Tower. 'Lady Penelope' was probably Penelope Devereux, daughter of the ninth earl's wife by her first husband, Sir Thomas Perrot, d 1594. Algernon Percy's two sisters were Dorothy (1598–1659) and Lucy (1600–1660). See Batho, Household Papers, 147.

Algernon Percy became tenth earl of Northumberland on 5 November 1632. The 'young ladies' who witnessed the dancing might have been the tenth earl's daughters Catherine, Dorothy, and Lucy, mentioned frequently in accounts of this period. I have not been able to ascertain their birth and death dates.

Algernon Percy's first Countess was Ann, oldest daughter of William Cecil, second earl of Salisbury. Ann died 6 December 1637. On 1 October 1642, the tenth earl of Northumberland married Lady Elizabeth Howard, second daughter of Theophilus, second earl of Suffolk.

Earl Percy was appointed admiral in March 1636 and April 1637. He was appointed Lord High Admiral on 30 March 1638.

Sir John Borough, d 21 October 1643, was appointed Garter King of Arms in 1634. In 1622 he had assisted Robert Cotton in collecting manuscripts and in 1623 was appointed keeper of records in the Tower of London. Using his knowledge of the records, Borough assisted King Charles during discussions about calling a great council of peers.

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EILEEN WHITE

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Hewet, the wait of York

Information on itinerant musicians in Elizabethan England is difficult to compile because of the random survival of family papers that would have recorded their travels. One isolated reference to a particular musician, however, can be expanded.

The Shuttleworth family of Lancashire retained accounts of the period 1582 to 1621. From 1600 these accounts relate to the new hall at Gawthorpe, near Burnley, but until that date they describe the expenditures of the household of Sir Richard Shuttleworth, Justice of Chester, at Smithills, his home near Bolton. Amongst the entries is one for a payment made about 5 April 1591: 'Item payed to huete the wyethe of yorke ijs'. This is only one of many payments made to musicians and actors recorded in the Shuttleworth accounts, but it is of interest because of the light it throws on the travels of a York-based musician.

The York records reveal references to waits from the time the surviving series of Chamberlains' Rolls begins in 1433. By the end of the sixteenth century, the city of York supported four waits, town musicians who kept the morning watch, played for civic ceremonies and provided fanfares for visiting dignitaries. As well as a regular fee they received cloth for livery coats each year and badges embroidered with the initials of the current mayor, and they wore silver collars of office. They also received from every citizen of sufficient means contributions that were levied by the local constables or collected by the waits themselves. It was also possible for them to travel away from York to earn additional money when they were still considered to be representing York; one of the reasons for dismissing two of the waits in 1584 was that they had discredited the city when they went into the country 'in very evil apparell, with their hose forth at their heels'.

Apart from the waits, York contained many other musicians, and in 1554 they were strong enough to be formed into an official 'fellowship' or craft guild, with ordinances agreed upon and ratified by the city council, although these were not entered into the official Register until 1561. The members were to choose a master and two searchers
each year, and various rules were laid out. They could teach only their own apprentices or sons of a franchised musician, and an apprentice had to serve a seven-year term and be examined by the master or searchers before being admitted as a minstrel. However, members could teach gentlemen and franchised citizens or their children who wished to learn for pleasure alone. Although musicians in general could take only servants who had served their apprenticeship, the waits were allowed to hire any man to help them in their duties of keeping the watch. The benefit of belonging to the fellowship of York minstrels was that members were given preference and ‘foreign’ minstrels could not be employed on church holy days or to provide music for formal dinners held by other craft guilds in the city.

Robert Hewet the musician can be found in the city records between 1565 and 1597. No one of that name was franchised as a musician — and he must have been a freeman to have been allowed to practise — but in 1565 Robert Hewet tailor was franchised; the Chamberlains, noting his sureties for the payment of franchise money, stated he had been born in Brinhwate, Yorkshire. His sureties were Robert Chace skinner and Edward Baines draper, which does not help to link the tailor to the musician. However, a few years later, in February 1572/3, Robert Hewet ‘mister’ was in the company of two musicians, Wilfrid Wood and William Thomson, and a tailor, Roland Fawcet, bound to keep the peace against William Hewet tailor. One of his sureties was Christopher Willoughby, a joiner who was the son-in-law of a former wait, William Hill. William Hewet tailor was franchised in 1558. There is no evidence that this tailor was related to Robert, but it is significant that there was also a musician called William Hewet, paid by the York Minster chamberlains in 1595. The coincidence of two men called Robert and William Hewet who were tailors and two men with the same names who were musicians suggests that they could be the same two men, especially as they appear in the group of mixed tailors and musicians bound before the Quarter Sessions of February 1572/3. Perhaps they both qualified in a family trade and then used the security of their positions as freemen of York to practise their talents at music. There are many instances of men earning a living at a job other than the one they held when franchised.

In the same year that Robert the tailor was franchised, 1565, Robert the musician made his first appearance. Robert Hewet minstrel was presented by the searchers of the minstrels for playing with his apprentices at freemen’s dinners, contrary to the ordinances — this seems to relate to the rule against ‘foreign’ minstrels and suggests that at the time of the offence he had not become a freeman of York. He was exonerated by the mayor, before whom offenders were presented, and this incident may explain the subsequent appearance of his name in the Freemen’s Register; if he had been apprenticed as a tailor rather than as a musician, then he would be described as such even though he intended to follow a different career. In the same year that he was presented he was noted as one of the searchers of the minstrels along with the wait /Arthur Hodgeson/. The musicians’ officers were elected on 25 July, and the references to Robert Hewet’s presentation and franchise, in the context of the records, most likely occurred earlier in the year; so it seems that he was elected to an office not long after he had joined the musicians’ fellowship. Subsequent references to Robert Hewet suggest that he was a competent musician.

On 30 October 1566 the waits were dismissed ‘for their mysdemenour’ (unspecified); from other records they can be named as Arthur Hodgeson, Robert Husthwaite and Thomas Moore or Mower. This action caused the city council to reorganize the office, and they decided on 19 November to appoint four waits instead of three. The new wait would have the accustomed fees and livery, and the extra rewards and wages paid through contributions by city councillors and other inhabitants of York would be divided equally among the four. The discharged waits had handed in their silver collars and one shawm; it was decided that a new silver chain would be made, and on 4 December it was further
agreed that a 'noyse' of four shawms used by the waits 'at solempne tymes', likely to be sold, should be bought by the city for 40 shillings. A reference to the four waits 'that now be' suggests at first that new waits had been appointed immediately after the dismissal of the offending three, but a later entry shows that the situation was not resolved until the following year. On 4 April 1567 it was recorded that 'apon the humble sewte of Robert Hewet musician', the council agreed that as he was 'a quyet & mete man' he should be the chief wait and choose three fellows to serve with him. How long he served as such is unknown, and the next surviving records concerning the waits, on 20 January 1569/70, name three of them, Arthur Hodgeson, Thomas Moore and John Balderston, who were bound over before the city council for good behaviour to each other. There is no mention of Hewet or a fourth wait, who may have been uninvolved in the dispute that brought the others before the council, and two of the waits named had obviously been reinstated after their dismissal in 1566. Nearly two years later, on 12 December 1571, Arthur Hodgeson petitioned for his apprentice to use one of the four instruments (presumably the shawms) belonging to the city and to be given a livery, without prejudice to his fellow waits, without claiming any wages or customary dues, and with the promise that the apprentice would wear the livery only in the city. This indicates that there were at that time only three waits, and the apprentice was to be used to make up the number, though without receiving the full financial advantages — including those gained by playing outside the city — due to a wait. At this time Robert Hewet was still working in York and was described as a musician rather than a wait when he acted as a surety for a man from New Malton who was bound over to keep the peace at the Quarter Sessions of 6 March 1571/2.

The waits were again dismissed 'for certayne consideracions' on 20 October 1572, but there is no evidence that Hewet again came in to reform the group. In the following February at the Quarter Sessions, he was described as a 'musitioner' when the group of tailors and musicians already referred to were bound over to keep the peace. The formation of the waits for the next two years is unknown, and there is no record of Robert Hewet the musician during this period.

Arthur Hodgeson, reinstated as one of the four waits on 27 May 1575, was placed second in the group; the following year the waits were Thomas Moore, John Balderston, Arthur Hodgeson and John Clerke, and this group continued until Hodgeson's death in 1580.

On 14 October 1577 Rober Hewet was presented before the Bootham Wardmote Court in York for wearing the livery of Lady Cumberland. Such presentations were commonplace in these courts. The Tudor monarchy discouraged the nobility from surrounding itself with liveried retainers who could be used to create private armies, but the York magistrates would also have objected to the practice. A city like York was obliged to provide horses and armour as well as men should they be needed for the wars. A York citizen who took the livery of an outside noble or gentleman might have claimed he owed his dues to that master and not to the city, leaving the city the task of raising the same total from fewer contributors. This was a problem throughout the country, and legislation was drafted to combat it. No esquire, gentleman or yeoman was to bear the livery badge or sign of any noble or great man unless he were a household official or permanent officer, or held his usual dwelling-house from that lord; further, any man who did wear the livery of such a lord, but lived out of that lord’s jurisdiction, was expected to pay his dues where he lived.

Robert Hewet, a York-based musician, would have found the attachment to Lady Cumberland useful — or even necessary — if he wished to earn money as an itinerant musician; his appearance before the York court may have served to remind him of the city’s rights to demand taxes from him despite this attachment.

Even if he did travel, he kept his base in York. In 1578 he was elected 'maister of the fellowshipe of the said arte or sciens of musicions comonlie called the minstrells', and
was so described when the ordinances of that fellowship were revised and ordained before the city council on 28 November 1578. The most notable alteration in these revisions was that the earlier references to the musicians' 'craft' were changed to 'art'. New clauses enacted that a franchised minstrel could take an apprentice only if he could teach him 'such tuning and conversation' as would enable him to serve a nobleman or man of worship. Others concerned the professional behaviour of members to each other, in not pushing themselves forward to be hired for weddings to the hindrance of other members, or offering to play where another musician was playing so the latter would be worse thought of. They were not to play for apprentices and servants after nine o'clock at night, and only the waits were to play 'Hunts up', the rousing tune used by the morning watch, unless they specifically sent for other musicians. In the following year, the ordinance restricting 'foreign' musicians was strengthened by the city council, who ordered on 4 December 1579 that 'strange' musicians should not go about the city playing at doors or in houses except as allowed by statute.

During 1580, Robert Hewet began to help the waits again. At some point Arthur Hodgeson had died, and the waits had hired a piper for the watch. On 19 November it was agreed that they should be reimbursed what they had paid him, and also that Robert Hewet and Henry Squire should be waits. The other three waits – Thomas Moore, John Balderston and John Clerke – were to continue in office. Hodgeson's widow was to have the livery cloth which had been due to her dead husband. Although further order was to be taken the following Candlemas (2 February), nothing more was mentioned. Robert Hewet obviously continued to assist throughout the following year but seems to have preferred to help them rather than to be identified as one of them. On 14 December 1581 he was given the option of being one of the waits and receiving the usual clothing allowance – 12 shillings – if he would wear the coat and apparel as the other waits did; otherwise he would be paid 12 shillings for his pains and discharged from any further dealing with the waits. The Chamberlains' Roll for that year, perhaps simply copying the previous year's example, included Arthur Hodgeson's name amongst the four waits given clothing allowance, but in fact the money spent was for only three men, presumably the others named: Moore, Balderston and Clerke. Robert Hewet decided not to continue helping the waits, and on 24 January 1581/2 it was agreed that he would serve forth the watche until Candlemas and then be paid 40 shillings for the year.

Thomas Moore, John Balderston and John Clerke remained as waits and were briefly joined during 1584 by George Cowper of Ipswich, but he was dismissed for his involvement in a case of embezzlement after six months. On 31 October 1584 John Clerke and John Balderston were discharged for their 'evil and disorderlie behaviour', which as already mentioned included going around out of York in 'evil apparell', being common drunkards, and not playing their instruments 'cunningly'. Thomas Moore was not included in this indictment, but neither does his name appear again in the records of the waits. Once more the city turned to Robert Hewet to reform the group, and the Chamberlains' Book records payment of money for four liveries, due at Christmas that year, to Robert Hewet, head wait. He continued in this position at least throughout 1585, for at the following Christmas he was again paid the money due for four liveries. The silver chains and escutcheons of office were newly flourished and trimmed at the beginning of that year, and when these were delivered to Robert Hewet as chief wait he signed a receipt in the Chamberlains' Book with his mark, a simple circle. In the same year, William Sparke and Richard Laveroke were named as searchers for the minstrels, but at the end of the list of all the craft searchers the names of Robert Hewet and John Clerke minstrels were added, with Richard Browe's name crossed out, as though a change had been made. No records survive to show how long Robert Hewet led the waits on this occasion, but when the payment of the livery allowance was made in 1587, it went to John Balderston, John Clerke, Christopher Dent and William Johnson. The following year, Balderston disappeared, John Clerke became senior wait,
and Thomas Graves was added as a new wait. On 7 April 1592 John Watson replaced Christopher Dent who had died; William Johnson (also apparently identified as William Yonge) died in 1593, and at the end of that year the waits were John Clerke, Thomas Graves, John Watson, Christopher Smith and Cuthbert Thomson. This group remained together until 1596, when Christopher Smith went away and John Clerke was retired, to be replaced by Richard Bradley. The group continued with these members until 1602.

When Hewet the wait of York was paid by the Shuttleworths at Smithills in April 1591, he was in fact no longer employed as a wait. He is last known to have received a livery in 1585, and it may be he was also entitled to have one in 1586. If he retained his red coat of office after that date, he no doubt found it useful when he wished to travel and seek casual employment outside that city. His claim, however, was not entirely spurious, for he had on three occasions, in 1566, 1580 and 1584, been appointed to reform the waits or to help them out, and there was never any charge against him for evil behaviour or bad musicianship. There may have been unrecorded occasions when the waits asked him to help them keep the watch, for they were empowered to hire assistants. He did keep some connection with the musicians of the waits, and in January 1596/7 he was a surety for the franchise money of Cuthbert Thompson, originally appointed wait in 1593.

The city council of York perhaps did not realize he was identifying himself as a city wait as he travelled, even when he did not hold the post, unless he had special dispensation in view of his service. That the councillors were capable of taking action against impostors is shown in the later action against one of the city tipstaffs, John Peterkyn, who was accused on 30 April 1606 of being absent from the city wearing its livery and playing his instruments, compounding his felony by travelling with Jane Scarr, pretending she was his wife. He was discharged from office and put in the stocks.

Robert Hewet may have preferred his independence to the relative security of a position as wait; yet although he was reluctant to take the livery in 1581, he was not averse to claiming the association in 1591 when it aided his status as an itinerant musician. The fact that he played at Smithills near Bolton in Lancashire indicates that he looked for employment outside the city and was prepared to travel. He had at one time at least three horses, which he grazed all together on Knavesmire Common outside York, in excess of his rights, and leading to his being presented at the Micklegate Wardmote Court on 30 October 1584; so he could have travelled in some style, and with a servant or apprentice. However, in order to travel in Elizabethan England he would have needed evidence of secure employment. The Statutes of the Realm continually included articles against wandering rogues, vagabonds, minstrels, pedlars and tinkers – roving masterless men who could be expected to disseminate sedition, unrest or scurrilous tales – and these statutes were regularly noted in York. Control could be exercised over those who necessarily travelled to earn a living, like musicians or actors, if they were attached to a nobleman’s or gentleman’s household, or to a city. By wearing the livery of York or of the Lady Cumberland Robert Hewet would ensure his respectability.

By the turn of the century, itinerant musicians faced greater restrictions. The waits had always relied on travelling ‘abrode with there instrometes in the countrie’ to earn extra income, but on 28 April 1598 they petitioned the city council because a new statute passed in Parliament prohibited this activity, and it was decided to reconsider the citizens’ assessment that went towards their wages. Another restriction was imposed in the plague winter of 1598/9, when the gates of the city were shut and contact with the immediate suburbs not allowed, so that the waits were not able to collect their dues from those living outside the walls. Permission was needed for them to leave York, and Cuthbert Thompson was displaced when he left without licence in May 1602, although as he had handed over his chain of office before leaving he probably intended to give up his post. Despite restrictions, musicians still went out of York and came to York. On 21 October 1603 it was agreed in York that waits from other towns and strange
musicians had first to obtain a licence to play from the Mayor and the searchers of the musicians, and on 16 March 1607/8 it was ordered that waits or musicians coming to York must leave. How any similar restrictions would have affected Robert Hewet when he played elsewhere is uncertain, for he disappears from the York records in 1597, after standing surety for the wait Cuthbert Thompson’s franchise money in January 1596/7.

Robert Hewet, as revealed in the Shuttleworth accounts and the York records, shows that the claims made by travelling musicians may not have always been absolutely correct. However, Hewet had some right to his claim, and he can be seen as a competent, quiet, and ‘mete’ musician with an accepted place in his home city.

NOTES

1 Lancashire Record Office, DORS Box 32, Account Book II, p 180. See also The House and Farm Accounts of the Shuttleworths of Gawthorpe Hall, ed John Harland (Part 1: Chetham Society, 35, 1856), 65.
3 For example, in 1559: York City Archives, Chamberlains’ Book 5 (1559), ff 52v and 53v.
4 One is described: YCA: Chamberlains’ Book 5 (1565), p 2.
5 There are references to this in 1484, 1593 and 1597: YCA: House Book 2–4, f 136; House Book 31, ff 45 and 272; Alexandra F. Johnston and Margaret Rogerson (eds), Records of Early English Drama: York (University of Toronto Press/Manchester University Press, 1979; two vols), 134–5, 453 and 475. See also Woodfill, 96–7.
6 YCA: House Book 28, f 159; York, 408–9; Woodfill, 103–7.
7 YCA: House Book 21, f 52v; House Book 23, f 40; b/w Memorandum Book, e 20a, ff 222–223v; York, 312 and 334–8; Woodfill, 110–3.
8 YCA: Chamberlains’ Book 5 (1565), pp 19 and 147; Register of the Freemen of the City of York II, 1559–1759 (Surtees Society, CXXI, 1900), 6; Woodfill, 92, n 27.
9 YCA: Quarter Sessions, F3, p 72; Will of William Hill, 29 May 1558: Borthwick Institute, York, Pr Reg, 15b, ff 290v–291.
10 Register of the Freemen of the City of York I, 1272–1358 (Surtees Society, xcvi, 1896), 278.
11 The ‘Hewyt’ paid in the Minster accounts of 1587–8 for songs for the choir may also have been William and not Robert. York Minster Library: E 2/21, f 47; e 3/61 mb 1. York, 432 and 467.
12 YCA: Chamberlains’ Book 5 (1565), p 56.
14 YCA: House Book 24, f 57; York, 348.
15 YCA: House Book 24, ff 58 and 59v; York, 349.
16 YCA: House Book 24, f 70v; York, 351; Woodfill, p 87.
17 YCA: House Book 24, f 185.
18 YCA: House Book 24, f 267; York, 363.
19 YCA: f 3, p 16.
20 YCA: House Book 25, f 24; York, 368.
21 A reference to Robert Hewet comes from the parish records of St Martin Coney Street for the period 1573–4, when he was paid for dressing the parish armour and swords (b: Pr Y/MCS 16, p 105; York, 374), but this was not necessarily the musician. Robert Hewet armourer had been franchised as long ago as 1522 (Freemen of York I, 244), and may still have been alive to care for the parish armour.
22 YCA: House Book 26, f 23.
23 YCA: Chamberlains’ Roll C7:2; York, 381.
24 YCA: E31, Section 1, f 56. The Clifford earls of Cumberland, who held Skipton Castle and other
properties in the north, claimed the title of Captain of York, which included the right to bear a sword before the monarch in the city. For example, see the Earl’s claim to recruit men there in 1544/5 – YCA: House Book 17, f 175 – and his participation in visits to York by James I and Charles I in the early seventeenth century – York, 533, 568–91 and 604–5. The Cliffords were regular patrons of musicians, including waits from York: Yorkshire Archaeological Society, DD 121, Bundle 36A, housekeeping accounts of the Clifford family at Lonsbrough House, 1628–9, passim; and Woodfill, 62, 86, 107, 233 and 256–60.

25 Undated draft, temp Elizabeth: PRO, E.163/16/2.
26 YCA: House Book 27, f 123; E22, ff 142v–3v; York, 385–9.
27 YCA: House Book 27, f 196v; York, 391.
28 YCA: House Book 27, f 262. As there were already three waits, perhaps Henry Squire was Hewet’s apprentice or servant and did not receive the full fee or livery. He was not recorded with the waits again.
29 YCA: House Book 28, f 34v; Chamberlains’ Roll c8:3; York, 397.
30 YCA: House Book 28, f 39; York, 399.
31 YCA: House Book 28, ff 137v and 157; Chamberlains’ Book 5 (1584), ff 57v, 73v and 67v; York, 405 and 408.
32 YCA: House Book 28, ff 158v and 159; York, 408–9.
33 YCA: Chamberlains’ Book 5 (1584), f 57v.
34 YCA: House Book 29, f 3v; Chamberlains’ Book 6 (1585), ff 1v, 54v and 64v; York, 413, 416 and 418.
35 YCA: Chamberlains’ Book 6 (1585), ff 77v and 78v. There is no precedent to suggest these additions recorded names of the current waits.
36 YCA: Chamberlains’ Book 6 (1587), f 53v; York, 430.
37 YCA: Chamberlains’ Book 6 (1588), f 55v; York, 435.
38 YCA: House Book 30, f 315v; York, 449.
39 YCA: House Book 31, ff 16v and 22v; Chamberlains’ Book 7 (1593), f 48v; York, 453.
40 YCA: House Book 31, f 206; York, 269–70.
41 YCA: House Book 32, f 200v; York, 499.
44 YCA: E 31, Section 2, p 228.
45 See for example the Articles published in York in 1575: YCA: House Book 26, f 40.
46 YCA: House Book 31, f 345v; York, 479–80; see also Woodfill, 96–7 and 126.
47 YCA: House Book 32, ff 38 and 43; York, 486 and 486–7.
48 YCA: House Book 32, f 200v; York, 499.
49 YCA: House Book 32, f 294v; York, 508.
50 YCA: House Book 33, f 116v. I am grateful to Dr. Richard Rastall for his comments on this article.

J. ANNE GEORGE

‘Decent’ doggerel

Recently, whilst checking through some Star Chamber cases in the Public Record Office, London, for Alan Somerset’s Staffordshire/Shropshire edition for REED, I came across the story of one Elizabeth Bourne of Stafford, ‘daughter of William Bourne yeoman deceased, and of Margaret his wyfe.’ Elizabeth was described as a ‘single woman’ and ‘virgin’ who ‘... all the time of her life hath lived duetifully and obediently ... free from any crime or lewdness ... and by such her behaviour obteyned the love and affection of