

## Chapter Ten : Ralph and the Church

### The Organization of the post- Reformation Church

Whether or not he held land within its bounds, a layman might hold the right to present the incumbent of a parish – the advowson. He might have a second interest too, also related to land within a parish, a right to the tithes due to the incumbent; originally the tenth share of the crops grown and livestock reared by every land holder, large or small, tithes were the source of the incumbent's salary. By the early sixteenth-century both tithes and advowsons could be sold, inherited, leased and, inevitably, become the subject of dispute. Many of these rights had been gifted to religious houses and were thus in their control; at the Dissolution they, like the confiscated estates, came onto the open market. Control of advowsons shifted from ecclesiastical to lay hands, although the nominee was subject to episcopal approval. Simultaneously the pecuniary value of tithes, much of which might also formerly benefited religious institutions, passed to secular, and personal, coffers. The involvement of laymen in the affairs of an individual parish thus greatly expanded.

Though it is perhaps surprising that a layman, let alone the supposedly Catholic Ralph, should play a part in the management of parish affairs, and be permitted to do so, Ralph shows considerable interest in both. His actions offer a glimpse of the difficulties faced by the hierarchy of the newly established Elizabethan Church operating the practices of the Roman Church through little altered administrative machinery. Except for matters relating to the Pope or to the religious houses no major changes to the structure of the Church were made following the break with Rome; Henrician statutes which provided for total revision of Canon Law were shelved and a plan for its re-shaping, the *Reformatio Legum Ecclesiasticarum*, drawn up by a commission in King Edward's reign, failed to receive support, then or later.<sup>1</sup> Three tithe acts merely confirmed the existing customs.<sup>2</sup> Neither canon nor common law could prevent Sheldon doing as he pleased.

### The Sheldon family and the Church

Ralph had the right to present the incumbent in five parishes and rights to tithes in six others; in three he held both, inherited from his father whose purchases had increased the number he had received from his father. The Sheldon family had got early into the field; Grandfather Ralph (d. 1546) had begun acquiring long leases of tithes from local monasteries; Flyford

<sup>1</sup> Patrick Collinson, *The Elizabethan Puritan Movement*, (London : Jonathan Cape, 1967), p. 38; J. E. Neale, *Queen Elizabeth and her Parliaments 1559-1601*, 2 vols., (London : Jonathan Cape, 1953), (1), pp. 63-4, 195-7.

<sup>2</sup> *Statutes of the Realm*, Tithe Acts 23 Henry VIII; 37 Henry VIII; Edward VI 1548-49; existing difficulties are well illustrated by Susan Brigden, 'Tithe Controversy in Reformation London', *The Journal of Ecclesiastical History*, 32 (3), 1981, 285 – 301.

Flavell from Pershore Abbey in 1517;<sup>3</sup> Childs Wickham parsonage from Bordesley Abbey,<sup>4</sup> Bishampton from Cookhill Priory and rights at Wadborough by unknown means.<sup>5</sup> All but Child's Wickham were given to his eldest son, William who, with his brother Francis, purchased several other advowsons, sometimes selling on almost immediately without exercising the rights acquired and clearly regarding an advowson as no more than a commodity.<sup>6</sup>

<https://www.ralphsheldon1537-1613.info/pdf-pages/Tithes-and-advowsons.pdf>

## Two advowsons: Tredington and Barcheston



St Gregory's church, Tredington, from the south-east. © AJD

The Sheldon family already had an association with the large and wealthy parish of Tredington, a peculiar. Rights in the site and the manorial lands, the demesne, had been granted in 1508 to grandfather Ralph; his son William reasserted those rights in his will.<sup>7</sup> He succeeded on obtaining the advowson in May 1559.<sup>8</sup> The duty to present was passed immediately to Ralph in association with William Bavand, treasurer of the Middle Temple.<sup>9</sup> Together in 1563 they presented Thomas Key, Kaye or Caius, MA, Master of University College, Oxford.<sup>10</sup> Just before his

death in May 1572, Sheldon was prevailed on to appoint Robert Hyll, former tutor to lawyer Childe's children.<sup>11</sup> Approval was given in London by bishop Bullingham, whose family were Worcester citizens. Hyll agreed to accept £50 from the tithes while Sheldon would pay his curate who served Tidmington; use of the rectory was denied. Hyll was also required to put his name to a bond for £1000 (for good conduct), the first of the conditions Hyll came to regret and the first he persuaded Sheldon to rescind. The full story of a disintegrating

<sup>3</sup> Recited on its expiry, *CPR 1572-75*, no.3224, 26 Aug 1575.

<sup>4</sup> TNA E 164/39, fos.403-403v for 84 years in 1535, abbey to repair chancel and supply timber and carriage for vicarage repairs.

<sup>5</sup> Both were mentioned in Grandfather Ralph's will 1546, PROB 11/31/403.

<sup>6</sup> A longer view of the topic appears in <https://www.ralphsheldon1537-1613.info/pdf-pages/Advowsons-and-the-Sheldon-family.pdf>

<sup>7</sup> Essex RO Petre Papers D/DP E165 dating around 1609-1611; 'Ye site and demeane of the manor of Tredington: demised by Silvester Bishop of Worcester 20 February 23 H.7 [1508] and certain other things lett by other by lease'. William's will lays claim to '3 parts of the demesnes of the manor', TNA PROB 11/53/79.

<sup>8</sup> *CPR 1558-1560*, p.79

<sup>9</sup> Still living in 1570 he received legacy from William Sheldon, PROB 11/53/79; *ODNB*.

<sup>10</sup> Davenport, List of Presentations, p. 61, no.518.

<sup>11</sup> Davenport, Presentations, p. 73, no. 653 and p. 74, no. 655. *Alum Oxon*. In 1594 Hyll gave his age as 57, WAAS Worcester Consistory Court Deposition Books, BA 2102: 792.054, vol IV, f. 366-366v.

relationship emerges from Childe's testimony to Worcester diocese Consistory Court late in 1586, probably resulting from Hyll's inability to respond to the questions bishop Freke had asked in his Visitation the previous year.<sup>12</sup> He also related how Hyll had been found unsatisfactory around 1577 and had been deprived of the living, an event which may have coincided with parochial Visitations carried out by bishop Whitgift.<sup>13</sup>

On that occasion Sheldon had undertaken to use influence to see that Hyll was re-appointed which, in 1580-81, he was, at a cost according to Sheldon of £300 for payment of the first fruits, the fees for presentation and induction, curious timing since Sheldon was then under suspicion of recusancy.<sup>14</sup> Slightly later Hyll married and requested a higher share of the tithes, £140, use of the house and of a close, part of the glebe, in which to 'stable' and feed his horses. Possibly as a condition of re-instatement he had been ordered to preach more often and, seemingly, on lines Sheldon did not like. Eventually Ralph allowed him the use of a room in the parsonage house and use of the field, but planned to demand a formal lease, presumably to cut off further demands. Hyll said he would reject it. Local men later called as witnesses state that Ralph did actually make the payments which substituted for the tithes.

The technical points of interest to the Church authorities were already under investigation in the Worcester Consistory Court when Ralph resorted to violence. On June 22<sup>nd</sup> 1586 gatherings of men were seen near a barn in a remote corner of the parish seemingly aiming to disrupt the gathering of the crops due to Hyll as his tithe; named in the accusations and in the account book, some of them later summoned to London as witnesses were clearly local men. Several of them were socially respectable, some close to Sheldon –his nephew Walter Savage of Broadway, his factotum Richard Hyckes, John Tustian his shepherd at Barcheston, together with John Prestwich and Edmund Brydges, both tenants at Brailes.<sup>15</sup> A month later Sheldon's men were accused of driving away cattle. Sheldon acted quickly, taking his complaint to the July Assizes in Worcester.<sup>16</sup> He obtained two warrants, one to arrest Hyll's servants, the other to arrest Hyll which Sheldon's agents, Thomas Taylor and Griffith Jones, did at Evensong on 28<sup>th</sup> October.<sup>17</sup>

Just after Michaelmas William Childe attended proceedings in the Quarter Sessions at Bromsgrove as a witness together with Ralph. Hyll's liability to repair the barn supposedly damaged in the June fight was assessed and a fine of £25 was imposed by the Worcestershire JPs for its dilapidations.<sup>18</sup> The Consistory Court hearings continued until January 1587 when matters passed to the secular courts.

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<sup>12</sup> D. M. Barrett, *Warwickshire Terriers*, vol 2, pp. 78-89; WAAS Consistory Court Deposition Books, BA 2102/794.052 vol III, ff. 269, 16 June 1586, 273v, 281, 297v, 306v, 308, 311, 315.

<sup>13</sup> W. P. M. Kennedy, *Elizabethan Episcopal Administration An Essay in Sociology and Politics*, 3 vols, Alcuin Club Collections 26(two parts) & 27 (London: Mowbrays, 1924), 26(2), pp. 53-61.

<sup>14</sup> TNA REQ 2/223/66, Sheet 1 Interrogatories; sheet 2 answers of William Weelie, John Whitley, Thomas Atkins. John Tustian added his testimony, TNA REQ 2/121/32, sheet 2.

<sup>15</sup> TNA STAC 5/H31/35 February 1587, Bridge, Tustian, Prestwich.

<sup>16</sup> TNA KB 29/223, most easily viewed on-line on the website Anglo-American Legal Tradition ([www.AALT.edu](http://www.AALT.edu)).

<sup>17</sup> TNA STAC 5/H31/35, 13-2-1587 Answer and demurrer of Ralph Sheldon, sheet 6.

<sup>18</sup> TNA STAC 5/H31/35 sheet 3

Released on bail of £2000, Hyll responded in the new year by submitting a bill of complaint in Star Chamber.<sup>19</sup> He alleged that his hay had been carried off, his horses and cattle mistreated, his horse gagged and an attempt made to break into his house. The court paperwork and account book entries allow us to trace the case as it progressed.

Its day to day handling was conducted by Mr Coventry lawyer on Ralph's behalf, but its importance to Ralph at least is indicated by the names of those from whom he sought advice.<sup>20</sup> Ralph's answer, which detailed the procedures he had followed in implementing the arrests, was written out by Robert Jones on 12<sup>th</sup> February. Ralph's plea was that he had done everything by the book; he proudly recited the precedents on which he claimed the arrests had been were legally done.<sup>21</sup> His claim that dilapidations for damage to the barn had been impartially assessed was aimed at avoiding responsibility for payment. Further hearings were held in May and a commission to hear local evidence, no longer extant, met in September at Shipston.<sup>22</sup>

The formal resolution of the case has not survived, but Hyll kept his position and Ralph kept his rights. Perhaps because of the troubles he was, however, careful to act as responsible patron; he paid the tax demanded from the clergy on the incumbent's behalf (£8 19s 9½d); the same day he made provision for arms for the parish, his liability as patron, paying out £9.<sup>23</sup>

After Hyll's death in 1606 Ralph passed his right to appoint to Roland Berkeley, a Worcester clothier to whom Ralph and a cousin were indebted. His choice, Henry Bright moved on quickly and next year Ralph sold his right to a London merchant, Thomas Horton, to provide his son Thomas, a Cambridge graduate, a start in life.<sup>24</sup> Horton came into the position in 1607 only to meet trouble from his parishioners.

## **Barcheston**

A second appointment also concerned Robert Hyll. In April 1572 Ralph persuaded his father in law as patron of the living Throckmorton to appoint Hyll after the death of William Lane, whose pastoral care at Barcheston since 1546 had seen the parish through the doctrinal changes of the 1540s and 1550s.<sup>25</sup> Here too there was trouble, largely personal, from Sheldon's 'servant' Richard Hyckes, part time resident of the manor house. There seems to have been a bargain between them that Hyckes would pay Hyll a yearly sum from the tithes and an allowance for his board for himself, a servant and two geldings, presumably when the

<sup>19</sup> TNA STAC 5/H64/22, STAC 7/12/39, STAC 5/H19/13.

<sup>20</sup> CR 2632, f. 41, 'took Counsell re Parson Hyll, Atkinson, Coke, Coventry', to whom Sergeant Pickering Mr Recorder seems to have been added later, f.44.

<sup>21</sup> *Statutes of the Realm*, 15 Richard II, cap.2; 8 Henry VI, cap.9.

<sup>22</sup> TNA STAC 5/H64/22, STAC 7/12/39, STAC 5/H19/13; WaCRO CR 2632, f.96.

<sup>23</sup> CR 2632, ff.140, 28/11/87.

<sup>24</sup> TNA C 78/268/6, available on AALT; TNA C 2/JasI/H1/45; Thomas Horton the father's will TNA PROB 11/137/64.

<sup>25</sup> Davenport, Presentations, p.73, no. 653.

rector was in the parish. Meanwhile Hyckes would keep the balance of the tithes and ‘keep the parsonage’ – whether meaning the money or the house – or even both - is uncertain.<sup>26</sup>

As politeness demanded, an exchange of gifts had taken place, but those courtesies did not prevent subsequent hostilities. Around 1585 Hyckes took Hyll to the Consistory Court in Worcester, claiming an unpaid debt; the matter escalated and went before the Archbishop of Canterbury’s Court of Audience at Lambeth, London, in October 1586, the archbishop then being



The south side of St Martin’s Barcheston. © Hilary L Turner

John Whitgift, previously bishop of Worcester.<sup>27</sup> Proceedings were clearly acrimonious, bordering on violence when papers were seized from one of the four special commissioners appointed to mediate.<sup>28</sup> Amongst Hyckes’ witnesses were Sheldon’s friends, Mr Alderford, Mr Savage and Mr Rowley of Idlicote.<sup>29</sup>

By now Hyckes had effectively lost his case. Hyll’s appointment was confirmed late in June and included the words ‘the presentation of Thomas Whitnell, clerk, to this benefice is cancelled’.<sup>30</sup> Only a month earlier [May 31 1587] payment of £6 had been made to Mr Whytemayld ‘parson of Barcheston’, possibly the same man, suggesting that Sheldon had attempted to appoint his own nominee.<sup>31</sup> However, quite why in November Ralph belatedly thought it worthwhile to acquire the right to present to Barcheston from his brother in law Thomas Throckmorton is unclear.<sup>32</sup> It might have been an attempt to protect the interests of recusant relations; more cynically, it was security for Sheldon’s loan to Throckmorton.

Hyckes, however, was not minded to compromise. Early in August he submitted a bill of complaint to the Court of Requests, effectively transferring the case from the jurisdiction of the Archbishop’s Court.<sup>33</sup> Its formal closure was marked at the end of November.<sup>34</sup> Hyckes

<sup>26</sup> TNA REQ 2/223/66, Sheet 4, John Tustian.

<sup>27</sup> WAAS, Worcester Deposition Books, III, f. 315, (WAAS 794.052 BA 2102); CR 2632, f. 131.

<sup>28</sup> TNA REQ 2/223/66, Hyll’s Rejoinder.

<sup>29</sup> CR 2632, 5 July, f. 81

<sup>30</sup> CR 2632, f. 79; *CPR 1586-87*, L&I, vol. 295, no. 473, 26 June 1587 = C 66/1295, m.20. A year later Sheldon paid money due to Hyll, CR 2632, f. 201.

<sup>31</sup> The Privy Council sought information about a man with a similar name in 1594 – SP 12/250, f. 2.

<sup>32</sup> WaCRO CR 1998/Box 45/6610/1, CR 2632, f. 134, 14 November 1587.

<sup>33</sup> TNA REQ 2/223/66, 6 Aug 1587.

remained insistent that money was still owing and further details emerge as the story was rehearsed again in the royal court. Hyll countered with the revelation that though the tithes were worth around £50 a year Hyckes had offered him only £18 and an allowance of 3s 4d per week for board – an annual total of £31.<sup>35</sup> Hyll added that he had been tricked into agreeing to make a grant of the parsonage to William Childe for the benefit of Hyckes,<sup>36</sup> and charged Hyckes with the intention to accuse him of simony.

Late in October commissioners were named to conduct witness hearings in country,<sup>37</sup> They met at Shipston on Stour in January 1588; Sheldon absented himself.<sup>38</sup> At the end of April Hyckes' evidence was deemed insufficient and the case thrown out.<sup>39</sup>

This was not the only, nor even the first, occasion on which Hyckes had fronted for the Sheldon family in matters of ecclesiastical patronage.<sup>40</sup> His choice of curate for Stretton on Fosse, the Marian priest Humfrey More, had quickly earned the parishioners' dislike; they reported that 'they were nothing at all edified by him'. Coupled with his 'imbecilitie of learning' and a speech impediment which had 'made his service very unquiet' he brought about his own dismissal. His replacement, Thomas Evans, was selected by William Childe of Pensax on Sheldon's behalf, his successor, Dom Francis Hunt in 1581, by Nicholas Hobday, active at Ditchford and with close links to Broadway.<sup>41</sup> Hunt's will, proved in 1597 reveals him to have been a wealthy, generous and conscientious pastor, married to a village girl.<sup>42</sup> The advowson was still in the Sheldon family in 1730.<sup>43</sup>

Nearby, Sheldon would later claim the right to present at **Whichford**, a parish adjacent to his own lands at Weston. He had, he said, bought it from William earl of Derby around 1597 together with rights to the manor.<sup>44</sup> His claim is contradicted in the will of the incumbent, Shuttleworth, stating that by a deed dated 3 November 1595 William earl of Derby had confirmed to Shuttleworth's now deceased elder brother the first and next presentation and the full right of patronage; in his will, of 1607/08, Lawrence granted that right to his nephews, sons of another deceased brother.<sup>45</sup> How the dispute was resolved is

<sup>34</sup> Papers seem to have been removed from Worcester Consistory Court, CR 2632, f. 142.

<sup>35</sup> TNA REQ 2/223/66, rejoinder of Hyll, 24 November 1587.

<sup>36</sup> Interrogatories on behalf of Hyll, TNA REQ 2/121/32.

<sup>37</sup> Commissioners named TNA REQ 2/223/66, 22 November 1587.

<sup>38</sup> TNA REQ 2/ 223/66, August-November 1587, sheet 7, Hyll's Rejoinder; REQ 2/121/32, January 1588, on-line at [http://yourarchives.nationalarchives.gov.uk/index.php?title=REQ\\_2/121/32](http://yourarchives.nationalarchives.gov.uk/index.php?title=REQ_2/121/32) ; and [http:// yourarchives.nationalarchives.gov.uk/index.php?title=REQ\\_2/223/66](http://yourarchives.nationalarchives.gov.uk/index.php?title=REQ_2/223/66)

<sup>39</sup> TNA REQ 1/15, f.22, 30 April 1588.

<sup>40</sup> TNA REQ 2/66/15. The family then held only one turn in four, Sold by Thomas Fowler in September 1570 to William Sheldon, BAH MS 3061/1/90 (former 167490); Ralph acquiring the three other shares in 1605, BAH MS 3061/1/120 (former 167520), MS 3061/1/77 (former 167477). The account given in VCH Warwick, vol 5, pp.153-157, based on a deed now in J H Bloom Collections, Stratford, DR 41/23, ff. 111-115, does not seem to be correct.

<sup>41</sup> Dugdale, *Antiquities*, 1730 (i), 600, 29 July 1575 and Hunt *ibid*, 28 August 1581; then Davenport, *Presentations*, p. 88, nos 839-41.

<sup>42</sup> Fry, *Worcester Wills*, 1584/27d; TNA PROB 11/90/446 as Francis Hunt, written 25/3/, proved Nov 9 1597.

<sup>43</sup> Dugdale, *Antiquities*, 1730, p. 599; WaCRO CR 4502/9.

<sup>44</sup> TNA C 78/110/11, available on AALT. *VCH, Warwickshire*, 5, pp 205-209 ignores this.

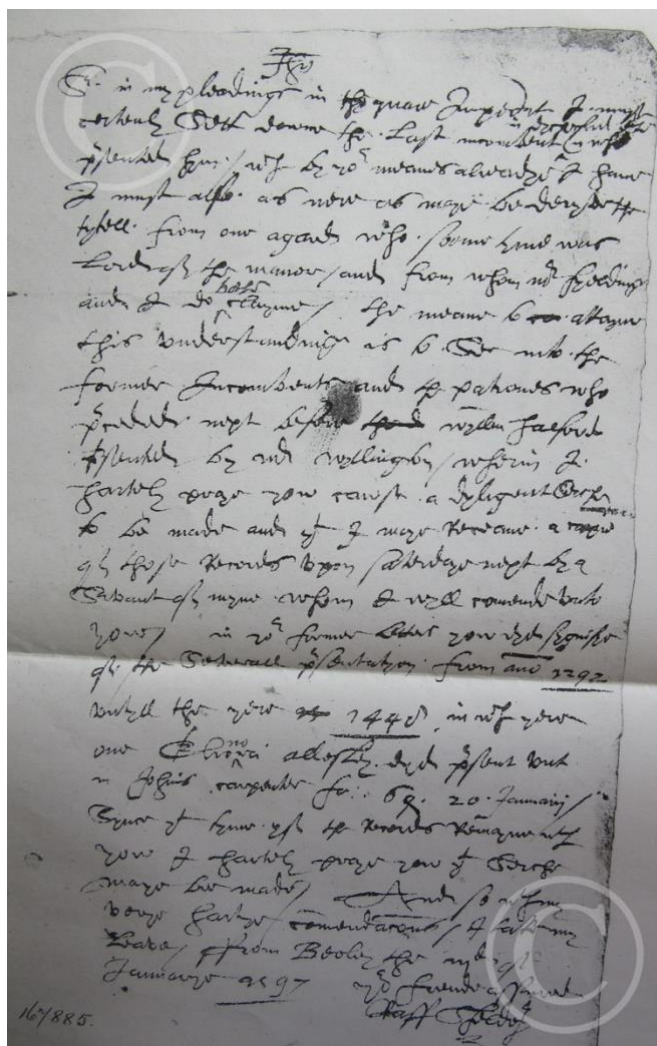
<sup>45</sup> TNA PROB 11/112/ 10.

unknown. Challenged only briefly in 1652 in the aftermath of the Civil War, the family continued to claim their right until at least 1771 using the advowson as part of successive marriage settlements.<sup>46</sup>

### Ralph Sheldon and Tithes

In parishes where Ralph did not have the right to appoint the clergyman he might nevertheless have the right to receive tithes, originally a levy in kind on produce from landowners in the parish and intended to pay the incumbent's salary. Where ownership of land had passed to a religious institution its officers had usually collected and re-distributed the levy, but with the dissolution those rights also passed first to the Crown before being sold off to individuals with no safeguards for the welfare of the Church.

The discovery that for nearly seventy years following the death of William Willington the Sheldon family had retained the tithes of the tiny chapelry of Ditchford Frary was made after the death of William Sheldon's second appointment; from both rectors they had kept the greater part of the tithes.<sup>47</sup> Ralph immediately leased the lands to a man named Clarke.<sup>48</sup> But he was not quite quick enough. Later the same year, 1597, Ralph's cousin, William Fielding of Monk's Kirby, seized the opportunity to present Richard Stapleton, instituted on 6 September 1597.<sup>49</sup> Ralph, forestalled though perhaps with some intimation of Fielding's intentions, was disposed to



Ralph's letter to Robert Warmistry, Registrar of Worcester diocese.  
© Hilary L. Turner BAH MS 3061/1/485

<sup>46</sup> Lambeth Palace, Legal papers of Sir Matthew Hale, MS 3476, ff.77-78v, c. 1653-54; WaCRO CR 4502/8.

<sup>47</sup> In 1561/62 he paid first Thomas Stoning, £20 in exchange for the profits from the tithes of the parsonage, both those unpaid since the death of the last incumbent and those to come during his tenure and then of his successor. Stoning was also the vicar of Nuneaton and died in 1565, BAH MS 3061/1/409, (former 167809).

<sup>48</sup> In May 1597; Bodl Ms Tanner 427 f. 131-131v.

<sup>49</sup> Bodl Ms Tanner 427 f. 131-131v.

challenge the nomination as one of his few surviving letters reveals.<sup>50</sup>

<https://www.ralphsheldon1537-1613.info/pdf-pages/Warmistry.pdf>

Stapleton, the new rector, immediately brought a case for non-payment of tithes over a two year period he added items not previously tithable.<sup>51</sup> Hearings moved from the diocesan Consistory Court to the Archbishop's Court of Audience, then to the Court of Arches and finally to Worcester Assizes; local testimony, from some of the same men who had been involved at Tredington, all long time inhabitants of nearby parishes, ensured there was no change. Formal resolution and cessation of the extra tithes came only in 1605 in an Exemplification investigated before Sir John Popham, then Lord Chief Justice. In 1624 the matter was finally settled when Edward Sheldon (1588-1643) purchased the manor with its rights and extinguished the annuities payable to the Fielding family, originating in the arrangements set out in Willington's will.<sup>52</sup> It was something of a hollow victory since the parish such as it was amalgamated with Stretton on Fosse in 1641.<sup>53</sup>

Though the question of who should nominate the incumbent of a probably derelict chapel attended by a congregation of two may well seem to us somewhat academic, even abstruse, possession of the right was important to both parties. The origins of the disagreement lie partly in the tangled complications of land ownership, partly in the disputes between the Sheldons and Fieldings, prompted by the desirability of the land in the fertile but forgotten valley of the Knee Brook. The disagreement originated in an old quarrel between Ralph's father William, two of his brothers in law, Sir Ambrose Cave and Basil Fielding, with the chief beneficiary William Barnes, all of whom ended up with some land in the valley.<sup>54</sup> The dispute began because William Sheldon had agreed with the owner that on its expiry Willington's lease would be renewed to Sheldon; he believed, possibly correctly, that he also had the right to present.<sup>55</sup> He certainly behaved as though he had, making agreements to receive the tithes with two successive incumbents.<sup>56</sup>

Ralph also appears to have been taking advantage of the trade in tithes further afield. One of the surprises in the accounts, otherwise unknown, is Ralph's lease of a still standing property in Deddington from the Duchy of Lancaster and its attached farmland. Almost certainly Ralph used the land for growing corn and even the 130 acres or so, seeming to us a very small acreage, would produce good returns. In February 1581 Ralph signed an agreement with two men, William Andrewes and William Bond, who had recently inherited the right to the tithes from their mother in law. Sheldon was to enjoy a moiety of the tithes of corn and hay in Clifton and Hempton, outlying hamlets within the parish, for three years, and of the other moiety of corn and grain in Hempton for the same period. If however he were to

<sup>50</sup> BAH MS 3061/1/485 (former 167885); 3 January 1597/98.

<sup>51</sup> BAH MS 3061/1/428 (former 167828), 12 February 1604/5.

<sup>52</sup> BAH MS 3061/1/216, (former 167616), Exemplification of fine between William Sheldon and Basil Fyldying and others, concerning the Manor of Dichford Frary, 2 June 1624.

<sup>53</sup> *VCH Warwickshire*, 5, pp. 153,156,

<sup>54</sup> TNA C 78/33/30 (Dichford Frary), C 78/36/27 (disputed will), now available on AALT.

<sup>55</sup> BAH MS 3061/1/448, (former 167848), 1535.

<sup>56</sup> See note 44.



be evicted from ‘quiet enjoyment’ in the first year the £80 was to be repaid in full, if evicted in the second year £70 was repayable and in the third year only £40.<sup>57</sup> Andrews and Bond entered into a bond for £160. Almost immediately their ownership was challenged by others so that the agreement could not be kept. The case came to the Assizes and then to the Westminster law courts, time spent largely in verbal fencing. It was still proceeding in April 1587.<sup>58</sup> Its resolution is unknown, but its progress did nothing to stop Ralph from arguing about his liability for tithes on livestock, lambs in particular.<sup>59</sup>

Though still paying rent for and presumably profiting from a portion of the tithes at Atch Lench, Worcestershire, leased by his father from the Dean and Chapter of Westminster, these other deals may have been cut to offset loss of income from the end of leases elsewhere.<sup>60</sup> Ralph had inherited and anticipated the right to enjoy the final ten years (1576-86) of a thirty-year lease of ‘certain tithes of lamb, grain, hay wool and others’ in Burmington, Warwickshire. A challenge uncovered a second sub-lease for the same term and the tithes reverted to the patron, Merton College, Oxford.<sup>61</sup> On the expiry in 1575 of the Sheldons’ sixty year lease the tithes of grain and hay at Flyford Flavel were granted to an official in the royal household, still for a rent of only 6s 8d.<sup>62</sup> Complicated, and virtually concealed, arrangements were made to renew the lease of Bishampton in 1585 possibly with the help of Whitgift; Ralph was later permitted to create a sub-lease to his son, although the rights of patronage were specifically excluded.<sup>63</sup> Lengthy disputes also followed Ralph’s purchase for his son of a quarter share in the smallest of the three manors at nearby Steeple Barton, Oxfordshire, and its tithes.<sup>64</sup> The intention behind the deal had been to satisfy the previous owner’s creditors. When Sheldon’s men attempted to make hay and cut timber they were met with violence from men employed by the creditors, claiming the rights Sheldon thought he had acquired. As more and more parties became involved, Sheldon suspended payments due for the purchase, engendering another legal battle fought mostly by his son.<sup>65</sup>

Sporadic references in deeds or entries in the account book suggest that Ralph also received money from tithes in places to which he had no connection. In May 1588 Thomas Warkeman paid over £3 10s 1d from tithes at Great and Little Wolford and from Tidmington

<sup>57</sup> TNA C 2/Eliz/A8/55. Nothing of this appears in *VCH Oxfordshire*, 9, sv Deddington.

<sup>58</sup> CR 2632, f. 56.

<sup>59</sup> *Oxford Church Courts, Depositions, 1542-1639*, Jack Howard-Drake, ed. calendared in 10 volumes, (Oxford: Oxfordshire County Council 1991-2007), *Depositions 1603-1606*, (1999), no.70, fos.385r-v, 386v,387v-388v. The full transcript is deposited in Oxfordshire Archives, [A21 F7].

<sup>60</sup> TNA PROB 11/53/79; WaCRO CR 2632, f. 25, 26, 61, 180.

<sup>61</sup> TNA C 2/Eliz/S18/1 Easter term 1575.

<sup>62</sup> *CPR 1572-75*, no. 3224; they were re-granted, to others, in 1599, *CPR 1598-99*, L& I, 328, no. 1411(22).

<sup>63</sup> It is unlikely that Sheldon lost the use of the property in 1585 when it was passed to men in his service by a George Whitgift of Lambeth for the remaining term of 20 years BAH MS 3061/1/386; in 1600 rectory, parsonage, lands, tithes, oblations and fruits were leased by John Whitgift to Ralph for three lives, the patronage excepted, for a rent of £27; he was responsible for repairs, BAH MS 3061/1/ 357; the next year Ralph sub-let, with the Dean’s permission – a man well known to him Richard Eades – to his son for a rent of only 12d annually, BAH MS 3061/1/358.

<sup>64</sup> *VCH Oxfordshire*, sv Steeple Barton.

<sup>65</sup> TNA STAC 8/162/6, sheet 31, 23 Nov 2 Jas.; C 2/Jas1/S12/32 1604.

where his legal rights are hard to establish.<sup>66</sup> Complicated four party transactions in Brailes between October 1586 and June 1587 seem to have resulted in tithes on corn and grains from specified yardlands belonging to Barnabas Bishop being transferred to Sheldon for a five year period as security for loans made to Bishop.<sup>67</sup>

Tithe income is almost impossible to estimate. But Ralph's tenacious grip on the right may have been because the totals made a substantial contribution to his revenues, whether in kind for use in the household, or in cash through produce sales. As a patron and with only one or two exceptions it is hard to challenge the suitability of Ralph's appointments. Overall his choices followed the national trend towards the selection of better qualified, University educated clergy; certainly none benefited family members. One might, perhaps cynically, suggest that as long as he could keep the tithe income, Ralph was quite happy to select fit candidates and was neither noticeably better nor markedly worse than others, Catholic or conforming, who owned the same rights.

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<sup>66</sup> WaCRO CR 2632, f. 112.

<sup>67</sup> BAH MS 3061/1/307 in 1586; MS 3061/1/384 in 1587; MS 3061/1/418 in 1587 and WaCRO CR 2632, fos. 61, 90. The grains were listed as wheat, rye, barley, beans peas and oats.