

## **DISASTERS AND MISFORTUNES: THE STORY OF JOHN AND JANE DANIELL by Martin Taylor**

### **Introduction**

On 17th June 1601 John Daniell, the tenant of Hackney rectory, was found guilty by the Court of Star Chamber of what we would now call forgery and blackmail. He was sentenced to a period in the pillory, a term of imprisonment, and a massive fine which led to the confiscation of his property by the Exchequer. This resulted in a ten year trail of inventories, pleas and petitions which has been used to build a picture of Daniell's house in Hackney - the Parsonage House - and the lives lived in it.

Perhaps uniquely for a 17th century resident of Hackney, this evidence also tells us a great deal about John Daniell himself, and his wife Jane - their attitudes, aspirations and failures - and on this part of the site we have tried to piece together the circumstances which led to the Daniells' move to Hackney, and then to their rapid departure.

The records of John's trial in Star Chamber and his later law suit against Ferdinando Heybourne (who subsequently bought the lease of the Rectory) give us a great deal of information. The papers relating to the Star Chamber action in the State Papers series are annotated by him, mostly with rather petulant comments refuting the prosecution case. Moreover, to justify his actions he wrote a narrative of his misfortunes, poignantly entitled 'Danyells Dysasters'. This gives us a rare insight into the thought processes of an Elizabethan gentleman. Throughout this memoir, Daniell represents himself as an injured party who was 'entrapped by double dealing and powerful adversaries'.

Furthermore, we have a similar recital of the story written by Daniell's wife Jane, entitled 'The Misfortunes of Jane Danyell'. Autobiographical material relating to an Elizabethan woman is even rarer than such material relating to an Elizabethan man. Both documents appear to exist only in manuscript form. The personal testimonies allow us to flesh out the story gathered from the legal records. In the following retelling of the Daniells' misfortunes we have drawn heavily on these testimonies. It should be borne in mind however that both husband and wife were concerned to justify what was essentially an act of blackmail, and to portray themselves as victims of the ensuing actions of state and local officials.

### **A gentleman of Cheshire**

John Daniell was a Cheshire gentleman with an estate at Daresbury, near Runcorn, which his family had held since the reign of Edward III. He was born about 1545, and became a ward of the Queen on his father's death in 1559, Daresbury being held from the Crown. The estate included Daresbury Hall itself, a water mill and lands nominally worth £16 3s. 4d as a moiety (half) of a knight's fee, together with other lands in Cheshire and Lancashire. Wardship of young John was granted by the Queen to one Richard Merbury of Walton, either his maternal uncle or cousin.

We have not found any indication of the course of John Daniell's early career, but he spent at least part of his life on his country estate in Cheshire. He undertook the amateur military duties typical of the Elizabethan country gentleman. In 1588 and 1596 he was Captain of a band of foot mustered in the hundred of Bucklow - in 1588 he was requested by the deputy lieutenants of Cheshire to hold his men in readiness to meet the expected Spanish invasion. He was also concerned to secure and expand his estates in the county. He was involved in a long dispute with Christ Church, Oxford, over the tithes of Daresbury and Runcom, and his approach was robust. In 1592 he was in trouble for the alleged 'riotous removal' of tithe corn from the supposed lessee of the Daresbury tithes.

### **Upwardly mobile**

But John had ambitions outside Cheshire. As a relatively young man, he was a follower of Thomas Butler, 11th or 'Black' Earl of Ormonde. To obtain political office and social advancement at the end of the sixteenth century, members of the gentry often became clients of prominent courtiers. Ormonde was one of the leading Anglo-Irish peers and head of the powerful Butler family, but he had been educated in England and was intermittently resident at Court, where John appears to have been a member of his household. On the Earl's return to Ireland to suppress a rebellion (undated in John's account, but probably the Desmond revolt of 1579), John went back to Cheshire and 'applied [himself to husbandrie] - concentrated on farming his estate, in other words. When Ormonde returned to Court, John returned to his service.

However, despite Ormonde's patronage, John was unsuccessful in attaining his objective of a post in the royal household. His ambition was to succeed his uncle as Serjeant of the Pantry. This was not a prominent position at court; in 1607 the post was worth £11 8s 1d per annum, with 17 assistants, but no doubt there were various perks which made the position worth having. But when his uncle died, a Mr Ware was appointed to the Pantry instead of John. 'Nevertheless,' continues John, 'I attended upon the seyd Earle many years still expecting some other preferment.' He was not successful, and when Ormonde returned to Ireland for good, probably in the late 1580s, John transferred his allegiance to another courtier, the Earl of Essex. In the Service of the Earl of Essex

Robert Devereux, 2nd Earl of Essex, had been Elizabeth I's favourite since the late 1580s. He has been summed up as 'the epitome of the courtly hero: handsome, adventurous, ambitious, a brave soldier and a fair poet'.<sup>9</sup> He was also a Staffordshire landowner, and thus a natural patron for an ambitious gentleman from across the border in Cheshire. The strength of the Essex connection is indicated by the Christian name of John's second son, Devereux.

## Marriage to Jane

While in the service of Essex, John met one of the Countess of Essex's gentlewomen, Jane van Kethulle. Jane was a Protestant exile from the Low Countries, the daughter of a Flemish nobleman, Francois van Kethulle, Lord of Rihoven, who had been governor of Ghent. It was probably about 1587 when she came to England and entered Lady Essex's service. Internal evidence suggests that Jane wrote the 'Misfortunes' about 1605, when she had been away from her native country for eighteen years. [12]. Lady Essex was then the wife of Sir Philip Sidney, who served in the Netherlands with the English forces against the Spanish. Presumably it was through the Sidney connection that Jane found herself under the protection of Frances. Jane served her for ten years and by her own account become a valued friend of the Countess. She was entrusted with the care of Frances's jewels, during which time she did not 'dyminish of them so much as one pearle!" [13]

John and Jane were married in the winter of 1595/6; a general licence was granted on 1st December by the Bishop of London to John Daniell and 'Jane Rehova, spinster, a foreigner', and domestic servant of the Countess of Essex, resident in the parish of St Olave's, Hart Street." Jane was presumably then living at Walsingham House in Seething Lane in St Olave's parish, a house which had come to the Essexes from Frances's father, Queen Elizabeth's secretary and spy-master Sir Francis Walsingham. One wonders at John's motives in marrying Jane, as he appears to have remained resolutely single until the age of fifty. One clue is that one of John's major grudges against the Essexes was that the dowry they promised to Jane failed to materialise.

The Daniells had several children. The eldest son John must have been born soon after their marriage, and Jane records that she had four children when the family left Hackney. The William Daniell baptised in St John at Hackney on 28th May 1601 may have been their child. [15] If so, his father was either already in prison or shortly to be arrested. Perhaps to mark the occasion young William wore the mantle of crimson taffeta recorded in the inventory of the Parsonage.

## Forgery and blackmail

Essex's political ambitions were threatened by other factions at Court, principally those of Sir Robert Cecil, the Secretary of State, and Sir Walter Raleigh. This meant that it was by no means easy for him to get his clients appointed to office, and the fruits of office were the means by which a powerful man secured the loyalty of his followers and thus extended his own political influence. Notoriously, Francis Bacon, Essex's candidate for Attorney General, was not appointed to that post, but neither was John Daniell to the Pantry when it once again fell vacant. By 1599 he had spent a great deal of money in attending on Essex without attaining his ambition. However in October of that year he obtained a useful and profitable lever against the Earl.

At the end of September 1599 Essex had suddenly returned to London from Ireland. He had gone there as Lord Lieutenant in March to suppress the long running revolt of the Catholic Earl of Tyrone. The campaign was a failure, and Essex unwisely and in defiance of specific instructions made a truce with Tyrone. His return to Court was precipitate and without permission. On 1st October he was put under house arrest.

On 10th October the Countess of Essex entrusted to Jane Daniell a locked casket of letters to the Countess from her husband. With her husband under house arrest she presumably felt that the letters were too sensitive, for whatever reason, to fall into the hands of the authorities.

When the casket was returned to Lady Essex in January 1600, a number of the letters were discovered to have gone missing. John Daniell had extracted some of the letters and had them copied by a prominent London scrivener, Peter Bales. According to his later statements, Daniell's intentions were patriotic; he realised that they contained evidence somehow damaging to Essex, and he intended to present them to the Queen. Be that as it may, Bales claimed at John's subsequent trial that John had demanded he imitate Essex's handwriting closely when copying the Earl's letters. This suggests that John was effectively making forgeries to pass off as the Earl's original letters.

Jane persuaded him not to damage her reputation with Lady Essex by revealing the letters to the Queen, and he resolved to use them to compensate himself for the years of expense in Essex's service, by using the letters to extort money from the Earl and Countess. He demanded £3000, arguing that something was owed to him in lieu of Jane's dowry which had never been paid.

In April 1600 Lady Essex made over to the Daniells the considerable sum of £1720, having raised the money by selling her jewellery. The Earl made a release to them 'of all actions, suits, debts and accounts', effectively an acknowledgement that the payment was a just payment for their 'good and faithful service'. [16] John returned the copies of the letters he had had made by Bales, but retained the originals, presumably as security for payment of the balance of £1280.

The letters present a slight mystery. At John's trial, Attorney General Sir Edward Coke informed Star Chamber that the letters were dated from both before and after the Essexes' marriage and concerned only 'matters of affection and such like'. [17] Why was the Countess so anxious to conceal from the authorities what it is suggested were merely love letters? And why did John think that such letters would be so useful a basis for blackmail? One possibility - and there is no proof - is that the letters revealed that Essex was having an affair with Frances while she was married to Sir Philip Sidney. The cuckolding of a national hero would certainly have been a matter for concealment. Alternatively, Coke may have been

Hackney Rectory and its associated manor of Grumbolds for £500, and spent upwards of £300 on 'reparaciouns, new buildings, assurances and other charges towards the furnishing thereof.' [19] They probably obtained the lease at Michaelmas 1600, as in June 1601 they had held it for less than twelve months, and had not received the profits of the previous year's harvest.

Why did John and Jane move to Hackney? In 1600 it was a salubrious place, noted for its 'healthful air'. Large houses were the residences of gentlemen and merchants, such as John Machell, owner of the 'bryk place', now Sutton House. [20] Social cachet was provided by England's premier earl, Lord Oxford, who lived at the King's Place (later Brooke House). Altogether Hackney was a reasonable address for a gentleman with a young family, who had just come in to money, and aspired to a place at court.

## Downfall and Trial

However, in February 1601 the Daniells' world collapsed. The Earl of Essex had failed to recover his previous eminence at Court and faced social and financial ruin. He came to believe that the only way to restore his fortunes was to extinguish the power of his enemies by force. On Sunday 8th February 1601, Essex and a few followers entered London in arms to attempt to gain the support of the citizens, prior to seizing the Queen and forcing her to dismiss Sir Robert Cecil, Sir Walter Raleigh and others. Despite Essex's former popularity, Londoners refused to join him. He retreated to his house in the Strand, which was swiftly surrounded by government troops. The revolt was soon suppressed.

On Monday morning the Privy Council began a series of arrests and examinations. One who escaped arrest was John Daniell, an indication that he was known to have severed his connection with Essex. His name does not appear among the Council's lists of detainees. However, Peter Bales, the scrivener, does appear to have been arrested on suspicion of complicity, although he was apparently not proceeded against any further. [21] Perhaps, if he was involved, he purchased his freedom by informing on John Daniell.

Certainly when Essex was brought to trial on 11th February, John's misdeeds were known to the prosecution. To prompting by the Attorney General, the Earl fulminated against 'John Daniel, an errant thief, one that broke a standard of mine, and stole a casket of my wife's...' [22] Essex was of the opinion that John had been working with his old enemy Sir Walter Raleigh. As we shall see, John always denied this, but his crime was now in the public arena. Although Essex was found guilty and executed, the authorities took a dim view of forgery and blackmail committed against even a disgraced member of the political elite.

Accordingly an investigation was begun, and on 17th June 1601 John was brought from the Gatehouse prison, to which he had previously been taken, for trial by the Court of Star Chamber at Westminster. He was prosecuted by the Attorney General, Sir Edward Coke. Coke had also prosecuted Essex, and was notorious for the venom with which he undertook prosecutions. That Coke himself appeared perhaps suggests the gravity with which the government regarded John's offence. Sir Edward gave of his best; he stigmatised John's 'trecherous and foul practices', and asked that John should receive 'some extraordinary and exemplary punishment'. [23] John could offer no defence. Peter Bales' evidence was conclusive. Despite his protestations that he copied the letters lawfully, John was fined, imprisoned and sentenced to stand with his ears nailed to the pillory, beneath a notice which read 'A Wicked Forger and Imposter'.

In the 'Dysasters' John mentions his imprisonment and fine. He makes no reference to his pillorying. This may indicate that it did not take place. Certainly he petitioned the Queen for the sentence not to be carried out, because it would be 'an etemall stayne to gentillitye'. [24] It may be that this argument would have carried some weight in an acutely status-conscious age, but the authorities may not have been in a forgiving mood.

John was fined the huge sum of £3000, £2000 of which was to compensate Lady Essex. She wrote to Robert Cecil requesting immediate payment of this sum, as if John was allowed to spread the payments over time he would be effectively benefiting from his crime. [25]

## The reckoning

The first step towards payment of the fine was to ascertain the extent of, and to seize, John's property. The Exchequer therefore issued a commission on 29th June 1601 to Edward Vaughan, William Swayne and Richard Shepheard to undertake this work. William Swayne was probably the Mr Swayne of Well Street who contributed 10s to the repair of Hackney Church in 1605, and who owned what later became the Cass estate in south Hackney. [26] The others were also presumably Middlesex gentlemen and magistrates. The accounts of the Commission record a payment to the landlady of the Castle inn in St John's Street, the usual meeting place of the Middlesex magistrates and where the Commissioners and jury sat to assess John's assets. [27]

John did not regard them as having administered the Rectory estate honestly, being more concerned with 'pursuing their gredie humour and desier of lucre and gayne.' [28] Specifically they were supposed to have laid hands on £300 worth of hay and goods before making any inventory, and sold the stuff to their friends at less than half its true value.

The actual seizure of Hackney Rectory and its administration until the lease was transferred to other hands was carried out by Ralph Bell, who had been appointed steward of Grumbolds manor in 1598, and was thus the logical man for the job. According to his will, Bell was collecting tithe money in 1606, and thus presumably continued to be steward under the

In the end, the agreement did not come into effect. As noted above, Lady Essex wanted her £2000 at once, and Buckhurst may have been pressured by Cecil to renege on the deal. That he did so is a constant source of complaint in both Daniells' memoirs and petitions to the Court of Exchequer and the Crown. Daresbury, John's patrimony, also passed to Lady Essex, but not before, according to his bitter complaints, it had been heavily exploited and its profits embezzled by the Sheriff of Cheshire.

On 5 October 1601, over three months after they were appointed, the commission made a full inventory of the Parsonage House. At the same time Jane's servants and her four children were removed from the gatehouse, in which they had been lodged since Bell entered the property in June. They were unable to take all their belongings with them, and Jane made the inventory of the gatehouse which she submitted to the Exchequer.

The lease of Hackney Rectory and the contents of the Parsonage House were sold to Ferdinando Heybourne. He paid £530 12s 2d, payment to be spread over three years. John was outraged, as he believed that the Rectory was worth £2000. In his petitions to the Crown, and in his 'Dysasters', he complained that the confiscation of Hackney Rectory had been corruptly managed, and that Heybourne had used his influence locally to acquire it at a huge undervalue.

Ferdinando Heybourne (also known as Richardson, his mother's maiden name) appears to have been an ambitious man, seeking to expand his land holdings beyond his base in Tottenham. Jane compared him with the biblical King Ahab, coveting the vineyard of his neighbour Naboth. [30] If John is to be believed (a big if), Heybourne went to great trouble to secure the Rectory, sending representatives to the Fleet Prison to persuade John to make it over to him, and then suborning the Commissioners when John declined to cooperate. Ironically, though, he appears to have been everything that John wanted to be. He held property in Edmonton and Tottenham, was a justice of the Peace for Middlesex and held office at court as a groom of the privy chamber. He crowned this career in 1611 with a knighthood.

#### Release from Fleet Prison

John obtained his release from the Fleet in 1604, after the accession of James 1. His and Jane's subsequent petitions for the restoration of his lands and bonds can be found among the State Papers Domestic. He also launched a case against Heybourne in the Court of Requests, but with no success. Lady Essex was still an influential figure, and her portion of the fine had not been paid by 1607, when the balance was granted to her new husband, the Earl of Clanricarde. In January 1610 John was refused permission to sue the Clanricardes for return of the bonds. John commented wearily on his failure to obtain recompense at law in the 'Dysasters': he compared 'the laws of this lande to a spyders webbe, that retayneth the little flyes, and suffers the great to escape.' [31]

During this period Jane appears to have supported the family by going back to her old post as a gentlewoman to ladies at Court. She complains in the 'Misfortunes' that this was not easy, and tells of an occasion at Hampton Court when a fellow courtier had charged her to her face with having brought about Essex's end. Despite his traitor's death, Essex was posthumously very popular, as glamorous failures are wont to be. Rumours had spread at Court that the Daniells had given the incriminating letters to two of Essex's bitterest rivals, Sir Walter Raleigh and Lord Cofflam, who had used them to bring about the Earl's downfall. Essex had implied as much at his trial. In 1603, Jane drafted a letter for John to send to Cofflam and Raleigh, appealing for them to issue a public denial that they bribed him to betray Essex. But when Daniell wrote the 'Dysasters', probably about 1609, he still complained of 'being scorned by the vulgar'. The way in which a man was treated by his per-ceived social inferiors reflected on his actual social status in the 17th century, and as is indicated by his petition to the Queen against being put in the pillory, John was very conscious of his position as a gentleman.

Nor was the period after John's release devoid of incident. In 1606, when resident in Great Sanctuary, Westminster, John reported that his neighbour Thomas Chamberlayne had broken into his house and threatened him and Jane.' [32] Typically he does not say why Chamberlayne might have done this, but mentions that he is always being turned out of houses he rents. Given his litigious streak, his speed to take offence and his reputation as the betrayer of Essex, he cannot have been an easy tenant or neighbour.

#### John's Death

In January 1610 the Daniells received licence to publish the accounts of their troubles, but we can find no evidence that this happened. Any such plans were presumably interrupted by John's death. He died intestate on 30 April 1610 at his lodgings in Tuttle (Tothill) Street, Westminster, from where he had petitioned the Exchequer for return of his lands in the previous February. Administration of his estate was granted to his brother Geoffrey, although Jane was later appointed administratrix.

Daresbury had been returned to John by the time of his death. The inquisition post mortem describes him as being seized in tail of the manor of Daresbury. John and Jane's son, another John, inherited the Cheshire property. The Daniell family continued to hold Daresbury until the extinction of the direct male line in 1736.

The connection of the Daniell family with Hackney was brief but spectacular. They lived at the Parsonage for less than a year, but there is every indication that they intended to make Hackney, rather than Daresbury or Westminster, their home. John kept his bonds and title deeds at the Parsonage, and Jane and the children were resident there. Nevertheless, could it be that they had not made themselves popular in the parish? William Swayne, Walter Addes, and Ralph Bell appear to have been happy to kick John when he was down. Certainly the case was the talk of the village - Jane complained to Buckhurst that, in spite of his injunction, the Commissioners had continued to call roads from the

## Notes

1. HAD D/F/TYS 71/9, 'Danyells Dysasters' (DD) 9.
2. DD 15.
3. HAD D/F/TYS 71/9, 'Misfortunes of Jane Danyell' (MJ).
4. PRO SP 46/50/1.
5. Ormerod, *The History of Cheshire*, I, 732-734.
6. PRO SP 46/52/138, 139, 151.
7. Calendar of State Papers Domestic (CSPD), CCLXXXI, 7711.
8. Royal Commission on Historical Manuscripts: Calendar of Manuscripts (HMC): Montagu of Beaulieu, 63.
9. Williams, *The Later Tudors, England 1547-1603* (1995) 326.
10. HMC Cecil IX, 312; HMC Delisle & Dudley II, 382.
11. DD 9.
12. MJ 69.
13. MJ 75.
14. Harleian Sodety, *Allegations for marriage licences issued by the Bishop of London 1520 to 1610*, I (1887). 'Rehova' was the name of Jane's father's barony, and must have been used by her as a surname.
15. Simpson, *Memorials of St. John at Hackney*, III, 227
16. CSPD (1598-1600) CCLXXIV, 18.
17. PRO SP 40/56/163
18. HMC Cecil XI, 251.
19. DD 5.
20. Anne Blackburn and Mike Gray, *Sutton House*, 1992.
21. Acts of the Privy Council 1600-01, 160.
22. Howell's State Trials, I, 1344.
23. PRO SP 46/56/173
24. PRO SP 46/56/87
25. HMC Cecil XI, 546.
26. HAD D/F/TYS 1, 63; VCH X, 87.
27. HAD D/F/TYS 15, 407; William. J Pinks, *The History of Clerkenwell*, 2nd edition (1880) 297.
28. D/F/TYS 15, 337
29. D/F/TYS 30/3, 508.
30. MJ 124.
31. DD 26.
32. PRO SP 46/55/284. This is a petition, one of many, to Lord Salisbury, formerly Essex's rival Sir Robert Cecil. He must have been really sick of John Daniell by this time!
33. CSPD CCLXXIX, 154.