Judges of England, from the Time of the Conquest* (London, 1864), 243. Edmund Thomas Bewley, *The Origin and Early History of the Family of Po? Or Poe* (Dublin, 1906), 75–76.

²³³ Basil Duke Henning, ed., *The House of Commons, 1660-1690*, vol. 2 (Boydell & Brewer, 1983), 646, <http://www.historyofparliamentonline.org/volume/1660-1690/member/jenner-sir-thomas-1638-1707>.

²³⁴ Foss, *The Judges of England, from the Time of the Conquest*, 244–245.

²³⁵ Kent History and Library Centre (KCS), Dering Manuscripts, U350, C3/4. 22nd November 1675.

²³⁶ Henry Dearing and Damaris Peake, 1660, "England, Middlesex, Westminster, Parish Registers, 1538-1912," index and images, FamilySearch (<https://familysearch.org/MM9.1.1/KC82-QSY>; accessed 31 January 2015).

to the patriarchal models of manhood, as by this stage they would have established their profession and household.²³⁷ In practice, wealth and inclination played a larger role in determining when they would marry.²³⁸ All the gentlemen in this sample married by the time they were 40 years old. Although biologically they could have delayed their marriages indefinitely, young brides and their families may have found an older groom less appealing.

Of the five gentlemen that married 10 years after they passed the bar, four were elder sons. Given their status and position in the family it seems likely that they were unwilling to marry earlier. Delayed marriage may have allowed them to enjoy their twenties and thirties free of a wife and children, but it also came with its own risks. Ambrose Butler (1634-1685) passed the bar in 1666, and in 1674 he inherited his father's estate in Cambridgeshire, but delayed marrying for another ten years.²³⁹ His marriage to Martha, the daughter of Sir Edward Sydenham connected him with the landed gentry.²⁴⁰ Still, the potential benefits of that marriage were short lived, as Butler died a year later in 1685, leaving only a daughter, Vere, who died in infancy.²⁴¹ Butler's delayed marriage and early death was a cautionary tale for elder sons of the rural and urban elite. Nevertheless Butler's case was not an exception as, only two of the five gentleman went on to have children - the rest passed away without issue.

²³⁷ Jared Von Duinen, "The Obligations of Governing Masculinity in Early Stuart Gentry Family: The Harringtons of Hatfield Broad Oak," in *Governing Masculinities in the Early Modern Period: Regulating Selves and Others*, ed. Susan Broomhall and Jacqueline Van Gent (Farnham: Ashgate Publishing, Ltd., 2011), 113–30.

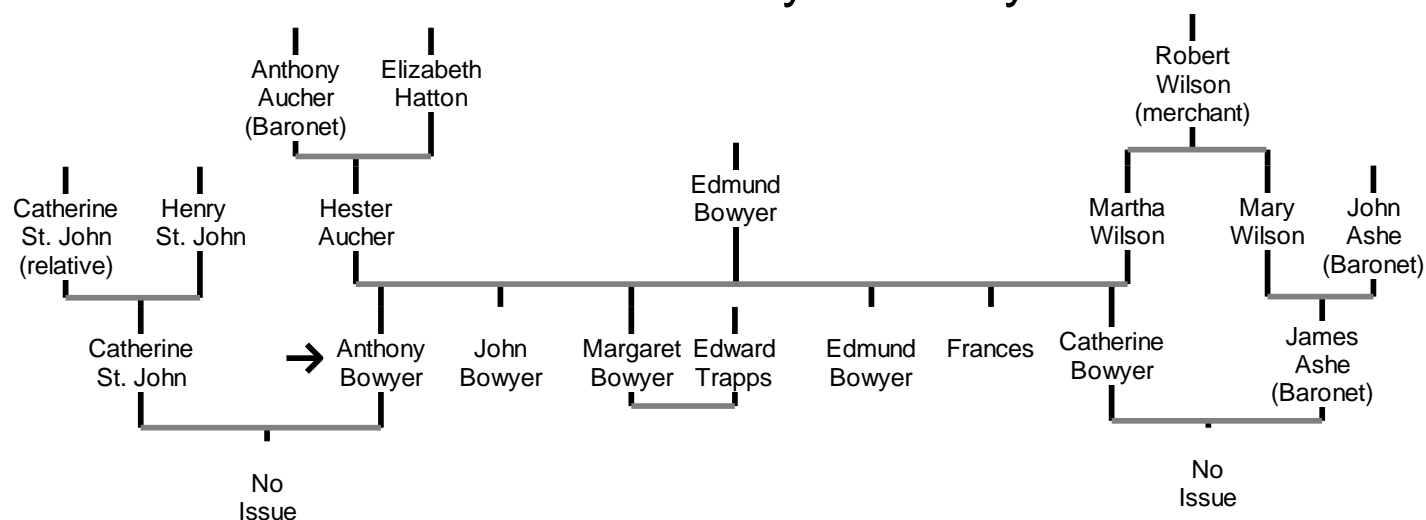
²³⁸ Examining marriages by their graduation year can be somewhat misleading, as there was no standard age of entering and passing the bar. For example, Walter Moyle did not marry until he was 36 years old, but that was only two years after he had passed the bar. Looking at those who married at least ten years after they passed the bar removes this problem, as those individuals were aged between 34 and 40 years old.

²³⁹ Nichols J, "The History and Antiquities of Barnwell Abbey, and of Sturbridge Fair," in *Bibliotheca Topographica Britannica*, vol. XXXVIII (London, 1786), 1–2.; Inner Temple Admissions Database, Ambrose Butler, <http://www.innertemplearchives.org.uk/detail.asp?id=14113>

²⁴⁰ George Francis Sydenham, *The History of the Sydenham Family: Collected from Family Documents, Pedigrees, Deeds, and Copious Memoranda* (London, 1928).

²⁴¹ J, "The History and Antiquities of Barnwell Abbey, and of Sturbridge Fair," 2.

The Bowyer Family



²⁴² David Hayton et al., eds., *The House of Commons, 1690-1715* (Cambridge: Cambridge University Press, 2002), 281–282, <http://www.historyofparliamentonline.org/volume/1690-1715/member/farrer-william-1656-1737>; Inner Temple Admissions Database, Anthony Bowyer, <http://www.innertemplearchives.org.uk/detail.asp?id=13827>

²⁴⁴ M.W. Helms, Eveline Cruickshanks, and John. P. Ferris, *The House of Commons, 1660-1690*, ed. Basil Duke Henning (Boydell & Brewer, 1983), 696–697.

²⁴⁵ E. W. Brayley et al., *A Topographical History of Surrey*, vol. 3 (London, 1850), 253, <http://archive.org/details/topographicalhis03brayuoft>.

²⁴⁶ Andrew Thrush and John. P. Ferris, eds., *The House of Commons, 1604-1629* (Cambridge University Press, 2010), <http://www.historyofparliamentonline.org/volume/1604-1629/member/aucher-sir-anthony-1586-1637>.

²⁴⁷ They must have married while they were teenagers, as Anthony's elder brother (who died in infancy) was born in 1633. Edmond Bowyer, 24 Sep 1633, "England Births and Christenings, 1538-1975," index, FamilySearch (<https://familysearchorg/pal:MM9.1.1/NT21-F28>; accessed 5 February 2015).

Their young age implied that in the early years of their marriage they would have relied on their parents for support. Despite Aucher's financial problems, this seems to have been the case, as until 1640, Anthony and his siblings were baptised near Aucher's residence in Bishopsbourne, rather than in Camberwell.²⁴⁸ Anthony was the only one of his elder siblings to survive infancy, and his parents' early marriage made the age gap between father and son quite close. In 1665 his mother, Hester, passed away, the monument dedicated to her shows Edmund's affection for her as it read, "There was a happy sympathy betwixt the vertues of the soul and the beauty of the body of this excellent deceased person: she lived a holy life and died the death of the righteous".²⁴⁹ At the time of her death Edmund was 52 years old, and although he did not re-marry immediately, he did remarry six years later in 1671, to Martha, the daughter of Robert Wilson, a London merchant, who was herself a widow.²⁵⁰

Remarriage was a common practice, few widowers remained so for long, but for some layering family ties could create divided loyalties. When Edmund and Martha married, Anthony and his siblings were almost all grown, his brother, John, was a scholar at Oxford, and in 1674 his sister, Margaret, was married to Edward Trapps of the Inner Temple.²⁵¹ Over the 1670s Edmund and Martha went on to have four children. The youngest, Edmund, was baptised on 1st January 1678.²⁵² With his birth, the elder Edmund took formal steps to recognise the changing nature of his family, and on the same day wrote and sealed a new will.²⁵³ In doing so he left Anthony only the basic portion of his paternal inheritance, principally, the family seat in Camberwell. The remainder of his wealth he left to Martha, and made her the executrix of his estate. Edmund's decision was not an enviable one, but in protecting his wife and the children of their second marriage, he diminished Anthony's inheritance. Whether Anthony was aware of his father's decision to amend his will is unclear, but when Edmund passed away in 1681, Anthony contested the will and lost.²⁵⁴ How relations between the two sets of siblings progressed after these events is unknown, but this was a potential problem with early marriage and remarriage.

²⁴⁸ Anthony's sister, Hester, was the last child to be baptised there. Sir Anthony died in 1637, which may explain why after that the family remained in Camberwell.

²⁴⁹ Brayley et al., *A Topographical History of Surrey*, 3:253.

²⁵⁰ John Aubrey and Richard Rawlinson, *The Natural History and Antiquities of the County of Surrey: Begun in the Year 1673*, vol. 1 (London, 1719), 80.

²⁵¹ Joseph Lemuel Chester and Sir George John Armytage, eds., *Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699* (London: Harleian Society, 1886), 136, <https://archive.org/details/allegationsforma2324ches>; Robert Barlow Gardiner, ed., *The Registers of Wadham College, Oxford. From 1613 to [1871]* (London: George Bell and Sons, 1889), 235.

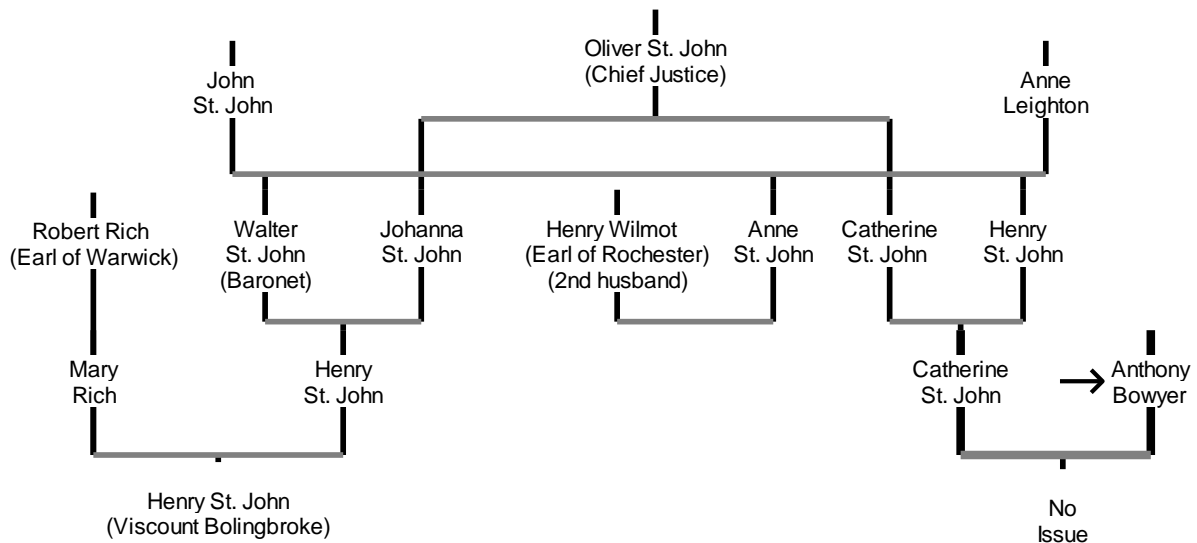
²⁵² London Metropolitan Archives, St Giles, Camberwell, Composite register: baptisms Jan 1558 - Mar 1750, P73/GIS/125

²⁵³ TNA, PRO, PROB 11/365/404. 26 March 1681.

²⁵⁴ TNA, PRO, PROB 18/13/4. 8 March 1681.

Figure 2.3

The St. John Family



In 1673, shortly after his father's marriage to Martha, Anthony married Katherine, the daughter of Sir Henry St. John.²⁵⁵ The St. Johns were an influential family who had ties to both the peerage and the landed gentry.²⁵⁶ The family had preserved their ties and status by inter-marrying with distant relatives (as Catherine's parents and their siblings had done), and marrying their daughters to noblemen's sons. At the time of their marriage Anthony was still working as a lawyer and had not yet come into his father's estate, there is no evidence to suggest how successful his practice had become. Although there was no evidence that Anthony directly benefitted from these kinship ties, the claim of kin in itself was an influential one. In the same year as his father's death, Anthony became a master of the bench at the Inner Temple and prospered in his locality. He went on to become a magistrate for Surrey and from 1689 onwards he held a parliamentary seat like his father.²⁵⁷

²⁵⁵ Chester and Armytage, *Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869*, 165.

²⁵⁶ On the east side of Battersea Church there is pane glass window. The top half shows the St. John's coat of arms enjoined with those of Queen Elizabeth I. The lower half has three pictures, the first is Margaret Beauchamp, grandmother of Henry VII, and ancestor of the St. John, the second is Henry VII, and the third is Queen Elizabeth, whose maternal grandfather Thomas Boleyn was also an ancestor of Catherine St. John.

John Stow and John Mottley, *A Survey of the Cities of London and Westminster, Borough of Southwark, and Parts Adjacent...* (London, 1735), 828.

²⁵⁷ Hayton et al., *The House of Commons, 1690-1715*, 281–282.

Similarly to Ambrose Butler, Anthony and Catherine's marriage left no surviving issue, but unlike Ambrose their marriage lasted for several years. Despite his lack of issue, Anthony wanted Camberwell to stay in his family. After his wife's death the estate was to pass to his step-brother, Edmund, and his heirs, and if Edmund failed to have issue, then it was to pass to a distant relative, William Bowyer and his heirs.²⁵⁸ Ensuring that a Bowyer would remain resident at Camberwell was important to Anthony. The Bowyers had been active patrons in the area, and if a son could not succeed him, then Anthony wanted to ensure that his name endured.²⁵⁹

Deciding when to marry or remarry could have a significant impact on the family. Young husbands would have required additional support from their family, while older husbands ran the risk of dying before their children reached adulthood. Their early and late marriages meant that Anthony and Edmund experienced their twenties and thirties very differently. In the time it took Anthony to marry, Edmund already had a twenty year old son. When to marry was an important issue, but it depended largely on the families themselves and the landscape of the marriage market.

This study is too small to make any of its findings representative, but for the gentlemen in this study at least, the percentage of bachelors was much higher than those in Prest's study, and more gentleman married after they turned 28 years old. However, the practical nature of establishing a profession and an income sufficient to attract a bride would have taken some time, and all the gentlemen in this study married before they turned 40 years old. While some like Ambrose Butler and Anthony Bowyer may have delayed their marriages till their late thirties, they were in a minority. It would be interesting to see how earlier and later generations behaved, but I would suspect that there would also have been a section that delayed getting married.

²⁵⁸ This caution was not unfounded as Edmund died without issue, and the estate passed to William Bowyer and his heirs. TNA, PRO, PROB 11/51/36, 8th February 1710; For more on Edmund Bowyer, see page 126.

²⁵⁹ At the turn of the seventeenth century Anthony had become a patron in his community. He was involved in local charities, and from 1695 until his death he sat on several charitable boards.

Marriage Practices - How Endogamous were their marriages?

Lizzy: In marrying your nephew, I should not consider myself as quitting that sphere.
 He is a gentleman; I am a gentleman's daughter; so far we are equal.

Lady Catherine: 'True. You *are* a gentleman's daughter. But who was your mother? Who are your uncles and aunts? Do not imagine me ignorant of their condition.'²⁶⁰

These words were written long after the gentlemen in this study had died, in a society whose norms were removed from the gentlemen of the Inner Temple, but Lady Catherine's questions were just as applicable. Marriage created ties between two families, not just the couple and their immediate relatives; as such assessing the status of the couple's wider kin would have been an important part of the courtship process. However, it was not the only consideration, as the gentleman of the Inner Temple were social hybrids they could follow several professions throughout their lives, and were from a variety of backgrounds. Most of the families in this study would have included members of the upper gentry and peerage as well as the upper middling sorts. Status would only have been one element - when negotiating a marriage, wealth, land, or good connections, may have compensated for any deficiencies. Even so, the gentlemen of the Inner Temple married within an elite circle, marrying into politically influential families, seeking heiresses, or forming ties with families from similar socio-professional backgrounds. This section will examine the marriages they made, and more specifically, question to what extent the marriages made between the gentleman of the Inner Temple also took into account their regional and familial ties.

Marriages with the Nobility

Families that aligned themselves with powerful or noble families were not always from established gentry families. Newcomers were also able to form such alliances. Henry Parker was the son of a successful London merchant, but his uncle Sir Hugh Parker rose to become a baronet.²⁶¹ In 1663 Parker's father bought estates in Worcestershire and Warwickshire, giving the family influence in these localities as well as in London.²⁶² When it came to the younger Henry Parker's marriage prospects, he was in a rather fortunate position, being heir to his father's and paternal uncle's estates. The combination of wealth and title in 1665 made him an eligible match for Mary, the

²⁶⁰ Jane Austen, *Pride and Prejudice* (Plain Label Books, 2008), 482.

²⁶¹ Basil Duke Henning, ed., *The House of Commons, 1660-1690*, vol. 3 (Boydell & Brewer, 1983), 206.

²⁶² Ibid.

daughter of Alexander Hyde, Bishop of Salisbury, and kinsman to Edward Hyde, James II's father-in-law.²⁶³ Parker's connection to the Hydes would have done much to elevate his position. While the majority of families did not connect themselves to the royal family through marriage, family connections and solidarities were an important element in the marriages they arranged.

Marriages with the nobility were even rarer, only three gentlemen in this study were able to secure noble husbands for their daughters. These three fathers were themselves prominent men: Sir John Trevor of Brynkinallt was a judge and Speaker of the House of Commons; Sir Robert Sawyer was the Attorney General from 1681-1687 and owner of Highclere Castle; and Sir Alexander Stanhope was a diplomat and the youngest son of the Earl of Chesterfield.²⁶⁴ Aligning themselves with a noble family would have elevated their standing and given them a sharper political edge. Still, despite their prominent positions they each had different social origins. Stanhope was the son of a nobleman, while Sawyer and Trevor were from gentry families, but Trevor's father was a Welsh judge, and Sawyer's an Auditor of the Exchequer.²⁶⁵ Their family backgrounds would have given them different connections and ambitions.

Stanhope's family were courtiers, Stanhope's maternal grandfather Sir John Pakington had been on Queen Elizabeth's Privy Council.²⁶⁶ They remained active at court through their continued service, Alexander's daughter Mary became one of Queen Anne's maids of honour.²⁶⁷ Within five years she married Sir Charles Fane, who later became an Irish Viscount.²⁶⁸ The Fanes were a family on the rise, they were active at Court, and held several public offices. Mary was a favourite of the Duchess of Marlborough, and with her family connections, the match benefitted both families.

Sawyer's family had different ambitions: Robert's father held several offices in Berkshire and remained politically active well into his eighties, and Robert, as his only son, rose even higher.²⁶⁹

²⁶³ William Betham, *The Baronetage of England* (London, 1803), 53.

²⁶⁴ "Trevor, Sir John (c.1637–1717)," Ellis in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/27729> (accessed July 9, 2016); "Sawyer, Sir Robert (bap. 1633, d. 1692)," Paul D. Halliday in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/24756> (accessed July 9, 2016); "Stanhope, Philip, first earl of Chesterfield (1583/4–1656)," P. R. Seddon in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/26252> (accessed July 9, 2016).

²⁶⁵ *Ibid.*

²⁶⁶ John Burke, *A General and Heraldic Dictionary of the Peerage and Baronetage of the British Empire* (London, 1833), 476.

²⁶⁷ Frances Harris, "The Honourable Sisterhood: Queen Anne's Maids of Honour," *The British Library Journal*, 1993, 181–98.

²⁶⁸ *Ibid.*, 184.

²⁶⁹ Andrew Thrush and John. P. Ferris, eds., *The House of Commons, 1604-1629* (Cambridge: Cambridge University Press, 2010), <http://www.historyofparliamentonline.org/volume/1604-1629/member/sawyer-edmund-15867-1676>.

However, he only had one surviving daughter, Margaret, who became his heiress. While he was Attorney General in 1684, she married Thomas Herbert the eighth Earl of Pembroke, who in the following years would rise high under William III to become Lord High Admiral in 1692, and later one of the Lords Justices of England.²⁷⁰ Given that Sawyer had no other children, the majority of his estate went to his daughter, but he was able to ensure that his grandchildren would be born noble. He willed that portions of his estate should be enjoyed by his widow and daughter for their lifetimes, but that Highclere Castle should pass to Margaret's second son.²⁷¹

Trevor's family were members of the established gentry in North Wales and Ireland. Trevor initially pursued a legal career. He established a successful practice in London and used his talents to gain political favour, along with his practice he held several seats in parliament.²⁷² On his elder brother's early death he inherited his father's estate, which brought an income of £1400 per annum.²⁷³ The Trevors held estates in both Wales and Ireland and they married with the Welsh and Irish gentry, sustaining ties on both sides of the sea.²⁷⁴ Trevor married the daughter of Sir Roger Mostyn, so when it came to his own daughter, Anne, he looked instead for an Irish husband, Michael Hill of Hillsborough, esquire, who was on William III's Privy Council. They had two sons, Trevor and Arthur, both of whom were appointed as peers.²⁷⁵ However, Hill predeceased Anne, and rather than remain a widow she remarried, this time to Alan Broderick, Viscount Middleton, who was an Anglo-Irish lawyer and would rise to be Lord Chancellor of Ireland.²⁷⁶ Also Anne's daughter from her first marriage married Broderick's eldest son, Alan. The connection between Welsh and Irish families was not uncommon. Trevor may have had several options for Anne among the Welsh gentry and in London, but in selecting an Irish husband he created a branch of his family that would become part of the Irish peerage.

²⁷⁰ Arthur Collins, *The Peerage of England: Containing a Genealogical and Historical Account of All the Peers of That Kingdom, Now Existing, Either by Tenure, Summons, Or Creation, Their Descents and Collateral Lines, Their Births, Marriages and Issues ...* (London, 1756), 123–125.

²⁷¹ TNA, PRO, PROB 11/411/193, 8th September 1692.

²⁷² Basil Duke Henning and A. M. Mimardi re, eds., *The House of Commons, 1660-1690*, vol. 3 (London: Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/trevor-sir-john-1637-1717>.

²⁷³ Ibid

²⁷⁴ George William Marshall, *Le Neve's Pedigrees of the Knights Made by King Charles II., King James II., King William III. and Queen Mary, King William Alone, and Queen Anne*, ed. Peter Le Neve, vol. 5 (London, 1873), 245, <http://archive.org/details/lenevespedigrees00lene>.

²⁷⁵ Trevor was made Viscount Hillsborough and Arthur, Viscount Dungannon. John Debrett, *Debrett's Peerage of England, Scotland, and Ireland*, ed. G.W. collen (London, 1840), 248.

²⁷⁶ Arthur Collins, *Collins's Peerage of England; Genealogical, Biographical, and Historical*, ed. Egerton Brydges, vol. 5 (London, 1812), 102.

These marriages were some of the most socially advantageous for the families in this study. They demonstrated three different ways that these families could align themselves with the peerage, and that their own backgrounds gave each of them different motivations. Even so these marriages may not have been possible had all three fathers not held such prestigious positions. While their wider family connections would have been influential, it was the combination of position, status and wealth that secured these marriages. The dowry portion would also have been important, Stanhope's daughter had a dowry of £2000, but also would have received an additional £3000 from Queen Anne.²⁷⁷ While Trevor's daughter was a co-heiress and Sawyer's an heiress, the state of their fortunes would have been important to the noble families they married into. Even so only Sawyer's daughter married into an established noble family - the other two married newly made Irish peers. This distinction may have facilitated the latter two marriages, as a union was initially considered between Mary Stanhope and Lord Byron, but the marriage negotiations broke down, when her dowry was not considered substantial enough for a peer of his status.²⁷⁸ While these examples are not representative for the gentlemen that trained at the bar, they underlined that without fortune, connections and status, marrying a daughter into the peerage could be difficult.

Heiresses

Heiresses held a privileged position on the marriage market, they were highly sought by those from impoverished situations, or younger sons of the gentry and nobility. From the gentlemen in this study eight married heiresses, and seven co-heiresses. Six of the heiresses came from mercantile backgrounds, the rest were daughters of gentlemen and esquires. While it is likely that the merchants' daughters brought larger fortunes, without their marriage settlements their dowry portions are difficult to trace. Marrying an heiress did not guarantee that their husbands would directly benefit, as their inheritance could be directly bequeathed to their sons, and re-directed back to their natal families if they pre-deceased them without issue.²⁷⁹ Nevertheless, families like the Verneys of Claydon House, were able to remain prosperous by strategically marrying heiresses over generations.²⁸⁰ Some mercantile families may have been lacking in pedigree but like Henry Parker's family, their wealth would have allowed them to purchase country estates from which they would have been able to offer jointures, and a chance to mix in genteel circles. Marrying into a gentry

²⁷⁷ Harris, "The Honourable Sisterhood: Queen Anne's Maids of Honour," 184–185.

²⁷⁸ Ibid., 184.

²⁷⁹ David W. Howell, *Patriarchs and Parasites: The Gentry of South-West Wales in the Eighteenth Century* (University of Wales Press, 1986), 15–27.

²⁸⁰ Whyman, *Sociability and Power in Late-Stuart England*, 110–147.

family was a way to cement their elevation in status. These types of marriages did not always involve mercantile daughters and sons of the gentry, in some cases the roles could be reversed, Thomas Jenner, who came from a prosperous yeomanry family in Sussex, through his own prominence was able to marry the only daughter of an esquire.²⁸¹

Family ties could also be useful in the pursuit of an heiress. For example, Edward Baldwin was the son of a prominent attorney in Guildford, Surrey.²⁸² His family had connections in the county. Edward's father, Henry, inherited a country estate from his uncle in Buckinghamshire but did not make it his main residence.²⁸³ He did not seek to further his connection to the county through marriage either, and instead in 1627, he married the only daughter of Edward Hurst.²⁸⁴ Edward Baldwin was his father's heir, he entered the Inner Temple quite late, in 1658 when he was 27 years old, and married while he was still 'practicing' at the bar three years later.²⁸⁵ His wife Elizabeth was the step-daughter of his kinsman, Richard Baldwin. Richard came from humble origins but made a fortune as a brewer. With his fortune he had bought an estate at Wilton in Beaconsfield, Buckinghamshire, elevating himself into the orbit of the gentry.²⁸⁶ In 1663 he married Susanna, the widow of Richard Turfrey, a London merchant, connecting him to her daughter Elizabeth.²⁸⁷ In his will in December 1661, Richard named Edward and Elizabeth as heirs to the bulk of his estate, including his main residence at Wilton, and its lands.²⁸⁸

Inheriting both his father's and wife's estates within months of one another would have raised Edward's fortune as well as his standing in the county substantially. He sold his father's estate, took up residence at Wilton and went on to practice as a legal professional in Buckinghamshire.²⁸⁹ What role Edward's family connection to Richard Baldwin played in his marriage to Elizabeth is unclear. Even so given Richard's lack of issue, he would have wanted his fortune to remain in Baldwin hands, and by marrying Elizabeth to Edward he was able to ensure that succession.

²⁸¹ See page 71.

²⁸² He was a prominent member of the town. In 1657 he became Mayor of Guildford. Leonard Naylor and Geoffrey Jaggard, *The House of Commons, 1660-1690*, ed. Basil Duke Henning, vol. 1 (London: Boydell & Brewer, 1983), http://www.historyofparliamentonline.org/volume/1660-1690/member/baldwin-edward-1632-91#footnote1_h1zu5yj.

²⁸³ Charles Candee Baldwin, *The Baldwin Genealogy from 1500 to 1881* (London, 1881), 39, <http://archive.org/details/baldwingenealogy00bald>.

²⁸⁴ Ibid.

²⁸⁵ It may have been even earlier, but Richard Baldwin lists him as his son-in-law in his will. TNA, PRO, PROB 11/306/469, 11th December 1661.

²⁸⁶ Baldwin, *The Baldwin Genealogy from 1500 to 1881*, 48–49.

²⁸⁷ Naylor and Jaggard, *The House of Commons, 1660-1690*, 1983, 1: <http://www.historyofparliamentonline.org/volume/1660-1690/member/baldwin-edward-1632-91>.

²⁸⁸ TNA, PRO, PROB 11/306/469, 11th December 1661.

²⁸⁹ Baldwin, *The Baldwin Genealogy from 1500 to 1881*, 48–49.

If family ties did hold sway, it did not seem to be a common practice among the wider group. While marrying the heiress of an esquire or baronet may have brought better connections, to secure such brides the suitors needed to offer something in return.²⁹⁰ Marrying an heiress placed fortune at the forefront of the discussion, and the bride's family would have expected to get a good deal in return. At the very least the gentleman would have needed to offer a good jointure. Given the competition to secure an heiress, these types of marriages were only achievable for a limited few, and none of the gentleman in this study behaved like the Verneys who strategically married heiresses over generations.²⁹¹

Marriages between the Families of the Inner Temple.

Looking at the marriages made by the gentlemen in this study and their fathers, 13 families within this sample inter-married with one another, and a further six married the daughters of legal professionals. This high rate was due to the effectiveness of the Inns of Court as a marriage market. Endogamous marriages were common within the legal profession, but it seems that there were usually overlapping motives for these marriages. Charles Danvers of Baynton passed the bar in 1665 and within three years was made a recorder for Devizes, Cornwall.²⁹² His step-father William Yorke, was a bencher at the Inner Temple, and it was likely that he played a role in elevating his step-son, especially as in 1653 Charles's sister, Ann, married William's eldest son.²⁹³

The gentlemen of the Inner Temple strengthened their family ties in several ways. In 1670, Thomas Farrer married his cousin Mary Boteler. The Botelers and the Farrers both sent several sons to the Inner Temple over the seventeenth century.²⁹⁴ Thomas's father was a master of the bench and lawyer to Queen Catherine of Braganza, and Mary's brother, William Boteler, and cousin, George Nodes, attended the Inner Temple at the same time as Thomas Farrer.²⁹⁵ Both families were from

²⁹⁰ John Broad, *Transforming English Rural Society: The Verneys and the Claydons, 1600–1820* (Cambridge: Cambridge University Press, 2004), 93–109; Erickson, *Women and Property*, 119–122.

²⁹¹ Whyman, *Sociability and Power in Late-Stuart England*.

²⁹² F. N. Macnamara, *Memorials of the Danvers Family (of Dauntsey and Culworth)* (London, 1895), 537–538.

²⁹³ There is no surviving record of Henry Danver's death, but Charles's mother remarried before 1646. From then on, she was listed as Yorke's wife in official documents. *Wiltshire Notes and Queries*, vol. 1 (Devizes), 326, accessed March 3, 2015, <http://archive.org/details/wiltshirenotesqu01deviuoft>. Macnamara, *Memorials of the Danvers Family (of Dauntsey and Culworth)*, 538–539.

²⁹⁴ Four members of the Boteler family and seven members of the Farrer family were admitted over the seventeenth century. Inner Temple Admissions Database. <http://www.innertemplearchives.org.uk/detail.asp>

²⁹⁵ David Hayton, *The House of Commons, 1690–1715*, ed. Eveline Cruickshanks and Stuart Handley (Cambridge: Cambridge University Press, 2002), <http://www.historyofparliamentonline.org/volume/1690-1715/member/farrer-william-1656-1737>. Inner Temple Admissions Database, George Nodes and William Boteler,

Bedfordshire and Thomas kept good ties with his aunt/mother-in law who lived in the country. In the few letters that have survived it appears that he sent her gifts of lobsters, sherry and coffee.²⁹⁶ Thomas and Mary went on to have a son and three daughters. Like his father, Thomas became a bencher at the Inner Temple and his son and grandson both attended the Inner Temple.²⁹⁷

These marriages could also improve a family's prominence. When Charles Tooke entered the Inner Temple in 1661, his two elder brothers had already passed the bar, and his uncle Ralph was a master of the bench.²⁹⁸ Three years after he passed the bar in 1670, Charles married Elizabeth Weston.²⁹⁹ Elizabeth was well connected - her sister had married Sir Richard Heath, baron of the exchequer, who later became Judge of the Common Pleas.³⁰⁰ Charles' sister Mary was similarly fortunate as she married one of his colleagues, Francis Bostock Fuller.³⁰¹ Francis rose to become a Sergeant-at-law and bencher at the Inner Temple. The marriages that Charles and Mary made were a step towards improving their situation and status.

Layering family ties with other members of the Inner Temple and legal profession could be beneficial not only for professional advancement, but also for strengthening regional and familial ties. Having strong family connections in a locality was crucial for establishing a practice, and if the wife's family also practiced as legal professionals then their reputation would only have improved. The Inns of Court brought together many influential families, the marriages that were brokered between members of the Inner Temple would have had overlapping motives, depending on their need for wealth, status, and regional/political prominence. The examples above have discussed only a few kinds of these marriages. The following case studies will consider these issues in further detail, as well as the strategic and multi-faceted nature of intermarriage among the families of the Inner Temple.

<http://www.innertemplearchives.org.uk/detail.asp?id=13958>;

<http://www.innertemplearchives.org.uk/detail.asp?id=13872>

²⁹⁶ Bedfordshire and Luton archives, TW1122 and 1126.

²⁹⁷ Inner Temple Admissions Database, William Farrer, Dennis Farrer and William Farrer.

<http://www.innertemplearchives.org.uk/detail.asp?id=12683>,

²⁹⁸ Inner Temple Admissions Database, Ralph Tooke, Edward Tooke and John Tooke.

<http://www.innertemplearchives.org.uk/detail.asp?id=12978>,

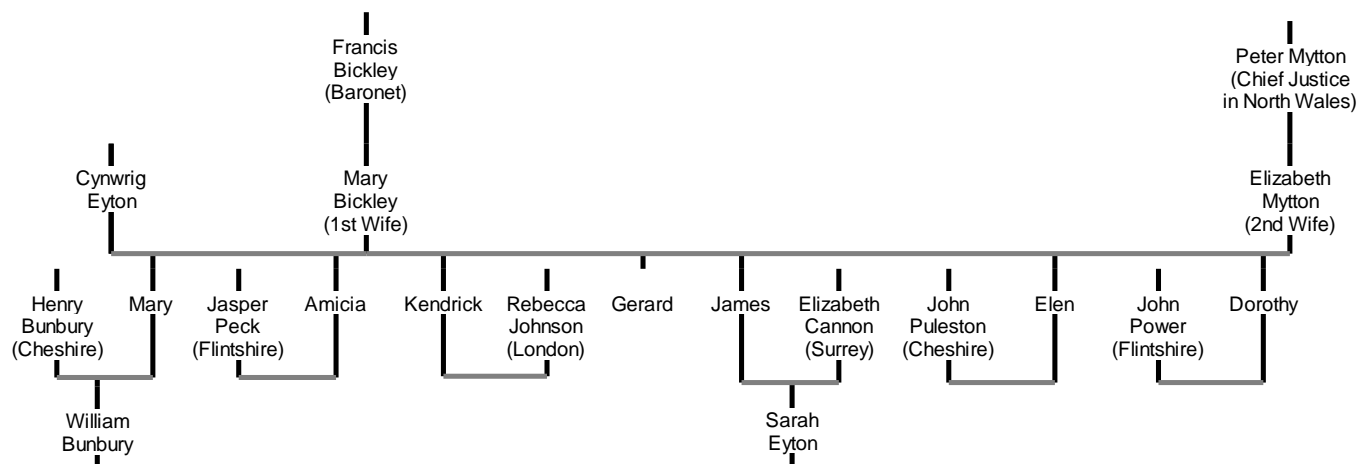
²⁹⁹ Chester and Armytage, *Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699*, 175.

³⁰⁰ Francis's family were also from Surrey and were based at Priory Manor in Tandridge. Edward Wedlake Brayley and Mantell, *A Topographical History of Surrey: The Geological Section by Gideon Mantell* (G. Willis, 1850), 86.

³⁰¹ Brayley et al., *A Topographical History of Surrey*, 3:180–181.

Figure 2.4

The Eyton Family



Kendrick Eyton of Eyton, Denbighshire was part of the north Welsh gentry. Like his father Sir Cynwrig (1607-1681) he attended the Inner Temple and pursued a legal career.³⁰² His family were part of the local elite - Kendrick's father was a Justice of the North Wales circuit. Cynwrig married twice, first to Mary Bickley, widow of Willam Hoo of Hertford and second to Elizabeth, the daughter of another north Welsh judge, Sir Roger Mutton.³⁰³ Between his two wives Cynwrig had nine surviving children, seven of whom married. His sons married the daughters of London families, and all but one of his daughters married into local gentry families.³⁰⁴ The Welsh gentry were not known for their large fortunes, and by marrying his daughters to local families, Cynwrig was able to offer them more modest dowries.³⁰⁵ He married one of his elder daughters, Dorothy, to Robert Power whose estate at Bersham was only five miles away from Eyton, and he was also able to keep his other three daughters close to home.

³⁰² Kendrick is the English name for Cynwrig, but given the difficulty between the two languages there are many spellings for these names, so to avoid confusion I elected to give the father his Welsh name and the son the English one.

³⁰³ Jacob Youde William Lloyd, *The History of the Princes, the Lords Marcher, and the Ancient Nobility of Ponys Fadog, and the Ancient Lords of Arnystli, Cedewen, and Meirionydd* (London, 1881), 324–327, <http://archive.org/details/historyofprinces03lloy>.

³⁰⁴ Ibid., 325–326.

³⁰⁵ Whyman, *Sociability and Power in Late-Stuart England*, 111–147; Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 60–70.

Given the proximity of these families, it seems likely that Cynwrig would have already been acquainted with them. When he was looking for a husband for his second youngest daughter, Mary, he arranged a marriage with the elder son of Sir Thomas Bunbury, baronet, who like Cynwrig had attended the Inner Temple in the 1630s.³⁰⁶ The marriage negotiations took place in 1671, when Henry Bunbury was only 16 years old, and Mary was 23.³⁰⁷ They were not well-matched in age, and the groom's youth was reflected in the marriage settlement. The dowry of £1800 was to be kept by Sir Thomas until Henry reached his 21st year, until then Cynwrig agreed to pay him an annuity of £250, which also set the value of Mary's jointure if she became a widow.³⁰⁸ If Henry died prematurely, then the dowry would be returned to Cynwrig in full. Dowry portions and annuities were established for any children they might have, but the finances were to be managed by Sir Thomas until Henry came of age. Despite the business-like nature of the marriage, it was likely that the families knew each other well. This was confirmed when Henry died in 1687, as in his will he named his mother-in-law, Elizabeth Mytton and Mary's brothers as administrators of his estate.³⁰⁹

The fact that Mary's younger brothers married outside of the north Wales and Cheshire set did not dissolve their ties to the locality, rather studies on the gentry have underlined the overlapping nature of country, town, and family ties.³¹⁰ Mary's brother Sir James Eyton had established himself in Mortlake, Surrey, but when looking for a husband for his only surviving daughter in 1707, he chose Mary's youngest son, William Bunbury.³¹¹

³⁰⁶ Inner Temple Admissions Database, Thomas Bunbury, Eyton, <http://www.innertemplearchives.org.uk/detail.asp?id=12963>; <http://www.innertemplearchives.org.uk/detail.asp?id=12540>

³⁰⁷ George Ormerod, *The History of the County Palatine and City of Chester* (London, 1819), 19, <http://archive.org/details/historyofcountyp02orme>; Lloyd, *The History of the Princes, the Lords Marcher, and the Ancient Nobility of Powys Fadog, and the Ancient Lords of Arwystli, Cedewen, and Meirionydd*, 163.

³⁰⁸ Chester Record Office, Church Commissioner Records, Chester (EEC), 33603.

³⁰⁹ John Paul Rylands, *Monumental and Other Inscriptions in the Churches of Stoak, Backford, and Thornton-Le-Moors in the County of Chester*; (London, 1905), 56, <http://archive.org/details/monumentalotheri00ryla>.

³¹⁰ Whyman, *Sociability and Power in Late-Stuart England*; Eales and Hopper, *The County Community in Seventeenth Century England and Wales*; John Broad, "Gentry Finances and the Civil War: The Case of the Buckinghamshire Verneys," *The Economic History Review*, New Series, 32, no. 2 (May 1, 1979): 183–200, doi:10.2307/2595452.

³¹¹ William Bunbury and Sarah Eyton, 10 Feb 1707, "England Marriages, 1538–1973," database, FamilySearch (<https://familysearch.org/ark:/61903/1:1:V5KQ-MY5> : accessed 5 July 2015).

Figure 2.5

The Moyle - Prideaux Family

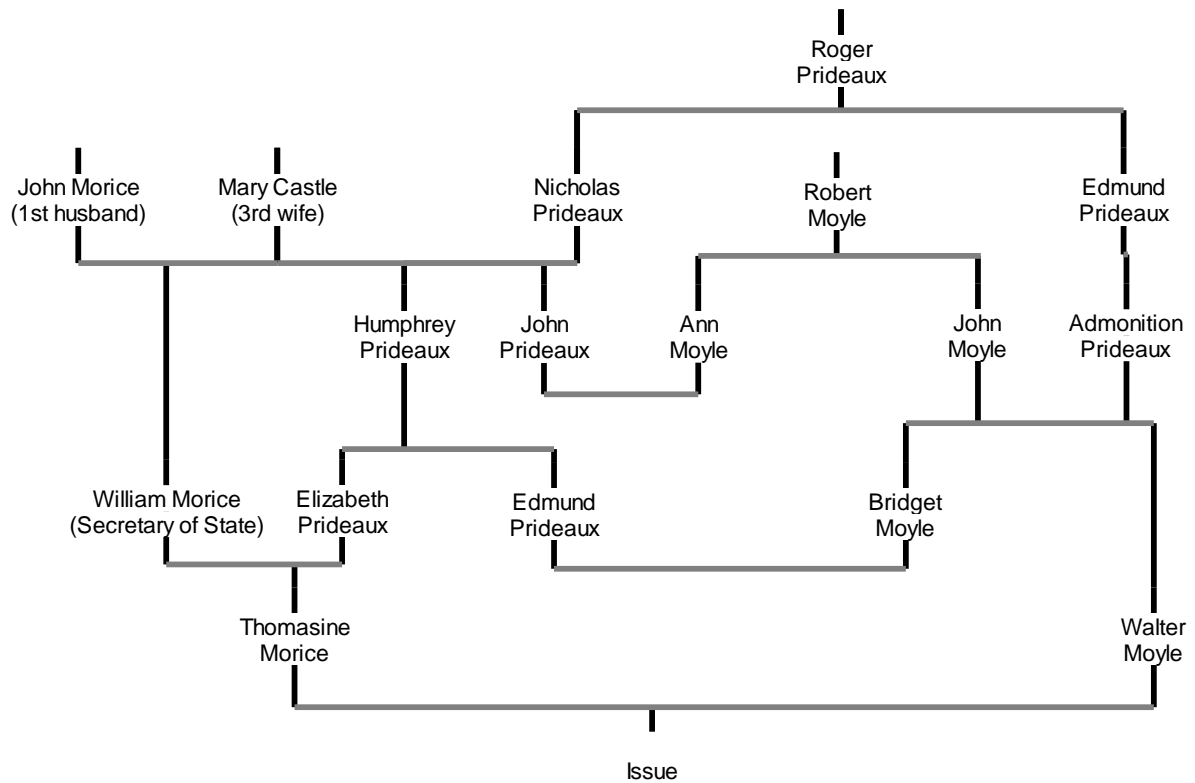


Figure 2.6 - A Map of the Prideaux Estates in Cornwall and Devon

Like the Eytons, families of high status practiced inter-marriage as a means of preserving their estates as well as keeping strong family ties. Walter Moyle's family systematically inter-married with the Prideaux family for generations over the seventeenth century.³¹² They were leading families in Cornwall and Devonshire - the sons of both families attended the Inns of Court, and were active figures in London and the country.³¹³ The families did not have neighbouring estates: the Moyles were from Bake in Cornwall, while the different branches of the Prideaux family had estates in Netherton, Soldon and Padstow.³¹⁴ The marriages began when two siblings, John and Ann Moyle, married two Prideaux cousins. The succeeding generations of the Moyle family continued to form alliances with the Prideaux family. They were members of the same region and socio-professional elite, and when they did not inter-marry, they married with families like themselves who were prominent in both town and country.³¹⁵

From Walter Moyle's perspective their family ties were particularly strong. His mother, Admonition, had been born a Prideaux and his sister, Bridget, married Sir Edmund Prideaux of Padstow, baronet, so when it came to his own marriage he too married into a family with Prideaux

³¹² See The Moyle-Prideaux Family tree. Burke, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, 204.

³¹³ 11 members of the Prideaux family attended the Inner Temple over the seventeenth century.

³¹⁴ A Dodd and A Smith, eds., *The Gentleman's Magazine*, vol. Volume 97, Part 2; (London, 1827), 18–19.

³¹⁵ Charles Sandoe Gilbert, *An Historical Survey of the County of Cornwall* (London, 1820), 545.

ties. His wife Thomasine Morice was doubly related to the Prideaux family - her paternal grandmother had married one and her mother, Elizabeth, was the sister of Sir Edmund of Padstow.³¹⁶ However, this marriage was not just another case of Moyle and Prideaux inter-marriage, rather it would seem that their connections smoothed Moyle's way as a suitor, as Thomasine's father was the Secretary of State and was still in office in 1664 when the couple married. For families who had been active during the Civil War, and still sought governmental or court offices, marrying a pro-royalist family would have improved their circumstances and removed them from suspicion.³¹⁷ Having such a large number of relatives to recommend him may have played a deciding factor. Their marriage was one between two influential and elite families, which was underlined by Thomasine's dowry of £3000.³¹⁸

Their marriage was ultimately beneficial to Walter's career as after he passed the bar, he was knighted and remained active in town and country. He held several governmental offices in Cornwall and Devon, as well as a seat in parliament in 1689. These types of marriages were by no means unique among their neighbours and contemporaries, but they reveal the endogamous marriage patterns of such families.

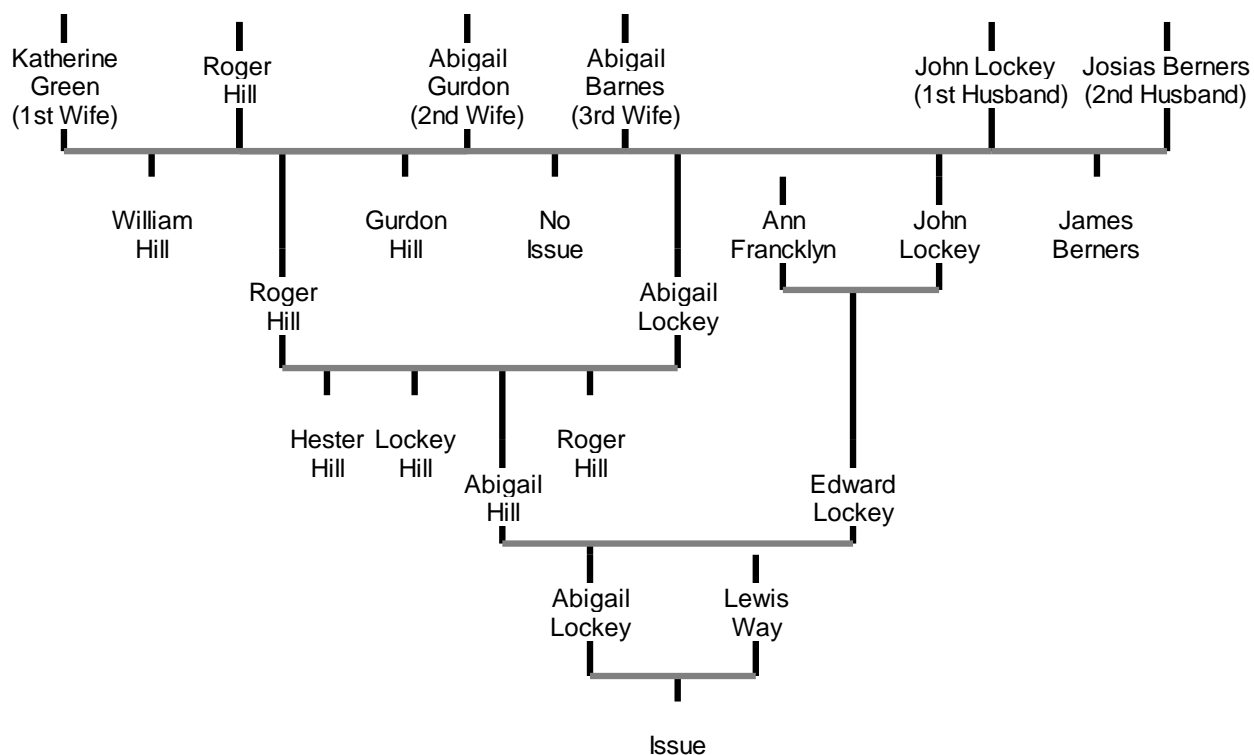
³¹⁶ See Figure 2.5

³¹⁷ Gillian Hampson, *The House of Commons, 1660-1690*, ed. Basil Duke Henning, vol. 2 (Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/morice-sir-william-1628-90>.

³¹⁸ Sheffield City Archives, Estate Papers of the Copley family, CD/455

Figure 2.7

The Hill Family



Inter-marriage was used to consolidate family ties, and to keep wealth in the family, but it could also give prominence to one particular branch. When fathers remarried, and had children by different wives (like in the Bowyer case), family ties could be strained or broken. If done well, inter-marriage could help to prevent such divides. Such was the case for Roger Hill. The Hills were originally from Taunton in Somerset, but Roger Hill sold his father's estate to acquire Denham from Sir William Bowyer (Anthony Bowyer's cousin).³¹⁹ His father, Roger Hill, a judge, was a politician and baron of the Exchequer; the elder Roger married three times, and had children from his first two marriages.³²⁰ His first wife Katherine Green was his kinswoman, and her father Giles Green had sat several times as a member of parliament for Weymouth and later Corfe Castle in Dorset.³²¹ They married in 1635, but Katherine passed away three years later, leaving behind a

³¹⁹ A relative of the Bowyers of Camberwell, he was heavily in debt and was forced to sell a large amount of his estate to pay them off.

³²⁰ Edward Foss, *Biographia Juridica: A Biographical Dictionary of the Judges of England from the Conquest to the Present Time, 1066-1870* (London, 1870), 347.

³²¹ Paul Hunneyball, *The House of Commons, 1604-1629*, ed. John. P. Ferris and Andrew Thrush (Cambridge University Press, 2010), <http://www.historyofparliamentonline.org/volume/1604-1629/member/greene-giles-1596-1656>.

young son and daughter. Within three years Roger had remarried, this time to Abigail Gurdon, whose family was outside of his sphere of influence. The Gurdons were members of the Suffolk gentry with estates worth £1400 per annum.³²² They were also a prominent Presbyterian family.³²³ From their marriage Roger was the only surviving child. Over the years the two families developed strong ties. When Abigail passed away in 1658, she was laid to rest in Temple Church where eventually the elder Roger would join her.³²⁴ Despite this the elder Roger did marry again in 1661, this time to a rich widow, Abigail Barnes, who brought a jointure of £120 per annum as well as property in London, but the marriage only lasted six years as in 1667 Roger passed away.³²⁵

Despite the business-like nature of these marriages, the second two appear to have been affectionate. Shortly after their marriage in June 1641, when Roger's work kept him in London and bad weather had prevented him from coming home, he wrote to his second wife, Abigail, and declared, "It would trouble me much if you should thinke that my absence thus longe from thee is not a great affliction to mee".³²⁶ A few months later when his work was still keeping him away from home, he wrote, "[...]I shall inioye thee and make up that w[hi]ch vnhappylye hath been wanting one my part, that is, to remaine and abyde with thee that arte the Desire of myne Eyes and Her whom my soul delighteth in and reioyeth in[...]"³²⁷ These first few months would have been difficult for Abigail: in marrying Roger she would have become a step-mother to his two young children, and Roger's seat in Taunton was quite a distance from her family in Suffolk. It seems that at least in the early months of their marriage with Roger's prolonged absences she made extended visits to her family, as Roger sent some of his letters to her while she was there.³²⁸ Moreover in 1642, when Abigail was pregnant with their son Roger, she probably wanted the support of her family during her first pregnancy.

Their marriage must have left an impression on Roger, as during the courtship of his third wife, Abigail Barnes, he wrote her a love letter on the blessings of married life, in which he said, "[...]for

³²² Although the Hills were certainly not the only family in this study where religion played a considerable role in their marriage alliances they were the only family who highlighted it as a criteria. "Gurdon, John (1595–1679)," Gordon Blackwood in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, May 2009, <http://www.oxforddnb.com/view/article/11756> (accessed July 9, 2016).

³²³ Paula Watson and M.W. Helms, *The House of Commons, 1660-1690*, ed. Basil Duke Henning (Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/gurdon-john-1595-1679>.

³²⁴ Foss, *Biographia Juridica*, 347.

³²⁵ She had first married John Lockey of Holmes-Hill in Hertfordshire, and then Josias Berners a London Merchant. Centre for Buckinghamshire Studies (CBS), D192/2/1

³²⁶ CBS, D192/8/1b

³²⁷ CBS, D192/8/2

³²⁸ CBS, D192/9/1-5

she is his, and he is hers, who cannot but discover themselves each to other in the secret of their loves; and there will be betweene them a familiaritie in opening their hearts to each other on all occasions[...]oh my love; my heart is ready to suy[...]”.³²⁹ Even if Roger was not completely earnest in his declaration of love and affection, the need to make such statements was part of the courtship process. Both Roger and Abigail had been married previously and knew what to expect. Their marriage would have benefitted both of them and created several overlapping family ties for the children of their previous marriages. Affection and good will was an expedient way to establish good ties with a new family, and in Roger and Abigail’s case it proved successful, despite the short duration of their marriage, the ties that they established were far more enduring.

Roger’s death in April 1667 created a dispute among the family, but not between Abigail and her stepchildren. Instead it was between the siblings themselves. Roger’s eldest son, William had passed away without issue in 1662, making his second son Roger the beneficiary of his estate, William’s widow believed that she was entitled to more than just her jointure and she contested the will but was ultimately unsuccessful.³³⁰

The elder Roger’s will was generous to Abigail, as he allowed her to keep everything that she had brought into the marriage and gave her a jointure of £500 a year without the requirement that she remain a widow.³³¹ There were a number of precious items that had belonged to the younger Roger’s mother, which his father specifically bequeathed to him. One in particular was a diamond necklace, with a pearl pendant and rose coloured diamonds that his father listed was to remain within the family.³³²

In 1667, the younger Roger was 25 years old, and had already established a legal practice.³³³ His marriage was being planned when the elder Roger passed away. The fact that the marriage went ahead in July 1667, suggested that he had given his blessing to the match.³³⁴ Especially since the younger Roger’s new bride was his step-sister, Abigail, the daughter of John Lockey, his stepmother’s first husband.³³⁵ In his will Roger left instructions as to the lands that could be used for jointures, allowing each of his sons to give portions worth £200 per annum, but stipulating that

³²⁹ CBS, D192/9/8.

³³⁰ TNA, PRO, PROB, 11/323/6; TNA, PRO, PROB, 11/650/9.

³³¹ TNA, PRO, PROB, 11/323/6.

³³² Ibid.

³³³ Leonard Naylor and Geoffrey Jaggard, *The House of Commons, 1660-1690*, ed. Basil Duke Henning, vol. 2 (Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/hill-sir-roger-1642-1729>.

³³⁴ Chester and Armytage, *Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699*, 136.

³³⁵ See Figure 2.7.

they needed to secure a dowry worth £2000.³³⁶ The elder Roger must have been looking to consolidate his family's connection to his wife's extended family. Abigail even contributed a portion of her jointure to her daughter's dowry.³³⁷ Creating stronger ties between his widow and eldest son would have helped to unify them and prevent a break down in relations after his death.

Even with this marriage, Abigail did not settle in to her widowhood and impose herself on the younger Roger and her daughter as the family matriarch. Instead she too re-married within months of her husband's death. Abigail was a rich widow, and at this stage heiress to her father's estate in Aldborough Hatch in Essex, which brought an income of £200 per year. In addition to that she had goods worth £2500, and the £500 a year jointure from Sir Roger.³³⁸ In 1667 she was at a stage where she could decide for herself if she wanted to remain a widow or to remarry. Her choice was not a simple one, as she was only 42 years old, and had already gone through three husbands. It was unlikely that she would have had more children, but she was still far from old age.³³⁹

Her fourth husband Colonel George Thomson came from a Presbyterian mercantile background, but he had distinguished himself during the Civil War, and after the Restoration gained an office in the Commission of the Accounts.³⁴⁰ He lost his leg in 1644, and in 1660 Samuel Pepys describes him as having a wooden leg.³⁴¹ Still, the colonel was not the first suitor to come seeking Abigail's hand after Roger's death. When the Colonel made enquires as to her eligibility through an intermediary who knew one of Abigail's servants, he was informed that she had already had an offer, "which hither to shee had much slighted but he perceives by one passage that she may not long doe soe, for when he did lately movve her out of her maiden estate to settle £50 a yeare upon on her sonne Lockier, she made answer no if ever shee married again she would not come so bare to any man".³⁴² From her estate in Aldborough Hatch, Abigail gave £50 a year to her son James Berners who was still at school, and the same to her eldest son John Lockey who was at university.³⁴³ However, John's allowance did not cover his expenses. His father had passed away in 1651, and so when he felt his finances tightening he wrote to his mother, "[...] you need not fear

³³⁶ TNA, PRO, PROB, 11/323/6.

³³⁷ CBS, D192/2/1.

³³⁸ Ibid.

³³⁹ Ibid.

³⁴⁰ The commission was established in 1668, to keep track of the money given to Charles II by parliament for the Dutch War.

³⁴¹ Samuel Pepys, *The Diary of Samuel Pepys: A New and Complete Transcription*, ed. Robert Latham and William Matthews (London: G. Bell & Sons, 1970), 107 and 2207.

³⁴² CBS/D192/9/9.

³⁴³ CBS, D192/2/1.

my lending money againe [...] you are not ignorant of how money goes away in many wayes, pray let me have my money as soon as you can[...].”³⁴⁴ Additional support to her son would not have damaged her financially. However, as Abigail herself said, if she wanted to remarry then she would need to preserve her fortune for a dowry, and given her sons’ youth, she may not have wanted to see them slowly reduce her circumstances, as they established themselves in society. Therefore her marriage to the Colonel was a prudent one, at this stage of her life she was not ready to become a dependent of her children or step-children.

Despite her re-marriage the connection between her daughter and Roger Hill created firmer ties between the two families. Roger went on to become a prominent lawyer and politician, and he and Abigail Lockey had several children, though none of their sons survived. The absence of a son meant that the whole estate moved out of the family through their daughters. Still one of their daughters Abigail Hill, was married to her cousin, Edward Lockey.³⁴⁵ It was through this line that the Denham estate eventually passed. Despite this second connection to the Lockey family, when Roger died in 1729, his death resulted in a court case.

Intermarriage may have been a way for families to bind diverging allegiances, and to keep wealth in the family, but it was not a fool proof tactic. Family ties could be influenced by a number of factors: creating strong ties between widows and elder sons was a good step towards keeping the peace, but sometimes family disputes were inevitable. The Hills certainly made use of this tactic over generations, but the lack of male issue from the younger Roger Hill saw the end of the family line, and their estate moved via the Lockey’s to the Way family.

Conclusion

The trends of late marriage and non-marriage were visible among the gentleman in this study. While Prest’s study was far larger, the 3% that died unmarried was much lower than the 18% among the Restoration gentlemen of the Inner Temple. This higher figure may in part be attributed to the increasing late age of first marriage combined with premature deaths. Two of the three Croke cousins died in their mid to late thirties unmarried. We will never know whether they intended to marry or not, but their delay in marrying removed that option.

³⁴⁴ CBS, D192/9/10.

³⁴⁵ See Figure 2.7.

It is also not clear whether early or late marriages varied among this socio-professional group during the earlier part of the seventeenth century. The studies on the Inns of Court did not examine their marriages by age, and it would be interesting to see whether this trend of late marriage grew after the Restoration, or as I suspect, whether it was more common for this socio-professional group to take longer to marry. Those who married early like Edmund Bowyer would have had the support of their family, and in theory would not have initially needed to rely on their profession for an income.

In terms of whom they married, finding noble husbands for their daughters was only achieved by the most prestigious men in this sample, who had the wealth, status, and connections. Securing an heiress was a far more popular tactic, but again there would have been strict competition, and the gentlemen would have needed a position, title or family connections to recommend them. Marriage was a way for these gentlemen to advance their position, and it also reflected their ambitions. While some may have sought to advance their wealth and status, others may also have formed more endogamous marriages with their socio-professional group.

These endogamous marriages may have just consisted of marriages between two families that attended the Inns of Court, but for a considerable portion of the gentlemen in this study they also reflected their regional and family ties. By interlacing such marriages over generations, these families would have been able to keep wealth and land within their control, while maintaining strong family ties. Their ambitions could vary depending on the material needs of the family. The Eyton, Moyle and Hill families all arranged endogamous marriages for different but equally important reasons. It is not always easy to tell how 'happy' these marriages were. The presence of letters from Roger Hill to his wives provided examples of affectionate marriages. How often this was the case for the majority is beyond the scope of this chapter, but considering the ambitious nature of these marriages it was likely that some fathers would have put the needs of their family beyond the contentment of their children.

marriages. The Muscorno and Crasso were prominent families in their own right, who practiced civil professions in the city.³⁴⁹

The families in this study could marry within a wide socio-professional elite: they could make alliances among each other, with other urban professionals, with poorer patricians, or even with rich artisans. Why they chose to make these marriages is not always clear, but in some cases their family's place of origin or their position in the city can provide clues.

What was perhaps unusual for the Costanzo family was that all the siblings married. This was not the case for many families in this study, where the presence of unmarried brothers and sisters was commonplace. In fact, Venetian marriage practices placed less pressure on men to marry; unmarried men could practice a profession, establish a household, and act in society free of restriction.³⁵⁰ Marriage did not bestow men with patriarchal adult status, rather their status was defined principally by their *paterfamilias*; until his death or their legal emancipation they were officially his dependents. How these power relationships worked in practice is harder to define. Sandra Cavallo's study on barber surgeons in Turin has shown that making the formal request for emancipation was a final, rather than a first step for a son to establish his independence.³⁵¹ Therefore, the demands that a *paterfamilias* placed on his dependents in practice could be rather flexible.

For women in the family, the situation was somewhat different, as they were defined principally by their marital status. However, in most cases not all daughters were able to become wives. Traditionally, elite Venetian families only arranged marriages for one or two daughters. The remaining daughters either became Brides of Christ, tertiary sisters, or remained at home as secular spinsters. The distinction between these unmarried groups was quite important. If they became Brides of Christ then they received smaller spiritual dowries. Patrician families in particular placed a number of their daughters in convents. Jutta Sperling estimates that in 1581, 54% of patrician

³⁴⁹ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b2, fol. 127 (Crasso); ms. P.D. c 4, b3, fol. 232 (Muscorno). Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

³⁵⁰ Chojnacki, "Subaltern Patriarchs: Patrician Bachelors."

³⁵¹ To gain a legal emancipation a father would apply to the law courts. The process of emancipation and its impact was also dependent on the family's socio-professional status. Although sons were more likely to pursue a legal emancipation, when stepmothers and stepsiblings were also placing demands on the family finances. Sandra Cavallo, *Artisans of the Body in Early Modern Italy: Identities, Families and Masculinities* (Manchester: Manchester University Press, 2010), 202–207. Sandra Cavallo, "Fatherhood and the Non-Propertied Classes in Renaissance and Early Modern Italian Towns," *The History of the Family* 17, no. 3 (August 2012): 317–320, doi:10.1080/1081602X.2012.658261.

women were enclosed in convents.³⁵² However, if they became tertiary sisters or remained as secular spinsters then they retained control of their property, and were entitled to inherit a portion of their paternal and maternal estates; but how many daughters remained in these states is difficult to quantify.

The daughters who married were often given larger dowry portions, but the size of the dowry itself depended on their father's wealth and ambition. Families wanting to attract a patrician husband could pay exceptionally high dowries. One father in this study gave his four daughters high dowries, which together totaled 81,000 ducats.³⁵³ However, when these families married within their own socio-professional milieu, they gave much more modest dowries. For example: Cornelia Moretti, the daughter and sister of urban professionals, married a notary, Simone Porta with a dowry of 3000 ducats, and her nieces Isabetta and Zanetta Moretti both married well with dowries of 1500 ducats.³⁵⁴ The dowry itself remained the wife's property, but was held by her husband for the length of the marriage. However, in the event of her death or widowhood she could only bequeath or reclaim two thirds of her dowry, as a third was given either to her husband, or in the event of his death, to their children. Nevertheless not all widows attempted to reclaim their dowries, as in their testaments, some husbands would offer their widows favourable terms to remain in their marital home.³⁵⁵

The types of marriages that these families made reflected their social ambitions and connection to Venice. Anna Bellavitis's study on citizen families during the sixteenth century found that urban professionals typically married their daughters within their own socio-professional milieu, but they themselves married more broadly - presumably to secure higher dowries.³⁵⁶ Did the families in this study follow the same pattern, or were their marital strategies more complex? Recent immigrants to the city would have retained connections with their place of origin, and the marriages they arranged may have reflected those ties. Making good marriages with established citizen or patrician

³⁵² Jutta Gisela Sperling, *Convents and the Body Politic in Late Renaissance Venice* (University of Chicago Press, 1999), 18.

³⁵³ For more on this example see page 98. ASVe, Notarile Testamenti, b.1268, n.180. 11 June 1661.

³⁵⁴ Archivio delle Istituzioni di Ricovero e di Educazione (IRE), DER E 169 (Commissaria Giulia Morretti), b4, fol. 24-29. 7 February 1636; ASVe, Notarile Testamenti, b.696, n.21. 20th November 1661.

³⁵⁵ For more on dowries, see Lanaro Paola, "La restituzione della dote. Il gioco ambiguo della stima tra beni mobili e beni immobili (Venezia tra Cinque e Settecento)," *Quaderni storici* 135, no. 3 (2010): 753–78, doi:10.1408/33606; Anna Bellavitis, *Identité, Mariage, Mobilité Sociale: Citoyennes et Citoyens à Venise au XVI Siècle* (Rome: École Française de Rome, 2001), 141–234; Stanley Chojnacki, "Getting Back the Dowry: Venice, c.1360 - 1530," in *Time, Space, and Women's Lives in Early Modern Europe*, ed. Anne Jacobson Schutte, Thomas Kuehn, and Silvana Seidel Menchi (Kirkville: Truman State University Press, 2001), 77–96; Stanley Chojnacki, *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore: John Hopkins University Press, 2000), 132–152.

³⁵⁶ Bellavitis, *Identité, Mariage, Mobilité Sociale: Citoyennes et Citoyens à Venise au XVI Siècle*, 245.

families would have accelerated their integration into the city, but layering these marriages with families from their place of origin would have allowed them to maintain their position in both places.

This chapter will examine the marriages made by the lawyers living in Santa Maria Zobenigo to see what kind of families they aligned themselves with. What sort of families did they seek out? Did they marry within their socio-professional group? When they married patricians, did they arrange marriages with them over generations? And if so did that affect the citizen marriages that their siblings or children made?

To address these questions more substantially, this chapter will look at the marriages contracted not just by the lawyers themselves or their siblings, but also by their parents and children. By examining their marriages generationally and inter-generationally, I will be able to examine how their marital strategies developed and evolved over three generations.

The ability to take this generational perspective is largely due to the sources themselves. Through a combination of Giuseppe Tassini's genealogical family trees and citizenship reports, I was able to create reliable family lineages. With these in place I was able to trace the individual family members, and examine their testaments, *decime* reports (1661), and where applicable their *prove di nobilita* (application for patrician status when citizen women married patricians). Using this approach made it possible to trace more women in the family, as those who were applying to become *cittadini originarii* were required to show that their wives and mothers had come from honourable and 'civil' families. However, this approach excludes families who did not live in the city for three generations. Where possible I have tried to include families who were present in the *catastici* and *stati delle anime* reports but not in the citizenship reports, however in many cases the material for these families is fragmented. Despite this, I was able to trace the lineages of 22 out of the 43 families in this study, and the marriages they made will form the basis of this discussion.³⁵⁷ Such a small sample group means that the findings cannot be representative, the point is rather to look at the marriages they made through individual case studies to see what social, economic or familial pressures influenced the making of these alliances.

³⁵⁷ See Table 1.2.

This chapter will start by looking at the types of patrician and noble marriages that these families formed, then move on to examine the marriages they made within their own social circles, and end by looking at non-marital connections between the lawyers of Santa Maria Zobenigo.

Patrician Marriages

Marrying Patrician Daughters

The growing focus on civility and civil professions at the turn of the seventeenth century saw legislators regulating the type of citizen families that patricians could marry. In 1589, the Great Council passed a law that prevented patricians from creating alliances with families that had not practiced a civil profession for at least three generations, or whose mothers had acted dishonourably.³⁵⁸ Marrying a patrician was an issue of the Church and state, and citizen daughters marrying into patrician families needed to be approved by the state before their wedding day. Their marriage contract and the bride's *prove di nobilita* (application to patrician status) had to be approved by the *Avogaria di Comun* (state attorneys).³⁵⁹ Placing this focus on civility raised the status of citizen families that practiced civil professions as it gave them a tangible social distinction between themselves and rich artisans.

When patrician fathers were surveying the marriage market, the considerations that they had to weigh when looking for potential sons or daughters-in-law were numerous. Marriage alliances between the patriciate and the citizenry were gender biased, as it was rare for patrician women to marry into citizen families. However, among this sample of lawyers there were seven cases of patrician women marrying socially inferior husbands.

Alexander Cowan also found cases of patrician women marrying citizens.³⁶⁰ He argued that these marriages were the result of families at the edge of patrician society, who, for financial or social reasons, were unable to contract marriages for their daughters within their own sphere.³⁶¹ At the individual level, it is hard to say why patrician families chose to make such alliances but it must have been beneficial for them. The next three cases from the Tironello, Lucadello and Moretti

³⁵⁸ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 15–21.

³⁵⁹ *Ibid.*, 31.

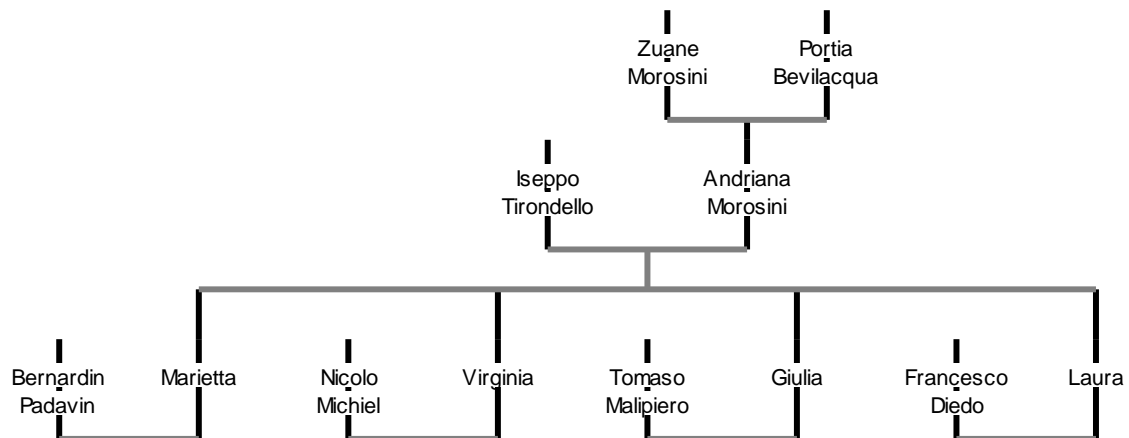
³⁶⁰ *Ibid.*, 69–72.

³⁶¹ Iseppo Tironello's wife, Andriana Morosini, presented such a case. Her father Zuane never registered his marriage to her mother, Portia Bevilacqua, which may explain why Adriana was selected to marry Iseppo Tirindello. Even so, her daughters were able to use her patrician heritage to marry back into the patriciate. *Ibid.*, 38.

families will underline the benefits that patrician mothers or wives could bring to their citizen families.

Figure 3.2

The Tirondello Family



Iseppo Tirondello lived in Santa Maria Zobenigo with his wife, Andriana, their four daughters and his unmarried sister.³⁶² Iseppo was not from an established family, his father being a notary from Belluno. Even so, his wife Andriana was the daughter of a patrician, Zuane Morosini.³⁶³ Like other families in this study, they owned properties in Venice and on the mainland, but from the dowries that Iseppo was able to give his four daughters, it would seem that he had other sources of income, or a substantial family fortune.³⁶⁴ Using his wealth as well as his wife's status, he contracted patrician marriages for three of his four daughters.³⁶⁵ His second and third daughters, Virginia and Giulia, received 22,000 ducats each, and the youngest, Laura, was given 24,000 ducats. His eldest daughter, Marietta, married a citizen, Bernardin Padavin, for a smaller dowry of 13,000 ducats, but unfortunately the marriage was not a happy one.³⁶⁶ By the time that Iseppo wrote his will in June

³⁶² Alexander Cowan also discussed the Tirondello case, and from his findings I was able to fill several gaps in my own research. ASPV, Archivio Segreto, State delle Anime, b. 1.8 - 1.10, 1638-1668; Ibid., 37, 39, 68, 70.

³⁶³ Ibid., 38.

³⁶⁴ ASVe, Dieci Savi Sopra le Decime d'I Rialto, Condizioni, b. 213, n. 648. 1661, 20th August.

³⁶⁵ ASVe, AdC 236/62, 1654; AdC 217/110, 1661; and AdC 220/40, 1663; Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 68.

³⁶⁶ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b4, fol. 32, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>; ASVe, Notarile Testamenti, b.1248, n. 180. 11 June 1661.

1661, Marietta and her children had left Bernardin, and moved back to her father's home. In his will Iseppo wrote,

“[...] but for the past actions of her husband, a grand consumer of his wealth, as the world knows, the poor girl has had ill fortune, she has never enjoyed a single good moment, and finally reduced in misery with her numerous children, deprived of a home and tableware, they [now] live in my house; where it is known that the others [her sisters] have had good luck with three Venetian noblemen [...]”³⁶⁷

Iseppo felt partially responsible for Marietta's situation, believing that he had failed her by placing her in such a bad marriage. In an attempt to remedy the situation he bequeathed her a further 9000 ducats to make up the difference in the dowry portion that he had given her sisters, and he forbade her husband from having any control over it.³⁶⁸

Having a wife of patrician birth would have affected how Iseppo approached his daughters' marriages. The combination of her status and his wealth would have made it easier to facilitate patrician alliances. Iseppo may have regretted not forming such an alliance for Marietta, but he attempted to rectify his error in his will.

These rarer types of patrician–citizen marriages could elevate the husband's status in exchange for a smaller dowry, but in exceptional cases citizen families could benefit both financially and socially. Andrea Moretti, a Doctor of Law, married twice.³⁶⁹ His first wife Cornelia, daughter of Sebastiano Badoer, brought a small dowry which consisted of property in Venice and 1500 ducats from her mother, Lucrezia Gritti.³⁷⁰ Cornelia and Andrea had two daughters, Badoera and Zanetta, but Cornelia died when her two daughters were still young, and left her dowry to them under Andrea's control.³⁷¹ Both sisters eventually received their mother's inheritance, but neither left surviving children. Instead they formed close ties with their half-siblings from Andrea's second marriage.³⁷²

³⁶⁷ “[...] ma per i trascorsi del marito gran consumator della sua sostanza come è noto al mondo, la povera figliola ha sortito infelice fortuna, no[n] ha mai goduto un' hora di bene, e finalmente ridotta in miseria con la sua numerosa filiatione, priva di domicilio e di utensili, vivono nell[a] mia casa come si sa. Le altre han sortito buona fortuna in tre gentilhuomini Venetiani[...]”. ASVe, Notarile Testamenti, b.1248, n. 180. 11 June 1661.

³⁶⁸ ASVe, Notarile Testamenti, b.1248, n. 180. 11 June 1661.

³⁶⁹ For more on the Moretti family, see chapter seven.

³⁷⁰ Archivio IRE, DER E 169, b4, fol. 5r. 7 May 1622.

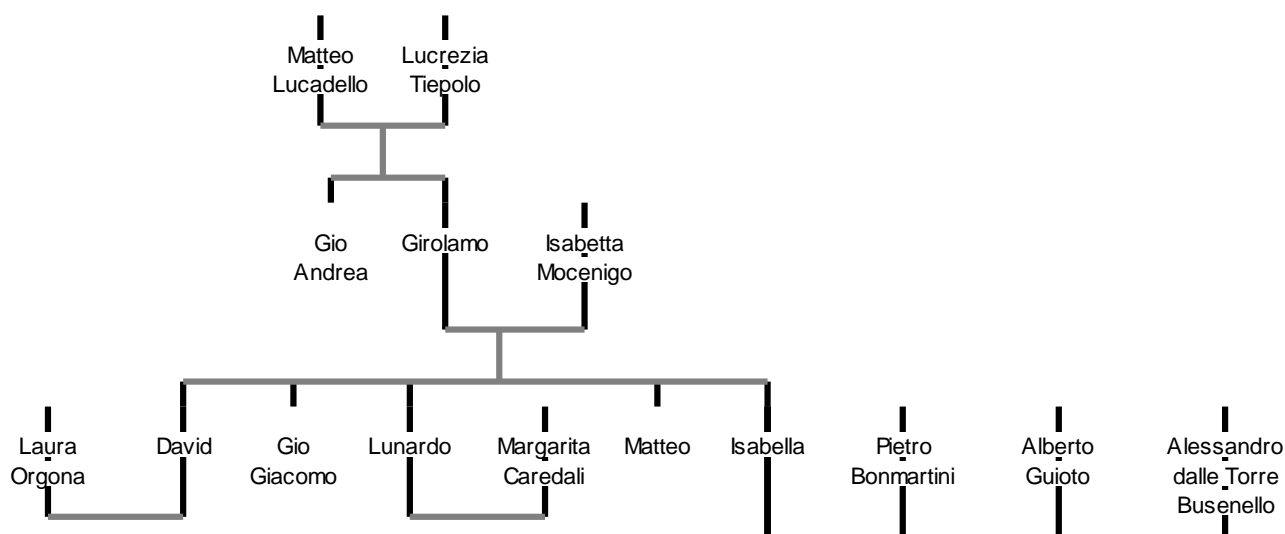
³⁷¹ Ibid..

³⁷² For a family tree, see page 206.

It was these half-siblings who eventually went on to inherit Cornelia's dowry.³⁷³ In situations such as these Andrea and his children were fortunate to enjoy the benefit of a patrician connection through Cornelia, but were also able to absorb her dowry and other gifts bequeathed to her.

Figure 3.3

The Lucadello Family



The situation was somewhat different for the Lucadello family. Originally from Bergamo, the family had moved to Venice during the sixteenth century.³⁷⁴ Lunardo Lucadello and his brothers were the third generation of the Lucadello family to live in Venice, and as such, in December 1606 their father, Girolamo, applied for them to become members of the *cittadini originari*.³⁷⁵ The citizenship application confirmed that Lunardo's father and grandfather married patrician women. Their ability to make such good marriages from their early years in the city would suggest that they were either very wealthy, or from a noble branch of the Lucadello family.³⁷⁶ Having not one but two generations of matrilineal ties to the Venetian patriciate would have given Lunardo and his brothers influential family ties in the city. Moreover, as Cowan found, the generational layering of

³⁷³ Archivio IRE, DER E 169, b4, fols. 10v-13v; ASVe. Notarile Testamenti, b.696, n.21, 20 November 1661.

³⁷⁴ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c4, b3, fol. 119, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>

³⁷⁵ ASVe, AdC, 363/3. 22 December 1606.

³⁷⁶ Antonio Longo, *Dell'origine e provenienza in Venezia de cittadini originari* (Venezia, 1817), 66.

such ties would have improved their chances of forming better patrician marriages for each subsequent generation.³⁷⁷

When it came to Lunardo and his brothers' marriages, much less is known. While it was uncommon for all brothers in one generation to marry, in the Lucadello case, it seems that not all of their marriages left a paper trail. For Instance: Matteo, one of the younger brothers, appears to have had legitimate children, but no reference was given of his marriage or wife.³⁷⁸ Only Lunardo's and David's marriages were recorded, and their choices of brides were different from those contracted by their father and grandfather. Lunardo married the daughter of a Venetian citizen, Margarita Cavedali, and David married the daughter of a more obscure family, Laura Orzona.³⁷⁹ It seems unlikely that their elevation to the *cittadini originarii* was the sole cause of such a profound shift in their marriage strategies. Another possibility was that the family's fortunes had been diminished, and therefore they started looking for brides with larger dowries. Exactly why the Lucadello brothers did not pursue a patrician bride is unknown, but in so doing they forged new ties within the citizenry. This change was not gender biased either, as their sister Isabella married three times, to non-patrician husbands.³⁸⁰ Whether the next generation of the Lucadello family continued with this strategy is also unknown. Lunardo's daughter married a member of the Priuli family, but it is unclear whether he was from a patrician branch.³⁸¹ The example of the Lucadello family has shown that marrying women of patrician birth over generations was possible. These ties would have accelerated the Lucadello family's integration into the city and made it possible for Lunardo and his brothers to demand higher dowries in their own marriages.

The patrician families who arranged these marriages ultimately accepted that their grandchildren would be members of the citizenry. The fact that these types of marriages were not more widely practiced shows that patricians only made them when it was necessary. Poorer patricians were not always able to provide their daughters with large dowries, and placing all their unmarried daughters into crowded convents was not always possible. Therefore when citizen families layered patrician ties over generations they made it easier to align themselves with more prominent patrician families in the future.

³⁷⁷ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 68–72.

³⁷⁸ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c4, b3, fol. 119, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>

³⁷⁹ Ibid.

³⁸⁰ Ibid

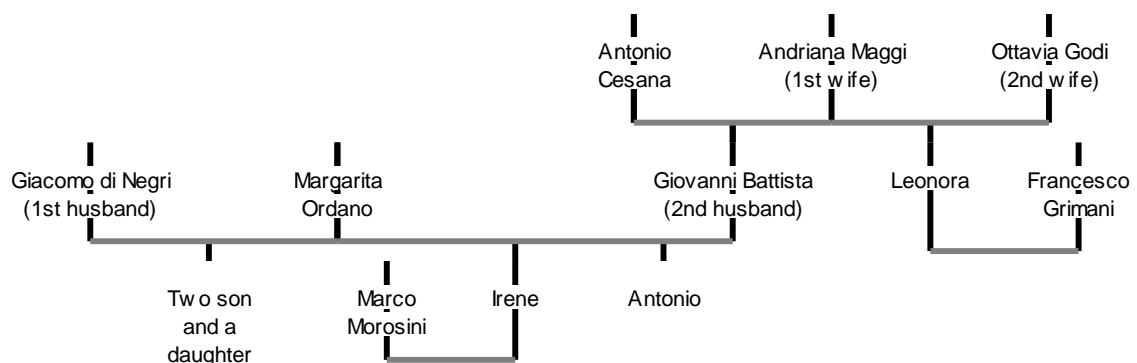
³⁸¹ Ibid.

Marrying Patrician Sons

Marriages between patrician sons and the daughters of urban professionals were more common. While they were more costly for the citizen families, they offered visible links with the patriciate. Marrying their daughters or sisters to patricians meant that they would be grandparents, aunts, or uncles of patricians. Having a patrician wife would have elevated their status, and given their children and grandchildren greater opportunities, but they would still have been members of the citizenry. Volker Hunecke estimated that during the seventeenth century between 17% and 25% of patrician men married outside the patriciate; and Alexander Cowan found that between 1589 and 1699, 8% (37) of the *prova di nobilita* petitions (*suppliche*) were submitted by fathers who identified themselves as lawyers or doctors of law.³⁸² It was quite likely that this figure was much higher, as several of the lawyers in this study identified themselves by their social status rather than their professional status.

These patrician-citizen marriages were often motivated by an exchange of wealth for status. The marriages brokered by Iseppo Tirondello for his daughters reveals the extent to which some citizen fathers would go, to secure a patrician alliance. However, few of the families in this study were as wealthy, or as willing to part with their wealth, as Tirondello, and as such they found alternative ways to secure a patrician husband for their daughters.

Figure 3.4
The Cesana Family



³⁸² Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 67–90; Sperling, *Convents and the Body Politic in Late Renaissance Venice*, 19.

The Cesana family presents one such example.³⁸³ Antonio Cesana was a doctor of law and an ambitious father. The son of the Conte of Cesana, a noble from the *terraferma*, Antonio married Ottavia Godi, the daughter of a Vicentine nobleman.³⁸⁴ Establishing a residence in the city and practicing a civil profession would have set his family on the path to Venetian citizenship. As with the other examples, Antonio hoped to contract a patrician marriage for one of his daughters, but he found an alternative way to secure a husband. In January 1626, Cesana brought a poor homeless patrician, Francesco Grimani, into his home.³⁸⁵ Within just a month Antonio had brokered a marriage between his daughter Leonora and Francesco, giving her a modest dowry of 2500 ducats.³⁸⁶ Matters moved quickly, and on 3rd February 1626, Antonio submitted a *prova di nobilita* for Leonora.³⁸⁷ However, Antonio's unorthodox method of getting a patrician son-in-law led to much speculation in their neighbourhood. When the *Avogadori* (state lawyers) interviewed Antonio's servants and neighbours, they were surprised to find that some witnesses thought that Francesco and Leonora were already married.³⁸⁸ One neighbour told the *Avogadori* that one of Antonio's daughters had recently married a nobleman from Casa Grimani.³⁸⁹ When asked if they had said their vows in front of the parish priest, another neighbour, stated: "[...] I do not know but it is generally said that this nobleman has given his promise to marry, and I believe that he goes to the house with other noblemen [...]".³⁹⁰ By allowing Francesco to remain in his home, Antonio placed Leonora's honour in danger. If the marriage had not gone ahead it was quite likely that Leonora's reputation would have been ruined, as allowing a suitor to live in the same household was highly irregular.

When the *Avogadori* questioned one of the household servants, Caterina, about the inner workings of Antonio's household, she portrayed the situation in a very different light. When asked if Leonora and Francesco had slept together, she answered, "No the Lady Lionna that is she who will be given to marry, she sleeps in a bedroom where we and the other girls, her sisters sleep, she

³⁸³ Tassini refers to Leonora as Dianora, but Cowan and the other sources refer to her as Eleanora or Leonora. Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 88, 154 and 156. Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c4, b2, fol. 77, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

³⁸⁴ Antonio's father, Alvise, was listed as the Conte di Cesana in Leonora's *prova di nobilita*, and one of the witnesses, the patrician, Daniel Benin, thought that he had worked as a 'civil merchant' dealing mostly in produce and wine. ASVe, AdC 304. 3rd February 1626

³⁸⁵ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 88. ASVe, AdC 304. 3rd February 1626

³⁸⁶ ASVe, AdC 117. 3rd February 1626.

³⁸⁷ ASVe, AdC 304. 3rd February 1626.

³⁸⁸ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 154 and 156. ASVe, AdC 304. 3rd February 1626.

³⁸⁹ ASVe, AdC 304. 3rd February 1626.

³⁹⁰ Non lo so ma per pubblica voce et fama si dice che la sua promessa é maritata in questo gentiluomo e lo credo andarvi per casa con altri gentiluomi. ASVe, AdC 304. 3rd February 1626.

has never slept with this Grimani, nor spoken to him, they do not even eat together [...]”.³⁹¹ To what extent Caterina was influenced or pressured to describe Leonora as an innocent in this affair is unknown. The testimonies given by the neighbours reflected how the community had interpreted the state of affairs in Antonio’s household, but this was largely based on gossip. However, if a servant had confirmed or even hinted at improper behaviour the issue would have been taken more seriously.

Despite Catterina’s depiction of Leonora’s innocence, the fact that the neighbours believed that she was already married to Francesco and that they were living together as a married couple was cause enough for the *Avogadori* to send midwives (*comare*), to see whether or not Leonora was a virgin.³⁹² Their investigation must have proven that she was, as ultimately the *Avogadori* confirmed that any children born from Leonora and Francesco’s marriage would be considered patrician and as such eligible to become a member of the Great Council.³⁹³

Leonora’s patrician marriage did not inspire her brother, Giovanni Battista, to pursue a patrician match, but when his only surviving daughter, Irene, came of age he did pursue a patrician marriage for her. Unlike his father, Giovanni Battista took no risks with Irene’s honour. In 1660, when Irene was eleven years old, he sent her to be raised and educated at the monastery of Ognisanti in Treviso.³⁹⁴ His choice of religious house was well meant, as some of the nuns there were members of the Cesana family.³⁹⁵ Irene remained in Treviso until 1663, when a marriage was arranged for her with the patrician Marco Morosini.³⁹⁶ Therefore when the *Avogadori* questioned Cesana’s neighbours and associates about Irene, some of them referred to her as a lay novice (*novizza*).³⁹⁷

The other notable difference between Leonora’s and Irene’s marriages was their dowry portions. Leonora had been given 2500 ducats, whereas Irene received 9300 ducats.³⁹⁸ Moreover, in

³⁹¹ No la Signora Lionna che è quella che se ghe dar à per moggliere la dorme nella camera dove dormo anch’ io e Le altre putte sue sorelle, nè mai ha dormito con questo Grimani nè ghe parla nè magna manco insieme[...].”ASVe, AdC 304. 3rd February 1626.

³⁹² Ibid.

³⁹³ Ibid.

³⁹⁴ ASVe, AdC 221/13. 2nd March 1663.

³⁹⁵ Ibid.

³⁹⁶ Ibid.

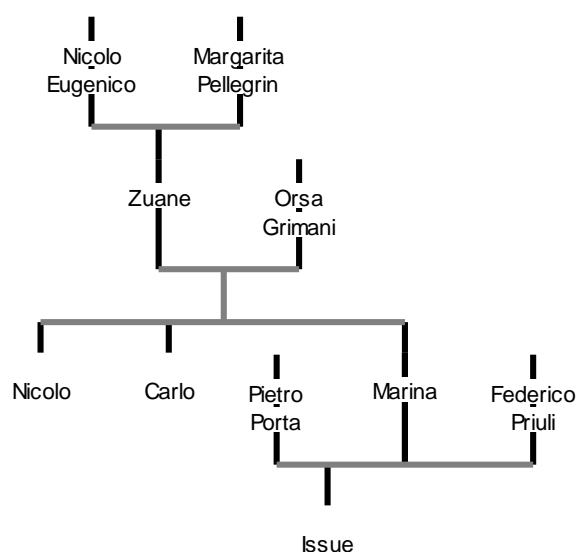
³⁹⁷ It was common practice for elite families to place their daughters as lay novices in convents. Once the marriage was arranged, and the couple were betrothed, the daughter would return to her father’s home to prepare for the wedding. Irene left the Ogni Santi, three months before submitting her *prova di nobilita*. ASVe, AdC 221/13. 2nd March 1663; Sperling, *Convents and the Body Politic in Late Renaissance Venice*, 166–167.

³⁹⁸ ASVe, AdC, 117. 24th January 1626; AdC, C144. 1662; Giudici di Petition, Inventari, b.408, n.73, 11.

Leonora's dowry agreement none of Grimani's family were included, while for Irene's several members of the Morosini family were named in the agreement.³⁹⁹ To what extent Leonora's marriage made it easier for Irene to marry a patrician is unknown. However, the method by which these marriages were contracted, and the size of their dowry portion emphasised the distinction between marrying those at the edge of patrician society, and those from more secure branches.

Figure 3.5

The Eugenio Family



A less opportunistic and obscure example can be seen in the Eugenio family. For at least three generations Nicolò Eugenio's family had practiced as lawyers, and were prominent members of the *Scuola Grandi* (the six major confraternities of Venice). Nicolò's grandfather was elected as *guardian da mattin* in the Scuola Grande di San Marco, and Nicolò himself was made *Guardian Grande* at the Scuola Grande della Carità.⁴⁰⁰ Nicolò's father, Zuane, married Orsa Grimani, the daughter of a patrician.⁴⁰¹ Both Nicolò and his brother Carlo made good marriages, but it is their youngest sister's marriages that are particularly interesting. In 1634, Marina married Pietro Porta, the son of an urban professional.⁴⁰² Unfortunately, their marriage did not last long, as by 1645 she had married

³⁹⁹ ASVe, AdC, 117. 24th January 1626; AdC, C144. 1662.

⁴⁰⁰ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c4, b2, fol. 175, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>

⁴⁰¹ Ibid.

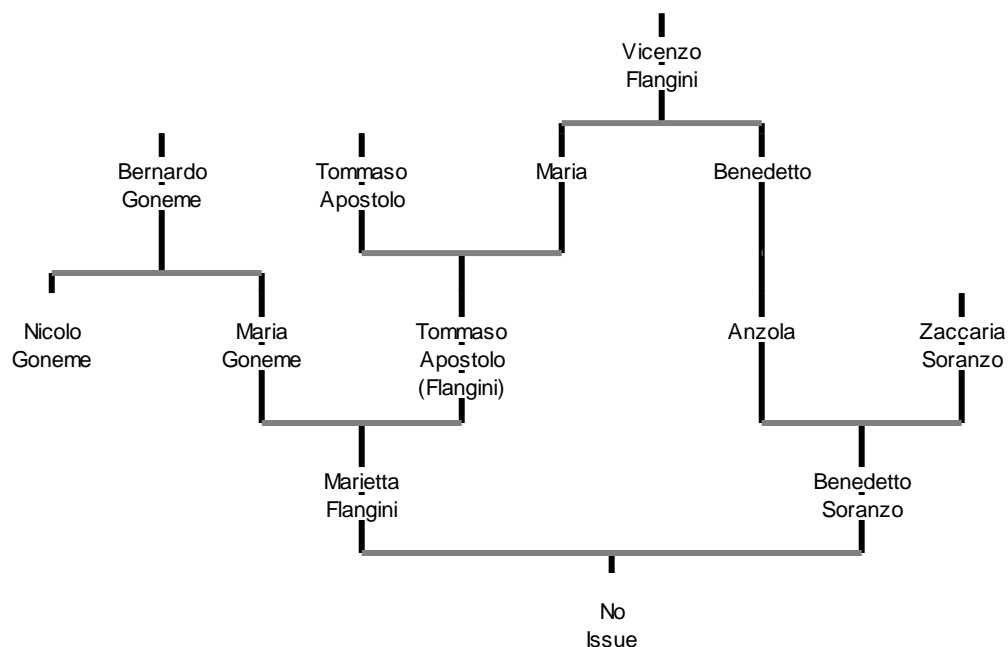
⁴⁰² Ibid.

again, this time to a more obscure figure Federico Priuli.⁴⁰³ Despite his name, it is not clear if he was a patrician. He was not listed among any of the Priuli citizens, and considering Marina's paternal and maternal connections, she may have been in a good position to make a patrician alliance. Although this case is more obscure than the Cesana marriages, it underlines that even in one generation families could create multiple family ties. Although these examples are harder to find, Marina's children would have benefitted from these interconnected kinship ties.

Alternative Patrician and Noble Marriages

Figure 3.6

The Flangini Family



So far I have only discussed marriages of Catholic patrician families, but there were three families in this study with ties to the Greek community. The marriages that these families made were not always about forming strong alliances with the Republic's elite; some were influenced by family dynamics and connections outside of Venice.

Tommaso Flangini, a Venetian patrician, was one of the most prominent members of the Greek community in Venice. He was the protagonist and main benefactor for the Greek confraternity

⁴⁰³ Ibid.

and a large portion of his fortune went into its creation.⁴⁰⁴ His father, Tommaso Apostolo, was from Corfu, and his mother, Maria, a member of the patrician Flangini family.⁴⁰⁵ According to Elena Bassi, Tommaso's father passed away when he was still young and he was raised by his uncle Benedetto Flangini, and he adopted his mother's family name.⁴⁰⁶

Tommaso was rich in his own right, owning land and property in the city and the mainland, but he had ambitious plans for his family.⁴⁰⁷ He married Maria, the daughter of Bernardo Goneme, another Venetian noble family from Cyprus. However, in Venice the Flangini and the Goneme families held different social statuses.⁴⁰⁸ In 1571, when Venice lost Cyprus to the Ottoman Empire, many members of the nobility on the island migrated to and settled in Venice. However, not all of them were considered as patricians in Venice, and as a result the Goneme family held a reduced status in the city.⁴⁰⁹ In marrying Tommaso, Maria gained patrician status, but this alliance was not an exchange of wealth for status. The Goneme were still prominent figures within the Greek community; Maria's cousin, Alessandro Goneme, was the Venetian consul to Cyprus.⁴¹⁰ Moreover, Tommaso and Maria were members of the Greek community in Venice, and as such their families probably shared several points of parochial and social unity.

Unfortunately, Tommaso and Maria only had one surviving daughter, Marietta, and it was to her that Tommaso bequeathed his substantial fortune.⁴¹¹ Marietta's position as an heiress meant that she would have had little difficulty in forming a good marriage with an established patrician family; her father however, had other ideas. He decided to forge stronger ties within his own family, and marry Marietta to her second cousin, Benedetto Soranzo.⁴¹² In the absence of a son, it seems that Tommaso appointed a branch of his mother's family to continue the family line. Moreover, his actions would suggest that a marriage between Marietta and Benedetto had been agreed on long before Marietta came of age, as Tommaso submitted her *prova di nobilita* in 1638 when she was only

⁴⁰⁴ Athanassios Karathanassis, "Il Collegio Flanginis," in *I Greci a Venezia*, ed. Maria Francesca Tiepolo and Eurigio Tonetti (Venezia: Istituto Veneto di Scienze, Lettere ed Arti, 2001), 197–207.

⁴⁰⁵ Elena Bassi, *Palazzo Ferro Fini: La Storia, L'architettura, Il Restauro* (Venezia: Albrizzi, 1990), 24.

⁴⁰⁶ Ibid., 25.

⁴⁰⁷ ASVe, Dieci Savi Sopra le Decime di Rialto, Condizioni, b. 213, n. 796. 22 August 1661.

⁴⁰⁸ Kyrris, "The Cypriote Family of Soderini and Other Cypriotes of Venice (XVI-XVII Centuries)," 74.

⁴⁰⁹ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c4, b3, fol. 43, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>

⁴¹⁰ Ibid.

⁴¹¹ ASVe, Notarile Testamenti, b.1139, n.267. 30 April 1640.

⁴¹² ASVe, AdC 206/52; Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 60.

twelve years old, claiming that he would already like to have her married but that she was still too young.⁴¹³ The couple eventually married two years later when Marietta was fourteen years old. Marrying daughters at such a young age was not unusual for the families in this period.⁴¹⁴ Moreover, given the closeness of the Flangini and Soranzo families, and that Benedetto's family residence was also in Santa Maria Zobenigo, it was likely that Marietta would have been familiar with her husband's household and family.⁴¹⁵

Benedetto lived in an extended patrician household, with his two brothers Matteo and Paolo, their mother and several servants.⁴¹⁶ They were rich patricians so it is possible that they followed the practice of limited marriage. If that was the case then Marietta would have been under pressure to conceive. From her will written in 1661, it seems that Marietta had a good but changeable relationship with her husband's family. In a parting message to her mother-in-law Marietta wrote, "To my lady Anzola Soranzo who has always loved me like a mother, if sometimes I had forgotten to return such great affection and respect [...]"⁴¹⁷

These cases of patrician-citizen marriages have demonstrated the various ways that the families in this study forged socially advantageous alliances. Marriages between patrician daughters and urban professionals were much rarer, but they did happen in a small number of cases. The children of those marriages took their father's status but often held a stronger position on the marriage market. When it came to alliances between patrician sons and urban professionals' daughters, there was a more established tradition, even if (as the Cesana and Eugenio cases have shown) these marriages had different motivations.

Lawyers and Citizen Marriages

Despite the benefits of marrying a patrician or prestigious citizen family, none of the families in this study systematically married within one social order or professional group over generations. Instead they married within an elite circle of patricians, urban professionals, and elite families from

⁴¹³ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 60. See, AdC 206/52.

⁴¹⁴ Cowan found that 14% (45) of the *prova di nobilita* petitions were made on behalf of brides aged between twelve and fifteen years old, but that they were in the minority, as the majority of prove (58%) were submitted for brides aged from 16-24 years old. Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 59–60.

⁴¹⁵ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

⁴¹⁶ Ibid., b. 1.8, 1649.

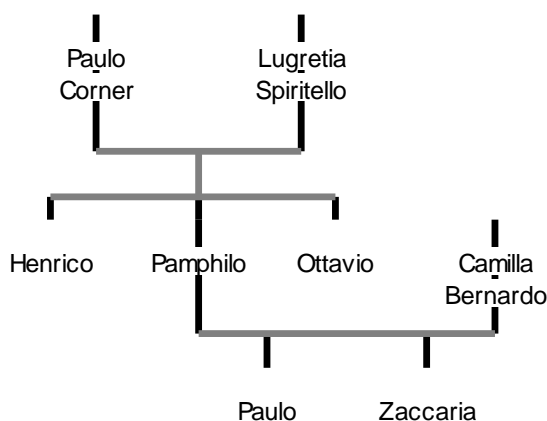
⁴¹⁷ "All' Illustrissima Anzola Soranzo mia madonna qual come madre mi ha sempre amata, se in alcun tempo io avessi mancato di corrisponder a tanto affetto stima[...]" ASVe, Notarile Testamenti, b.154, n.89, 3 June 1661.

the *terraferma*. Still, for the families in this study, the socio-professional status of their spouse is sometimes harder to define as they were referred to only by their social status. If they applied to become members of the *cittadini originarii* then it is sometimes easier to decipher their professional status. However, in the absence of other sources even the most basic information can be frustratingly elusive.

Among the Venetian lawyers in this study, there is one marriage pattern that is notable by its absence. There was not a single case of intermarriage between them. The absence of these marriages seems to defy expectation. Furthermore, out of the 22 families whose marriages I was able to trace, eleven wives were the daughters of notaries, doctors, and civil servants but not lawyers. It was possible that the other spouses in this study came from families connected to the legal profession, but since they only refer to themselves by social status, the numbers are difficult to gauge. While this absence is by no means representative, it does suggest that marriage was not used as a means of advancement or preferment in the legal profession.

Figure 3.7

The Corner Family



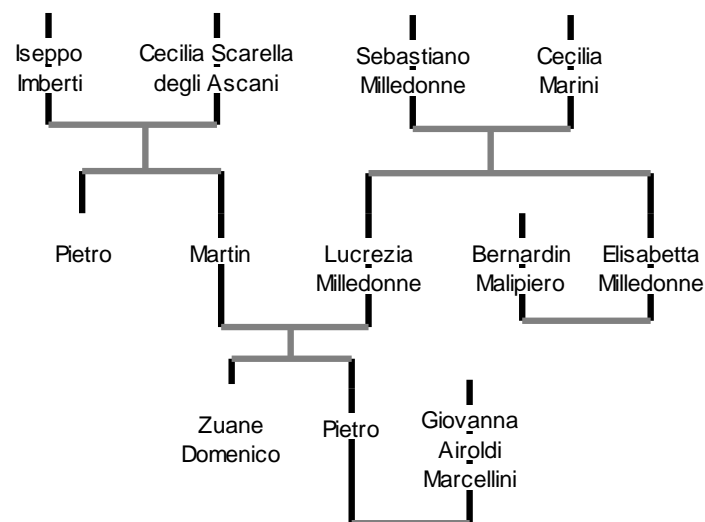
Marriages between families of urban professionals would have united influential families of the citizenry. Pamphilo Corner made such an alliance when he married Camilla Bernardo. Both families descended from non-noble branches of patrician families.⁴¹⁸ Camilla's brothers were civil

⁴¹⁸ Teodoro Toderini, "Genealogie delle famiglie Venete ascritte alla cittadinanza originaria." ASVe, Storia Veneta, Miscellanea Codici I, vol.1, Corner; Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 160-161, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

servants and held positions in Venice and abroad, while the Corner were a family of lawyers.⁴¹⁹ Marrying Camilla may not have directly helped Pamphilo to advance in his profession, but her family ties would certainly have improved his family's reputation and influence in the city. Moreover, given that Pamphilo was the only one of his brothers to marry and have children, their marriage and the ties it forged would have held more significance to the Corner family overall.

Figure 3.8

The Imberti Family



The fact that these families married within a small but varied elite circle may also suggest why there were not many examples of neighbours intermarrying. Looking more broadly at urban professionals, only one lawyer in this sample married a neighbour's daughter. As with the Corner family, the Imberti were also a family of lawyers. Pietro and Martino Imberti initially moved to Santa Maria Zobenigo with their parents in the early 1640s. In 1649, shortly after Pietro married, their parents left the parish leaving Martino, who was only 15 years old, in his elder brother's care.⁴²⁰ Despite their long shared residence, the brothers did not live in *fraterna*, as in 1661, when Martino married a neighbour's daughter, Lucrezia Milledonne, he left his brother's household.⁴²¹ Lucrezia's

⁴¹⁹ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 160-161, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>; ASVe, AdC, 373/13. 21 October 1624; ASVe, AdC, 386/26. 11 May 1661.

⁴²⁰ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1638-1649.

⁴²¹ Ibid. b. 1.10, 1661; ASVe, Giudici di Petition, Inventari, b.414, n. 79, 35. 6 August 1715.

family were influential members of the citizenry: her father and grandfather were elected as *guardian grande* in two of the *Scuole Grandi*.⁴²²

The families were socio-professionally well matched and Lucrezia's dowry reflected that distinction. Her sister Isabetta had married a patrician, Bernardin Malipiero, with a dowry exceeding 8000 ducats, while Lucrezia brought a more moderate dowry of 4200 ducats.⁴²³ However, 3000 ducats of it consisted of 23 fields of arable land on the mainland. Lucrezia left her dowry to their children, but in 1715, when Martino came to sell it and divide the proceeds, he found that he could only get 2000 ducats in money for the land.⁴²⁴ The fact that the land had depreciated in value so much, underlined the potential fragility of dowry values when given in land or property. We can only presume that in 1661 Lucrezia's father gave the land in good faith, but that it was ultimately Lucrezia's children that suffered due to the depreciation of their mother's dowry.

Financial considerations aside, Martino considered it vital that his children and grandchildren continued to form alliances with 'civil families', not necessarily those of any particular profession. When Martino composed his will in 1715, he stated that if his son, Pietro, were to remarry then he should choose an honest, civil and legitimate woman.⁴²⁵

It seems that families like the Imberti who were at the upper end of the citizenry, particularly those closely connected to civil servants, placed more emphasis on the types of families with whom they aligned themselves. Bellavitis found that civil servants were more likely to marry within their own socio-professional group.⁴²⁶ Among the 22 families whose lineage I was able to trace, not a single one married the daughter of a merchant or artisan. It was quite likely that poorer urban professionals continued to marry rich, but lower status citizen families, for higher dowries. Still, I would suggest that the growing importance of civil status at the beginning of the century, and the sale of patrician titles between 1646 and 1718, had an impact on the marriage patterns of urban professionals at the upper end of the citizenry; although more work needs to be done on this issue.

⁴²² Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b2, fol. 73, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/>; ASVe, AdC, 369/9. 3 March 1613.

⁴²³ ASVe, Giudici di Petition, Inventari, b.414, n. 79, 35. 6 August 1715.

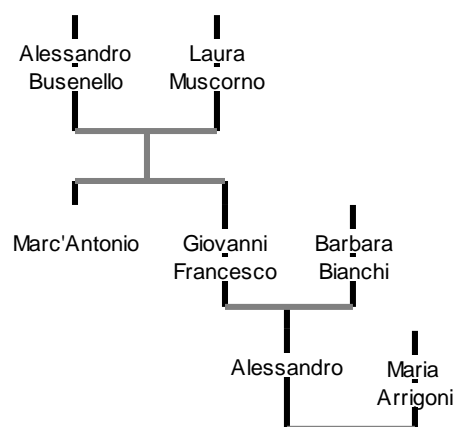
⁴²⁴ Ibid.

⁴²⁵ "[...] che si mariterà in donna onesta civile e di legitimo matrimonio nata." ASVe, Notarile Testamenti, b.175, n.211, 13 February 1715.

⁴²⁶ Bellavitis, *Identité, Mariage, Mobilité Sociale: Citoyennes et Citoyens à Venise au XVI Siècle*, 245–246.

1 Figure 3.9

The Busenello Family



The lawyers in Santa Maria Zobenigo married within an elite but varied circle of patricians, urban professionals and elite families from the *terraferma*. Whether they were members of the *cittadini originarii* or newer arrivals to the city, the dowry that they could command inter-generationally and how it grew or diminished would be one way to distinguish a family's social ascent or descent in the city.

Giovanni Francesco Busenello is one of the most well-known lawyers in this study. His family had lived in Venice since the thirteenth century, and held an established position within the city, but over the seventeenth century they were set to rise higher.⁴²⁷ Giovanni Francesco's father, Alessandro, was a civil servant, and his mother, Laura Muscornò, was from a Venetian family with links to Cyprus.⁴²⁸ Laura's dowry of 8000 ducats was a significant investment in the Busenello family as they followed the practice of limited marriage.⁴²⁹ Alessandro's elder brother also worked as a civil servant, and died unmarried and childless in Palma, Spain.⁴³⁰ It was Alessandro's

⁴²⁷ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 258, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

⁴²⁸ Ibid.

⁴²⁹ Livingston, *La vita veneziana nelle opere di Gian Francesco Busenello*, 41.

⁴³⁰ Ibid., 21.

responsibility to continue the family line, and he and Laura went on to have five children, two sons and three daughters.⁴³¹

The elder son, Marc' Antonio, followed in his father's footsteps and became a civil servant. He rose through the ranks and in 1646 became the *Cancellier Grande*, head of the secretariat.⁴³² Giovanni Francesco was the younger son, so it was his responsibility to continue the family line. He married in 1620, just after he returned from university in Padua. His family contracted a marriage for him with Barbara Bianchi, the daughter of another urban professional.⁴³³ Her dowry of 9000 ducats was not much larger than his mother's dowry.⁴³⁴ The marriage was still important to the Busenello family though, as it took place under stressful circumstances. In the summer of 1620 Barbara became ill, and the families got a special dispensation so that the marriage could take place in September at her sickbed.⁴³⁵ Barbara recovered from her illness and she and Giovanni Francesco went on to have five children, three sons and two daughters.⁴³⁶

These marriages may have brought wealth into the family, but there was also a degree of ebb and flow, as daughters were married, and daughters-in-law entered the family. When Alessandro died in 1630 the estate was equally divided between the brothers, he tied up the majority of his fortune in a *fedecompresso*.⁴³⁷ This sustained the bulk of the Busenello fortune as it could not be sold or separated, but at the same time it prevented Giovanni Francesco and his brother from utilising their wealth to advance the family's status. Although Alessandro would have preferred that his sons live together, Marc' Antonio and Giovanni Francesco were not close. Instead they decided to live separately. The elder brother Marc' Antonio took their family home, the Palazzo Busenello in Santa Croce, and Giovanni Francesco rented a residence in Santa Maria Zobenigo.⁴³⁸ Possibly due to the tensions between the two brothers, Alessandro ordered that following his death their mother's dowry of 8000 ducats should be repaid to her in full.⁴³⁹ However, in her will in 1641, Laura

⁴³¹ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 258, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

⁴³² Livingston, *La vita veneziana nelle opere di Gian Francesco Busenello*, 22–23.

⁴³³ Ibid., 35.

⁴³⁴ Ibid., 41.

⁴³⁵ Ibid., 35.

⁴³⁶ Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 258, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

⁴³⁷ Livingston, *La vita veneziana nelle opere di Gian Francesco Busenello*, 380–383.

⁴³⁸ Livingstone notes that the palace burnt down in the eighteenth century. Ibid., 41.

⁴³⁹ Ibid., 380–383.

bequeathed it to Giovanni Francesco in full.⁴⁴⁰ Laura's decision to give her entire dowry to her younger son was a reflection of the demands placed on him as a husband and father.

Through his profession and investments Giovanni Francesco was able to maintain and advance his family's position in society. His second son's marriage demonstrated their shift in status as he married Maria Arrigoni for a dowry of 18,000 ducats.⁴⁴¹ Her family background is unknown but considering the size of her dowry, we can assume that she came from a rich family who practiced a civil profession.

The dowry that wives brought into the family represented a fresh injection of wealth. The Busenello family were rich and well-established but, their practice of keeping the eldest brother unmarried made Giovanni Francesco's and his son's marriages more significant. Moreover, given that the Busenello family's immovable property was tied up in a *fedecommesso*, the dowries that these women brought would have been particularly important.

Connections between the Lawyers of Santa Maria Zobenigo

The lawyers living in Santa Maria Zobenigo may not have intermarried but they were by no means strangers to one another. Residential patterns in Venice were relatively mobile, and few families remained within the same parish for more than five years. Even so, rather than just living in the same neighbourhood or parish, several of the lawyers in this study were in fact direct neighbours, and it is difficult to imagine that none of them arranged marriages with each other.⁴⁴² The *stati delle anime* and *catastici* never portrayed the residents of the parish in exactly the same order, so it is difficult to know who lived next to whom at any given time. However, within the parish itself there were a series of apartments owned by the Scuola Grande di San Rocco, and between 1645 and 1665, at least four lawyers in this study (Giovanni Francesco Busenello, Bortolomeo Borghesaleo, Pietro Campagna, and Guglielmo Leffio) lived there.⁴⁴³

⁴⁴⁰ Ibid., 388–389.

⁴⁴¹ No reference was made to Maria's father in her will or by Livingston in his biography. There was a family of urban professionals named Arrigoni living in Venice during the seventeenth century as well as a group of rich oil and soap merchants, but there is no way to know whether Alessandro's wife was related to either of them. Tassini, *Cittadini Veneziani*, (1888), BBMC, Provenienze Diverse, ms. P.D. c 4, b1, fol. 83, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>; Ibid., 41.

⁴⁴² ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8 - b.1.10, 1638-1668.

⁴⁴³ Ibid., b. 1.8 - b.1.10, 1638-1668.

Throughout the seventeenth century, several lawyers in this study petitioned the *Avogaria di Comun* to have themselves or their children recognised as members of the *cittadini originarii*. In accordance with the petition, the *Avogadori* would interview the applicants' neighbours and associates in order to establish the family's reputation as well as their duration and position in the city. Given the status of these families, the witnesses consisted of both patricians and citizens, but there were only two cases where the lawyers in this sample acted as witnesses for each other. The first was submitted by Andrea Varotti in 1655, the second by Bartolomeo Borghesaleo in 1674.⁴⁴⁴⁴⁴⁵ What was interesting about these two reports was that their witnesses overlapped. Although the information in these interrogatories only provides a superficial impression of the relations between these individuals, they hint at the potential friendships or professional associations that some families shared.

In 1655, Andrea Varotti submitted his petition to have his five sons recognised as members of the *cittadini originarii*.⁴⁴⁶ Andrea must have had a substantial fortune, as from 1649 he paid an annual rent of 280 ducats.⁴⁴⁷ His witnesses confirmed that Andrea's sons were eligible to become members of the *cittadini originarii*.⁴⁴⁸ The two witnesses of interest to us, Domenico Moretti and Guglielmo Leffio, were neighbours, professional associates, and family friends. Both Moretti and Leffio had known Andrea's father, Zuanne Battista, and had attended the baptism of Andrea's eldest son. Moretti even referred to Andrea as an 'old friend' (*compare*).⁴⁴⁹ It is difficult to read the depth or veracity of these friendships from just their testimonies but it does suggest that the lawyers in this sample were not just professional associates. In some cases their families had known each other for generations, but how close this long association made them is difficult to establish.

Bortolomeo Borghesaleo's petition provides more scope for discussion. Like Andrea Varotti, Bortolomeo submitted his petition on behalf of his children, and his witnesses also confirmed his family's status in the city.⁴⁵⁰ His witnesses included Andrea Varotti and Francesco Moretti (Domenico's younger brother). Both men had known Bortolommeo's father Nicolo, but Varotti

⁴⁴⁴ ASVe, AdC 384/24. 24 May 1655; AdC, 391/31. 22 December 1674. For more on the Borghesaleo family, see Andrea Zannini, "La Logica Della Distinzione. I Borghesaleo, Una Casata Di Terraferma Al Servizio Della Serenissima (XVI-XVIII Sec.)," *Ateneo Veneto* 5, no. 2 (2006): 63–126.

⁴⁴⁵ ASVe, AdC 384/24. 24 May 1655; AdC, 391/31. 22 December 1674.

⁴⁴⁶ ASVe, AdC 384/24. 24 May 1655

⁴⁴⁷ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8 - b.1.10, 1649-1665.

⁴⁴⁸ ASVe, AdC 384/24. 24 May 1655

⁴⁴⁹ Ibid.

⁴⁵⁰ ASVe, AdC, 391/31. 22 December 1674

was more specific stating; “I knew Signor Nicolo Borghesalio from about the year 1634 until the time of his death”.⁴⁵¹ Francesco Moretti like Domenico considered Bortolommeo as his *compare*, and Francesco made a point of stating that he knew Bortolomeo’s family well having lived in Santa Maria Zobenigo for 42 years.⁴⁵²

In 1674, Andrea Varotti was 59 years old, and Francesco Moretti six years older.⁴⁵³ Both men were established and senior figures in the community. Domenico Moretti and Guglielmo Leffio were equally prominent members of the parish. None of these men were minor figures in their neighbourhoods, and it was probable that the long term residents of Santa Maria Zobenigo were more familiar with each other. Not all the lawyers in this study would have known each other well, but the fact that the Moretti family acted as witnesses for Varotti and Borghesaleo suggests that certain families were better connected than others.

The absence of more personal sources makes it difficult to add depth to these witnesses’ statements, but it is clear that some of these families knew each other for decades, and still chose not to arrange marriages. The absence of such practices suggests that there was no professional benefit for them to intermarry, and that social and financial considerations were more important.

Conclusion

It would appear that the marriages contracted by the lawyers in this sample were not influenced by their professional positions per se. Those with wealth and ambition could marry their sons and daughters to patrician families. Marriages made with patrician women implied that the bride was from a poorer patrician family. When these families chose to marry members of the Greek Orthodox Church, their motives were more nuanced. Marietta Flangini’s marriage to Benedetto Soranzo brought two branches of a family together in order to protect her family’s lineage and wealth, but her failure to have children meant that her family’s fortune was given to create the Greek confraternity in Venice.

Those who preferred to marry within their own social milieu could create alliances with other urban professionals, pay a lower dowry, and consolidate their position within the city. At the individual

⁴⁵¹ “To ho conscuito il Sig[nor] Nicolo Borghesalio l’anno 1634 in c[ir]c[a], sino al tempo della sua morte”. ASVe, AdC, 391/31. 22 December 1674

⁴⁵² Ibid.

⁴⁵³ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d’anime e catastici, b. 1.8. 1649

level there must have been particular reasons why these marriages were contracted, but they are not always apparent. It was possible that over the seventeenth century some families gave greater importance to the bride's 'civil status'. For rich families at the upper end of the citizenry, like Martino Imberti, fewer marriages may have been arranged with rich artisans. Still more work needs to be done to see if this was a trend among urban professionals.

Despite the lack of endogamy among lawyers, these families still married within an elite group of patricians, citizens, and elites from the mainland. The bride's dowry portion would have played a significant role in these marriages; the rise of dowry portions given to the Busenello family denoted their rising prominence within the citizenry. Still, when dowries were given in property or land, the value was subject to change, as Martino Imberti found to his dismay.

Making a good marriage was important to these families. Most parents were responsible for ensuring that a few of their children married well, as it was through those marriages that they furthered their family's social standing and lineage. However, the types of marriage alliances that they aimed for depended on their connection to the city, wealth, social ambition, and family dynamic. Even when fathers tried to ensure that their children married well, some, like Iseppo Tirondello, could later regret their choice of son-in-law.

What this chapter has ultimately shown is that the lawyers in Santa Maria Zobenigo married in an elite circle with no specific allegiance. As the seventeenth century progressed the rising importance of civil status may have made that elite circle even smaller, making the ties that they formed even more important.

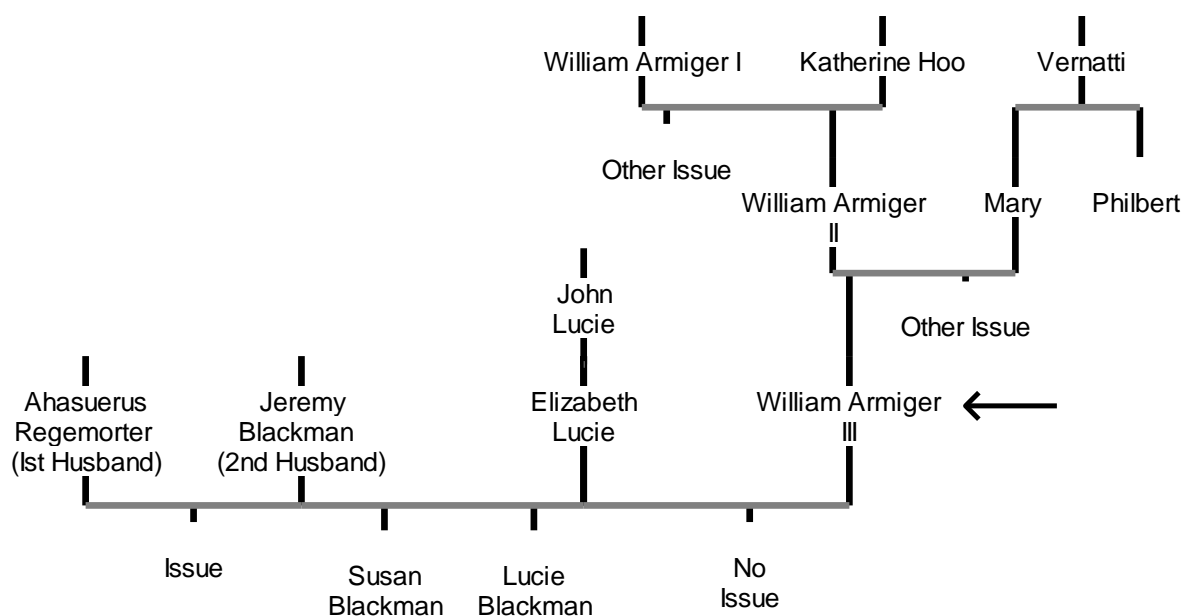
PART TWO

Inheritance and Family Affiliation

CHAPTER FOUR - Family Ties, Inheritance and Probate Litigation

Figure 4.1

The Armiger Family



On 19th January 1634, William Armiger II married Mary Vernatti in Yarmouth, Norfolk.⁴⁵⁴ Although the couple were socially well matched, their marriage was a source of much dispute between William II and his father.⁴⁵⁵ The Vernatti were originally from Holland (of Lombard origin), and Mary's brother Philbert (who later became a baronet) was involved in a land drainage project in Yorkshire.⁴⁵⁶ Unfortunately for the couple Philbert's drainage project ran heavily into debt, and he was unable to repay his creditors who included William I.⁴⁵⁷ His failure to pay created a divide so deep that in his will in 1638, William I wrote that Philbert Vernatti was:

[...]a Dutchman whose practices are and have byne to undoe me and my familie to supporte his Owne Crasye estate, whose sister my sonne William marryed without my privitie w[hi]ch Dutche people I finde and observe wholly enclyne to their owne Country fashions where with I have not byne heretofore

⁴⁵⁴ William Armiger and Mary Vernalt, 19 Jan 1634, "England Marriages, 1538–1973," index, FamilySearch (<https://familysearch.org/pal:/MM9.1.1/NXBT-G9Q> : accessed 27 January 2015).

⁴⁵⁵ John Gough Nichols, *The Herald and Genealogist*, vol. 5 (London, 1870), 146–148.

⁴⁵⁶ Jill Turnbull, *The Scottish Glass Industry 1610-1750: "To Serve the Whole Nation with Glass"* (Society Antiquaries Scotland, 2001), 101–102.

⁴⁵⁷ TNA, PRO, PROB 11/176/55, 26th April 1638.

acquainted neither doe I desire to have my acquaintance therewith soe farr forthe as I can possiblie avoide them, I having not founde any truthe or honestie in them[....]⁴⁵⁸

William I's frustration may have been compounded by the fact that William II was his eldest son. At the time of his death in 1638, William I still had eight daughters and two young sons to provide for. Under normal circumstances William II would have inherited that responsibility along with a majority of the estate.⁴⁵⁹ However, considering his role in the fall of the family's finances, William I stated that his son would only inherit if he repaid the £2400 in instalments, within two years of his death.⁴⁶⁰ The fact that William II and brothers acted together after their father's death suggested that he did so, but to what extent he was able to re-establish ties with his family was less certain.

Even so it seems that William II's character was questionable. The Armigers were distant relatives of Samuel Pepys, and in the early 1660s William Armiger II lodged with Samuel's brother, Thomas Pepys. One afternoon in November 1661, Pepys returned home and found Armiger inviting his wife to a play, "[...] and like a fool would be courting her, but he is an ass, and lays out money with Tom, otherwise I should not think him worth half this respect I shew him".⁴⁶¹

When the time came for William II and Mary's eldest son William III to marry, his choice of bride suggested that the Armigers were still a prominent family in financial difficulty. He married the same year that he passed the bar, in 1665, when he was 27 years old.⁴⁶² His bride Elizabeth Lucie, the daughter and heiress of a Dutch merchant, was 41 years of age, and had already been twice widowed. Her first husband Ahasuerus Regemorter had been a physician, and her second one, Jeremy Blackman was a London merchant.⁴⁶³ The children from her previous marriages had already been well provided for, but given her age, it was unlikely they would have had children themselves.⁴⁶⁴ The dowry that she brought is unknown, but from her second husband's will her

⁴⁵⁸TNA, PRO, PROB 11/176/55, 26th April 1638.

⁴⁵⁹ Ibid.

⁴⁶⁰ The conditions were that he pay £1600 within one year of his father's death in goods or money, and then pay the remaining £800 within another year. If he failed to do so then his brothers Clement and John would receive his lands and property. Ibid.

⁴⁶¹ Samuel Pepys, *Diary of Samuel Pepys* (London, 1983), 408.

⁴⁶² Chester and Armytage, *Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869*, 90.

⁴⁶³ There is some confusion over Elizabeth's age in the sources. She was listed as being baptised at the Dutch Church, Austin Fryars in 1624. However in 1665, the marriage allegations listed her as 30 years old, but if that was the case she would have married and had a child with her first husband Ahasuerus (d.1650) before she was 15 years old. Whilst that was possible, it seems more likely that the record of her baptism was closer to her true age. V. Langford, *The History of the Island of Antigua*. (London: Mitchell and Hughes, 1894), 44–50.

⁴⁶⁴ Her daughter Susan Blackman was left a dowry of £4000, and she married Sir John Rainey of Wrotham, baronet, while her son Lucie Blackman owned land in Antigua, Barbados, and Jamaica, as well as estates in Essex. Ibid.

estate was listed as a jointure worth £400 a year, as well as moveable goods worth at least £1700.⁴⁶⁵ The marriages William II and III made highlighted how important family ambitions and influence could be when choosing a wife. Even a good marriage could easily create bad feeling between parents, children and siblings.

Securing a spouse with status, fortune or family connections was an aspiration for many of the families in this study. Parents, as well as older family members, could exercise a lot of influence over whom their sons and nephews married.⁴⁶⁶ The majority of marriages were not founded on love or affection, but at best on mutual respect; there was no guarantee that such marriages would be happy ones. The previous chapter underlined the various marriage strategies that the families in this study adopted. However in some cases the introduction of a new wife into a family could put a strain on parental and sibling relationships. What was strategically good for the family's status and finances was not always conducive to family harmony. When sons like William Armiger II rebelled against their fathers and married without their consent, re-establishing family ties could be rather delicate.

Potential family conflicts came to the surface more often when family members passed away and their goods were divided. When testators favoured certain family members over others, the slighted party could contest the validity of the will. More seriously, when the family's finances had been allegedly misappropriated or misused by the executor, families could pursue court cases against one another. When families sued each other over property, the nature of the court case itself was more personal, and they can reveal a lot about a family's dynamics and the strength of their family ties.

The Prerogative Court of Canterbury dealt with probate and the administration of estates over £5 in Southern England and Wales, as well as those who died while they were abroad.⁴⁶⁷ Northern estates were the responsibility of the Prerogative Court of York. Wills were probated either in the common or the solemn form. The common form was more straightforward where the executor or interested party asked the court to prove the validity of a will and give the executor control of the estate, without notifying legatees or next of kin about the proceedings. The solemn form required

⁴⁶⁵ Ibid., 50.

⁴⁶⁶ The majority of parents took their children's preferences into consideration. While marriage could advance a family's status, most parents did not want to force their children into unhappy marriages. For an extensive discussion of these issues, see Pollock, *Forgotten Children*; Houlbrooke, *The English Family 1450 - 1700*; Macfarlane, *Marriage and Love in England*.

⁴⁶⁷ Lloyd Bonfield, *Devising, Dying and Dispute: Probate Litigation in Early Modern England* (London: Ashgate Publishing, Ltd., 2013), 248–249.

the executor to notify them, and in so doing, it gave the family members a much smaller window in which to contest the will. If only the common form was used, the legatees and next of kin could contest the will up to seven years after the will was probated.⁴⁶⁸ Therefore executors who foresaw problems may have felt more secure by probating wills in the solemn form. Lloyd Bonfield's study on probate court cases has confirmed this, as in the second half of the seventeenth century, 23.9% (44) of the court cases in his study were uncontested probates in the solemn form.⁴⁶⁹

Testaments could be challenged either due to the testator's mental incapacity or the will's authenticity.⁴⁷⁰ Despite the richness of these court cases, few of them have survived intact, and in many cases whole sections of the trials are absent. This makes the more contentious cases easier to follow, as they left a larger paper trail, and more often took their grievances to the common law courts such as the Court of Chancery.

Chapter two showed that the majority of families used marriage to advance their position, but it also showed that several of them intermarried. These inter-marriages helped to build strong family ties while transmitting family property and wealth. Such ties were put to the test when wealthy family members passed away and their estates were divided. 16 of the families in this study entered probate litigation against each other, and each implied an internal family conflict. The severity of these conflicts varied, but the fact that they resorted to the courts to settle their disputes underlined that they were unable to resolve them within the family. This chapter will examine how testamentary bequests, or even the promise of them, could create or exacerbate tensions within a family. Maintaining good parental, sibling, and marital ties was important, but to what extent did some families place fortune before family loyalty?

⁴⁶⁸ Ibid., 249–251.

⁴⁶⁹ Ibid., 67.

⁴⁷⁰ Ibid., 70–72.

Family Disputes and Probate Litigation

English Bachelors and Divided Loyalties

Keeping good relations between marital and natal family members could in some cases be difficult to sustain, especially when the two sides were vying to secure their claim to an estate or inheritance portion. However, even when testators died unmarried and childless, members of their natal family or wider kinship circle could find reasons to enter into probate litigation. Natal family members may have held out greater expectations of receiving an inheritance portion from an unmarried brother or uncle. The absence of a wife or children meant that they often named their siblings, nieces or nephews as their heirs or legatees. Wills were sometimes drawn up when the testators themselves were sick or on their deathbed.⁴⁷¹ Therefore, there was very little guarantee that a family member would know whether he or she was included in a will, and the frustration of being excluded could result in a court case.

Albion Chare (1641-1694) a lawyer and member of the Inner Temple, was the eldest son of a prosperous London family. His father passed away in 1648 when Albion and his siblings were still children. Despite this they had done well for themselves, Albion following the law and his younger brother George pursuing a scholarly path.⁴⁷² In 1664, a marriage was also arranged for his sister, Jane, (who was only fifteen years old) to Oliver Beverley, a member of Lincoln's Inn.⁴⁷³ Unfortunately, Oliver passed away within a year of their marriage, leaving Jane pregnant, widowed, and responsible for his debts.⁴⁷⁴ Albion protected the unpaid portions of her dowry from Oliver's creditors, and she eventually remarried another member of Lincoln's Inn, John Jermy of Bayfield, Norfolk.⁴⁷⁵

How close the siblings were is difficult to ascertain but it was possible that their father's early death led Albion to feel a sense of protectiveness for his siblings. However, by 1680, Albion's three younger brothers had all passed away, leaving only himself and his two married sisters, Mary Smith and Jane Jermy. Albion never married, and in his will he gave preference to his sister Mary's family,

⁴⁷¹ Ibid., 19–42.

⁴⁷² TNA, PRO, PROB 11/209/191, 1648; Inner Temple Admissions Database, Chare, Alben <http://www.innertemplearchives.org.uk/detail.asp?id=14078>; Venn, *Alumni Cantabrigienses*, 1:324.

⁴⁷³ Chester and Armytage, *Allegations for Marriage Licences Issued from the Faculty Office of the Archbishop of Canterbury at London, 1543 to 1869*, 86.

⁴⁷⁴ Albion and Oliver agreed that Jane's dowry of £1000 would be put towards the purchase of land or property, which would then be passed down to their children. When Albion paid £300 interest from her unpaid dowry, one of Oliver's creditors unsuccessfully pursued her for payment in the Court of Chancery. TNA, C 9/31/36; Thomas Vernon, *Cases Argued and Adjudged in the High Court of Chancery [1680-1719]*, vol. 2, Part 1 (London, 1806), 55–56.

⁴⁷⁵ TNA, PRO, PROB 11/419/385.

bequeathing her £1000, and making her husband, Jonathan Smith, his main heir and executor. In contrast he only gave his sister, Jane and her husband £40 for mourning clothes, and £1520 in legacies for their three children.⁴⁷⁶

Even though Albion wrote his will in December 1692, two years before his death, his bequests must have come as a surprise to Jane and John Jermy, as they refused to acknowledge the terms of the will. Moreover, they threatened that when the witnesses to it were all deceased, they would contest the will in court.⁴⁷⁷ In an effort to pre-empt them, Jonathan Smith filed a suit in the Court of Chancery against them, to try and ensure that his and Mary's claims to Albion's estate were clearly established. The result of the trial is unknown, but no subsequent cases were filed in the civil or common law courts, suggesting that Mary and Jonathan were able to preserve their claim.

Having a rich unmarried uncle or brother could result in family members vying for their fortune and favour. In the pursuit of wealth, family ties could be stretched, strained and even break, but it was not always a case that natal family members would sue each other. When the unmarried gentlemen in this study formed friendships and relationships outside of the family circle and made provision for them in their will, some testators could unwittingly set the stage for probate litigation.

Returning to the Bowyers of Camberwell whose marriage strategies were examined in the previous chapter.⁴⁷⁸ Edmund Bowyer, the half-brother and heir to Anthony's estate in Camberwell, inherited his brother's fortune in 1717, after Anthony's widow, Catherine, passed away.⁴⁷⁹ Anthony had already decreed that if Edmund should have no surviving issue, then his estate would pass on to a distant cousin. While such forethought is not uncharacteristic, Anthony may have had reason to suspect that Edmund was unlikely to have children. This was not immediately apparent from Edmund's will in 1719, as he stated that his estate should go to his eldest son, if he should have one at the time of his death. Whatever his intentions, there is no evidence that he fathered any children.⁴⁸⁰ Failing that, he named his unmarried sister, Frances Bowyer, as his heir and executrix. Following her death, his estate would pass equally to his nephew-by-marriage, Joseph Windham-Ashe, and to his 'friend', William Sowersby. He later added a codicil that Sowersby would also receive an extra £1000 and that his sister Frances was, "[...] to make satisfaction to the careless in

⁴⁷⁶ TNA, PRO, PROB 11/419/385.

⁴⁷⁷ TNA, C 5/113/78.

⁴⁷⁸ See page 71.

⁴⁷⁹ I examined the Bowyers of Camberwell in chapter two, see page 70; TNA PRO, PROB, 11/514/36.

⁴⁸⁰ TNA PRO, PROB, 11/569/226.

case the lease I let of a house at Peckham does not stand good also to”.⁴⁸¹ His generosity continued with other members of his natal family and dependents as he bequeathed £540 in direct legacies, as well as £170 in lifetime annuities.⁴⁸²

Despite this, Edmund’s will inadvertently formed the basis of a series of trials in the Court of Chancery as Edmund’s executrix, Frances struggled to fully execute all of his legacies and annuities following his death, and Frances’ siblings and their children did not have much faith in her, as they enacted court proceedings within a year of Edmund’s death.⁴⁸³ In addition to this, Frances suspected that William Sowersby had manipulated her brother into making an extra provision for him, and took exception to Edmund’s codicil by filing a probate lawsuit against Sowersby.⁴⁸⁴ From her allegation it seems that Edmund and William were more than just friends as she alleged,

“[...] That the said dec[eas]ed and the said William Sowersby were for many yeares before and to the time of his death very intimate together and had a very great esteem love and friendship for each other and so much hath been taken Notice of by severall persons and this was and is true publick and notorious and so much the aforesaid Frances Bowyer knows and believes in her conscience to be true[...]”.⁴⁸⁵

It does not appear that Frances objected to Edmund and William’s ‘friendship’ in principal, as in the hours following Edmund’s death she sent for her family members as well as William to ‘consult with her’.⁴⁸⁶ Rather, she used the allegation to discredit William and to give him a stronger motive for deception. Whatever the true nature of their relationship, William was from a prosperous London family and owned several properties in the city in his own right.⁴⁸⁷ The state of William’s finances is unknown, but the judges were not persuaded by Frances, and the codicil was upheld.⁴⁸⁸

Even when the gentlemen in this study did not marry, testamentary disputes could erupt between siblings, nieces and nephews, let alone with extra family members and friends. Both Albion Chare and Edmund Bowyer bequeathed the majority of their estates to their sisters. The problem in Albion’s case was that he favoured one sister over the other, and his sister, Jane Jermy and her husband felt that they were entitled to an equal share. For Edmund Bowyer the situation was more

⁴⁸¹ Ibid.

⁴⁸² Ibid.

⁴⁸³ TNA, C 11/1794/27; C 11/1701/8; C 11/640/9.

⁴⁸⁴ TNA PRO, PROB, 18/35/82.

⁴⁸⁵ Ibid.

⁴⁸⁶ Ibid.

⁴⁸⁷ TNA PRO, PROB, 11/418/503; 11/458/2; 11/709/317.

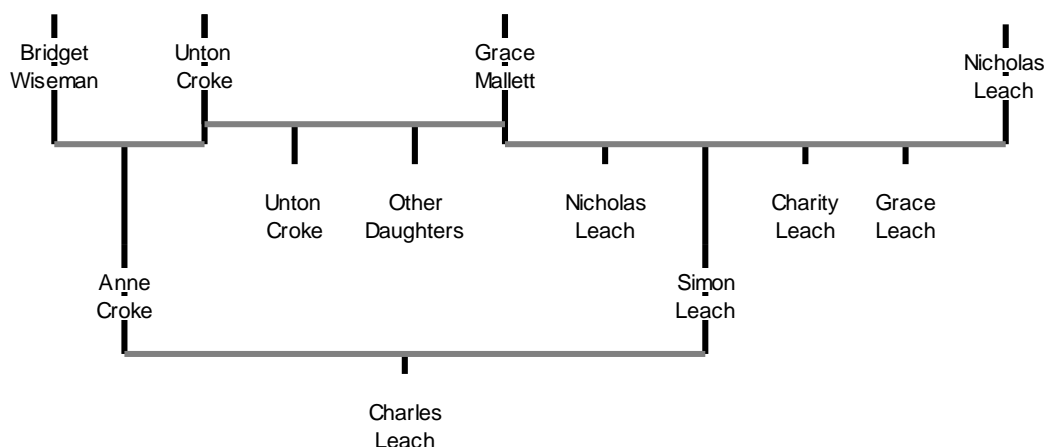
⁴⁸⁸ TNA PRO, PROB, 11/569/226

complex, as his sister, Frances, did not seem to inspire trust among her siblings, nieces or nephews. Although she was a spinster, widows often acted as executors for their husbands' estates, and Frances in her late forties was not young or impressionable.⁴⁸⁹ While her relatives may have privately feared that her new wealth would attract a gold digger, it seems more likely that Frances said or did something that caused them to resort to the courts. The fact that she also tried and failed to annul the codicil, implied that she did not agree with Edmund's extra bequests to William, despite his prominent position in the will. It is difficult to infer how this general lack of trust within the Bowyer family reflected or impacted on their family ties, but it does imply that there was a lack of solidarity among them. The sense of entitlement that Albion and Edmund's family members felt towards their estates would have been different if either had been married or had had children. It was in their absence that their siblings took a more prominent place in their testaments, and it was the increased expectation that laid the foundation for these court cases.

The presence of a wife and children created a different set of testamentary expectations, but this did not simplify matters. Especially if a husband remarried and had children from different marriages. When fathers gave precedence to their new wives, rather than their eldest son, it could result in animosity and dispute between the two after their deaths. These lawsuits could become even more complicated when families inter-married to preserve their wealth or property. Moreover, the pressure that elder family members could place on their children or nephews to marry was substantial. When they fell short of these expectations, the threat of being disinherited was not an idle one. The following two case studies are rather exceptional, but they both reflect examples of what could happen when marriages for financial gain clashed with family ties. In both cases the family disputes came to the forefront in probate litigation, and the details provided there underlined the potential consequences of pursuing wealth and fortune.

⁴⁸⁹ For the proportion of wives named as executrices see, Erickson, *Women and Property*, 158–161.

Figure 4.2
Croke - Leach Family



Unton Croke of Marston, was one of the younger sons of Unton Croke, a prominent Inner Temple lawyer.⁴⁹⁰ Like his father the younger Unton went on to practice as a lawyer, but rose to prominence during the Civil War as an officer in the parliamentary army.⁴⁹¹ Unlike many of his peers, who found ways to retain their positions after the Restoration, Unton did not rise high. His fall from grace was largely attributed to the events of 1655, and his role in foiling the Penruddock rising.⁴⁹² The rebellion was part of a badly co-ordinated Royalist insurrection of England that only partly succeeded in the West Country under the leadership of Colonel John Penruddock. Penruddock's forces were put down by a single regiment lead by Captain Unton Croke; almost all the conspirators were caught and were either sentenced to death or exiled.⁴⁹³ Despite its overall failure, the royalists never quite forgot Unton's role in suppressing the insurrection. When the Restoration came and Croke's regiment was disbanded, he did not pursue public office and instead divided his time between his country estates and the Inner Temple.⁴⁹⁴

⁴⁹⁰ For more on the Croke family, see page 65.

⁴⁹¹ He was the son of Unton Croke, and brother to George Croke. For a wider family tree, see page 67; "Croke, Unton (1594/5–1670/71)," Vivienne Larminie in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/6736> (accessed July 9, 2016).

⁴⁹² A. H. Woolrych, *Penruddock's Rising, 1655* (London: Historical Association, 1955), 19–20.

⁴⁹³ Ibid.

⁴⁹⁴ "Croke, Unton (1594/5–1670/71)," Larminie in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/6736> (accessed July 9, 2016).

His actions in the Civil War did not help him to advance in Restoration England, but his family life was not peaceful either. Like many of his peers he married more than once, and his second marriage divided his loyalties. In the 1640s, Unton first married a daughter of the Suffolk gentry, Bridget Wiseman, with whom he had one daughter Anne, but their marriage was short lived, and in 1649 she passed away.⁴⁹⁵ In 1655 Unton married again this time to a widow, Gracious (Grace) Leach, the daughter of a rich merchant from Exeter.⁴⁹⁶ Grace also brought with her five children from her previous marriage: two sons and three daughters. Grace's father had given her a considerable dowry in 1640, when she married Nicholas Leach of Newton St. Petrock, Devon, and it had been agreed that her dowry would pass down to the elder of two sons.⁴⁹⁷ After her husband's death their combined estates were valued at £5000, and Grace and Unton wanted to keep a vested interest in her son's inheritance. In 1668, her eldest son Nicholas Leach (1641-1668) passed away while studying at the Middle Temple, and the estate passed to her younger son Simon.⁴⁹⁸ If Simon also died prematurely the whole estate would have gone to another branch of the Leach family. Unfortunately Simon was not of sound mind and finding him a bride whom Unton and Grace could control would have been difficult. Nevertheless they found a solution and in 1669, a marriage was arranged between Simon and Unton's eldest daughter Anne.

Marriages between step-siblings were not unusual among the members of the Inner Temple or the wider gentry. However given that this marriage was contracted within the family, the terms of the marriage settlement would have been much easier to arrange. It is not clear what dowry Anne brought to the marriage, but in 1669 she was brought from her aunt's home in Oxfordshire to Devon, to marry Simon.⁴⁹⁹ Although they were step siblings it did not seem that they were well acquainted, as on the journey to Devon her escort, Ralph Harbottle, was charged with the task of persuading her to, "[...]comply w[i]th her fathers designs w[hi]ch was that she should mary the s[ai]d Symon Leach [...] although he was a weake man or a Foole th[a]t here was a brave Estate

⁴⁹⁵ Walter Charles Metcalfe, ed., *The Visitation of Berkshire, 1664-1666* (London, 1882), 112.

⁴⁹⁶ Unton Croke and Grace Leach, "England Marriages, 1538–1973," Database, FamilySearch (<https://familysearch.org/ark:/61903/1:1:N2TD-P41>; accessed 26 June 2015).

⁴⁹⁷ She was the daughter of Roger Mallack or Mallet, and her first husband Nicholas Leach, esquire passed away in 1646. Two of their three daughters, Charity and Grace were married but took an active role in the family proceedings, suggesting not only that they went with Grace when she married Unton, but that Charity and Grace at least forged strong ties with their new step-father. TNA, C 6/252/51.

⁴⁹⁸ According to the marriage agreement between Nicholas Leach and Roger Mallack, if there was no male issue from Nicholas and Grace's marriage then the estate would skip their daughters and pass to Sir Simon Leach of Cadleigh, Devon, a distant cousin. When the eldest son Nicholas Leach named Simon as his heir, he did not clearly name an executor/executrix, and it seems that his mother Grace and sister Charity took on that responsibility. TNA, C 6/252/51; PRO, PROB 11/328/177.

⁴⁹⁹ TNA, E 133/79/38

and wished her to embrace the offer[...].⁵⁰⁰ Simon and Anne's meeting was even less auspicious as according to Harbottle when she arrived in Devon she was introduced to Simon as, "[...]The Gentlewoman (poynting to the s[ai]d Anne) that was to be his wife advising him to treat her civilly [...] upon whi[ch] the s[ai]d Symon Leach laughing started away of the Roome and said nothing".⁵⁰¹ Despite this a marriage license was acquired, and a few days later they were married.⁵⁰²

After the wedding Anne and Simon settled in Marston, close to Unton and Grace.⁵⁰³ For the duration of their marriage, Unton seems to have managed the bulk of Simon's affairs, but it is not clear whether Simon or Anne were aware of Unton's dealings.⁵⁰⁴ It later turned out that Simon had surrendered his estates to his kinsman, Sir Simon Leach of Cadleigh, in return for the right to live out his natural life on the land and for financial compensation to his mother and sisters.⁵⁰⁵ Unton played an instrumental hand in these proceedings, and in 1677 Simon left a will which presumably enforced his surrender.⁵⁰⁶ When these proceedings took place Simon and Anne had no children, and Unton alleged that Simon's estate was in debt, so surrendering it to his heir was a logical move to preserve the family's finances.⁵⁰⁷ While Unton may have thought that he was acting in the best interests of his wife and their family, he did so at the expense of Anne, who, after Simon's death in 1679, was left in a precarious position.

As Simon's widow, Anne was only entitled to her jointure, which according to the younger Nicholas Leach's will was a meagre £100 per annum.⁵⁰⁸ However when Simon died Anne was pregnant with their son and heir Charles.⁵⁰⁹ Despite Unton's effort to disinherit his grandson, Charles' claim to Simon's estate was not lost. It was in his name that Anne began legal proceedings to undo her father's well laid plans. The fact that it took Anne five years to file her first lawsuit was likely due to her diminished position after Simon's death. As a pregnant widow she would have been in reduced circumstances and probably dependent on her family's good will. Given her lack of agency she may not have felt confident enough or financially able to file a case against her father.

⁵⁰⁰ Ibid.

⁵⁰¹ Ibid.

⁵⁰² TNA, C6/252/51; TNA, E133/79/38.

⁵⁰³ TNA, PRO, PROB 18/19/74.

⁵⁰⁴ TNA, PRO, PROB 18/19/74; E 133/79/38.

⁵⁰⁵ TNA, C6/252/51; E 133/79/38.

⁵⁰⁶ The will has not survived but in the Chancery court case, Unton did not deny his involvement in Simon's affairs. TNA, PRO, PROB 11/328/177; C 6/252/51.

⁵⁰⁷ TNA, C6/252/51.

⁵⁰⁸ TNA, PRO, PROB 11/328/177.

⁵⁰⁹ TNA, C6/252/51.

Anne's fortunes soon changed. In January 1683 she married Castell Drury, a member of the Devon gentry.⁵¹⁰ With her new husband's support, she was at last in a position to fight for Charles's inheritance. Two years after her marriage in 1685, she filed her first lawsuit against Unton in the Court of Chancery to establish Charles's rights over Simon's property, and in 1686, she filed a probate lawsuit with the Prerogative Court of Canterbury to have Simon's will annulled.⁵¹¹ These were the first steps in a series of court cases between the Leach and Croke families.

To challenge the validity of Simon's will, Anne would have needed to establish that in 1677, Simon did not understand the legal significance of his actions.⁵¹² From the interrogatories that Anne addressed to Unton's witnesses, it seems that she based her challenge on two grounds, firstly by arguing that Simon was not capable of composing a will, and secondly by arguing that Unton took advantage of his reduced mental state and manipulated Simon into signing away his estate.⁵¹³ The second point is underscored in one of the interrogatories, which asked whether Unton had employed agents to entice Simon to visit his house with strong beer or ale, and whether, once there, "the said Croke hath prevailed with the said Simon to sign and seale writeing and hath given the said Simon money and how much: for the doeing thereof."⁵¹⁴

Not all of the documents relating to the court case have survived, all that remains is the list of witness interrogatories, a summary of the depositions given by Unton's witnesses, and the eventual sentence. These fragments pieced together depicted two very different images of Simon Leach.⁵¹⁵ Even so both sides based their contrasting arguments on Simon's ability (or inability) to behave as a married gentleman, at home, in the community, as well as in polite society.

Unton's witnesses painted Simon as an upstanding and responsible householder, claiming that he was pious, and that he read a chapter of the bible every morning, and attended the parish church's services regularly.⁵¹⁶ More importantly he kept a moral household, as every night he "[...] called

⁵¹⁰ Within a month of their marriage Anne was pregnant with their son Castell Drury. Castell Drury and Anne Leech, 08 Jan 1683, "England Marriages, 1538-1973,

"Index, FamilySearch (<https://familysearch.org/ark:/61903/1:1:NKG1-V22>: accessed 10 April 2015; Castell Drury, 04 Nov 1684, "England Births and Christenings, 1538-1975," index, Family Search (<https://familysearch.org/ark:/61903/1:1:NYFS-9Z9>:accessed 10 April 2015).

⁵¹¹ TNA, C 6/252/51; TNA, PRO, PROB 18/19/74.

⁵¹² This definition was rather vague. Medical definitions of mental illness were progressing, but those surrounding lunacy were still unestablished. Those in legal and intellectual circles acknowledged an increasing demand for a better definition to address these types of issues. See Bonfield, *Devising, Dying and Dispute*, 81–87.

⁵¹³ TNA, PRO, PROB 18/19/74.

⁵¹⁴ Ibid.

⁵¹⁵ Ibid.

⁵¹⁶ Ibid.

his family to prayers and did read the prayers for a family which are printed at the end of the holy bible or in the practice of piety and read a Chapter to them with greate devotion [...]”.⁵¹⁷ One of the intrinsic elements of being a gentleman and a husband was establishing and heading a household. By establishing that Simon kept a pious and respectable household, Unton’s witnesses were trying to show that he was mentally capable. From the list of interrogatories there is no evidence to suggest that Anne made any direct complaints about Simon’s piety.

What she challenged instead was his ability to manage his estate and finances, as one of the interrogatories asked whether Simon received a weekly pocket allowance from Anne.⁵¹⁸ It was not unusual for wives to manage their husband’s estates when they were absent from home or sick, but not when their husbands were at home. However, Unton’s witnesses declared that Simon was perfectly capable of understanding his business affairs and finances, and that he understood the value of English coins.⁵¹⁹ Moreover they claimed that he was “[...]very charitably disposed and very prudent in disposing of his charity and could very liberally to old lame and blind people telling that he gave to them because they were not able to worke [...]”.⁵²⁰ These contrasting images of Simon Leach makes it difficult to know how much he relied on Anne for his daily needs but his character was put into question.

Outside of the household, Anne’s case became much stronger, as even Unton’s witnesses did not try to claim that Simon behaved normally in society. Several interrogatories asked about Simon’s behaviour when he went out in public. One asked whether he

“[...]tooke more delight in the Company of Boyes, then in the Company of Men and Women and was by the said Boys, tho[ugh] then a proper married Man, frequently hunted as a Hare and that the said Boyes would crabb or bite him 'till they gott some money from him for cakes and Ale[...]”⁵²¹

Another interrogatory, questioned whether, “[...] Simon would often stand and be piss himself and sometimes pass in his breeches [...] and would (run after persons and horses) goe up to his unckle in dirt [...]”.⁵²² These interrogatories imply that Simon was far from capable of acting as a gentleman, so much so that it could not be hidden from public view. Members of the gentry were

⁵¹⁷ Ibid.

⁵¹⁸ Ibid..

⁵¹⁹ Ibid.

⁵²⁰ Ibid.

⁵²¹ Ibid.

⁵²² Ibid.

typically leaders in their locality; even if they were not well liked or respected, they usually held influence and authority. If Simon was indeed the target of local youths, then he fell woefully short of that standard.

Unton's witnesses tried to challenge these interrogatories, denying the claim that he would 'piss' himself and that he was always neatly and cleanly dressed, but they offered no further excuse.⁵²³ It was here that the case for Simon's incompetency lay, in his strange behaviour and his inability to operate in polite society. When asked a question by another gentleman in conversation he would allegedly, "[...] stand laughing and grinning att him and make him no answer {and be bo=peeping with him} [...]"⁵²⁴ In an attempt to justify his behaviour and reputation within his community and polite society, Unton's witnesses argued that Simon was of a melancholic nature, and that,

"[...] his education had beene very meane and not according to his quality his Parents dying w[he]n he was very young and he being that time a younger brother and that his breeding had beene very much neglected [...]he did not care to be in the Company of Gentlemen [...] but if he were in the Company of Tradesmen or ordinary persons he would be very free jocound and pleasant in his conversation."⁵²⁵

Being melancholic could be used to explain a wide range of anti-social behaviours. However, Unton's witnesses inadvertently shifted the blame for Simon's behaviour back on to Unton and Grace. Simon's father had indeed passed away in 1646, when Simon was in his infancy, but in 1655, when Grace married Unton, Simon would have been twelve years old.⁵²⁶ As a younger brother less would have been expected of Simon, but Unton would have been partly responsible for his upbringing.

The forcefulness of Anne's interrogatories and her frankness about Simon's condition, was not just due to malice on her part but due to the difficulty of contesting the validity of testaments. The judiciary was reluctant to impinge on the freedom of testators to transmit their land or property as they saw fit. Proving that a person could understand the legal significance of their actions was a subjective task.⁵²⁷ The judges in these court cases had a lot of discretion, and the quantum of proof

⁵²³ Ibid.

⁵²⁴ Ibid.

⁵²⁵ Ibid.

⁵²⁶ Simon Leach, 19 Apr 1643, "England Births and Christenings, 1538-1975, "index, FamilySearch (<https://familysearch.org/ark:/61903/1:1:JWXB-JXR>; accessed 29 April 2015).

⁵²⁷ Defining the characteristics that made a person mentally incapable was widely discussed within the legal and intellectual community. In 1700, John Brydall of Lincoln's Inn wrote a book titled, 'Non Compos Mentis', discussing just this issue. John Brydall, *Non Compos Mentis* (London: Early English Books Online (EEBO), 1700).

needed to invalidate a will would have been rather high. Therefore, Anne needed to present a persuasive case for Simon's mental incapacity to win against Unton, who was himself a member of the legal community. The fact that Anne won the case and had Simon's will nullified, indicated that Simon's inability to act as a husband and gentleman, and his strange behaviour, was grounds enough to convince the judges of Simon's incapacity.⁵²⁸ While many gentlemen and husbands did not live up to the standards expected of them by society, their ability in principal to act as masters, as leaders of their localities, and to comport themselves well in polite society were important elements of male adulthood.

Given the series of unfortunate events, Anne's relationship with her marital and natal family was tenuous. Although Simon and Anne did produce a son, the court case suggests that she would have been more of a carer than a wife to him. If the style of her first marriage had a negative impact on her second one to Castell Drury, there is no mention of it. There is also no evidence that Unton and Anne reconciled after the court cases, but in his will in 1695, Unton left her a small bequest.⁵²⁹ Despite these weak ties, Anne formed a close bond with her son Charles. Unfortunately, Charles did not live long enough to fully enjoy his father's estate; he passed away in 1700, only a few months after he reached the age of majority.⁵³⁰ The ties between mother and son were underlined in his will, as he left his entire estate and personal effects to his 'loving mother' and made her his executrix.⁵³¹ Charles was also distrustful of his step-father Castell Drury, as he forbade Castell or any of Anne's future husbands from playing any part in her role as executrix or heiress. His protectiveness seems to have paid off, as after his death Castell Drury filed a probate court case against Anne to gain control of Charles's estate.⁵³²

This case study outlined that inter-marriage was not always an effective marriage practice, rather than solidifying kinship ties, it could irrevocably weaken them. Unton's desire to keep the Leach fortune within the family lead him to be rather cold hearted towards Anne. While this was not a unique case, few of the gentlemen in this study sacrificed family ties for wealth and property in the way that Unton did. In addition the grounds on which Anne was able to contest Simon's will underlined some of the key characteristics expected of a gentleman. Anne would not have been able to divorce or annul her marriage to Simon on grounds of lunacy, but she was able to use his

⁵²⁸ TNA, PRO, PROB 11/389/61.

⁵²⁹ TNA, PRO, PROB 11/420/44.

⁵³⁰ TNA, PRO, PROB 11/458/33.

⁵³¹ Ibid.

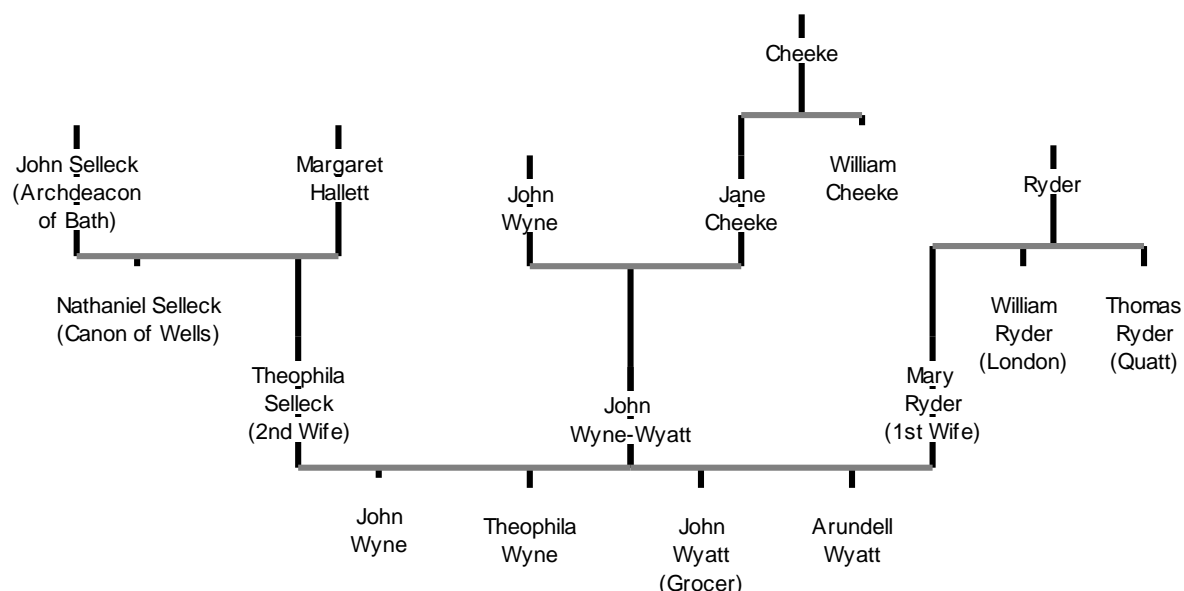
⁵³² TNA, PRO, PROB 18/35/152.

mental state to secure her son's inheritance. Had Simon remained a bachelor it was questionable whether his melancholic disposition would have led to a probate court case. The fact that Anne only started to fight for Charles's inheritance after she remarried also suggested that as a widow she lacked sufficient agency. However, Castell Drury's support was not wholly altruistic as he presumably hoped to control Charles's estate while he was a minor. The fact that Charles gave Anne independent authority in his will emphasised the distrust created within this family, and that marriage did not always ensure strong ties.

Family Expectations, Deceit and Bigamy – John Wyne alias Wyatt

Figure 4.3

Wyne - Wyatt Family



Not all families arranged elaborate marriage alliances, but parental approval was an important part of the courtship process, especially for elder sons who stood to inherit. Not all sons followed their family's direction or sought their approval. Training at the Inner Temple was a chance for them to mix in 'elite' circles, but living in London, away from their family's control even for a short period, brought its own dangers. The attractions of London and the social options available to them could easily lead them astray.⁵³³ While much may have been attributed to the excesses of adolescence, for some the consequences were more far reaching.

⁵³³ Shepard, *Meanings of Manhood in Early Modern England*, 93–126.

John Wyne was one such gentleman of the Inner Temple to fall short of his family's expectations. His family were members of the lesser gentry in Devon.⁵³⁴ John's elder brother, Thomas, stood to inherit their father's fortune, but unlike the majority of younger sons, John did not have to make his own way in the world, as he stood to inherit his maternal uncle's estate.⁵³⁵ Therefore John's enrolment at the Inner Temple in 1656 was not just a way for him to gain a profession.⁵³⁶ While the education he received there would have been minimal, the journey between Devon and London was considerable, so it was likely that John spent more time in London rather than commute weekly or monthly between town and country.

Shortly after the Restoration in 1660, when the city was still celebrating the return of Charles II, John was lodging at Lyon's Inn.⁵³⁷ Whilst there he happened to make the acquaintance of a local tavern keeper's sister, Mary Ryder. John visited the Royal Oak often, became enamoured with Mary and began to court her. Many years later, Mary would claim that he, "[...] did court and sollicite her in the way of marriage telling her th[at] he loved her above all woeman in the world and that he would marry her before any other woman [...]"⁵³⁸ Mary continued to live with her brother for another two and a half years, and during that time she probably became John's mistress. In August 1662, Mary moved into a house on Channel Row, Westminster.⁵³⁹ What precipitated Mary's departure from her brother's household in August 1662 is unclear - John would have been entering his last year at the Inner Temple, and the couple may have wanted a residence of their own.

Taking a mistress was not unusual for men of John's status. What her brother thought of their liaison is unclear but he did not openly object.⁵⁴⁰ If John had promised to marry Mary, then she may have consented to a long engagement. Within a year, on 3rd August 1663, John and Mary were married at St. Peter Paul's Wharf, in front of Mary's family and their friends.⁵⁴¹ John's family did not attend the wedding and their absence probably detracted from the proceedings. According to Mary, at the time of their marriage, "[...] John had a very rich uncle named Mr William Chike[...] well knowing that his said unckle would be very much displeased with him and goeing to disinherit

⁵³⁴ Inner Temple Admissions Database, Wyne John, <http://www.innertemplearchives.org.uk/detail.asp?id=13377>.

⁵³⁵ His uncle William Cheeke held several estates in Somerset, and left the majority of them to John. TNA, PRO, PROB 11/352/296.

⁵³⁶ Inner Temple Admissions Database, Wyne John, <http://www.innertemplearchives.org.uk/detail.asp?id=13377>.

⁵³⁷ The following discussion on John's early life, as well as his marriage to Mary Ryder, was based on her allegations in the probate trial in 1685. TNA, PRO, PROB 18/17/44

⁵³⁸ Ibid.

⁵³⁹ Ibid.

⁵⁴⁰ Whyman, *Sociability and Power in Late-Stuart England*, 113–114.

⁵⁴¹ TNA, PRO, PROB 18/17/44.

him if he should hear thereof[...].”⁵⁴² So as not to upset his uncle, John persuaded Mary to keep their marriage a secret from his family, and instead of using the name Wyne, Mary and their children took the surname Wyatt.

To what extent John’s family were aware of Mary is unknown, but there is reason to suggest that in 1663 his natal family ties were strained. In May 1662, John’s father passed away and John was the only one of his siblings not to be mentioned in the will.⁵⁴³ It was unlikely that John’s family would have approved of the match; what dowry Mary brought would have been modest, and her connections were equally unsuitable. If they knew of her existence it would have been as his mistress rather than his wife. John could ill afford to lose their favour, as he would have relied on them in part to supplement his income, as he had no other sources of wealth. With all this at stake, John’s affection for Mary must have been genuine, as after three years, if their ‘engagement’ had not ended in a marriage, Mary’s reputation would have been ruined; but she would not have been the first woman to lose her reputation due to the promise of marriage.

Within months of their marriage Mary was pregnant, and for fear of his uncle’s discovery John sent Mary to stay with her family in Quatt, Shropshire.⁵⁴⁴ Far away from the sphere of his family, in September 1664, their son John Wyatt was born and baptised there.⁵⁴⁵ While Mary and their new son were away, John passed the bar and presumably tried to secure a steady income to support his new family.⁵⁴⁶ Mary would later claim that after the birth, John came up to Quatt, and recognised the baby as ‘his natural and lawful son’.⁵⁴⁷ However, he was not prepared to establish his new family in London right away, as they returned to London without their son.⁵⁴⁸ The decision to leave baby John behind in Quatt may have been for health reasons, as living in London brought an increased risk of illness. Still, it was more likely that John was not willing or able to establish a family household in London, and preferred instead to live more simply and privately with Mary. The environs of London offered opportunities for anonymity, and they would have blended into their surroundings more easily without a child.⁵⁴⁹

⁵⁴² Ibid.

⁵⁴³ TNA, PRO, PROB 11/308/175

⁵⁴⁴ TNA, PRO, PROB 18/17/44.

⁵⁴⁵ John Wyat, 11 Sep 1664, “England Births and Christenings, 1538-1975,” Database, Family Search (<https://familysearch.org/ark:/61903/1:1:JM82-DFS> : accessed 29 June 2015).

⁵⁴⁶ Inner Temple Admissions Database, Wyne John, <http://www.innertemplearchives.org.uk/detail.asp?id=13377>.

⁵⁴⁷ TNA, PRO, PROB 18/17/44.

⁵⁴⁸ Ibid.

⁵⁴⁹ Whyman, *Sociability and Power in Late-Stuart England*, 56–71.

From 1664-1668 they lived in three different residences close to the Temple, not staying more than a year in any one.⁵⁵⁰ It was not until they had two more children that they settled in Bridewell. The birth of these children changed the nature of their family, previously Mary had gone to Quatt to hide the birth of their children, but by 1668 they were more securely known by the name Wyatt, and had become established as such in London. Instead of hiding Mary's pregnancy, their friends and neighbours helped them to celebrate it, and some were chosen to be godparents.⁵⁵¹ The use of an alias significantly reduced John's chance of being discovered by his family, who presumably would not have been familiar with any of the inhabitants of their neighbourhood. Even so, he must have established a profitable enough profession to support his wife and growing family, without attracting suspicion from his natal family.

John was able to preserve his double life successfully for several years, but as he got older his natal family would have encouraged him to get married. His uncle, in particular, may have been concerned, and given that John was maintaining his family in London he may not have been able to adequately explain where and how he spent his money or his time. It seems that the preservation of his secret superseded all other complications, as in March 1676, John married Theophila Selleck, daughter of Dr John Selleck of Stanton Drew, Somerset.⁵⁵² The marriage took place five months before his uncle's death (presumably with his blessing), and Theophila brought a dowry of £1760.⁵⁵³ The combined pressure and enticement may have persuaded John to consent to the marriage, but a second marriage made him a bigamist and increased the risk of discovery. However, Theophila's father and brother were members of the clergy in Somerset and Warwickshire, and none of the Sellecks were registered at the Inns of Court or were known to have resided permanently in London. Therefore, John may have thought that he would be able to keep his town and country life separate.⁵⁵⁴

To that end John and Theophila established a household in the country. How often Theophila visited London is unknown. The long journey from the West Country to London especially during the winter months may have acted as a deterrent, but visiting London was an intrinsic part of elite society.⁵⁵⁵ On the occasions that she made the trip up, it was likely that John would have found

⁵⁵⁰ TNA, PRO, PROB 18/17/44.

⁵⁵¹ Ibid.

⁵⁵² Chester and Armytage, *Allegations for Marriage Licences Issued by the Dean and Chapter of Westminster, 1558-1699*, 264.

⁵⁵³ TNA, PRO, PROB 18/17/57.

⁵⁵⁴ John Selleck and his sons attended Oxford and never took up any positions in London. 'Scadden-Sheyne,' in *Alumni Oxonienses 1500-1714*, ed. Joseph Foster (Oxford: University of Oxford, 1891), 1322-1350, accessed June 24, 2015, <http://www.british-history.ac.uk/alumni-oxon/1500-1714/pp1322-1350>

⁵⁵⁵ Whyman, *Sociability and Power in Late-Stuart England*, 56-60.

them a residence far away from Mary and their family. Even with the increasing difficulty in keeping his social and familial circles separate, his marriage to Theophila and his uncle's death in November 1676 would have increased his wealth and status, as well as the responsibility that came with it.⁵⁵⁶

Looking to the inevitable future where his secret would be uncovered, John came to a decision on how to divide his estate. On 9th July 1677, he drew up a will as John Wyatt of the Inner Temple, making Mary executrix, but only in relation to his holdings, credit, and debts in London and Middlesex.⁵⁵⁷ With the exception of a £20 bequest to Mary, nothing he bequeathed to them came from his Somerset estate, and he made no mention of any other wealth, property, or family. He gave their eldest son, John, all his books from his study and chamber in London, and made a few small bequests to Mary's family and their friends, but otherwise made no great provision for their children or wider kin.⁵⁵⁸

When it came to his estates in Somerset he acted with less urgency, waiting almost another two years before composing his will as John Wyne of Wiveliscombe.⁵⁵⁹ On 9th April 1679 he was much more generous, leaving bequests to his family and community, which amounted to just over £92. The rest of his estate he left to Theophila and made her his executrix.⁵⁶⁰ When he drew up this second will, he and Theophila had had a daughter, and were soon to have a son. By naming Theophila as his heiress, he gave her the authority to act in the best interests of their children after his death; though it was unlikely that Mary would have seen it in that light.⁵⁶¹

These two wills underlined the compartmentalised nature of John's London and Somerset worlds. Even when it came to bequeathing his worldly goods he did not bequeath his estate as a whole, but divided it as if he were two different men. When he died, both these wills were processed by the Prerogative Court of Canterbury, and only then did his secret come to light. Nonetheless by naming both Mary and Theophila as his executrices, and leaving two separate sets of bequests, he gave both his wives a claim to his estate and set them against each other. For Theophila this would have been doubly important, as her dowry was part of John's estate, and she would not have wanted any part of it to go to Mary.

⁵⁵⁶ TNA, PRO, PROB 11/352/296.

⁵⁵⁷ TNA PRO, PROB 11/379/70.

⁵⁵⁸ Ibid.

⁵⁵⁹ TNA PRO, PROB 11/381/569.

⁵⁶⁰ Ibid.

⁵⁶¹ Ibid; TNA, C7/385/45.

The discovery of Mary and her children would have come as a shock to Theophila, but Theophila's existence may not have been a complete surprise to Mary. The public nature of John's marriage to his second wife, and the increasing commitments placed on him after 1676 caused John's London neighbours to become suspicious. John's friends and acquaintances at the Inner Temple would likely have created an overlap of his town and country worlds, and when he married Theophila, gossip and rumours may have begun to circulate. In 1678, her London friends and neighbours began to ask her whether she was in fact, John's true wife. Based on these rumours they confronted John and he responded that Mary

"[...]is my dearly beloved wife and I was lawfully married to her and have had eight or severall children by her and have to boyes now living w[hi]ch I had by her, and they are my children and I will provide for them and w[ha]t I have done in t[h]e country I was bewitched to doe or the Devill was in me[...]"⁵⁶²

The two sons in question were their eldest son, John, who in 1679 was 15 years old, and his younger brother, Arimdell (Arundell), who was five or six years old.⁵⁶³ Claiming that John made such a confession bolstered Mary's claim to John's estate, but it also confirmed that from 1679 onwards Mary was aware of Theophila. There is no evidence that Mary ever attempted to contest John's second marriage or to make her presence known to his family while he was alive. Theophila even claimed in the ensuing court case that Mary never claimed him as her husband.⁵⁶⁴ Moreover, John wrote his will naming Theophila as his main heir and executrix in the same year as Mary discovered the truth.

After his death, the extent of his deception became publicly known, and the two wives entered into probate litigation to establish who would take their rightful place as John's widow. At the time of John's death, he and Mary had been together for 22 years, and the court case would have placed her and their children in a precarious situation. While she claimed that their marriage had been conducted officially but privately, the news of her long standing marriage to John would have been a surprise and an embarrassment to both the Wyne and Selleck families. The two families contracted John's second marriage in good faith that he was a bachelor, and the presence of a first wife also threatened the honour and legitimacy of Theophila and her children.

⁵⁶² TNA, PRO, PROB 18/17/44.

⁵⁶³ John Wyat, 11 Sep 1664 and Arimdell Wyett, 18 Jan 1673; "England Births and Christenings, 1538-1975," database, FamilySearch (<https://familysearch.org/ark:/61903/1:1:JM82-DFS>; accessed 11 July 2015).

⁵⁶⁴ TNA, PRO, PROB 18/17/57.

Unfortunately for Mary, little independent evidence of their marriage survived, St. Peter Paul's was one of the many churches that burnt down in 1666 during the Great Fire.⁵⁶⁵ The curate that had married them, Mr William Chike, had passed away, as had all three witnesses to the wedding.⁵⁶⁶ Even so the absence of a church marriage would not have negated their marriage in principal, prior to 1753, all that was needed to make a marriage legally binding was for the couple to make their vows in the present tense. The fact that John and Mary had baptised their children as if they were legitimate, and had lived in London as a married couple for over 20 years in itself validated their marriage.⁵⁶⁷ In doing so, however, Mary ultimately undermined Theophila's marriage, and bastardised her children, regardless of her marriage license, marriage settlement, or public declaration.

The Prerogative Court of Canterbury had the power to validate or invalidate marriages, and give Mary or Theophila the right to become John's widow.⁵⁶⁸ The problem for the judges in this court case was that Mary, though clearly the legitimate wife came from a poorer background, while Theophila came from a respectable family. It was probable that Theophila's family used their influence to have her claim validated. The fact that John had divided his affairs so cleanly in both his wills, and had not overtly given Mary or Theophila overlapping claims to his estate simplified matters for the judges. Taking advantage of this, the judges validated both wills giving Mary administrative rights to John's London estate, and Theophila the right to his Somerset estates.⁵⁶⁹ Nevertheless, this unusual judgement validated Mary's marriage.

Theophila did not take the situation well, and until her death she kept the name Wyne, referred to herself as John's widow, and behaved as if her children were legitimate. It seems however, that by validating Mary's marriage, the court gave her son John Wyatt alias Wyne, a claim to William Cheeke's estate in Somerset, as in his own will the younger John Wyatt alias Wyne bequeathed the estate to his heirs.⁵⁷⁰ The problem was that John Wyne the elder had made Theophila responsible for all the legacies and debts from his Somerset estates, which included the legacies made by William Cheeke, even though she did not own or control his estate.⁵⁷¹ In 1690 she filed a case with

⁵⁶⁵ The parish registers offered no further clue as the marriage register from 1660-1666 has not survived.

⁵⁶⁶ TNA, PRO, PROB 18/17/44.

⁵⁶⁷ Francis James Newman Rogers, *A Practical Arrangement of Ecclesiastical Law* (London, 1840), 505–510.

⁵⁶⁸ Ibid., 549–551.

⁵⁶⁹ TNA, PRO, PROB 11/381/556-557.

⁵⁷⁰ TNA PRO PROB 11/352/296.

⁵⁷¹ TNA, C7/379/45.

the Court of Chancery to release her from that responsibility, but even through the formal language of the bill, Theophila's bitterness was still present.⁵⁷²

The case of John Wyne alias Wyatt has underlined some of the negative consequences of family expectations and their marriage strategies. From the point that John and Mary fell in love he created a double life for himself. Clandestine marriages were common in early modern England, but for sons of the gentry, especially those who were heirs to an estate, choosing their own wife came with consequences. The fact that John went to such lengths to keep his marriage secret underlined his fear of being disinherited. However, by marrying Theophila in bad faith, he made the situation much worse. If his double life had been made public while he still lived, he would probably have faced criminal charges for bigamy. Whilst his clandestine marriage might have been considered inappropriate by his natal family, marrying twice brought dishonour to both his natal and marital families, who presumably brokered the marriage in good faith. His death broke the pretense and made John's eldest son, John Wyatt (a grocer in Ludgate), heir to his father's London property, and to his great uncle's Somerset estate.

Conclusion

This chapter has revealed some of the pitfalls that the families in this study faced when they placed wealth and property over family ties. Maintaining strong parental and sibling relationships was not always given a high priority. Making testamentary provisions for family and friends was not the only way to express a familial tie, but when testaments resulted in lawsuits, it is reasonable to assume that there was a lack of family solidarity or consensus. Not all family disputes resulted in court cases, but when it came to sustaining their claims to wealth or property the families in this study were not shy about resorting to the law to enforce their claims. The case studies used in this chapter were exceptional, and more extensive work needs to be done on probate litigation, which incorporates the Prerogative Court of York, to examine the nature and frequency of these disputes and how they evolved over the early modern period.

Dividing these examples by the testator's marital status highlighted the difference in family dynamics in the absence of a wife and children. Bachelors often formed close ties with their siblings, nieces and nephews, and it was this wider natal family that took precedence in their testaments. However, diverging ambitions or thwarted expectations were the foundations of both

⁵⁷² Ibid.

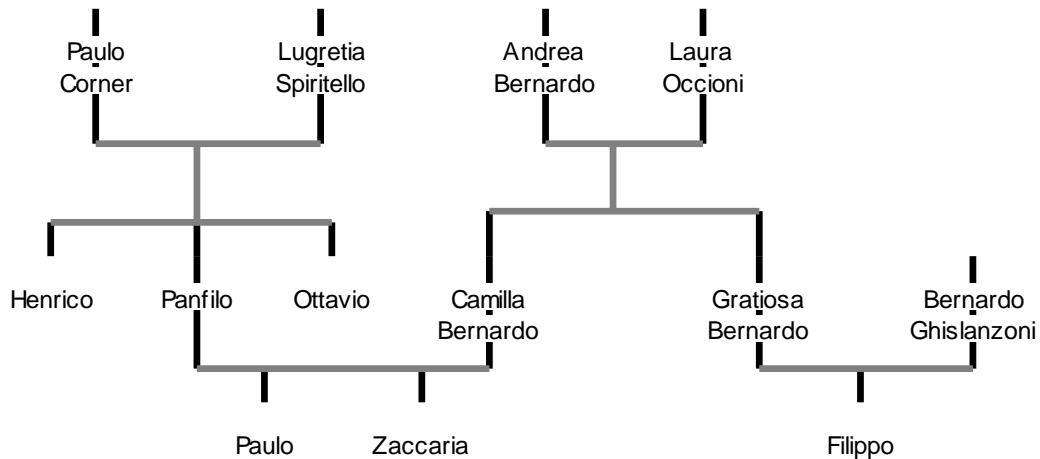
the Chare and Bowyer trials, demonstrating that in both cases sisters were capable of enforcing their rights, when they felt that their brother's had been manipulated.

The presence of a wife and children raised the stakes in family disputes, especially if these marriages were not of a respectable nature. Although this chapter only outlines two cases, involving lunacy, clandestine marriage, and bigamy, the point is to highlight that despite the high level of inter-marriage among the families in this study, not all of them maintained strong family ties. Both the Croke-Leach and Wyne-Wyatt families were members of the legal community. By airing their grievances in court they were making public the dishonourable conduct of their family members, and possibly placing their family's reputation at stake. Both Unton Croke and John Wyne behaved dishonourably towards their families in the pursuit of wealth. While the two cases were very different they demonstrated the extent to which some gentleman in this study would go to secure a fortune for themselves and their families. Whether either man thought about the consequences of his actions is unknown but, both were willing to sacrifice familial ties for wealth.

CHAPTER FIVE - Kinship Ties and Modes of Transmission

Figure 5.1

The Corner Family



"In case that all the male descendents of the male line of Filippo Ghislanzoni the elder dies out [...] I want that each one of the legitimate female descendents from the male line... at the time of their marriage or monachisation [receive] two thousand ducats."⁵⁷³

This was just one of the many bequests that Enrico Corner made in his 23 page will. Enrico was a bachelor and lived with his married brother Pamphilo, but his will made it clear that he was the head of his family.⁵⁷⁴ Filippo Ghislanzoni was related to the brothers through Pamphilo wife, Camilla Bernardo.⁵⁷⁵ Due to this connection, Filippo's father, Bernardo entrusted Enrico with the care of his family after he passed away.⁵⁷⁶ The transmission of property and wealth after death was a key point of tension in the family. Testaments could reveal close bonds within a family, as well as inner strains and broken ties. Although they do not provide us with a clear picture of family relationships or their dynamics, they can suggest the strength of a testator's family ties and sense of familial affiliation when they composed their last will.

⁵⁷³ "In caso che mancassero tutti le descendenti maschi di linea mascolina di Filippo Ghislanzoni il vecchio... voglio che a caduna femina legitima descendente linea mascolina... al tempo di suo maritar o monacar ducati doi mille." ASVe, Notarile Testamenti, b.83, n.35, 18 October 1663.

⁵⁷⁴ Archivio Storico del Patriarcato di Venezia (ASPV), Curia patriarcale. Archivio "segreto", Stati delle Anime, Parrocchia di San Moisè di Venezia, Parrocchia di Santa Maria del Giglio di Venezia, Anagrafi e stati d'anime, b. 1.8. 1645.

⁵⁷⁵ Giuseppe Tassini, *Cittadini Veneziani*, (1888), Biblioteca del Museo Correr (BBMC), Provenienze Diverse, ms. P.D. c 4, b1, fol. 161, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>.

⁵⁷⁶ ASVe, Notarile Testamenti, b.83, n.35, 18 October 1663.

If a father died intestate, then his legitimate sons and unmarried daughters were entitled to an equal portion of his estate.⁵⁷⁷ An equal division of the patrimony favoured the republic's mercantile heritage, giving preference to families that lived in *fraterna*.⁵⁷⁸ Due to this, primogeniture did not feature widely in Venetian testaments. Paola Lanaro has suggested that elite families on the *terraferma* who did not practice limited marriage tended to bequeath the main family residence to the eldest son, but she also underlines that not enough work has been done on this issue.⁵⁷⁹

Daughters were legally entitled to a portion of their father's estate for their dowry. In cases where families had no sons, both married and unmarried daughters would receive larger portions of the patrimony.⁵⁸⁰ Their dowries could in turn be used to support their own children. Venice was one of the few cities in the Italian States that allowed mothers to bequeath their dowries to their daughters.⁵⁸¹ Venetian law tried to prevent husbands from subverting this right. In 1474 a law was passed forbidding husbands from assisting in the composition of their wife's testaments.⁵⁸² Then in 1532, another law was passed which obliged notaries to write in Venetian and not in Latin.

For a will to be valid, it needed to be drawn up in the presence of three male witnesses (or six female witnesses), then registered by the notary and published. However, it was not guaranteed that the testator's wishes would be honoured. Testaments could be contested after the testator's death. Even so the act of placing their wishes on paper showed how he or she intended his or her property to be divided.

The type of property that these families bequeathed changed during the seventeenth century. With the decline of Venice's economy and its prominence as a trading port, family fortunes shifted from mercantile investment to land holdings. This meant that the mainland began to form a far larger part of patrician and citizen fortunes. However, what constituted as movable and immovable

⁵⁷⁷ Davis, *A Venetian Family and Its Fortune, 1500-1900*, 85.

⁵⁷⁸ *Ibid.*, 87–88.

⁵⁷⁹ Paola Lanaro, "Fedecommissi, doti, famiglia : la trasmissione della ricchezza nella Repubblica di Venezia (XV-XVIII secolo). Un approccio economico," *Fidéicomis. Procédés juridiques et pratiques sociales (Italie-Europe, Bas Moyen Âge-XVIII siècle). Mélanges de l'École française de Rome - Italie et Méditerranée modernes et contemporaines* 124, no. 2 (June 1, 2012): 30, doi:10.4000/mefrim.801.

⁵⁸⁰ Davis, *A Venetian Family and Its Fortune, 1500-1900*, 90–92.

⁵⁸¹ Anna Bellavitis, "Women, Family and Property in Early Modern Venice," in *Gender, Property, and Law in Jewish, Christian, and Muslim Communities in the Wider Mediterranean 1300–1800*, ed. Jutta Sperling and Shona Kelly Wray (London: Routledge, 2011), 176.

⁵⁸² *Ibid.*, 182.

property was less straightforward. All property in the city was considered immovable, but on the mainland, land and property were considered movable.⁵⁸³

Testators who wanted to keep the family fortune intact could enact a *fedecommeso* (an entail) in their will. This prevented the family's heirs from selling or dividing the immovable property, and also allowed the testator to set the order of succession. This method of bequeathing property became increasingly popular in the seventeenth century but once established *fedecommissi* could be very difficult to break.⁵⁸⁴ Unlike in the other Italian states, there was no limit to these *fedecommissi* and families who were property rich and cash poor could become impoverished by not being able to sell their property. In cases where the family owned luxury goods, these too could be included in the *fedecommeso* to protect the prestige of the family. *Fedecommissi* were rarely used to favour women over men. Married sisters would only be listed as heirs in the absence of male ones, and even then these bequests were often intended for their sons.⁵⁸⁵

The families in this study were all urban professionals. Some, like the Corner family, were members of the *cittadini originarii*, while others were relative newcomers with ties to the mainland or Venetian territories, but in Venice they all inhabited a similar socio-professional milieu.⁵⁸⁶ The majority owned land and property in Venice and on the mainland, and in terms of their appearance and lifestyle many of them would have seemed similar to patricians.⁵⁸⁷ However their affiliation to the city and their family lineage would have been notably different to the patrician one; especially as they did not form many endogamous marriages, and were rather a distinct group.

In general terms of their inheritance patterns, male testators never left their family of birth, and as such they were more likely to bequeath their fortune patrilineally or agnatically to heirs that shared their family name. In contrast, married and widowed female testators would have identified themselves with at least two families. Stanley Chojnacki found that within the patriciate, female testators bequeathed their estates fairly evenly between their marital and natal family members.⁵⁸⁸

⁵⁸³ Ibid., 176.

⁵⁸⁴ For discussion on *fedecommissi* from a European perspective see, Anna Bellavitis, Jean-François Chauvard, and Paola Lanaro, eds., *Fidèicommiss. Procédés juridiques et pratiques sociales (Italie-Europe, Bas Moyen Âge-XVIIIe siècle). Mélanges de l'École française de Rome - Italie et Méditerranée modernes et contemporaines* 124, no. 2 (2012), doi:10.4000/mefrim.801.

⁵⁸⁵ For an exception to this point, see chapter seven on the Moretti family. Davis, *A Venetian Family and Its Fortune, 1500-1900*, 79–80.

⁵⁸⁶ With the exception of Tommaso Flangini.

⁵⁸⁷ ASVe, Dieci Savi Sopra le Decime di Rialto, Condizioni, b. 212 – b. 215. 1661.

⁵⁸⁸ Isabelle Chabot's study on fourteenth and fifteenth century Florence found that mothers were more likely to be buried with their husband's family, whereas childless women on average divided their affiliation more evenly between their natal and marital families. Isabelle Chabot, *La Dette Des Familles: Femmes, Lignages et Patrimoines à Florence Aux XIVe*

His more recent article on burial bequests argued that marriage gave both husbands and wives an 'alternative affiliation'. Although it was largely due to personal choice, how a testator divided their worldly goods and decided their place of rest could be quite indicative of their family ties.

Among the citizenry, Anna Bellavitis has underlined that marital status, gender, and family composition also had a significant impact on how a testator would bequeath their worldly goods.⁵⁸⁹ In the absence of heirs, male testators could become more creative, adopting distant relatives or marrying a daughter to another branch of their family to secure their lineage.⁵⁹⁰ These distinctions also affected the choice of an executor, suggesting that trusting family members to execute their wills was not always a straightforward task. This was more often the case for female testators, whose family members wanted to keep or inherit their dowry portion.

This chapter will focus on the testaments composed by the families in this study. The first part will look at how their burial bequests reflected their familial affiliation; the second part will examine the testamentary bequests of three families who left behind several testaments in order to see how family ties shifted and evolved over time.

Funeral Arrangements and Pious Bequests

The practical considerations of arranging a funeral and making pious bequests were an important element of composing a will. The state took advantage of this, and notaries were required to remind testators of the city's charitable institutions when they had their testaments drawn up. Although this chapter will not focus on pious bequests, almost all the testaments in this study included them. Those who wished to show their piety and devotion to God would sometimes ask to be dressed as a tertiary sister or a friar for their funeral and be buried with as little pomp as possible. However, such bequests could also be used to advance a family's prestige. The patrician, Antonio Barbaro, patronised the parish church of Santa Maria Zobenigo and in 1679, he bequeathed 30,000 ducats for a marble facade to be constructed over the church.⁵⁹¹ The facade was a tribute to the Barbaro family and to Antonio's military prowess. This bequest, although religious, was part of his personal rivalry with Francesco Morosini (Barbaro's military superior and from 1688, Doge of Venice), who

et XV^e Siècles (Rome: École française de Rome, 1995), 378–380; Stanley Chojnacki, "The Patronage of the Body: Burial Sites, Identity, and Gender in Fifteenth-Century Venice," *Journal of Medieval and Early Modern Studies* 45, no. 1 (2015): 83–85.

⁵⁸⁹ Anna Bellavitis, *Famille, genre, transmission à Venise au XV^e siècle* (Rome: École française de Rome, 2008).

⁵⁹⁰ Bellavitis, *Identité, Mariage, Mobilité Sociale: Citoyennes et Citoyens à Venise au XVI^e Siècle*, 126–137.

⁵⁹¹ "Antonio Barbaro." Gino Benzoni, in *Dizionario Biografico degli Italiani - Volume 6, Istituto dell'Enciclopedia italiana*: 1964. <http://www.treccani.it/enciclopedia/antonio-barbaro> (Dizionario-Biografico).

had accused Barbaro of incompetence during the War of Candia in 1657, and sent him back to Venice to be tried.⁵⁹² Although Barbaro was not ultimately charged with any wrong-doing in the Venetian courts, the situation created bad blood between the two patricians. Having a facade that elevated the Barbaro family, as well as Antonio's prestige, was a final snub to Francesco Morosini, especially since in his will Barbaro stated that the facade should face Ca' Morosini.⁵⁹³

Burial bequests were also indicative of a family's status and affiliation. Like patricians, many members of the citizenry had family tombs in the city. For each new generation these tombs represented the family's prestige and honour, so where a person chose to be buried was indicative of their unity, as well as how they wished to be remembered.⁵⁹⁴ In 1683, Sebastiano Moretti wrote in his will that, "My body is to be buried under our arch in Santa Maria Zobenigo, where the others my brothers, sister, and wife are buried".⁵⁹⁵ Earlier in 1663, his illustrious neighbour, Bortolommeo Borghesaleo, wrote that he was to be buried under his newly constructed arch at the foot of the altar in the *Ospedaletto e Santissimi Giovanni e Paolo*.⁵⁹⁶ These resting places signified the prominence and piety of these Venetian families, who for the most part were members of the intellectual and social elite.

It should be stressed though, that not all of the lawyers in this study chose to be buried with their family or commissioned new tombs in the city. In 1611, Giovanni Antonio Leffio, a Doctor of Law, stated in his will, "[...]My body is to be buried without pomp where and how my wife Signora Isabetta likes."⁵⁹⁷ His indifference was not due to the absence of parochial or natal family ties, as he focused his charitable bequests on his father's place of origin in Caneva (a small town in the Veneto). As he went on to say,

For the relief of my soul I want that a total of ten ducats a year is spent out of my earnings in Chisore to buy salt, which is to be distributed to all the families in the district who are from Caneva from the land of

⁵⁹² Ibid.

⁵⁹³ Mary Laura Gibbs, *The Church of Santa Maria Del Giglio* (Venice: International Fund for Monuments, Venice Committee, 1974), 10.

⁵⁹⁴ All of the plaques in Santa Maria Zobenigo are dated after the remodeling of the Barbaro facade, so it is quite likely that the families who had a tomb within the church were moved elsewhere.

⁵⁹⁵ Il mio corpo sia sepolto nella nostra arch in S[an]ta Maria Zobenigo dove sono sepolti gl' altri miei fra[te]lli, sorella, et consorte. ASVe, Notarile Testamenti, b 773, n.102. 16 September 1683.

⁵⁹⁶ Zannini, "La Logica Della Distinzione. I Borghesaleo, Una Casata Di Terraferma Al Servizio Della Serenissima (XVI-XVIII Sec.)," 96–100.

⁵⁹⁷ [...]il corpo sia sepolto senza pompa dove et come parera la S. Isabetta mia consorte. ASVe, Notarile Testamenti, b.1243, n.320, 28 July 1611.

Chisore every year after the first mass of advent in the church of the servite friars, giving their portion to each head of the family[...].⁵⁹⁸

Leffio was not alone in deciding to give his heirs the choice of where to bury him; his wealthy neighbour, Iseppo Tirondello, made a similar request to his daughters.⁵⁹⁹ While such ambiguous requests implied that their funeral and burial arrangements had been prearranged, they also allowed their family members to decide where their resting place would be.⁶⁰⁰ These examples imply that not all male testators placed a great emphasis on ancestry and lineage in their burial requests. Their different burial requests may also be explained by the fact that the Moretti and Borghesaleo families had lived in the city for a longer duration and were *cittadini originarii*. As such they placed far greater importance on their family's prestige in Venice than the Leffio or Tirondello families, who in contrast were relative newcomers from the *terraferma*. However, Chojnacki found that half of the patrician men in his study did not mention a family connection when naming their resting place.⁶⁰¹

This discussion on burial requests varied according to gender and marital status. Women were seen as transient members of the household but not of the family; they were expected to marry and leave their natal household, but their relationships with their natal family did not end on their marriage.⁶⁰² In deciding their burial place female testators had the opportunity to decide whether they would be buried with their husband's family, with their family of birth, or alone.⁶⁰³ Isabelle Chabot's study on fourteenth and fifteenth century Florence found that mothers were more likely to be buried with their husband's family, whereas childless women on average divided their affiliation more evenly between their natal and marital families.⁶⁰⁴ Stanley Chojnacki found in his study that widows had an equal preference for their marital or natal families, while wives had a slight preference for their natal family.⁶⁰⁵ However, he did not mark these findings as trends and

⁵⁹⁸ "Voglio che in remedio del anima mia siano spesi delle mie intrade di Chisore ducatti dieci al anno in comprar tanto sale d'esser distribuito al tutte le famiglie della contra sara de caneva della terra di Chisore ogn'anno la vigilia de natale duopo celebrare la prima messa nell chiesa delle Reverendi frati di Servi dando a cadaun capo de famiglia la sua portione." ASVe, Notarile Testamenti, b.1243, n.320, 28 July 1611.

⁵⁹⁹ Chojnacki, *Women and Men in Renaissance Venice*, 81.

⁶⁰⁰ This seems to have been in the case in the Leffio family as in 1628, Lodovico requested to be buried in his mother's tomb.⁶⁰⁰ ASVe, Notarile Testamenti, b.57, n.383, 1628, 28th November

⁶⁰¹ Chojnacki, "The Patronage of the Body," 86.

⁶⁰² Christiane Klapisch-Zuber, *Women, Family, and Ritual in Renaissance Italy* (Chicago: University of Chicago Press, 1987); Chabot, *La Dette Des Familles*, 369–393; Chojnacki, "The Patronage of the Body."

⁶⁰³ Chojnacki found that the majority of women in his study, regardless of marital status, chose to be buried in convents or monasteries, with no overt connection to their family. Chojnacki, "The Patronage of the Body," 90.

⁶⁰⁴ Chabot, *La Dette Des Familles*, 377–380.

⁶⁰⁵ Chojnacki, "The Patronage of the Body," 83–84.

stressed that both wives and widows made their burial bequests according to their own inclinations.⁶⁰⁶

The burial requests of the mothers and wives in this study demonstrate that the choice of where to be laid to rest could sometime be more complicated.⁶⁰⁷ Isabetta Cigala Vidalli lived with her son Raimondo Vidalli in Santa Maria Zobenigo. However, in 1641 when Isabetta wrote her will, she felt particularly torn about declaring her resting place, stating, "[...] and [I would like] to be buried in San Francesco [in Padua] where you will find [my] lady mother and I believe that this will content my brother, I will not make mention of another tomb so that I disgust no-one."⁶⁰⁸ She went on to ask that following her death a daily mass be said for her for one year, half where she was buried and the other half in the church of Padri di Tolentini in Padua, where her son Marco was buried.⁶⁰⁹ In Isabetta's case there is a sense that although she asked to be laid to rest in her natal family's tomb, she felt torn between them and her children.

These relationships were even more complex when a woman married several times, especially in cases where each marriage produced children. Margarita Ordano first married Giovanni Battista Cesana when she was in her late teens.⁶¹⁰ Despite there being a 30 year age difference between the couple, and the fact that she was his third wife, when Margarita came to write her will she asked to be buried next to Giovanni Battista.⁶¹¹ Both his first two wives had chosen to be buried with their natal families, and Margarita had had children with Giovanni Battista and her second husband, Giacomo di Negri, but in the end she decided to be buried with her first husband.

The ties that influenced a person's burial requests were not the same as those that affected the division of their worldly goods. It was precisely because of this distinction that their burial requests can sometimes provide an alternative view on a person's family ties and affiliation. Whether a person would be remembered as part of their natal family, marital family, or alone was an important distinction for these individuals. However, such decisions were not always clear or easy to make.

⁶⁰⁶ Ibid., 85.

⁶⁰⁷ Chabot, *La Dette Des Familles*, 369–391.

⁶⁰⁸ [...] e di esser sepolta nell arca a san franseco dove si ritrovala signora la [mia] madre che credo che mio fratello si contentera non faccio mentione di al tra arca per mi disgustar niuno ". ASVe, Notarile Testamenti, b.177, n.416, 1641, 30th April.

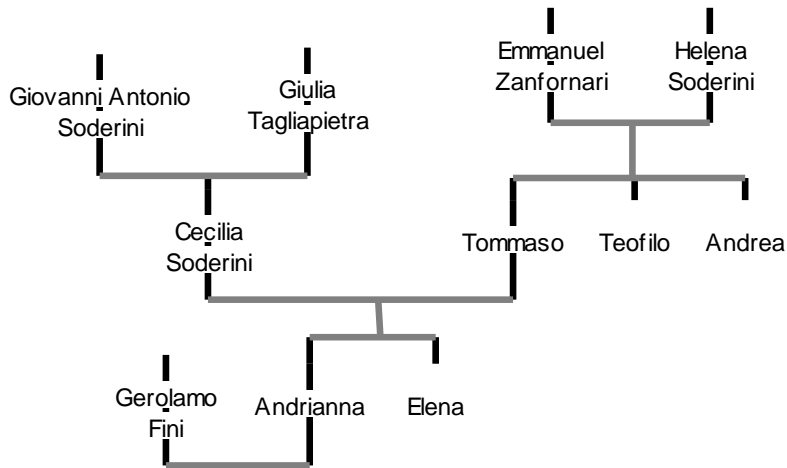
⁶⁰⁹ Ibid.

⁶¹⁰ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

⁶¹¹ "Voglio che seguita la mia morte il mio corpo sia sepolto nella Chiesa delli R R Padri de Frari nella area da Ca Mari all' altare della concessione ove fu sepolto il mio primo Marito." ASVe, Notarile Testamenti, b.175, n.211, 27 November 1710.

Figure 5.2

The Zanfornari Family



So far I have examined the burial requests from Catholic lawyers within the city and mainland. However, there were families living in Santa Maria Zobenigo who had strong ties to the Eastern Venetian territories. Such was the case for Tommaso Zanfornari and his family. His father Emmanuel, an artist, was originally from Corfu, while his mother, Helena Soderini was from a Venetian family from Cyprus (probably of Florentine origin).⁶¹² His wife, Cecilia, was also a Soderini from Cyprus, but from a different branch. The Zanfornari and Soderini families had settled in Venice, but Tommaso and Cecilia's burial requests suggest that their families had assimilated into the city in different ways.

Tommaso was the head of the *Capitolo di Quaranta*, (the office responsible for the Greek community in Venice).⁶¹³ In his will, in 1651, Tommaso made several bequests to San Giorgio dei Greci, including a bequest to its nuns, who were to receive two ducats each.⁶¹⁴ In addition to this he left

⁶¹² His father made a good living out of his profession in Venice and, he was commissioned to paint a number of Greek inspired or religious pieces for S. Giorgio. Some of his works such as *La Dormizione di San Demetrio* are held in the Museo del Istituto Ellenico di Venezia. Kyrris, "The Cypriote Family of Soderini and Other Cypriotes of Venice (XVI-XVII Centuries)," 72–73; Maria Constantoudaki-Kitromilides, "Le Icone e l'arte dei pittori greci a Venezia. Maestri in rapporto con la confraternita greca," in *I Greci a Venezia: atti del Convegno internazionale di studio, Venezia, 5-7 novembre 1998*, ed. Maria Francesca Tiepolo and Eurigio Tonetti (Venezia: Istituto Veneto de Scienze, Lettere ed Arti, 2002), 592–595.

⁶¹³ Tassini, *Cittadini Veneziani*, BBMC, Provenienze Diverse, ms. P.D. c 4/ 4 - p. 244bis, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>

⁶¹⁴ ASVe, Notarile Testamenti, b.1139, n.267, 14 February 1651.

500 ducats for a family tomb to be made so his family could be buried together.⁶¹⁵ In contrast to the other lawyers in Santa Maria Zobenigo, who had a much more fluid connection to the parish, the Greek Orthodox community had a much stronger focal point. This simplified their burial requests, as presumably both marital and natal families would have been buried in the same church in Venice.

Despite this greater unity, matters were more complicated for Tommaso's family, as Cecilia and her family were Catholic, and her grandfather had established a tomb in Santa Maria dei Miracoli.⁶¹⁶ Rather than be buried with Tommaso or her second husband, the patrician, Gerolamo Querini, Cecilia asked to be buried in her natal family's tomb and gave her heirs the ability to do the same.⁶¹⁷ The offer implied that both their daughters were raised as Catholics. Although it is not entirely clear, their elder daughter, Adrianna seems to have been Catholic and she married one of the newly made patricians, Gerolamo Fini, who like Adrianna was Catholic but had ties to the Venetian territories.⁶¹⁸

Such a religious divide meant that Tommaso Zanfornari's tomb in San Giorgio was not intended for his future heirs, but for himself and his wider natal family. Greek Orthodox families may have shared more characteristics in common, but the two families (Zanfornari and Flangini) in this study seem to have shared more than marriage strategies and a burial place. Tommaso Zanfornari's daughter, Adrianna, married Gerolamo Fini and through this connection she ended up residing in Palazzo Flangini.

In 1638, Tommaso Flangini bought a residence on the Grand Canal in Santa Maria Zobenigo from the Contarini family for 10,000 ducats, and two years later, in 1640, he bought the adjoining residence from the Da Ponte family for 6370 ducats.⁶¹⁹ Flangini's plan was to join the two houses together to make an impressive *casa grande* for his family. Tommaso Flangini's daughter Marietta was his universal heir, but unfortunately she did not have any surviving children, and so after her death a large portion of his fortune went to the creation of a Greek confraternity.⁶²⁰ Much of his

⁶¹⁵ He left S. Zorzi di Greci 300 ducats, 25 ducats to their archbishop and two ducats each to their nuns, in return that they pray for his soul. ASVe, Notarile Testamenti, b.1139, n.267, 14 February 1651.

⁶¹⁶ Tassini, *Cittadini Veneziani*, BBMC, Provenienze Diverse, ms. P.D. c 4/ 4 - p. 244bis, Digitised Image, <http://lettere2.unive.it/manoscritti/tassini/>

⁶¹⁷ ASVe, Notarile Testamenti, b.1267, n.88, 5 December 1666.

⁶¹⁸ Ibid.

⁶¹⁹ Bassi, *Palazzo Ferro Fini*, 26–28.

⁶²⁰ ASVe, Notarile Testamenti, b.1139, n.267. 30 April 1640.

property was sold, and Gerolamo Fini bought the Casa Grande in Santa Maria Zobenigo.⁶²¹ Given that both Flangini and Zanfornari were lawyers and members of the Greek Orthodox Church, it was quite likely that they knew each other. Even so, I doubt that Flangini intended or even imagined that Zanfornari's daughter would end up as mistress of his household in Santa Maria Zobenigo, but in leaving such a substantial amount of his fortune to the Greek Church, this situation came to pass.

The Zanfornari-Soderini case underlines that families from the eastern Venetian territories, whether Catholic or Greek Orthodox, behaved differently to new families from the mainland. The Zanfornari and Flangini cases cannot be considered as representative, but their marriages were such that their family ambitions were distinct from the other families in this study. The fact that Tommaso Zanfornari married a Catholic, and raised Catholic daughters, shows that he consented to a religious divide in his family. Although the other families in this study experienced similar divisions, they were influenced by multiple familial, parochial or communal ties, whereas the Greek Orthodox community was tied to one church in the city.

Family Bequests

The Importance of a Natal Family

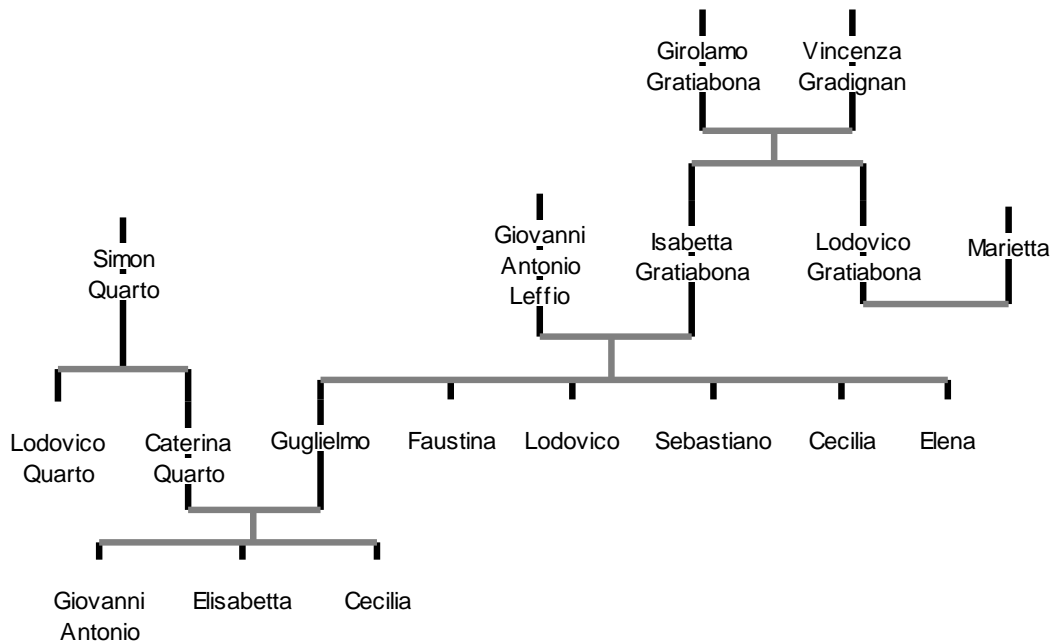
The transmission of wealth after death marked a point of change within the family. Each member had their own place in the family hierarchy, and a death would have had an impact on the family's internal dynamics. Although the death of the head of the family would have had a different impact to that of a widowed aunt, their testaments and the manner in which they bequeathed their wealth was important.

The following section will examine the testamentary bequests through three case studies. The first case will look at a family that lived in *fraterna*, the second will examine how senior female branches of a family used testaments to instill their authority and agency, and the third will explore how weak family relations could negatively impact a testator's bequests. Rather than dividing these examples up thematically by marital status, each case study will look at several testaments within the family to see how different family members bequeathed their wealth.

⁶²¹ Bassi, *Palazzo Ferro Fini*.

Figure 5.3

The Leffio Family



The Leffio family may have been a relatively new family in Venice, but they were long term residents of Santa Maria Zobenigo. Giovanni Antonio, his wife, and their children first appeared in the 1591-1595 *status animarum*.⁶²² When Giovanni Antonio died in 1611, his children were still relatively young: his eldest son Guglielmo (1581-c.1670) was only 26 years old.⁶²³ In his will, Giovanni Antonio gave his wife Elisabetta a great deal of agency: besides giving her control over his burial place, he also gave her usufructuary rights over all his goods and matriarchal authority over the family. In his parting message, he stated: "I want that my said wife can kick out of the house anyone who gives her cause [...] [and] that she stays free and absolute head of the family for as long as she lives as a chaste widow."⁶²⁴ Like many husbands, Giovanni Antonio was trying to encourage Elisabetta not to reclaim her dowry, but giving her such agency as his widow implied the role that she had taken as his wife, and perhaps the affection they shared. Despite this enticement, Elisabetta did not continue living with her sons, but there is no evidence that she

⁶²² ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, *Status Animarum*, B2

⁶²³ His age is calculated from the age given in the 1649 catastico. ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

⁶²⁴ "Voglio che detta mia consorte possi licentiar di casa quello o quelli che gli ne darano causa[...] che ne resti libera et assoluta patrona fino che vivera vedova et caste." ASVe, Notarile Testamenti, b.1243, n.320, 28 July 1611.

remarried either. The Leffio brothers owned many properties on the mainland and it is possible that she established her main residence elsewhere.⁶²⁵ In regards to his children, Giovanni Antonio was more precise. By 1611 his eldest daughter, Faustina, had already joined the convent of S. Iseppo, and he left her an annuity of two ducats. To his two younger daughters, Elena and Catterina, he left a dowry and living allowance of 2000 ducats.⁶²⁶ The rest of his estate he left to his three sons, Guglielmo, Lodovico, and Sebastiano, and joined them together in *fraterna*. He also established a *fedecompresso* on all the immovable property, preventing the brothers from selling or dividing the estate and ensuring that it passed whole to their heirs.⁶²⁷

After Giovanni Antonio's death, Guglielmo became the head of the family. He was the only one of his brothers who got married, and at some point between 1612 and 1627, he married the daughter of a Venetian citizen, Catterina Quarto. Unfortunately, in 1628 Guglielmo's middle brother, Lodovico passed away, but his will has survived.⁶²⁸ Given his young age and the fact that he lived in *fraterna* with his brothers meant that he would not have owned much independently. His bequests consisted mostly of personal items, jewellery, and clothing. Even so, the act of bequeathing his worldly goods was important to him. With the exception of his sister, Faustina, who was a nun, his bequests were directed more or less exclusively to the members of his household. He divided the majority of his personal goods between his young nephew, Giovanni Antonio, and brother, Sebastiano.⁶²⁹ However, his bequests to his nephew came with the caveat that they would remain in Catterina's possession while he was a child, and it would be for her to decide when her son should receive his inheritance.⁶³⁰ When Lodovico wrote his will, his mother Isabetta Gratiabona was still alive. Although the majority of Lodovico's wealth was tied up in the family *fraterna*, he expected to receive a portion of his mother's fortune on her death. With this in mind he bequeathed 800 ducats of that expected inheritance to his two nieces for their dowries.⁶³¹

In his final bequest, Lodovico reaffirmed the *fraterna* between his brothers, reinforcing the bond between them. The smaller bequests he made suggested that within the Leffio household, Lodovico had a good relationship with his nieces and nephew. Moreover, by making his sister-in-law,

⁶²⁵ She never appeared on the tax records in Santa Maria Zobenigo. ASVe, Notarile Testamenti, b.1243, n.320, 28 July 1661. Dieci Savi Sopra le Decime di Rialto, Condizioni, b. 213, n. 672. 26 January 1661.

⁶²⁶ ASVe, Notarile Testamenti, b.1243, n.320, 28 July 1611.

⁶²⁷ Ibid

⁶²⁸ ASVe, Notarile Testamenti, b.57, n.383, 28 November 1628.

⁶²⁹ Ibid.

⁶³⁰ Ibid.

⁶³¹ Ibid.

Catterina, guardian over her son's small inheritance, he underlined his respect for her position.⁶³² However, there were some family members that Lodovico did not give bequests to, most notably to his two other sisters, Elena and Catterina, who had already married and left their natal home. Their absence from Lodovico's testament suggests that when he wrote his will, his thoughts were directed more fixedly on the members of the Leffio household.

Neither Giovanni Antonio nor Lodovico made any reference to the Gratiabona family in their testaments. However, it was through Elisabetta's family that the Leffio family later secured a substantial inheritance. After Giovanni Antonio's death, in 1611, Elisabetta Gratiabona-Leffio was a rich and influential widow in her own right, but she was also heir to half of her brother's estate. In his will in 1651, her brother Lodovico Gratiabona divided his estate very simply, and named his sister, Elisabetta, and his wife, Marietta, as joint heirs and executors of his estate with the right to bequeath their inheritance as they chose.⁶³³ However, considering that in 1651, Elisabetta's oldest son, Guglielmo, was 66 years old, she must have been at least 80 years old when Lodovico's will came into effect.

Unfortunately Elisabetta's will is not referenced in the index at the Archivio di Stato so we cannot know the specific way in which she bequeathed her enhanced fortune. However, by comparing the inventory made after her death in 1659 with the Leffio brothers' property declaration for the *decime* in 1661, any immovable property she bequeathed can be inferred.⁶³⁴ From the inheritance she received from her brother Lodovico only one property in particular stands out, a house and haberdashery in S. Stefano, with an annual rent of 120 ducats a year.⁶³⁵ Elisabetta's inventory took an account of her wealth at the time of her death including, a portion of her brother's fortune, and all her debts and legacies. It did not make a note of any of Elisabetta's household goods, but it made a good estimation of her worth at the time of her death.⁶³⁶

⁶³² Guglielmo's will has survived: it was notarised by Gregorio Bianconi in 1657 but it was never unsealed. Due to this it has formed part of Gregorio Bianconi's, *Atti Segreti*. This box of sealed documents falls under a type of privacy protection at the Archivio di Stato and I am still trying to gain access to the testament. Considering that Guglielmo was the head of the family, it would be interesting to see how he passed on his property, and to whom he gave formal and informal authority within the family and the household. It is here that the issue of Sebastiano's marital status will really be addressed.

⁶³³ ASVe, *Notarile Testamenti*, b.179, n.813, 15 April 1651.

⁶³⁴ ASVe, *Giudici di Petition, inventari*, b.367, n.32, 85;

⁶³⁵ ASVe, *Giudici di Petition, inventari*, b.363, n.27, 83-84; ASVe, *Giudici di Petition, inventari*, b.367, n.32, 85; ASVe, *Dieci Savi Sopra le Decime di Rialto, Condizioni*, b. 213, n. 672. 26 January 1661.

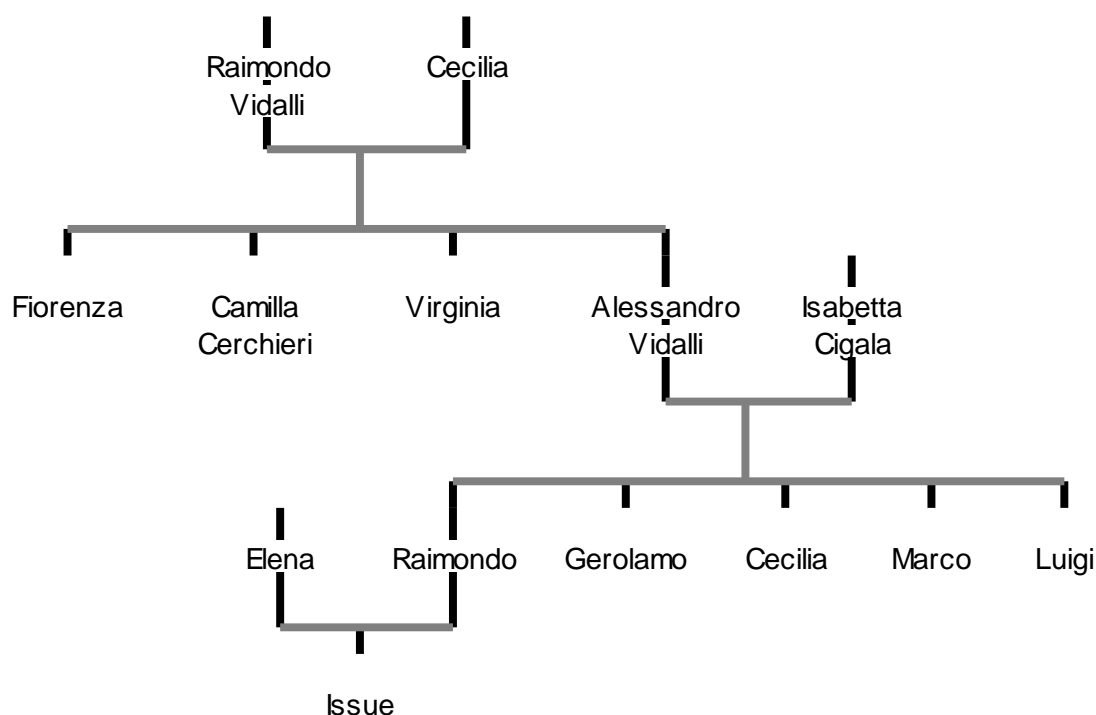
⁶³⁶ ASVe, *Giudici di Petition, inventari*, b.367, n.32, 85.

Testaments can only show so much, but within the Leffio family, their wills gave us a greater sense of their family's dynamic. Both Giovanni Antonio and Lodovico prioritised certain family members over others in their testamentary bequests. Giovanni Antonio bequeathed the majority of the family fortune, while Lodovico only bequeathed his wealth and expected inheritance, which largely went to benefit his nieces and nephews. Giovanni Antonio used his will to elevate the position of his wife, and Lodovico to reinforce the position of his sister-in-law within the family. Both women would have held influential positions, but it is interesting that both father and son in their own way attempted to reinforce such matriarchal agency.

Exercising Authority and Agency through Testamentary Bequests

Figure 5.4

The Vidalli Family



Not all the families in this study lived in *fraterna*. In sharp contrast to the Leffio family, Raimondo Vidalli, the eldest of four brothers, was his father's main heir. The son of Alessandro Vidalli and Isabetta Cigala, his family were part of the mainland nobility and in official documents Alessandro and later Raimondo were referred to as Conte Vidalli.⁶³⁷ Raimondo's two youngest brothers, Luigi and Marco, both took holy orders and joined the Padri Tolentini in Padua. Less is known about

⁶³⁷ ASVe, Giudici di Petition, inventari, b.367, n.32, 3.

Gerolamo, and he was not mentioned in any of the family's wills after 1629, so presumably he predeceased his father. Therefore, Raimondo did not just receive the bulk of the patrimony because he was the eldest son, but because his other brothers were not in a position to share it.⁶³⁸

In 1649, Raimondo was listed as living in Santa Maria Zobenigo, in a household full of female relatives.⁶³⁹ From the *catastico* for that year his household consisted of his wife, his mother, his sister, and his female cousin. Raimondo also had three young daughters living away from home in 1649, possibly with their governess in another residence or in a convent.⁶⁴⁰ His sister, Cecilia was still of marriageable age at 23, but her mother's will shows that she had already decided not to marry and instead to live as a *dimessa* (a tertiary sister who took no formal vows, but lived the religious life at home).⁶⁴¹ Raimond's female cousin was also not a temporary member of the household, as at 38 years old, it was unlikely that she would have married, unless she had a very compelling dowry.

In terms of testaments, only those from female family members have survived. Between 1629 and 1662, two of Raimondo's aunts Fiorenza Vidalli and Camilla Cercheri, as well as his mother, Isabetta, wrote their testaments and several codicils.⁶⁴² Each codicil showed a small shift in the dynamics of the Vidalli family, and the testator's attempt to keep their bequests in line with them.

Raimondo's younger brothers, Marco and Luigi, joined the Padri Tolentini when they were still young men, but they retained close ties with their natal family. In 1629, when Fiorenza first composed her will, she left the brothers a small legacy of 25 ducats each, but in a codicil in 1639 she expressed concern over how that money would be used and declared: "[...] To the reverent D[on] Marco and D[on] Luigi my nephews, I do not want that the reverent Padri Tollentini should hold a claim to any part, but that my said nephews should be able to spend the money on what

⁶³⁸ Whether Luigi and Marco were encouraged to join the church so that they would not be considered eligible to receive their portion of the patrimony, is another matter. Renata Ago found that parents often influenced their sons' career path. See, Ago, "Young Nobles in the Age of Absolutism: Paternal Authority and Freedom of Choice in Seventeenth-Century Rome," 301–309.

⁶³⁹ ASPV, "Archivio segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

⁶⁴⁰ Ibid., b. 1.8-1.10. 1638-1668.

⁶⁴¹ ASVe, Notarile Testamenti, b.177, n.416, 30 April 1641.

⁶⁴² Fiorenza updated her will several times, she first wrote it in 1629, but added codicils in 1633, 1639 and in 1662. (Fiorenza) ASVe, Notarile Testamenti, b.177, n.396, 26 June 1627; 15 November 1639; 21 January 1662; ASVe, Notarile Testamenti, b. 1267, n. 147, 2 February 1633; (Isabetta) ASVe, Notarile Testamenti, b.177, n.416, 30 April 1641; (Camilla) ASVe, Notarile Testamenti, b. 177, n. 293, 23 March 1649.

they like".⁶⁴³ Fiorenza's bequest seems to suggest that the brothers did not have a high position within the order. However, this sense of protectiveness towards both brothers did not last.

Two years later, when their mother, Isabetta, wrote her will in 1641, she implied that, rather than the order, it was her son, Luigi, who was at fault. She left a bequest of 40 ducats to both her sons, but when it came to Luigi she stated,

"To Don Luigi, if at the time of my death he is still part of our faith I leave forty ducats, but if he be not in any one religion and if he be still blinded by a demon then I do not leave him anything except my blessing [...] I pray to our Lord that he enlightens me [and] lets me know of your most grave errors."⁶⁴⁴

There was more going on with Luigi's supposed demonic possession than can be inferred from these two wills. Demonic possession could be used to explain away a number of illnesses or sins. However, if his offence was of an illicit nature, it is possible that the female members of his family would have viewed his actions more harshly. Secular men could have mistresses and conduct illicit affairs as long as they were discreet, but a priest may not have been given the same luxury. It does not appear that Luigi ever recovered his family's good will, because in 1662, Fiorenza excluded Luigi from her will and gave his portion to Marco.⁶⁴⁵ In her codicil she made a point of calling her first nephew 'Marco Vidal', and then stated that her other nephew would now be referred to as 'Luigi Tollentino'.⁶⁴⁶ Luigi's actions, whatever they were, clearly embarrassed or shamed the family to the extent that by 1662 they had practically disowned him in their wills.

From these bequests it is clear that the brothers kept ties with their wider natal family, not just their parents and siblings. However, maintaining ties with one's family was not enough, it was also necessary to conform to their expectations. Due to Luigi's fall from grace, Marco received 90 ducats from both bequests. Considering the wealth of the Vidalli family this was a relatively small amount and reflected the fact that Marco had taken holy orders.⁶⁴⁷ Still, small bequests could hold as much emotional weight as substantial ones.

⁶⁴³ "[...] Alli R[everen]di D[on] Marco e D[on] Luigi miei nepoti non voglio che li R[everen]di padri Tollentini di d[ett]a religione possi pretender cosa alcuna ma che d[et]ti miei Nipoti spende d[ett]o denaro in quello li piacerà [...]." ASVe, Notarile Testamenti, b.177, n.396, 15 November 1639.

⁶⁴⁴ "A don luigi si sara in religione al tempo de la mia morte li lascio ducati 40 ma si non fuse in niuna religione e che fuse ancora ciechato dal demonio nin gli lasio alltro che la mia beneditione[...] io prego al signore che li lume mi faccia conoscer di suoi gravissimi erori." ASVe, Notarile Testamenti, b.177, n.416, 30 April 1641.

⁶⁴⁵ ASVe, Notarile Testamenti, b.177, n. 396. 21 January 1662.

⁶⁴⁶ Ibid.

⁶⁴⁷ ASPV, 'Archivio Segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

In her codicil in 1633, Fiorenza left her maid, Margarita Gallassa, 50 ducats, whether she was present in her household or not at the time of her death, stating:

"[...] because I am sure that the said Margarita would not leave my service of her own free will [...] and for her long and faithful service to our whole family [...] I want, in case that she is found in a fragile state and is unable to work, that my said brother be obliged to provide for her during her lifetime, and I do not want that he should spend less than thirty ducats every year."⁶⁴⁸

Servants were an important element in the running of a household, and in public they represented the families they served.⁶⁴⁹ In some cases these servants could spend their entire lives working for the same family, and in such cases the bonds they formed with their employers could be particularly strong.⁶⁵⁰ Fiorenza's relationship with Margarita presents a prime example of such a bond. When placed in contrast with the bequests that she gave to Marco and Luigi, Fiorenza's bequest to Margarita was more indicative of an emotional relationship than a familial one. Although Fiorenza may have had an affection for her nephews, she expected them to behave properly, whereas, her bequest to Margarita came without any conditions.

When it came to Raimondo and his sister, Cecilia, the bequests made to them were more substantial and indicative of their marital status and position in the family. Raimondo's position in the family was reflected not only in the bequests made to him by his mother and aunts, but also by the position they afforded him in their wills. Each one of them named Raimondo as their executor.⁶⁵¹

Being appointed as their executor did not necessarily imply that Raimondo was given full authority to execute their last will. Fiorenza was cautious not to give either her brother Alessandro or Raimondo sole responsibility.⁶⁵² When she initially named Alessandro as her executor in 1629, she

⁶⁴⁸ "perche son sicura che detta Margarita di sua volonta non si partira mai del mio servitu... e per la longa e fidel servitu fatta a tutti della nostra casa[...] voglio che detto mio fratello in caso di ritrovassi la detta overo in stato inhabille e non potendo piu servire, che sia obbligato a farli le spese sino che essa vivera e non volendo spesarli debbi contrarlo ogni anno trenta ducati." ASVe, Notarile Testamenti, b.1267, n.167, 2 February 1633.

⁶⁴⁹ D. Romano, *Housecraft and Statecraft: Domestic Service in Renaissance Venice, 1400-1600* (Baltimore: Johns Hopkins University Press, 1996), 18–27 and 35–94.

⁶⁵⁰ Sarti, "A Masters Discourage the Marrying of Their Male Servants and Admit Not by an Any Means the Marriage of the Female: Domestic Service and Celibacy in Western Europe from Sixteenth to the Nineteenth Century."

⁶⁵¹ ASVe, Notarile Testamenti, b.177, n.416, 30 April 1641; ASVe, Notarile Testamenti, b.177, n.396, 26 June 1629; ASVe, Notarile Testamenti, b.177, n. 293, 27 March 1649.

⁶⁵² Even so she did not include the Procuratori di San Marco to ensure that her bequests were officially carried out. Instead she used more informal means to control her brother and nephew. Chojnacki, "The Patronage of the Body," 82.

also placed her sisters and Isabetta as the co-executors.⁶⁵³ In her final codicil in 1662 she named Raimondo, Cecilia, and Marco, trusting that together they would help their brother execute her bequests.⁶⁵⁴ However as a parting warning she stated: "If they, my heirs and executors, fail to execute any part of my requests in full then all of my estate will go to the aforesaid monastery of S. Giovanni Laterano".⁶⁵⁵ For Raimondo and Cecilia that loss would have been much greater as they were joint heirs to the bulk of her estate.

Their aunt, Camilla, and mother, Isabetta, were less demanding in their bequests. In 1649 when Camilla first wrote her will she left Raimondo an annuity of 300 ducats.⁶⁵⁶ However she added a codicil in 1654, where she amended that amount to 700 ducats a year for life.⁶⁵⁷ Unlike Fiorenza, who included Cecilia in her bequest directly, Camilla only named Raimondo. However Cecilia lived in Raimondo's household under his care, and as the head of the family, Raimondo provided not only for his family but also for Cecilia and the female cousin living in his household.⁶⁵⁸ Such considerations may have influenced Camilla's bequest. It would certainly have given Raimondo the opportunity to save a greater dowry portion for his daughters, who also received an annuity of 50 ducats from their great aunt.⁶⁵⁹

In 1641 their mother, Isabetta, also gave generous bequests to Raimondo and Cecilia, but her motives were not in the same vein as her sisters-in-law. Instead she wanted to ensure that Cecilia would retain her honour as well as her agency in Raimondo's household. She left Raimondo the bulk of her estate, but she did so with the expectation that Cecilia would continue to live in her natal home.⁶⁶⁰ She devoted a good section of her will to encourage Cecilia and Raimondo to honour and care for each other. Not only that, but she appealed to her daughter-in-law, Elena, and her granddaughters to honour her request.⁶⁶¹

In so doing Isabetta wanted to ensure that Cecilia was not completely dependent on her brother's good will. Isabetta bolstered Cecilia's position by bequeathing her several properties in Venice, all

⁶⁵³ ASVe, Notarile Testamenti, b.177, n.396, 26 June 1627.

⁶⁵⁴ ASVe, Notarile Testamenti, b. 177, n. 396, 21 January 1662.

⁶⁵⁵ "Se li miei heredi e comesarii mancassero in qualche conto di essequire parte in tutti ho ordinato che tutto il mio residuo vadi al sudetto monastero di S. Giovanni Latterano". Ibid.

⁶⁵⁶ ASVe, Notarile Testamenti, b.177, n. 293, 27 March 1649.

⁶⁵⁷ ASVe, Notarile Testamenti, b.177, n. 293, 24 June 1654.

⁶⁵⁸ ASPV, "Archivio Segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.10, 1665.

⁶⁵⁹ ASVe, Notarile Testamenti, b.177, n. 293, 27 March 1649.

⁶⁶⁰ ASVe, Notarile Testamenti, b.177, n. 416, 30 April 1641.

⁶⁶¹ Ibid.

the goods within them, and usufructuary rights over everything she had left to Raimondo.⁶⁶² In addition, Isabetta left her daughter an annuity of 40 ducats, specifically for her attire.⁶⁶³ Being a *dimessa* meant that Cecilia was supposed to live frugally and dress plainly and modestly. However, Isabetta considered it important that her daughter's attire and residence should reflect her status.⁶⁶⁴ These bequests, in combination with Fiorenza's, meant that Cecilia would have been independently wealthy. Living in Raimondo's household and surrounded by her family helped to protect her honour, and ensured that she would live out her life in comfort and security. If Cecilia in fact lived according to the precepts of a *dimessa*, then she would not have needed to use much of that income.⁶⁶⁵ Therefore, when she in turn came to redistribute her fortune, Raimondo and his children would probably have received generous bequests.

The examination of the Vidalli family's testaments has underlined the importance of elder natal family members, as well as the influence, expectations, and pressures that they exerted on the younger members of their family. The bequests they made to Cecilia, Marco, and Luigi were intended to improve their position as well as their agency, but only as long as they acted honourably. These cases also showed the authority that elder members of the family could hold through their testamentary bequests. Fiorenza was a spinster, and Camilla and Isabetta were widows, but through their testaments they exercised authority and agency over the Vidalli family.

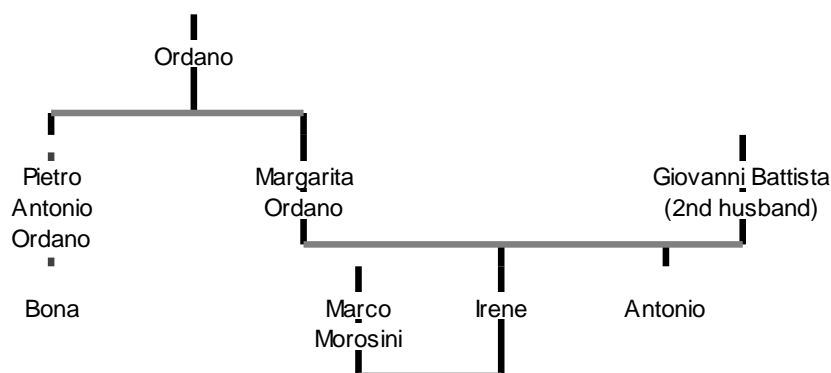
⁶⁶² Ibid.

⁶⁶³ Ibid.

⁶⁶⁴ Cesare Vecellio, *The Clothing of the Renaissance World: Europe, Asia, Africa, the Americas : Cesare Vecellio's Habiti Antichi et Moderni*, ed. Margaret F. Rosenthal and Ann Rosalind Jones (London: Thames & Hudson, 2008).

⁶⁶⁵ Gabriella Zarri, "The Third Way," in *Time, Space, and Women's Lives in Early Modern Europe*, ed. S. Menchi, Seidel, A Jacobson Shutte, and T Kuehn (Kirkville: Truman State University Press, 2001), 311–324.

Figure 5.5
The Ordano Family



Marital status and household type had a rather significant impact on how a person bequeathed their wealth. Lodovico Leffio might have written a very different testament, had he not lived in *fraterna* with his property locked in a *fedecommesso*. Moreover, husbands and fathers prioritised their wills in rather different ways to childless bachelors.⁶⁶⁶ In the absence of a wife or children, unmarried men would have presumably made their relationships with family or friends more explicit. It is generally considered that men were more likely to prioritise patrilineal heirs in their testaments, but that was not always the case. When families did not sustain good relationships, their testaments could reflect those negative dynamics.

Piero Antonio Ordano was a long-term resident of Santa Maria Zobenigo: he first appeared in 1653 living in his brother-in-law's (Giovanni Battista Cesana) household.⁶⁶⁷ The Cesana family must have lived in a household large enough to accommodate a number of extra family members, as they paid one of the highest rents in the parish - 300 ducats a year.⁶⁶⁸ This living arrangement must have suited them because Piero remained in the household until 1665, when presumably Giovanni Battista died and Margarita remarried. With the dissolution of his sister's household, Piero Antonio established his own residence in the parish.⁶⁶⁹

⁶⁶⁶ Bellavitis, *Famille, genre, transmission à Venise au XVIe siècle*, 2008, 110–113.

⁶⁶⁷ ASPV, 'Archivio Segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1653.

⁶⁶⁸ Ibid, b. 1.10, 1665.

⁶⁶⁹ Ibid, b. 1.10, 1668.

Unmarried men were more likely to give their natal family greater prominence in their wills. Piero spent several years living with his sister's family. When he established his own household he took in his nephew Antonio, but for the final years of his life he lived with his adopted daughter (*figlia d'anima*), Bona.⁶⁷⁰ Each of these relationships was expressed in his will but his last relationship overshadowed those with his natal family.

The bequest that Piero made to Margarita suggests that in 1681 the relationship between the two was strained. He bequeathed her a single silver fruit bowl, but left Bona the power to decide which one Margarita would receive.⁶⁷¹ What had actually transpired between the siblings is unknown, but the coldness of Piero's bequest implies that after he left her household their relationship had deteriorated. Piero's bequest did establish Bona as his principal heir, and he prioritised her over his sister.⁶⁷² Under different circumstances, brothers and sisters could enrich each other's fortunes in their wills.⁶⁷³ Unmarried members of the family were more likely to give precedence to these bonds, especially in cases where they lived together for years. Piero presents an alternative example because, although he and Margarita may have at one time shared close ties, they were not expressed in his testament. However, the fact that Piero prioritised Bona did not threaten Margarita's lifestyle, as at the time of his death she was married and financially secure.

His bequest to his nephew was much warmer and perhaps reflective of the kind of relationship that the two shared. He left Antonio all his books, "[...]as a testament of the affection that I have always professed to him, and that he expressed [to me] during my lifetime."⁶⁷⁴ It is not clear what profession Antonio chose to follow, but considering his family background, it was likely that he followed a civil profession. Given that Antonio had lived with Piero, after Margarita remarried, it was probable that Piero had played a semi-parental role in his nephew's upbringing, and this bequest expressed a continuation of his affection.

Piero left the remainder of his estate to his adopted daughter, Bona. How the two met and why she was living in Piero's household at the time of his death is not known, but the two shared an artificial father-daughter relationship. In his testament Piero described her as "[...] the daughter of my soul that has lived [with me] over the course of many years with little experience of life and

⁶⁷⁰ ASVe, Notarile Testamenti, b.109, n.21, 21 September 1681.

⁶⁷¹ Ibid.

⁶⁷² Ibid.

⁶⁷³ For an example of this see page 218.

⁶⁷⁴ "Per testamento del affetto mio sempre professato gli et da lui sperimentato in tempo della mia vita." ASVe, Notarile Testamenti, b.109, n.21, 21 September 1681.

with innocence of manners [...]."⁶⁷⁵ From this it appears that the relationship was an innocent one, but that was in itself dangerous. The reason that unmarried men lived with female members of their family was that there was no dishonour to the woman by living with her uncle or brother. However living with an 'unrelated' woman, even a girl, placed her honour in danger. This may explain why Piero found it necessary to underline her young age and innocence. Bearing this in mind, it is odd that he did not name an executor to ensure that his bequests were honoured. Perhaps there was no one he trusted enough not to disinherit Bona. Instead in his parting message he stated, "If anyone wants to breach this order or harass or bring distress to my said heir, I call him to account to the sovereign Judgement of God[...]."⁶⁷⁶ In making this last statement Piero highlighted not only his mistrust of his natal family and possibly wider kinship group, but also suggested that Bona had more agency than this will implies. If she was so young and innocent then she would not have had the courage or the knowledge necessary to enforce her rights over her inheritance. It is not possible to know more about this family dispute, but Piero's testament provides an example of how bachelors bequeathed their fortune when their natal family ties were weak.

Conclusion

The pressures and influences placed on an individual testator were numerous. Even deciding on where to be buried could be problematic for a testator who had good relationships with their natal and marital family. One benefit of being unmarried was that it reduced the number of familial ties and the sense of affiliation, but that did not necessarily mean that the natal family became central. Connections with friends, community, or parish could also influence the way in which a person composed his or her will. For those in the Greek Church it may be easy to assume that their religion would have given family more points of unity. For many families from the Venetian territories this was the case, but once families assimilated further into Venetian society we can assume that those ties became tenuous.

The way in which a family bequeathed its wealth was vital to the financial prosperity of the next generation. Sons and daughters were entitled to a portion of their parent's fortune, but the bequests made by siblings, aunts, and uncles also played an important role. The case studies of the Leffio and the Vidalli families have underlined how a family's testamentary practices could depend on the

⁶⁷⁵ "[...]mia figlia d'anima quale é vissuta per il corso di molti anni con puo eta in vita et con innocenza da costumi". Ibid.

⁶⁷⁶ "Se alcuno volesse contravenire a questo mia ordinatione o portar molesta o Travaglio a detta mia herede lo chiamo la render conto al suromo Tribunal di Dio." Ibid.

type of household they lived in. The gender divide between the Leffio and Vidalli examples was not intentional, but it does show the different ways that wealth could pass through a family. In a similar vein unmarried men that lived alone were freer to bequeath their wealth as they pleased. However, such freedom came with a price, one which Piero Antonio Ordano's family experienced when he bequeathed his fortune to his adopted daughter, Bona.

These cases have explored some of the influences and pressures that families had to deal with when writing their wills. There was a distinction between married and unmarried family members' testaments, but in all cases testators' family ties and relationships played an influential role over how they composed their wills. These relationships evolved over time and this was visible when looking at several testaments from one family. What was perhaps more difficult for these testators was deciding where to be buried, as in making that decision they selected an affiliation to a family that would live on long after their deaths.

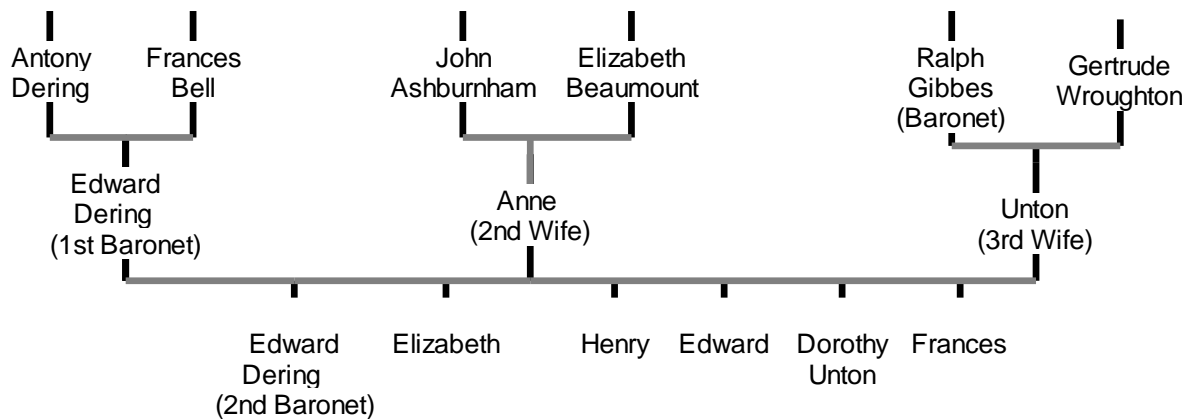
PART THREE

Family Relationships and Hierarchies

CHAPTER SIX - The Dering Family: Family Politics, Debt, and Marriage

2 Figure 6.1

The Dering Family



In 1646, when Sir Edward Dering (1625-1681) reached the age of majority, he inherited an estate that was in a state of turmoil.⁶⁷⁷ His father's inability to affiliate himself to the Royalist or Parliamentary cause, led to parliament sequestering his estate and lands in Kent, and imposing a fine of £1000 for their return.⁶⁷⁸ Given that the elder Sir Edward was already £9000 in debt, it would have been difficult for him to raise such a sum. The parliamentary forces were unsympathetic to his plight, and in the early 1640s they raided his estate four times.⁶⁷⁹ Thankfully the younger Sir Edward was able to have the sequestration lifted shortly after his father's death. The new Sir Edward took his position seriously; with his father's death he became responsible for managing the family estate and enhancing his family's status and prestige.⁶⁸⁰ Part of this responsibility was ensuring that the younger members of the Dering family did not bring their name into disrepute. Although Sir Edward did not always maintain good ties with his family, as a brother, father, and grandfather, he tried to direct those in his care on to the best path.

⁶⁷⁷ "Dering, Sir Edward, second baronet (1625–1684)," Paul Seaward in *Oxford Dictionary of National Biography* (ODNB), ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, January 2008, <http://www.oxforddnb.com/view/article/37354> (accessed 5 Nov 2015).

⁶⁷⁸ Basil Duke Henning, *The House of Commons, 1660-1690*, ed. Basil Duke Henning, vol. 2 (Boydell & Brewer, 1983), <http://www.historyofparliamentonline.org/volume/1660-1690/member/dering-sir-edward-1625-84#end-notes>.

⁶⁷⁹ Parliamentary Archives (PA), DER 43, fols. 135; "Dering, Sir Edward, second baronet (1625–1684)," Seaward in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/37354> (accessed 21 Aug 2015).

⁶⁸⁰ He became responsible for providing his unmarried aunts with dowries. Besides this financial responsibility it was also quite likely that he assumed a new social authority within the family as a whole.

O'Day, *The Family and Family Relationships, 1500-1900*, 73–80.

Sir Edward and his sister Elizabeth (1626-1681) were the children of the elder Sir Edward's second marriage to Anne Ashburnham, who was a kinswoman of the Duke of Buckingham, but their marriage only lasted for three years, as she passed away in 1628.⁶⁸¹ The elder Sir Edward did not spend long in mourning. A year later he remarried, this time to Unton, the daughter of Sir Ralph Gibbes, a member of the Warwickshire gentry.⁶⁸² Their surviving correspondence suggests that they had an affectionate relationship, Sir Edward referring to her as 'my dear Numpes' in his letters.⁶⁸³ From their marriage they had four surviving children, Henry, Edward, Dorothy Unton and Frances.⁶⁸⁴ As the third wife, Unton would have known that her own children were unlikely to inherit the estate, but still the elder Sir Edward attempted to provide for her and their younger children.

Following the tradition of primogeniture, the elder Sir Edward left the majority of his estate to his eldest son, but gave Lady Unton the use and control of the family seat for her lifetime.⁶⁸⁵ Leaving the family seat, Surrenden Dering, to his wife was a way for the elder Sir Edward to ensure that she and their younger children continued to live in the main family home. He also left annuities and portions of his estate to his two younger sons. His second son Henry received £80 per annum, as well as a manor house and lands in Pevington.⁶⁸⁶ His youngest son Edward (Ned) was given an annuity of £40 and a manor house at Moore and woodlands.⁶⁸⁷ His daughters, Dorothy Unton and Frances, were also to receive £30 a year, as well as dowries of £1200 each.⁶⁸⁸ However at the time of his death, Sir Edward's younger children were all still minors, aged between eight and fourteen years old, so their bequests would have been held in trust until they came of age.

⁶⁸¹ Despite her connections to Buckingham, Anne brought no dowry to the marriage. By 1625, Anne's father had passed away leaving no provision for her dowry, and her mother was in no position to offer her one. The fact that the elder Sir Edward married her in spite of this underlines how highly he valued his patron. "Dering, Sir Edward, first baronet (1598–1644)," S. P. Salt in *Oxford Dictionary of National Biography (ODNB)*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. David Cannadine, September 2010, (<http://www.oxforddnb.com/view/article/7531>, accessed 27 July 2015).

⁶⁸² Ibid.

⁶⁸³ Alison Cresswell, *The Dering Love Letters: A Collection of 17th Century Love Letters Sent by Sir Edward Dering to His Beloved Wife Unton* (Heritage Services Group, Kent County Council, Arts & Libraries, 1994).

⁶⁸⁴ Ibid. fols. 12-26.

⁶⁸⁵ Ibid. fols. 78-79.

⁶⁸⁶ Ibid, 43, fols, 80.

⁶⁸⁷ Ibid. fols, 80.

⁶⁸⁸ Ibid. 43, fols, 81.

Table 6.1		
Inheritance Portions given by Sir Edward Dering to his Wife and Children		
Members of the Dering Family	Annuity	Land/Property
Lady Unton	-	Surrenden Dering
Henry	£40	Pevington Manor and land
Edward	£20	Moore Manor and woodland
Dorothy Unton	£30	£1200 dowry
Frances	£30	£1200 dowry
Total	£120	-
Source: Parliament Archives, DER 43, fols, 78-81.		

Most fathers were acutely sensitive to the transmission of their estates, and after the Restoration, gentry families began to transmit their estates by strict settlement more frequently. This conveyancing tool was enacted on the eldest son's marriage. It set the order of succession from father to eldest son in tail, and established portions for younger sons and daughters.⁶⁸⁹ In theory, using a strict settlement would have reduced the chances of family discord after a father's death. Moreover, Patricia Crawford has shown the sense of duty that elder brothers felt in carrying out their father's testamentary bequests, even when they disagreed with them.⁶⁹⁰ Nevertheless, the transmission of wealth could still be a source of discord within families, especially stepfamilies.⁶⁹¹ While Sir Edward inherited his estate before the invention of the strict settlement, it does not seem that he adopted it when his eldest son married. Whatever his reasons Sir Edward preferred to bequeath his estate to his eldest without any further contingencies.

This sense of duty or obligation to one's parents has been long debated by historians of the family. Lawrence Stone's assertion that fathers ruled with a cold authority over their families has been well

⁶⁸⁹ Susan Staves, "Resentment or Resignation? Dividing the Spoils among Daughters and Younger Sons," in *Early Modern Conceptions of Property*, ed. John Brewer and Susan Staves (London: Routledge, 1995), 194–202.

⁶⁹⁰ Crawford, *Blood, Bodies and Families in Early Modern England*, 214–217.

⁶⁹¹ Stephen Collins, "British Stepfamily Relationships, 1500-1800," *Journal of Family History* 16, no. 4 (January 1, 1991): 331–44.

disputed.⁶⁹² Instead we can acknowledge that most families loved and cared for each other, and as Alan Macfarlane has argued, parents raised their children and supported them into adulthood with a sense of reciprocity.⁶⁹³ Subsequent discussions have shown that this was an unbalanced exchange, in which parents devoted material support to their children, in return for immaterial rewards, such as family loyalty and prestige.⁶⁹⁴ As Illana Krausman Ben-Amos has underlined, parent-child relationships were heavily influenced by Protestant values.⁶⁹⁵ A mother and father's duty was to instill their children with 'good breeding' through a moral upbringing and education; in return children were bound to honour and obey their parents. This sense of reciprocity was influenced by family hierarchy, especially in families of wealth and status where the elder son was elevated above his siblings. However, such favouritism went hand in hand with greater familial expectations and lesser freedoms in their upbringing, or choice of a spouse.⁶⁹⁶ Younger sons were in a sense freer, but had less financial agency, especially if they did not secure a good income through a profession or marriage. Given the normative and religious tones that characterised parent-child relationships, they were seen as an intrinsic element of parenthood and childhood. More recent studies have highlighted that a parent's duty never really ended, and only as their children grew into adults and had children themselves, can we see the evolution of their relationships.⁶⁹⁷

These discussions have focused largely on parents and their children, but in some cases siblings, or an unmarried aunt and uncle, could create an equal sense of obligation.⁶⁹⁸ Siblings could experience intense bonds or rivalries over their lifetimes.⁶⁹⁹ Brothers in particular would have wanted to

⁶⁹² Stone, *Family, Sex and Marriage in England 1500-1800*.

⁶⁹³ Houlbrooke, *The English Family 1450 - 1700*, 127–201; Pollock, *Forgotten Children*, 16–17; Macfarlane, *The Family Life of Ralph Josselin*, 111–125.

⁶⁹⁴ Ben-Amos, *The Culture of Giving*; Helen Berry and Elizabeth Foyster, "Childless Men in Early Modern England," in *The Family in Early Modern England*, ed. Helen Berry and Elizabeth Foyster (Cambridge: Cambridge University Press, 2007), 158–83; Tadmor, *Family and Friends in Eighteenth-Century England*, 125–129.

⁶⁹⁵ Ben-Amos, "Reciprocal Bonding," 292.

⁶⁹⁶ Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 70–79.

⁶⁹⁷ Joanne Bailey, *Parenting in England 1760-1830: Emotion, Identity, and Generation* (Oxford: Oxford University Press, 2012), 199–245; Ben-Amos, "Reciprocal Bonding"; Foyster, "Parenting Was for Life, Not Just for Childhood"; Linda A. Pollock, "Training a Child in the Way He/she Should Go. Cultural Transmission and Child-Rearing within the Home in England, circa 1550–1800," *Paedagogica Historica: International Journal of the History of Education* 32, no. 2 (January 1, 1996): 79–103.

⁶⁹⁸ Lisa Wilson, *A History of Stepfamilies in Early America* (Chapel Hill: UNC Press Books, 2014); Amy Harris, *Siblinghood and Social Relations in Georgian England: Share and Share Alike* (Manchester: Manchester University Press, 2012); C. Dallett Hemphill, *Siblings: Brothers and Sisters in American History* (Oxford University Press, 2011); Berry and Foyster, "Childless Men in Early Modern England"; Crawford, *Blood, Bodies and Families in Early Modern England*, 209–231; Tadmor, *Family and Friends in Eighteenth-Century England*; For a later example see, Leonore Davidoff, *Thicker Than Water: Siblings and Their Relations, 1780-1920* (Oxford: Oxford University Press, 2012).

⁶⁹⁹ Crawford, *Blood, Bodies and Families in Early Modern England*, 209–231; L. A. Pollock, "Rethinking Patriarchy and the Family in Seventeenth-Century England," *Journal of Family History* 23, no. 1 (1998): 3–27; Sheila M. Cooper, "Intergenerational Social Mobility in Late-Seventeenth and Early-Eighteenth Century England," *Continuity and Change* 7, no. 03 (December 1992): 283–301; Naomi Tadmor, "Dimensions of Inequality among Siblings in Eighteenth-Century English Novels: The Cases of *Clarissa* and *The History of Miss Betsy Thoughtless*," *Continuity and Change* 7,

establish independence from each other as they grew into adulthood, but over the course of a lifetime there probably would have been periods of interdependency. Their experience was heavily influenced by gender and marital status, as brothers and sisters would have had different relationships and expectations of one another. Moreover, studies on never-married men and women have revealed the important source of support that siblings could offer one another in the absence of a spouse or children.⁷⁰⁰ Amy Froide has shown that parents often kept a daughter or two unmarried in order to ensure that they were well looked after in old age.⁷⁰¹

Such a sense of family loyalty was pervasive, but family relationships were ‘changeable and interlaced’, family members could be a source of support one year, and thorns in the side in the next.⁷⁰² Studies on individual gentry families such as the Verneys of Claydon, as well as comprehensive studies on gentry families, have shown that maintaining good ties was a process of negotiation.⁷⁰³ Moreover, financial support and affection from a parent was often contingent on the child conforming to his or her expectations, even when they were adult.⁷⁰⁴

Sir Edward Dering was no exception, but rather than just favouring his elder sons he worked hard to ensure that all his sons were educated well; he tried to place them all on good career paths, as well as find suitable partners for them. Such attention underlined not only his affection and care for them, but also showed that he expected them to honour and enhance their family name and reputation. However, unlike fathers from the eighteenth century who showed more sentiment and tenderness for their children, Sir Edward was distinctly a man of the seventeenth century.⁷⁰⁵ Although he was not an emotionless patriarch it would be wrong to place him on an equal level to brothers, fathers or grandfathers from the eighteenth century.

no. 03 (December 1992): 303–33; Joan Thirsk and Joan Thirsk, “Younger Sons in the Seventeenth Century,” in *The Rural Economy of England* (London: The Hambledon Press, 1984), 335–58.

⁷⁰⁰ Lynn Botelho and Pat Thane, eds., *Women and Ageing in British Society Since 1500* (London: Routledge, 2014); Mccurdy, *Citizen Bachelors: Manhood and the Creation of the United States*; Berry and Foyster, “Childless Men in Early Modern England”; Erickson, *Women and Property*; Judith M. Bennett and Amy. M. Froide, eds., *Singlewomen in the European Past, 1250-1800* (Philadelphia: University of Pennsylvania Press, 1999).

⁷⁰¹ Froide, *Never Married*; Mccurdy, *Citizen Bachelors: Manhood and the Creation of the United States*.

⁷⁰² Pollock, “Rethinking Patriarchy and the Family in Seventeenth-Century England,” 4.

⁷⁰³ For the Verneys see, John Broad, *Transforming English Rural Society: The Verneys and the Claydons, 1600–1820* (Cambridge University Press, 2004); Whyman, *Sociability and Power in Late-Stuart England*; Slater, *Family Life in the Seventeenth Century*; For more general gentry studies see, French and Rothery, *Man’s Estate*; Heal and Holmes, *The Gentry in England and Wales, 1500-1700*; Linda Pollock, “Younger Sons in Tudor and Stuart England,” *History Today* 39, no. 6 (June 1989): 23.

⁷⁰⁴ Pollock, “Rethinking Patriarchy and the Family in Seventeenth-Century England.”

⁷⁰⁵ Bailey, *Parenting in England 1760-1830: Emotion, Identity, and Generation*, 22–47.

This chapter aims to bring together discussions on siblings, marital, and parent-child-grandchild relationships, and examine them through the eyes of Sir Edward Dering. Following Sir Edward's family relationships from 1644-1684, this chapter will examine how his family relationships, responsibilities and expectations evolved in practice.

The first part of this chapter will examine Sir Edward's relationship with his natal family, focusing on his relationship with Lady Unton, the role that he took in his sibling's lives, and how their relationships evolved. The second part will look at how Sir Edward dealt with his father's debts, then how his marriage to Mary Harvey expanded his family ties, and end by following his experiences of fatherhood and grandparenthood. The final part will focus on Sir Edward's family expenses and income from 1648-1684, including his concern over his eldest son's debts.

Studies on individual gentry families, such as the Verneys of Claydon, have shown the complexity of family dynamics as well as the interconnected nature of their relationships.⁷⁰⁶ Much of this was made possible by the survival of a large collection of correspondence for these families. Unfortunately the Dering family did not leave behind a similarly large collection of personal documents. Instead Sir Edward's household and account books from 1648-1661 and 1680-1684 have survived, along with a small collection (approximately 200 letters) of family correspondence between the 1640s and 1680s.⁷⁰⁷

Due to the fragmented nature of these sources there are some silences or 'muted' subjects which I will not discuss in the chapter, but which are notable by their exclusion. The first is the muted presence of his extended kin, aunts, uncles, cousins. Sir Edward does make reference to his extended family in his household book, but besides a brief mention of them, it is difficult to know the role that they played in the Dering family. The second is that Sir Edward only made obscure references to servants, neighbours, or friends. Given his position as a baronet, as well as his career in governmental office and parliament, we can assume that he had a wide circle of friends and associates in Kent, Ireland and London. However, assessing their influence on his family life and relationships is complicated. Therefore I decided to focus on the family members that left a stronger mark in the sources.

⁷⁰⁶ See footnote 703.

⁷⁰⁷ For household and account books see, PA, DER 43, 51 and 52; for letters see, CKS, U275, C1; CKS, U350, A3; CKS, U350, C1-C3, and U1713, C1 and C2.

Discord between Lady Unton and Sir Edward

After the elder Sir Edward's death, Lady Unton maintained control of Surrenden Dering and came into her jointure. However, she also laid claim to extra portions of the Dering estate, and in so doing she created discord with her stepson.⁷⁰⁸ Neither were willing to concede their position. Their dispute lasted more than a decade and even resulted in two court cases in 1648 and 1655.⁷⁰⁹ In 1658, Lady Unton proposed that if Sir Edward would relinquish his claim to the land, she would lease Surrenden Dering to him for £30 a year. At this stage, however, Sir Edward was not disposed to accept Lady Unton's proposal, stating, "This was all the kindnesse, but set forth in many lofty expressions of her noblenesse to me in condescending so farre".⁷¹⁰ However, by 1661 both Sir Edward and Lady Unton were more disposed to compromise, and they came to an agreement whereby Sir Edward would lease Surrenden Dering from Lady Unton for a term of 60 years at £20 per annum, and in return he forfeited his claim to the contested lands.⁷¹¹ He took up residence at Surrenden on 15th April 1661, making a special note in his household book, "TO SVRRENDEN: having agreed for it with my mother in law. April 15th. This day we went to keep house there".⁷¹²

Disputes between stepmothers and elder sons were not unusual among families with wealth and property.⁷¹³ Even though Lady Unton had been Sir Edward's stepmother from when he was an infant, their positions within the family placed them on opposite sides. Despite their dispute it seems that Lady Unton and Sir Edward were able to remain cordial during the 1640s and 1650s. Whatever their differences, they were united by their mutual affection and ambition for the younger Dering children.

The Strength of Sibling Ties

Sir Edward's involvement in his siblings' upbringing did not necessarily mean that the family had close ties as a whole. Sir Edward and Lady Unton's dispute would have had a negative ripple effect on his younger half siblings, especially his youngest half-sister, Frances, who in 1661 was required

⁷⁰⁸ PA, DER 17; CKS, U275, C1/14.

⁷⁰⁹ PA, DER 43, fol. 110; TNA, C 6/142/51; C 5/395/78.

⁷¹⁰ PA, DER 52. August 1658. This is a copy of Sir Edward's account books, the originals are held in, CKS, U275, A3.

⁷¹¹ Nati. H. Krivatsy and Laetitia Yeandle, "Books of Sir Edward Dering of Kent (1598-1644)," in *Private Libraries in Renaissance England: PLRE 1 - 4*, ed. Robert. J. Fehrenbach and Elisabeth. S. Leedham-Green, vol. 1 (Binghampton: Center for Medieval and Early Renaissance Studies, 1992), 147.

⁷¹² PA, DER 43, fol. 274.

⁷¹³ Chapters 2 and 4 show examples of disputes between stepmothers and step children. This type of dispute was experienced more widely in elite families, when step parents and children contested the other's claim to the family estate. Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 84.

to leave her childhood home with Lady Unton.⁷¹⁴ However, given the age difference between them and Sir Edward, it was quite likely that he had a fatherly rather than a fraternal relationship with them. In October 1657, when his sister Dorothy Unton got married, Sir Edward proudly noted, “[...] I were as her father to give her[...]”. This distinction was underlined by the relationship that he had with his sister Elizabeth who was closer to him in age, and in 1644 was already married and settled.⁷¹⁵ Sir Edward’s first household book detailed most of his social encounters from 1656-1661. From his records, it seems that he frequently stayed at his sister’s home, as her husband’s family estate at Calehill was only two miles away from Surrenden.⁷¹⁶ In 1684, Sir Edward wrote that of all the family and friends whom he had lost, her death in 1681 affected him the most.⁷¹⁷

The Dering siblings may have formed strong bonds individually, but as a whole they did not seem to act as a close knit family. Sir Edward’s household book showed that they came together at least once a year for a dinner in December or January, but that Sir Edward never spent a Christmas at Surrenden, and he made no other mention of a prolonged family gathering in these early years.⁷¹⁸ Even so these annual dinners brought together not only the Dering siblings, but their spouses and wider marital families as well. In January 1660, their yearly dinner included not only his siblings and their spouses, but also Lady Unton, Henry’s father-in-law, Thomas Peake, as well as members of Elizabeth’s marital family, the Darrells.⁷¹⁹

For the Dering siblings as a whole, marriage expanded their family ties and loyalties. All of the Dering siblings eventually married, but some delayed their marriages longer than others. Both Sir Edward and his sister, Elizabeth, married at much younger ages than their half siblings. Sir Edward married in 1648, when he was 23 years old (see table 6.2), and Elizabeth in 1642, when she was only 15 years old.⁷²⁰ It was not unusual for elder sons and daughters to marry early, but it seems that Elizabeth was married off particularly early, as when her father allotted portions for Dorothy Unton and Frances, he noted that they should not be married before the age of 16.⁷²¹ In terms of

⁷¹⁴ PA, DER 43, fol. 274.

⁷¹⁵ Collins, “British Stepfamily Relationships, 1500-1800.”

⁷¹⁶ PA, DER 51, 1656-1661.

⁷¹⁷ PA, DER 52, 1684

⁷¹⁸ PA, DER 51, 1656-1661.

⁷¹⁹ Ibid. January 1660.

⁷²⁰ PA, DER 43, fol 14.

⁷²¹ The fact that the Darrells were a neighbouring Kentish family, and that Elizabeth would only have been two miles away from her family home, may partly explain why she married at such a young age PA, DER 43, fol 81; Kim M. Philips, *Medieval Maidens: Young Women and Gender in England, C.1270-c.1540* (Manchester: Manchester University Press, 2003), 42; Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 69; Broad, *Transforming English Rural Society*, 2004, 111.

whom they married, only Sir Edward married outside of the Kentish gentry, the rest married within their own local elite.⁷²² This conformed to marriage patterns among the lesser gentry, or those who did not take advantage of London as a marriage market.⁷²³ The Dering family were part of the upper gentry, but such tactics helped to preserve strong ties within the locality. The Dering sisters in particular would have remained closer to their natal home. Having three sisters with residences in Kent made it possible for Sir Edward and his siblings to maintain close family ties, as both he and Henry spent much of their year travelling between London and Kent.⁷²⁴

Table 6.2				
The Dering Siblings' Age of First Marriage				
Dering Siblings		Spouses' Name	Years	Age
Brothers	Edward	Harvey	1648	23
	Henry	Peake	1660	28
	Ned	Barkham-Delaune	1669	36
Sisters	Elizabeth	Darrell	1642	15
	Dorothy Unton	English	1657	27
	Frances	Cowper	1670	34
PA, DER 43, fols 14-16				

Shortly after the Restoration in 1662, Sir Edward was given a governmental post in Ireland, and spent most of the 1660s living in Dublin. Any correspondence that he sent to his siblings or to Lady Unton has not survived, and it is difficult to know how their ties developed. His second household book for 1680-1684 suggests that with the exception of Elizabeth and her husband, Sir Edward's siblings did not visit him at Surrenden.⁷²⁵ Instead his 'inner circle' consisted more exclusively of his wife's natal family, his children and their families. His siblings' absence from Surrenden suggests that they were not actively present in each other's daily lives, but that they sustained ties at a distance.⁷²⁶

⁷²² PA, DER 43, fol 81.

⁷²³ Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 61.

⁷²⁴ PA, DER 43, fol. 260-276.

⁷²⁵ PA, DER 52, 1680-1684.

⁷²⁶ Evidence for this can be seen in Sir Edward's interaction with Henry during the 1670s. Although Henry and his family played a nominal role in Sir Edward's daily interactions, the two maintained close ties. See page 181.

Family historians have acknowledged the importance of sibling ties - through their shared childhood experiences and heritage they could form bonds that would last a lifetime, but these relationships could also result in fierce rivalries or factions.⁷²⁷ With the exception of Elizabeth, Sir Edward's half-siblings were unlikely to have had shared childhood experiences with him. Only as they grew into adulthood would their relationships have solidified, but even then, what role did Sir Edward play in their lives?

Being the Elder Brother – Sir Edward's Fraternal Relationships

[...] having confidence you have naturall affection; and ambition to honor your family [...] though the glory of it be in you; yett these branches may (by Gods blessing) give some luster, as the smaller starrs to the greatest light; your fatherless brothers [...] highly value your love and good thoughts of them [...].⁷²⁸

Lady Unton Dering (1649)

The Dering siblings may not have had a strong sense of family solidarity, but after their father's death Sir Edward did take a semi-parental responsibility for his siblings. His role in his brothers' upbringing was motivated by a combination of family ambition and emotion. By ensuring that his brothers received a good upbringing, Sir Edward was contributing to his family's reputation and status. In 1644 Sir Edward's younger brothers Henry (1632-?) and Ned (1633-1704) were just eleven and twelve years old. The elder Sir Edward had been a learned man, an antiquarian; when he passed away he left a library of over 2000 books.⁷²⁹ As the elder brother, Sir Edward had received a well-rounded education. Between 1639 and 1644 he attended Cambridge and the Middle Temple (admitted in 1641), and finished it by travelling around France and the Netherlands from 1644-1646.⁷³⁰ In the above extract written on 12th March 1649, Lady Unton was asking for Sir Edward's opinion on where to place Henry and Ned and for financial support. She proposed to place Henry with a tutor, at the cost of twelve shillings a week, and to apprentice Ned to a merchant.⁷³¹ Giving Henry a gentlemen's education was important, because he was the second son, and in the event Sir Edward passed away childless, Henry would inherit the Dering estate. Whereas Ned as the third son stood little chance of inheriting further wealth, and as such was given the tools to make his

⁷²⁷ Stone, *Family, Sex and Marriage in England 1500-1800*, 116; Thirsk and Thirsk, "Younger Sons in the Seventeenth Century"; Harris, *Siblinghood and Social Relations in Georgian England*, 81-111.

⁷²⁸ CKS, U350, C2/103.

⁷²⁹ Krivatsy and Yeandle, "Books of Sir Edward Dering of Kent (1598-1644)."

⁷³⁰ Henning, *The House of Commons, 1660-1690*, 1983.

⁷³¹ CKS, U350, C2/103.

own fortune. Such strategic planning was not unusual for younger sons of the gentry, as parents and elder family members often put a lot of effort into deciding the best path to place them on.⁷³²

Ned Dering (1633-1704) – The Merchant

It seems that Sir Edward agreed with Lady Unton's proposal, as in March 1650 Ned was apprenticed to Roger Gore of Garlick Hill, a Hamburg merchant.⁷³³ Sir Edward and Lady Unton shared the cost of the £500 bond for his apprenticeship. This was no mean sum for an apprenticeship, suggesting that Ned had been well placed within the merchant community.⁷³⁴ Moreover, Ned was not the only member of the Dering family directed towards a mercantile profession.⁷³⁵ Sir Edward's household book also noted that between 1650 and 1660 four other Dering cousins were apprenticed to merchants.⁷³⁶ Another 'Edward Dering' was also placed with a Hamburg merchant in 1651 at Sir Edward's expense (£500 bond). In 1654 and 1655, both the younger Edwards were sent to Hamburg by their masters.⁷³⁷ However even before Ned went to Hamburg, Lady Unton wrote to Sir Edward on 7th February 1653, saying,

Ned hath much trobled me, with a very displeasing relation, of his master's harsh and barbarous usage of him, using continually base revillings of him, and drawing his knife at him swering he would stabb him [...] he is a little too high for so young a prentise [...] I pray God will give him the grace and wisdom to govern himself in so great and various temptassion as that wicked place presents to youth.⁷³⁸

She ended by asking Sir Edward to look into the matter, and the fact that Ned remained apprenticed to Roger Gore would imply that Ned was not completely innocent in the affair. No further concerns were raised about Ned after this. Shortly after the Restoration, Sir Edward offered to pay Ned's annuity of £40 a year in one lump sum of £500.⁷³⁹ Ned's agreement meant that after 1661 he ceased to appear in Sir Edward's account or household book. The fact that Ned became self-sufficient as a merchant goes some way to explaining his absence.

⁷³² French and Rothery, *Man's Estate*; Whyman, *Sociability and Power in Late-Stuart England*; Richard Grassby, *The Business Community of Seventeenth-Century England* (Cambridge: Cambridge University Press, 2002).

⁷³³ PA, DER 43, fol. 250.

⁷³⁴ C. W. Brooks, "Apprenticeship, Social Mobility, and the Middle Sort, 1550-1800," in *The Middling Sort of People: Culture, Society, and Politics in England, 1550-1800*, ed. Jonathan Barry and C. W. Brooks (Cambridge: Macmillan, 1994); Grassby, *The Business Community of Seventeenth-Century England*, 158-170.

⁷³⁵ Patrick Wallis and Cliff Webb, "The Education and Training of Gentry Sons in Early Modern England*," *Social History* 36, no. 1 (2011): 36-53, doi:10.1080/03071022.2010.542905.

⁷³⁶ PA, DER 43, fol. 250-251.

⁷³⁷ Ibid. fol. 250-251.

⁷³⁸ PA, DER 17, a copy of CKS, U1107, C2/22.

⁷³⁹ PA, DER 43, fol. 252

According to Sir Edward's household book, Ned only visited Surrenden once, in September 1671.⁷⁴⁰ In the intervening ten years, Ned married a rich widow, Dorcas Delaune of Sharsted in Kent, and became stepfather to her two young children.⁷⁴¹ Ned's absence from Surrenden shows that he did not spend a lot of time in the country.⁷⁴² However, it was quite likely that he and Sir Edward maintained a correspondence. This assumption was confirmed by Sir Edward when he wrote to his son-in-law in July 1675, mentioning that he had written to Ned.⁷⁴³ It is difficult to speculate further about the brothers' relationship, but it would seem that they did remain in contact with each other.

Ned and Dorcas did not have any children of their own. In 1703, when he composed his will, he noted that if he was not to be buried in St. Anne's Church in Westminster, then he should be "[...] deposited in the vault of our family in Pluckley church (where I was borne) as neare to my ever honoured Mother the Lady Unton Deering as may be [...]"⁷⁴⁴ He bequeathed the majority of his estate to his wife and made her his executrix.⁷⁴⁵ Ned Dering was one of the more obscure members of the Dering family, but his decision to be laid to rest in Pluckley suggests that he wanted to be remembered with them in death.

Henry Dering (1632-?) – The Lawyer

Less was noted about Henry's adolescence, but he may well have received a gentleman's education as some of the letters he sent to Sir Edward made classical references in Greek and Latin.⁷⁴⁶ He may have also acquired a 'training' in rhetoric and oratory at the Inns of Court, as on November 1653, Henry was admitted to the Inner Temple, and passed the bar almost nine years later on 12th May 1662.⁷⁴⁷ How much time Henry spent in London is unknown, but his annuity from Sir Edward and the income from his estate at Pevington would have given him a greater financial agency. Similarly to Ned, Sir Edward tried to give Henry his annuity in one payment, but the brothers could not agree on a price to Sir Edward's annoyance, who wrote; "I found the inconvenience of it [the

⁷⁴⁰ PA, DER 52, September 1671.

⁷⁴¹ PA, DER 43, fol 15; Arthur Collins, *The English Baronetage*, vol. 2 (London, 1741), 20.

⁷⁴² Kenneth Gordon Davies, ed., *Letters from Hudson Bay, 1703-40*, vol. 25 (London: Hudson's Bay Record Society, 1965), 384.

⁷⁴³ CKS, U1713, C1/14.

⁷⁴⁴ TNA, PRO, PROB 11/486/390.

⁷⁴⁵ Ibid.

⁷⁴⁶ CKS, U350, C2/137.

⁷⁴⁷ Inner Temple Admissions Database, Henry Dering, <http://www.innertemplearchives.org.uk/detail.asp?id=13756>.

annuity] so great that I desired to buy it of him offering him severall times £1200 for it but he insisting upon £2000 w[hic]h was 25 years purchase there was no possibility of an agreement”.⁷⁴⁸ Henry may have also been trying to agitate his elder brother, as in 1656 and 1657 Sir Edward had been unable to pay his annuity instalments, and consequently Henry had threatened to take some of Sir Edward’s sheep and cattle due to the delay.⁷⁴⁹ Sir Edward eventually made up the payment in 1658, but it was likely that this financial arrangement created some tension between the half-brothers.⁷⁵⁰ Whether Henry practiced as a lawyer is unknown, but he may have worked as a land surveyor in 1689, as his widow petitioned the Treasury to give one of their sons his position.⁷⁵¹

Henry married while he was still studying at the Inner Temple in 1660. His wife, Damaris, was the daughter of Thomas Peake of Hills Court in Kent.⁷⁵² What dowry she brought is unknown, but he must have considered his income sufficient to support his wife in the short term; he soon disproved that notion. Between 1663 and 1667, Henry and Damaris had four children: Edward, John, Katherine, and Unton.⁷⁵³ The combined cost of his growing family, as well as his lifestyle in London, meant that by 1668 Henry had fallen into debt. His friends and Damaris’ natal family were either unwilling or unable to loan him money or offer him support. In August 1668, Sir Edward noted their encounter:

“He came to me to Surrenden and telling me his debts then prest him so hard that unlesse I would lend him a considerable summe of money he could not appeare any longer abroad in safetie[...] and that the danger he was in of loosing both his reputac[i]on and his libertie was present and unavoidable without present supplies.”⁷⁵⁴

Sir Edward agreed to give Henry £600 for half the cost of his £80 annuity. Previously Henry had valued his annuity at £2000, but in 1668 matters had changed and Henry accepted Sir Edward’s offer.⁷⁵⁵ The advance of £600 may have satisfied Henry’s immediate creditors, but it did not resolve all of his debts and over the ensuing years his commitments only grew. Sir Edward’s willingness to

⁷⁴⁸ PA, DER 43, fol. 338. When Sir Edward and Henry had this discussion is unknown, as it was included with the details of the original annuity in 1639, when Henry was only seven years old, and their father was still alive. Most likely this discussion took place in 1653 when Henry reached the age of majority, or before his marriage in 1660.

⁷⁴⁹ PA, DER 51, January 1656 and October 1657.

⁷⁵⁰ PA, DER 43, fol 184-187.

⁷⁵¹ *Calendar of Treasury Books, Volume 9, 1689-1692*. Edited by William A Shaw. London: His Majesty's Stationery Office 1931. *British History Online*, accessed July 25, 2015, <http://www.british-history.ac.uk/cal-treasury-books/vol9>.

⁷⁵² Henry Dearing and Damaris Peake, 12 Jun 1660, "England Marriages, 1538–1973", *FamilySearch database*, FHL microfilm 1,042,328, <https://familysearch.org/ark:/61903/1:1:NKNP-F2B>; accessed 27 July 2015.

⁷⁵³ Collins, *The English Baronetage*, 2:20.

⁷⁵⁴ PA, DER 43, fol 338.

⁷⁵⁵ *Ibid.*.

assist Henry was both an extension of brotherly support and a means of protecting the family's reputation. Sir Edward had inherited a large debt himself, and had invested a considerable effort to pay off his father's creditors. Credit was an extension of a man's reputation - being unable to repay one's debts placed it in danger. The loss of Henry's reputation would have had a wider impact on his brothers. Reversing Lady Unton's logic, the lower branches could tarnish the family name just as easily as they could give it luster.⁷⁵⁶

Between March 1669 and July 1670, Sir Edward lent Henry a further £250.⁷⁵⁷ However, it seems that from June 1670 onwards Henry's wife, Damaris, started managing the family's finances, as the final few loans that Sir Edward made to his brother were given directly to Damaris, not to Henry.⁷⁵⁸ In 1670, matters came to a head, Sir Edward refused to continue lending his brother further sums of money, or advance him money from the annuity. He noted in his account book, "I having promised my sister his wife not to meddle w[i]t[h] the annuity in no sort without her consent and desire, w[hic]h I faithfully observed to her".⁷⁵⁹ However in November 1670, she came to him and asked him to buy out the remaining annuity for another £600, and that he should offer assurance that his brother would pay off his creditors, there being no other way to keep him out of debtors' prison.⁷⁶⁰ Sir Edward consented to her proposal, and the funds were released to pay off Henry's debts.⁷⁶¹ This kept Henry out of debtors' prison, but still they did not resolve his financial problems, especially since he could no longer rely on his £80 annuity.

The surviving correspondence between the brothers shows that from 1675-1678 matters only worsen. In February 1675, Henry drew up a list of his current debts at Sir Edward's request, which amounted to £92, £56 of which was due.⁷⁶² This was a relatively small sum considering that Sir Edward's yearly income was probably in excess of £2000 a year.⁷⁶³ However, it seems that Henry had already exhausted Lady Unton's patience, as when he asked to borrow £30 from her, she responded, "Hary have yu not had enough!"⁷⁶⁴ Presumably Sir Edward paid off Henry's debts again, but within a few short years Henry's luck finally ran out, and he was placed in debtors'

⁷⁵⁶ See page 177.

⁷⁵⁷ PA, DER 43, fol 341.

⁷⁵⁸ Ibid.

⁷⁵⁹ Ibid. fol. 342.

⁷⁶⁰ Ibid.

⁷⁶¹ They entered into an indenture in November 1675, where Henry and Damaris agreed that the £80 annuity belonged to Sir Edward. Ned was also included in the agreement in case he outlived Henry and his children. Sir Edward's marital kin were set up as trustees. PA, DER 43, fol 342.

⁷⁶² CKS, U350, C3/2. 2nd February 1675.

⁷⁶³ See table 6.8 for Sir Edward's income.

⁷⁶⁴ CKS, U350, C3/2. 2nd February 1675 and 22nd November 1675.

prison.⁷⁶⁵ Although Sir Edward did not save him from this fate in the end, he did take responsibility for Damaris and her children, and paid for their upkeep.⁷⁶⁶

In 1678, while in prison, Henry again drew up a list of his debts and this time they amounted to £133, but this was only a rough estimate, as Henry noted: “Sir Edward please keepe this for I am forced to collect it out of scattered papers and my memory [...]”⁷⁶⁷ From the list of creditors that he sent to Sir Edward, it did not appear that he gambled or lived extravagantly in London. However, the cost of living in London as a gentleman with a wife and children was demanding (see table 6.5). He and Sir Edward came to an agreement to lease his country estate, not only to pay off his debts, but also to provide an income for himself and his family.⁷⁶⁸ Henry gave Sir Edward full control over his affairs, but asked that his brother give him at least £22 a year to live on, suggesting that he had remained in prison long enough to become aware of his expenses.⁷⁶⁹

In one of the last surviving letters Henry sent to Sir Edward in 1678, he wrote, “On my wives comeing over to you now, I presume first to give you my hearty thanks for y[ou]r greate care and charge of two of my sons; as I can never recompence y[ou]r fatherly favoure to them[...]”⁷⁷⁰ Henry must have eventually secured his release as in 1683. Sir Edward got him a position at the newly built customs house in London to give him and his family an income and residence, noting: “[...] at the desire of my sister Dering, I accepted of this trouble”⁷⁷¹ This parting note implied that whilst relations between Henry and Sir Edward had broken down, Sir Edward felt a sense of responsibility towards his brother’s family and would not have seen them homeless or destitute.

Sir Edward and Damaris may have maintained good ties, but her sons, Edward, John (Jack) and Unton, squandered their relationship with their uncle. On 14th July 1680, Sir Edward noted,

“[...] the eldest being placed by my son Southwell w[i]t[h] Mr Browne master of one of the best ships trading to Virginia[...] The second being placed by me w[i]t[h] Auditor Dene [...] the eldest not 17 years old, the youngest hard 14: all three ran away: to the amazem[en]t of their friends and probably to their owne ruine, this now a full weeke since they went, and no newes of them.”⁷⁷²

⁷⁶⁵ Ibid. 7th August 1678.

⁷⁶⁶ Ibid. 7th August 1678

⁷⁶⁷ Ibid. 7th August 1678 and 18th August 1678.

⁷⁶⁸ Ibid. 18th August 1678.

⁷⁶⁹ Ibid.

⁷⁷⁰ Ibid.

⁷⁷¹ PA, DER 52. 20th June 1683.

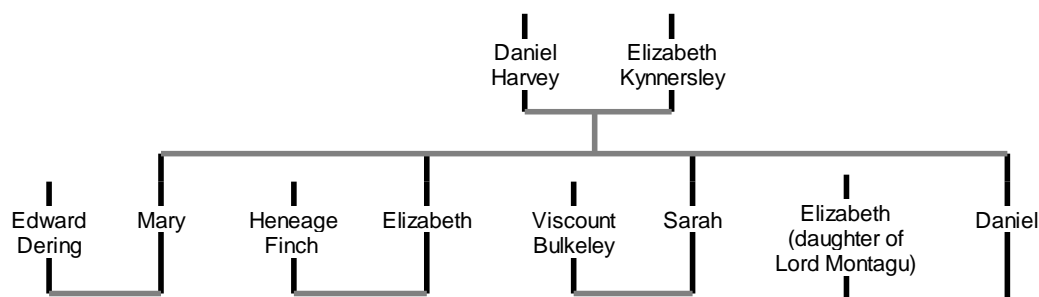
⁷⁷² Ibid. 14th July 1680.

With the exception of Unton, who reappeared in October 1681 when he was apprenticed to Mr Rogers, a scrivener, for £50, Sir Edward makes no further mention of his nephews.⁷⁷³ Whether their escape was a light hearted or serious issue was never mentioned, but their absence from Sir Edward's accounts implied that it was the latter.

Sir Edward's relationship with his younger half-brothers started off as a rather hierarchical one, but softened as the brothers grew into adulthood. While Ned thrived as a merchant and played a marginal role in his brother's daily life, Henry failed to establish his autonomy and ultimately tested the boundaries of their relationship. Kinship ties bound the Dering brothers, but they also created tensions. Borrowing money from family members was a common practice, as kin were less likely to charge high rates of interest, and they were generally motivated to aid family members in financial need.⁷⁷⁴ Nevertheless, Sir Edward's relationship with his brothers and their families was far more complex than these financial documents and fragments of correspondence show.

Sir Edward Dering - Managing his Expenses, Marriage and a Growing Family

Figure 6.2
The Harvey Family



From the above discussion it is easy to forget that in 1644, Sir Edward was only 20 years old. For a year his paternal uncle, Henry Dering, became his guardian and managed the estate in his name.⁷⁷⁵ In that year Sir Edward travelled around France and the Low Countries finishing off his education,

⁷⁷³ Ibid. 10th October 1681.

⁷⁷⁴ Crawford, *Blood, Bodies and Families in Early Modern England*, 202; Richard Grassby, *Kinship and Capitalism: Marriage, Family, and Business in the English Speaking World, 1580-1740*, Woodrow Wilson Center Series (New York: Cambridge University Press, 2001), 212–214.

⁷⁷⁵ PA, DER 43, fol. 135.

but even from the beginning, Sir Edward did not shrink from his new responsibilities.⁷⁷⁶ While accepting financial responsibility for his natal family, he also worked to reduce the family debt. In the years before his marriage he reduced the £8950 debt to £8160.⁷⁷⁷ Such a substantial debt emphasised the wealth and status of the Dering family, as well as the way that his family lived. Even under the weight of such a debt Sir Edward was by no means poor, and the fact that he was able to reduce the debt showed that his estate provided him with a reliable income. How Sir Edward managed his finances while travelling abroad is unknown but when he returned to England in 1646, he must have lived rather frugally for a man of his rank, as in these early years his income derived chiefly from his family's estates.⁷⁷⁸ His travel accounts show that he took up lodgings in London, but frequently travelled into Kent, where he stayed with family or friends.⁷⁷⁹ He made no note of staying at Surrenden during these years, which meant that when Sir Edward visited his estates, he would more often stay with his paternal grandmother in Pluckley, the village adjoining the family estate.⁷⁸⁰

Given that Sir Edward did not pursue a career during the civil war or interregnum period, making a good marriage was another way for him to diminish his debt and advance his position in the world. However, his decision to seek a wife in 1646 was not motivated purely out of financial need. Years later when Sir Edward wrote an autobiographical index of his life, he wrote, "[...] having past the smallpox w[hic]h took me just when I were 21 yeares old. I began to thinke of marriage."⁷⁸¹ Whether this was a 'romantic' shading of a more mercenary agenda or not, Sir Edward did start looking for a bride in the late 1640s.

⁷⁷⁶ Ibid. fols. 260-275

⁷⁷⁷ Ibid. fol. 192.

⁷⁷⁸ Ibid. fols. 141-149 and 204-209.

⁷⁷⁹ Ibid. fols. 260-275

⁷⁸⁰ Ibid. fols. 260-275

⁷⁸¹ PA, DER 52, April 1680.

Table 6.3		
Sir Edward Dering's debts from 1644 to 1675		
Date	Event	Debts
22nd June 1644	When my father died	8950
12th November 1646	When I came of full age	8780
5th April 1648	When I got married	8160
25th March 1649	When I used £3000 of my wife's dowry to pay my debts	5160
29th September 1651	After I bought land from Mr Huxley	4064
29th September 1654	I paid my sister Frances her portion, £1200.	2864
25th March 1658	After my grandmother's death	3860
25th March 1660	-	2750
25th March 1661	-	3230
29th September 1661	Moved back to Surrenden	3130
25th March 1663	Having bought out my brother Ned's annuity	2112
25th March 1665		2400
25th March 1667	-	1780
25th March 1669	Having bought one half of my brother Henry's annuity	980
29th September 1670	-	1200
29th September 1671	Having now bought out my brother Henry's full annuity	700
30 th December 1675	Reviewing his debts	1650
Source: PA, DER 43, ff 190-200.		

A year and a half after he had recovered, on 5th April 1648, Sir Edward married Mary, the second daughter of Daniel Harvey, a rich merchant.⁷⁸² Mary's father had given her a large dowry of £7000, as well as additional sums for her trousseau and wedding day (see table 6.4). Although Daniel Harvey did not live long after his daughter's marriage, he must have approved of Sir Edward as a son-in-law. He was even buried in the Dering family vault in Pluckley.⁷⁸³ Despite her wealth, and his title, Sir Edward was not in a position to set up a new family home equal to Surrenden, and it would be another twelve years before he and Unton came to an accord. Mary's family not only accepted his reduced circumstances but offered him support.⁷⁸⁴

⁷⁸² PA, DER 43, fol. 15.

⁷⁸³ Although it has been suggested that this was perhaps a stipulation made by Daniel Harvey during the marriage negotiations, given that he was buried up-ended in a corner point of the vault, and years later due to decay, the coffin crashed to ground during a service. Jessica M. Kerr, "Mary Harvey-Lady Dering," *Music and Letters* 25, no. 1 (January 1, 1944): 26.

⁷⁸⁴ PA, DER 43, fol. 249.

Table 6.4		
Breakdown of Mary Harvey's Dowry in 1648		
Family Member	Dowry/Wedding contribution	Amount
Father Daniel Harvey	Dowry Portion	£7000
	Wedding Clothes	£200
	Wedding Dinner	£100
	A Necklace of Pearls or a Jewel	£200
	A rich damaske bed	£200
	Furniture	
	household stuff	
	Linen	
	Plate	
Uncle Michael Harvey	A Necklace of Pearls	£60
Mother Harvey	In Gold	£50
Uncle Doctor Harvey	In Gold	£50
Uncle Eliab Harvey	In Plate	£10
Total		£7870
PA, DER 43, fol. 249		

The Harvey family were a rich and prominent family. Daniel Harvey and his brother Eliab had made their fortune as merchants in the Levant, but it was their brother Dr William Harvey who was the most noteworthy member of the family, best known for discovering the circulation of blood.⁷⁸⁵ Daniel Harvey was ambitious for his children: Lady Mary's elder sister, Elizabeth married

⁷⁸⁵ Kerr, "Mary Harvey-Lady Dering," 26.

Heneage Finch, who would later become Lord Chancellor and the Earl of Nottingham.⁷⁸⁶ Her younger siblings, Sarah and Daniel, also married well: Sarah marrying Viscount Bulkeley, and Daniel marrying the daughter of Lord Montagu.⁷⁸⁷ Sir Edward's marriage to Mary was therefore not just an alliance of wealth and rank, as the connections that he made through the Harvey family were lifelong. His connection and friendship with Heneage Finch, in particular, would in the 1670s become central to the upward trajectory of his career.⁷⁸⁸

However the most important connection for Sir Edward during the early years of his marriage was to his mother-in-law, Elizabeth Harvey, who took the newly married couple under her wing. For the first four years of their marriage, Sir Edward and his wife lived in Elizabeth's house in Lambeth Green, 'on free cost'.⁷⁸⁹ Lady Mary was four years his senior, and probably ready to become mistress of her own household, but as Elizabeth Foyster has suggested, it was not unusual for young newly married couples to live with one of their parents until they were able to live independently.⁷⁹⁰ Whether Mary approved of her living situation or not, she may have been thankful of her family's presence as she got pregnant almost immediately. Their eldest daughter, Elizabeth (Betty) was born on 21st January 1649 and was followed in quick succession by two sons, Edward and William, in April 1650 and July 1651.⁷⁹¹ With their growing family, living in Elizabeth Harvey's household gave Edward and Mary extra security. Moreover, in financial terms, Sir Edward calculated that this arrangement saved him £1000 in living expenses, but Elizabeth's generosity did not stop there, as Sir Edward's household books noted that between 1648 and 1655, she gave him a further £700 in gifts.⁷⁹² Her support in these initial years allowed Sir Edward to live up to his financial commitments without running deeper into debt. During these early years he was able to keep his expenses between £350 and £550 a year, and that was largely due to Elizabeth's support.

⁷⁸⁶ "Finch, Heneage, first earl of Nottingham (1621–1682)," D. E. C. Yale in *Oxford Dictionary of National Biography*, eee online ed., ed. David Cannadine, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/9433> (accessed July 5, 2016).

⁷⁸⁷ PA, DER 52, April 1680.

⁷⁸⁸ "Dering, Sir Edward, second baronet (1625–1684)," Seaward in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/37354> (accessed 21 Aug 2015).y

⁷⁸⁹ PA, DER 43, fol. 249.

⁷⁹⁰ Elizabeth Foyster, *Marital Violence: An English Family History, 1660-1857* (Cambridge: Cambridge University Press, 2005), 173.

⁷⁹¹ PA, DER 43, fol. 18-19.

⁷⁹² Ibid. fol. 249.

Table 6.5								
Sir Edward Dering's General Income and Expenses from 1648 to 1668								
Residence	Years	Rental Income	Other Income	Total Income	Housekeeping Expenses	Other Expenses	Total Expenses	Difference
Harvey's Household	1648	482	97	579	0	553	553	26
	1649	546	20	566	0	356	356	210
	1650	593	169	762	0	440	440	322
	1651	666	152	818	0	540	540	278
In London	1652	762	249	1011	305	933	1238	-227
At Combe	1653	628	194	822	326	972	1298	-476
	1654	711	519	1230	326	557	2083	347
	1655	633	365	998	459	652	1111	-113
At Pluckley Street	1656	586	108	694	397	541	938	-244
	1657	650	402	1052	560	812	1372	-320
	1658	848	535	1383	397	783	1180	203
In London	1659	908	472	1380	351	1331	1682	-302
At Church House	1660	953	583	1536	358	935	1293	243
At Surrenden	1661	812	245	1057	577	629	1206	-149
	1662	800	315	1115	606	384	990	125
In Ireland	1663	593	268	861	513	368	881	-20
	1664	962	876	1838	480	867	1347	491
	1665	1000	-	1000	385	491	2076	124
	1666	1000	-	1000	225	393	618	382
	1667	1000	-	1000	400	616	1016	-16
	1668	1000	-	1000	444	575	1019	-19
Source: DER 43, fols. 141-149								

Once Sir Edward left her household in 1652, his expenses almost doubled. To his credit Sir Edward initially tried to establish his family in London, but was unable to maintain the residence; later reflecting, "[...] I hired a house in St. Johns Close neare Clarkenwell (1652) where we lived for a yeare but finding London chargeable for housekeeping we removed to Old Comb neare Croydon, a house of my brother Harvey".⁷⁹³ Sir Edward lived at Combe until 1656, after which he and his growing family moved closer to his country estate in Pluckley, but they moved back to London again in the years before the Restoration.⁷⁹⁴

⁷⁹³ Sir Edward Dering, *The Diaries and Papers of Sir Edward Dering, Second Baronet, 1644 to 1684*, ed. Maurice Francis Bond (London: H.M. Stationery Office, 1976), 110.

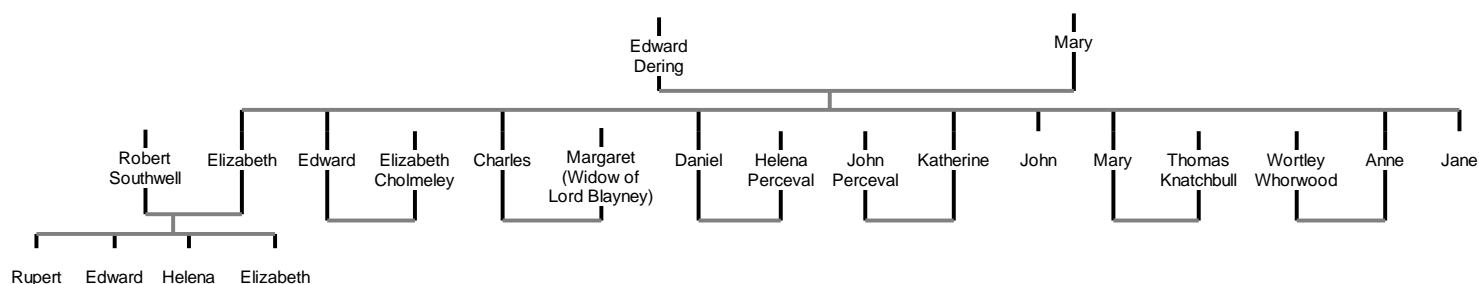
⁷⁹⁴ PA, DER 43, fols. 141-149.

Throughout the 1650s, Sir Edward's expenses increased, and he was not always able to live within his means, but through the good will of Mary's family, they lived comfortably while he fulfilled his financial commitments to his natal family. The fact that seven of his ten surviving children were born before 1660, may explain why his expenses increased so much during this period, and perhaps why the Harvey family were so supportive.⁷⁹⁵ In the years before the Restoration, it seems that Sir Edward and Mary lived largely on the income from his estates, credit, and the support of his wife's family. Without the Harvey family's assistance in these early years it was quite likely that Sir Edward, like Henry, would not have been able to keep his finances in check. His awareness of that may partly explain the close relationship that Sir Edward forged with his wife's natal family.

Sir Edward Dering and Lady Dering – Marriage and Parenthood

Figure 6.3

The Dering Family



“[...] I would say nothing still but all the soft tender friendship of my soul own every day a growing fondness for you bee like out frist wedding day[...]

⁷⁹⁶

Written on 19th September 1659, this letter was one of the few examples of correspondence that has survived between Sir Edward and his wife Mary. Sir Edward's father and his stepmother Lady Unton left behind a series of love letters that show their marriage was not just one based on duty and respect.⁷⁹⁷ Sir Edward and Lady Mary did not leave behind a large amount of correspondence, but they also seemed to have had an affectionate relationship. From the early years of their marriage, they found that they had a shared interest in music and poetry. As a child Mary had attended Mrs Salmon's school for girls in Hackney. While there she created a close friendship with

⁷⁹⁵ Ibid. fols. 17-27.

⁷⁹⁶ CKS, U350, C2/134.

⁷⁹⁷ Ibid. C2/21-94. 23 letters have survived between 1628 and 1644.

Katherine Phillips (the matchless Orinda), a poetess and woman of letters, who created a learned circle called the Society of Friendship.⁷⁹⁸ When they married, Mary brought Sir Edward into this group, and Katherine gave Sir Edward the nickname ‘the noble Sylvander’.⁷⁹⁹ While Sir Edward and Lady Mary lived in Lambeth Green, she continued taking music lessons with the musician, Henry Lawes. In 1655 when Lawes published his *Second book of Ayres*, he dedicated the book to Lady Mary, and included four poems written by Sir Edward, which she had set to music.⁸⁰⁰ Sir Edward did not just participate in this society for Lady Mary’s sake. In 1662 when Sir Edward was in Dublin at the same time as Katherine (Orinda), he wrote the epilogue to her translation of Pierre Corneillé’s, *La Mort de Pompée*, and thereafter began adding to his father’s substantial book collection with poetry and music books.⁸⁰¹

Besides their mutual interests, their shared care of their children and grandchildren also suggested that they had an affectionate marriage. Sir Edward and Lady Mary had 17 children, ten of whom survived childhood, but even after they settled in Surrenden, Lady Mary was not the kind of wife to stay at home in the country estate.⁸⁰² She travelled frequently, visiting her Harvey relatives in London and Surrey, and when Sir Edward got a position in Ireland, she and the children went with him.⁸⁰³ When their children married and left home, Lady Mary would leave Sir Edward in London and go with other relatives to visit them.⁸⁰⁴ Their many children and later grandchildren kept Lady Mary busy. Of the few surviving letters the couple wrote to each other, the welfare and upbringing of their children was a central topic.⁸⁰⁵ Lady Mary was not shy in her role as a mother, and was not reserved in suggesting what she thought Sir Edward should do as a father. In an undated letter she wrote to Sir Edward saying, “[...] I have inquired of Mr Aldridg at Cheme my brother Hervey tells mee he is a very good scoole Master and the Mistres better which I think is a great convenience there is no great hast to dow it when you com up it will be time anou[...]

⁷⁹⁸ Kerr, “Mary Harvey-Lady Dering,” 26–27.

⁷⁹⁹ Ibid., 29.

⁸⁰⁰ Ibid.

⁸⁰¹ Ibid.

⁸⁰² PA, DER 43, 17–19.

⁸⁰³ PA, DER 51, January 1656 – March 1661; PA, DER 52, September 1680 – April 1684.

⁸⁰⁴ A prime example of this is when she went to visit her eldest daughter, Betty in Kings Weston near Bristol for nearly 6 weeks. PA, DER 52, May – July 1681. Barbara J. Harris, “Sisterhood, Friendship and the Power of English Aristocratic Women, 1440–1550,” in *Women and Politics in Early Modern England, 1450–1700*, ed. James Daybell (Aldershot: Ashgate, 2004), 21–50.

⁸⁰⁵ CKS, U350, C2/134.

⁸⁰⁶ Ibid. C2/133.

Mary was an attentive mother even when the children were infants.⁸⁰⁷ Sir Edward noted that she breastfed the eldest four Dering children herself.⁸⁰⁸ Hiring a wet nurse was still common practice for elite women, since nursing mothers were advised not to conceive again until the child was weaned. Even so, the practice of elite mothers nursing their own children was growing in the seventeenth century.⁸⁰⁹ This was, in fact, a problem for Mary, as she had to wean her eldest son Edward (Ned) when he was only seven months old, as she had fallen pregnant again.⁸¹⁰ The fact that she stopped nursing the Dering children suggests that from 1655 onwards, Mary was either unwilling or, more likely, unable to continue breastfeeding them. Their fifth child, Anne (Nan), was ‘raised by hand’, and from that point onwards the Dering children were given over to a wet nurse.⁸¹¹ The fact that Sir Edward thought it noteworthy to record the change suggested that the decision carried some importance, but exactly why Lady Mary stopped nursing the children herself was never mentioned.

The focus that Sir Edward and Lady Mary gave to their children was underscored by those that survived infancy but not childhood.⁸¹² Sir Edward’s household book noted the majority of illnesses and bouts of sicknesses that he and his family suffered; he recorded everything from measles to kidney stones, and included the treatments suggested by his physicians.⁸¹³ While seven of their children did not survive, Sir Edward and Lady Mary took the deaths of their sons William and Heneage particularly hard.⁸¹⁴ Their second son William died when he was just six years old, on 21st April 1657, and Sir Edward marked his passing by stating, “[...]The promptnesse of his wit, the vivacity of his spirit, the beauty of his face and above all the incomparable sweetnesse of his disposition had placed him in my most particular affection[...].”⁸¹⁵ No further detail was given about his death which would suggest that his deterioration was sudden, but that was not the case with their younger son Heneage, who had been a sickly child and had suffered from severe headaches, lumps and swellings.⁸¹⁶ Sir Edward and Lady Mary consulted several doctors, and believing that he may have the King’s Evil, even took him to Charles II to receive the King’s touch

⁸⁰⁷ Jennifer Heller, *The Mother’s Legacy in Early Modern England* (Farnham: Ashgate Publishing, Ltd., 2013); Crawford, *Blood, Bodies and Families in Early Modern England*; Valerie Fildes, ed., *Women as Mothers in Pre-Industrial England* (Oxford: Routledge, 1990); Pollock, *Forgotten Children*.

⁸⁰⁸ PA, DER 43, fol. 18-20.

⁸⁰⁹ O’Day, *The Family and Family Relationships, 1500-1900*, 241–245; Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 77–79.

⁸¹⁰ PA, DER 43, fol. 18-20.

⁸¹¹ Ibid.

⁸¹² Newton, *The Sick Child in Early Modern England, 1580-1720*.

⁸¹³ PA, DER 52, September 1680 – April 1684.

⁸¹⁴ PA, DER 43, fols. 14-15.

⁸¹⁵ Ibid. fol 29.

⁸¹⁶ Ibid, fol 30.

in May 1660, but Heneage did not improve.⁸¹⁷ The toll of caring for their dying son was highlighted by Edward when he described how from June 1660 onwards, “[...]2 or 3 times in the night and once or twice in the day he would cry out lamentably with the violence of his payne[...]”.⁸¹⁸ Heneage suffered and deteriorated for a year before he passed away on 6th October 1660.⁸¹⁹ Edward usually only took a few lines to note the passing of his friends and relatives, but when it came to Heneage, Edward devoted more than a page describing his son’s character and the manner of his illness and death, stating:

[...] He was the strongest, biggest, tallest comeliest child from his birth to six yeares of age that was to be seen among a million[...] I made a partition in the vault laying planks so as to make an upper room where I set the coffin of my deare and sweet Will and ly him Heneage and there is roome fo myself and my wife[...].⁸²⁰

Raising the Dering Children – High Expectations

Sir Edward played an active role in his surviving children’s upbringing, and maintained close ties with them after they had reached adulthood. One of the largest compliments he could give his friends and relatives was that they had raised their children to adulthood, seen them established in professions, and married.⁸²¹ He held himself up to the same standard, and while he may have loved his children, he also had high expectations for them.⁸²² From the children that survived infancy, Sir Edward and Lady Mary had five sons and five daughters. His daughters’ education was overseen by Mary but Sir Edward made no mention of what that entailed.⁸²³ However, his household books were filled with the details of how he educated his sons and what career paths he placed them on.

Selecting a good tutor to place his sons with was important for Sir Edward, who had himself suffered at the hands of a ‘barbarous’ and ‘tyrannical’ school master.⁸²⁴ Relying on

⁸¹⁷ Ibid.

⁸¹⁸ Ibid.

⁸¹⁹ Ibid.

⁸²⁰ Ibid.

⁸²¹ PA, DER 52, April 1683.

⁸²² French and Rothery, *Man’s Estate*, For discussions on fatherhood see, Harvey, *The Little Republic*; Wallis and Webb, “The Education and Training of Gentry Sons in Early Modern England*”; Berry and Foyster, “Childless Men in Early Modern England”; Pollock, “Training a Child in the Way He/she Should Go. Cultural Transmission and Child-Rearing within the Home in England, circa 1550–1800.”

⁸²³ Heller, *The Mother’s Legacy in Early Modern England*, 15–36; Katharine Glover, *Elite Women and Polite Society in Eighteenth-Century Scotland* (Woodbridge: Boydell Press, 2011), 24–49; Fletcher, *Gender, Sex and Subordination in England, 1500-1800*, 364–375; Crawford, “The Construction and Experience of Maternity in Seventeenth-Century England.”

⁸²⁴ Dering, *The Diaries and Papers of Sir Edward Dering, Second Baronet, 1644 to 1684*, 108–109.

recommendations from family and kin Sir Edward placed his sons with various tutors, but his method was not always successful. His eldest son Ned was placed with several tutors during his childhood.⁸²⁵ In September 1658, Ned was removed from a school in Mitcham after only four months as he was sick with an ague, Sir Edward noting; “[...] Not willing to adventure him so young in a place where he is much better taught then fed, and under an excellent mother, but a mistresse whose little skill or care is not a sufficient securitie for so deare a pawne; no advantage of learning being a sufficient recompence for his health.”⁸²⁶

Sir Edward did not remark on the tutors whom he placed his middle sons with, but the problems that he had in educating his youngest son, Robin, were well documented in his household book. In November 1681, after having spent three years at a school in Canterbury and another two years with a tutor in Maidstone, Robin was placed with a new tutor. Sir Edward clearly hoped that this would improve his son’s ability to learn as he noted that Robin had “[...] lost his time exceedingly having learnt nothing at all[...] I judge this monsieur descotéz to be a painfull diligent man and where it is likely the boy will in two yeares time learne the Latine and French loungues [...] which is all I now expect of the boy[...]

”⁸²⁷ Sir Edward may have thought that his son needed a firmer tutor in order to advance in his studies, and held high and clear expectations of him. Robin remained with Mr Descotéz for two years before Sir Edward was forced to remove him because his tutor proved to be too forceful when it came to discipline. Sir Edward despairingly wrote: “[...] the master was grown very tirannicall, striking them much upon the head, and taking them up by the eares from the ground, and then throwing them against the walls, which no good man, nor good master would do, being the effects of fury, not of desire to instruct”.⁸²⁸ Even with Mr Descotéz style of teaching, Robin did not acquire either French or Latin, and Sir Edward began to worry that his son was unsuited to learning. Nevertheless in November 1683, when Robin was 15 years old, Sir Edward hired a tutor to come to Surrenden for a few hours in the morning and afternoon to teach Robin Latin and French.⁸²⁹ However, at this stage he had reservations about his son’s ability, noting that Robin was of “[...] but little of growth and lesse in learning [...] he is extreme backward and what to do with him I cannot well resolve [...]”⁸³⁰

⁸²⁵ PA, DER 52, August 1657.

⁸²⁶ Ibid. September 1658 – April 1659.

⁸²⁷ Ibid. November 1681.

⁸²⁸ Ibid. 21st December 1683.

⁸²⁹ Ibid. 12th April 1683.

⁸³⁰ Ibid.

Sir Edward's perseverance that his son should learn French and Latin was driven by the fact that Robin was his youngest son and stood little chance of inheriting any major wealth. Having already placed Robin's elder brothers on career paths, Sir Edward struggled to decide which profession would best suit Robin's character, noting frankly: "[...] He seemth too little of stature and too weake for most trades, and especially for the sea or the armie, he is too idle for most others, and not scholar enough for a lawyer, physician or divine, nor hardly for any ordinarie chancery or chequer clerk[...]"⁸³¹ This was the last note that he made concerning Robin's education before his death, but it seems that Sir Edward had little hope for his youngest son.

Like many parents Sir Edward tried to guide his sons into professions that suited their characters, and in so doing he expected them to enhance the family's reputation and prestige. Given that Sir Edward had held several governmental posts, he was also in a position to offer them preferment. In 1681, he secured his son, Daniel, an army commission at Dover Castle, through his family connection with Heneage Finch, the Lord Chancellor.⁸³²

Placing his sons in influential positions not only sustained and advanced the position of the Dering family, it also changed the father-son dynamic between Sir Edward and his sons, as they slowly became less dependent on their father for support and began to act independently. Sir Edward ultimately wanted this for his sons, but he still maintained a parental authority over them. In 1680, when Daniel caught a fever while away on a mission in Spain, Sir Edward wrote a letter with direct instructions as to what he should eat and how he should be cared for, and that, as soon as he was recovered enough to travel, he should return to Surrenden.⁸³³

Marrying Off the Dering Children.

Having raised his children and placed his younger sons on career paths, the next task for Sir Edward was to find suitable spouses for them. Unlike Sir Edward and his siblings, not all of his children married: John and his youngest daughter Jane (Jenny) never married. Little is known about their lives after Sir Edward passed away. In 1684, John and Jenny were only 21 and 22 years old, so Sir Edward was probably unconcerned about their unmarried states.⁸³⁴ That was not to say that Jenny

⁸³¹ Ibid

⁸³² Members of the Dering family had traditionally held a position at Dover Castle, so preserving that position may have been particularly important for Sir Edward. Ibid.

⁸³³ CKS, U1713, C2/1.

⁸³⁴ PA. DER 43, fol. 19-20.

had not already had offers for her hand. In 1683, Sir Edward was approached by Lady Petty about a match between Jenny and her nephew, but after informing Lady Petty that Jenny's dowry was £1200, and that he expected a £400 jointure in return, matters did not progress further.⁸³⁵ Given that her elder sister, Betty, had only received a £250 jointure, and that by the end of the seventeenth century, the ratio for dowry to jointure was closer to 10:1, there may have been greater problems with the match.⁸³⁶ Whether Jenny's opinion was ever consulted on the matter, or whether Sir Edward decided to keep her unmarried to act as a caregiver to her family, is unknown, but she did not hide away at Surrenden. Sir Edward's household book describes her as socially active within her family, making several visits to her siblings, either with her mother or other relatives.⁸³⁷ It was likely that after Sir Edward's death she maintained these habits, and her sibling ties would have become increasingly important to her and John. How financially dependent John or Jenny were on their natal family after Sir Edward's death is unknown, but they probably forged stronger connections with them.⁸³⁸

Table 6.6				
Breakdown of the Dering Children's Marriages by Year and Age				
Dering Children		Spouses' Names	Years	Age
Sons	Edward	Cholmeley	1677	27
	Charles	Moore- Blayney	1691	35
	Daniel	Perceval	1679	21
	Robert	De Branlieu	1694	25
Daughters	Elizabeth	Southwell	1664	15
	Mary	Knatchbull	1673	19
	Anne	Whorwood	1679	24
	Katherine	Perceval	1680	21
PA, DER 43, fols 14-16				

The rest of the Dering children got married and had families. His eldest son Ned took some time to find a bride but eventually in 1677, he secured a Yorkshire co-heiress, Elizabeth Cholmeley.⁸³⁹

⁸³⁵ PA, DER 52, May 1683.

⁸³⁶ CKS, U1713, C1/1.

⁸³⁷ PA, DER 52. 1682-1684.

⁸³⁸ TNA, PRO, PROB, 11/376/445.

⁸³⁹ PA, DER 43, fol 15; CKS, U350, C1/125.

His daughter Mary found it easier to secure a husband and in 1673, she married Thomas Knatchbull, the son of a prominent Kentish family.⁸⁴⁰ Sir Edward's opinion of the match suggested that he had required some persuading but that Mary was happy with her new husband, noting: "[...] The estate was not very much but, being a very civill man, well beloved by all that knew him, one that seemeth to love my daughter very well [...] and my owne friendship with the family induced me into it."⁸⁴¹ Unlike Sir Edward's siblings, Mary was the only one of his children to marry into a Kentish family.

Similarly to his sons' careers, Sir Edward wanted his children to be happy in their marriages, but he was conscious of making good matches for them as well. In 1664, while they were in Ireland, his eldest daughter, Elizabeth, married Robert Southwell of Kinsale, Ireland.⁸⁴² The Southwells were a prominent gentry family from Munster, who owned a lot of property in and around the port town of Kinsale.⁸⁴³ The terms of the marriage agreement were favourable. Sir Edward consented to give Elizabeth a dowry portion of £1200 as well as to provide for the couple's diet for a year up to the value of £200. In return Elizabeth would receive either a jointure of £250 per annum, or a third of her husband's estate at the time of his death, which ever she preferred.⁸⁴⁴ At the time of their marriage Betty was only 15 years old, but Sir Edward's own sister Elizabeth had married at that age. Moreover the Dering family remained in Ireland for several years, and would have kept in close contact with their daughter. Robert Southwell was also an ambitious man, having just returned from his travels around Europe, where he had become fluent in French and Italian.⁸⁴⁵ Sir Edward helped his new son-in-law to establish himself by assisting him to gain a clerkship in the Irish Privy Council, which set Southwell on the path to a prosperous career as a government official and diplomat.⁸⁴⁶ Elizabeth's marriage forged strong ties between the Dering and Southwell families, so much so that Sir Edward married his children, Daniel and Katherine to two of Robert's relatives, John and Helena Perceval.⁸⁴⁷

⁸⁴⁰ PA, DER 43, fols 15-16.

⁸⁴¹ Dering, *The Diaries and Papers of Sir Edward Dering, Second Baronet, 1644 to 1684*, 112.

⁸⁴² CKS, U1713/C1/1.

⁸⁴³ "Southwell, Sir Robert (1635–1702)," Toby Barnard in *Oxford Dictionary of National Biography*, see online ed., ed. David Cannadine, Oxford: OUP, 2004, <http://www.oxforddnb.com/view/article/26066> (accessed July 5, 2016).

⁸⁴⁴ CKS, U1713/C1/1.

⁸⁴⁵ "Southwell, Sir Robert (1635–1702)," Barnard in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/26066> (accessed July 5, 2016).

⁸⁴⁶ Ibid.

⁸⁴⁷ PA, DER 43, fol. 15.

These three marriages forged strong connections, but in 1681 Sir Edward became increasingly concerned about finding a wife for his second eldest son Charles, noting: “To get a good wife for my son Charles that being the best way of settlement I can think of, he being to[o] old to take to any profession [...]”⁸⁴⁸ It seems that Charles had a flamboyant character, and by 1682 he had the reputation of being a rake and a duellist.⁸⁴⁹ Sir Edward may have hoped that a wife would have a calming effect on his son. In 1681 marriage negotiations opened up with a rich Irish gentlewoman (Mistress Allen) who was rumoured to have £400 per annum, but finding her character to be too ‘gay and airey’ and her fortune smaller than suggested, no agreement was reached.⁸⁵⁰ Sir Edward passed away before he could find a suitable match for Charles, but unlike with his younger children, Jenny, John, and Robin, he seemed to have been more concerned about his elder son’s marital status. Charles eventually married in 1691, when he was in his mid-thirties, to the widow of an Irish Baron, Margaret Blayney nee Moore.⁸⁵¹ There was no mention of her character, and it is unclear whether Sir Edward would have approved of Margaret, but Charles did marry and have children.

Relations with Married Children and Sons-in-Law

By 1680, six of the Dering children were married and settled. Both Sir Edward and Lady Mary worked hard to keep good relations with their married children and their families, frequently encouraging them to visit them at Surrenden.⁸⁵² Despite their other commitments, Sir Edward’s children still made the effort to visit Surrenden when they could, and their parents’ anniversary or Sir Edward’s birthday were key points on the calendar. In April 1684, six of their children came to Surrenden for Sir Edward and Lady Mary’s wedding anniversary.⁸⁵³

It also seems that Sir Edward and Lady Mary kept up a steady correspondence with their children, although most of it has not survived. If we can assume that they kept up a similar level of correspondence as they did with their eldest daughter, Elizabeth and her husband Robert Southwell, then even at a distance they remained actively involved in their children’s lives.⁸⁵⁴ A collection of 148 letters between Sir Edward and Robert Southwell has survived, but this seems to

⁸⁴⁸ PA, DER 52, March 1681.

⁸⁴⁹ John Harold Wilson, *Court Satires of the Restoration* (Ohio State University Press, 1976), 75.

⁸⁵⁰ PA, DER 52, March 1680.

⁸⁵¹ John Debrett, *Debrett’s Baronetage of England: With Alphabetical Lists of Such Baronetcies as Have Merged in the Peerage, or Have Become Extinct, and Also of the Existing Baronets of Nova Scotia and Ireland; Edited*, ed. William Courthope (London: J.G. & F. Rivington, 1835), 36.

⁸⁵² CKS, U1713, C1 and C2; PA DER 52, 1680-1684.

⁸⁵³ PA DER 52, April 1684.

⁸⁵⁴ The collection of letters dates between 1669 and 1683. CKS, U1713, C1 –C4

be only a small proportion of the true figure. In November 1671, Sir Edward did not hear from Robert for three weeks and became most concerned for his son-in-law's welfare.⁸⁵⁵ Although both men had a shared interests in Irish politics and governmental business, the majority of Sir Edward's surviving letters concerned family matters, and when they did discuss politics and business, Sir Edward was usually very candid with his son-in-law, suggesting that the two developed a close relationship.⁸⁵⁶

Sir Edward took an active role as a parent even when his children had been married for many years. In 1683, when Heneage Finch passed away, his son-in-law Thomas Knatchbull lost his position in the Lord Chancellor's office in London, and needed to move back to Kent.⁸⁵⁷ The problem was that after working in the city for so long, Thomas and Mary had no country residence. Although Thomas owned land in Kent, he did not have the funds to build a suitable residence. When Sir Edward next dined with Thomas's father Sir Norton Knatchbull, he took the occasion to persuade Sir Norton to give his son £500 to build a house.⁸⁵⁸ However, Sir Norton was not keen on the idea, and he "[...] made many excuses which I thought insufficient, yet all I could bring him to, was that If I would give them 200, he would so also, which I said there no reason at all for, his estate being twice as good as mine, and I having 9 children and he but two[...]"⁸⁵⁹ Sir Edward ended the conversation by informing Sir Norton that he would see to the couple's welfare until the following Winter but after that they would need to secure an income.⁸⁶⁰

Even after their children reached adulthood and were married, Sir Edward and Lady Mary remained involved in their children's lives. The hierarchical relationship between them remained intact but it was flexible and adapted to suit their age, status and disposition.

Becoming Grandparents

One area where the parent-child relationship softened was after the birth of grandchildren. The lifelong duty of care that Sir Edward and Lady Mary accepted as parents was distinct from that of grandparenthood. This was particularly noticeable with their Southwell grandchildren, who during the 1670s spent a lot of time at Surrenden on extended visits while their parents were in Ireland,

⁸⁵⁵ PA, U1713, C1/15.

⁸⁵⁶ PA, U1713, C1 and C2.

⁸⁵⁷ PA DER 52, 1680-1683.

⁸⁵⁸ Ibid. September 1683.

⁸⁵⁹ Ibid.

⁸⁶⁰ Ibid.

London, or abroad.⁸⁶¹ Throughout the late 1660s Robert Southwell was an envoy in Portugal and Spain, and after returning for a short period between 1669 and 1672, he was sent abroad again to the Netherlands.⁸⁶² His property and lands were all in Ireland, and in the 1670s, Southwell began to see the benefit of having a fixed English residence. He made a good start in 1672 by buying a London property in Spring Gardens, Westminster, and eventually in 1679 bought a country estate at King's Weston near Bristol.⁸⁶³ Given Robert's frequent absences abroad, it may have been thought prudent to allow his children to have extended visits with Elizabeth's natal family.

In May 1670, Elizabeth gave birth to a son, who was named in honour of his Godfather, Prince Rupert, Charles II's nephew.⁸⁶⁴ Rupert (Rupey) was followed in quick succession by Edward (Teddy) (1671), Helena (1673) and Elizabeth (1674).⁸⁶⁵ Rupey and Teddy were both born in London, and it may have been thought safer for them to spend some time in Kent, where the chances of catching an illness were lower. Joanne Bailey's study on parent-child relations has also shown how these relationships changed once children became parents themselves, and the role that grandparents could take in the upbringing of their grandchildren.⁸⁶⁶ The Dering and Southwell correspondence demonstrated that even when the Southwell children were babies, Sir Edward and Lady Mary deferred to their daughter and son-in-law as to how they should be raised.⁸⁶⁷ In one of the few surviving letters that Lady Mary wrote to her daughter in Ireland, dated 21st May 1671, she noted: "[...] I observe your commands as to his [Rupert's] dyet, but he sites at the table and hath his puding and hartichokes and peese, but one night he maide us good sporte for he tooke a line of mutton by the rump and juld it about like a little canable[...]"⁸⁶⁸ Lady Mary was an experienced mother in her own right, but she respected her daughter's authority as a mother. The consequence of this was that as a grandmother, Lady Mary was able to be far more indulgent. Bailey found equal examples of grandparents doting on their grandchildren, and found that such softness was thought to be linked to those in old age.⁸⁶⁹ The relationship between Rupert and his grandmother was still hierarchical, but his mother, Elizabeth, was the principal female authority in his life, even when he lived with his grandparents.

⁸⁶¹ "Southwell, Sir Robert (1635–1702)," Barnard in *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/26066> (accessed July 5, 2016); CKS, U1713, C1.

⁸⁶² Ibid.

⁸⁶³ Ibid.

⁸⁶⁴ PA, DER 43, fol. 16.

⁸⁶⁵ Ibid, fol. 15-16.

⁸⁶⁶ Bailey, *Parenting in England 1760-1830: Emotion, Identity, and Generation*, 199–245.

⁸⁶⁷ PA, U1713, C1 and C2.

⁸⁶⁸ CKS, U1713, C1/4.

⁸⁶⁹ Bailey, *Parenting in England 1760-1830: Emotion, Identity, and Generation*, 202–207.

This trend continued as Rupey and Teddy got older. On 26th August 1673, when Sir Edward wrote to his son-in-law updating him on his two young sons he wrote, “[...] the last adventure of Rupey was on Saturday when being in [his aunt] Nan’s closet, and braking some of the little bables there, his grandmother asking him why did you brake this thing: he replyed, why did not you looke after me[...].”⁸⁷⁰ Both Sir Edward and Lady Mary were capable parents, but in becoming grandparents they developed a new type of relationship, not only with their young grandchildren, but with their daughter and son-in-law. When Sir Edward and Lady Mary wrote to them about the Southwell children, they wrote as mother to mother and father to father; this new dynamic softened the hierarchal relationship between them, as their focus was on their grandchildren. Sir Edward and Lady Mary took this distinction seriously: in May 1672, when Teddy developed a cough, Sir Edward wrote to Southwell saying that he thought that Teddy should be weaned, but they would do nothing without Robert or Elizabeth’s consent.⁸⁷¹

Having the Southwell children stay for extended periods at Surrenden created close bonds between the Southwell and Dering families, so that when they were away from Surrenden, Sir Edward and Lady Mary would often send for news about their grandchildren. In July 1673, Sir Edward wrote to Southwell saying: “[...] I should be very glad to receive a letter from Rupey and though it were as you call it in a hieroglyphicall way, for I should spend as much time about it and find as deep misteries in it as Kircher hath done in those upon the columna Traiani at Rome[...].”⁸⁷² Sir Edward’s enthusiasm was underscored by the fact that Elizabeth and the grandchildren came to Surrenden for a summer visit only a month later.

The hierarchical relationship between Sir Edward and his children was flexible, and in their new role as grandparents Sir Edward and Lady Mary’s relationship with their daughter and grandchildren shifted. In caring for the Southwell children, Sir Edward and Lady Mary shared the role of parenting with their daughter. However, they were conscious of maintaining distinct roles when it came to making major decisions in their grandsons care and discipline.

⁸⁷⁰ CKS, U1713, C1/ 22.

⁸⁷¹ Ibid., C1/16.

⁸⁷² Ibid., C1/ 20.

Old Age: Looking to the Next Generation

Table 6.7			
Sir Edward Dering's Income and Expenses by Decade 1648-1679			
	Expense	Receipts	Difference
1648-1658	9303	8774	529
1658-1668	12594	11930	664
1668-1679	20160	19285	875
PA, DER 52, April 1680.			

In 1680, when Sir Edward was 55 years old, he reviewed the growth in his income and expenses over his lifetime. The results shocked him so much that he wrote: “It is very plain, that my expence hath been very great and my way of living very free, and which is worse, that it eateth up not my estate alone, but all the benefit of my employments also[...].”⁸⁷³ Sir Edward had spent most of the 1660s working in Ireland. In 1669 when he returned to England he continued to work in governmental positions in London.⁸⁷⁴ Although he failed to secure a position between 1673 and 1675, he was able to keep up with his expenses. In the early years of his marriage, the rental income from his estates had been quite substantial, but by 1681 those figures had fallen to £267 per annum. Instead he supplemented his income through investment in the East India trading Company, and by lending money at interest.⁸⁷⁵ His government office was his largest source of income: as Commissioner of the Treasury he had an income of approximately £1200 per year.⁸⁷⁶ Such a heavy reliance on his profession was a cause of concern for Sir Edward, as he realised the insecurity and fragility of his office. He spelt out his wider fears quite clearly, and on paper took decisive steps to manage his affairs noting: “[...] if I dy, my 4 younger sonnes are almost wholly unprovided for, to see to save something, while I have imployment, it being altogether impossible to do it, when I shall be out. And this must come solely by regulating and retrenching my expences[...].”⁸⁷⁷ His four younger sons were not all minors: his second and third sons Charles and Daniel were 24 and 22 years old, and were starting to establish their own professions. Moreover, despite his protests,

⁸⁷³ PA, DER 52, April 1680.

⁸⁷⁴ Dering, *The Diaries and Papers of Sir Edward Dering, Second Baronet, 1644 to 1684*, 14–16.

⁸⁷⁵ PA, DER 52, April 1680.

⁸⁷⁶ In 1681 (£1200), in 1682 (£1300), and in 1683 (£1920). PA, DER 52, April 1681, April 1682, April 1683.

⁸⁷⁷ PA, DER 52, April 1680.

Sir Edward was a wealthy member of the upper gentry, and his expenses matched his standard of living.⁸⁷⁸ Even so he was compelled by the urge to live within his means.

Table 6.8			
Sir Edward Dering's Review of his Expenses in 1680			
Issue	During my employment	When it ceaseth	Difference
Housebooke, comprehending Table, stable wine, beare, fuell and servants wages	600	300	300
My owne expence of all sorts, viz. clothes and pocket money	100	50	50
My Wifes expence of same	100	50	50
Kate and Jennyes allowance	70	50	20
Total	870	450	420
PA, DER 52, April 1680.			

Sir Edward drew up a list of his family's expenses, so he could establish how his family would economise if he died or retired (see table 6.8). In halving everything but his daughters' allowances, his projected budget implied that when Sir Edward ceased working he would most likely have removed to Surrenden, where he could keep a greater handle on his expenses. The fact that Sir Edward kept his position at the Treasury until his death meant that he never had to implement his reduced budget. Interestingly Sir Edward's accounts from 1681 to 1684 have survived, and they suggest that his cost of living actually increased.⁸⁷⁹ Despite his concerns, Sir Edward saved little during his final years (see table 6.10). His spending more or less matched his income. While he might have thought of economising, he never actually restricted his family's spending.

His inability to save was in part due to the cost of raising and providing for his children, as in some years their allowances were on a similar level with his household expenses. In addition to this, in 1681 he gave his son, Daniel, £200 when he went to sea, and his daughter, Kate, £250 for wedding clothes.⁸⁸⁰ Studies that have examined the cost of raising children have estimated that fathers spent

⁸⁷⁸ Heal and Holmes, *The Gentry in England and Wales, 1500-1700*, 14.

⁸⁷⁹ PA, DER 52, 1681-1684.

⁸⁸⁰ Ibid., April and August 1681.

approximately one third to one fifth of their income on their children.⁸⁸¹ Even when Sir Edward had raised his children to adulthood, and saw them married and settled, he still continued to be a source of financial support for them. Although his lack of savings meant that he had little to offer them, if they needed more serious financial assistance Sir Edward still tried to help them.⁸⁸²

Table 6.9					
Sir Edward Dering's Household Expenses and Family Allowances 1681-1683					
Year	Household book	Myself	My Wife	Children	Total
1681	736	100	119	315	1270
1682	615	55	121	636	1427
1683	696	81	116	597	1490
PA, DER 52, 1681-1683.					

Table 6.10			
Sir Edward's Income and Expenses from 1681 to 1683			
Year	Income	Expenses	Remaining
1681	2858	2857	1
1682	2212	2212	0
1683	2693	2676	17
PA, DER 52, April 1680.			

Unfortunately for Sir Edward his eldest son Ned had not inherited his financial prudence, and after his marriage to Elizabeth Cholmeley in 1677, he had not managed his finances well. In March 1681, Ned confessed to his father that he had fallen into debt and Sir Edward noted in his household book:

“[...] my sons debts which he hath very lately told me to my great grieve as well as surprise do amount unto 3000: which is more by three quarters than I could have possibly imagined considering it is not yet 4 yeares since he married, and that he hath felled down in this time about 1500 pounds worth of timber. I know not

⁸⁸¹ Macfarlane, *The Family Life of Ralph Josselin*, 50; Ilana Krausman Ben-Amos, “Human Bonding: Parents and Their Offspring in Early Modern England,” Oxford University Economic and Social History Series (Economics Group, Nuffield College, University of Oxford, June 1997), 21, http://econpapers.repec.org/paper/nufesohwp/_5f017.htm.

⁸⁸² For an example of this, see page 198.

what to say or do in it, but feare he must sinke absolutely under it, there being no possible recovery for him”.⁸⁸³

Ned’s wife, Elizabeth, was a co-heiress, but what dowry she brought was unknown. The fact that Ned had fallen so deep into debt before he went to Sir Edward for help suggests that he was living well beyond his means. His uncle, Henry Dering, had gone to debtor’s prison for a much smaller debt. What mitigated the situation in part was that some of Ned’s creditors were family members. He owed his brother-in-law, Thomas Knatchbull £250, and his cousin, Mrs Bargrave £500.⁸⁸⁴ It was often safer to take loans from family members, but loaning high sums from them and then being unable to repay also placed family ties at risk. Sir Edward was well aware of these issues and took his son to task. By October 1681, Ned had managed to reduce his debt by £200, but Sir Edward was still vexed by the situation, saying that it had ‘struck him like a thunderbolt’, and had caused him ‘many sleepless nights’, but given that Sir Edward was still responsible for his younger children, he could not simply pay off his son’s debts.⁸⁸⁵ Instead he helped Ned to work the debt down to £1000, and then gave him an allowance of £60 per annum to pay off the interest of the remaining debt.⁸⁸⁶ This solution was a compromise as it lifted his son’s burden while Sir Edward lived, but if he retired, then Ned’s debts would begin to grow again. Once Sir Edward passed away, and Ned inherited the Dering estate, he would be able to pay off his remaining debts. Ned was a contrite son, who seems to have learnt his lesson as he promised his father that he would be a good husband and never get into debt again.⁸⁸⁷

The ease at which the Dering family got into debt demonstrates why Sir Edward took his own debts so seriously and tried where he could to keep them to a manageable size. In doing so, he was able to do what many of his family members had not - to walk the line between credit and debt. His constant attention on his spending prevented his debts from overwhelming him, and unlike his father or brother he did not pass away leaving an unbearable debt for his family to inherit.

When Sir Edward passed away, he allotted the income from a specific property to pay off his £1500 debt, and gave each of his sons £1000. In bequeathing his wealth he tried to ensure that his family were well provided for.⁸⁸⁸ Although he followed the tradition of primogeniture and gave the

⁸⁸³ PA, DER 52, March 1681.

⁸⁸⁴ Ibid.

⁸⁸⁵ Ibid.

⁸⁸⁶ Ibid.

⁸⁸⁷ Ibid.

⁸⁸⁸ TNA, PRO, PROB 11/376/445.

majority of his estate to Ned, he also passed his parental influence on to Lady Mary, making her his executrix and stating, “[...] recommending to all my Children piety, humility, and mutuall affection and a dutifull obedient to a moste deserving mother [...]”.⁸⁸⁹ Sir Edward placed great importance in sustaining good family ties. The problems that he had experienced with Lady Unton and his siblings were not an issue for his wife and their children. If relations continued as they had done when Sir Edward was alive, then Lady Mary would have continued to be an influential matriarch in her widowhood.

Conclusion

This chapter has taken a brief view on the Dering family and Sir Edward’s family relations, and in following Sir Edward Dering from young adulthood to his death, we have viewed the variety of family relationships he experienced and the responsibilities he undertook as a son, brother, father and grandfather. Sir Edward and his stepmother Lady Unton did not form a close family bond, but when it came to the greater good of the younger Dering children they found a way to work together. Not all stepfamily relationships were so cold, but the Dering family provides another example where the pursuit of wealth corroded family ties. The younger Dering siblings particularly Ned Dering, seem to have had a closer relationship with Lady Unton. Managing these conflicting family ties during the 1650s must have been complicated given the financial and semi-parental ties that Sir Edward had to his younger siblings. Sir Edward accepted responsibility for his younger siblings, even when they were adults, but he himself turned to the Harvey family when he was in need of aid. Such an approach highlights the importance Sir Edward placed on his position, as well as his family’s reputation and honour.

In his role as a father, his hierarchical position was much clearer. Whilst he loved his sons he expected them to have successful careers and marry well. His concern over their education, career placement, and marriages underscored this point. His disappointment over Robin’s inability to learn Latin and French was a prime example. When they grew into adulthood, Sir Edward continued to keep an eye on them through correspondence, but their relationships did shift as his children became adults. Similarly to his siblings, Sir Edward was a constant source of financial support for his children, one that became a cause of concern for him as he got older. However unlike his siblings, when it came to family solidarity, Sir Edward’s relationship with his children seems to have been much closer. The fact that his children came to Surrenden so often after they had left

⁸⁸⁹ Ibid.

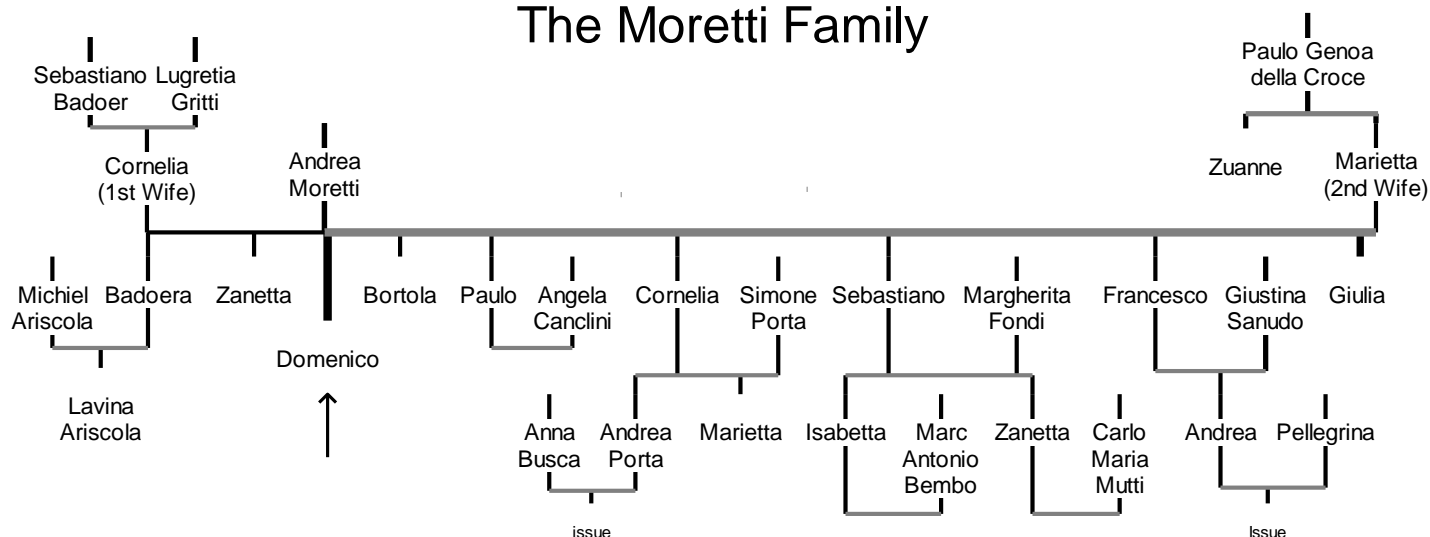
home suggested a deep affection rather than duty. This was underscored by Sir Edward and Lady Mary's relationship with their grandchildren. The birth of Rupey and Teddy in particular changed Sir Edward's relationship with his daughter, and allowed him and his wife to dote on the future generation of his family.

This chapter has attempted to deal with several different family relationships and roles through the eyes of Sir Edward Dering. Only by studying them together can we appreciate how Sir Edward's relationships and family responsibilities evolved over the course of his lifetime. Although this approach is more complicated, the evolution of family ties between siblings, parents and children were heavily interconnected, and in some cases the evolution these ties are only visible when examined together over the course of a lifetime.

CHAPTER SEVEN - The Moretti Family: Marital Status and Domestic Authority

Figure 7.1

The Moretti Family



"The rest of my property of whatever sort I leave equally as inheritance to my aforesaid sons and daughters, that is, S[igno]r Domenico, Bortola, Paulo, Cornelia, Sebastiano, Francesco and Giulia Moretti."⁸⁹⁰

On his deathbed, Andrea Moretti (?-1633), a Doctor of Law, divided his estate equally among his children. Domenico (1600-1667) and his siblings were the children of Andrea's second marriage to Marietta (?-1644), the daughter of Paulo Genoa della Croce, a Venetian citizen. The daughters of his first marriage to Cornelia (?-1595), the daughter of Sebastiano Badoer, a patrician, had already received their dowries and left their natal home.⁸⁹¹ Badoera, his eldest daughter, was married to a Venetian citizen, Michiel Ariscola. Her sister, Zanetta, either by choice or persuasion became a tertiary sister and prioress of the *Ospedaletto dei Derelitti*, one of the charitable institutions established to look after orphans and women in need of shelter.⁸⁹²

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⁸⁹⁰ Archivio delle Istituzioni di Ricovero e di Educazione (IRE), DER E 169 (Commissaria Giulia Morretti), b4, fol. 5r. 7 May 1622: "[...]Il residuo veramente di tutti li mei beni di qualongue sorte lascio che equalmente succedano li pred[ett]i mei figlioli e fig[li]o]le cioè S[igno]r Domenico, Bortola, Paulo, Cornelia, Sebastiano, Francesco et Giulia Moretti."

⁸⁹¹ Archivio IRE, DER E 169, b4, fols.4r and v.

⁸⁹² Giuseppe Tassini, *Cittadini Veneziani* (1888), Biblioteca del Museo Correr (BBMC), Provenienze Diverse, ms. P.D. c 4, b3, fol. 227bis, Digitised Image, <<http://lettere2.unive.it/manoscritti/tassini/sottohomericerca.html>>.

In official documents Domenico was listed as the head of the household but the family property was jointly owned by the siblings. The *catastico* for 1638 showed that they lived together in the parish of Santa Maria Zobenigo.⁸⁹³ Even though they lived together in *fraterna* - where brothers would legally tie their fortunes and debts, and share their father's inheritance equally - the brothers did not form a family business, instead they practiced different civil professions.⁸⁹⁴ Domenico became a lawyer, Paulo (1604-?) a notary for the chancellery on the Rialto, Sebastiano (1609-1672) a civil servant in the *Procuratia de supra* (the office responsible for the upkeep of Piazza San Marco), and Francesco (1611-?) another lawyer.⁸⁹⁵ As such their motives for preserving the Moretti fortune were of a different nature to patricians, who lived together to relieve the financial pressure of maintaining noble status, or artisans who ran a family business and pooled their resources.⁸⁹⁶

The general environment of Venice in the 1630s could have motivated the Moretti family to live together. The city was recovering from the plague of 1630-1633 and with the decline in trade the economy was on a downturn.⁸⁹⁷ The Moretti were affluent members of society, part of the *cittadini originarii*. Sharing a residence and their assets may have been a financial tactic to preserve the Moretti fortune during a time of fiscal uncertainty. Moreover, at the time of their father's death none of them were married, so living together with Domenico as the head of the family may have been a convenient option.

Normative patriarchal models of the family placed authority in the hands of husbands. However, in Venice marriage did not make a man independent; under Venetian law he would only be free once his *paterfamilias* died or if he gained legal emancipation.⁸⁹⁸ Until then a man regardless of his marital status or age was effectively a dependent.⁸⁹⁹ The power of a *paterfamilias* was not just a

⁸⁹³ Archivio Storico del Patricato (ASPV), Curia Patriarcale, Archivio 'segreto', Stati delle Anime, Parrocchia di Santa Maria del Giglio di Venezia, Anagrafi e stati d'anime, b. 1.8. 1638.

⁸⁹⁴ *Fraterna* was an established family practice in Northern and Central Italy which remained popular among families such as patricians, merchants and artisans. These households would usually consist of brothers but could expand to include, uncles, nephews and cousins, see Marco Ferro, *Dizionario del diritto comune e Veneto* (Santini e Figlio, 1845), 772–774; Dorit Raines, "Entre Rameau et Branche. Deux Modèles Du Comportement Familial Du Patriciat Vénitien," in *Construire Les Liens de Famille Dans l'Europe Moderne*, ed. Anna Bellavitis, Laura Casella, and Dorit Raines (Mont Saint Aignan: Publication University Rouen Havre, 2013), 148–152.

⁸⁹⁵ ASPV, Archivio 'segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b.1.8, 1645.

⁸⁹⁶ For a more in-depth discussion on *cittadini* see, Anna Bellavitis, "Per Cittadini Metterete...? La Stratificazione Della Società Veneziana Cinquecentesca Tra Norma Giuridica E Riconoscimento Sociale," *Quaderni Storici* 89 (1995): 359–83; Matteo Casini, *La cittadinanza originaria a Venezia tra i secoli XV e XVI: una linea interpretativa* (Venezia: il Cardo, 1992); James. S. Grubb, "Elite Citizens," in *Venice Reconsidered: The History and Civilization of an Italian City-State, 1297-1797*, ed. John Jeffries Martin and Dennis Romano (Baltimore: John Hopkins University Press, 2002), 339–64; Zannini, *Burocrazia e burocrati a Venezia in età moderna*.

⁸⁹⁷ Zannini, "Un Censimento Inedito Del Primo Seicento E La Crisi Demografica Ed Economica Di Venezia."

⁸⁹⁸ Cavallo, "Bachelorhood and Masculinity in Renaissance and Early Modern Italy," 381–382.

⁸⁹⁹ Eleonora Canepari, "Cohabitations, Household Structures, and Gender Identities in Seventeenth-Century Rome," *I Tatti Studies in the Italian Renaissance* 17, no. 1 (2014): 135; Chojnacki, *Women and Men in Renaissance Venice*, 15–16.

privilege of husbands and fathers, since an unmarried uncle or brother could become the head of the family and as such have domestic authority over their married relatives as well as their children.

In practice such power relationships could be negotiated, and in some cases marriage could have an impact on a man's status.⁹⁰⁰ For the Veneto elite the absence of any other social marker meant that marriage signified the rite of passage from adolescence into adulthood.⁹⁰¹ Further down the social scale in Turin, Sandra Cavallo has shown that the majority of men seeking emancipation were already acting independently from their *paterfamilias*, and legal action was the final rather than the first step in establishing their autonomy.⁹⁰² How flexible these relationships were for the urban professionals in Venice is less certain. In principle at least, a man's independence and authority were primarily defined by the head of his family. Marriage may have signalled his transition from adolescence to adulthood, but it would only have had a significant effect on his status once he gained independence from his *paterfamilias*.

The point at which young men would marry and where they would live also varied widely. The Vicentine and Veronese elite married younger and more often lived in complex households.⁹⁰³ In Venice, urban living meant that residential patterns were diverse.⁹⁰⁴ On average the patrician men who did marry waited until they were at least 30 years old.⁹⁰⁵ For some young men deciding when to marry was not always a choice, as Margareth Lanzinger's study on the South Tyrolean market town, Innichen, highlighted an example where the municipality made marriage a privilege for those who had a household and practiced a profession.⁹⁰⁶ Less is known about when men would marry further down the social scale in Venice, but at least from their environment, urban professionals like the Moretti family would have been freer to choose when they married, and with whom they lived.

⁹⁰⁰ Emlyn Eisenach, *Husbands, Wives, and Concubines: Marriage, Family, and Social Order in Sixteenth-Century Verona* (Truman State University Press, 2004), 103–105; Thomas Kuehn, *Emancipation in Late Medieval Florence* (Rutgers University Press, 1982), 110–111.

⁹⁰¹ Grubb, *Provincial Families of the Renaissance*, 1–2.

⁹⁰² To gain a legal emancipation a father would apply to the law courts. The process of emancipation and its impact was dependent on the family's socio-professional status as well as their dependency on the son's income. Cavallo, *Artisans of the Body in Early Modern Italy*, 191–200. Cavallo, "Fatherhood and the Non-Propertied Classes in Renaissance and Early Modern Italian Towns," 317–320.

⁹⁰³ David Herlihy and Christiane Klapisch-Zuber, *Les Toscans et Leur Familles: Une Etude Du Catasto Florentin de 1427* (Paris: Editions de L'Ecole des Hautes Etudes en Sciences Sociales, 1978), 412–413; Grubb, *Provincial Families of the Renaissance*, 2–6.

⁹⁰⁴ Chojnacki, *Working Women of Early Modern Venice*, 1–25.

⁹⁰⁵ Stanley Chojnacki, "Measuring Adulthood: Adolescence and Gender," in *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore: John Hopkins University Press, 2000), 194–196.

⁹⁰⁶ Lanzinger, "Marriage Choices and Class Boundaries."

Citizen and patrician families often arranged marriages strategically, making a few good ones rather than ensuring that all their sons and daughters married. Urban professionals married within a wider pool of citizens, negotiating higher dowries from an artisan's daughter, or reinforcing their social standing by marrying an urban professional's daughter.⁹⁰⁷ Marriages between families of urban professionals became more common during the seventeenth century, as the growing importance of civil status elevated their position within the citizenry. This strategic approach to marriage also meant that unmarried sons may not have been in a rush to marry, potentially making late marriage or bachelorhood more common among urban professionals.

When these families practiced limited marriage, where only one or two brothers could marry, they forced the remaining brothers to become lifelong bachelors. Yet, marriage did not guarantee domestic authority: the brothers may have had their own apartments within the household, but they were still subject to the head of the family. Stanley Chojnacki in his landmark work on the Venetian patriciate found that in 16 out of his 45 families, the eldest brother was kept unmarried and made the head of the family to look after his younger siblings.⁹⁰⁸ Similar practices were visible lower down the social scale. Anna Bellavitis's study on the citizenry also found examples of families who practiced limited marriage, concluding that in such households the hierarchies between siblings could become complex.⁹⁰⁹

Discouraging men from marrying was not the same as making them take vows of celibacy. Keeping a mistress and having illegitimate sons was a problematic practice, but the greater danger was that some men would stray further and marry in secret.⁹¹⁰ Although all marriages with dowries over 1000 ducats had to be registered with the *Avogaria di Comun* (the magistracy responsible for controlling marriages and entrance to the Venetian patriciate and citizenry), clandestine marriages were still a threat to these family practices.⁹¹¹

By focusing on the Moretti family, this chapter will show that bachelorhood and late marriage did not affect a man's domestic status, but that it could have a more profound impact on the family's

⁹⁰⁷ Anna Bellavitis, *Identité, mariage, mobilité sociale: citoyennes et citoyens à Venise au XVI^e siècle* (École française de Rome, 2001), 244–245.

⁹⁰⁸ Chojnacki, "Subaltern Patriarchs: Patrician Bachelors," 251.

⁹⁰⁹ See in particular the Ziliol case. Bellavitis, *Identité, mariage, mobilité sociale*, 284–307. These marriage strategies were also practiced more widely. Cavallo's study on barber-surgeons in Turin also found examples of families keeping the eldest brother unmarried to look after his siblings. Cavallo, "Bachelorhood and Masculinity in Renaissance and Early Modern Italy," 389.

⁹¹⁰ Cowan, *Marriage, Manners and Mobility in Early Modern Venice*, 117–134.

⁹¹¹ Ibid., 131–132; Gaetano Cozzi, Michael Knapton, and Giovanni Scarabello, *La Repubblica di Venezia nell'età moderna: dal 1517 alla fine della Repubblica* (Turin: UTET, 1992).

lineage. When siblings like the Moretti family lived together and formed strong enduring ties, but failed to provide heirs, their inheritance strategies could become increasingly creative, causing friction and strain among the surviving relatives. Initially only one of the younger Moretti brothers, Sebastiano, married, but when he failed to have sons he placed the family line in danger. Relying on only one brother to provide the family with heirs was a marriage strategy used by the Venetian elite, but these strategies did not always go according to plan. The testaments drawn up by Domenico and the other Moretti siblings reflect their growing concern over the lack of male issue, and how the siblings attempted to address this absence. Through this case-study, this chapter will throw more light on the importance of marriage and fatherhood, its connection to domestic authority, and the hierarchies between siblings.

This discussion will begin by outlining the division of Andrea Moretti's estate, and the responsibilities that he placed on Domenico and his brothers. From there I will examine the siblings' marriages, as well as the agency that they were able to exercise. Domenico's death in 1667 had a significant impact on the family, and the final section will look at how his death and testamentary bequests changed the balance of power in the family, and affected the next generation of the Moretti family.

Establishing Domenico as the Head of the Household

Table 7.1			
Division of Paternal Inheritance between the Moretti Siblings 16th March 1633			
Name	Rental Income (ducats)	Debts & Legacies To be Paid	Inheritance Divided Equally
Domenico	90	43	40:14
Paulo	28	-	40:14
Sebastiano	60	-	40:14
Francesco	32	-	40:14
Bortola	44	-	40:14
Cornelia	44	-	40:14
Giulia	26	-	40:14
Total	324	43	281
Sources: Archivio IRE, DER E 169, b.4 fol. 12r-12v, 14 March 1633.			

In the final clause of Andrea Moretti's will he named his wife and his son Domenico as his executors, and, in a parting message, asked them to have a care for his children and brothers.⁹¹² Articulating that concern and passing it on to his wife and son may have brought him some comfort. At the time of Andrea's death, none of his children were married, but Domenico, Paulo and Sebastiano were all established within their professions, and would have been bringing a steady income into the household. Francesco at 22 years old was still in the process of establishing himself as a lawyer, and so may have needed support from Domenico. The sisters Bortola, Cornelia and Giulia, at 30, 21, and 12 years old, would have placed different demands on the household.⁹¹³

Andrea's widow, Marietta, received her dowry portion of 1300 ducats, as well as the right to all her movable property.⁹¹⁴ She spent the rest of her widowhood living with her children who received the rest of Andrea's fortune. Each of the Moretti siblings were given a portion of their father's property in Venice, all of which brought in a steady rental income.⁹¹⁵ Despite the disparity in their actual portions, the total income was divided by seven, giving each an equal portion of the patrimony. Domenico held Giulia's portion in trust until she came of age.⁹¹⁶ He was also made responsible for dealing with Andrea's debts and legacies, part of which was to give their half-sister Zanetta, 18 ducats a year for her lifetime.⁹¹⁷ What the siblings were entitled to and what they actually received was a different matter. Given that in 1636, Sebastiano married and had the responsibility of a wife and children, it would seem likely that he would have placed greater financial demands on the family's income.⁹¹⁸

Andrea also outlined his sons' household responsibilities. Domenico's primary duty was to manage the family's finances and properties. He was also required to pay all the communal expenses, specifically: bread, wine, wood, and servants for the family. Paulo was to give Sebastiano twelve ducats a month, which he would use to supply the household with butter, oil and other extras. Finally, Francesco was to act as the family agent, and collect the rents and deliver them to

⁹¹² "Lascandoli la pace del S[igno]r Iddio i Commisariii meram[en]te di quista mia ultima volonta et testam[en]to lascio prefatta m[agnifi]ca m[adonn]a Marietta mia Consorte et il S[ignor] Domenico mio fig[lio]lo maggiore quali pregho con affetto che habbino cura delli predetti miei figli et fratelli". Archivio IRE, DER E 169, b.4 fol. 5v. 7 May 1622.

⁹¹³ All ages given for the Moretti family are based on the *catastico* for 1649 and Giuseppe Tassini's genealogy of the family. ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8. 1649; Giuseppe Tassini, *Cittadini Veneziani*, (1888), BMCC, Provenienze Diverse, ms. P.D. c 4, b3, fol.227bis, Digitised Image, <<http://lettere2.unive.it/manoscritti/tassini/sottohomericerca.html>>.

⁹¹⁴ Archivio IRE, DER E 169, b4 fol. 12r – 12v. 14 March 1633.

⁹¹⁵ Ibid.

⁹¹⁶ Ibid.

⁹¹⁷ Ibid.

⁹¹⁸ His wife was Margarita was the daughter of Paulo Fondi, a Venetian citizen, and she brought a dowry of 4241 ducats.

Domenico.⁹¹⁹ What inspired the younger brothers' specific roles within the household is not clear. It does confirm that Domenico was made the head of the family, not only by his father's request in his will, but by being given authority over the family's finances. Strangely, none of the Moretti uncles are ever mentioned. Although Andrea referred to them in his will, they never appear in Santa Maria Zobenigo or in any other documents relating to the family.

The Importance of Marriage in the Moretti Household

The Moretti Sisters

What is not evident from the division of responsibilities is that the Moretti sisters were a constant presence in the household. The eldest and youngest sisters, Bortola and Giulia, never married, and it appears that neither felt a calling to the church or to become a tertiary sister, like their half-sister Zanetta. Keeping Bortola and Giulia at home went against normative notions of the patriarchal family, as they were not protected by the Church or marriage. However such practices were becoming increasingly popular in seventeenth century Venice. Anna Bellavitis and Francesca Medioli also found examples of families keeping unmarried daughters at home as secular spinsters, rather than placing them in convents.⁹²⁰

In dividing his estate equally among his children, it is unlikely that Andrea meant to make his daughters equal beneficiaries to the Moretti fortune. However, from the division of property made after his death all three daughters, including Cornelia, were allotted some immovable property as part of their paternal inheritance. In Cornelia's marriage contract of 1636, her portion was listed as a property in the city worth 1000 ducats which brought in a rental income of 40 ducats per year.⁹²¹ In addition, she received extra portions of goods and money from her brothers which in the end totaled 3000 ducats.⁹²² Typically a daughter's dowry portion was less than her brothers' inheritance,

⁹¹⁹ "Al Sr Domenico sudetto d'affitare et disaffittare[...] le case tutte come in quella scuoder et ricever li affitti et impiegati in quello li provesse con obbligo di pagare tutti li agraii ... pagar l'affitto dell' habitation commune alli d(ett)i far Le spese alla casa, di pane, vino et Legne cosi alla M(ad)re, fr(at)elli et sorelle, come serve et servitori di casa et pagar il salario alle serve. che Il Sr Paulo sud(ett)o, dovesse dare al Sr Sebastiano sud(ett)o dodeci ducati al mese qual S[igno]r Sebastiano fosse tenuto mantener la casa di componatico oglio et altro[...]Che S[igno]r Francesco fosse obligato scuoder li detti affitti et quello consignar al detti sr domenico." Archivio IRE, DER E 169, b.4, fol. 6r. 18 March 1633.

⁹²⁰ Francesca Medioli, "Des Liaisons Dangereuses? Réseaux Hérités, Supposés et Déguisés D'une Nonne Vénitienne Au XVIIe Siècle," *Genre & Histoire*, no. 11 (2013), <http://genrehistoire.revues.org/1750>; Bellavitis, *Identité, mariage, mobilité sociale*, 296–298; Federica Ambrosini, "Toward a Social History of Women: From the Renaissance to the Enlightenment," in *Venice Reconsidered: The History and Civilization of an Italian City-State, 1297–1797*, ed. John Jeffries Martin and Dennis Romano (John Hopkins University Press, 2002), 427–428.

⁹²¹ Archivio IRE, DER E 169, b.4, fol. 24-29. 7 February 1636.

⁹²² Ibid.,

and would have been in movable goods. However, families often mixed the types of goods that made up the dowry. Although the Moretti family were rich, their wealth was tied up in property, so they elected to pay the dowry with a combination of movable and immovable goods. Taking this into account, had Bortola and Giulia married and claimed the same dowry portion, they would have reduced the family's moveable property substantially. Still, this does not explain why Bortola or Giulia did not join the Church, or become tertiary sisters.

The decision to keep both sisters unmarried was not wholly decided by Domenico. When Andrea wrote his will Bortola was already 30 years old, so the decision to keep her at home must have already been made.⁹²³ Giulia was much younger and it would have been Domenico's and their mother's prerogative to decide her future. Nevertheless their presence in the household expanded Domenico's domestic role as Bortola and Giulia were primarily in his care. Controlling young and subordinate members of the family was one of the primary characteristics associated with the head of the household. Keeping Bortola and Giulia at home may have placed the family honour in danger but it also gave Domenico access to an alternative form of patriarchal adulthood.⁹²⁴

In terms of their domestic agency both sisters would have been subject first to their mother, then to Sebastiano's wife, Margarita, as well as to their brothers. Given that they were daughters of a Doctor of Law there were limited opportunities for them to contribute to the family economy. They may have been able to assist with the book keeping or help to run the household, but they also would have become family caregivers, companions first to their mother, and later to their brothers. To a lesser extent age also played a factor, as different expectations would have been placed on Bortola as the eldest sister than on Giulia as the youngest. Moreover, Margarita, was only two years older than Giulia but approximately 15 years younger than Bortola, so it was possible that Giulia and Margarita would have had more in common.

In contrast to Bortola and Giulia, Cornelia married when she was 24 years old, but even then she stayed close to home.⁹²⁵ The *catastici* reports (property tax) indicated that from 1644 onwards Cornelia and her husband Simone lived in the apartment below, with Domenico as their landlord.⁹²⁶ Cornelia's marriage contract made no stipulation that the couple needed to live near her family and

⁹²³ ASPV, Archivio 'segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649.

⁹²⁴ Cavallo, *Artisans of the Body in Early Modern Italy*, 216–219.

⁹²⁵ Archivio IRE, DER E 169, b.4, fols 24-29. 7 February 1636.

⁹²⁶ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8-1.10. 1644-1668.

initially they did move out of the parish but in 1644, around the time of their mother's death, the couple returned and moved in next door. It also appears that Domenico did not attempt to exploit his brother-in-law as he charged them a fair rent of 40 ducats a year, one of the cheapest rents in the parish for urban professionals.⁹²⁷ In 1661 the average rent paid by the lawyers in Santa Maria Zobenigo was 140 ducats; this was much higher than the city's overall average of 30 ducats a year.⁹²⁸ There could have been many financial as well as emotional reasons for why Simone and Cornelia moved closer to her family. The result of this was that Cornelia's natal family were more directly involved in their daily lives. This proximity did not appear to bother Simone as a year later he and Paulo went into business together, and rented a notary's office on the Rialto.⁹²⁹ Moreover, it does not appear that Simone's family was too far away either, as in 1661 he listed in the *decime* that his cousin and nephews were living in a household he owned in S. Angelo.⁹³⁰ By living in an apartment owned by Domenico and paying a modest rent, it was possible that Simone used the money he saved to support his natal family. The two families were well intertwined and Cornelia's children, Andrea and Marietta, would have grown up in close proximity to their maternal uncles and aunts. Domenico certainly took a role in contributing to Andrea's upbringing and education, and in his will he made him the beneficiary of his father's yearly rent, which he noted would provide Andrea with a stipend when he went to university and would also be a financial relief to his father.⁹³¹

The Moretti Brothers

The Moretti brothers were slow to marry. Unlike patrician families where marriage was restricted, or merchant families where the constraints of travelling for the family business made seeking a wife difficult, the Moretti brothers were relatively free to marry. Even with this freedom the brothers did not seem in a rush to marry and have children. Their slowness to act underlined that being bachelors and 'subordinate' members of the household was not an impediment to their professions, or in society. Paulo eventually married in his late forties, Francesco did not marry until he was 58, and Domenico did not get married at all. Sebastiano was the only brother to marry at a young age,

⁹²⁷ Ibid.

⁹²⁸ This figure was calculated from the group of urban professionals living in Santa Maria Zobenigo in 1661. ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.10, 1661. For a wider discussion on the rental market in Venice, see, Daniele Beltrami, *Storia della popolazione di Venezia dalla fine del secolo XVI alla caduta della Repubblica* (Padova: Cedam, 1954), 218–222.

⁹²⁹ They paid 12 ducats a year for the office and in the 1661 *decime*, Paulo declared that they rented it as an office together. Ibid. b.1.8. 1645: ASVe, Dieci Savi Sopra le Decime di Rialto, Condizioni, b. 214, n. 917. 20 January 1660.

⁹³⁰ Ibid., b. 215, n. 1254. 20 April 1661.

⁹³¹ "Lascio quanto vado creditore del medesimo suo padre mio cognato de affitti della mia casa soler di sotto da lui habitata che serviva al tempo del suo dottorato et di alleviamento al detto suo padre". ASVe, Notarile Testamenti, b.696, n.21, 20th November 1661.

in 1636 when he was 27 years old. Between Sebastiano's marriage and Paulo's there was a gap of approximately 20 years. It is possible that Sebastiano's profession as a civil servant made his marital status more important. Or more likely he was encouraged by his mother to marry and have children early. Both he and Cornelia married within months of one another, and Margarita's dowry of 4241 ducats would have filled the gap that Cornelia's left in the family's finances.⁹³²

When Paulo married, his choice of a wife changed the dynamic of the Moretti household, as he married Angela, the daughter of Giovanni Battista Canclini, a physician, and widow of Giacomo Vincenti with whom she already had four children.⁹³³ This marriage coincided with Paulo separating from his siblings and establishing his own household. From 1653-1658, he did not live in Santa Maria Zobenigo, and when he re-appeared in 1661 he was listed as being married with four children and living in another household, paying a modest rent of 80 ducats a year.⁹³⁴ Alexander Cowan found similar cases of brothers separating from their siblings among his patrician families, but in these instances the husband would agree to live with his wife's family when the dowry was low and the husband's family already had heirs.⁹³⁵ This was not the case between Paulo and Angela. From a description of her immovable property in the 1661 *decime*, it was clear that she had a good dowry, which included a villa and farmland on the mainland, as well as property in Venice.⁹³⁶

Exactly why Paulo separated from his siblings is never mentioned but the fact that his separation and marriage coincided would imply that Angela or her children were unable or unwilling to join the Moretti household. Alternatively Paulo may have seen his marriage as an opportunity to establish his own residence and gain more independence from his family, especially if his notary's office on the Rialto was bringing in a good income. Whatever the reason, in leaving his family's household, Paulo separated from his brother's domestic authority and became the head of his own household. Still his authority over his new family was not the normative one, as he and Angela did not have children. The absence meant that the familial bonds they had were only temporary, Angela demonstrated this when she made her will, as she requested to be buried next to her first husband, and left the majority of her dowry to her children. Her bequest to Paulo was affectionate but small. As she said, "I order that he is given annually for the duration of his life, as a sign of my gratitude

⁹³² Anna Bellavitis, *Famille, genre, transmission à Venise au XVIe siècle* (École française de Rome, 2008), 180–181.

⁹³³ ASVe, Notarile Testamenti, b.773, n.79. 20th November 1680.

⁹³⁴ ASPV, Archivio 'segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.10, 1661.

⁹³⁵ Cowan, *The Urban Patriciate: Lübeck and Venice, 1580-1700*, 99, see footnote 335.

⁹³⁶ ASVe, Dieci Savi Sopra le *Decime di Rialto*, Condizioni, b. 214, n. 917. 20th January 1660.

for the affectionate, charitable, and good education he gave to my children, 4 stara measures of flour and 4 orne measures of wine."⁹³⁷ From this statement it seems that Paulo had a good relationship with his step-children and was able to access an alternative form of patriarchal fatherhood, but that their and Angela's allegiance was primarily to the family of her first marriage.

Paulo's moving out does not seem to have affected his relationship with his siblings: he remained involved in the family's proceedings, just not as an active participant. When he left his siblings' household he broke free from the *fraterna* agreement he held with his brothers, and would have removed his inheritance portion. Despite this separation Domenico ultimately approved of the union, and in the 1660s when his health was deteriorating, it was Angela rather than his sisters or nieces who nursed him, probably because she received an informal medical training as a physician's daughter.⁹³⁸ The real impact of Paulo's marriage was that when Domenico died in 1667, Sebastiano became the next head of the family.

Domenico's death changed the nature of the Moretti family. The tax records indicated that their residential unity did not last long after his death. In 1668 they were still living together, but by 1672, Paulo, Bortola and the Porta family had moved away.⁹³⁹ It is not clear where Paulo moved to, but after Domenico's death he never reappeared in the parish. Bortola did not go with him, instead she went to live with Cornelia's family, as in her will of 1677 she noted that she was living with her nephew Andrea Porta in S. Fantin (the parish to the north of Santa Maria Zobenigo). Although they did not move far, their move suggested that Sebastiano was not willing or able to sustain the family's residential unity. In 1673, Bortola was 70 years old, she had spent her entire life living with her siblings. As such her departure from the Moretti household was significant and implied that she had developed a greater affinity with the Porta family. It also showed the relationships that were not apparent when Domenico was the head of the family, as Bortola's decision to exit the Moretti household would not have been taken lightly.

The remainder of the Moretti family were content to live with Sebastiano as the head of the household. In 1668, Francesco, after having lived many years as a bachelor, married Giustina

⁹³⁷ "[...]ordino sij annualm[en]te dato sua durante in segno di mie obligati p[er] l'affettuosa charitatevole e buona sua educazione prestata a miei figlioli farrina sti 4 e vin orne 4". ASVe, Notarile Testamenti, b.773, n.79. 20th November 1680.

⁹³⁸ "Alla Signora Anzola[...]mia cognata chi con tanto affetto in questa mia malatia m'assiste lascio un'anelletto con sua turchese piccolo sengo di mia gratitudine, et la prego accettar il pocco per il molto". ASVe, Notarile Testamenti, b.696, n.21. 20th November 1661.

⁹³⁹ ASPV, Archivio 'segreto', Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.10, fol. 171r. 1668.

Sanudo, the daughter of a Venetian citizen, who a year later bore their son Andrea.⁹⁴⁰ Unfortunately, the birth of a Moretti nephew came a year too late. Had Domenico lived a year longer it was possible that he would have amended his will and made Francesco's son his heir, but that was not to be, and instead the consequences of the Moretti brothers' late marriages were felt in the execution of Domenico's will.

The *Fratelli e Sorelle* Moretti and the *Fedecompresso*

Due to a lack of issue in the other branches of the Moretti and Genoa della Croce families, Domenico and his siblings became the heirs to much more than their paternal and maternal estates. Their half-sisters Badoera and Zanetta Moretti, and their maternal Uncle Zuane Genoa delle Croce, left no surviving heirs, so both their estates passed to Domenico and his siblings.⁹⁴¹ Badoera and Zuane's wills were drawn up in 1630, probably as a result of the plague, which saw many families putting their affairs in order. Both reinforced the unity of Domenico and his siblings, by bequeathing their estates to them equally. The result of these extra bequests was that the Moretti siblings inherited two estates from their maternal family, their father's first wife's estate in addition to their father's estate.

Domenico and his siblings had strong family ties. This connection was reinforced when Domenico drew up his will and bequeathed the enlarged estate.⁹⁴² His principal concern was to ensure that his siblings got to enjoy the bulk of the estate before it passed down to his nieces and nephews.⁹⁴³ With this in mind he enacted a *fedecompresso* (entail) on their immovable property, which would first pass horizontally from sibling to sibling before any part of it could pass down vertically to their children.⁹⁴⁴ In addition to this he gave his siblings the right to use his movable goods by making them his usufructuaries for their lifetimes.⁹⁴⁵ This meant that Sebastiano's, Francesco's and Cornelia's children were not able to inherit any part of the Moretti estate until after the last sibling

⁹⁴⁰ Giuseppe Tassini, *Cittadini Veneziani*, (1888), BMCC, Provenienze Diverse, ms. P.D. c 4, b3, fol.273bis, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/sottohomericerca.html>.

⁹⁴¹ Archivio IRE, DER E 169, b.4, fols. 10v-13v. 14 September 1630; 14r-18v. 22 February 1630.

⁹⁴² An earlier copy of his will has survived, written in 1661, along with his final testament drawn up in 1667. Very little differed between the two copies and it seems that Domenico was simply updating the previous one to fit the changes in his family over the six-year interval. Ibid., b.4, fols. 56-61. 1 June 1667; ASVe, Notarile Testamenti, b.696, n.21. 20 November 1661.

⁹⁴³ The absence of male issue could cause families to make more strategic wills as an attempt to secure the family line. See Bellavitis, *Identité, mariage, mobilité sociale*, 130–132.

⁹⁴⁴ ASVe, Notarile Testamenti, b.696, n.21. 20th November 1661.

⁹⁴⁵ Archivio IRE, DER E 169, b.4, fols. 56-61. 1667, 1 June 1667; ASVe, Notarile Testamenti, b.696, n.21. 20 November 1661.

died. Domenico's concern did not stop there, he also gave his elder half-sister Zanetta, the Prioress of the *Ospedaletto dei Derelitti*, the opportunity to be included in the *fedecommeso*. At the time of his will Zanetta would have been over 70 years old, and may have found her role at the *Derelitti* increasingly difficult. However he stipulated that if she joined her family, then she would need to add her assets to the family estate.⁹⁴⁶

Fedecommessi were used to tie immovable property together, and fathers often employed them to prevent their sons from selling or alienating their family estates. However, such tactics could also impoverish families who owned property that they could not liquidate in times of need. This was not a problem for the Moretti family, but for one of their neighbours, Giovanni Francesco Busenello and his family, the restrictions of a *fedecommeso* prevented them from producing the 100,000 ducats required to enter the patriciate in 1646, when, after the War of Candia, the Venetian state sold noble titles.⁹⁴⁷

In using a *fedecommeso* to give his sisters an equal claim to the Moretti fortune, Domenico was going against common practice. His actions imply that he did not trust his brothers to put their natal family before their marital one.⁹⁴⁸ Not only did Domenico place them on an equal footing with their brothers, but he also gave Bortola and Giulia the use and profits of 1000 ducats for their lifetimes.⁹⁴⁹ In doing so he sustained Bortola and Giulia's position in the household after his death, and made them less financially dependent on Sebastiano.

Even with this favoritism towards his sisters, Domenico was still considerate towards his nieces and nephews. In an earlier will made in 1661 he allotted Sebastiano's daughters a dowry stating, "I leave for their marriage or the convent, three thousand ducats in cash that will be shared in half, which I have amassed with much sweat and effort in these present times."⁹⁵⁰ By 1667 both nieces had married, Zanetta to Carlo Maria Mutti and Isabetta to Marc' Antonio Bembo, both of whom

⁹⁴⁶ "Li beni miei infra[scrit]ti[...]Lascio alli cari[ssi]mi miei fra[te]lli et sorelle Sebastia[no] Fran[ces]co Bortola et Giulia o et in caso che la Priora m[ad]re sorella venisse in casa come sopra habbi d'intrare nel beneficio sudetto quali beni voglio siano unitamente da essi goduti et non mai diviso." ASVe, Notarile Testamenti, b.696, n.21. 20 November 1661.

⁹⁴⁷ Lanaro, "Fedecommessi, doti, famiglia" See footnote 13. For a more in depth discussion on *fedecommessi*, see the other articles within this issue.

⁹⁴⁸ In theory, Bortola and Giulia would have been entitled to a dowry portion from the patrimony and an equal share of their maternal inheritance Bellavitis, "Women, Family and Property in Early Modern Venice," 175–178.

⁹⁴⁹ ASVe, Notarile Testamenti, b.696, n.21. 20th November 1661. The value of this bequest was enough to cover the sisters' daily expenses, a similar bequest was given to unmarried sisters Bortolussi family. See Bellavitis, *Identité, mariage, mobilité sociale*, 269–272.

⁹⁵⁰ "lascio per il loro maritare o monacare ducati tre mille in contanti che con tante fatiche et sudori nelli tempi presenti ho amassati che sara mettà per caduna". ASVe, Notarile Testamenti, b.696, n.21. 20th November 1661.

were from wealthy and well-established Venetian citizen families. In his later will in 1667, Domenico confirmed that they had received an equal portion of the 3000 ducats.⁹⁵¹ However, there was a more important change between the two wills. In 1661, Domenico still held hope that one of his brothers would have a son, and declared that after the death of his siblings the property should continue through the male line.⁹⁵² By 1667, Domenico had given up hope that his brothers would have a male heir and did not know that Francesco was going to have a son, so he named Isabetta and Zanetta and their sons as the heirs to the Moretti estate after the death of his siblings.⁹⁵³ The problem was that Isabetta and Zanetta did not have any sons, which broke the *fedecommesso* for the next generation and gave the last surviving Moretti sibling the ability to bequeath the estate as he or she saw fit.⁹⁵⁴

For Sebastiano in particular, this rigid process of inheritance limited his agency as the 'new' head of the family. Even though he had control of the family fortune, he only had a lifetime interest in it, and could not bequeath it as he saw fit. In his will in 1683 he was careful to note the improvements he had made to the mainland villa in Castagnole; that he had managed the family property well, and had improved the prestige of the Moretti family.⁹⁵⁵ Leaving a visible family legacy was one way for Sebastiano to demonstrate his position, but even so it seems that he could not get free from Domenico's shadow.

The Fedecommesso, and Giulia's Authority

Despite Domenico's best intentions, his use of a *fedecommesso* to favour his sisters caused insecurity and friction among Sebastiano's family and Giulia. By the time Sebastiano came to write his will Bortola had already passed away, and as his heiress, Giulia was in no need of further support. He bequeathed her a hundred ducats as a sign of affection, and stated that, "I would had given her more if I thought she had need of it".⁹⁵⁶ Giulia's position as heiress may have also undermined Sebastiano's testamentary agency, given that his bequests to friends and family were made in objects and money but not property. Moreover he asked that an inventory of the family's movable goods be made to distinguish between his property and the family property.⁹⁵⁷ Drawing up an inventory

⁹⁵¹ Ibid., b.155, n.69. 1 June 1667.

⁹⁵² Ibid., b.696, n.21. 20 November 1661.

⁹⁵³ Ibid., b.155, n.69. 1 June 1667.

⁹⁵⁴ Davis, *A Venetian Family and Its Fortune, 1500-1900*, 74.

⁹⁵⁵ ASVe, Notarile Testamenti, b.773, n.102. 16 September 1683.

⁹⁵⁶ "[...]molto di piu haverei fatto se havessi conosciuto potesse haverne bisogno": ASVe, Notarile Testamenti, b.773, n.102. 16 September 1683.

⁹⁵⁷ ASVe, Giudici di Petition, *inventari*, b.389, n.51, 39.

defined the property his daughters could claim, and it would seem that Sebastiano, like Domenico before him, did not trust his sister to deal fairly with his daughters.

Table 7.2	
Restitution of Margarita Moretti Fondi's Dowry in 1684	
Type of Property	Value in ducats
Land	1932
Movable goods from Castagnole	1312:19
Silver	315
Movable goods from Venice	682
Total	4241:19
Source Archivio IRE, DER E 169, b.6 fol. 26, 27 May 1684.	

Sebastiano's insecurity over Giulia's intentions towards her nieces was not wholly unfounded, as when she inherited the estate, the restitution of Margarita's dowry caused a dispute between the two. Sebastiano's daughters, Isabetta and Zanetta, had grown up in the Moretti household with Giulia, but these close ties were not enough to prevent friction and discord. Between 1661 and 1667, the absence of male heirs caused Domenico to start looking at Isabetta and Zanetta as his heiresses, which he formalised in his will in 1667. It was likely that this shift in the Moretti family helped his nieces to make better marriages. Their husbands Carlo Maria Mutti and Marc'Antonio Bembo were from well-established citizen families, and would not have been drawn by Isabetta and Zanetta's respectable but uncompetitive dowries of 1500 ducats. As such they would not have responded well to their change in fortune. In May 1684, Giulia and her nieces tentatively negotiated and agreed which goods would be used to pay back Margarita's dowry of 4241 ducats.⁹⁵⁸ However matters quickly deteriorated from there as neither Isabetta nor Zanetta came to collect the items, and by July matters had become so bad that Giulia asked the authorities to step in to legally enforce their agreement. On 6th July 1684 Zanetta was sent a letter by the *Avogaria di Comun* stating,

"[...]that within three days you have to return the keys of the palace and other places in the villa of Castagnole below Treviso owned by Lady Giulia Moretti[...]within those [three days] you should have removed from those places all the goods in payment of your aforesaid mother's dowry, you should not for her nor for a

⁹⁵⁸ Archivio IRE, DER E 169, b6, n.25. 27 May 1684.

third party, use violence, abuse, harass with words or deeds the agents of the said Lady Giulia Moretti, the penalty for which is 200 ducats[...]."⁹⁵⁹

Isabetta received a similar letter from the *Avogaria di Comun* on 15th July but with a penalty of 500 ducats. Whether the penalty was configured due to the wealth of their marital family or the severity of their alleged actions is unknown, but from the wording of both letters it would seem that, at the very least, heated words had been exchanged between Giulia and her nieces' agents. The fact that Giulia resorted to the authorities prevented any further disputes. On 24th July, the sisters' husbands Carlo Maria Mutti and Marc Antonio Bembo went to the office of the *Avogaria di Comun* declaring that they had never had the keys to the villa, all they had were the keys to the basement where their father's property was kept. Moreover, they refuted Giulia's insinuation that they would ever abuse her agents or meddle in the affairs of Castagnole.⁹⁶⁰

The restitution of Margarita's dowry took another month to be completed, but ultimately Giulia was able to enforce her right over the family property.⁹⁶¹ The process left both sisters frustrated with the terms of the *fedecomesso* and Giulia's enforcement of it.⁹⁶² Following the terms of Domenico's will Giulia had usufructuary rights over all movable property for her lifetime, and this was what upset Isabetta and Zanetta. In her will of 1684, Zanetta complained about her preclusion from her natal family's property stating,

"[...] That to each one of us the road remains barred to have a provision not only on the immovable but also on the moveable property [...] a very strict entail it is almost to say that even the air we touch is the same; so that I remain forbidden from using a single handkerchief [...]"⁹⁶³

Considering her grievances it is not surprising that in her own will Zanetta left her estate to her sister and her marital family.⁹⁶⁴ When Domenico tied the Moretti fortune to his siblings, he did so

⁹⁵⁹ "[...] che debbi nel termine del giorni tre haver liberamente consegnate le chiave del palazzo et altri luochi in villa di Castagnole sotto Treviso di ragione di donna Giulia Moretti[...]nel termine ut supra debba haver da essi luochi asportati li mobili tutti da lei appresi in pagamento di dotte della q[uodam] sua madre nec non, non debbi p[er] lei né p[er] interposte usar violentie, offender, molestar con fatti e parole le persone dell' agenti di d[ett]a done Giulia Moretti e cio in pena di d.500 ".Ibid., b6, n.26. 15 July 1684.

⁹⁶⁰ Ibid., b6, n.36. 5 August 1684

⁹⁶¹ Ibid.

⁹⁶² Ibid.

⁹⁶³ "[...]che cad[un]a di noi resta preclusa la strada a veruna dispositione non solo dei stabili ma anco di mobili [...] a strettissimo fideicomisso e quasi disse anco l'aria che lambisce li mede[se]mi; si che mi resta vietato l'uso di un sol fazzoletto. ASVe, Notarile Testamenti, b.773, n.130, 15 April 1684.

⁹⁶⁴ Ibid.

to ensure that they each lived in comfort and security. However, Giulia was much younger than her other siblings and lived until 1693.⁹⁶⁵ What Domenico had not envisaged was that his *fedecompresso* would be broken, so instead of allowing Giulia to live comfortably from 1684 to 1693 she became a powerful family matriarch.⁹⁶⁶ Her brother Paulo may have advised and assisted her, but she was the sole owner of the family property. Her dispute with Isabetta and Zanetta showed that she was not afraid to enforce her rights, and as the daughter of a Doctor of Law and sister of highly educated and influential brothers she proved that she was capable of taking on such a position.

Her new status was evident not just from the enforcement of her rights but from how she interacted with her nephews. In September 1686, her youngest nephew Andrea Moretti (Francesco's son) was 18 years old and out of favour with his aunt. The weather must have been colder than usual, as he was staying at a friend's house and found that he needed warmer clothes.⁹⁶⁷ He sent a note with a servant to Giulia's house requesting the attire he needed, but unfortunately he sent a servant that Giulia was unfamiliar with, so his aunt refused to give the servant anything and sent her away. It was clear that Andrea needed this warmer set of clothes, and he sent another servant, this time with a longer note, and a plain ring that showed the message was truly from him.⁹⁶⁸ He used this second letter as an excuse to ask for forgiveness from Giulia, but without actually explaining what he had done to upset her.⁹⁶⁹ His letter underlined that Giulia's good opinion was important to him, and whatever he had done, he promised that, "[...] all those who are discontented and who say many bad things about me, in good time I will account for this [...]"⁹⁷⁰ This fragmented letter from Andrea showed that Giulia took an active role in her nephews' lives, but that she held them up to a high standard, and was not easily won over if she found them wanting.

The Next Generation of the Moretti Family

The last part of this chapter will look at how Domenico's remaining siblings - Paulo, Bortola and Giulia - bequeathed their wealth to the next generation and examine the relationships they formed.

⁹⁶⁵ Ibid., b1, 30 July 1693.

⁹⁶⁶ Paulo was still alive in the 1690s but was not part of the *fraterna*, and so did not factor into the transmission of property.

⁹⁶⁷ Ibid., b4, 22 September 1686.

⁹⁶⁸ Ibid.

⁹⁶⁹ Ibid.

⁹⁷⁰ "[...]tutti quelli che sono mal co[n]tenti et tanto male a lei dicono di me che a suo tempo mi giustifichero[...]"Ibid.

Given that Paulo was a childless widower, and Bortola and Giulia were spinsters, how they chose to bequeath their wealth free of Domenico's influence demonstrated their family relationships. It will also show to what extent if any they honoured Domenico's wishes for family unity.

Paulo, the last surviving brother, wrote his will in 1680 when he was still in good health but growing conscious of his age. Although he was 76 years old he was still working as a notary in partnership with his nephew Andrea Porta, and would not officially retire for another four years.⁹⁷¹ When he initially left the Moretti household he should have withdrawn his portion of the patrimony, but it seems that he did not remove his entire portion. In his will, he declared that Sebastiano and Giulia should enjoy his portion for their lifetimes and after their deaths it would pass to Isabetta and Zanetta, and be divided equally among their heirs.⁹⁷² Keeping that property within the Moretti family may have been a condition of Paulo's separation from his siblings. If this was the case then his bequest underlines the influence and authority that Domenico had over his brothers. Moreover, since Paulo had no children of his own, the ties that he maintained with his natal family were important to him.

In 1680, Paulo also left bequests for his two nephews: to Andrea Porta he left his office on the Rialto, and to Andrea Moretti he left an annual bequest of four *stara* measures of flour and four *orne* measures of good wine; perhaps inspired by the bequest his wife left him.⁹⁷³ However, the events of 1684 between Giulia and Sebastiano's daughters may have caused Paulo to rethink the terms of his will. The dispute between the two parties was officially resolved in early August 1684, and Paulo drew up a codicil at the end of that month. In it he renamed Andrea Porta the heir to his share of the patrimony after Giulia's death, displacing Zanetta and Isabetta.⁹⁷⁴ In changing his will and favouring his nephew, whom he had worked with and helped to train as a notary, Paulo was able to exercise a type of artificial fatherhood.

⁹⁷¹ His name appears in the notarial catalogue in the Archivio di Stato in Venice in 1661. He took over from his father completely in 1670, and worked with Paulo until he retired in 1687.

⁹⁷² Il restante de miei mobili[...] lascio liberam[en]te alli S[igno]ri Sebastiano et Giulia miei fratello et sorella o a chi di loro sopravvessero. Voglio et ordino anco che il residuo di miei beni stabili sia goduto dalli sop[radet]ti S[igno]ri Sebastiano et Giulia {miei comissarii} metta per caduno et morendo l'uno vada tutto nell'altro sopra vivente. Doppo la morte di quali sostituisco nelli stabili mie heradi le Signori Isabetta et Zanetta mie nezze figiole di detto S[igno]r Sebastiano et li loro figlioli per equal portione et s'alcuna d'esse mie nezza mancasse senza prola tutti la sua portione de miei beni stabili liberi si devolua et unda nella sopravviente con figlioli overo nella sua filiatione come sopra. ASVe, Notarile Testamenti, b.631, n.662. 6 January 1680.

⁹⁷³ Ibid.

⁹⁷⁴ ASVe, Notarile Testamenti, b.773, n.109, 23 August 1684.

In making this amendment to his will Paulo was probably aware that three years earlier Bortola had left the majority of her wealth to Andrea Moretti.⁹⁷⁵ Although she had been living in Andrea Porta's household, Bortola might have seen it as her role to ensure that the nine year old Andrea Moretti was financially secure, being that he was the only Moretti nephew to carry the family name.⁹⁷⁶ When spinsters bequeathed their wealth they often left it to subordinate members of the family, usually to nieces or nephews with low expectations of inheritance from their parents.⁹⁷⁷ It is not known what provisions Francesco or his wife made for Andrea, but with Isabetta and Zanetta already married and settled, and Andrea Porta's sister Marietta in a convent, Bortola's choice was between her two nephews.

This brings us finally to Giulia, and despite all Domenico's planning, it fell to her to decide how the Moretti fortune would be passed on. It appears that she took the responsibility for re-distributing the family wealth seriously. She made one large charitable donation and left 15 properties on the Calle dal Volto al Purgio in Santa Croce to the *Ospedaletto dei Derelitti*, as a sign of devotion to her sister Zanetta.⁹⁷⁸

When it came to bequeathing the family property her decision was more complicated. Under normal circumstances sons from the male line took precedence over those of the female one, but unfortunately for Andrea Moretti his uncles and aunts had struggled to produce male heirs. In 1693 the two cousins were at different stages in life since there was an age gap of over 20 years between them. Andrea Porta was 46 years of age, while Andrea Moretti was only 25 years old.⁹⁷⁹ Andrea Porta already had a wife, several children, and a secure profession. In contrast Andrea Moretti's position was not as secure: although he had married in 1686 when he was only 18 years old, the marriage had resulted in only one son, Francesco, and neither Andrea's profession nor position were fully established.⁹⁸⁰ Andrea Moretti's early marriage suggests that the two cousins did not have a sense of family unity, and Paulo's will did little to foster such ties.

⁹⁷⁵ Ibid., b.773, n.63. 15 April 1677.

⁹⁷⁶ Ibid.

⁹⁷⁷ Childless female testators were more likely name their siblings or nieces and nephews as their heirs, and did not usually give priority to preserving the family line in their bequests. Stanley Chojnacki, "Patrician Women in Early Renaissance Venice," in *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore: John Hopkins University Press, 2000), 120–122; Anna Bellavitis, *Famille, genre, transmission à Venise au XVI^e siècle* (École française de Rome, 2008), 161–162; Froide, *Never Married*, 44–86.

⁹⁷⁸ Archivio IRE, DER E 169, b1, 30 July 1693.

⁹⁷⁹ ASPV, Archivio "segreto", Parrocchia di Santa Maria del Giglio di Venezia, Stati d'anime e catastici, b. 1.8, 1649; Giuseppe Tassini, *Cittadini Veneziani*, (1888), BMCC, Provenienze Diverse, ms. P.D. c 4, b3, fol.227bis, Digitalised Image, <http://lettere2.unive.it/manoscritti/tassini/sottohomericerca.html>

⁹⁸⁰ Ibid.

Giulia left Andrea Moretti property in the Ghetto and in Santa Croce, all the goods in those properties, and 100 ducats.⁹⁸¹ Her only condition was that the immovable property could not be sold off or separated but had to pass to Andrea Porta's heirs. She also stipulated that the Porta family give them five measures of flour and five measures of good wine a year.⁹⁸² Unlike Domenico, Giulia did not use the Moretti property to unify the family, but by giving the Moretti family a legacy that needed to be given annually by the Porta family, she ensured that a relationship continued between the cousins even if it was only a financial one.

It was Porta's seniority and his children that made him the next head of the Moretti-Porta family, but he was not Giulia's main heir. Instead it was to his children that she bequeathed the majority of the Moretti estate and instituted a strict *fedecommeso* on it, declaring (like her father and brother before her) that the Porta brothers and sisters were to live together and divide their inheritance equally.⁹⁸³ By bequeathing the estate in this way Giulia gave preference to her sister Cornelia's family, while Domenico's earlier wills suggest that he would have favoured a male agnatic heir like Andrea Moretti; Giulia was not compelled by this sense of duty to the family line.⁹⁸⁴ In choosing the Porta family, Giulia was going against common practice but this did not seem to concern her, as she did not stipulate that Andrea Porta or his children needed to adopt the Moretti name. For her it was more important that her family's fortune went to benefit the most secure branch, not the one with the Moretti name.

It seems that the Porta children were much younger than Giulia and her siblings had been when Domenico first took over the family. To allow for this Giulia did not select the eldest brother to become the next head of the household, instead she proclaimed, "[...] and whoever finds themselves in the Porta household is under the direction, education and discipline of your mother Mrs Anna."⁹⁸⁵ Giulia must have considered Andrea Porta's wife, Anna, to have been a good matriarch for the Porta family.

⁹⁸¹ Ibid.

⁹⁸² Ibid.

⁹⁸³ Archivio IRE, DER E 169, b1, 1693, 30th July.

⁹⁸⁴ Ensuring that the family name and lineage survived was a principal concern for many male testators. Chojnacki, "Patrician Women in Early Renaissance Venice," 120–121; Bellavitis, *Identité, mariage, mobilité sociale*, 128–132.

⁹⁸⁵ "[...]e che si attrovavano in Casa Porta sotto la disciplina , educatione, e direttione della Signora Anna loro madre." Archivio IRE, DER E 169, b1, 30 July 1693.

Normative concepts of the family gave mothers more authority over younger children but as they got older, aspects such as education, direction and discipline became the purview of fathers, particularly for boys. What Giulia's will implies is that in the Porta household, Anna rather than Andrea had a greater influence over the children. Whatever her motives Giulia did as much as possible to bolster Anna's position in the Porta family, and she made this clear in the parting message of her will, when she declared:

"I want and order that Mrs Anna Porta, mother of the aforesaid brothers Porta, will have the charge and management [of the family][...] not because I doubt the aforesaid sons' goodness but because they will be in a more loving *fraterna*, and obedience to their mother will make certain that all things pass in good order."⁹⁸⁶

After growing up in a household with her brothers, sisters, and their families, Giulia may have seen the importance of instituting parental authority over the siblings, until one son grew into his role and learnt how to negotiate authority with his siblings. Ultimately like Domenico, Giulia's main concern was that the Porta family remain together first under the leadership of Andrea and Anna, then with whichever son they chose to follow them.

Conclusion

The example of the Moretti family has underlined that becoming a husband was not a necessary element of adult status in seventeenth-century Venice and that bachelors could and did exercise domestic authority. Domenico's authority as a *paterfamilias* and the close ties he had with his siblings was evident from the family's residential separation after his death. Through the relationships he fostered with his sisters, nieces, and nephews, he was able to access alternative forms of patriarchal adulthood and fatherhood. The fact that the Moretti fortune fell into Giulia's hands, and that she was able to bequeath it as she saw fit, may not have been what Domenico intended, but it was a consequence of his family's relaxed attitude toward marriage.

Conforming to Venetian marriage practices, the Moretti initially made two good marriages for Cornelia and Sebastiano. With these marriages in place the other brothers may not have felt the urgency, at least initially, to marry and start families themselves. Paulo and Francesco both married

⁹⁸⁶ "Ordino et voglio che la signora Anna Porta madre delli sudetti fratelli Porta ne sii la soprintendente e n'habbi la directione...non perche dubiti della bonita di figlioli sudetti ma perche stiino piu in amorosa *fraterna* et obbedienza alla loro madre essendone certa che il tutto passera con buon ordine". Ibid.

later in life, and did not appear to be limited by their unmarried state. Sebastiano and Francesco both lived as husbands and ‘subordinate’ members of the Moretti household. Only Paulo chose to formally free himself from Domenico’s authority when he married. Exactly why he separated from his siblings is unclear, but his marriage allowed him to exercise independent domestic authority as a husband and stepfather. Even so it does not seem that the Moretti brothers equated marital status with domestic authority, for their order of birth played a more definitive role.

In practical terms, getting married may not have seemed urgent to the Moretti brothers, but their late marriages had significant consequences for their family. The absence of male heirs caused Domenico to tie the Moretti fortune to each of his siblings. Had Sebastiano and Margarita had a son, Domenico may not have been as formally protective of his younger siblings. His actions made it difficult for the family unity to be sustained by Sebastiano after his death. Still, the consequences of Domenico’s testament were felt most acutely by his nieces and nephews who were unable to inherit the family property until Giulia passed away. In this environment marriage became more important to Andrea Moretti, who in stark contrast to his father and uncles, got married when he was only 18 years old. Such an early marriage in this family suggested that Andrea, as the last Moretti, was encouraged to start a family early. Even so, his early marriage did not secure him greater authority within the family, as until Giulia died he could not come into his inheritance, and when she did it was his older more established cousin, Andrea Porta who received the majority of the Moretti fortune.

This case study highlights a need for more studies on bachelorhood and late marriage below the Venetian patriciate. The Moretti family demonstrated that family pressure could influence the necessity to marry, but that becoming a husband in itself did not necessarily elevate a man’s status or entitle him to greater domestic authority.

CONCLUSION

This thesis has examined the marriage strategies, family loyalties, and relationships of a group of English and Venetian families. Taking inspiration from Peter Burke's and Alexander Cowan's studies on Venice and Amsterdam and Venice and Lubeck, I wanted to conduct a similar kind of study on families of non-noble elites.⁹⁸⁷ Working from this premise I selected a group from the Inner Temple in London, and a group of Venetian lawyers. The broader purpose of this study was to examine a group of Northern and Southern European families in parallel to see at the local level how their family experiences varied.

The English and Venetian families in this study lived in rather different settings: their worlds were legally, economically, demographically, socially, politically, culturally, religiously and geographically distinct. However, the gentlemen of the Inner Temple and the lawyers of Santa Maria Zobenigo were united by the same socio-professional status and chronology. These points of unity were not insignificant; the families in this study were important elements in their local contexts; they were highly educated, affluent, and members of civil or genteel society.

The Venetian lawyers were an urban elite. Some may have had origins outside the city but they still were members of the non-noble elite and would have shared characteristics with the Venetian patriciate. The English gentlemen were all members of the Inner Temple in London and all passed the bar there, but the majority were members of the gentry and as such were country elites. How much time they spent in London would have varied according to the demands of their family and profession. Some, like Sir John Trevor, would have spent most of the year in the city, while others, like Cynwrig Eyton, who was a Justice of North Wales, would have remained in the country. Most of the gentry visited London quite frequently but their ties to the county made them distinct from the Venetian lawyers, who were principally an urban elite with villas on the mainland. Yet despite these differences of scale the families in this study shared a similar social, cultural and economic status within their own societies.

Conducting a Parallel Study on England and Venice

In selecting the English gentlemen of the Inner Temple and the Venetian lawyers of Santa Maria Zobenigo, I chose two rather distinct groups that took into account the Northwestern European

⁹⁸⁷ Burke, *Venice and Amsterdam*; Cowan, *The Urban Patriciate: Lübeck and Venice, 1580-1700*.

divide on the family. Traditionally this divide has been articulated through quantitative and demographic studies - the argument being that nuclear and neolocal residential patterns in Northwestern Europe were more in line with a modern model of the family.⁹⁸⁸ This debate is well established, but is this divide so apparent if we look beyond the demographic and economic models?

This study suggests that the situation was more complicated. The predominance of primogeniture in England, in contrast to partible inheritance practices in Venice, would imply that Venetian inheritance practices were closer to a modern model. Moreover the local level focus of this study has allowed us to move beyond this broader debate, and to speculate on the influence of the confessional divide as well as the impact of the different juridical systems and regional customs.

The majority of English and Venetian families fell on either side of the confessional divide. This allowed for a parallel discussion on marriage and the family in a Catholic and Protestant setting. A similar approach was taken by Brian Pullan in his work on charity and poverty.⁹⁸⁹ One of the fundamental differences between England and Venice was the presence and absence of the religious alternative. Several Venetian families in this study placed their daughters in convents or allowed them to become tertiary sisters. Moreover the example of the Cesana family underlined that some families placed marriageable daughters in a convent in order to protect their reputation.⁹⁹⁰ The investigation into Leonora Cesana's courtship and betrothal highlighted the threat that a marriageable daughter could have on the family's honour if she remained at home. The English families in this study did not have the option of the convent, and it seems that unmarried daughters posed a less acute threat to the family honour. Unton Croke's daughter, Anne, lived with her aunt in Devon in the years before her marriage. Sir Edward Dering's unmarried daughters all remained in his household and travelled in family groups quite frequently.

Another major distinction between the families in this study were the judicial systems in England and Venice. English common law and Venetian law supported and reinforced a different set of rights and privileges on men and women in the family. They supported the different modes of inheritance in both areas, the control and transmission of dowry portions, as well as the routes to male adulthood. Venetian law reinforced the authority of the *paterfamilias*, while English common law supported the authority of husbands and fathers. Both legal systems worked to maintain the

⁹⁸⁸ See page 8.

⁹⁸⁹ Brian S. Pullan, *Poverty and Charity: Europe, Italy, Venice, 1400-1700* (Aldershot: Ashgate Publishing Ltd, 1994).

⁹⁹⁰ See page 105.

patriarchal values of the family, but this was articulated differently in England and Venice. The two case studies of Sir Edward Dering and Domenico Moretti showed that they both cared for their families, but when we talk about concepts of siblinghood or fatherhood it is sometimes easy to forget that these relationships were based on different legal foundations. Sir Edward's responsibility to his siblings was different to Domenico Moretti's. Likewise Sebastiano Moretti's experience of marriage and fatherhood was notably different to most of the gentlemen of the Inner Temple. Having that dual perspective gave me a more nuanced outlook on the family and an awareness of the distinct legal and normative frameworks that controlled them.

Some of the differences between the English and Venetian families were accentuated by the different types of sources used in this study. The ego documents left behind by Sir Edward Dering and his family allowed me to delve much deeper into his experiences as a son, brother, husband, father, and grandfather. Although the Moretti family archives provided me with rich material, the relative absence of ego documents meant that this chapter was much more limited on relationships and emotions within the Moretti family. Similarly in the Vidalli case, it is clear that Luigi dishonoured his family in some way, but without a court case, letters or a diary, the discussion of his transgression was limited to the comments made by the elder Vidalli matriarchs in their testaments.⁹⁹¹ Even so using Venetian testaments as a source is also limited by the fact that the index for testaments is incomplete, and for some notaries there is a box of sealed testaments which are still subject to privacy protection.

Likewise in England, the absence of notarial records makes it much more difficult to find contracts or legal documents relating to the family. In some cases marriage agreements may have survived in the family archives, or were included in court cases, but otherwise it is much more difficult to establish the terms of a marriage. Yet the digitalisation of parish records and testaments has made access to some sources much easier. In order to strike a balance between the English and Venetian chapters, I selected material that would keep the parallel chapters thematically level.

One of the benefits of this parallel approach was that it compelled me to look beyond the English or Venetian debates on the family. Even through the same thematic lens, there were absences or silences between the English and Venetian chapters. These silences made me consider some heuristical directions for research on the family in England and Venice. The following section will examine the three main themes of this thesis. Using the comparative approach as a heuristic tool,

⁹⁹¹ See page 158.

it will propose some unconsidered questions, and highlight some potential avenues for new research.

Marriage Strategies

Early and Late Marriages

Age of marriage was one of the imbalances between the English and Venetian chapters. Thanks in large part to the digitalisation of parish records, marriage allegations, and family genealogies it was relatively easy to calculate an approximate age of marriage for the English gentlemen in this study. While in Venice I was only able to trace the same kind of information for a small number of families. Stanley Chojnacki's study on patrician families suggested that in the fifteenth century, men married when they were about 30 years old.⁹⁹² James Grubb's study on the Veneto elite during the fifteenth century found that on the mainland men married younger, in their mid-twenties.⁹⁹³ However beyond these studies little is known about age of marriage in Venice.

Among the English gentlemen in this study eight married before they passed the bar, while it seems that the Venetian lawyers in this study waited until they returned from Padua. This distinction was interesting considering that in England marriage was more closely linked to economic independence, even if in practice that was not always the case. Those who married at a young age like Edmund Bowyer and Sir Edward Dering were temporarily supported by their wife's families.⁹⁹⁴ Among the Venetian lawyers in my study, there are only a few examples of early and late marriage. Whilst this is by no means representative it does allow us to discuss the age boundaries of marriage among the Venetian families in this study.

Three Venetian lawyers, Giovanni Francesco Busenello, Pietro Imberti, and Sebastiano Moretti married at an early age when they were 21, 23, and 27 years old. Interestingly, Busenello and Moretti were both in families that practiced limited marriage. Their situations were similar to elder sons of the English families, as their position meant that they were encouraged to marry earlier and provide heirs. However, the different environments of England and Venice change the context somewhat. Sebastiano Moretti lived in *fraterna* with his siblings, where his elder brother Domenico was the head of the family, so when Sebastiano married his wife joined their household. In contrast Giovanni Francesco Busenello did not live in the same residence as his brother so his marriage had

⁹⁹² Chojnacki, "Measuring Adulthood: Adolescence and Gender," 195.

⁹⁹³ Grubb, *Provincial Families of the Renaissance*, 4–5.

⁹⁹⁴ For Edmund Bowyer, see page 73; For Sir Edward Dering, see page 187.

a more profound impact on his expenses. Such examples suggest that the impact of early marriage was influenced by household type and form. Sebastiano would not have needed to deal with the expense of a residence, in the way that Giovanni Francesco did.

In Venice marrying at an early age also meant that their brides were more likely to be of a similar age to them. Elite women could marry at a rather young age, but not all daughters were married in their teenage years. Imberti and Busenello's wives were only two years younger than them. Moretti's wife was six years younger than him, but given the larger age difference she was still the same age as Imberti's wife.⁹⁹⁵

In most cases these early marriages were part of a wider family strategy. Late marriages were harder to define. Given the number of patrician and elite bachelors present in Venice, there would have been little stigma attached to delaying marriage. Even so, the only two clear examples of late marriage came from the Moretti family. Paulo Moretti married in his late forties, while Francesco Moretti married in his late fifties. I was unable to trace the age of their wives but given that Paulo's wife was a widow with children it was unlikely that she was a teenager.⁹⁹⁶

The downside of Francesco's late marriage was that he had children who were still young when he passed away. This was one of the dangers of late marriage that affected the English gentlemen in this study as well. However, the existence of Domenico's *fedecomesso* also meant that Francesco had little control over how his wealth was passed on to his children. This instability meant that Francesco's son married at a much younger age, and secured a marriage when he was only 18 years old.

These examples show that those who married early did so due to family strategy, and presumably with financial support. Men who married later were less strategic and perhaps made more personal choices. However, their marriages suggest that the boundaries of late marriage in Venice were potentially much wider than the 40 year range for English gentlemen. Given that so much more is known for the English case, it would be interesting to see the various effects that early and late marriages had on the Venetian family.

⁹⁹⁵ Archivio Storico del Patricato (ASPV), Curia Patriarcale, Archivio 'segreto', Stati delle Anime, Parrocchia di Santa Maria del Giglio di Venezia, Anagrafi e stati d'anime, b. 1.8. 1649.

⁹⁹⁶ See page 215.

The Role of Marriage in the Family

The Venetian families in this study married rather exogamously either with patricians, or to those from a similar socio-professional milieu.⁹⁹⁷ In contrast the English group married more endogamously. Some of these marriages may have been made for professional advancement or preferment, as in the case of Thomas Argall or Francis Bostock Fuller, but even in these cases they would have had overlapping motives that took into account their counties of origin and family ambition.⁹⁹⁸

Endogamous and Exogamous Marriages

The Greek Orthodox marriage strategies in Venice were quite distinct from the Catholic majority who married exogamously. The Flangini family was in fact the only one in the Venetian group that visibly intermarried to preserve family wealth.⁹⁹⁹ Not all of the families in the English group were Anglican, but their marriage patterns were not as distinct as the Greek Orthodox families in Venice. Richard Grassby highlighted that non-conformist groups in England married quite endogamously, and intermarried with families of their faith.¹⁰⁰⁰ Roger Hill was from a Presbyterian family, but whilst he would have married within a different elite circle, his marriage strategies, in principle, differed little from his Anglican neighbours, who married within their own families and region.¹⁰⁰¹ While this might be a simple point to make, the religious minorities within the Venetian group were more apparent, because they formed endogamous marriages when their contemporaries forged exogamous ones. Given that the Greek community held such a fixed position in Venice and many practiced civil professions, it might be interesting to do an in depth study on the elite families of the Greek community during the seventeenth century.

⁹⁹⁷ The exception being the marriage between Benedetto Soranzo and Marietta Flangini who were both patricians.

⁹⁹⁸ For Thomas Argall, see page 61; For Francis Bostock Fuller, see page 83.

⁹⁹⁹ See page 110.

¹⁰⁰⁰ Grassby, *Kinship and Capitalism*, 2001, 56–58.

¹⁰⁰¹ Studies that have examined non-conformist families in greater detail, like Patricia Crawford's chapter on the Henry family, or Leonore Davidoff and Catherine Hall's *Family Fortunes*, have shown some of the key distinctions between Anglican and non-conformist families and family life. Crawford, *Blood, Bodies and Families in Early Modern England*, 175–207; Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (Chicago: University of Chicago Press, 1991).

Heiresses

The Flangini case raised another interesting, but key distinction between the English and Venetian families; the position of heiresses on the marriage market. In England, heiresses from mercantile and landed families were the target of several gentlemen in this study. In Venice dowry inflation meant that some daughters' dowry portions were equivalent to an heiress's inheritance, but it might also be interesting to consider the position of Venetian heiresses on the marriage market, in addition to those with high dowries. Heiresses would have had a privileged status in their families, and their marriages, or failure to marry would have decided the future of their family line.

In this study Marietta Flangini, Giulia Moretti and Iseppo Tirondello's daughters were all heiresses or co-heiresses.¹⁰⁰² In each of these three cases the families' marriage strategies were different. Marietta Flangini's marriage was a means of keeping her father's wealth within the family. Iseppo Tirondello's daughters were all given substantial dowries, and three of them married into the patriciate. Giulia Moretti was an accidental heiress by virtue of her brother's *fedecompresso*; she never married, and her marital status made her a formidable matriarch within her family. It might be assumed that heiresses at this social level would have used their wealth to marry into the patriciate but that was not always the case.

There was one substantial difference between English and Venetian heiresses: they were subject to different social and juridical norms. Venetian law allowed wives to own property in their own right, whereas English common law did not, and once English women married all their property became the property of their husbands. This disparity was not lost on early modern English women, Lady Mary Montague resented that Austrian and Turkish wives were entitled to retain ownership of their property.¹⁰⁰³ The only way for married women like her to retain control of their property was to establish a separate estate. This legal distinction may have affected how heiresses were viewed on the marriage market in England and Venice, as the mode of control and ownership would have been distinct. This is a subtle point but in discussions on agency, marriage, and the position of wives in the family, it may serve to add a more nuanced perspective.

In terms of heiresses on the marriage market, the English example may offer a new perspective to the Venetian one, as English heiresses from mercantile families married into the gentry, but

¹⁰⁰² For the Tirondello sisters, see page 100; For Marietta Flangini, see page 110; For Giulia Moretti, see page 220.

¹⁰⁰³ Erickson, *Women and Property*, 108.

heiresses from the gentry married largely within their own social milieu or family. In Venice, non-noble elites had more exogamous marriage patterns, and this placed heiresses in a more interesting position.¹⁰⁰⁴ I would be curious to see if, like Tirondello's daughters, other heiresses used their status to marry into the patriciate, or if instead, some families with no male heirs married more endogamously to protect the family line and fortune.

Inheritance and Family Affiliation

The second part of the thesis examined family loyalty or disloyalty through inheritance practices. The families in this study all owned property; while some were richer than others, they were all families of substance. However, legally English and Venetian testamentary practices were rather different. Venetian law entitled an equal division of the patrimony between sons, and unmarried daughters, while in England, the gentry favoured the tradition of primogeniture. Women's testaments were typically freer of patrilineal concerns, but again English and Venetian practices varied. In England the majority of women who wrote wills were widows or never-married women. In contrast Venetian women were not as restricted and wives could and did compose wills to transmit their dowry portion, but in the event of intestacy sons and daughters were entitled to an equal share of their mother's wealth.

These basic differences underlined that the families in this study had rather distinct expectations and experiences of inheritance and the transmission of property after death. Chapters four and five addressed this issue from rather different perspectives. The probate court cases among the English families highlighted some of the more exceptional cases of loyalty and disloyalty within the family, while in Venice examining burial preferences and testamentary practices within individual families revealed their internal dynamics, hierarchies and expectations.

Inheritance and Marital Status

Amongst the English and Venetian families there were a small number of men and women that did not marry. In the absence of children or a marital family they were more likely to bequeath their estates to their natal family. Elite Venetian marriage practices encouraged the practice of limited marriage forcing the majority of sons to remain unmarried. How they bequeathed their wealth depended largely on their position in the family, and whether they lived independently or

¹⁰⁰⁴ Bellavitis, *Identité, Mariage, Mobilité Sociale: Citoyennes et Citoyens à Venise au XVI Siècle*, 224–231.

within a *fraterna*. Enrico Corner and Domenico Moretti bequeathed their estates as *paterfamilias* rather than as bachelors, while for Piero Antonio Ordano his family ties were more influential.¹⁰⁰⁵ The majority of bachelors formed closer ties with their natal families, but others, like Piero Antonio Ordano, adopted a child and formed an artificial family.

The use of probate court cases in chapter four revealed more about the disputes between the English families, and this element was absent among Venetian ones. Although there is less evidence of underhanded dealings among the Venetian families in this study, it was likely that some would have manipulated their relatives in the pursuit of wealth or status.¹⁰⁰⁶ The two English case studies on mental incapacity and bigamy revealed the extent to which some family members would go.

Chapters four and five may have drawn on different discussions and sources but there were some absences, or silences within them. For instance, a man's right to compose his last will, was different in England and Venice. In England a man was considered legally independent when he became 21 years old, while in Venice only his *paterfamilias*' death, or legal emancipation would allow a son the same status. Among the Venetian families in this study, in 1649 there were four families with 'adult' sons living in their fathers' households.¹⁰⁰⁷ These sons were in their mid-twenties to early thirties, they were engaged in professions and two of them were married.¹⁰⁰⁸ Although informally they may have acted far more independently, when it came to formal elements such as composing their testaments the line between dependence and independence was much clearer.

Another surprising shared absence was mistresses and illegitimate children. Despite the range of sources used in England and Venice, neither mistresses nor illegitimate children were visible suggesting that in both areas these affairs were kept private.¹⁰⁰⁹ This point was underscored by Edmund Bowyer's probate court case, as there was more evidence of an acknowledged romantic relationship between Edmund and his 'friend' William Sowersby than there was of a mistress and children among the wider group.¹⁰¹⁰ Studies on lifelong bachelors are quite limited, but Kate Barclay's research on Gilbert Innes has shown that some men were less discreet about their

¹⁰⁰⁵ For Enrico Corner, see page 145; For Pietro Ordano see page 165; For Domenico Moretti, see page 218.

¹⁰⁰⁶ Instead Venetian studies have focused more on marital litigation. Hacke, *Women, Sex and Marriage in Early Modern Venice*; Menchi, Seidel, Jacobson Shutte, and Kuehn, *Time, Space, and Women's Lives in Early Modern Europe*; Ferraro, *Marriage Wars in Late Renaissance Venice*; J.M. Ferraro, "The Power to Decide: Battered Wives in Early Modern Venice," *Renaissance Quarterly* 48, no. 3 (1995): 492–512.

¹⁰⁰⁷ ASPV, Archivio 'segreto', Stati delle Anime, b. 1.8. 1649.

¹⁰⁰⁸ Ibid.

¹⁰⁰⁹ Emlyn Eisenach, *Husbands, Wives, and Concubines: Marriage, Family, and Social Order in Sixteenth-Century Verona* (Kirkville: Truman State University Press, 2004), 135–177.

¹⁰¹⁰ See page 127.

illegitimate children.¹⁰¹¹ Husbands were just as capable of having extra marital affairs, but bachelors, in the absence of wives were more likely to have acknowledged their mistresses.

Family Relationships and Hierarchies

The third part of the thesis examined family relationships and hierarchies through two case studies on the Moretti and Dering families. These two families provided rather distinct examples not only of their experiences but also in the sources used to bring their stories to life. Nevertheless I believe that these two chapters are the richest and more rewarding chapters of this thesis.

Sir Edward Dering and Domenico Moretti were the leading figures of rather different families. In both cases their positions were clearly defined but their authority, responsibility, and relationships, ran along different lines. Domenico remained a bachelor and headed a household composed of his siblings. Even his married sister's family lived in a neighbouring apartment owned by him. In contrast Sir Edward married and had a large family, but also took a role in his siblings and extended family's lives. His position as the head of the Dering family and the sole owner of the Dering estate was different to Domenico's, as the unmarried head of a shared inheritance.

Looking at these case studies together raises some interesting points for discussion. Studies on English siblings and siblinghood have shown the potential closeness and divisiveness of these lifelong ties.¹⁰¹² They have also underlined the influence that primogeniture had on sibling ties, and more broadly that family relationships were shaped in part by this formal hierarchy. The Dering family certainly confirmed this notion. Sir Edward Dering, as the heir and eldest son, accepted the mantle of authority and responsibility within the Dering family.¹⁰¹³ However, in Venice, especially among the families that lived in *fraterna*, those hierarchies would have been different. Domenico Moretti may have been the head of the family but he only managed the family fortune, he had no claim to independent ownership.

¹⁰¹¹ Barclay, "Illicit Intimacies."

¹⁰¹² Crawford, *Blood, Bodies and Families in Early Modern England*, 209–230; Naomi J. Miller and Naomi Yavneh, *Sibling Relations and Gender in the Early Modern World: Sisters, Brothers and Others* (Aldershot: Ashgate Publishing, Ltd., 2006); Harris, *Siblinghood and Social Relations in Georgian England*; Davidoff, *Thicker Than Water*.

¹⁰¹³ Although more was expected of elder sons, it was not guaranteed that they would accept that responsibility, but Sir Edward did.

Looking at legal and socio-cultural customs between England and Venice we can see that the position of women in the family, modes of inheritance, and the authority of the head of the family were different. These differences made the dynamics of family relationships fundamentally distinct.

Sir Edward oversaw his younger brothers' education and training, but he was legally and financially independent of them. In contrast the Moretti siblings' finances were tied together - if one of them got into debt they all did. Their shared residence in Santa Maria Zobenigo meant that they would have been far more involved in each other's daily lives. In England, siblings could live together, but the Venetian type of co-residence was distinct from the English one. This difference among social elites suggests that when sons grew into adults, the connection between their family and natal household was different. In England, once they had established an income, younger sons were expected to leave home and establish their own residences.¹⁰¹⁴ While in Venice, the presence of several natal family members living in one household was not unusual.¹⁰¹⁵

Another major distinction between sibling ties in these two case studies was the position of the Dering and Moretti sisters in the family. Sir Edward and his sister, Elizabeth, seem to have shared a closer relationship than they did with their half siblings. Moreover, Sir Edward's temperamental relationship with his stepmother, Lady Unton, had an impact on his relationship with his younger half-sisters.¹⁰¹⁶ Sir Edward was formally required to provide his younger sisters with their dowries, and probably would have been involved in negotiating their marriages. Still, unlike the Moretti family, Sir Edward's sisters did not play an active role in his daily life. His youngest sister, Frances, in particular, did not marry until she was 34 years old, and while Lady Unton was alive, Frances lived with her.¹⁰¹⁷

The Moretti sisters seem to have had a more central role in their natal household. The three Moretti sisters - Bortola, Cornelia and Giulia - remained close to their natal family for the majority of their lives. The fact that the siblings' residential unity ended after Domenico's death suggested that he wanted all his siblings to share a residence. However, both Bortola and Giulia, by virtue of their

¹⁰¹⁴ Joan Thirsk, "Younger Sons in the Seventeenth Century," *History* 54, no. 182 (October 1, 1969): 358–77; Linda Pollock, "Younger Sons in Tudor and Stuart England," *History Today* 39, no. 6 (June 1989): 23; Susan E. Whyman, *Sociability and Power in Late-Stuart England: The Cultural Worlds of the Verneys, 1660-1720* (Oxford: Oxford University Press, 2002), 43–46.

¹⁰¹⁵ Chojnacka, *Working Women of Early Modern Venice*, 1–25.

¹⁰¹⁶ See page 175.

¹⁰¹⁷ See page 175.

unmarried status remained part of their brothers' *fraterna*, and this in itself gave them a connection that is difficult to translate to their English counter-parts.

When it came to the matter of dowries, Domenico was responsible for providing portions not only for his sisters but also his nieces. This underlined at a key distinction between Sir Edward and Domenico and their brothers. By living in *fraterna* with Domenico, the younger Moretti brothers accepted his authority regardless of their age or marital status. However, within the Moretti family only Sebastiano had children while Domenico was alive. Although Sebastiano had fatherly authority over his two daughters, Domenico was the head of the family, and that distinction would have affected Sebastiano's role as a father. Although in both England and Venice, a father's authority was an intrinsic element of the family, Sir Edward Dering and Sebastiano Moretti would have experienced fatherhood differently. Although there is no evidence to suggest what kind of fathers or uncles, Sebastiano and Domenico were, placing them in contrast to Sir Edward Dering and his family suggests a need for further study on the domestic authority of fathers like Sebastiano.

The different topics discussed in the Moretti and Dering chapters also reflect the different kinds of sources used in these chapters. The wealth of letters and diaries for English families made it possible to examine their relationships through their diaries and letters, while in Venice only more official sources have survived. Although court cases may have revealed more about families' internal dynamics, these sources are harder to locate in Venice. The imbalance of sources did not prevent a rich discussion on the Moretti and Dering families, but it does show that English and Venetian discussions on the family have their own thematic limitations. This is what makes a comparative study such as this one more fruitful, as by looking at different discussions and sources on the same theme, we might find new perspectives and ways to approach a subject.

Ideas for the Future

This thesis has focused largely on experiences and practices and in so doing I have not given much space to representations and attitudes on marriage and the family. Given the different legal, religious and cultural differences between England and Venice it would be interesting to see how normative and popular attitudes towards the family varied with practices. Especially since both Venice and England reinforced the patriarchal ideal of the family.

In terms of the sources used in this thesis, there were some sacrifices made on both sides in order to maintain a thematic balance between the English and Venetian chapters. For the English group I did not take full advantage of diaries and letters, and in Venice, I restricted my use of inventories, notarial documents, and documents from the *Scuole Grandi*. With more time the inclusion of these unused sources would enrich the discussion of these families on both sides. Likewise for my case studies on the Moretti and Dering families I only used a small portion of their family archive. There is enough material to write several chapters on their households, relationships and marriages but given the scope of the thesis, I limited my examinations of their families to one chapter each.

One way that the heuristic issues outlined above might be taken forward is by selecting one of the subcategories from this study, such as family affiliation through burial bequests, or fatherhood, and examining it through a series of case studies on a wider European level. Through more focused studies such as these, we might be able to acquire a better understanding of family experiences in and the deeper nuances between them.

Studies on the European family as well as more regional studies have shown that English and Venetian families lived in rather different worlds. The households that they lived in, the laws that regulated their family life, and their routes to domestic authority were different. Studies on the European family have focused largely on quantitative, demographic or a regional model perspectives. By conducting a parallel study between a group of English and Venetian families, this study has provided an example of a qualitative study on two groups from different European areas, and examined how their experiences of marriage and family life differed.

In normative terms both England and Venice considered the family to be the miniature model of the state, but this study has shown that in both places, the definition of the family was interpreted differently in practice. For example, the domestic authority of husbands and fathers was not always guaranteed in Venice, and the relationships between family members in England and Venice were based on rights and hierarchies. Such differences were influenced by the confessional divide as well as local customs and laws. Parallel studies of this kind make such differences visible, and by considering these issues and investigating them in a wider framework, we can come to a more nuanced understanding of the European family.

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