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### **Welsh, English or British? Hugh Hughes and late sixteenth-century Anglesey**

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**Welsh, English - or *British*? Hugh Hughes and  
late sixteenth-century Anglesey**

**Robin Grove-White**

**Submitted for the Degree of Doctor of Philosophy,**

**Bangor University,**

**December 2011**

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## **Abstract**

The ‘acts of union’ administrative and judicial machinery, through which Wales was governed from the late-Tudor period onwards, gave a major role to native Welshmen. It is sometimes argued that this encouraged a predominantly self-seeking Welsh gentry class to consolidate, attracted to English priorities, to the continuing detriment of Welsh culture and language.

Through an examination of the life and career of a single individual from this class, the lawyer-landowner Hugh Hughes (c. 1548-1609) of Plas Coch in Anglesey, it is argued on the contrary that the multi-tiered administrative system helped perpetuate Welsh distinctiveness, with highly educated bi-lingual lawyers like Hughes himself crucial to the effectiveness of the machinery of government. His English university and legal training is shown to have been compatible with continued embeddedness in Welsh-speaking Anglesey, and the thesis uses him as a prism for understanding the various north Welsh governance institutions, in most of which he was personally involved, and their inter-connected workings. It is probably more appropriate to picture key figures of Hugh Hughes’ kind as acting on behalf of an emergent shared ‘imagined community’ of ‘Britain’, than as compromised agents of English hegemony. Reflections are offered on possible implications of such a perspective for present-day attitudes towards devolution.

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## List of Abbreviations

APC	Acts of the Privy Council
BBCS	Bulletin of the Board of Celtic Studies
BL	British Library
BM	British Museum
CUP	Cambridge University Press
HLQ	Huntingdon Library Quarterly
LI	Lincoln's Inn
NLW	National Library of Wales
ODNB	Oxford Dictionary of National Biography
OUP	Oxford University Press
RHS	Royal Historical Society
RCAHMWM	Royal Commission on Ancient & Historical Monuments in Wales and Monmouthshire
STAC	Star Chamber
TNA	The National Archives
TAAS	Transactions of the Anglesey Antiquarian Society
TCHS	Transactions of the Caernarfonshire Historical Society
THSC	Transactions of the Honourable Society of the Cymmrodorion
UB	University of Bangor
UWP	University of Wales Press
WHR	Welsh History Review

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Finally, I record my appreciation of the acute comments of my two examiners, Dr Ian Archer and Professor Tony Claydon, reflected, I trust, in this final version.

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*‘History buries most men, and exaggerates the height of those left standing’<sup>1</sup>*

## **Introduction**

Late sixteenth-century Anglesey may have been geographically remote from the centre of the Elizabethan state. But it was subject nevertheless to influences and pressures that were leading to the emergence of a new kind of political nation across mainland Britain – increasingly unified, yet also increasingly devolved in the distribution and exercise of power in the regions. This thesis seeks to explore the experience of a single Anglesey individual caught up in these processes in the circumstances of late-Elizabethan and early-Jacobean north Wales.

The specific focus is the life and career of Hugh Hughes of Plas Coch, who was born in Llanedwen in south-east Anglesey in 1548,<sup>2</sup> and died in London in June 1609.<sup>3</sup> This hitherto largely unstudied individual was a successful lawyer and Anglesey landowner. But his personal story constitutes only one dimension of the present study, which has a more ambitious aim than biography alone. The intention has been to use this one man’s personal experience as a prism for throwing light on ways in which Wales, and north Wales in particular, was being governed in the late-Elizabethan and early-Jacobean periods, and for reflection on the evolving relationship between the Welsh and the English across the period.

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<sup>1</sup> J. Updike, *Memories of the Ford Administration* (London, Hamish Hamilton, 1992), p. 228.

<sup>2</sup> In the absence of a confirmed date for Hugh’s birth, the likely year has been inferred from the known date of his matriculation – 1564 – at Trinity College Cambridge (W.W. Rouse Ball & J.A.Venn (eds), *Admissions to Trinity College* (Macmillan, London, 1911), 1:2, p. 426) on the assumption that, in line with practice of the time, he would have gone to university at around the age of 16.

<sup>3</sup> UB Plas Coch 184 – the Inventory of his goods and chattels, dated 16 June 1609.

Hugh was born shortly after the so-called acts of union (1536-43)<sup>4</sup> had transformed the formal connection between Wales and England. He was of the first generation of Welshmen to have been raised from the outset as unambiguously equal citizens, with the associated ‘rights and liberties’, and indeed expectations, that such standing entailed. He grew up culturally an Anglesey Welshman and lived there for much of his life, yet his public life and career were shaped throughout by English educational and wider cultural influences.

The story would be of interest simply as that of a talented Welshmen who took full advantage of the educational and professional opportunities which were opening up in the late-Tudor period in the new federated polity crystallised by the ‘union’. But it has a richer significance also. Like a number of his north Wales contemporaries, Hugh found success in the law, and this led to his becoming deeply involved in the machinery of government in the region at a number of levels. By tracking his commitments as a crown official and lawyer, it becomes possible to glimpse some of the ways in which, by the time of the troubled last decades of Elizabeth’s reign, sophisticated bi-cultural Welshmen of his kind were indispensable for the smooth running of the by-then well established settlement.

Scrutiny of this kind may have implications for a subtler appreciation of aspects of the Welsh-English relationship overall – perhaps down even to our own times. There are still those in Wales who believe that ‘the fundamental purpose of the [1536] Act was to merge Wales in England, to assimilate the Welsh, to destroy their separate national identity... [such that] every aspect of the menial

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<sup>4</sup> 27 Hen VIII c.26 (1536) and 34-35 Hen VIII, c. 26 (1543), in I.Bowen (ed), *The Statutes of Wales* (London, Fisher Unwin, 1908).

status of the Welsh nation demonstrated Cymru to be a colony'.<sup>5</sup> If, on the contrary, the legal and administrative dispensation fostered by the 1536-43 administrative changes, with the subsequent Elizabethan Protestant settlement, can be seen to have had a less aggressive or oppressive design, that same set of arrangements might be pictured as having contributed to the remarkable survival of the Welsh language and its associated culture into our own times. Examination of the experience of a key individual like Hugh in helping make such processes work during the late-sixteenth and early-seventeenth centuries may enhance understanding of that possibility too.

There has been a tendency in recent historical commentary to depict the approach to public office of Welsh 'gentry' individuals of this period as overwhelmingly self-serving. Glanmor Williams for example has suggested that such 'officials, from highest to lowest, were all the while apt either to neglect their official responsibilities or else to exercise them in pursuit of their own advantage. They continued to react instinctively, in the first instance, as interested individuals and only secondly, if at all, as representatives of a distant government'<sup>6</sup>, whilst G Dyfnallt Owen has argued that 'with only a distant monarch, and the strictures, but not always enforceable penalties, of the Council of Wales, to restrain them, they were in a commanding position to regulate the affairs of the community in conformity with their interests and the requirements of their status as the dominant social class'.<sup>7</sup> David Williams has even gone so far as to suggest that the house of Gwydir, headed by the rapacious Sir John Wynn, was 'the prototype of all the gentry of Wales'.<sup>8</sup> Sound evidence can of course be produced to support such claims. However an implication of the arguments developed in the following pages is that such disparagement of those

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<sup>5</sup> G. Evans, *The Fight for Welsh Freedom* (Talybont, Ceredigion, Y Lolfa Cyf, 2000), pp. 99-100.

<sup>6</sup> G. Williams, *Recovery, Reorientation and Reformation: Wales c.1415-1642* (Oxford, OUP, 1987), p. 345.

<sup>7</sup> G.Dyfnallt Owen, *Wales in the Reign of James I* (London, Royal Historical Society/Boydell Press, 1988), p. 113.

<sup>8</sup> D.Williams, *A History of Modern Wales*, (London, John Murray, 1965 edn), p.86

engaged actively in government in Wales during this period should not be taken too far. Something rather different was also going on. In the decades following the Acts of Union, a new polity was beginning to consolidate across England and Wales, on a basis of what A.H. Dodd has called ‘federation rather than fusion’<sup>9</sup> – that is to say, a political and social settlement in which key dimensions of Welsh distinctiveness were being maintained under the umbrella of a new shared national jurisdiction. Nor could this have worked if there had not been at least a measure of integrity in the system. The discussion that follows shows how Hugh Hughes, like others of his kind, became a significant figure in the engine room of the new evolving entity. This involved not only legal skills and social sensitivity, but also a personal commitment to the changing social and political order across England and Wales.

The role of highly trained individuals like Hugh in these developments is one which has been examined only imperfectly in treatments of the period to date. Indeed, to the reader coming fresh to the literature, even the most impressive accounts of late-Tudor and early Jacobean Wales – by Glanmor Williams, Penry Williams, G. Dyfnallt Owen<sup>10</sup> and others – offer a tantalisingly incomplete picture of how the institutional matrix of the new ‘Britain’ implied by the union actually settled down to work. W.P. Griffith’s authoritative study of higher education and professional training for Welshmen of the period<sup>11</sup> is an exception for the light it casts on the values and accomplishments of the Welsh intellectual classes of the time – as indeed are studies by J Gwynfor Jones,<sup>12</sup> which have enriched understanding of the cultural norms and aspirations of the

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<sup>9</sup> A.H. Dodd, ‘The Pattern of Politics in Tudor Wales’, *THSC* (1948), p. 8.

<sup>10</sup> G. Williams, *Recovery, Reorientation and Reformation*; P. Williams, *The Council in the Marches of Wales under Elizabeth I*, (Cardiff, UWP, 1958); G. Dyfnallt Owen, *Elizabethan Wales, the social scene*, (Cardiff, UWP, 1958), and *Wales in the Reign of James I*.

<sup>11</sup> W.P. Griffith, *Learning, Law and Religion: Higher Education and Welsh Society c1540-1640* (Cardiff, University of Wales Press, 1996).

<sup>12</sup> J. Gwynfor Jones, *The Welsh Gentry 1536-1640: Images of Status, Honour and Authority* (Cardiff, UWP, 1998); and *Law, Order and Government in Caernarfonshire 1558-1603: Justices of the Peace and Gentry* (Cardiff, UWP, 1996).

sixteenth-century Welsh gentry. Nevertheless, for the most part the histories of the period choose to lay repeated stress on the escalating litigiousness of the sixteenth-century Welsh in general and gentry in particular, the self-serving behaviours of members of the new governing class, and the ruthlessness of the latter's scrambles for local office and social recognition.<sup>13</sup> All of this is doubtless well-justified. Yet at the same time, in parallel with such emphases, there is recognition that somehow the new system produced relatively effective, and even popular, government – certainly, if such things can be measured, a significant improvement on that which had prevailed previously in Wales. George Owen was just one of those to express this view at the time (in 1594), 'No countrey [county] in England so flourished in one hundredth yeares as Wales hath don sithence the government of Henry VII to this tyme...'.<sup>14</sup> At the very least there is a paradox here inviting explanation. Is it plausible that the complex machinery of the post-Acts of Union legal and political institutions could have been made to work satisfactorily by individuals who were overwhelmingly acquisitive and self-seeking? Is it not also likely that many of those involved were groping to uphold social codes and principles shaped by religious commitments, humane Renaissance values and growing respect for law, as well as distinctively Welsh cultural ideals of leadership.<sup>15</sup> Did not many of them also have an intellectual training combining rigour, breadth and depth in the terms of the time, as well as, in many cases, an energetic commitment to hard and even unselfish work in the public realm – reflecting in turn codes of civility and service of the kind articulated by renaissance humanists such as Erasmus and Castiglione, and, closer to home, Sir Thomas Ellyot in 'The Boke

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<sup>13</sup> Dyfnallt Owen, *James I*, pp. 176-179; J.Gwynfor Jones, *Wales and the Tudor State* (Cardiff, Univ of Wales Press, 1989), pp. 59-66.

<sup>14</sup> George Owen, *The Dialogue of the Government of Wales* (1594), in H.Owen, *The Description of Pembrokeshire*, Vol 3 (London, Bedford, 1906), p. 56.

<sup>15</sup> See note 12 above.

named Governor’?<sup>16</sup> Indeed, what frequently appears understated alongside the well-justified criticisms of the early-modern Welsh ruling caste by Glanmor Williams, G. Dyfnallt Owen and others is allowance for the presence of a degree of moral seriousness in its individual members – which is to say, recognition of the extent to which such individuals may also have been attempting to enact, however erratically, an ethic of political responsibility involving ‘coherence between intention and action’.<sup>17</sup> As will be seen, much of Hugh Hughes’ life appears to manifest a seriousness of commitment of much this kind, however marked by occasional lapses.

The argument that follows is developed in two stages. The first two chapters seek to piece together the evidence concerning Hugh Hughes’ personal origins, and his life-long rootedness in the Welsh social milieu of late-Elizabethan and early-Jacobean Anglesey. The subsequent four chapters then investigate his largely English education and legal training, and subsequent public career on both sides of Offa’s Dyke.

Thus chapter one examines first his family’s origins in pre-conquest Menai, the long history of its *gwely*,<sup>18</sup> and the slow emergence of the Plas Coch estate from the mid-fifteenth century onwards. It is a picture with similarities to those of other Gwynedd *uchelwr*<sup>19</sup> families of the period - the Maurices of Clennenau, for instance, or the Meyricks of Bodorgan. However, like every family history, it has its idiosyncratic features, in this case a lineage and adjacent kinsfolk leading back directly to the twelfth-century Porthamel strong man, Llywarch ap Bran. Hugh Hughes’ identity as an increasingly prominent presence in early-

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<sup>16</sup> W.P. Griffith, *Civility and Reputation: Ideas and Images of the “Tudor Man” in Wales* (Bangor Studies in Welsh History, 1985).

<sup>17</sup> A. Judt, *The Memory Chalet* (London, William Heineman, 2010), p. 31.

<sup>18</sup> *Gwely*: family or kinship group owning the collective rights to a holding, hence also the holding itself.

<sup>19</sup> *Uchelwr* (pl: *uchelwyr*): literally, high one(s) – equivalent to a gentry class, generally claiming gentility through lineal descent from (Welsh) royalty or its senior administrators.



modern Anglesey is thus shown to have derived from membership of a family that had been conspicuous in the south-east of the island since the medieval period, if not substantially before that.

Chapter two pursues further the theme of Hugh's local embeddedness in an Anglesey which by the late sixteenth century was undergoing significant social, cultural and economic change, driven by population expansion, inflation, and a brutally dynamic land market. Like others of his kind, Hugh was engaged on his own account in the increasingly keen struggle for land during the century's later decades, and close examination of a particular protracted dispute with one of his Anglesey neighbours – the Rhydderchs of Myfyrian – throws light on prevailing patterns of routine social relationship within his social class, as well as showing how up-to-date legal and political insight was coming to have advantages in the new forms of struggle characteristic of the time. Reflecting the fluctuations in fortune of local families, Plas Coch with Hugh as proprietor rose in the 1580s, at the expense of the formerly more prestigious *gwely* of Myfyrian. The key protagonists were neighbouring kinsmen of the *uchelwr* class, and their struggle also hints at differences then crystallising within that class, as the needs of government in Wales within the post-union framework elevated some and reduced others.

Chapter three then considers Hugh's education, his professional training and practice as a lawyer, and his marriage. Through each of these life-stages, the English influence was strong. After early schooling, and probably grammar school, he matriculated and graduated at Cambridge in the mid-1560s - following which he qualified for the bar at Lincoln's Inn, an entity with which he retained an active personal association throughout his adult life, rising to bench and ultimately Treasurer, the top office of the society, at a time when the Inns of Court were at the intellectual epicentre of debates of mounting

constitutional significance. A relatively late marriage at the age of 40 to Elisabeth, of the influential Montagu family of Northamptonshire, reinforced Hugh's English connections. Indeed certain of his wife's male relatives remained important to him for the remainder of his life.

Nevertheless, as chapter four goes on to show, most of Hugh's mature years were spent as a native Welshman in north Wales, where he was involved not only in extending the family estate, but also in the machinery of government of the region, at multiple levels from the local to the national. Both personally and professionally he developed as a man who straddled two cultures, equally at home in both. And through snapshots of his public roles in late Elizabethan and early-Jacobean north Wales, the chapter seeks to provide insight into some of the ways in which government in the region was working over the period – as increasingly part of a larger British whole, yet also durably Welsh. The interlocking nature of his various posts is explored, including reflections casting fresh historiographical light on the detailed workings of local government within Anglesey.

Chapters five and six then focus on Hugh's wider involvements in governance at the national level. Chapter five takes as its focus three further key appointments of his mature years, as the Anglesey knight of the shire in the 1597 Parliament, as a member of the Council in the Marches from 1601, and as putative Lord Chief Justice of Ireland in 1609. Discussion of his experience in these posts locates Hugh within some of the key political and constitutional concerns of the late-Tudor state, throwing further light on the ways in which authority was working both within Wales and further afield. Finally, in chapter six, his multiple accomplishments are considered in the round and an attempt made to conceptualise his role and intentions in the light of the recent historiography of post-union Wales and the late-Tudor English state. The

integrated nature of the institutions of government for Wales at the time, reflected directly in Hugh's own person and experience, is highlighted especially. Brief reflections are also offered on implications of the findings for present-day understanding of the Welsh-English relationship in the 21<sup>st</sup> century.

Overall, the thesis examines the way in which Hugh Hughes developed as a particular kind of bi-lingual actor in the evolving institutional fabric of the late-Elizabethan nation, during what was a turbulent and creative period for British governance and political culture. From the late 1570s onwards, his legal promise and accomplishments gained him recognition, which resulted in appointments to positions at local, regional and latterly national levels - and this appears to have put him in a position to contribute in a modest way to the evolution of the union settlement.

In developing the analysis, it has been important from the outset to avoid unduly narrow or anachronistic understandings of two very different terms - 'lawyer' and 'Britain'. In present-day parlance, 'lawyer' tends to connote a professionally qualified specialist in legal knowledge and advocacy. Indeed in our own time, though lawyers come in many shapes and sizes, they tend to be pictured collectively as trained specialists in a circumscribed, if rigorous and intellectually esoteric, occupational space. Such a 'sectoral' conceptualisation is hardly adequate for the period with which we are concerned here. In the sixteenth century, whatever the specialist professional roles of particular individuals, lawyers and the law itself were carrying a deeper and more dynamic social significance. As W.J. Bouwsma, Christopher Brooks and others<sup>20</sup> have shown, throughout the sixteenth-century secularised legal

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<sup>20</sup> W.J. Bouwsma, 'Lawyers and Early Modern Culture', *American Historical Review*, 78 (1973), pp. 303-327; C.W. Brooks, *The Law, Politics and Society in Early Modern England 1450-1800* (Cambridge, CUP, 2008); C. Thorne, 'Tudor Social Transformations and Legal Change', *New York University Law Review*, 26 (1951), pp. 10-23.

discourse and mechanisms were moving rapidly, for the first time, to the centre of the political and social organisation of new forms of nation state in western Europe. The inexorable cultural momentum of this shift was reinforced by a far-reaching ‘crisis of social order and belief’<sup>21</sup> throughout the century, a crisis manifested not only in the Reformation itself, but also in religious wars, intense international conflicts, inflation and depression, and recurrent social tensions and dislocation. The cultural response to such pressures and uncertainties in much of sixteenth-century Europe, suggests Bouwsma, was ‘a singular exaltation of law as an antidote to disorder’<sup>22</sup>. Thus lawyers carried a distinctive social significance in this period, in Britain as in continental Europe. They were political actors and philosophers of constitutional government, as well as mere jurists.

Certainly, the growing significance of the law can be seen in Tudor Britain. From early in the sixteenth century, there was continuous growth in the body of statute law in England (and Wales), paralleled by adaptations and reforms to the common law, in response to changing economic and social needs. The enactment and implementation of the innovative Elizabethan Poor Law, passed in the 1597-8 Parliament, in which Hugh himself was Anglesey’s MP, is just one landmark example. What is more, in the fields of what we now understand as ‘public administration’ and ‘local government’, the boundaries between law on the one hand and politics and public policy on the other had yet to be distinguished, or even fully conceptualised. In such a context, the language and concepts of law came increasingly to shape and guide social experience and the interpretation of public life and events.

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<sup>21</sup> Bouwsma, ‘Lawyers & Early Modern Culture’, p. 316.

<sup>22</sup> *Ibid.*, p. 317.

As to the second term, ‘Britain’ - this is used in what follows from time to time as a shorthand way of referring to the over-arching, post-union constitutional entity embracing England and Wales, in which the Welsh had become fully equal citizens with the English. It is intended, for the purposes of the argument, to refer to an entity that was still in Hugh Hughes’ time in the process of *becoming*, a matter discussed more extensively in chapter six. This coinage of the term ‘Britain’ has substantive historical grounding, reflected both in the persistence of medieval myths of Welsh origins in an earlier Brythonic people descended from Brutus (and subsequently felt to be embodied in Henry Tudor, scion of *Wyrion Eden*),<sup>23</sup> and in parallel, deeply-embedded English political dreams from an earlier period. As Rees Davies has observed, ‘The idea of Britain exercised a powerful hold over the medieval mind. It had a depth, a resonance, a precision, and an incontestability which did not belong to its imprecise, contestable, and Johnny-come-lately competitors – England, Scotland, Wales...It was also, throughout the early Middle Ages, a political aspiration. It presented a prospect of unity and simplicity in what was a fragmented and fissile world of ethnic divisions and short-lived hegemonies.’<sup>24</sup> Moreover, in the post-Reformation period the idea of Britain began to take on practical political plausibility and by the 1570s it had gained a powerful hold on the Elizabethan imagination, taking forms to which, as will be shown, Welsh intellectuals like John Dee were able to make a powerful contribution. The thesis is thus suggesting that it makes sense to see Hugh’s career as being acted out in an emerging entity transcending simply ‘England’ or ‘Wales’, or some literal legal amalgam of the two. There was now also a new national community, both ‘imagined’<sup>25</sup> and increasingly real, being brought into being,

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<sup>23</sup> J. Davies, *A History of Wales* (London, Penguin, 1994), p. 219.

<sup>24</sup> R.R. Davies, *The First English Empire: Power and Identities in the British Isles 1093-1343* (Oxford, OUP, 2000), pp. 35-36.

<sup>25</sup> B. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London, Verso, 1983).

best thought of as ‘Britain’.<sup>26</sup> The significance of this matter is discussed more fully in chapter six.

Within Wales, the formal institutional arrangements introduced by the 1536 and 1543 Acts were a striking instance of the creative use of statute already referred to. Those arrangements had three principal elements, each dovetailing with the others. At shire level, the 1536 Act<sup>27</sup> introduced county government on the long-established English model, with Commissions of the Peace and Quarter Sessions, across Wales.<sup>28</sup> The marcher territories all became shires, like Anglesey, Caernarfonshire, Merioneth, Pembroke, Carmarthen, Flint and Cardigan under the pre-1536 arrangements. Above this, under the 1543 Act,<sup>29</sup> were the new Courts of Great Sessions, four in number and each with a circuit covering three or more counties. And at regional level, the revamped Council in the Marches took on an expanded role as a quasi-Privy Council for Wales as a whole. This customised system of inter-locking judicial and administrative bodies was peculiar to Wales. In important respects, through its personnel, it offered a significant degree of what might be called home rule, under the overarching jurisdiction of Westminster and the Crown.

There is evidence that within a generation the new system had achieved positive social and cultural impacts. In an officially commissioned appraisal<sup>30</sup>, William Gerard<sup>31</sup> felt able to report to Secretary of State Walsingham in 1576 that,

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<sup>26</sup> G.A. Williams, *When Was Wales?* (Bury St Edmonds, Black Raven Press, 1985), pp. 121-131; A. Grant & K.J. Stringer, *Uniting the Kingdom? The Making of British History*. (London, Routledge, 1995); J.S. Morrill & B. Bradshaw, *The British Problem c.1534-1707: State Formation in the Atlantic Archipelago* (London, St Martin's Press, 1996).

<sup>27</sup> 27 Henry VIII c. 26.

<sup>28</sup> Under the 1536 Act.

<sup>29</sup> 34 & 35 Henry VIII c. 26.

<sup>30</sup> ‘William Gerard’s Discourse - Special Memorandum to Secretary of State Thomas Walsingham’ - reproduced in DL Thomas, ‘Further Notes on the Court of the Marches, with Original Documents’, in *Y Cymmrodor*, Vol XIII (1900), pp. 97-164.

<sup>31</sup> Gerard had been Vice President of the Council in the Marches between 1562 and 1568 under Sir Henry Sidney’s Presidency.

whilst before the Acts of Union most of Wales had ‘lived as a country of war and not as...a country governed by law’, now ‘in Wales universally are as civil a people and obedient to law as are in England’. Thanks to early strong enforcement by Rowland Lee and his successor Presidents of the Council in the Marches of Wales, and (though Gerard does not mention it) the undramatic success of local government by county justices, the law was now generally observed across Wales, crucially including the former Marches, ‘except in 3 or 4 petty corners’, stated Gerard. There had been a drastic reduction in numbers of murders and highway robberies, such that the outstanding remaining problem was now ‘cattle-stealing’. The new courts, especially the Council in the Marches, which though first established in 1471 had been given statutory recognition only in the 1543 Act, were proving an unquestionable success, as integral elements of the new administrative framework. Indeed they were becoming almost too successful, since their popularity across Wales was now resulting in an increasingly unmanageable volume of small suits and counter-suits<sup>32</sup>. Nor was such improvement simply a matter of more effective handling of disputes between individuals. Because most initiatives relating to what we would now understand as ‘public administration’ or ‘local government’ of the period were handled through this same three-tiered court system, the growing popular acceptance of the authority of these bodies may also have reflected recognition of their relatively greater efficacy as vehicles of active government. This matter is discussed further in chapter four.

Overall, for many Welsh people, a notable feature of the acts of union settlement was the extension of opportunities available to Welshmen in the day-to-day running of their communities, largely in their own language,<sup>33</sup> through

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<sup>32</sup> Gerard, *Discourse*, p. 148.

<sup>33</sup> Notwithstanding the ‘language clause’ making English the formal language of judicial and administrative record-keeping, Welsh continued to be used routinely at all levels of the courts system. See for example, R.Suggett, ‘The Welsh Language and the Court of Great Sessions’, and P.R.Roberts, ‘Tudor Legislation and the

the county Commissions of the Peace, juries, constables, coroners, bailiffs and the like, as well as, more selectively, through service in the Council in the Marches or in the routine processes of the Courts of Great Sessions. The holders of many of these offices were from native families some of whom had been prominent in their areas in the period before the rearranged settlement (albeit the Great Sessions justices remained exclusively English till the following century). The evidence is that, as the tentacles of the multi-tiered system spread, for example at hundred and parish level, it incorporated a growing range of individuals from less obviously advantaged origins. At county level, the proliferating breadth and complexity of the justices' duties in the later years of the century, together with rising official expectations of their efficiency, created a pressing need for competent, educated individuals in key positions. In the late-Elizabethan context, this meant, increasingly, individuals whose property stake in the area was supplemented by legal training and skills. Hugh Hughes was one such.

He makes only fleeting appearances in recent histories of the period. Aspects of his career, as a lawyer specifically, are unravelled usefully in WP Griffith's above-mentioned *Learning, Law and Religion*,<sup>34</sup> in the context of a more general analysis of the experience of educated Welsh lawyers and churchmen of the period. But neither there nor in other studies of the period has his career been given sustained attention. He has tended to be sidelined as simply a Welsh gentry-lawyer, devoid of wider significance. Not only does he go unmentioned in the Dictionary of Welsh Biography,<sup>35</sup> but he makes no appearance in any of the key nineteenth-century biographical dictionaries either.

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Political Status of "the British tongue" - both in G.H. Jenkins (ed), *The Welsh Language before the Industrial Revolution*, (Cardiff, UWP, 1997)

<sup>34</sup> W.P.Griffith, *Learning, Law and Religion*, pp. 43, 149, 152, 154, 155, 158, 183, 184, 190, 196.

<sup>35</sup> *Dictionary of Welsh Biography/Bywgraffiadur Cymreig*, (Oxford, Blackwell/Hon Soc of Cymmrodorion, 1959).



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Any passing mentions in more recent journal articles tend to reflect a single source – the late Thomas Richards’ introductory essay to the Plas Coch manuscripts<sup>36</sup>, which offers a regional university archivist’s perspective, written in 1937, on Hughes as ‘the real founder of the fortunes of Plas Coch’<sup>37</sup>. Grounded though that essay is in extensive understanding of local genealogy and power networks, it predates the significant body of more recent historical research relevant to early-modern north Wales, by A.D. Carr, W Ogwen Williams, J. Gwynfor Jones and others.<sup>38</sup> There is thus scope for a reappraisal of Hughes’s role and significance in the light of the more recent historiography of the period.

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This leads to the linked issues of sources and methodology – matters which need to be understood against the background of the study’s particular provenance. Initially, this thesis had its origins in a straightforward lay interest in family history, Hugh Hughes being an ancestor of the present researcher. The intention at that stage was simply to craft as full a picture as possible of an apparently interesting historical antecedent, using whatever source materials might turn out to be available. In the early phases there was no intention that the work should take the form of a PhD thesis. However, as the research developed, it became clear that Hugh Hughes had occupied a significant and distinctive place in the legal-administrative history of north Wales during the post-‘Acts of Union’ period – a field which, as has already been mentioned, has hitherto been relatively unexamined by historians of early-modern Welsh history. Indeed, there emerged a potential for using the examination of Hugh’s personal career

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<sup>36</sup> The Plas Coch manuscripts (PC MSS) are held in the Bangor University Archives.

<sup>37</sup> UB Plas Coch Vol I, *Introduction*, p. 1.

<sup>38</sup> eg A.D. Carr, *Medieval Anglesey* (Llangefni, Anglesey Antiquarian Society, 1982, & 2011 (revised edition)); W. Ogwen Williams, *Tudor Gwynedd* (Caernarfon, Caernarfonshire Historical Society, 1958); Gwynfor Jones, *Law, Order and Government in Caernarfonshire*.

and development to offer fresh insight into the workings of the north Wales local and regional governance arrangements, as well as the evolving state of English-Welsh relations in the late-Elizabethan/early Stuart period - hence the decision to proceed with a PhD.

This provenance helps explain the research methodology employed. Developing out of an originally 'blind' inquiry, the approach taken combines close analysis of contemporary primary evidence with commentary and reflection on a variety of the institutional contexts in which the subject is shown to have played a role, and the drawing of more general inferences in respect of the significance of such behaviours for Welsh-English governance relations of the time.

In the first instance, the study has drawn on a diverse range of primary source materials – documentary, as well as bardic and architectural. These are detailed below and, more fully, in the bibliography.<sup>39</sup> They include materials from several archives. Most importantly, Bangor University holds more than four thousand papers of the Plas Coch family, dating from the mid-fifteenth to the early-twentieth centuries. Amongst these are upwards of 170 manuscripts relating to Hugh's life and career specifically – including his will, *post mortem* inventory and marriage settlement, as well as multifarious leases, patents of official appointment, contracts and other formal documents. Much of this material has not been examined systematically prior to the present study. However, despite its rich relevance as source material, the Bangor collection is patchy, and especially thin as regards Hugh's private life. Unlike the position with archived collections of some of his north-west Wales contemporaries – such as the Wynns of Gwydir<sup>40</sup> and the Maurices of Clennenau<sup>41</sup> – there are no

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<sup>39</sup> See pages 227-243 below.

<sup>40</sup> *Calendar of Wynn Papers 1515-1690* (Cardiff, UWP, 1925), which references more than 400 personal letters for the period 1560-1609. Also, *History of the Gwydir Family*, edited by J Gwynfor Evans (Llandysul, Gwasg Gomer, 1990), which was authored by Hugh Hughes' contemporary, Sir John Wynn.

personal letters, account books, diaries or other such personal records. Nor has scrutiny of such collections thrown up correspondence with Hugh himself. Nevertheless, despite the constraints, it has been possible to use those papers of Hugh's which have survived in the Bangor archive to establish at least the outlines of his life and career.

Beyond this, the study has made extensive use of a variety of late-Elizabethan and early-Stuart legal records and state papers held in the National Archives, as well as surviving personal correspondence of members of the Montagu family (his wife's relations) held in the Northamptonshire Public Record Office. Similarly, relevant contemporary records of Lincoln's Inn – notably minutes of benchers' meetings and admission registers – have been employed, as well as sundry original manuscript materials held in the British Library, National Library of Wales and Huntingdon Library. The early seventeenth-century diaries of Robert Bulkeley of Dronwy (in Anglesey) and his eighteenth-century descendent William Bulkeley of Llanfechell have also constituted valuable primary sources, as has an 1865 Plas Coch family genealogy, held privately in Llanfechell. Supplementing these various documentary materials have been collections of sixteenth-century bardic poetry, edited and published by Dr Dafydd Wyn Wiliam, and architectural records relating to the Plas Coch mansion itself. All of these various primary sources, detailed in the bibliography, have offered degrees of insight into Hugh Hughes and his world.

However, less productive have been the records of some of the local and regional institutions in which Hugh is shown to have played significant roles. As explained in the main body of the text, there appears to be no surviving primary documentation of the activities of the Anglesey Commission of the

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<sup>41</sup> *Calendar of Clennenau Letters and Papers in the Brongyntyn Collection*, NLW Supplement Series (Aberystwyth, NLW, 1947), which includes letters and a substantial personal Memoranda book. See also, E.N. Williams, 'Sir William Maurice of Clennenau', THCS 24 (1983), pp. 78-97.

Peace, across the period in which he was a member, between 1571 and 1609. Nor are there any extant documents from the Anglesey-Caernarfonshire circuit of the Court of Great Sessions, in which, between 1589 and 1609, he played the key role of deputy and then full Attorney-General.<sup>42</sup> There are also lacunae in relation to most of the work of the Council in the Marches, particularly during his period of membership between 1601 and 1609. These are serious gaps, so that despite the rich and illuminating primary evidence from which the study benefits, the researcher has had to overcome serious constraints in attempting to examine satisfactorily the subject's career and its wider significance. The absence of surviving personal documents is one such. The patchiness of relevant extant official records is another.

These circumstances have thus given rise to methodological challenges comparable to those faced in other historiographical circumstances where Rankean ideals of reliance on primary documentation are unachievable or inappropriate. To cite just one example, researchers in the currently dynamic field of post-colonial Subaltern studies,<sup>43</sup> seeking to throw historical light on the lived experiences of individual and collective subjects of colonialist domination,<sup>44</sup> face the challenge that virtually the only relevant primary documents are cast in the discourses and preoccupations of western colonialist powers themselves, with the result that the surviving written framings and representations of indigenous 'subaltern' actors are fundamentally distorted *ab initio* in such a fashion that 'the subordinated man or woman can only be heard by his oppressors if he or she speaks the language of the oppressor'.<sup>45</sup> In order

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<sup>42</sup> G.Parry, *A Guide to the Records of the Great Sessions in Wales* (Aberystwyth, NLW, 1995), pp. xliii-xlix & 130-135. A few Plea Rolls are all that has survived for the Anglesey-Caernarfonshire circuit during the period 1570-1610..

<sup>43</sup> S.Morton, 'The Subaltern: Genealogy of a Concept' in *Gayatri Spivak: Ethics, Subalternity and the Critique of Post-Colonial Reason* (Malden Ma., Polity, 2007); and Q.Hoare & G.Nowell-Smith, 'Terminology' in *Selections from the [Gramsci] Prison Notebooks*, (New York, International Publishers, 1999).

<sup>44</sup> J. Sharp, *Geographies of Postcolonialism* (London, Sage, 2007), chapter 6.

<sup>45</sup> *Ibid*, p.186.

to recover and do justice to the actual perspectives and experiences of such 'excluded' cultural groups, researchers in this field have relied on Marxist-informed comparison, inference and analogy across topographical arenas to produce new and arguably richer representations of the subaltern 'others'. In other words, in such cases, inferences and analogies justified by theoretical presuppositions are deployed imaginatively to mine and reinterpret primary source materials and their obvious lacunae, as essential elements of the methodology.

In the case of Hugh Hughes in the present study, an analogous problem of relative 'invisibility' arises, as has been shown above - but in this instance flowing from gaps in the documentary record, rather than from structural representational biases of the kind being addressed in the Subaltern studies field. Nevertheless the historiographical challenge - how to compensate for an inadequate documentary base - is not dissimilar. Hence in the present study, an attempt has been made to amplify the unavoidably incomplete picture of Hugh as an individual emerging from the primary materials, by relating the latter to further, secondary accounts of the contemporary institutions in which he was directly involved, through imaginative inference and analogy, as well as through occasional comparison with the recorded experience of some of his cultural and professional contemporaries. The making of such connections in certain sections necessarily involves a dependence on 'constructive historical imagination' in the fashion alluded to by Collingwood: 'As works of imagination, the historian's work and the novelist's do not differ. Where they do differ is that the historian's picture is meant to be true. The novelist has a single task only: to construct a coherent picture, one that makes sense. The historian has a double task: he has both to do this, and to construct a picture of things as they really were and of events as they really happened...[This means that] the historian's picture stands in a peculiar relation to something called evidence.'

The only way in which the historian or anyone else can judge, even tentatively, of its truth is by considering this relation; and, in practice, what we mean by asking whether an historical statement is true is whether it can be justified by an appeal to the evidence.’<sup>46</sup>

Hence the approach pursued tracks Hugh through the various institutional contexts in which he is known to have played a significant role, relating what can be known directly from primary sources to what appears from largely secondary sources (of which more details are given below) to have been going on in each one of these contexts at the time. Even where personal matters such as his family history, education and marriage are concerned, something like this ‘situational’ approach has been followed, the likely circumstances and settings surrounding such developments being used to draw inferences about Hugh as both individual and social actor, through informed speculation about his possible responses. Part of the justification for such an approach lies in the evident fact that much of his adult life was played out in public arenas of one kind or another. As will be shown, Hugh appears to have won recognition as a hard-working and accomplished individual, conscious of his standing in society, with the public dimensions of his career important to a personal sense of purpose and identity. Thus overall, the methodology employed – flowing ultimately, as has been suggested above, from the initially *exploratory* provenance of the study – seeks to make a virtue of necessity in the light of gaps in the direct evidence, by pursuing a disciplined and, it is hoped, judicious integration of source materials of differing probative weights.

Inevitably, there are risks attendant on such an approach. It could be argued for example that, where unambiguous confirmations of a direct evidential kind are lacking concerning Hugh’s actual behaviours in certain of his institutional roles,

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<sup>46</sup> R.G.Collingwood, *The Idea of History* (Oxford, OUP, 1956 edn), p. 246.

tacit interpretative claims offered by the researcher could act to obscure, or worse to reproduce a misleading picture of, the subject's actual motives and behaviours. For instance, it has not been possible to establish with confidence from the patchy primary sources the extent to which he was a full and conscientious *participant* in meetings of this or that specific body, or the precise extent to which he may have been reliant on deputies or other surrogates in such contexts – matters which could have implications for the overall view to be taken of him. The argument developed in the main body of the study – that he seems likely to have been an active and influential institutional contributor – might have to be revised if new primary counter-evidence on such matters were to be discovered.

As the bibliography shows, the secondary materials drawn upon have necessarily covered a broad spectrum, from monographs on many aspects of early-modern British and Welsh history – including north-west Wales in particular – to more specialist articles in journals such as *Past and Present*, *History*, the *American Historical Review*, the *Welsh History Review*, the *Bulletin of the Board of Celtic Studies*, and Transactions of such bodies as the Honourable Society of the Cymmrodorion, the Anglesey Antiquarian Society, the Caernarfonshire Historical Society and the Merioneth Historical and Record Society. Histories of the legal profession, Parliament and local government have also been used extensively, to help derive a picture of Hugh's commitments. There is thus a constructive imaginative interplay between secondary sources and primary materials, partly to compensate for those areas where the latter are thin or even non-existent, but also to enable robust – albeit in some cases provisional - inferences about and analogies with Hugh's personal experience to be generated.

There are recent precedents for such a manner of proceeding in a Welsh context. For example, for his authoritative 1995 account of the Glyndwr rebellion of the 1400's, <sup>47</sup> the distinguished medieval historian Rees Davies had to engage with a comparable paucity of both personal materials and direct documentary records. His chosen strategy in those circumstances was to attempt to 'make good the deficiencies of a personal portrait *by locating the individual [ie Glyndwr] on a much broader panoramic canvas*' (emphasis added). <sup>48</sup> In other words Davies sought to convey a picture of the personal outlook and decision processes of Glyndwr himself through well-documented accounts of the multiple milieux and activities in which that individual was known to have been involved, triangulating such accounts with one another to infer a plausible sense of the man himself, acknowledging at the same time the necessarily speculative nature of some of the resulting judgements.

The present thesis, whilst aiming to extend understanding of a relatively undocumented theatre of early-modern north-Welsh history through the medium of an investigation of the life of a single accomplished individual, has had to grapple with analogous historiographical challenges. Nevertheless the contention derived from the mosaic of his activities presented in what follows is that there is enough cumulative evidence – primary, secondary and circumstantial - to allow Hugh Hughes to be used with confidence as a prism for insight into the effective workings of the late-Elizabethan/early Jacobean legal and administrative settlement in this particular region of Wales.

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<sup>47</sup> R.R.Davies, *The Revolt of Owain Glyndwr* (Oxford, OUP, 1995),

<sup>48</sup> *Ibid*, p.98.



## Chapter 1. Porthamel and the Hughes of Plas Coch

The most visible remaining trace of Hugh Hughes today is Plas Coch - known as Porthamel Isaf until the mid-sixteenth century - close by the Menai Straits at Llanedwen.<sup>49</sup> [See pictures, page 225]. This striking mansion, with its Elizabethan neo-gothic exterior of pink limestone, has a stone surround above the front porch bearing the inscription, ‘In the yere of Lord God 1569 DH mad this hou’. The ‘DH’ refers to Hugh Hughes’ father, Dafydd Llwyd ap Huw, whose original 1569 construction was subsequently enlarged and reworked in the 1590s, apparently to Hugh’s specification,<sup>50</sup> to create the impressive Flemish exterior which meets the eye today.<sup>51</sup> The flamboyance of this still-existing exterior clearly reflected an intention to create an ‘outward symbol’<sup>52</sup> of the successful rise of a native Anglesey family.<sup>53</sup>

To appreciate Hugh, and the public roles he came to play in Anglesey and further afield, it is important first to have an understanding of his family origins and genealogy, and of the sense of himself these would have brought with them. The architectural flamboyance of Plas Coch in the context of late sixteenth-century Anglesey appears to have been an expression of Hugh’s own self-belief, which this chapter suggests was grounded significantly in awareness of his family’s standing in local Welsh society. Hence the central aim of this first chapter is to examine the origins and rise of the family, and the gradual build-up of material resources which made possible the construction of the mansion in

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<sup>49</sup> Plas Coch is at Ordnance Survey map ref. 582614.

<sup>50</sup> Royal Commission on Ancient & Historical Monuments in Wales and Monmouthshire, *An Inventory of the Ancient Monuments in Anglesey* (London, HMSO, 1937), p. 55.

<sup>51</sup> The house was expanded further on the west and north sides in the early nineteenth century, in closely matching style. The interior is largely of this later period.

<sup>52</sup> G. Williams, *Religion, Language and Nationality in Wales* (Cardiff, UWP, 1979), p. 155.

<sup>53</sup> Recent investigation by Dr David Longley, till recently Director of the Gwynedd Archaeological Trust, has discovered beams and windows in the present Plas Coch mansion dating from the 1530s. This implies that Dafydd Llwyd’s house incorporated elements of a substantial still earlier dwelling on the same site (D. Longley, personal communication, May 2011). These findings are expected to be published shortly.

the late sixteenth century. In the process, the account touches on aspects of the medieval social history of Anglesey, and in particular patterns of land acquisition and tenure in the south-east corner of the island. This is important not only for what it reveals about the origins of Plas Coch, but also for an appreciation of the complexities of kinship and community which would have informed Hugh's self-understanding, as his career developed on both sides of the Welsh-English border.

Hugh's antecedents had had an intimate association with Porthamel – and indeed with the very ground on which Plas Coch itself came to stand – reaching back to at least the twelfth century. Convergent documentary sources<sup>54</sup> show that the Plas Coch Hughes were direct male heirs and descendants of Llywarch ap Bran, a high official in the service of Owain Gwynedd (1137-1170).<sup>55</sup> Moreover, there are indications that antecedents of this Llywarch had been dominant figures in the Porthamel area for a number of generations prior to that. Henry Rowlands, writing in 1710,<sup>56</sup> pointed to field and rock names close to the Plas Coch site referring to Llywarch's father, Bran, and his grandfather, Dyfnwal - and recent research by David Longley<sup>57</sup> tends to confirm that Llywarch's forbears had probably been dominant free-holders in the neighbourhood during a lengthy earlier period.<sup>58</sup> Indeed, Longley's research appears implicitly to challenge Jones Pierce's seminal proposition<sup>59</sup> that key Anglesey free townships were created *de novo* by political fiat of Owain Gwynedd in the mid-twelfth century, suggesting instead that such free-holding

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<sup>54</sup> These sources include: UB Baron Hill 6714 – the 1352 *De Delves* Extent, reproduced in A.D. Carr, 'The Extent of Anglesey, 1352', *TAAS* (1971-72), pp. 150-272; Revd H. Rowlands, *Arch Cam* 4, *Antiquitates Parochiales* (1849), XII & XIII; and the Hughes family records - *Pedigree of Hughes of Plas Coch* (1869) – original uncatalogued manuscript held at Brynddu, Llanfechell, Ynys Mon.

<sup>55</sup> Llywarch is identified as a 'prominent minister of the prince's *curia*' in D. Stephenson *The Governance of Gwynedd* (Cardiff, UWP for BCS, 1984), p. 125.

<sup>56</sup> Rowlands, *Arch Cam* 4, XIIG.

<sup>57</sup> David Longley, personal communication, December 2008.

<sup>58</sup> *Ibid.*

<sup>59</sup> T. Jones Pierce, 'Medieval Settlement in Anglesey', *TAAS* (1951), pp. 1-33.

lordships had probably already had a long existence prior to Owain's reign, making the later twelfth-century formalisation of township boundaries a matter of accommodation to existing political fact, rather than royal patronage pure and simple. However, Henry Rowlands' further suggestion<sup>60</sup> that the Plas Coch family could trace its descent directly from Tudwal Gloff, son of the ninth-century Rhodri Mawr, is too tenuous to be secure.<sup>61</sup>

Rowlands suggested the further likelihood that, before 1282, Porthamel had been a *maenol*,<sup>62</sup> a small and consolidated free township (*tref*) with a court and dependent bond hamlets (*rhandiroedd*) including Llanedwen, Bodlew, Bodowyr, Myfyrian, Berw Uchaf, Cefn Poeth, and Trescawen.<sup>63</sup> [Map B, page 226]. He cited as supporting evidence wording in a 1317 charter marking a property transfer between two of Llywarch ap Bran's great-grandsons, one of them Hugh Hughes' direct ancestor, Gwyn ap Iorweth ap Cadwgan.<sup>64</sup> More recently, A.D. Carr has confirmed the probability of a Porthamel *maenol* vested in 'a prominent figure in twelfth-century Gwynedd,<sup>65</sup> presumably Llywarch, as both a top official of Owain Gwynedd and local strong man in the area – a suggestion consistent with present understanding both of Llywarch's role as leader of one of the key free Anglesey kindreds,<sup>66</sup> and of political-administrative initiatives by Owain Gwynedd in mid twelfth-century Anglesey, whereby he consolidated favoured local lordships of key allies.<sup>67</sup>

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<sup>60</sup> Rowlands, *Arch Cam 4*.

<sup>61</sup> G.P. Jones, 'Notes on Some Non-Dynastic Anglesey Clan-Founders', *TAAS* (1923), pp.35-48.

<sup>62</sup> *Maenol(au)*: a 'free' social and tenurial unit with dependent hamlets. After the 1282 conquest, because of their apparent similarities, *maenolau* tended to become *manors* in the English sense.

<sup>63</sup> There is however no confirmation of this in the 1352 extent, which states simply of Porthamel, '*this township is free*'. Carr, *Medieval Anglesey*, p. 254.

<sup>64</sup> Rowlands, *Arch Cam 4*, XIIIIP.

<sup>65</sup> Carr, *Medieval Anglesey*, p. 155.

<sup>66</sup> E. Gwynne Jones, 'Some Notes on the Principal County Families of Anglesey in the Sixteenth and Early Seventeenth Centuries', *TAAS* (1939), p. 66.

<sup>67</sup> J. Beverley Smith, 'Owain Gwynedd', *TCHS* 1971, pp 8-17. Also, D. Longley, 'Medieval Settlement and Landscape Change in Anglesey', *Landscape History*, 23 (2001), pp. 39-60.

As the 1352 extent confirms, three of Llywarch's sons – Cadwgan, Iorwerth and Madog – established separate *gwelyau* in Porthamel in the late twelfth century, consistent with the Welsh inheritance law of *cyfran*.<sup>68</sup> Iorwerth's line appear to have settled at Porthamel Uchaf, at or close to the site of the present Porthamel Hall, whilst Madog established a second *gwely* within the township, close by 'in the commote of Menai'.<sup>69</sup> The second son, Cadwgan, based himself at what subsequently became known as Porthamel Isaf, closest to the ancestral site, now Plas Coch.<sup>70</sup> Hence it was Cadwgan's line which grew to become, eventually, the Hughes family of Plas Coch, his descendants staying the course both procreatively and topographically. Henry Rowlands commented in 1710, 'which is rather unusual, it is found that males alone, in the family line, have inherited (Plas Coch) throughout such a long space of time'.<sup>71</sup> Indeed, the Porthamel Isaf/Plas Coch line was to continue unbroken, at the same site, over the 800 years between the mid-twelfth and mid-twentieth centuries. As will be shown, the Plas Coch estate which accumulated around the Porthamel Isaf *gwely* was slow to develop, but its rump survives vestigially to this day.

Rowlands also recorded that in 1710 his Rectory held records of at least twelve families descended from Llywarch's three sons, each with its own property in Llanedwen or a neighbouring parish. As will be seen, the relationships between these families and Porthamel Isaf/Plas Coch ran anything but smoothly, as the period of estate assembly accelerated in the late fifteenth and sixteenth centuries. To clarify the nature of the obstacles as well as the opportunities which had to be negotiated in the early development of *gwely* Cadwgan, it is useful first to outline the evolving shape of land tenure patterns as they developed within pre-conquest Welsh and post-conquest English customary and

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<sup>68</sup> *Cyfran*: the native Welsh inheritance law of partible succession, akin to gavelkind in English terms

<sup>69</sup> Rowlands, *Arch Cam* 4, XII.

<sup>70</sup> *Ibid.*

<sup>71</sup> *Ibid.*

legal frameworks. The key social and political division within medieval pre-conquest Gwynedd society was that between ‘free’ and ‘bond’ status. Porthamel and its dependent hamlets were free townships, abutting on the south and east sides onto crown lands attached to the royal *maerdref*<sup>72</sup> of Rhosyr, which included a number of bond *trefs*, hamlets and *gwelyau*. Under native inheritance law in free communities, rights in land gave a life interest only. Land was vested in the kindred group rather than the individual person. It was thus an entitlement to a lifetime share rather than absolute possession of the land itself which passed to an occupant’s heir. What is more, if an individual died without an heir within four degrees of consanguinity, or was convicted of a felony, his share escheated to the lord. In such cases the land tended then to be leased to a further individual for an annual rent, to be paid to the lord in addition to the lessee’s share of the *gwely*’s overall annual obligation - which increasingly came to take the form of a commutation of former food renders and services, a pattern which was hastened by the 1282 conquest. On the ground, the pattern of agricultural organisation was the open field, with each occupant holding a number of scattered strips, as well as a share of the *gwely*’s common pasture and waste.

Jones Pierce’s ground-breaking studies<sup>73</sup> of the evolution of tenurial and land accumulation practices in medieval Anglesey and Caernarfonshire suggest how such matters may have evolved in practice. For example, his Llysdulas (in the Anglesey commote of Twrcelyn) study<sup>74</sup> shows how, from the twelfth century, individual families deriving from a free kindred spread out from the originating *hendrefi*<sup>75</sup> over successive generations, to colonise fresh areas within the

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<sup>72</sup> *Maerdref*: ‘the unfree township in each commote attached to the royal court there for its maintenance which corresponded, more or less, to the desmesne’ (Carr, op cit, p 332)

<sup>73</sup> T. Jones Pierce, ‘Medieval Settlement in Anglesey’, *TAAS* (1951), pp. 1-33; and ‘Some Tendencies in the Agrarian History of Caernarvonshire during the later Middle Ages’, *THCS* (1939), pp. 18-36.

<sup>74</sup> Jones Pierce ‘Medieval Settlement’, passim.

<sup>75</sup> *Hendref(i)*: habitation(s).

township, creating new hamlets in ever more dispersed fashion. Much of this pattern can be seen to have also taken place in Porthamel, where the workings of *cyfran* led to accumulating dispersal of younger siblings from each generation to holdings in hamlets within and beyond the township. Thus for example by the time of the 1352 Extent,<sup>76</sup> at least four *gwelyau* founded by descendants of Iorwerth ap Llywarch's son, Maredudd, were in existence.<sup>77</sup> Jones Pierce argues in a further Caernarfonshire-based study<sup>78</sup> that over successive generations such processes inevitably generated their own tensions. In particular, *gwely* lands distributed in a variety of increasingly distant hamlets tended to become seen by the families working them as effectively their own individual holdings. In part, this was a 'natural' process, flowing from the close working familiarity of such individuals with the places in which they lived and sustained a livelihood, and from their new, less interdependent relationships with neighbours similarly detached from their originating *gwelyau*. Within Porthamel, such processes can be seen in hamlets spun off from the Porthamel Isaf/Plas Coch family, such as Berw and Myfyrian. In each case, younger siblings of Cadwgan ap Llywarch's descendants became established at locations distant from the antecedent *gwely*, at sites which evolved over subsequent centuries to become consolidated individual farms still evident to this day. Thus for example, descendants of Llewelyn, the youngest son of Iorwerth ap Cadwgan ap Llywarch, established themselves at Myfyrian from the early-twelfth till the late-sixteenth century.<sup>79</sup> Similarly, at Berw, a further, later Iorwerth ap Llywarch descendant, Hywel ap Llewelyn ap Dafydd ab Ieuan, was in the preliminary stages of estate-building in the early fifteenth century, following several generations of his antecedents' residence in the hamlet.<sup>80</sup>

<sup>76</sup> UB Baron Hill 6714. Also, Carr, 'Extent of Anglesey'.

<sup>77</sup> Ibid. See also Stephenson, *Governance of Gwynedd*, pp. 110-111. The *gwelyau* in question were at Ysceifiog, Llanfigel, Trelywarch and Clegyrog.

<sup>78</sup> Jones Pierce 'Some Tendencies', pp. 18-36.

<sup>79</sup> Griffith, *Pedigrees*, pp.109, 119, 309.

<sup>80</sup> Carr, *Medieval Anglesey*, pp. 179-180.

By the mid-fourteenth century, a range of hard-edged economic and social realities were reinforcing and accelerating these developments<sup>81</sup>. A crucial consequence, as Jones Pierce suggests, was that the ‘reciprocal rights and duties’ which had been the defining features of the *gwely* in and around Porthamel, as elsewhere in free Anglesey and Caernarfonshire townships, were being steadily eroded. Communal ownership was yielding increasingly to patterns of individual accumulation through the media of purchase, mortgage and exchange, leading inexorably towards concentrations of holdings under single proprietorships.<sup>82</sup> These dynamics manifested themselves at different rates in different parts of Gwynedd and elsewhere in Wales; the forcefulness and ambition of particular individuals was clearly a key determinant in the exploitation of such opportunities, as will be seen in the next section in relation to the Porthamel Uchaf family.

The economic and social realities referred to above were of diverse kinds. Under native Welsh law, alienation could only occur through a licence from the lord, and after the conquest such licenses became ever easier to obtain.<sup>83</sup> Legal fictions such as the *tir prid* form of unredeemed mortgage became increasingly well used, as the impetus towards rationalisation of impracticably small and dispersed *cyfran* strips grew steadily. Such tendencies were given added momentum by the conspicuous daily examples of neighbouring colonists entitled to operate within English legal doctrines of inheritance (i.e. primogeniture) and land tenure. However, across the post-conquest period as a whole, the most crucial factor affecting land markets was the calamitous impact of the Black Death (1347-1350) which, by decimating the populations of both

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<sup>81</sup> The realities in question are elaborated immediately below.

<sup>82</sup> Jones Pierce, ‘Some Tendencies’, pp. 29-35.

<sup>83</sup> L. Beverley Smith, ‘The gage and the land market in late medieval Wales’, *Economic History Review*, 29 (1976), pp. 537-541.

free and bond communities across the region, made substantial swathes of land available for encroachment and sale. And compounding the effects of this natural disaster, the wave of escheats and crown confiscations following the Glyndwr rebellion of the early 1400s brought still more land onto the market.

Hence through a variety of contingencies in the fourteenth and fifteenth centuries, it was becoming possible for native individuals to accumulate and pass on increasingly significant, if still at this stage modest, personal estates, despite the formal persistence of *cyfran*. Jones Pierce's close analysis of the Clennenau estate and family in the fifteenth and sixteenth centuries<sup>84</sup> shows a comparably aspiring family in nearby south Caernarfonshire exploiting such opportunities in a fashion with apparent similarities to the acquisition patterns of Hugh Hughes' antecedents. Jones Pierce shows how, through *tir prid* acquisitions of the tenurial rights of neighbouring *priodorion* in small, increasingly fragmented holdings, and subsequently, in the early decades of the sixteenth century, a succession of direct purchases of tenements, cottages, plots, and mill leases, as well as encroachments on crown lands, Morris ap John ap Maredudd and his son Elise were laying the foundations of what was to become the substantial estate of Clennenau, in Eifionydd. The Plas Coch papers contain at least one indication of a *tir prid* transaction by one of Hugh Hughes' antecedents.<sup>85</sup> Probably the device was also being used by his ancestors Madoc ap Ieuan ap Howel between 1438 and 1447, and the latter's son Ieuan ap Madoc and grandson Llewelyn ap Ieuan between 1448 and 1500, alongside the more conventional 'releases' and grants-in-fee for which documents have survived.<sup>86</sup> What is more, there is also evidence of crown land encroachments by the last-named of these individuals in the fine and pardon by Arthur, Prince of Wales

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<sup>84</sup> T. Jones Pierce, 'The Clennenau Estate', in Jones Pierce T (ed) *Introduction to Clennenau Letters and Papers in the Brongyntyn Collection*, NLW Supplement Series Pt I (Aberystwyth, 1947).

<sup>85</sup> UB Plas Coch 12 – a four-year 'assignment' of lands in Gwydryn.

<sup>86</sup> eg UB Plas Coch 1, 2, 7, 8, 9, 10, 13 & 14. See also the Table on page 30 below.



dated 20 September 1495, for the Llewelyn ap Ieuan's stated 'intrusions on lands in Porthamel and Bodronyn.'<sup>87</sup>

### **Gwely Cadwgan and Gwely Iorwerth**

A further useful perspective on the emergence of the Porthamel Isaf-Plas Coch estate, and hence on the gradual processes of resource assembly enabling eventual construction of the 1569 mansion, can be gained through consideration of the relative fortunes of, and interactions between the two primary Porthamel *gwelyau* in the late medieval and early-modern periods. Plas Coch, formerly Porthamel Isaf, and Porthamel Hall, formerly Porthamel Uchaf, are next-door neighbours, to this day (in 2011) with grounds abutting onto one another's. In the medieval period, the two families, living in the same close proximity, albeit in the radically different communal and agricultural circumstances of the period, would have been acutely aware of their shared ancestry. It is tempting to speculate that a mixture of pride and rivalry would have obtained between them. Marriages and land sales between the two occurred sporadically. For example, Arddun, daughter of Maredudd Ddu ap Goronwy of Porthamel Uchaf, married Hywel ap Gwyn ap Iorwerth of Porthamel Isaf in c. 1350;<sup>88</sup> and Maredudd Ddu's great-grand-daughter Mallt married Ieuan ap Madog of Porthamel Isaf in c.1440-50.<sup>89</sup> And, as noted previously,<sup>90</sup> there is at least one example from the fourteenth century of a land transfer between the two *gwelyau*.

In the fourteenth and fifteenth centuries it was Iorwerth ap Llywarch's line, at Porthamel *Uchaf*, which flourished especially. Iorwerth's eldest son, Maredudd, continued in the style of his grandfather, Llywarch. He was a beneficiary of significant land grants in the mid-thirteenth century from Llewelyn ab

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<sup>87</sup> UB Plas Coch 22.

<sup>88</sup> P.C. Bartrum, *Welsh Genealogies AD 300-1400*, (Cardiff, UWP, 1974), Llywarch ap Bran 3.

<sup>89</sup> *Ibid.*

<sup>90</sup> See note 64 above.

Iorwerth,<sup>91</sup> as well as being (like his grandfather Llywarch) a prominent minister in that prince's *curia*.<sup>92</sup> In the wake of the 1282 conquest, this Maredudd's grandson, Maredudd Ddu ap Goronwy, was *rhaglaw*<sup>93</sup> of Menai and, as a leading man of Anglesey, had done homage and fealty to the new English Prince of Wales at Caernarfon, in 1301.<sup>94</sup> Two generations later, Maredudd Ddu's own grandson, Maredudd ap Cynwrig, built further on this legacy, both before and after the Glyndwr rebellion, in which he was active, and for which he was subsequently fined and pardoned in 1406<sup>95</sup>. Swiftly rehabilitated as an indispensable local leader, he then became steward of the borough of Newborough, approver of the manor of Rhosyr, and under-sheriff of the county,<sup>96</sup> and in 1417 was also appointed the king's sergent-at-arms in Anglesey.<sup>97</sup> In parallel he became farmer of the manors of Cemaes, Penrhosllugwy, the Llanerchymedd tolls, and subsequently Newborough, Rhosyr and the Llanidan ferry.<sup>98</sup> In Carr's words, Maredudd ap Cynwrig was 'perhaps the greatest accumulator of farms and offices in medieval Anglesey'.<sup>99</sup>

The indications are that, by contrast, the family of *gwely* Cadwgan at Porthamel *Isaf* were left far behind their successful kinsmen during this period. By 1352, *gwely* Iorwerth is recorded as including 6 bovates of escheat land, reckoned as a twenty-fourth part of the whole, which must thus have been around 576 acres. By contrast, *gwely* Cadwgan held half a bovate of escheat, implying just forty

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<sup>91</sup> Stephenson, *Governance of Gwynedd*, p. 98.

<sup>92</sup> *Ibid.*, p. 110-111.

<sup>93</sup> *Rhaglaw*: chief official of the commote (later, the 'hundred'), of which Menai was one of five on Anglesey. The post was carried over from the time of the princes following the 1282 conquest, with diminished administrative responsibilities, but lucrative perquisites in the form of fines on most legal actions within the commote. (Carr, *Medieval Anglesey*, pp. 63-64).

<sup>94</sup> TNA SC 6/1170/ & 1227/7.

<sup>95</sup> G. Roberts, 'The Anglesey submissions of 1406', *BBCS* 15 (1952), p. 57.

<sup>96</sup> TNA SC 6/1152/4 6a.

<sup>97</sup> *Calender of the Patent Rolls 1416-1422*, p. 101.

<sup>98</sup> TNA SC 6/1152/5 2a, 4a.

<sup>99</sup> Carr, *Medieval Anglesey*, p. 211.; and 'Maredudd ap Cynwrig: a medieval public person', *TAAS* (1988), pp. 13-21.

acres.<sup>100</sup> Seventy years later, by the time of Maredudd ap Cynwrig's death in c.1428, the gap in terms of both land and influence was increasing still further – and further afield. In other words, at this stage the Porthamel Isaf family, despite occupying the 'founder' Llywarch's ancestral site, were very much in the shadow of their Porthamel Uchaf kinsmen.

It was not until after the Glyndwr rebellion, in which the heads of both households had participated, that *gwely* Cadwgan began to expand significantly. Unlike Maredudd ap Cynwrig, who, as already mentioned, had been pardoned in 1406, Madog ab Ieuan ap Hywel of Porthamel Isaf was still in rebellion in 1408-9; he is assumed to have made his peace soon afterwards.<sup>101</sup> The dislocation of the economy of north Wales in the decades following the Glyndwr rebellion and the subsequent upheavals of the Wars of the Roses, helped create drastically new conditions in land markets in Anglesey, as the century advanced.<sup>102</sup> A sense of individual proprietorship was becoming increasingly the norm with the waning of collective social bonds, at the very time when the workings of *cyfran* were creating an excessive fragmentation of holdings, to the point where the latter were becoming progressively too small to sustain individual livings. Probably reaping the opportunities created by this situation, the earliest documented purchases of land by the Porthamel Isaf family took place in 1438<sup>103</sup> and 1439<sup>104</sup>, by Madog ap Ieuan ap Howel, Cadwgan ap Llywarch's direct lineal descendent. And from that point on (as the Table on page 35 shows), for the next 180 years, there was a steady increase in the rate of the family's acquisition of lands and associated income in Porthamel township and beyond, as has already been indicated.

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<sup>100</sup> UB Baron Hill 6714.

<sup>101</sup> TNA SC 6/1233/1. Also Carr, *Medieval Anglesey*, p. 214.

<sup>102</sup> Williams, *Tudor Gwynedd*, pp. 39-40.

<sup>103</sup> UB Plas Coch 1. This purchase was made in Porthamel by Madog ap Ieuan ap Howel, Cadwgan ap Llywarch's direct descendant.

<sup>104</sup> UB Plas Coch 2.

In contrast to this burgeoning expansion as Porthamel Isaf, the momentum of accumulation associated with the Porthamel Uchaf family appears to have stabilised by the mid-fifteenth century. Four generations after Maredudd ap Cynwrig, the sons of his descendent Hwlcyn failed between them to produce any male heirs, and chose to sell their shares in the Porthamel Uchaf lands (including what is now Plas Newydd).<sup>105</sup> By 1482, all of these Porthamel properties had been purchased by William Griffith of Penrhyn (also known as ‘Gwilym Fychan’ and ‘Gwilym ap Gruffudd’).<sup>106</sup> Subsequently, in c 1550, Porthamal Uchaf and the residue of its lands passed to the extensive Bulkeley estates through the marriage of the Griffith heiress, Elin ferch Risiart ap Llewelyn, to Rowland Bulkeley of Llangefni.<sup>107</sup> Thus during precisely the period in which the fortunes of the Porthamel Isaf family were beginning to rise, the resources of the previously more dynamic Porthamel Uchaf family were being absorbed into the larger estates of the two most powerful Carnarfonshire and Anglesey families.

### **Porthamel Isaf becomes Plas Coch**

By the late fifteenth century, Llewelyn ap Ieuan ap Madoc, the grandfather of the Dafydd Llwyd who was to initiate the construction of Plas Coch, was becoming a significant land-owner and public office-holder. Between 1476 and 1500, he acquired at least nine properties in or close by Porthamel, largely grants in fee from other free Porthamel residents<sup>108</sup> - probably individuals who were finding it impossible to sustain a living on such small holdings, in what was becoming increasingly a cash economy.<sup>109</sup> Moreover, with such land resources came prestige and significant local office. In January 1478-9,

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<sup>105</sup> Rowlands, *Arch Cam* 4, XII. Also Carr, *Medieval Anglesey*, pp. 209-210.

<sup>106</sup> Ibid.

<sup>107</sup> Griffith, *Pedigrees*, p. 56.

<sup>108</sup> UB Plas Coch 7, 8, 9, 10, 13, 14, 18, 19, 20, 21.

<sup>109</sup> Williams, *Tudor Gwynedd*, p. 40.

Llewelyn was appointed a *rhingyll*<sup>110</sup> of Menai commote.<sup>111</sup> The fortunes of the Porthamel Isaf family were advancing. The Table below summarises the geographical patterns of land accumulation through six generations of Llewelyn's antecedents and descendants, over the period 1438-1609:

TABLE

**Plas Coch (Porthamel Isaf) - pattern of cumulative land acquisition 1430-1609.**

Source: *UB Plas Coch MSS, Volumes I & II.*

Family head	Documented acquisitions and locations
1430-1450 <b>Madog ap Ieuan</b>	2 Porthamel (1) Gwydryn (1)
1450-1475 <b>Ieuan ap Madog</b>	1 Porthamel (1)
1475-1500 <b>Llewelyn ap Ieuan</b>	9 Porthamel (7) 'Menai com.' (1) Tre'r-beirdd (1)
1500-1548 <b>Huw ap Llewelyn</b>	13 Porthamel (11) 'Talybolion com.' (1) 'Menai com.' (1)
1548-1570 <b>Dafydd Llwyd ap Huw</b>	19 Porthamel (11) Bodlew (1) 'Menai com.' (1) Caernarfon (1) <i>plus mills</i> Pensynllys Celli Ddu Rhos y Cerrig
1570-1609 <b>Hugh Hughes</b>	39 Porthamel (20) Ysceifiog (4) Alaw (3) Gwydryn (3) Bodlew (1) Measoglan (1) Bodrida (1) Nancoll (Caerns) (1) Newchurch, Kent (1) London (1) 'Dindaethwy com.' (1) 'Talybolion com.' (1) Rhosfair (1) Cleifiog (1) <i>plus mill: Rhosfair</i> <i>plus ferries: Talyfoel &amp; Porthaethwy</i>

The emphasis evident in this Table on acquisitions in Porthamel township between 1438 and 1500 is confirmed by a crown rental undertaken in the late

<sup>110</sup> *Rhingyll*: In Gwynedd until the 'Acts of Union' (1536-43), the *rhingyll* was the executive arm of royal government in the commote, responsible to the Auditor for crown rents and renders - with associated personal financial perquisites which were substantial. After this, the equivalent post was the bailiff of the hundred, subordinate to the sheriff.

<sup>111</sup> UB Plas Coch 11.

1490s for Menai, documenting properties then in individuals' possession across the commote.<sup>112</sup> This shows that whilst Llewelyn's holdings in the township at that stage were still modest in relation to those of, for example, his neighbour Robert Gruffudd at Porthamel Uchaf, they were nevertheless significant. Moreover, after 1500, his reach can be seen from the Table to have broadened into Talybolion<sup>113</sup> and across the straits into Caernarfonshire.<sup>114</sup>

Llewelyn's son and heir Huw appears have been a further quietly important figure in the family's progress. He continued to build up the family's land assets in the surrounding area,<sup>115</sup> whilst also holding significant office in the commote for a lengthy period between 1500 and the mid-1520s, as *rhingyll*.<sup>116</sup> Tax records for the 1540s – relating in particular to the subsidy collections of 1546 and 1547 – point to his having been relatively modestly placed amongst Menai property-owners of the time, listed twentieth in the commote in terms of income from land, and sixth or seventh in terms of goods.<sup>117</sup> Nevertheless, the latter in particular represented significant wealth, pointing possibly to sources of income – from trade in cattle for example – over and above the accumulating land rentals. In fact, in July 1544, just before these subsidy assessments, he had formally sold all of this estate to his son Dafydd, whilst retaining its use during his own lifetime.<sup>118</sup> Earlier, probably in the late 1530s, he had sent Dafydd to be educated in England at Hereford Cathedral School<sup>119</sup>, a decision hinting at strategic aspirations for the family, around the time of the Acts of Union.<sup>120</sup> Perhaps Huw's wife Marsli was a particular influence in this regard. She was a

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<sup>112</sup> NLW Carreglwyd 135.

<sup>113</sup> UB Plas Coch 25.

<sup>114</sup> UB Plas Coch 74.

<sup>115</sup> eg UB Plas Coch 25, 33, 35, 36, 39, 42.

<sup>116</sup> UB Plas Coch 23, 24, 26, 27, 28, 29, 30, 31.

<sup>117</sup> TNA E 179/219/4 (37 Henry VIII) and E 179/219/5 (38 Henry VIII). The respective values were 40/- pa (land) and £9-6-8d (goods)

<sup>118</sup> UB Plas Coch 50.

<sup>119</sup> UB Plas Coch 55.

<sup>120</sup> The issue is discussed in more detail in chapter two.

sister of the locally powerful Rhydderch ap Dafydd of Myfyrian, the latter a former *gwely* with strong ancestral connections to the Porthamel Isaf clan,<sup>121</sup> and a notable nest of local high achievers.<sup>122</sup> Both Marsli and Huw appear to have been well respected. They were mourned on their deaths, in 1557 and 1562 respectively, in elegies (*marwnadau*) by the bard Lewis Menai.<sup>123</sup> These suggest that Porthamel Isaf was known as giving hospitality to poets, and more particularly that Huw himself was modest and altruistic in reputation:

*Didrwst oedd, da'i dryst y wan,*

*Diwyd, iach oedd, di-duchan,*

*Ni ddymunai ddim enwir.*

*Ni funnai swydd a fewn o sir.*

*Ei goel drwy hwsmonaeth a gad,*

*Duwoliaeth ac adeilad...*<sup>124</sup>

(‘Unpretentious, good in his dealings with the weak, diligent, sound as he was, uncomplaining. He did not desire any falsehood, he did not seek appointment in his county. His trust was got through husbandry, godliness and tenancy’).

Allowing for the usual hyperbole, such lines hint at an individual standing somewhat apart from the acquisitive and competitive drives of some of his neighbours, attracting respect (as well as office) for personal competence and decency, complementing the far-sightedness evident in early recognition of the potentials of an English education for his eldest son and heir, Dafydd.

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<sup>121</sup> See note 79 above.

<sup>122</sup> The Myfyrian family were to feature prominently in Hugh Hughes’ life later in the century, a matter addressed in chapter two below.

<sup>123</sup> Lewis Menai graduated as an ‘apprentice of the master craft’ at the Caerwys Eisteddfod of 1567 (G Thomas, *Eisteddfodau Caerwys* (Cardiff, UWP, 1968), p. 97.

<sup>124</sup> Lewis Menai, ‘Marwnad Huw ap Llewelyn ab Ifan o Borthamel Isaf (Plas Coch) 1557’ in D. Wyn Wiliam (ed), *Y Canu Mawl i Rai Teuluoedd o Gwmwd Menai*, (Llandysul, Wasg Gomer, 2007), p. 10.

Thomas Richards claims in his ‘Introduction to Volume I of the Plas Coch manuscripts’ that ‘the real founder of the fortunes of Plas Coch was Hugh Hughes’.<sup>125</sup> However, that ascription more properly belongs to Dafydd, as Hugh’s father. It was Dafydd (in adult life known generally as Dafydd Llwyd) who built up the resources which permitted the 1569 construction of the new Plas Coch mansion, as well as those needed for the extended English education of at least two sons, Hugh and Owain - at Trinity College Cambridge and Lincoln’s Inn for the first, and at Jesus College Oxford for the other.<sup>126</sup> There is a problem however in establishing quite where his money came from, even allowing for the fact that he was building on the fruits of his antecedents’ efforts. He was not an ostensibly wealthy man - better off than his father had been, but still no more than comfortable by the local standards of the time. The Anglesey subsidy collection for 1568 lists him (‘dd ap hugh ap lln ap ieuan’) as having land worth 40/- per annum, ranked ninth in Menai commote<sup>127</sup>, and three years later in 1571 he is rated at the same level, though this time ranked eighth.<sup>128</sup>

It appears however that Hereford-educated Dafydd was in a position to generate significant liquid assets, sufficient to be able to have become a lender of cash to friends, neighbours and other associates. This liquidity – unusual amongst Anglesey *uchelwyr* of the time - is a pointer to entrepreneurial activities of some kind. His will, made and witnessed on 11 March 1574, lists by name thirty-two individuals owing him sums ranging from 12 pence (‘Medd ap John ap Rob’) to £34.6s.8d (‘Rolland Bybie’) – a total of well in excess of £70.<sup>129</sup> Some of the

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<sup>125</sup> UB Plas Coch Manuscripts Vol I, T. Richards, ‘Introduction’, p. 1.

<sup>126</sup> Jesus College has no record of Owain’s matriculation, as its records do not extend back beyond c.1600. However, in UB Plas Coch 154 & 2993, he is referred to as MA and LLB of Jesus College.

<sup>127</sup> TNA E 179 219/13 (9 Eliz).

<sup>128</sup> TNA E 179 219/16 (15 Eliz).

<sup>129</sup> UB Plas Coch 93. An approximate 2009 equivalent of £70 in 1600 is £16,700, using the retail price index as comparator. (L.H. Offering, *Purchasing Power of British Pounds for 1264 to the present*, (Measuringworth, 2011 – [www.EH.Net](http://www.EH.Net), an educational website run by the US Economic History Association)).



debtors were local kinsmen or neighbours of substance – for example ‘Roland Bulkeley of Porthamall’ (£5.15s), ‘Richard ap Rhytherch’ (£4), ‘Roland ap Medd of Bodowyr’ (£4) and ‘Maurice Gruffudd’ (7s.6d), all four of whom had held the office of High Sheriff of the county by this stage, and were also to play roles of various kinds in the life of Dafydd’s son Hugh, as will be seen below.

<sup>130</sup> But frustratingly, the two individuals owing the largest sums – the ‘Rolland Bybie’ mentioned above and ‘George Wattishe’ (£6.8s.4d), both apparently English surnames – have proved impossible to identify. The likelihood is that they were business associates of some kind. The Inventory attached to Dafydd’s will lists farming stock in his ownership at the time of death, including seven oxen and 42 cows, bullocks and heifers of various ages, pointing to a degree of involvement in cattle trading. However this seems barely sufficient to account for the capacity to act as informal local banker and funder of his sons’ extended terms of higher education. When it is borne in mind that fees and battels at both Cambridge and Oxford would have been in excess of £20 per annum each<sup>131</sup> - albeit Hugh at least held a sizarship at Cambridge - and that ‘the accepted minimum cost of maintaining a student at the (Inns of Court) was about £40 a year’ in the late sixteenth century,<sup>132</sup> it seems clear that Dafydd had developed sources of income additional to those it has proved possible to identify here. Possibly he was involved in trading by sea, out of Beaumaris or Caernarfon – but no evidence for this has been discovered. Apart from cattle trading and rental income from land, the only other traceable source of revenue is that from his interests in three mills. One of these was Y Felin Bach in Penwnlllys township, which he leased from Dafydd ap Howel ap Dafydd ap Tudur for eight years in 1549, at a rent of 40/- per annum;<sup>133</sup> the second, Melin Bryn Celli (a moiety) on which he took a 28-year lease in 1557 for 20/- and a ‘consideration’

<sup>130</sup> All four of these individuals are discussed further below, in chapters two and four.

<sup>131</sup> L. Stone, ‘The Educational Revolution in England, 1560-1640’, *Past and Present* (1964), p. 71.

<sup>132</sup> WR Prest, *The Inns of Court under Elizabeth I and the Early Stuarts, 1590-1640* (London, Longman, 1972), p. 27.

<sup>133</sup> UB Plas Coch 53.

of £6 to the owner, Richard ap John ap Howe ap Robyn of Bodlew, in 1557;<sup>134</sup> and the third, at Rhos y Cerrig, Bodowyr, leased from Roland Meredith of Bodowyr for 21 years at a rent of 2d per annum in 1565.<sup>135</sup> Again, significant though the returns from these activities would have been, they seem unlikely to have been sufficient to account for all of the resources evidently at his disposal. A further curiosity about Dafydd is that, unlike either his father or paternal grandfather, he appears to have held no public office in Anglesey, an anomaly for which it is hard to suggest an explanation. Nevertheless, his energy and determination – reflected in multiple property acquisitions,<sup>136</sup> the entrepreneurialism implied by his mill interests, the commitment to his family's advancement, and the bringing to fruition of the first phase of construction of Plas Coch – suggest an enterprising and resourceful individual.

With Dafydd's death in 1574, the growing estate and recently built hall-house passed to the Hugh of this study, who was by then aged 26 and still a student at Lincoln's Inn (as is elaborated in chapter three below). With Hugh's advent, a further acceleration in the pace and geographical reach of the family's property acquisitions and associated landed wealth becomes evident.<sup>137</sup> By 1581, on the evidence of the tax records for the year, Hugh's land income had grown rapidly to the point where it was rated as identical with that of Rowland Bulkeley of Porthamel Uchaf and Maurice Griffith of Llwyn y Moel (now Plas Newydd).<sup>138</sup> And by 1600, he had risen to be listed third amongst landowners in the whole of Anglesey, with only Sir Richard Bulkeley 3<sup>rd</sup> of Beaumaris and William Lewis of Presaddfed above him.<sup>139</sup> The overall pattern of this estate expansion can be seen in Table 1 (on page 30 above). Developments on these lines were not

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<sup>134</sup> UB Plas Coch 66.

<sup>135</sup> UB Plas Coch 76.

<sup>136</sup> UB Plas Coch 43, 50, 53, 57, 65, 66, 67, 76, 85, 87.

<sup>137</sup> UB Plas Coch 85-177.

<sup>138</sup> TNA E 179/219/17. The land income figure is recorded as 60s p.a.

<sup>139</sup> TNA E 179/219/17a. The figure had risen still more sharply to £16 3s 4d p.a., compared to the £40 p.a. and £20 p.a. of Bulkeley and Lewis respectively.

unusual at the time amongst landowners and freeholders in north Wales, many of whom were coming to benefit from the continuing inflation of the later sixteenth century. In an increasingly competitive land market, rents were on the rise under new forms of leasehold, and possession and exploitation of land offered ever more substantial returns, as well as social prestige. The pressure for expansion was probably driven in many cases as much by the wish not to be bested by more successful neighbours, as by acquisitiveness *per se*.

Nevertheless ruthless means were being used to gain possession of this most basic resource. Amongst the most lucrative of Hugh's new properties from the 1580s was 500+ acres of crown land south-west of Llanedwen at Gwydryn, Bodrida and Maesoglan, which he acquired in controversial circumstances leading to no fewer than three cases before the Court of Exchequer, involving *uchelwyr* plaintiffs who were his neighbours and kinsmen.<sup>140</sup> The rich details of this saga, sociological as much as legal and personal, are explored in the next chapter. They throw light on some of the ways in which land ownership and power in late-Elizabethan Anglesey were shifting decisively in favour of the legally sophisticated, at the expense of what might be understood as the more traditional order.

The redesign and extension of his father's original Plas Coch mansion by Hugh in the 1590s was made possible partly by the resources flowing from this enhanced land income. But the latter would have been dwarfed by the substantial fees and perquisites flowing from his professional activities by this stage as a hard-working barrister and senior crown official. Chapters three to five discuss his various public roles in closer detail, though the precise income from these has been impossible to pin down, as no relevant personal financial records have survived. However, given that his post as deputy and, from 1596,

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<sup>140</sup> G. Jones, *Exchequer Proceedings Concerning Wales: Henry VIII-Elizabeth* (Cardiff, UWP, 1939) – 58-16, 58-21 & 58/32.

full Attorney-General for the two north Wales circuits of Great Sessions, coupled to a thriving legal practice at Lincoln's Inn,<sup>141</sup> at least two Anglesey manorial stewardships, and *quorum*<sup>142</sup> membership of three county Commissions of the Peace,<sup>143</sup> would have put him well up the pecking order of lawyer's incomes of the time, it is reasonable to rely on Prest's judgement that individual lawyers of his kind could well have been earning upwards of £200 p.a.<sup>144</sup> With anything like such resources, the financing of the Plas Coch refurbishment would have been straightforward, as comparison with the construction costs of the even more imposing Plas Mawr in Conwy in the 1560s indicates. The total bill for the latter has been estimated at £500.<sup>145</sup> Even allowing for inflation, such sums would have been well within Hugh's reach by this stage.

Of equal significance for tracking the development of the estate and its income in this phase is the inventory of Hugh's 'goods, cattell and chattels' made immediately following his death in June 1609.<sup>146</sup> This reveals both significant cereal production and involvement in cattle- and horse-trading. Thus the inventory details resources of 'corne and grayne' valued at £30; 47 steers and heifers at £33; 50 milk cows and calves at £40; 22 oxen ('eleavon yoke') at £43; and 22 horses of various kinds at £54/3/8d. These and other pointers suggest both a thriving home farm and a rental estate enterprise of an improving kind, consistent with practice of the time - enclosing fields to rear animals for sale into mainland, almost certainly English, markets, and employing teams of ox-

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<sup>141</sup> UB Plas Coch 340-355: a variety of bonds, land conveyances and deeds of title arising from business handled through his Lincoln's Inn chambers.

<sup>142</sup> *Quorum*: The select small group within a Commission of the Peace, principally lawyer-justices, with particular authority on issues of law and policy.

<sup>143</sup> Details of these various appointments and Hugh's experience in them are examined in chapters three and five below.

<sup>144</sup> W.R. Prest, *The Rise of the Barristers: A Social History of the English Bar 1590-1640* (Oxford Clarendon, 1986), pp. 148-151, 173-183.

<sup>145</sup> R.C. Turner, 'Robert Wynn and the building of Plas Mawr, Conwy', *National Library of Wales Journal*, 29 (1995-96), pp. 177-203.

<sup>146</sup> UB Plas Coch 184.

ploughs to convert recently acquired open land to cereal-growing, perhaps also for the growing English market in such products.<sup>147</sup> There is confirmation of this in eye-witness testimony offered in a 1593 Exchequer Court hearing, reporting that Hugh, following acquisition of the crown lease, had already built ‘severall houses upon parte of her Maj landes...beinge in Mossoglyn and Gwydryn and hathe required the hedginge...of the same to his and their greate charges [constructing] houses, farmes and inclosures newlie made, with oxehouses...’<sup>148</sup>

By the time of his death, Hugh’s total landed estate is likely to have been in excess of 1400 acres, a figure derived from the earliest surviving Plas Coch rental of 1792, almost two centuries later.<sup>149</sup> Moreover, the 1609 inventory made after his death shows he left movable assets of a total value of £261.2.8d, over and above the Plas Coch mansion and its farms, and unknown liquid, but probably also substantial, cash resources. In the will he made handsome life-time provision for his widow, Elisabeth, and provided for dowries of £300 and £344 to his daughters, Miriam and Elenor respectively.<sup>150</sup> The rest of what was now a substantial estate passed to his only son, Roger. Furthermore, in line with custom of the time, he chose to make personal gifts of rings, of values between £1 and £5, to several individuals, including the Lord Chancellor, Lord Ellesmere (formerly Sir Thomas Egerton) and Mr Justice Warburton. The significance of the last two of these is explained in a later chapter.<sup>151</sup>

It should be acknowledged that there is a certain artificiality in this chapter’s virtual isolation of the historical emergence of Plas Coch and its estate from the

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<sup>147</sup> F.E.Emery, ‘The Farming Regions of Wales: Regional Economies’, in J. Thirsk (ed), *The Agrarian History of England and Wales, Vol IV, 1540-1640* (Cambridge, CUP, 1967), p. 199.

<sup>148</sup> TNA E 134/35&36Eliz/Mich 18. Statement of William ap Hugh ap Owen of Gwydryn, 10 August 1593.

<sup>149</sup> UB Plas Coch 703.

<sup>150</sup> UB Plas Coch 173.

<sup>151</sup> See pp. 99-102 & 163-164 below.

larger narrative of Hugh's personal and professional life in and beyond Anglesey. However this limitation, if such it be, will be repaired in the chapters that follow. As stated at the beginning of the chapter, the purpose has been first to piece together as rigorously as possible the ways in which Hugh was building on foundations laid down over several centuries by his direct family antecedents, on both sides of the 1282 conquest. That he would have been acutely conscious and indeed proud of his free Porthamel lineage and the accomplishments of at least some of his direct ancestors is shown by steps taken in 1594 to have this lineage formally and publicly confirmed by the College of Arms. A Visitation Pedigree tracing direct descent from his twelfth-century ancestor 'Llywarch ap Bran, Lord of Menai' onwards, 'deduced by Llwyn Dunn, Deputy Herald of Arms under the authority of Clarencieux & Morrey King of Arms' was certified by Hugh himself on 14th August of that year (36 Eliz).<sup>152</sup> Similarly, two *cywyddau*,<sup>153</sup> the first by Lewis Menai on the occasion of Hugh's first term as Sheriff of the county in 1580-81, and a second by Huw Pennant to Hugh and his wife in 1604, show – in conventionally unctuous and fulsome terms – how the social memory of his family forbears was translated into respect and admiration for Hugh himself in hierarchical Welsh society. For example:

*'...Pel aur a glain piler gwlad,  
 Post mawr ei gost ym mrig iaith,  
 Pen teulu, impyn talaith,  
 Pais ddur Hwfa bur a'i barch  
 Pengwern llu, pen grawn Llywarch,  
 Penrhyn, Lliwon Glyn a'i glod*

<sup>152</sup> Sir S.R. Meyrick, *Lewis Dunn's Heraldic Visitations of Wales (folio)*, Vol 2, (Llandovery, Welsh Manuscript Society, 1846), p 142.

<sup>153</sup> *Cywydd(au)*: a key metrical form in traditional Welsh poetry, consisting of a series of several seven-syllable lines in rhyming couplets, with strict requirements of internal stress and alliteration (*cynhangedd*).

*Pel Fawl clau pur Fwlcleiod...'*<sup>154</sup>

(‘...A golden orb and the jewel and pillar of the country/A valuable support at the head of the language,/ The head of the nation, the scion of the region/The steely tunic of good Hwfa and his respect/The forces of Pengwern, head of Llywarch’s line/Penrhyn, Glynllifon, and their praise/The swift fair praise of the Bulkeleys...’)

and

*‘...O iach Llywarch alluawg  
Ap Bran hen, wyd bur iawn hawg,  
Iach y deiliodd eich dylwyth  
Irddeur lain o Iarddur lwyth,  
A haelwaed diwehilion  
Mae iwch o Llwydiarth ym Mon.’*<sup>155</sup>

(‘You are very truly of the long and mighty line of old/Llywarch ap Bran./ Your family, brave jewel, issued soundly/from the stock of Iarddur,/ Of generous, unsullied blood/from Llwydiarth in Anglesey’)

All of this would have both shaped and reflected his self-understanding. Indeed, the likelihood is that he would have been encouraged from an early age to see himself rightfully, by virtue of long inheritance so to speak, as a potential leader in the community, with his father Dafydd prodding him in addition to set sights on the wider opportunities beyond Anglesey flowing from the legal and administrative reorganisation of 1536-43. And beyond this, the evidence of Hugh’s continuing, indeed lifelong, involvement in the expansion of the Plas Coch estate and parallel embeddedness in local continuities of Anglesey life and

<sup>154</sup> Lewis Menai, *Moliant Huw Huws Pan Oedd yn Siryf (1580-81)*, in Wyn Wiliam (ed), *Menai*, p.15.

<sup>155</sup> Huw Pennant, *Moliant Huw Huws ac Elisabeth ei Wraig (tua 1604)*, in Wyn Wiliam (ed), *Menai*, p.16.

culture suggest that his personal ties to the island remained strong, even as his career took him far further afield.

In subsequent sections (chapters three to six), the thesis moves to examine the multiple ways in which Hugh's education and legal ambitions led to involvement in wider political and social developments affecting both England and Wales. But it is central to the argument throughout that, despite such broader-ranging commitments, he never lost touch with his Anglesey roots. Hence before passing to consider the crucial English-influenced dimensions of his career and how he may have been able to keep these different loyalties in balance, it is useful first to gain a further richer flavour of the local social networks in which he continued to be situated on the island.



## Chapter 2.

### The Maesoglen-Bodrida Saga

The previous chapter has traced Hugh's origins and family inheritance in the ancient free township of Porthamel, close to the Menai Straits in south-east Anglesey. The essentially agricultural community of which he was part in the later decades of the sixteenth century was one which had been shaped by strong kinship relations and continuing interactions between neighbours over many centuries, not least amongst those claiming descent from the clan founder, Llywarch ap Bran.<sup>156</sup> In the present chapter, an attempt is made to cast further light on the patterns of social interaction and relationship in which Hugh would have been involved as a significant member of this community.

Land was the currency of power in late sixteenth-century Wales. Wealth, social prestige and political influence flowed from its possession, as well as longer term family security. Moreover, between 1460 and 1550, there had been an unfolding 'revolution in land-ownership'<sup>157</sup> in Anglesey and Caernarfonshire, as the disintegration of bond townships<sup>158</sup> and the dissolution of monasteries and chantries created fresh land acquisition opportunities for those from free townships with the guile and energy to challenge for them. With population expanding throughout the century and a cash economy ever-more pervasive, the material gulfs between land-owning and the landless classes were widening steadily. Continuing inflation<sup>159</sup> aggravated the position of the latter - whilst for the former, competition in an increasingly tight land market became progressively fiercer. These were the circumstances in which the Porthamel Isaf estate had been expanding over the four generations preceding Hugh, and by the

<sup>156</sup> Carr, *Medieval Anglesey*, pp. 154-155, 197.

<sup>157</sup> Williams, *Tudor Gwynedd*, pp. 37-49.

<sup>158</sup> Under the Charter of Privileges granted to North Wales inhabitants in 1507. (J. Beverley Smith, 'Crown and community in the Principality of North Wales in the reign of Henry Tudor', *WHR* 3 (1966)).

<sup>159</sup> C Russell, *The Crisis of Parliaments: English History 1509-1660*, (Oxford, OUP, 1971), pp. 3-11.

last two decades of the sixteenth century, the tensions were becoming increasingly acute.

Between 1580 and 1595 Hugh was at the centre of a bitter dispute with close neighbours concerning leases of crown land in Menai hundred. The protracted row that resulted throws light not only on aspects of his local social world and *modus operandi*, but also, more generally, on ways in which balances of cultural and political power in late sixteenth-century Anglesey were evolving, as the reverberations of the union settlement<sup>160</sup> penetrated ever deeper. It also confirms Hugh's routine embeddedness in the day-to-day life of the island, even as his expanding public career was requiring a presence in locations well beyond the Menai Straits. Whilst at one level what was involved was a straightforward struggle about land, the episode also has significance for the light it casts on shifting patterns of cultural difference between native Welshmen of different outlooks at this historical juncture, with entrenched local prestige and influence coming up against the power of new English-trained legal skills and political sophistication. Indeed, the case offers illuminating glimpses of tensions within the local *uchelwr* class itself, at a time of social, economic and cultural change. As will be seen, at the most obvious level Hugh won the argument, but the resentments this victory aroused rumbled on well into the following century.

The immediate nub of the conflict was as follows. In 1573, just two years into his legal training at Lincoln's Inn,<sup>161</sup> Hugh acquired the reversion<sup>162</sup> of a crown lease for 30 years, covering the (formerly bond) townships of Maesoglen and Bodrida, both of them close to Dwyran, the mill at Rhosyr, and extensive tracts of other farmland ('viiij frythes'), some of it escheat, in Porthamel. [See Maps A

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<sup>160</sup> The details, and implications, of the 1536-43 legal and administrative changes in Wales are discussed in detail in chapters four and six below.

<sup>161</sup> His education is examined in detail in chapter three below.

<sup>162</sup> 'Reversion': On the expiry of a crown lease, a leased property would return to the original owner ie the Crown. A Grant (or Lease)-in-Reversion could then start.

and B on page 220]. This meant that, on the expiry of the existing lease, the future interest in these lands would reside with Hugh for the duration of a new term. Quite how this lease-in-reversion came into his hands, and what this meant from the perspectives of the different individuals involved in the episode, is discussed later. The immediately important point is that over the previous several decades, the crown lease-holders – with the entitlement to farm<sup>163</sup> these lucrative assets – had been Hugh’s kinsmen and close neighbours, the Rhydderchs<sup>164</sup> of Myfyrian, the latter a locally significant farm, today named Myfyrian Isaf, standing barely a mile to the north of Plas Coch<sup>165</sup>.

Unsurprisingly, the Rhydderchs, for whom the land in question had been a valued part of their estate, did not take the reversal lying down. Nor did some of the long-established under-tenants from the Rhydderch regime, in particular Huw ap Rees Wynn of Maesoglan, who objected that part of the land now claimed by Hugh had historically been part of his own family’s long-held freehold. A succession of negotiations, court cases and other inquiries ensued, precipitated by the Myfyrian and Maesoglan families. But by the end, Hugh’s legal right to the bulk of the land had been conclusively confirmed.

The shape of the controversy has been pieced together from previously unanalysed Exchequer Court reports, Commission patents and other papers in the National Archive, as well as Hugh Hughes’ own papers and Anglesey praise poetry concerning the principal actors.<sup>166</sup>

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<sup>163</sup> ‘Farm’ in the Elizabethan sense of ‘exploit to derive income from’.

<sup>164</sup> The liberty is taken here of assigning the Myfyrian family an English-style surname, ‘Rhydderch’. In fact, at that stage, they were still using the Welsh style ‘ap’. But Rhydderch is the constantly recurring Myfyrian family name in the period of concern here, so it is used for simplicity’s sake.

<sup>165</sup> Present-day Myfyrian Uchaf and Myfyrian Isaf lie along a side road close to the Gaerwen level-crossing. [See Map B, p. 226]

<sup>166</sup> The research of Dr Dafydd Wyn Wiliam, evident in his invaluable volumes of praise poetry associated with more than thirty individual Anglesey houses and families (assembled over the past 25 years and published by Gomer Press), has been especially appreciated.

## Protagonists

It is helpful first to know the families involved. The three were neighbours and kinsmen. Each had a long-established territorial stake in the area, all of them tracing descent from Llywarch ap Bran. As already noted,<sup>167</sup> the Myfyrian *gwely* had its medieval origins as a spin-off from Porthamel Isaf. There would have been continuing links between the families, refreshed from time to time over the previous two or three centuries through marriages, dispute arbitrations<sup>168</sup> and the like. It appears to have been a conflict in which the principal actors knew one another well, being from families who had lived cheek by jowl in the Porthamel vicinity for many generations.

The individuals of particular concern here are: at *Myfyrian*, Rhydderch ap Rhisiart (1540-1606) and his redoubtable father and grandfather, respectively Rhisiart ap Rhydderch (c.1502-1576) and Rhydderch ap Dafydd (1475-1562); at *Maesoglan*, Huw ap Rees Wynn (1542-1600); and at *Plas Coch*, Hugh Hughes (1547-1609) and his father and grandfather, respectively Dafydd Llwyd ap Huw (d. 1572), and Huw ap Llewelyn (d. 1558), all of whom have already been discussed in chapter one.

One especially significant illustration of the likely familiarity between the Myfyrian and Plas Coch families is that Hugh Hughes and Rhydderch ap Rhisiart, the two principal protagonists in the 1580s and 90s, were close cousins as well as neighbours. Rhydderch ap Dafydd's sister, Marsli ferch Dafydd (d. 1562), had been the wife of Huw ap Llewelyn, and hence Hugh Hughes' grandmother. Indeed, in an elegy on Marsli's death in 1562, the poet Lewis Menai laid particular stress on her hospitality and close family connections on

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<sup>167</sup> See note 79 above.

<sup>168</sup> eg UB Plas Coch 51.

both sides.<sup>169</sup> A pointer to the trusting relationship prevailing between the two families prior to the falling-out is the fact that in April 1552 Risiart ap Rhydderch stood as surety for Dafydd Llwyd, a £10 bond in relation to a forcible entry indictment against the latter.<sup>170</sup>

### **The Rhydderchs of Myfyrian**

In the middle of the sixteenth century, before the controversy broke out, the Myfyrian family was one of the most prominent in Menai hundred, if not in the county of Anglesey as a whole. Siôn Brwynog, an Anglesey poet writing in 1545, addressed Rhydderch ap Dafydd (Rhydderch ap Rhisiart's grandfather) as '*rhywolwr Môn*'<sup>171</sup> ('ruler of Anglesey'), inquiring rhetorically '*Pa wr mwy pwer ym Mon...?*'<sup>172</sup> ('What man more powerful in Anglesey...?').

Around the time of the acts of union, this Rhydderch ap Dafydd had found crown favour, reflected in his appointment to a variety of privileged crown posts, as King's Surveyor (1544)<sup>173</sup>, and as Sewer (1542)<sup>174</sup> and subsequently Gentleman of the Royal Chamber (1545)<sup>175</sup>. Locally, he also came to hold such influential Anglesey positions as Sheriff (1544),<sup>176</sup> and as a justice in the newly created Commission of the Peace from its inception in 1543.<sup>177</sup> These posts, and the fact that he was a Commissioner for Anglesey in relation to three crown Benevolence and Subsidy collections between 1546 and 1549<sup>178</sup>, point to high local standing, as a powerful presence. Such an impression is reinforced by the

<sup>169</sup> Lewis Menai 'Marwnad Marsli, 'Gweddw Huw ap Llewelyn ab Ifan', in Wyn Wiliam, *Menai*, p. 10.

<sup>170</sup> W.O. Williams, *Calendar of the Caernarvonshire Great Sessions Records, Vol 1, 1541-1558*, (Caernarfon, Caernarfonshire Historical Society, 1956), p. 218 (9).

<sup>171</sup> Siôn Brwynog, *Moliant Rhydderch ap Dafydd 1544/5*, in D. Wyn Wiliam, *Y Canu Mawl i Deulu Myfyrian* (Llandysul, Gomer Press, 2004), p. 12.

<sup>172</sup> *Ibid.* 75.

<sup>173</sup> *Letters & Papers Foreign and Domestic H VIII ii*, 443.

<sup>174</sup> *Calendar of the Patent Rolls 1557-8* (1939), 25.

<sup>175</sup> *Ibid.*

<sup>176</sup> H.F Richards, *New Kalenders of Gwynedd* (Denbigh, Gwasg Gee, 1994), p. 51.

<sup>177</sup> J.R.S. Phillips, *The Justices of the Peace in Wales and Monmouthshire 1541 to 1689* (Cardiff, Univ of Wales Press, 1975), p. 1 ('Roderick ap David').

<sup>178</sup> TNA E 179 219/4 (1547), E 179 219/5 (1548), E 179 219/6 (1549).

evidence of the Subsidy rolls for the 1540s, which show him repeatedly as one of three wealthiest landowners in Menai, some way behind William Bulkeley of Porthamel Uchaf and Rowland Gruffydd of Llwyn y Moel (Plas Newydd),<sup>179</sup> but way ahead of the family at Porthamel Isaf.<sup>180</sup>

It has not been possible to pin down conclusively why Rhydderch had benefited so significantly under Henry VIII, but there was a widespread local belief, reflected in witness depositions made in one of the later court proceedings (in 1593<sup>181</sup>), that he had been granted leases in Porthamel and Gwydryn, and perhaps also the crown sinecure posts mentioned above, in recognition of services to the crown in France. For example, Rhydderch's witness Daniel Llwyd claimed he 'hathe h(e)ard yt crediblie reported the same was first bestowed on rhydd ap d(afyd)d his grandfather in consideracon of s(er)vice donne unto kynge henry the eighthe', whilst John Owen had heard such services had been performed 'in France and elsewhere in the tyme of her Ma(jesty)'s progenitors...'.<sup>182</sup> Indeed he may well have won distinction on the battlefield.<sup>183</sup> Quite apart from any royal patronage however, Rhydderch's lineage was a regionally significant one by the social codes of the time. His mother Mallt had been a direct descendant of the Maredudd ap Cynwrig of Porthamel whose accomplishments in the acquisition of offices and lands had been second to none in early fifteenth century Anglesey.<sup>184</sup> And several generations of her other antecedents had served variously as *rhaglaw*, *rhingyll* and constable in Menai during the fourteenth and fifteenth centuries.<sup>185</sup> Rhydderch's grandfather on his father's side, Ieuan ap Ednyfed, had come from

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<sup>179</sup> Ibid.

<sup>180</sup> TNA E 179 219/5, which shows Huw ap Lewelyn ranked twentieth in land in Menai, in 1548.

<sup>181</sup> TNA E 134/35&36Eliz/Mich 18.

<sup>182</sup> Ibid.

<sup>183</sup> Sion Brwynog (in Wyn Wiliam, *Myfyrian*, p. 12) implies this: '*Da prifaint drwy hap rhyfel...*' ('it is well you succeeded by accident of war...').

<sup>184</sup> See p. 32 above.

<sup>185</sup> Carr, *Medieval Anglesey*, pp. 79-80.

south Wales in the early fifteenth century in the wake of the Glyndwr rebellion, in which he and his brother had played active roles.<sup>186</sup> Benefiting from the general pardon, he had then married Gwenllian, the heiress to Myfyrian, probably in the 1430s.

Rhydderch ap Dafydd's own wife Marsli also came from a leading Gwynedd *uchelwr* family, being daughter of William ap Gruffudd ap Robin of Cochwillan, who had been Sheriff of Caernarfonshire between 1475 and 1500.

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Overall then, the Myfyrian family line was a weighty one in Anglesey terms - and over an unusually long life Rhydderch ap Dafydd consolidated and developed the family's position. This was a man of cultural as well as political substance. There are indications he had practised as an attorney early in the century,<sup>188</sup> possibly even in London.<sup>189</sup> But still more tellingly, his household at Myfyrian was notable as a continuing centre of bardic activity throughout the sixteenth century. At least thirty-five *cywyddau* are known to have been written to Myfyrian family members, by upwards of fourteen bards,<sup>190</sup> several of the highest levels of accomplishment, between 1523 and 1592. These included Wiliam Cynwal (d. 1587) and Wiliam Llyn (1534-1580), both leading bards who had been proteges of the celebrated Gruffudd Hiraethog - as well as Huw Pennant (fl. 1565-1619), Rhys Cain (d 1614), Huw Machno (1560-1637) and Lewis Menai (fl. 1557-1581).<sup>191</sup> After Rhydderch ap Dafydd's death in 1562 at the age of 87, he was mourned in elegies by Sion Brwynog, Dafydd Alaw, Lewis Menai and Huw Cornwy, all of whom appear to have been regular

<sup>186</sup> Griffith, *Pedigrees*, p. 115.

<sup>187</sup> Griffiths, *Pedigrees*, p.186.

<sup>188</sup> H. Owen, *The Plea Rolls of Anglesey 1509-1516* (1927), pp. 28 & 51.

<sup>189</sup> Gwynne Jones ('Some Notes', p. 65) suggests that Rhydderch may have acted as an attorney in London around the time of his appointment as High Sheriff of Anglesey. It has not been possible to trace this further.

<sup>190</sup> Wyn Wiliam, *Myfyrian*, pp. 7-8.

<sup>191</sup> Ibid. Also, M Stephens, *The New Companion to the Literature of Wales*, (Cardiff, UWP, 1998).

presences at Myfyrian over the preceding decades, and who had previously sung his praises in other cywyddau<sup>192</sup>. At a time when wider *uchelwr* patronage of bards was beginning to fray for social and economic reasons<sup>193</sup>, there was no such waning of support at Myfyrian, as the poets were quick to affirm:

*Af 'fory i Fyfyrian*

*Ar frys i lys Ifor lân...<sup>194</sup>*

(‘Tomorrow I shall go to Myfyrian/with haste to the court of the genial Ifor [ie Rhisiart...’])

and

*Awn ni a gawn yno i gyd*

*Aur a gwin awr ac ennyd...<sup>195</sup>*

(‘Let us all go, we shall receive there/ gold and silver every hour and second’)

Rhydderch’s eldest son and heir, Rhisiart ap Rhydderch – a central actor in the frictions with the Plas Coch family, as will be seen shortly – appears to have been quite as impressive a figure as his father. He too had been made a justice of the new Anglesey Commission of the Peace on its inception in 1543<sup>196</sup>, a striking father-and-son arrangement, pointing again to the degree of political and intellectual authority the family had gained locally. He continued as a justice for the rest of his life. Moreover, almost certainly, Rhisiart was one of Anglesey’s original members of Parliament – for the borough of Newborough in the 1541 Parliament<sup>197</sup>, the first such following the 1536 Act, which had granted all Welsh shires the new right to direct representation in the House of Commons. The local prestige attached to election to this position by Rhisiart’s

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<sup>192</sup> Ibid.

<sup>193</sup> C.W. Lewis, ‘The Decline of Professional Poetry’, in R.Geraint Gruffydd (ed), *A Guide to Welsh Literature. 1530-1700* (Cardiff, UWP, 1999), Vol 3, Chap 2.

<sup>194</sup> Dafydd Alaw, *Moliant Rhisiart ap Rhydderch*, in Wyn Wiliam, *Myfyrian*, op cit, p. 35, 1.

<sup>195</sup> Huw Cornwy, *Moliant Rhydderch ap Dafydd*, in Wyn Wiliam, *Myfyrian*, op cit, p. 21, 27.

<sup>196</sup> Phillips, *Justices of the Peace*, p.1.

<sup>197</sup> W.R. Williams, *The Parliamentary History of Wales*, (Brecknock, 1895), pp. 8-9.



*uchelwr* peers on the island, at such a significant historical moment, scarcely needs underlining. Moreover, his independent standing in parallel with that of his long-lived father also is confirmed by the evidence of the subsidy rolls. For example, in the 1548 Subsidy, in which, as already noted, Rhydderch ap Dafydd was listed as a Commissioner and third highest payer, Risiart is listed separately, just after his father in fourth position. Unsurprisingly, Rhydderch also married within his class. His wife Catrin was daughter of Owen ap Meurig of Bodeon; her brother, also Owen, was twice High Sheriff and a justice of the Commission of the Peace for forty years in the middle of the century <sup>198</sup>.

Like his father, Rhisiart appears to have actively maintained the bardic culture and enthusiasms of Myfyrian. No fewer than seven elegies, by different poets, were composed to mark his death in 1576, alongside an impressive body of other praise poetry.<sup>199</sup> The internal evidence of this poetry is that Myfyrian was something of local cultural hub throughout Rhisiart's life. Indeed it may be no coincidence that, raised in such a household, his eldest son and heir, Rhydderch ap Rhisiart (1540-1606), grew up to have aspirations to be himself a serious poet within the tradition,<sup>200</sup> though composing perhaps for pleasure rather than gain.

Overall then, the Myfyrian household in the period 1540-1570 represents a striking instance of an *uchelwr* family which had seamlessly sustained its local dominance across the period straddling the 'Acts of Union'. The Rhydderchs appear to have been precisely the kind of family recent historians have had in mind when pointing to the way in which the 1536-43 settlement relied for much

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<sup>198</sup> Gwynne Jones, 'Some Notes', p 63. Catrin was not only Rhisiart's wife. She also became his step-mother-in-law! Rhisiart's redoubtable father Rhydderch took Catrin's daughter, Eva (from her first marriage) as his second wife (Griffith, *Pedigrees*, pp. 58, 115).

<sup>199</sup> Wyn Wiliam, *Myfyrian*, pp. 31-54.

<sup>200</sup> Wyn Wiliam (*Myfyrian*, p. 104) identifies a number of *cywyddau* by Rhydderch ap Rhisiart, over and above Rhydderch's general reputation as a 'bard' (eg Griffith, *Pedigrees*, p.115)

of its success on local Welsh power elites with long prior experience of local administration under pre-acts of union conditions.<sup>201</sup> The accumulated public experience and prestige of Rhydderch ap Dafydd and Rhisiart ap Rhydderch, the dense web of Anglesey and Gwynedd marriage networks and connections, the relatively comfortable income through land,<sup>202</sup> and the sustained encouragement of indigenous poetry and cultural traditions must have attracted wide local respect. Indeed in the native Welsh terms of the time, they must have appeared to be a family that had it all.

However, with such well-grounded advantages, it would not be surprising if, by the time the bitter land dispute with Hugh Hughes flared up in the early 1570s, a measure of family complacency had not begun to creep in.

### **The Plas Coch family**

By contrast, as will already be clear from the account in chapter one, in the 1550s and 60s the Plas Coch/Porthamel Isaf family would have had little to visibly rival the prestige of the Rhydderchs at Myfyrian. Hugh Hughes' paternal grandfather, Huw ap Llewelyn, appears to have been a modest and self-possessed individual, who at some point in the 1520s married Rhydderch ap Dafydd's sister, Marsli, a union which may have had implications for the social aspirations of the Porthamel Isaf family. Certainly the couple would have been aware of the growing distinction attained by her brother Rydderch over the subsequent three decades. Perhaps this awareness, coupled to knowledge of her earlier forbears' accomplishments at Porthamel Uchaf,<sup>203</sup> fed Marsli's ambitions for her own children, including their schooling. Certainly, as shown in the previous chapter, the couple's eldest son, Dafydd Llwyd, proved to be

<sup>201</sup> eg H. Thomas, *A History of Wales 1485-1660* (Cardiff, UWP, 1991), pp. 52-53; AH Dodd & JG Williams (eds), *Aspects of Welsh History* (Cardiff, UWP, 1969), pp. 304-318; Gwynfor Jones, 'Law, Order and Government in Caernarfonshire', pp. 79-107.

<sup>202</sup> TNA E 179 219/13 (1568); TNA E 179 219/16 (1571).

<sup>203</sup> Especially Maredudd Ddu and Maredudd ap Cynwrig in the previous three centuries – see pp. 26-27 above.

resourceful and energetic – attuned, by virtue of a costly English education, to the growing individualism flowing from social and economic changes on both sides of the border. Indeed, as has already been seen,<sup>204</sup> it was Dafydd who had initiated the construction of Plas Coch in the mid-1560s. Nevertheless at the beginning of the period relevant to the dispute between the two families, the *gwely* of Myfyrian probably possessed a social and cultural lustre unmatched by that of Porthamel Isaf.

### **The dispute itself**

The crown lease on which the dispute turned related to the townships of Maesoglan and Bodrida, the mill (‘gryndinge myle’) at Rhosyr, eight ‘frithes’ in the township of Gwydryn, and various fields and tenements within Porthamel itself. For the most part, this was land which previously had either been bond or escheated to the crown<sup>205</sup>, or where title was simply unclear. Whilst precise measurements are impossible from the available evidence, at least several hundred acres must have been involved.<sup>206</sup>

These lands had been in the hands of the Rhydderch family for a number of years when the dispute arose. Whilst there are circumstantial suggestions in witness depositions on behalf of Rhydderch ap Rhisiart in the 1593 Exchequer Court suit<sup>207</sup> that the original lease had been granted by Henry VIII to Rhydderch’s grandfather, Rhydderch ap Dafydd - and thus that the lands in question had been in his family’s possession since the 1530s or 40s - the earliest *traceable* reference is to a crown lease granted to the latter’s son, Rhisiart ap

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<sup>204</sup> See pp. 23 & 38-40 above.

<sup>205</sup> The escheat lands resulted from the outlawing for felonies of the previous owner, Meredith ap Llewelyn Colye of Porthamel (UB Plas Coch 130).

<sup>206</sup> The present-day farm of Cefn Maesoglan is c. 300 acres, Bodrida 170 acres, and Gwydryn Newydd 70 acres. All of these acreages were within the disputed lands, as were assorted further fields and tenements – suggesting a total of more than 600 acres. [See Map B, p. 226].

<sup>207</sup> TNA E 134/35&36Eliz/Mich 18.

Rhydderch, a number of years later - in 1557<sup>208</sup>. This appears to have been a 25-year lease, terminating in 1582<sup>209</sup>. Whatever the details, it appears that by the early 1570s Rhisiart was becoming anxious to secure any subsequent reversion, in order to ensure his continuation as the crown farmer. And according to repeated later claims by his son Rhydderch, it was at this point that Rhisiart purportedly asked Hugh Hughes, presumably on the strength of his presence in London, to use his best efforts to ensure that the lease-in-reversion did not pass into other hands.<sup>210</sup>

Yet that is precisely what happened in 1572. The reversion was acquired by one Thomas Gower esq, who then quickly sold it on, that same year, to ‘James Armorer gent of Furnivall’s Inn’<sup>211</sup>. By the following year it had found its way into the hands of none other than - Hugh Hughes. The precise means by which this had happened became a key bone of contention in the wrangles that ensued. It is considered below. At the time of James Armorer’s sale of the reversion to Hugh Hughes, the original lease still had nine years to run. During the period that followed, unsurprisingly, relations between the Plas Coch and Myfyrian families became increasingly fraught. Rhisiart died in 1576, leaving his son and heir Rhydderch as holder of the now-expiring original lease.

Some time around 1580, Rhydderch made a move, submitting the first of several petitions to the Court of Exchequer. According to a later deposition, he contended Hugh had abused knowledge imparted to him in confidence as an adviser to the late Rhisiart, in order to acquire the reversion of the lease for himself<sup>212</sup>. The implication was that Hugh’s interest should be invalidated on

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<sup>208</sup> LP 4&5 Ph & Mary.

<sup>209</sup> This 25-year term is an inference,

<sup>210</sup> TNA E/134/35&36Eliz/Mich 18. ‘Interrogatories ministered on the behalfe of Rhydderch ap Rhisiart against Hugh Hughes esq defft.’

<sup>211</sup> Ibid. Deposition of James Armorer.

<sup>212</sup> Ibid, ‘Interrogatories ministered’.

grounds of dishonest practice. In parallel, Rhydderch appears to have done what he could to physically obstruct Hugh from taking possession of at least one of the properties now formally his.<sup>213</sup>

Though no records survive pointing to counter-petitions or complaints by Hugh at this stage, it is highly likely he used his legal know-how and contacts to fight back hard. By now he was a practising barrister<sup>214</sup>, as well as steward of Rhosyr manor<sup>215</sup>, and in 1581 he became Sheriff of the county for the first time. As a professional lawyer and land-owner on the rise, he is unlikely to have been reticent in asserting his rights in appropriate quarters. It may well be that local negotiations and attempts at non-judicial arbitration ensued over the next two or three years. There are several instances in Hugh Hughes' papers of such quasi-formal lay processes, with associated 'bonds of obligation' on the key parties, in relation to local land-title disputes, albeit generally in cases less substantial than the one under consideration here.<sup>216</sup> No documentary evidence of anything of this kind has survived but it appears that at some point around 1582 or 1583, Hugh's title was confirmed by certificate by the Thomas Hanbury, the Crown Auditor for North Wales.<sup>217</sup>

Nevertheless, with stakes so high for both parties, the controversy surrounding the lease rumbled on with such intensity that on 22 June 1586, Letters Patent were issued from the Court of Exchequer under the Lord Treasurer's name, creating a Commission of crown officials and heavyweight Anglesey gentry, ten in all, to investigate the lands at issue.<sup>218</sup> This step must have reflected the local

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<sup>213</sup> Ibid.

<sup>214</sup> He had been called to the bar on 25 November 1579 *Lincoln's Inn Black Books, The Records of the Honorable Society of Lincoln's Inn*, (Lincoln's Inn, 1897), Vol I, p.416. This is discussed further in chapter three.

<sup>215</sup> UB Plas Coch 99. The significance of this local legal-advisory post is discussed below in chapter four.

<sup>216</sup> For example, UB Plas Coch 51 (1545), 60 (1555), 2917 (1559), 80 (1569), 2954 (1582).

<sup>217</sup> The certificate is referred to in an Exchequer Court decree of 11 July 1589 (TNA E 123/12), in the context of a subsequent challenge to its validity by Hugh ap Rees Wynn.

<sup>218</sup> UB Plas Coch 2968.

significance of the dispute - as indeed did the composition of the Commission itself. Its most prominent members were Thomas Hanbury himself (as Auditor), Edward Hughes esq, the Receiver for North Wales, and Sir Richard Bulkeley. The others were Rowland Thomas, Dean of Bangor; Robert Turbridge esq, Surveyor of Crown Lands in Anglesey; John Heymys gent, Deputy-surveyor of Crown lands; William Maurice esq of Clennenau; John Griffith esq; Thomas Bulkeley esq; and Maurice Griffith esq – the last four all weighty local *uchelwyr*, well known personally to Hugh and probably to Rhydderch also. For example, Thomas Bulkeley was not only Hugh Hughes' next-door neighbour at Porthamel Uchaf,<sup>219</sup> but also his exact contemporary at Lincoln's Inn and later a fellow bencher at that Inn;<sup>220</sup> Maurice Griffith of Llwyn y Moel (now Plas Newydd) was a fellow JP who had been Hugh's under-sheriff when Hugh held the shrievalty in 1581;<sup>221</sup> and John Griffith, a neighbour at Chwaen Wen, was also a fellow justice.<sup>222</sup> Collectively the commissioners were charged to 'survey the lands called Frydd Kenrick ap Eigion, Ffrydd Philip, Ffrydd Trosclin, Ffrydd David bobig, Ffrydd Midache, Ffrydd Corsglyne, Ffrydd Bodower and Ffrydd Mifirian in the township of Gwydryn; the townships of Bodvreda [Bodrida] and Mossoglin [Maesoglan]; and those lands in the township of Porthamel formerly in the possession of Meredith ap Llewelyn Colye, outlawed for felony and all lands in the township of Gwydryn found by the Inquisition to be of the value of 3/2'.<sup>223</sup>

The Commission worked quickly, concluding its work at Conwy on 11 October 1586<sup>224</sup>. This is clear from a later deposition of John ap Rees of Llanedwen, stating that he attended the Beaumaris arbitration meeting before proceeding to

<sup>219</sup> Griffith, *Pedigrees*, p. 12.

<sup>220</sup> *Lincoln's Inn Admissions Register 1420-1799* Vol I (Lincoln's Inn 1896), 20 March 1571. Hugh was admitted seven weeks later on 3 May 1571.

<sup>221</sup> UB Plas Coch 2950; Phillips, *Justices of the Peace*, p. 3.

<sup>222</sup> Phillips, *Justices of the Peace*, p 3; Griffith, *Pedigrees*, p 14; UB Baron Hill 26.

<sup>223</sup> UB Plas Coch 2968.

<sup>224</sup> TNA E 134/35&36Eliz/Mich 18. Deposition of John ap Rees.

Conway for the Commission's final proceedings the following day. No evidence of a breach of trust by Hugh Hughes was found,<sup>225</sup> and title to the lease-in-reversion then appears to have been confirmed once more in a subsequent certificate from the Auditor, Thomas Hanbury.<sup>226</sup> However, this was far from the end of the matter. Not only did Rhydderch continue to protest to the courts that Hugh's title was invalid, but a second, quite separate action was initiated in 1584/5 by Hugh ap Rees Wynn, Rhydderch's principal under-tenant for part of Maesoglan. This suit appears to have challenged the Auditor's original certificate at the very time the issue was being investigated quite separately by the Commission.<sup>227</sup> Hugh ap Rees Wynn argued that the lease obtained by Hugh Hughes, while purportedly covering the whole township of Maesoglan, in fact bore on only two-thirds of its area, the remaining third being freehold which had been in his own family's possession over the previous 140 years. It should therefore remain in his possession, he argued. On the face of it, it is puzzling that this particular Maesoglan property should have been caught up in the controversy in the first place. As Dafydd Wyn Wiliam has shown,<sup>228</sup> Huw ap Rhys Wyn's *uchelwyr* forbears had been long-established at the farm, which boasted a particularly splendid garden designed for the family by one Robert Bangor, who had been a prominent priest in the Bangor diocese before his death in 1518. This is known from an *englyn* by Robert ab Ifan in the period with which we are concerned.<sup>229</sup> Huw ap Rhys Wyn's claim against Hugh was examined in 1586 – whilst the Commission referred to above was actually sitting - by a judge appointed by the Exchequer Court, Mr Baron Gent. The latter's findings led the court then to order, on 11 July 1587, that he should be granted time to produce evidence of the claimed title.<sup>230</sup>

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<sup>225</sup> TNA E 123/19 (b), Decrees & Orders of Exchequer Court, Anglesey.

<sup>226</sup> TNA E 123/12(a). Decrees and Orders of Exchequer Court.

<sup>227</sup> *Ibid.*. The decree includes a summary of Huw ap Rees Wynn's plea.

<sup>228</sup> D, Wyn William, *Y Canu Mawl i Deulu Mysoglen*, (Llangefni, O Jones, 1999), p. 7.

<sup>229</sup> *Ibid.*, pp. 7, 16-17.

<sup>230</sup> TNA E 123/12a, Decrees & Orders of Exchequer Court.

It appears he was able to do so successfully. Though it has not been possible to find documentary confirmation, the physical evidence on the ground to this day suggests that a separate 140-acre farm unit was brought into being at that stage at Maesoglan, even while the other two-thirds of the township - what is now the quite separate 300-acre farm of Cefn Maesoglan - became part of Hugh Hughes' (and his descendants') estate.<sup>231</sup> There is circumstantial confirmation of this in witness depositions made at a later (1593) hearing in the neighbouring village of Llandaniel Fab, to the effect that since his adoption of the lease in the previous decade, Hugh had built 'severall houses uppon parte of her Maj landes...beinge in Mossoglyn and Gwydryn and hath required the hedginge...of the same to his and their greate charges',<sup>232</sup> constructing 'houses, farmes and inclosures newlie made, with oxehouses...' on the lands in question.<sup>233</sup> Such processes of land improvement, enclosure and farm consolidation – creating a sharply reconfigured pattern of land holdings which was to last through the following three centuries - were becoming increasingly common in late sixteenth-century Anglesey. Cefn Maesoglan appears to have been such a new entity, replacing the multiple late-medieval holdings of the former Maesoglan township, whilst an adjacent farm consolidated at Maesoglan itself, under the continued separate ownership of Huw ap Rees Wynn and his successors.<sup>234</sup>

But if the latter was able to prevail in his case against Hugh Hughes, Rhydderch ap Rhisiart continued to be less successful. As ordered by the Exchequer court in 1587, he allowed Hugh to take possession of most of the lands at Maesoglan, Bodrida and Gwydryn, as well as of the Rhosyr mill – whilst continuing to fight an attritional battle over the ownership of two major blocs of pasture lying

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<sup>231</sup> Plas Coch Estate maps for 1805 and 1875 – originals at Brynddu, Llanfechell, Ynys Mon.

<sup>232</sup> TNA E 134/35&36Eliz/Mich 18. Statement of William ap Hugh ap Owen of Gwydryn, 10 August 1593 – see note 148 above.

<sup>233</sup> Ibid. Statement of 'William Roberts of Llanedwen, weaver', 10 August 1593.

<sup>234</sup> Griffith, *Pedigrees*, p. 83.



broadly between Myfyrian and Plas Coch, known as Ffridd Myfyrian and Ffridd Kenwrick ap Eignon.

In October 1586, as the original Commission was concluding its investigation, these fields had been the subject of side meetings, culminating in an arbitration conducted by Sir Richard Bulkeley and Hugh Owen of Orierton, Pembrokeshire, the latter ‘kinsman to both the plaintiff and the defendant [who had] travelled most earnestlie to effecte an agreement between them’.<sup>235</sup> Hugh Hughes and Rhydderch ap Rhisiart were present in person at Sir Richard’s Beaumaris home. In a memorandum agreed at that meeting,<sup>236</sup> the final fate of the two ffridds was deferred, pending their valuation by the two arbitrators. However, the documents are damaged and the precise details obscure – including the question of who, at that stage, was stated to have right of occupation. The implication appears to have been that they were Hugh’s, but should be ‘assigned’ to three of his Montagu relatives, rather than remaining in his direct possession.<sup>237</sup>

However, Rhydderch continued to hang on grimly. He persisted in occupation and use of much of the land, whilst continuing to submit not only further petitions to the Exchequer Court on his original ‘breach of trust’ claim against Hugh, but also ‘an English Bill’ in the autumn of 1592, again asserting ownership of the two *fridds*. Later that year, the court ruled that he should be entitled to occupy the one nearest his home (Ffridd Myvyrian), subject to being able to produce proof of title. The other, Ffridd Kenwrick ap Eignon, close to Plas Coch, should be handed over to Hugh,<sup>238</sup> but this was clearly a temporary expedient. As the feud continued, Rhydderch physically obstructed his rival’s use of even Ffridd Kenwrick ap Eignon. According to a later deposition by one

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<sup>235</sup> TNA E 134/35&36Eliz/Mich 18. Deposition of Hugh Owen, 10 August 1593.

<sup>236</sup> The memorandum is attached to a statement by Sir Richard Bulkeley seven years later (19 October 1593) in evidence to the subsequent 1593-4 Exchequer Court trial (in TNA E 134/35&36Eliz/Mich 18).

<sup>237</sup> Ibid.

<sup>238</sup> TNA E 123/19(b).

of Hugh's witnesses, his brother John ap Dafydd Llwyd gent, 'the pl[aintiff] dyd occupie the landes in variance about v or vi yeares without painge anye rente to the def[endant]...sithens the commencement of the def[endant's] lease nowe in effect, the plaintiff do interrupt the def[endant] in occupac[i]on of fryth Kenwrick sundry times this yeare'. And a second witness, William Roberts, 'weaver', confirmed the position: 'The pl[aintiff] hathe interrupted the def[endant] and this deponente in the occupant[i]on of the said frith divers tymes by turning oute of the cattell continuallie'.<sup>239</sup> Hugh applied for, and was granted, an Information of Intrusion against Rhydderch, but the latter again countered, this time with a further motion to delay proceedings until his 'English Bill' had been heard.

Apparently in an attempt to resolve matters conclusively, the following year, 1593, a further trial then took place.<sup>240</sup> Indeed, it is largely from the copious surviving written interrogatories and witness depositions from this trial that it has been possible to trace the vagaries of the dispute overall. This time the Exchequer court ruling was conclusive: All of the matters in Rhydderch's petitions and English Bill had been dealt with. The various hearings and Commissions had established that the land was Hugh's. The encroachments were to stop. Not only was Hugh 'to remove (Rhydderch) out of the possession of' the *ffridds* in question, but he was absolved from obligation to respond to any of the outstanding allegations in Rhydderch's Bill.<sup>241</sup>

### **Reflections: What had happened?**

Throughout the dispute, the key plea of the Myfyrian family had been that back in 1573 Hugh had used underhand means to acquire the lease-in-reversion. This claimed breach of trust was the recurrent theme of Rhydderch ap Rhisiart's

<sup>239</sup> Both on 10 August 1594, in TNA E 134/35&36Eliz/Mich18.

<sup>240</sup> TNA E 134/35&36Eliz/Mich18.

<sup>241</sup> TNA. Exchequer Court: Decrees and Orders for Hilary 34<sup>th</sup> and Mich 35<sup>th</sup>, Vol 19, Folio 11.

successive petitions to the courts between 1580 and 1593. Questions posed in the latter's interrogatories on the point at the 1593 trial summarise his contention: '...Have ye not h[e]ard Richard ap Rhytherche the plaintiff's father say that Hugh Hughes faithfully promised to observe and to deale for him concerning his farme and did you heare the sayd Ric. saye that the sayd Hugh Hughes against the truste reposed dealt falsely with him?'.<sup>242</sup> Twenty years after the event, Rhydderch's witnesses<sup>243</sup> were indeed ready to confirm that all of them had heard the latter's father say such things – although not, it should be noted, able to offer first-hand evidence that Risiart's allegation itself was well-grounded. For instance, John Owen ap Daniel of Llandaniel Fab stated in evidence that he had '*h[e]ard* that the plt father had reposed a p[er]sonal trust in the def[enden]t so that noe other man wold possess eney lease of the same fearme. And *h[e]ard* that Mr Hughes promised to forsee the same accordinglie. And that he hathe *h[e]ard* afterwards that the def[enden]t had abused Ric ap Rhudd therein in that he had paste the same unto himselfe contrary to the former promise'<sup>244</sup> (emphases added).

Taken literally, this account would seem to imply the claim that, whilst still a largely untrained law student, in the second year of a long and arduous training as a barrister at Lincoln's Inn, Hugh had been entrusted by Rhisiart ap Rhydderch, a leading Anglesey figure in late middle age - hard-bitten, shrewd and a long-serving justice and former MP - with professional responsibility for securing the crown lease-in-reversion for lands constituting a key element of the Myfyrian estate. Cast in such terms, the suggestion seems far-fetched. Not only was Hugh at the time merely a neophyte law student from the provinces, with no influence at court, but Rhisiart himself would surely have suspected that the

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<sup>242</sup> *Interrogatories ministered on behalf of Rhydderch ap Richd plt against Hugh Hughes esq defft*, in TNA E 134/35&36Eliz/Mich 18.

<sup>243</sup> *Ibid.* The witnesses in question were: John Owen ap Daniel of Llanedwen; John ap Rees of Llanedwen; and Daniel Lloyd, clerk, of Trefdraeth.

<sup>244</sup> *Ibid.* Deposition of John Owen, 10 August 1593.

acquisition of crown lease-reversions was an arcane and specialist activity requiring inside knowledge and court contacts probably not (yet) available to the young man.

Hugh's account of the events of 1572-3 on the other hand was sharply different. He had bought the lease, he claimed, from one James Armorer, who in turn had purchased the original patent the previous year from one Thomas Gower. What is more, he (Hugh) had only purchased it from Armorer after the latter had first offered it, unsuccessfully, for sale back to Rhisiart ap Rhydderch.

According to Armorer's deposition to the 1593 trial<sup>245</sup>: 'After he [Armorer] had bought the same of the sayd Mr Gower metynge in London with the sayd pl[aintiff] Rhydderche ap Richard offered the same for a reasonable gayne to sale to the sayd pl[aintiff] farre better cheape than he hathe afterward sold the same to the Defenden]t...'. But Rhydderch had been infuriated by this offer, 'grately disputing the same to [Armorer] and threatened hym that he wold make yt not to be worthe to hym yf he kept yt, not worth fortie powndes, yet fortie powndes he wold gyve for yt having in reasonable tyme, to pay it and no more.' It appears however that Armorer was not prepared to wait. He got an (unnamed) Anglesey friend to approach some of Rhydderch's under-tenants with a view to possible individual sales, but the friend reported that 'non[e] of them durste kepe with hym for feare of the pl[aintiff] & his father who were tenantes then of the premises...'. At which point, Armorer appears to have decided to complete a sale to Hugh and his father Dafydd Llwyd.

According to Hugh, even after their purchase of the lease in 1573, he and his father had bent over backwards to try to accommodate the Rhydderchs. Twenty years later, one of Hugh's witnesses, William ap Hugh ap Owen, recalled that

<sup>245</sup> TNA E133/8/1126 (Part I), Baron's Depositions, 1593 Hilary (36 Eliz). Deposition of James Armorer.

Hugh and Dafydd ‘did send this deponent to the compl[ainan]t’s father to offer the sale of the premises...for the like some of money as the def[endant] had paid unto the said James Armorer’<sup>246</sup>. But Rhisiart ap Rhydderch declined, pointing out that the original lease still had ten years to run at that stage, and that ‘yf he lived longer than those yeares [he] hoped the def[endant] should not enjoie the same’. But there, it seems, the politenesses ended. The tensions bubbled on, and later in the decade, Rhydderch, his imposing father now in his grave, launched the first of his sequence of pleas to the courts.

So what had *really* happened back in 1572-3? Successive Exchequer court inquiries and Commissions had found in Hugh’s favour, reporting that no breach of trust of the kind alleged by Rhydderch had been proved. On the other hand, the fact that the reversion-lease ended up in Hugh’s hands so soon after he had been alerted to its possible availability demands a fuller explanation. Perhaps something more questionable did take place. For example, it is plausible that, in the course of friendly family exchanges around the fire at Myfyrian or Porthamel Isaf between a patriarchal Rhisiart and his bright young cousin Hugh, the issue of the Maesoglan-Bodrida lease and Rhisiart’s concern to secure the reversion in the near future could have been touched upon, with Hugh perhaps contributing up-to-date gossip from the Inns of Court about mounting speculative activity in such leases in the capital. A thriving trade in leases-in-reversion was indeed developing in and around Westminster by this time.<sup>247</sup> Most of them were being granted to medium-level crown officials rather than sitting tenants, as, from the Exchequer’s perspective, a relatively painless way of increasing crown servants’ incomes at a time when privy purse was ever more squeezed for hard cash. It was taken for granted that any such lease granted would be quickly sold on for a profit; by the concluding decades

<sup>246</sup> Ibid. Deposition of William ap Hugh ap Owen.

<sup>247</sup> D. Thomas, ‘Leases in Reversion on the Crown’s Lands, 1558-1603’, *Economic History Review* (1977), 30, pp. 67-72; Russell, *Crisis of the Parliaments*, pp. 30-38.

of the century, Madeleine Gray suggests, ‘reversionary (crown) leases were normally designed not for exploitation by the nominal lessee but to allow him to profit from the difference between unimproved rents and actual land values by selling the reversion’.<sup>248</sup> Gray further shows how these circumstances created growing opportunities for officials in the Exchequer’s bureaucracies, such as the various Auditors’ offices where information about relevant crown properties was monitored and assembled, to use their insider knowledge to speculate, either for themselves or for land-hungry clients around the country, in the buying and selling of such reversions.

It is not hard to imagine Rhisiart responding to news of such developments by urging his intellectually sophisticated young kinsman to keep an ear open for any developments that might bear on the Maesoglan-Bodrida reversion specifically. Nor is it hard to imagine Hugh, back in London, his interest piqued, raising the matter with Lincoln’s Inn friends, and catching the attention, deliberately or otherwise, of potentially interested figures like Thomas Gower.<sup>249</sup> For Hugh, at this early stage of his career, to actively monitor the Maesoglan-Bodrida reversion would have required him to ask people in the know, with the inevitable risk that such folk might choose to take up the opportunity for themselves.

That is one possibility, implying relative innocence and purity of intention in Hugh. But a somewhat darker reading, closer to the Rhydderchs’ suspicions, may also be worth considering. As we have seen in chapter one, Hugh’s father, Dafydd Llwyd, was a dynamic and ambitious individual, active in developing

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<sup>248</sup> M Gray, ‘Mr Auditor’s Man: the Career of Richard Budd, Estate Agent and Crown Official’, *WHR* (1985), pp. 307-323.

<sup>249</sup> It seems possible this ‘Thomas Gower of Yorkshire’ was the abrasive soldier Sir Thomas Gower ‘of Yorkshire’ (fl. 1530-1577), noted as having played a major role in the Scottish wars of the mid-sixteenth century (*ODNB*, Vol 23, pp.141-142), and probably the individual of that name referred to in David Thomas’ article (op.cit note 247 above) as having obtained several leases-in-reversion for crown lands in Lincolnshire and twelve other counties in the 1570s. (TNA E 310/41/16 mss. 583-595).

the interests of the family and its Plas Coch estate. His completion of the first stage of the new mansion in 1569, and his investment in sending Hugh to Cambridge and the Inns of Court, and his brother Owen to Oxford,<sup>250</sup> are powerful testimony to this. He would have been aware of the enviable power and prestige of his nearby Rhydderch kinsmen, and the free and easy, even somewhat decadent, way in which they were exploiting their position as the crown's farmers at Rhosyr and Maesoglan-Bodrida. Indeed, in the 1587 trial, Hugh alleged that Rhydderch had encouraged the under-tenants to withdraw their suit from the Rhosyr crown mill and had accepted private contributions in lieu of that suit - whilst also 'suffering divers of his friends to erect mills of their own within half a mile of the said Crown mill', meanwhile encouraging destruction of the latter's associated channels and watercourses.<sup>251</sup> So overall it is reasonable to assume that Hugh would have discussed with his father any fireside conversation with Rhydderch concerning the reversion issue – and not inconceivable that the two of them could then have seen an opportunity, and worked out a scheme whereby the lease could be made to become available for sale back in Anglesey, with a fair chance of their being able to wrest it from their, perhaps overbearing, relatives. Through the family networks, Dafydd (who was of course Rhisiart's first cousin) would probably have known about the state of the Myfyrian finances. There were grounds for believing these were not as healthy as they might once have been. The evidence for this is circumstantial, but intriguing. During the 1593 trial,<sup>252</sup> one of Hugh's witnesses, the 70-year-old Thomas Hughes of Llanedwen, reported that in about 1569, when he (TH) had been a haberdasher in London, Rhisiart ap Rhydderch 'dyd pawne a boxe with writing wherein (were) two patents leases of the premises...for a certaine sum of money'. The lender was Thomas Hughes

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<sup>250</sup> See note 126 above.

<sup>251</sup> G. Jones, *Exchequer Proceedings concerning Wales: Henry VIII-Elizabeth* (Cardiff, Univ of Wales Press, 1939), p. 13 (TNA E 5/36/7).

<sup>252</sup> TNA E 134/35 & 36 Mich 18.

himself, and Rhisiart repaid him, and reclaimed the boxes, after an unspecified interval. Strikingly, this appears to have been the only matter on which Thomas Hughes was asked to make a deposition on Hugh's behalf. The incident occurred just three years before Thomas Gower took his decisive initiative on the Maesoglan-Bodrida lease. A possible implication was that across that period Rhisiart may have been financially stretched. On the strength of that, Hugh and his father could have judged the Rhydderchs unlikely to be able to afford purchase of the lease from Armorer, whereas, presumably, they themselves would.

The plan, if such there was, would have involved tipping-off some likely London acquaintance – perhaps James Armorer of Furnivall's Inn (a Lincoln's Inn adjunct) – who would then, in the fashion outlined by Madeleine Gray,<sup>253</sup> urge Gower to act as his 'insider' agent in acquiring and passing on the patent. Armorer would then come to Anglesey, secure in the knowledge that he had a potential buyer in Hugh and Dafydd, once he had gone through the motions of offering the lease for sale back to the Rhydderchs. There is indirect confirmation of this hypothesis in the perhaps hyper-scrupulous way in which Dafydd and Hugh offered the lease back to Rhydderch once it was securely theirs. James Armorer had already done this at a slightly earlier stage, and been given a flea in his ear for his pains. What is more, Rhydderch's circumstances had not changed. So Dafydd and Hugh may well have been confident he would say no again; they certainly would not have wanted to lose the property now that it was in their hands. Perhaps it is not unfair to put the gesture to Rhydderch down to an uneasy concern to cover their tracks. After all, they were going to have to live cheek by jowl with the Myfyrian family into the indefinite future, and would have been concerned to head off any prospect of an enduring family feud. However, as will be seen shortly, a feud is what they got.

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<sup>253</sup> Gray, 'Mr Auditor's Man'.



## Two ‘mentalités’

The Plas Coch and Myfyrian families were of the same *uchelwr* social class, and, it may be inferred, equally well-disposed towards the 1536-43 administrative changes in Wales. In their different ways, each had continued to benefit from the resources and opportunities these changes offered – the Rhydderchs through crown patronage of material kinds, which had bolstered their local standing, Hugh Hughes and his father through educational and professional opportunities which turned out to have similar consequential effects. However, these same benefits also had the effect of reinforcing important differences between the two families.

In the Rhydderchs’ case, the crown lease for Maesoglan-Bodrida, Rhosyr Mill, and the other associated lands had enabled successive generations to perpetuate Myfyrian’s role as a prominent local political and cultural presence, within a recognisably late-medieval Welsh framework. Though the days of land held in common based on kindreds had largely dissolved over the previous century in the face of an increasingly pervasive individualism – indeed Myfyrian was itself an example of an estate which had developed by by-passing the *cyfran* system of inheritance from the mid-fifteenth century onwards -, in other respects the Rhydderchs maintained many of the old ways. Well into the later decades of the sixteenth century, the household at Myfyrian was being celebrated by bards as a mecca of traditional culture and hospitality, where poetry, music and feasting were a norm –

‘*aur a gwin/a pharadwys gyffredin*’<sup>254</sup> and ‘*i bob rhai, i bawb y rhydd/bara can a brig gwinwyd*’.<sup>255</sup>

<sup>254</sup> Lewis Menai, ‘Marwnad Rhydderch ap Dafydd 1562’, in Wyn Wiliam, *Myfyriann*, p. 26.

<sup>255</sup> Huw Cornwy, ‘Marwnad Rhisiart ap Rhydderch’, in Wyn Wiliam, *Myfyrian*, p. 54.

(‘...gold and wine and a common paradise...’ and ‘...To all manner of people, she [Catrin] gives to all/White bread and the choicest wine’).

The veteran poet, Wiliam Cynwal, was an indicative presence in this regard.<sup>256</sup> A former apprentice to Gruffudd Hiraethog, he was noted as a highly traditional upholder of the medieval bardic conventions, reflected in his celebrated and protracted verse exchanges with Edmund Prys throughout the 1580s concerning the future direction of Welsh poetry.<sup>257</sup> The attractiveness of the household to creative individuals of Cynwal’s culturally conservative leanings, as much as the highly praised local leadership practices of Rhydderch ap Dafydd and Rhisiart ap Rhydderch, suggests that the Myfyrian family identified itself with historic continuities of Welsh culture and social relationship. Any benefactions they had received from the English crown provided a base for perpetuating their position in that regard. It is not insignificant that Rhydderch ap Rhisiart, Hugh Hughes’ contemporary and a key protagonist after Rhisiart’s death in 1576, appears to have identified personally with this background to such an extent that he himself became known as a poet of some accomplishment within the tradition.<sup>258</sup> During his proprietorship however, the family’s former political role dipped. Unlike his father and grandfather, this Rhydderch was appointed to no public posts, and with the estate reduced by the loss of the crown lease, the family’s overall standing appears to have been diminished.<sup>259</sup>

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<sup>256</sup> *Marwnad Rhisiart ap Rhydderch 1576* reflects Cynwal’s appreciation of Myfyrian’s atmosphere (Wyn Wiliam, *Myfyrian*, pp. 61-63).

<sup>257</sup> Lewis, ‘Decline of Professional Poetry’, pp. 40-42. Prys, the Cambridge-educated humanist Archdeacon of Merioneth, castigated Cynwal for his lack of responsiveness to wider Renaissance visions of poetic possibilities. Cynwal defended perpetuation of the historic bardic conventions and preoccupations.

<sup>258</sup> Wyn Wiliam, *Myfyrian*, p. 8. Griffith, *Pedigrees*, p. 59.

<sup>259</sup> Things improved for them in the next generation however with the professional brilliance of Rhydderch’s son, Richard Prydderch of Llanidan, who became a Justice of the Chester circuit and member of the Council in the Marches. He also became a thorn in the flesh of Hugh Hughes’ son, Roger, as will become clear later in the chapter.

The Plas Coch/Porthamel Isaf family, by contrast, were looking outwards, engaging with new social forces and possibilities opening up in the late-Tudor 'Britain' of which Wales was now part. They were equally conscious of local cultural meanings of their lineage, but also keen to reach beyond the limitations of their inherited circumstances. Huw ap Llewelyn took a bold initiative in sending Dafydd to be schooled at Hereford in the 1530s. It paid off. By the time of the Maesoglan-Bodrida controversy in the last two decades of the century, and benefitting from Dafydd's active paternal encouragement, Hugh was on the way to local and regional eminence of a kind distinctly different from that the Rhydderchs had enjoyed. As will be seen, Hugh's education and accomplishments as an English-trained lawyer and crown official, coupled to native groundedness in Anglesey and the north Wales region, were having the effect of turning him into a hybrid of a novel kind.

One is tempted to detect such differences of value and aspiration between the two households in their respective approaches to the Maesoglan-Bodrida trials themselves. Consider, for example, the morally questionable skill of Hugh and Dafydd's successful manoeuvres to acquire the lease (if that hypothesis is accepted). This reflected not only a cunning and well-calibrated understanding of the interplay between Westminster actors' self-interest and local outcomes, but also an ability to preserve the appearance that they themselves were squeaky clean, should there be any subsequent legal challenge (as indeed there proved to be)). Compare this with the clumsiness of Rhisiart ap Rhydderch's initial emotional, even violent, response to James Armeror's offer, and Rhydderch's later refusal physically to vacate lands the courts had already ruled were Hugh's. The one approach, setting aside its ethical ambiguities, reflected legal and political subtlety, the other, habits and patterns of parochial dominance.

The comparative forensic quality of their respective selections of witnesses and interrogatory questions is equally suggestive. In the 1593 trial, Rhydderch ap Rhisiart's witnesses were all exposed, through Hugh's targeted questions, as close relatives or indebted familiars of Rhydderch himself, throwing doubt on their reliability. Rhydderch's own interrogatories were erratic and sometimes diffuse, lacking the focus of Hugh's, which strike the reader as crisp and logical. The depositions of his witnesses are equally clear. Or again, Rhydderch's multiple petitions repeated, again and again, allegations on which rulings had already been made, eventually exasperating the Exchequer judges:

'...Forasmuch as Her Ma[jesty]'s Attorney Generall hathe upon the examininge of the whole matter shewed unto this honourable courte divers former proceedings in the said cause that the def[endan]t had at sevrall tymes before the sayd Bill exhibited by way of complaint against the said Hughes seven sevrall petitions to the Right Honorable the Lo[rd] Chancellor of England alledginge and charginge hym with the sayd trust. His Lordshipp referred the sevrall examinacon thereof to the Right Honorable Mr Baron Gent, Mr Auditor Hanbury, Mr John Morley, Mr Hughes her Ma[jesty]'s forryster...[who] severally certified that they coulde finde no seche trust at all reposed in Hughes...And...the sayd English Bill against the sayd Hughes dothe conteyne no other matter than was conteyned in the sayd sevrall petitions...'<sup>260</sup> Hugh's approach, by contrast, appears to have been to be patient, professionally confident perhaps that he would win any contest in the courts.

It is useful here to keep in mind that by 1592-93, when the crucial court proceedings took place, Hugh was a busy and successful advocate in his own right, not least as Deputy Attorney General in the Court of Great Sessions.<sup>261</sup> Doubtless he crafted his approach to the trial proceedings for himself, explicitly

<sup>260</sup> TNA 123/19. Exchequer Court Decrees & Orders for Hilary 34<sup>th</sup> and Mich 35<sup>th</sup>, Vol 19, folio 11.

<sup>261</sup> See pp. 162-163 below.

or otherwise. Rhydderch on the other hand was probably reliant on the services of local attorneys, at an accumulating cost which can only be guessed at.

The contention here is that such apparently unremarkable differences between the two key protagonists also have a richer significance. They offer pointers to a contrast of *mentalités* between the Plas Coch and Myfyrian families, reflecting cultural differences, and indeed tensions, within the Welsh land-owning classes at this historical moment. There has been a tendency in even the best histories of the period to treat the late sixteenth-century Welsh ‘gentry’ as largely a homogeneous whole, with shared values and aspirations – taking up the reins of local power, competing for land to build up their estates, litigating one with another, marrying their own kind, and selectively adopting English ways. To be sure, there is recognition that different individuals and families varied in their attachments to historic Welsh manners and mores or the opportunities for advancement that had opened up in England, but nevertheless the general picture offered is one of a social caste sharing broadly consistent interests and outlooks.<sup>262</sup>

Through the prism of the Maesoglan-Bodrida dispute, it is possible to discern the outlines of something more complex, whereby differences of personal experience were producing differences of outlook amongst Welshmen of similar backgrounds. Hugh Hughes’ years of immersion in London and English legal institutions had equipped him not only with the specialist skills and insider knowledge to prevail in judicial disputes, but also with what might be pictured as a returning outsider’s sense of the ways in which previously entrenched patterns of local power and influence in Anglesey, were no less open to change

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<sup>262</sup> Dyfnallt Owen, *Elizabethan Wales*, Chapter 1 passim; J Davies, *History of Wales*, pp. 219-225; Gwynfor Jones, *Welsh Gentry*, passim.

than in other parts of the Wales and England where seriously competitive land markets were developing.

It is hard to tell how typical of Hugh's behaviour this particular episode may have been. It should be borne in mind that the original acquisition of the reversion had taken place in 1572, when he was still only 24, with the crucial legal proceedings not occurring till upwards of fifteen years later, by which time he was well on the way to becoming a regional eminence. Possibly in retrospect he found the experience and its fall-outs disconcerting, because of the depth of the resulting split with the Myfyrian kinsmen. Certainly the Plas Coch papers contain no hints of similar cases of sharp practice over subsequent years, though that may simply mean Hugh was able to cover his tracks with legal polish. Perhaps he chalked up the whole reversion episode to youthful experience – knowing anyway that the land was now securely Plas Coch's – and decided not to risk more such upsets? His other major crown land acquisition, the Nancall purchase discussed below in chapter four,<sup>263</sup> was an altogether subtler affair, more the result of being in the right place at the right time than of sleight of hand.

Be that as it may, the Rhydderchs' bitterness at the loss of properties they continued to think of as rightfully theirs, and the Hughes' determination to hold onto their gains, continued well into the next century, unappeased by the deaths of Hugh (in 1609) and Rhydderch ap Risiart (in 1606). Their respective sons, Roger Hughes and Richard Prydderch, themselves both lawyers, perpetuated the bad blood. Prydderch rose to greater professional heights than Roger, as mentioned above,<sup>264</sup> and used his skills to initiate at least two Bills of Complaint

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<sup>263</sup> See p. 159 below.

<sup>264</sup> See note 259 above.

against the latter in the Council in the Marches - one in c.1620,<sup>265</sup> another in 1641.<sup>266</sup> The first of these referred back explicitly to parcels of land acquired by Hugh several decades earlier during the original reversion row. The forty acres in question had not been part of the crown property under contention, Prydderch claimed, but were in fact ‘a messuage, gardens and meadowes’ which had properly belonged to his father, Rhydderch ap Risiart, in his final years. Prydderch alleged that ‘Hugh Hughes deceased being the late Queene and Kinge’s Attorney in North Wales and by that meanes of great power in this countie did by color of some conveyance made unto him by the sisters of the said John ap Robert [a previous lessee] who had noe right to the premises wrongfully entered into the said premises and lands...’<sup>267</sup> More than thirty years after the original event, he demanded the court require Roger to produce deeds proving title to the property, apparently confident that the latter would not be able to do so. Unfortunately it has not been possible to establish how the case turned out, as no further surviving documents can be traced. However, there is no mistaking the flavour of a continuing vendetta in the very posting of a Bill in this public fashion.

Similarly in a second case twenty-one years on – by which time Prydderch had risen to the heights of Puisne Justice of the Chester circuit, and hence a lawyer member of the Council in the Marches<sup>268</sup> - the mutual animosity was still evident. This time the complaint focused on ‘Ffrith Philipp’ in Gwydryn, which, it will be recalled, had been one of the portions of land investigated by the specially convened Commission in 1586 at the height of the original dispute.<sup>269</sup> Evidently, the title to this land too was still in contention more than fifty years later. Prydderch, who by this stage was living at Llanidan Hall in the parish

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<sup>265</sup> UB Plas Coch 3017.

<sup>266</sup> UB Plas Coch 222.

<sup>267</sup> UB Plas Coch 3017.

<sup>268</sup> W.R. Williams, *The History of the Great Sessions in Wales, 1542-1830*, (Brecknock, 1899), p. 57.

<sup>269</sup> UB Plas Coch 2968 – see p. 60 above.

adjacent to Plas Coch, claimed it had been conveyed to him recently in two parcels, one from Lewis Williams, the other from Lewis ap William Pugh (conceivably the same individual), and furthermore – a colourful detail - that the former had left him ‘compost to the value of five shillings’ in one of the fields. The new allegation was that on 11<sup>th</sup> January 1640 Roger and his servants Owen John ap Euan, John Williams and Rowland ap Hugh had ‘enter[ed] in and upon the said p[ar]cell of land and take[n] and cast away the said compost and plow[ed] the said p[ar]cell of lands ...who beinge resisted by two of [Prydderch]’s servants...did enter upon the same p[ar]cell of land on the 12<sup>th</sup> and 13<sup>th</sup> dayes of the month and divers other dayes, did likewise enter...breaking the meares thereof...’<sup>270</sup> The implication appears to be that Roger’s aggressive actions reflected a conviction that the land was his rather than Prydderch’s. Indeed, in the initial ‘answers and demurrers’ offered by Roger and his servants, Prydderch’s complaint was scorned as ‘devised and contrived of malice’ and designed only ‘to putt the said defendant [sic] to greate trouble and expences in the lawe’. If Prydderch believed he had a case against them, which he didn’t, claimed Roger and co, he should pursue it at common law in the normal fashion, rather than in the Council of the Marches, where the complainant himself was ‘one of the judges of the said Courte’.<sup>271</sup> The outcome of this suit too is unknown, but again what is important is its suggestion of an unbroken attritional struggle between the families at least a generation after the demise of the original two litigants.

There is also the puzzling matter of a four-line *englyn*, the only trace of which is its appearance as part of an ‘*Anecdote of the ancient House of Plas Coch, in the Island of Anglesey*’ in the *Cambrian Register* of 1795.<sup>272</sup> The text of this poem, with a translation by the Rev. Evan Evans of Cardiganshire, a noted Welsh

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<sup>270</sup> UB Plas Coch 222.

<sup>271</sup> Ibid.

<sup>272</sup> *Cambrian Register* (1795), p. 440.



scholar and translator of the time, appears there as follows (although the translation appears rather milder in tone than conveyed in the Welsh original):

*‘Plasau, Parlyrau, pur loywon dyrau*

*A dyfrad fendithion*

*Os gwyrwyd ais y gwirion*

*A fai tai yn y fut hon?’*

(‘Ye stately palaces and princely towers,  
And all the wealth that luxury devours;  
If by the poor man’s sweat and wrongs you rise,  
Can you last long? and Heaven not hear his cries?’)

The Cambrian Register’s short accompanying text explains that ‘Hugh Hughes, of this house, was Queen Elizabeth’s attorney in North Wales, a lawyer, and reputed a great oppressor; therefore upon his building of Plas Coch [ie in the 1590s] a certain poet made this *englyn*....The poet was sued in the Star Chamber, by the said Hugh Hughes, for a libel, but saved himself by the dubitative conjunction *Os* [if]’.<sup>273</sup> Frustratingly, it has proved impossible to track down this Star Chamber case, no reference to it appearing in the court’s records of the time.<sup>274</sup> However, given the target and the timing, it is tempting to suggest a possible poet – ‘the bard’ Rhydderch ap Risiart, still smarting from the loss of Bodrida, Maesoglyn and the other crown properties, and writing perhaps on behalf of the dispossessed under-tenants as much as himself.

These various episodes in the wake of the original dispute tend to confirm the likelihood that Hugh’s success in outmanoeuvring the Rhydderchs would not have won him many friends in Llanedwen or the surrounding districts. For

<sup>273</sup> Ibid.

<sup>274</sup> I. ab O. Edwards, *Catalogues of Star Chamber Proceedings relating to Wales*, (Cardiff, University Press Board, 1929).

most, it may be surmised, the historical legacy of local power and prestige of the Rhydderchs, and their continuing association with the encouragement of vernacular cultural pursuits and customs, would have been respected as part of the familiar social fabric of the area. Moreover, the Myfyrian family members appear to have been lax and perhaps indulgent landlords vis a vis the long-established under-tenants at Maesoglan and Bodrida.<sup>275</sup> The major improvements initiated by Hugh once he took possession<sup>276</sup> suggest that by contrast the Rhydderchs' farming practices had probably been of a more casual 'traditional' kind. Hugh as an improving landlord was already initiating transformations which would almost certainly have been experienced as locally unsettling, of benefit to fewer tenants than under the previous regime as a consequence of the creation of larger individual farms. New brooms are rarely popular in settled rural areas even to this day, and it seems reasonable to suppose that his 'victory' would have resulted in increased social distance between himself and at least the less fortunate of his neighbours, during what appears to have been a period of growing deprivation and impoverishment for many former small-holders.<sup>277</sup>

The saga as a whole can thus be seen to have been significant in several respects. It was characteristic of the unsettling developments in rural economy arising at this time in many parts of Wales as well as in England, as new legal skills and commercial resources came to be applied increasingly widely to the competition for land.<sup>278</sup> It illustrates the ways in which a new generation of legally sophisticated gentry was gaining prominence in some rural areas, within a wider context in which confidence in the law was increasingly widespread amongst the Welsh gentry generally (as Rhydderch ap Risiart's persistence

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<sup>275</sup> See p. 69 above.

<sup>276</sup> See pp. 42-43 above.

<sup>277</sup> Williams, *Tudor Gwynedd*, pp. 53-56.

<sup>278</sup> Thorne, 'Tudor Social Transformation & Legal Change'.

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tends to confirm). The dispute also shows how in Wales specifically, English educational influences were acting to feed, and indeed exacerbate, differences of outlook between Welsh-speaking *uchelwr* land-holders themselves. Most significant of all however, in the context of this thesis, the saga offers glimpses of the hierarchical and conservative Welsh social world in which Hugh was operating as proprietor of Plas Coch, and some of the ways in which he chose to deal with it. This was the world in which he had chosen to live, notwithstanding the sophistication of his educational and legal training – and it is important not to lose sight of that fact when it comes to considering Hugh’s sense of himself in the round later in these pages. Before that however, it is appropriate to consider his education and public career, to begin to gain a picture of his wider affiliations and accomplishments. The next three chapters attempt this.

## **Chapter 3.**

### **English Influences**

As has been shown, Hugh Hughes was rooted, by origins and upbringing, in south-east Anglesey. But his adult life was moulded deeply by English influences, and this chapter explores some of these. It might be tempting to see Hugh as simply a prototypical aspiring Welshman of the period, following paths which others of his kind were also cultivating in the late Tudor period. But that would be to over-simplify. The road from north Wales to London and the Inns of Court was indeed becoming well-worn by this time. For example, three successful lawyer contemporaries of Hugh, all fellow-benchers at Lincoln's Inn, were his already-mentioned close neighbour Thomas Bulkeley of Porthamel Hall (formerly Porthamel Isaf) (d 1593), William (later Sir William) Jones of Castellmarch, Caernarfonshire (1566-1640), and Peter (later Sir Peter) Mutton of Llanerch, Denbighshire (1565-1627). The career patterns of the four contain both similarities and differences, as will emerge below. Nevertheless it is the particularities of Hugh's personal experience which are of greatest significance for the present inquiry, which concerns the developing attitudes and sense of personal identity of an educated Welshman who became involved directly in the governance of Wales in the period following its major statutory reconfiguration under Henry VIII.<sup>279</sup>

In the chapter's analysis, there is somewhat greater reliance on secondary source materials than in the previous two chapters – necessarily so, since the aim here is to track the principal through a web of educational and professional contexts in relation to which personal primary documents of his own are mostly lacking. It is intended nevertheless that through informed inference and

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<sup>279</sup> The detail of the resulting institutional reorganisation is discussed in chapter four below.

deduction, a degree of further insight into Hugh's particular development and dispositions can be achieved.

### **School and University**

Humphrey Llwyd, writing in 1572, observed of Elizabethan Wales, 'there is no man so poore but for some space he setteth forth his children to schole, and suche as profite in studie sendet them unto the universities where for the most part they enforce them to studie the civile law'.<sup>280</sup> There are echoes here of the Porthamel Isaf/Plas Coch family.

Hugh's father, Dafydd Llwyd, wanted a good education for his eldest son. Though there is an absence of evidence pin-pointing Hugh's attendance at any specific school, two credible possibilities suggest themselves. One is the Friars Grammar School at Bangor, which was founded in 1557,<sup>281</sup> when Hugh was aged ten. Like most establishments of the new 'grammar school' type, it offered a humanistic education of the kind used to prepare pupils for university at Oxford or Cambridge. The curricular focus was on classical grammar and linguistics, alongside religious instruction, leading to a selective acquaintance with the languages and literature of the ancient world<sup>282</sup> – a body of knowledge held suitable for entry into both the universities and Inns of Court. Situated just six miles from Hugh's home in Llanedwen, Friars would have been the nearest of the host of such new secondary schools across England and Wales in the mid/late sixteenth century, many of which (like Friars itself) had been locally endowed.

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<sup>280</sup> Humphrey Llwyd, *Commentaroli Descriptionis Britannicae Fragmentum* (Cologne 1572) tr. Thomas Twyne, *The Breviary of Britayne* (London 1573), fo. 606.

<sup>281</sup> H. Barber & H. Lewis, *The History of Friars School, Bangor* (1901)

<sup>282</sup> W.P. Griffith, 'Schooling and Society' in Gwynfor Jones (ed.), *Class, Community and Culture*, p. 92.

A second possibility is Hereford Cathedral School. This was a far earlier foundation, across the border in England. It had been attended by Dafydd Llwyd himself, probably in the late 1530s and early 1540s. This is known from a handwritten letter by one Sir Hugh Roberts to Dafydd's father, Huw ap Llewelyn, reporting on Dafydd's progress in his studies and reminding the father of the need to pay the school fees<sup>283</sup>. Though the letter is undated, it can be inferred to have been written in about 1538.<sup>284</sup> The 'Sir Hugh' in question was a godson and nephew of Huw's, living in or close to Hereford, and had evidently been deputed to keep an eye on the young Dafydd during term-times, a boarder a long way from home.

The original decision of Huw ap Llewelyn to send his eldest son and heir to be educated at Hereford in the late 1530s was a significant one, suggesting prescience about the coming importance of attunement to English language and culture for the family's welfare in the new world then being consolidated through the acts of union. Later in the century, the trickle of Welsh adolescents being sent to England for secondary schooling developed into a steady stream,<sup>285</sup> but at the time Huw took his decision for Dafydd, probably in the mid-1530s, it would have been an adventurous, as well as a financially demanding, commitment for a native Anglesey family of relatively limited means. The spirit in which such a decision would have been taken was probably not dissimilar from that of a present-day EU citizen on the continental mainland choosing to learn English; there was no intention of renouncing the sense of Welsh identity – almost certainly the aim was become equipped for future participation in the dynamic wider worlds of the professions, commerce or

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<sup>283</sup> UB Plas Coch 55.

<sup>284</sup> The archivist Thomas Richards, in the 1937 Plas Coch manuscript catalogue, suggests that the (undated) letter is from around 1550. However as Dafydd was already active in the property market in his own right by the mid-1540s (eg UB Plas Coch 50, 53, 54), this is clearly far too late. The inference for a date at least twelve years earlier rests on the internal evidence of the letter itself, pointing to his then-levels of academic attainment.

<sup>285</sup> Dyfnallt Owen, *Elizabethan Wales*, pp. 206-7.

public life, for which English was already the *lingua franca*, often supplanting Norman-French or Latin, including, increasingly, in Wales.

The Cathedral School's records for the period are too incomplete<sup>286</sup> to support any unambiguous claim that Dafydd in turn sent Hugh to be educated at his old school. There are circumstantial reasons, however, for thinking this could have been the case. Dafydd's own Hereford school experience appears to have confirmed him in his father's conviction that the future lay in an English education, as can be seen from the decision in the 1560s to send at least two of his own sons, Hugh and Owain<sup>287</sup> to Cambridge and Oxford Universities respectively, a commitment requiring substantial outlay in the expectation of longer-term advantages. Fluency in English, amongst other intellectual accomplishments flowing from the curriculum, would have been a prerequisite. He may well have felt that the grammar school at Hereford could provide for his sons as well as it had for him. At all events, where Hugh at least was concerned, his schooling and intellectual calibre were of sufficient quality that in 1564, he was able to enter Trinity College, Cambridge,<sup>288</sup> at that time still a recent addition to the university. How or why that particular college accepted him is unclear. Of Hugh's Welsh contemporaries to matriculate at Cambridge in the 1560s, most went to either St John's or Christ's, as will be seen below. It has not proved possible to trace any personal connection that inclined Hugh, or Dafydd on his behalf, to prefer Trinity. But whatever the background, he was the first in his family to have attained such heights – a relatively poor (by national standards) Welsh-speaking 16-year-old from remote Anglesey, vaulted into the heart of English intellectual culture, 250 miles from home. At Trinity, he would have found himself amongst scions of some of the wealthiest, as well

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<sup>286</sup> Hereford Cathedral archivist, personal communication, 14 April 2009.

<sup>287</sup> UB Plas Coch 154 & 2993.

<sup>288</sup> Rouse Ball & Venn, *Admissions to Trinity*.

as some of the cleverest, families in the land. It must have been a tumultuous personal experience.

The college had been founded by Henry VIII in 1546, a mere eighteen years previously, being an amalgam of two previously-existing colleges – King’s Hall and Michaelhouse. The new entity was considerably richer than either of these, being freshly endowed with assets from dissolved monasteries and private gifts of land from the monarch as one of his last acts.<sup>289</sup> Hugh would have had more reason than some to value these benefactions, since he was a sizar of the college, the recipient of a bursary in exchange for part-time work as a servitor, waiting on dons or fellow-commoners, the latter being especially privileged undergraduates.<sup>290</sup> This was far from uncommon at the time. One estimate suggests that up to a third of Oxford and Cambridge students in this period were from less well-off families and benefiting from sizarships.<sup>291</sup> The latter would have offset the battels his father Dafydd would otherwise have had to pay in full, amounting at this time to around £20 a year.<sup>292</sup>

He would have been one of only a modest proportion of undergraduates in the college expecting to complete a full degree. In the year of his matriculation (1564), only 80 of the 1200 students in the entire university graduated as Bachelor of Arts, a pattern which was normal for the period.<sup>293</sup> The reality was that throughout the late sixteenth century, the majority of young men at Cambridge and Oxford were pursuing the elements of a broadly humanistic education through courses inside and outside their colleges with little intention of completing a degree. Increasingly undergraduates were pursuing courses reflecting new civilising ideals of education which had been articulated by such

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<sup>289</sup> [www.trin.cam.ac.uk/college.history](http://www.trin.cam.ac.uk/college.history).

<sup>290</sup> Stone, ‘The Educational Revolution in England’, p. 67.

<sup>291</sup> J.B. Mullinger, *History of Cambridge University* Vol II (Cambridge, CUP, 1888) p 188

<sup>292</sup> W.P. Griffith, *Learning, Law and Religion*, pp. 59-64.

<sup>293</sup> Mullinger, *History of Cambridge University*, p. 189.



writers as Castiglione and Erasmus, and subsequently, more locally, Sir Thomas Elyot, Roger Ascham and their like. The attributes nurtured during a university education were contributing to the development of a more diversified gentry-based ruling class with new shared cultural values and norms. The academic imprimatur of a degree was of less consequence for many than the social experience at Oxford or Cambridge of developing these gentlemanly virtues and capacities, as a precursor to local leadership or, for some, service to the crown. In general, it was only to the less well-off<sup>294</sup> – in particular intellectually gifted and relatively impecunious outsiders of Hugh’s kind – that degrees were important as stepping stones to professions such as the church or the law, with their potential for higher social status in due course.<sup>295</sup> But this was not always the case. His fellow north-west Welshman, (Sir) William Jones of Castellmarch – later a King’s Bench judge – matriculated at St Edmund’s Hall, Oxford in the early 1580s, but did not take a degree, without penalty to his later ascent in the judiciary.<sup>296</sup>

Hugh himself spent four years at Trinity, Cambridge, graduating as Bachelor of Arts in 1568.<sup>297</sup> No documentation has been traced of his personal experience during this period, but his studies would have been largely within the college, as was customary at the time, under the supervision of a college tutor, shared with perhaps half-a-dozen others. His BA curriculum would have included dialectic (logic), advanced rhetoric, the major classical authors (Virgil, Horace, Cicero, and Aristotle) and natural philosophy (elementary science), with perhaps also briefer instruction in mathematics, geometry and Greek.<sup>298</sup> Trinity at this stage

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<sup>294</sup> Stone, ‘Educational Revolution’ - Tables V & IX show that the split between gentry and non-gentry matriculands at the two universities was approximately 50:50 in this decade.

<sup>295</sup> Griffith, *Civility and Reputation*.

<sup>296</sup> *ODNB*, Vol 19, pp. 659-660.

<sup>297</sup> Rouse Ball & Venn, *Admissions to Trinity*.

<sup>298</sup> *The Spenser Encyclopaedia* (Toronto, Univ of Toronto Press, 1990), pp. 130-131.

was equipped with no fewer than five lectureships in logic, as well as two in Greek and Latin literature, one in Greek grammar, and a further one in maths.<sup>299</sup>

However, quite apart from these studies, he would have been marked deeply by the Cambridge experience. It is not known whether he had actually arrived in the town by the month of August in 1564, his matriculation year, in time for Queen Elizabeth's spectacular five-day visit to Cambridge that month.<sup>300</sup> If so, he would have experienced the spectacle of this exceptionally extravagant display at first hand. And if not, he would have missed it by only a matter of weeks – close enough to encounter the afterglow of the presence of the royal court, and of the high pageants and festivities that marked the event as so memorable for the university and town alike<sup>301</sup>. Either way, it would have been a heady start for a young student from the remote provinces. Beyond this, more generally during the 1560s, Cambridge was the intellectual centre of religious controversy of developing national significance. Indeed, with St John's College, Trinity became a particular focus of such debate during the very years Hugh was an undergraduate there. The royal intention in creating the college in the 1540s had been that it should be dedicated primarily to the production of ministers for the newly reformed English church. This helped Trinity to attract fellows from the cream of protestant theological talent. By the 1560s, following the Anglican settlement of 1559<sup>302</sup>, there was a substantial body of influential opinion in the country urging that the church reform process should be carried still further in a Presbyterian direction, not least to combat resurgent post-Council of Trent Catholicism. With protestant theology in continuing international ferment<sup>303</sup>, Cambridge was the magnet for much of the new

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<sup>299</sup> Ibid.

<sup>300</sup> J. Nichols, *The Progresses and Processions of Queen Elizabeth, Vol I* (London 1823), pp. 151-189; also Mullinger, *History of Cambridge University*, pp. 190-192.

<sup>301</sup> Ibid.

<sup>302</sup> Act of Uniformity, 1559. (1 Eliz. c.2).

<sup>303</sup> D. MacCulloch, *Reformation: Europe's House Divided 1490-1700* (London, Allen Lane, 2003), pp. 286-358.

thinking in England. And under the Masterships of Robert Beaumont and (from 1567) John Whitgift, the future Archbishop, Trinity itself emerged as the radical intellectual hub of new puritan thought. With Thomas Cartwright also a senior fellow of the college – and, after 1566, university preacher and then Lady Margaret professor of divinity - the resultant excitements naturally spilt over into the student body as a whole, of which Hugh was then part. There were student demonstrations, disciplinary measures and intense debates<sup>304</sup>, a foretaste of the wider Parliament-Crown frictions of the 1570s, when puritan discontents about the Elizabethan religious settlement came to preoccupy the political nation at large.

It is impossible to know what were either the immediate or the longer term effects of Hugh's ringside exposure to these powerful religious and philosophical currents for his personal values and beliefs, nor to ascertain what particular friends he made inside or outside Trinity during his time there. Immediately next door to Trinity is St John's College, which in the mid-sixteenth century was one of the principal honey-pots for Welsh undergraduates at the university. Two of Hugh's immediate contemporaries at St John's – both of whom matriculated in early 1565, within a few months of Hugh - were Edmund Prys and William Morgan, the former of whom went on to become a celebrated bard and translator of The Psalms into Welsh, and the latter, the translator of the 1588 Bible, to which Prys also contributed. Given that both they and Hugh were Welsh-speaking natives of north-west Wales,<sup>305</sup> and that their two colleges were relatively small – St John's having no more than 180 undergraduates in the mid-1560s,<sup>306</sup> and Trinity around 150,<sup>307</sup> - it is inconceivable that they would not have known one another at this formative

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<sup>304</sup> J.P.C. Roach, *A History of the County of Cambridge and the Isle of Ely. Volume 3: The City and University of Cambridge* (Oxford, OUP, 1959), pp. 174-176.

<sup>305</sup> William Morgan was from Penmachno near Betws-y-Coed, Edmund Prys from Maentwrog in Merioneth.

<sup>306</sup> TNA SP 12/38 fols 104r-105.

<sup>307</sup> www.trin.cam, op cit.

stage of their lives, and equally improbable that they would not have shared an interest in the dramatic nationally important doctrinal debates being enacted before their very noses. On the other hand, one cannot assume that they became actual friends. Their lives took sharply different directions after Cambridge, and there is little in Hugh's papers to signify anything but a conventional attachment to confessional or ecclesiastical matters. There are indications that in the 1550s his grandfather Huw may have had Catholic sympathies,<sup>308</sup> but that was during Mary's reign, so perhaps can be considered unremarkable. By the time of Hugh's adulthood, Protestantism was increasingly the norm – and mandatorily so for a crown official such as he became. What is more, as will be seen below, several members of his wife's family, the Montagus of Northamptonshire, were on the puritan wing of the Anglican church,<sup>309</sup> a fact which also makes it unlikely Hugh himself was positioned very differently.

Following graduation from Cambridge in 1568, there was then a gap of three years before Hugh progressed to the next stage of his education. It was not until mid-1571 that he arrived at the Inns of Court in London to begin the extended training in common law needed for qualification for the bar<sup>310</sup>. The three-year hiatus is puzzling. Perhaps by that stage he had still not decided to commit himself to the law, or perhaps there were passing financial pressures back home. It was during this period between 1568 and 1571 that his father, Dafydd,

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<sup>308</sup> In Lewis Menai's *Marwnad Huw ap Llewelyn ab Ifan 1557*, (in Wyn Wiliam (ed), *Menai*, p 12), the concluding couplets, '...*Am a roes yma i'n rhaid /I wan er mwyn ei enaid/ Fry galwai Fair o Gwellen /Huw ar law Dduw I'r wlad wen*' ('...For what he gave here for our needs /to the weak for the sake of his soul / aloft Mary of Cologne called /Huw at God's hand to the holy land'), may refer to an endowment or alms left by Huw to a religious house or order, in the hope that St Mary of Cologne will intercede for his soul – probably signals of Catholic adherence, though this would have been unsurprising during Mary's reign. I am grateful to Dr Jerry Hunter for this suggestion.

<sup>309</sup> On the Montagus, see pages ...below. Sir Edward Montagu 3<sup>rd</sup>, Elisabeth's first cousin and head of the family, was noted for puritan sympathies (*ODNB*, Vol 38, p.701), as was his brother James, Bishop of Bath and Wells and one of the translators of the King James Bible (A.Nicholson, *Jacobean England and the Making of the King James Bible* (London, Harper, 2003), p. 51).

<sup>310</sup> *Lincoln's Inn Admissions Register*, 3 May 1571.

completed the construction of the first phase of the new Plas Coch, as indicated by the ‘1569’ inscription over the porch of the front door.

### **Lincoln’s Inn**

On 3 May 1571, Hugh was admitted to Lincoln’s Inn<sup>311</sup>, as a trainee common law barrister. His Anglesey neighbour Thomas Bulkeley had preceded him by just seven weeks.<sup>312</sup> All of the Inns of Court were expanding at this time, in terms of both attendance and political and social importance. ‘A revolution in legal life’<sup>313</sup> was under way in Britain, reflecting the ever-mounting significance of secular law in relation to issues of constitutional and public-administrative significance, quite as much as the escalating numbers of private disputes between citizens. In a period of continuing economic and social upheaval, lawyers were becoming the bearers and articulators of what Bouwsma terms the ‘new secular pragmatism’.<sup>314</sup> Their idioms and concepts were reshaping patterns of social and commercial relationship, as well as serving increasingly as media for the expression of general political discourse throughout the second half of the century.<sup>315</sup> One instance of this influence can be seen in fall-outs from the general expansion in trade during the period and its associated consolidation of an expanding merchant class closely allied to - indeed frequently indistinguishable from - the rising gentry. Steady expansions of personal liquidity meant that predominantly *commercial* capital was reshaping what had formerly been an essentially agricultural economy. With continuing inflation and depreciation of fixed incomes, this fed the growing market in land, and with it, crucially, an associated pressure for the modernisation of property law, in

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<sup>311</sup> Ibid.

<sup>312</sup> See notes 219-220 above,

<sup>313</sup> R. O’Day, *The Professions in Early Modern England 1450-1800: Servants of the Commonwealth* (London, Pearson Education, 2000), p. 120.

<sup>314</sup> Bouwsma, *op cit*, p. 308.

<sup>315</sup> C.W. Brooks, *The Law, Politics and Society in Early Modern England* (Cambridge, CUP, 2008), pp. 23-59.

turn stimulating innovations in relation to the security of leases and titles.<sup>316</sup> Reflecting such pressures, the common law was being forced to evolve rapidly, stimulated also by competition from the development of both equity and statutory law-making in the wake of the statute-based upheavals of the English reformation. The Inns of Court were thus brimming with self-confidence and intellectual vitality throughout Hugh's period, reflecting their members' sense of themselves as 'in collective possession of the law, through discussion at the Inns or in what were mainly unpublished learning aids'.<sup>317</sup> Issues of fundamental constitutional and social importance such as the relative standing of common and statute law, the proper place of precedent, the role of judges as interpreters of statute, and the relationships between judges and policies of the Crown were all being debated and contested fiercely,<sup>318</sup> with the Inns and their members constituting the veritable intellectual epicentre of such discussions. There was relentless – and doubtless for lawyers, personally invigorating – pressure to develop and document the common law more systematically, a development which proceeded alongside the accelerating evolution of educational approaches within the Inns of Court themselves.

Historically, common law training at the Inns had been conducted through essentially *aural* learning exercises, that is 'readings' or specialist lectures by senior barristers within the particular Inn; and formalised moots, akin to scholastic disputations, for shared discussion of cases and pleadings. There was no personal teaching as such, other than when privately contracted from tutors outside the Inns, nor were text-books used for private study. The focus had thus been predominantly on *techniques* of advocacy, rather than on the substance of the law itself. One result was that the knowledge needed to practice at the bar

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<sup>316</sup> Thorne, *Tudor Social Transformation*, pp. 15-21.

<sup>317</sup> Brooks, *Law, Politics and Society*, pp. 62-63.

<sup>318</sup> This discussion reflects J.H.Baker, *An Introduction to English Legal History* (Oxford, OUP, 2007 edn), pp. 41-202; L.A.Knafla, *Law and Politics in Jacobean England* (Cambridge, CUP, 1989), *passim*; & O'Day, *Professions*, pp. 113-150.

till the early sixteenth century was acquired by a process of collective quasi-apprenticeship, rather than through personal education in the terms in which it came to be understood subsequently.

By the time Hugh Hughes arrived at Lincoln's Inn, this system was in transition. Readings and moots continued to be central features of a barrister's training, with students required to take part in twelve 'grand' and twenty-four 'petty' moots before being entitled to be called to the bar.<sup>319</sup> However from 1560 onwards a major shift towards the written word, reflecting post-Gutenberg trends then sweeping through wider civil society, was also affecting legal education. Printed legal commentaries were proliferating. A few years earlier, between 1561 and 1569, Thomas Egerton, whose lifelong significance for Hugh Hughes is discussed further below, had also been reading for the bar at Lincoln's Inn.<sup>320</sup> He relied on some of the same texts as would have been recommended to Hugh a decade later.<sup>321</sup> These included Fitzherbert on older common law cases,<sup>322</sup> Phaer on precedents,<sup>323</sup> Littleton on land law,<sup>324</sup> Staunford on the royal prerogative,<sup>325</sup> Rastell on precedents for pleading,<sup>326</sup> and of course Plowden's Commentaries<sup>327</sup>. Also of central importance to Hugh as a trainee barrister would have been the proliferating and increasingly sophisticated law reports, now cataloguing significant pleadings and past court judgements. More than 200 of the 300 such collections to appear between 1485 and 1603 were published between 1570 and 1600.<sup>328</sup>

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<sup>319</sup> P. Raffield, *Images and Cultures of Law in Early Modern England: Justice and Political Power, 1558-1660* (Cambridge CUP 2004), p.21.

<sup>320</sup> *ODNB*, Vol 17, pp. 1007-1011.

<sup>321</sup> L.A.Knafla, 'The Law Studies of an Elizabethan Student', *HLQ*, 32 (1969), pp. 22-40.

<sup>322</sup> Sir Antony Fitzherbert, *La Nouvelle Natura Brevium* (London 1553).

<sup>323</sup> Thomas Phaer, *A Boke of Presidentes Exactly Written in Maner of a Register* (London, 1550).

<sup>324</sup> Sir Thomas Littleton, *Littleton's Tenures* (London 1557).

<sup>325</sup> William Staunford, *An Expositicō of the Kinges Prerogative* (London, 1567).

<sup>326</sup> William Rastell, *A Colleccion of Entrees* (London, 1566).

<sup>327</sup> Edmund Plowden, *Les Comentaries* (London, 1571).

<sup>328</sup> O'Day, *Professions*, p. 127

This developing sense of the common law as a dynamic intellectual discipline, over and above its accessibility through acquired ‘craft’ skills and practices, naturally put a higher premium on university-based academic training than had previously been the case. Previously, only civil and canon lawyers had been subjected to university-level legal training, but now, increasingly, the rigour of academic discipline was being applied also to the common law. Individuals like Hugh and his colleague (Sir) William Jones were the beneficiaries. A rising proportion of Inns of Court attendees had first attended Oxford or Cambridge – increasing from just 13% in 1561, to 42% in 1581 and a striking 49% by 1601<sup>329</sup>. However, by no means all of these were intent on pursuing the law as a profession. The Inn societies were indeed professional schools for those seeking such a career, but throughout this period they were also serving as, effectively, intellectual finishing schools, ‘the nurserie of the greater part of the gentry of the realme’.<sup>330</sup> As with the attitude to degrees at the universities, barely a third of individuals in attendance were intent on completing their studies with the intention of qualifying for the bar. For the majority, the Inns were cultural academies for young men from predominantly the higher social classes, at the heart of the capital. This tendency has tended to be explained as resulting from awareness by growing numbers of gentry heirs of the importance of legal knowledge in future management of their estates, or simply as a social fashion amongst the aristocracy and gentry<sup>331</sup>. Prest suggests that the law occupied ‘much the same place in the popular mind as economics has enjoyed in the present [ie 20<sup>th</sup>] century’ and that therefore passing exposure to its idioms would have been seen as simply a desirable feature of a full education, rather than necessarily having practical utility.<sup>332</sup> Yet whilst doubtless true for many, the suggestion needs nuancing. The attractions of attendance at the Inn also

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<sup>329</sup> Ibid, p. 129.

<sup>330</sup> BL MS Lansdowne 155, f.107, cited in W.R. Prest ‘Legal Education of the Gentry at the Inns of Court, 1560-1640’, *Past and Present* (1967) 38, p. 23.

<sup>331</sup> Russell, *Crisis of the Parliaments*, p. 54.

<sup>332</sup> Prest, *Inns of Court*, p. 37.



reflected a widening and deeply serious recognition of the importance of law and legal concepts for thinking about and participating in politics and society as a whole, at a time when the many of the axioms of political and constitutional understanding were beginning to be contested in increasingly meaningful fashion. Indeed Hugh's expanding involvements as a senior government law officer and administrator in the 1590s and 1600s<sup>333</sup> point to the likelihood that he personally would have been swimming in intellectual currents of just these kinds amongst his peers in the Inn societies. Stone observes that, as the gentry cohorts who populated the Inns in the 1580s and 90s (that is to say, the generation immediately following Hugh's) came to reach maturity in the early Stuart decades, the consequences were to prove momentous. The Long Parliament of 1640, says Stone, was 'a remarkably, possibly a uniquely well-educated body',<sup>334</sup> observing of its members that 'it was their [earlier] training at the Inns of Court which gave the squirearchy those dangerous ideas about the limits imposed on sovereignty by the law of the land; it was their training at the university which gave them the sense of responsibility for their own affairs, the confidence in their own powers, the logic and the rhetoric needed to sway their fellow-members, together with the personal contacts which helped them to combine to impose their views upon their kind in 1640.'<sup>335</sup> The trends were clear even in Hugh's time. By 1593, upwards of 36 per cent of Members of Parliament had previously attended an Inn of Court, a proportion which had swollen to 55 per cent by the time of the Long Parliament itself.<sup>336</sup> All of this lay in the future during Hugh's own period as a Lincoln's Inn student in the 1570s, but during his time there seeds were being planted. The intellectual and social chemistry of the Inns was evolving steadily through a distinctive blend of

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<sup>333</sup> His appointments as successively Attorney-General for north Wales, member of the Council in the Marches, and Lord Chief Justice for Ireland, are addressed in detail below in chapters five and six.

<sup>334</sup> Stone, 'Educational Revolution', p. 78.

<sup>335</sup> Ibid.

<sup>336</sup> Stone, 'Educational Revolution', p. 79.

‘amateur’ and ‘professional’ energies, in stimulating proximity to the court and metropolis.

It was almost nine years before Hugh was finally called to the bar, rather longer than the average for the period of 7.4 years.<sup>337</sup> The situation back home may provide an explanation for the delay. His father had died in 1574, an event the aftermaths of which almost certainly required time back in Anglesey for months on end, or perhaps even longer. He was Dafydd’s eldest son and heir, and the evidence is that the two had worked in tandem in Anglesey over the previous ten years. For example, at least two properties in Menai were acquired for the estate in Hugh’s rather than Dafydd’s name during precisely that period<sup>338</sup>.

Moreover, the elegy (*marwnad*) marking Dafydd’s death in 1574, composed by Robert ap Ifan, hints at the closeness of the family relationships, including both the promise of and expectations for Hugh himself:

‘*Pob abl di-gabl da a gair /o’th fin yn iaith fwyn iawnair /Blaid ewybr yw’r blodeuyn /lain cain sud o Lincon’s Inn*’<sup>339</sup> (‘Every fitting and slander-free goodness/comes from your mouth in the tender language of the apt word/The flower[heir] is of a quick sort/A fair blade of Lincoln’s Inn’).

So the demands on the latter’s energy during this period were probably considerable – returning to Anglesey to take over and consolidate the family’s affairs and newly constructed mansion, and ensuring the security and comfort of his mother and siblings, whilst at the same time straining not to lose track of a demanding course of study in the capital. If this was indeed the case, it suggests a character with an impressive degree of stamina and steadiness of focus.

<sup>337</sup> Griffith *Learning, Law and Religion*, p. 177.

<sup>338</sup> UB Plas Coch 83 & 86.

<sup>339</sup> Robert ap Ifan, ‘Marwnad Dafydd Llwyd ap Huw 1574’, in Wyn Wiliam, *Menai*, p. 13.

By now he was in his late twenties, and the indications are that even at this relatively early stage his abilities had won recognition on the island<sup>340</sup> - indeed it seems clear he had caught the eye of people of influence as a rising talent. In 1577, a full two years before completing his term at Lincoln's Inn, at the young age of 29, Hugh was appointed to the Anglesey Commission of the Peace. Quite who his sponsors for the appointment might have been is an intriguing question. One possibility is Sir Richard Bulkeley 3<sup>rd</sup>, who was Anglesey's *custos rotulorum*<sup>341</sup>, and at that stage influential at court and an intimate of the Earl of Leicester.<sup>342</sup> Though he is by no means the only possibility (as discussed in the next chapter), the appointment would have required his positive endorsement, if not active promotion. No previous member of Hugh's direct family had been made a justice, so it is reasonable to suppose that the appointment of one of his years reflected a judgement about personal qualities, rather than social position. It may be relevant that, as already noted, Thomas Bulkeley, Sir Richard's nephew, was Hugh's exact contemporary at Lincoln's Inn<sup>343</sup>, having also been a next-door neighbour at Porthamel Uchaf (Porthamel Hall) since childhood. The parallel progress of the two tyros would doubtless have been noted from time to time in Beaumaris. And conceivably, with Sir Richard serving at court throughout most of the 1570s<sup>344</sup>, there may also have been occasions for social interaction involving the two young men in London.

Be that as it may, the significant point is that Hugh's time as a student at Lincoln's Inn was unusually protracted - and part of the explanation, at least for the period between 1577 and 1579, may have been that the demands of day-to-day obligations as a newly appointed Anglesey justice required lengthier spells

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<sup>340</sup> Ibid.

<sup>341</sup> *Custos rotulorum*: A post created by statute in 1545, the *custos rotulorum* held the records of the county Commission of the Peace and in Wales handled communications with the Council in the Marches and Privy Council, to which all such Commissions were responsible.

<sup>342</sup> *ODNB*, Vol 8, pp..575-577.

<sup>343</sup> See notes 219 & 220 above.

<sup>344</sup> Jones, *Bulkeleys of Beaumaris*, p. 168.

back home than previously. As will be seen in the next chapter, these obligations were anything but trivial.

### **Barrister**

Hugh's call to the bar came on 25 November 1579. This meant he would have been equipped with the requisite arts and skills to plead in the English and Welsh common law courts, though it would be a further four years before he was entitled to do so on his own. The indications are however that for much of the decade that followed he was then resident, and highly active, in and around Anglesey. An attempt is made to piece together the evidence for this in the next chapter. Though documentary evidence is lacking, the likelihood is that in the first half of the decade he would have worked in tandem with more senior advocates, possibly on the North Wales circuits of the Courts of Great Session, and subsequently as an advocate in his own right, including perhaps in the Council in the Marches and Westminster courts. There may again be parallels here with the slightly later career of William Jones of Castellmarch, who by the end of the 1590s, following his call to the bar at Lincoln's Inn, 'had built up a substantial Clientele among friends and neighbours in north-west Wales, including the Wynns of Gwydir'.<sup>345</sup> There is evidence, albeit scrappy, in Hugh's archived papers of involvement as an attorney in suits concerning a mortgage dispute and other land transactions during this period.<sup>346</sup> The connection with Lincoln's Inn as a professional home base would have continued in parallel, though there is tantalisingly little direct proof of any of his activities as an advocate there till his elevation to the Bench of the Inn in the following decade, on 29 January 1594.<sup>347</sup> From that point on there are frequent references to his specific involvements as a member of what was the governing body of the Inn. During legal terms at Lincoln's Inn, he would have had immediate first-hand

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<sup>345</sup> *ODNB*, Vol 17, p. 659.

<sup>346</sup> UB Plas Coch 351, 352, 353.

<sup>347</sup> *LI Black Books*, Vol II (Lincoln's Inn, 1898), p.31.

exposure to legal and political controversies of the day. As already mentioned, throughout Elizabeth's later decades the Inns of Court were developing as a sophisticated centre of intellectual and cultural life in the capital, 'the very hub of political gossip' in Dodd's phrase.<sup>348</sup> The combination within the Inns of serious law students and sons of noblemen and gentlemen enrolled 'to acquire a basic knowledge of the law and the social polish of London society'<sup>349</sup> was probably a mix of enlivening and exasperating for the former.

Regardless of the distinction however, both 'professionals' and 'amateurs' at the Inns were exposed, willy nilly, to identical wider political and cultural currents. A stone's throw down the road in Westminster and the Royal palaces were members and former members of the Inns active in every sphere of government – in the law courts, as Palace courtiers, as crown officials, as members of Parliament, or simply as suppliants for office. Though far and away the largest city in the country, London at this stage had a population of little more than 150,000, the size of present-day Norwich or Preston. And the numbers involved at first hand in government and the courts would have been only a fraction of that – perhaps three or four thousand. The sense of personal proximity and attunement to the ebb and flow of events, and to the succession of crises and tensions affecting the body politic throughout these years, would have been unavoidable for individuals like Hugh.

To illustrate, one of his Lincoln's Inn colleagues was the redoubtable Thomas Egerton - later Sir Thomas, and subsequently Lord Ellesmere. Egerton was older than Hugh by about six years, and developed into one of the leading jurists of his time. A tough-minded, austere, and dedicated public official, who

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<sup>348</sup> A.H. Dodd, 'The Pattern of Politics in Stuart Wales', *THSC* 1948, p. 14.

<sup>349</sup> P. Williams, *The Later Tudors: England 1547-1603* (Oxford, OUP, 2002), p. 393.

also built a large fortune on the job, he was one of the Inn's shining lights.<sup>350</sup> Elevated to its Bench in 1579, he gained appointments to progressively more senior Crown legal offices, rising in 1603 to become James I's Lord Chancellor. In the mid-1580s, Egerton was Solicitor-General, which involved him as a key figure for the Crown in the succession of spectacular anti-Catholic treason trials of the period 1585-92. Assassination plots against Elizabeth led to intensifying repression of recusant Catholics, which in turn fed further conspiracies and persistent national anxiety, reflected in the execution of Mary Stewart (Queen of Scots) in February 1587. The state trials of Campion (1581), Throckmorton (1583) Babington (1586) and others were manifestations of an increasingly pervasive sense of English embattledness in the face of active Papal and Spanish determination to bring Elizabeth down and replace her. Moreover, though the defeat of the Spanish Armada in July 1588 gave a huge boost to national morale, anti-Catholic paranoia continued thereafter with increasing intensity. As Nicholl observes, 'it was a time of crisis management, of suspicion and surveillance, of special powers of investigation to "make windows in men's souls"'.<sup>351</sup>

Egerton's role as a prosecutor in the succession of high-profile state trials, alongside John Popham as Attorney-General, illustrates in stark form the degree to which senior lawyers active in their Inns were simultaneously central figures in the public-political realm, at a time when the nation as a whole – and the legal-political establishment in particular – was agitated by pervasive concerns about national security and social order. Yet strikingly, alongside such urgent preoccupations, Egerton's commitment to his routine responsibilities within Lincoln's Inn itself appears to have continued unabated – for example, as a Reader and then Treasurer (ie head) of the Inn in 1585. Throughout the decade,

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<sup>350</sup> Knafla, *Law and Politics*; ODNB, Vol 17, pp.1007-1011.

<sup>351</sup> C. Nicholl, *The Reckoning* (London, Vintage, 2002), p. 32.

he continued to interact with both students and bench colleagues on a range of internal matters, both intellectual and administrative.<sup>352</sup> Moreover, as a relentless network-builder and dispenser of professional patronage, Egerton appears to have sustained a genuine interest in talented younger members of the Inn, participating in moots and discussions of others' readings.<sup>353</sup> For Hugh and others like him, interactions with luminaries like Egerton were probably a familiar feature of life within the Inn, whenever the latter were present during law terms.<sup>354</sup> And through such interactions, the bar students' sense of the law as shaping and bearing directly on the momentous political events of the day, and indeed on the very future of the state, would have been fed continuously.

There are also reasons for believing that Hugh's career specifically may have benefited from Egerton's good offices. The ring worth £5, left by Hugh in 1609 to Egerton, by then Lord Chancellor Ellesmere, under his will, is one obvious pointer, but there are also a number of others. Egerton was from broadly the same part of the kingdom as Hugh – from Cheshire, just across the Flintshire border - and he was thoroughly familiar with the North Wales circuits of the Court of Great Sessions, as well as, from 1586, the Council in the Marches. Moreover, as he rose to ever-greater national influence in the 1590s and 1600s, Egerton's personal interest in those powerful regional entities continued to be close, at precisely the time Hugh himself was becoming a leading presence in them.<sup>355</sup> Significantly, it was Egerton's son-in-law, Peter Warburton, another Lincoln's Inn colleague and Hugh's predecessor in the afore-mentioned north

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<sup>352</sup> Knafla, *Law and Politics*, pp. 13-14.

<sup>353</sup> J.H. Baker, *Readers and Readings in the Inns of Court and Chancery* (London, Selden Society, 2000), pp. 132, 577.

<sup>354</sup> There were four terms: Michelmas (lasting c. seven weeks); Hilary, Easter and Trinity (each three weeks). Attendance fluctuated, according to member's circumstances, in particular his professional geographical sphere. In general, the owners of chambers had to be personally 'in commons' for four months each year or forfeit, unless they held a 'special admission' or had further reasonable excuse for absence (*LI Black Books*, Vol II, pp. 40-1, 78). '(The Inns) operated more like residential clubs or hotels, catering for a fluid, heterogeneous population of semi-permanent guests and short-term transients' (Prest, *Inns of Court*, p. 16).

<sup>355</sup> Hugh became Attorney-General for the North Wales circuits of Great Sessions in 1594, and a member of the Council in the Marches in 1601. These matters are explored in detail in chapters four and five.

Wales Attorney-Generalship, who appointed Hugh as his Deputy in 1592<sup>356</sup>, a nomination that would almost certainly have reflected Egerton's endorsement. What is more, Hugh's succession of further prerogative appointments in the 1590s and 1600s – as Sheriff of Anglesey, as *quorum* member of Commissions of the Peace in no fewer than three Welsh shires, and as a member of the Council in the Marches from 1601<sup>357</sup> - would all have been vetted by Egerton, amongst others, whether as top crown legal officer, Council in the Marches eminence, or Privy Councillor.

An apparently trivial episode in the domestic politics of Lincoln's Inn, in 1602-1605, adds further to the impression that Egerton viewed Hugh positively. The incident concerned the allocation of living and working space, always a charged and sensitive issue within hierarchical institutions. Reflecting powerful standing within the Inn, Egerton held title to many of its chambers, whilst also exerting influence over the occupation of yet others. In 1602, Sir John Wynn (of Gwydir) tried to acquire, for his own son John, the chamber of John Panton, a Denbighshire man whose original sponsor (manucaptor) at the Inn had been Egerton himself.<sup>358</sup> The great man blocked the acquisition. Two years later however, he secured the same chamber for William Ravenscroft, a Flintshire man who was one of his own circle, the brother of his (Egerton's) first wife, Elizabeth.<sup>359</sup> At that point, Ravenscroft's own previous room was passed on to Hugh Hughes. The Wynns were left to fume impotently.<sup>360</sup> The story itself proves little other than that Egerton was prepared to act forcefully both on behalf of those he favoured, and against those he did not. Hugh was a beneficiary in this case, and that is significant.

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<sup>356</sup> UB Plas Coch 150. Also *ODNB*, Vol 59, pp. 264-265.

<sup>357</sup> Chapters four and five contain more details and full references.

<sup>358</sup> *LI Admissions Register*, 29 June 1594.

<sup>359</sup> Ravenscroft was in fact brother of Egerton's first wife, Elizabeth (d.1588). (Knafla, *Law and Politics*, pp. 9, 25).

<sup>360</sup> This anecdote reflects research summarised in Griffith, *Learning, Law and Religion*, p. 154. At this time, the demand for chambers in all of the Inns greatly exceeded supply. (Prest, *Inns of Court*, p. 13).



There are plainly speculative elements to claims made for Egerton's support of Hugh, but the essence of the matter can be reduced to syllogistic form: Egerton, as a relentless legal power-broker, was always attentive, both professionally and for reasons of personal interest, to legal and crown-official appointments in the Cheshire/North Wales region. He also became familiar, from continuing collegial interactions, with Hugh's qualities as an accomplished Inn member and rising public lawyer. Hugh flourished across north Wales at precisely the time Egerton's influence was greatest. Ergo, it is reasonable to infer that Egerton was on Hugh's side and assisted his rise.

Indeed, an intriguing, if rather more speculative, convergence may also be suggested. Egerton, with a personal outlook nurtured from childhood in the then remote England-Wales borderlands, was always a keen defender of the value not only of ecclesiastical courts, but also of the relatively autonomous jurisdictions of long-established regional and local authorities – for example, the County Palatine of Cheshire<sup>361</sup> and the Council in the Marches. In the early years of the seventeenth century, he engaged in a celebrated intellectual tussle with Sir Edward Coke over the latter's arguments for getting rid of such bodies, perceived by Coke as loci of prerogative power, by extending the central courts of law – particularly those administering the common law – to encompass their powers.<sup>362</sup> In one sense Coke's campaign was part of the wider struggle against the royal prerogative, feeding tensions that contributed ultimately to the civil war. But for Egerton (by now Lord Ellesmere), a conservative pragmatist less

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<sup>361</sup> T. Thornton, *Cheshire and the Tudor State 1450-1560* (London, Royal Historical Society/Boydell Press, 2000).

<sup>362</sup> *Observacions upon Cookes Reports*, British Library Hargrave manuscript 254 ff 52r-7r - Ellesmere's critiques of Coke's Reports on Fairley's case (1604) & Case of the Isle of Ely (1610). Also, Knafla, *Law and Politics*, Chapter VI 'The Clash of Jurisdictions: Central and Local Authorities, Secular and Ecclesiastical': '[Coke's] reports, together with Ellesmere's critique, represent in the broadest sense a clash of views on the jurisdiction of courts in the English legal system: central and local, secular and ecclesiastical', p 123.

troubled by the prerogative per se, a diversity of jurisdictions was a good in itself, provided they could be made to work equitably.

It is impossible to know with absolute certainty what Hugh's own attitude was to such matters. However, one senses that he would have leaned in Egerton's direction. The crown's influence had been good to Wales, particularly through the Council in the Marches, of which he was appointed a member in 1601.<sup>363</sup> And significantly, as the next chapter will show, he had chosen deliberately to make his career in north Wales, working in courts under a multiplicity of jurisdictions – manorial, shrieval and ecclesiastical, as much as Westminster-based. He appears to have had a broadly sympathetic understanding of each.<sup>364</sup>

## Marriage

Early in 1588, Hugh married Elizabeth Montagu. He was forty. It was an unusually late first marriage for a man of his times and social caste - the median age for first marriages of heirs in the landed squirarchy during this period being just twenty-two.<sup>365</sup> Perhaps he had been too preoccupied with his work and wider family responsibilities to have got round to it earlier. Perhaps he had just not been the marrying kind. It is impossible to know. What is striking is that when he finally made the commitment – and it must surely have been the result of his own personal decision, his father having died some fourteen years previously - it was to an English woman of impressive social credentials, from a family key members of which became important to him for the remainder of his life.

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<sup>363</sup> Williams, *Council in the Marches*, p. 351.

<sup>364</sup> Discussed in chapter four below.

<sup>365</sup> L. Stone, *The Family, Sex and Marriage in England 1500-1800* (London, Pelican, 1979), p.42. Stone cites this figure for 'the English squirarchy'. No separate such statistic for Wales has been identified, though there is no reason to suppose it would be different..

The Montagus were a large and closely knit Northamptonshire clan, prototypical land-owning England gentry of the late Tudor period, but they were also considerably more than that.<sup>366</sup> Amongst Elizabeth's close relatives were lawyers and public figures of high distinction. Her grandfather, Sir Edward Montagu the 1<sup>st</sup> (c1480-1557), had been Chief Justice of both the King's Bench and the Common Pleas under Henry VIII.<sup>367</sup> And a generation later, in the period following the marriage to Hugh, several of her immediate first cousins were to prove similarly accomplished. Henry (1564-1642) was a lawyer who rose to become Lord Chief Justice, Lord Treasurer (1620), and Earl of Manchester.<sup>368</sup> Sidney (1571-1644), also a lawyer, was knighted and made Master of Requests (in 1616).<sup>369</sup> His wife, Paulina Pepys, was aunt of the celebrated diarist.<sup>370</sup> And James (1568-1644) a minister of the church, became Bishop of Bath and Wells and subsequently (also in 1616) of Winchester, as well as being one of the Oxford Translators of the King James Bible.<sup>371</sup> All of these individuals had been to either Oxford or Cambridge, and first two to the Inns of Court. The eldest brother of the three, Sir Edward Montagu the 3<sup>rd</sup> (1562-1644), had also attended Oxford and the Middle Temple, and lived most of his life in Northamptonshire, being finally created Baron Montagu of Boughton by James I in 1621. This was a family of high achievers, who within a generation would be one of the most conspicuous and successful clans in the land. When they gathered together at funerals and other family occasions, there must have been an intellectual as well as a political crackle in the air.

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<sup>366</sup> This summary draws principally on: ES Cope *The Life of a Public Man: Edwards, First Baron Montagu of Boughton 1562-1644* ( Philadelphia, American Philosophical Society, 1981); and *Letters of the Montagu Family Vol I – 1537-1643* Boxes 13/1-6, in the Northamptonshire Records Office. Other more specific sources are detailed below.

<sup>367</sup> *ODNB*, Vol. 33, pp. 699-700.

<sup>368</sup> *ODNB* Vol. 33, pp. 732-736.

<sup>369</sup> J & JA Venn, *Alumni Cantabrigiensis* (Cambridge, CUP, 1922) Vol 3, p. 202.

<sup>370</sup> *ODNB* Vol. 43, pp. 744-752.

<sup>371</sup> *ODNB* Vol. 38 pp. 738-740.

At the time Hugh first encountered the family – perhaps in the mid-1580s, though possibly earlier, as is argued below – the head of the family was Sir Edward Montagu the 2<sup>nd</sup> (1530-1602).<sup>372</sup> He presided over the extensive family estates in east Northamptonshire, around Barnwell and Brigstock, with assets substantial enough to allow him to give his two daughters marriage portions of £3,000 each.<sup>373</sup> Sir Edward's next two brothers were Roger and Simon. The former was a prominent businessman in the City of London. The latter was Elizabeth's father, who appears (as will be shown below) to have lived out a comfortable existence as Roger's tenant in the manor house at Brigstock, almost certainly Elizabeth's childhood home.

A question of particular interest here is: how did Hugh meet this family, and Elizabeth in particular? The evidence is patchy, but significant for an understanding of Hugh himself.

None of the male members of the Montagu family had been precise contemporaries of Hugh's at either Cambridge or Lincoln's Inn. But after more than a decade and a half of to-ing and fro-ing in and around the capital, his social networks are likely to have been extensive enough to have brought him into social contact with one or other of the Montagus, whose own Inns of Court connections were multifarious. But beyond this, two specific possible candidates as broker - if not for the marriage itself, then at least for the initial introduction - merit consideration.

First, records of an Exchequer Court suit of 1587 (a year before the marriage), concerning land in south-east Anglesey,<sup>374</sup> show Hugh to have been a co-defendant in an action with one 'Walter Montagu', who appears to have been a

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<sup>372</sup> Cope, *Life of a Public Man*.

<sup>373</sup> Offering, 'Puchasing Power'.

<sup>374</sup> This is one of the cases already discussed in chapter two above. (Jones, *Exchequer Proceedings*, p.13).

business partner in the matter of land acquisitions. The strong likelihood is that this Walter was the son of that christian name of Sir Edward Montagu 2<sup>nd</sup> - a first cousin and contemporary of Elizabeth.<sup>375</sup> Walter was born in 1562-3, and was thus at least fifteen years younger than Hugh. By this stage he was married to Jane Morgan of the Morgans of Tredegar and Pencoed Castle in Monmouthshire.<sup>376</sup> It is plausible to suggest that Hugh could have met him through Welsh gentry networks earlier in the 1580s, and could then have been introduced through him to the Northamptonshire Montagus. But whatever the initial connection, the fact of a personal relationship with Walter prior to 1587 points to Hugh's acquaintance with at least some of the family for a period of years prior to his marriage to Elizabeth.

A second possible broker is Elizabeth's uncle Roger Montagu. There are good grounds for believing that Hugh enjoyed an enduring and apparently valued relationship with this individual, both prior to and across the duration of the marriage. In the first place, he chose Roger as the key signatory and 'feoffee in trust' of the formal marriage settlement between himself and Elizabeth on 24 February 1588<sup>377</sup>, and at a later stage also chose Roger to act as executor of his will<sup>378</sup>. Beyond this, on occasion Roger lent his name and active engagement to key land dealings of Hugh's in 1591,<sup>379</sup> and even lent him money.<sup>380</sup>

Particularly striking in the will is the apparent degree of trust Hugh reposed in him ('my loving uncle') in relation to possible arrangements for Elizabeth's future welfare in the event of her widowhood.<sup>381</sup> A further possible pointer to the personal warmth of the connection is the fact that in 1590 Hugh and

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<sup>375</sup> Walter Montagu (1562/3-1616) was Sir Edward's second son. Knighted in May 1603, he subsequently became Monmouthshire's Sheriff (in 1608) and Member of Parliament (in 1614). (Williams, *Parliamentary History of Wales*, p. 78.)

<sup>376</sup> Ibid.

<sup>377</sup> UB Plas Coch 130.

<sup>378</sup> UB Plas Coch 173.

<sup>379</sup> UB Plas Coch 144-147, 148.

<sup>380</sup> UB Plas Coch 3008.

<sup>381</sup> UB Plas Coch 173.

Elizabeth chose the name Roger for their only son, a Christian name of which there is no previous trace in any of Hugh's antecedents. Viewed in tandem with the other pointers, it seems less fanciful to ascribe the choice to respectful appreciation of the uncle's importance to both of them.

It should be added that the signature of Elizabeth's father Simon also appears on both marriage settlement and will. Nevertheless, the impression conveyed by the order of signing is that Roger was the dominant presence for Hugh. This impression is reinforced by fragments of other evidence pointing to the brothers' differences of personal character and circumstance. Roger was a highly successful merchant in the fur and silk trade, a member of the wealthy Skinners Company.<sup>382</sup> By the concluding decades of the century, he had become a leading figure in the City of London, of which he was a common councillor. He was also a hospital governor, and in 1602 was made Master (ie head) of the Skinners, a signal honour.<sup>383</sup> Perhaps significantly, this was the same year in which Hugh was to assume the office of Treasurer of Lincoln's Inn.<sup>384</sup> He and Roger were probably moving together in high London circles by this stage.

More conspicuously still, Roger was 'silkman' to Queen Elizabeth, in other words the Crown's supplier of silks<sup>385</sup>. The wealth that his business interests brought can be gauged by the fact that he was able to carry debts of £1840 [a 2009 equivalent of £270,000]<sup>386</sup> owed by his brother Edward in 1601<sup>387</sup>, and £2364 [equivalent to £347,000]<sup>388</sup> owed to him by the Crown in 1608<sup>389</sup>. He

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<sup>382</sup> R.M. Benbow, *Index of London Citizens Active in City Government 1558-1603*, (Centre for Metropolitan History, IHR) s.v. Roger Montague.

<sup>383</sup> *Ibid.*

<sup>384</sup> See page 114 below.

<sup>385</sup> IW Archer, 'City and Court Connected: The Material Dimensions of Royal Ceremonial ca 1480-1625' *HLQ*, 70:1 (2008), pp. 157-179.

<sup>386</sup> Offering, *op cit.*

<sup>387</sup> Cope, *op cit.*, p. 28

<sup>388</sup> Offering, *op cit.*

also had extensive property of his own in Northamptonshire, in and around Brigstock. What is striking in the present context is the likelihood that Roger spent much of his distinguished working life in London, during decades when Hugh was actively engaged with nearby Lincoln's Inn. It is a reasonable speculation, if no more, that the two became acquainted in London in the years before 1588, perhaps initially through professional business, and that Roger, the senior of the two, spotted qualities in this rising and still unmarried barrister and crown official from the provinces suggesting suitability as a potential partner for his niece, Elizabeth.

In contrast to Roger's social and entrepreneurial accomplishments, Elisabeth's father Simon was the older brother's tenant at Brigstock manor<sup>390</sup>, where the limited available evidence points to his having been content with local gentry life. He held the associated sinecure of Keeper of Farming Wood close to Brigstock,<sup>391</sup> and, to judge from correspondence between the brothers, looked out conscientiously for his siblings' (Roger and Edward) local interests, whilst also safeguarding his own and other less advantaged villagers' long-established rights in the long-settled communities of Rockingham forest. There is a flavour of his having been satisfied with a local manorial role.

The surviving personal letters<sup>392</sup> of the brothers offer a flavour of the family of which Hugh became part through the marriage to Elisabeth. For example, on 19 June 1600, Elisabeth's first cousin Edward (the 3rd) wrote to his mother, that is Elisabeth's grandmother, in anticipation of a visit back home, humorously relishing the prospect of eating the latter's frumenty and cheesecake, longing to help with fruit-picking in the garden, and looking forward to besting his father

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<sup>389</sup> M.A. Everett Green (ed) (1857): *Calendar of State Papers Domestic: James I, Vol 32*: 4 May 1608.

<sup>390</sup> *Montagu Letters*, Box 13/6.

<sup>391</sup> TNA Index 17334, pp. 378 ff, cited in: PAJ Pettit, *The Royal Forests of Northamptonshire, a Study in their Economy 1558-1714* (Gateshead, Northumbs Press for Northants Record Society, 1968), p. 170.

<sup>392</sup> *Montagu Letters*, Boxes 13/1-6.

in games of chess and ‘double-handed Irish’.<sup>393</sup> Others, from Roger in London to Edward, express similar delight in the pleasures of life in Northamptonshire and hopes that his brother and family will enjoy his presents of silk and embroidery. The exchanges have a cultured and spontaneous feel, hinting at a literate network of brothers, cousins, and more indirect connections, respectful of one another’s interests, and warm and thoughtful in their relations.<sup>394</sup>

Hugh’s acceptability to the family as a partner for Elisabeth must surely have reflected recognition – most particularly by Roger, if the speculation above is sound – of his accumulating professional and public accomplishments. In English gentry terms the Plas Coch land holdings at the time would almost certainly have been perceived as those of a modest backwoods squire from the remoter coastal fringes, hardly a satisfactory alliance for a Northamptonshire Montagu in purely social terms. There is no way of knowing precisely what Hugh felt about this passage into a higher social echelon. But it may not be fanciful to find hints of appreciation of the tastes and values of the Montagus in his own choice of redesign for Plas Coch, his family house, during the 1590s. The manor house at Brigstock, where Elisabeth was raised, still today an example of Flemish-influenced Elizabethan domestic architecture.<sup>395</sup> It was reconstructed by the Montagus some time in the 1550s. One is struck by echoes of some of its features in the recasting chosen and implemented by Hugh for Plas Coch, in the decade following the marriage. This is just one of several small pointers inclining one to sense that Hugh came to feel a degree of identification with the educated and sociable world of the Montagus. A further clue is the choice of Roger, and Elisabeth’s cousins, Edward and Henry,<sup>396</sup> rather than any of his many Anglesey kinsmen, as principal signatories for the

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<sup>393</sup> Ibid, 13/2.

<sup>394</sup> Ibid.

<sup>395</sup> N. Pevsner, *Northamptonshire* (London, Penguin, 1961), p.115

<sup>396</sup> UB Plas Coch 408.



marriage settlement and administrators of his will. Scarcely less suggestive are the indications of active business collaborations with cousin Walter, as well as with uncle Roger. Hugh seems to have felt easy with a number of members of the family and their ways of doing things.

Thus by the end of the 1580s, whilst unambiguously resident with his new wife at Plas Coch in Anglesey, and living and working much of the time in the heart of Welsh Wales (as will become clear in the following two chapters), he was also now entrenched by family as well as professional connection within the mainstream English governing class. This entrenchment then became all the more conspicuous over the next decade and a half, as he rose to become first a bencher and then Treasurer of Lincoln's Inn, as well as Anglesey's knight of the shire MP in the 1597 Parliament, as is discussed further in chapter five.

### **Bencher**

To be made a Bencher of Lincoln's Inn was to become one of the Society's governing elite. The Benchers met regularly during law terms, minuting their decisions in the Black Books. Hugh was summoned to the Bench on 29 January 1594.<sup>397</sup> The following year, on 15 May 1595, he was also nominated Autumn Reader,<sup>398</sup> giving three lectures which had as their focus Littleton's *Tenures*.<sup>399</sup> The source is a student's annotated edition of *Tenures*, referring briefly in law French to Hugh's three lectures, as well as to Thomas Egerton's active interventions during the discussions. Complex land-related issues of the kind discussed in Littleton's seminal volume, which had been published originally in 1481 but ran through many subsequent editions, appear to have been Hugh's particular field of expertise. This places him close to the centre of debates

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<sup>397</sup> LI Black Books, op cit, p. 31.

<sup>398</sup> Ibid. p. 38

<sup>399</sup> British Library Collections, 1379.h.10. The source is a student's annotated edition of *Tenures*, referring briefly in law French to Hugh's three lectures, as well as to Egerton's interventions during the discussions. See also SJ Baker, *Readers*, pp. 132, 180-181.

surrounding security of contracts and titles to real property which were of such significance in the later decades of the century.<sup>400</sup> Indeed Hugh's intellectual standing in relation to such matters appears to have been reflected in the Society's subsequent invitation to perform again, as a *double* reader, in 1605,<sup>401</sup> an invitation he felt professionally confident enough to turn down, choosing instead to pay the fine of £20.<sup>402</sup> Moreover, his success, like that of his Bencher colleague William Jones of Castellmarch, was helping raise the profile of Lincoln's Inn for others from his part of the world. The number of Welsh admissions to the Inn rose substantially between 1570 and 1610, from 12 to 40 per annum,<sup>403</sup> with a number of the new entrants attracting the personal guarantees of these two senior figures, as 'manucaptors'.<sup>404</sup>

Being a Bencher meant Hugh also came to play a role in more practical matters within the Inn. Two such assignments are suggestive of how his administrative capacities were regarded by colleagues. One concerned the steady growth in numbers of those being admitted to the Inn, and the resulting pressures on space. Hugh was appointed on three separate occasions in 1599-1600 to new ad hoc sub-committees, examining the possibilities for new building and for reallocations of space already committed.<sup>405</sup> Such investigations would have required political skills in the tactful handling of established residents, as well as a degree of technical acumen about new building and the internal redesign of existing accommodation. He was presumably felt by his colleagues to have such capacities.

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<sup>400</sup> Thorne, 'Tudor Social Transformations'..

<sup>401</sup> LI Black Books op cit, p 94.

<sup>402</sup> Ibid., p 204.

<sup>403</sup> Williams, *Religion, Language and Nationality*, p 175.

<sup>404</sup> LI *Admissions Register*, for 1590, 1595, 1596, 1598, 1602 etc. Also Griffith, *Learning, Law and Religion*, p. 152.

<sup>405</sup> LI *Black Books*, pp. 59, 60, 63. - Benchers council minutes for 25 November 1599, 25 April 1600 & 3 November 1600. 'Individuals and small *ad hoc* committees were frequently appointed at Lincoln's Inn....These assignments seem to have been fairly widely distributed, although newly called benchers tended to be given a disproportionate share of the burden, *along with a small group of more senior men who were evidently particularly competent or conscientious*' (emphasis added) (Prest, *Inns of Court*, p. 86)

In a second initiative two years later, he and a fellow bencher, James Ley,<sup>406</sup> were appointed by their colleagues to get to the bottom of irregularities in the Inn's kitchens - reporting in due course their discovery of a host of abuses by the Society's servants - '...Mr Younge, the minister, claymeth to have weekeley a pounce of candells to cary home to his howse; and the laundes claymeth to have, every tyme she bringeth home the linen of the Howse, twelve loaffes of breadd, at every breakefast a pottell<sup>407</sup>, at every dinner a gallon, and at every supper another gallon of fresh beare; and that the musicians claime to have, after their supper and the revels, two loaffes of bredd a pece to carye home with them; and that the brewers demande to have, every tyme they bringe drinke to the Howse, two loaffes of bredd for every one of them to cary wth them; and that the panier-man challengeth to have at every meale syx loaves of bredd and a pott of beare of three quarters' – 'wch claymes challenges and demaundes [the Black Book minute adds] are utterly misliked'. They also found that the weights and measures in the kitchens were 'not full weightes' and 'wante measure', and that a range of other malpractices had become routine – for example, 'that the Steward useth to take more of the shillinge for butter than he should doe, and doth cutt his beef at two pence the pounce more than he should doe'.<sup>408</sup> In short, the kitchen perks had got thoroughly out of hand. Firm measures were put in place to control the leakages.

This two-man investigation had followed a similar, albeit unfruitful, inquiry into the kitchens four years previously in 1598, by a committee of nine which had also included Hugh.<sup>409</sup> Possibly it was significant that the second attempt

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<sup>406</sup> *LI Black Books*, II, pp.219-20. James Ley (knighted 1603) rose to Attorney-General of the Court of Wards, and in 1621 Chief Justice of the King's Bench. In 1626, he became first Earl of Marlborough. (*ODNB*, Vol 33, pp.686-688).

<sup>407</sup> A pottell was two quarts.

<sup>408</sup> *LI Black Books*, II, p.72. (22 November 1602).

<sup>409</sup> *Ibid.* 2 February 1598.

occurred right at the outset of his year as the Inn's Treasurer in 1602.<sup>410</sup> Though the Treasurer's role had not yet achieved quite the rarified personal authority it attained in subsequent centuries, it was nevertheless the top post of the society, its bestowal a recognition by peers of the gravitas of the particular senior member. It may be that it gave Hugh leverage he had coveted to get a firmer grip on the Inn's day-to-day affairs. If so, his colleagues appear to have agreed his weight was needed if the festering malaise in the kitchens was to be sorted out.

The most conspicuous duties of the Treasurer however were formal and social. He was an *ex officio* member of the Inn's Committee of Auditors and personally engrossed the annual accounts. As Treasurer, he also benefited financially, being entitled to fees from every student, 20 shillings each in 1606,<sup>411</sup> as well as for a variety of ceremonial functions within and beyond the Inn (including those where he may have interacted with his uncle-by-marriage Roger, as noted earlier). And at the close of his year of office he would have given a dinner for 'the Bench table',<sup>412</sup> a costly affair. All of these were significant but largely formal aspects of the role. Crucially, beyond such specific functions, Hugh as Treasurer would have been *primus inter pares* amongst the Lincoln's Inn governors at a time when the Inns of Court overall were close to the apogee of their independent prestige. In a stimulating study of the Inns during this period,<sup>413</sup> Paul Raffield has suggested that by the end of the Elizabethan period – which is to say, around the time Hugh took on the top post - they had developed as more than simply societies of professional lawyers gathered into a distinctive kind of permanent guild. Beyond that, he argues, they had come to picture themselves as 'a *commonwealth* of lawyers', constituted

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<sup>410</sup> *LI Black Books*, II, p.74. (29 October 1602).

<sup>411</sup> Griffith, *Learning, Law and Religion*, p. 163.

<sup>412</sup> *Ibid.*, Preface, pp. xvi-xvii.

<sup>413</sup> Raffield, *Images and Cultures*, *passim*.

self-consciously as ‘an autonomous state governed by the equitable principles of common law ideology...a microcosm of the ideal English state, in which the ethical subject of law was acknowledged as a constitutional entity and the embryonic social contract between subject and ruler was nourished and enhanced’.<sup>414</sup> In other words, through their own internal practices, organisation and self-presentation, the societies of the Inns were aspiring to illustrate how balanced and benevolent government could and should work. Raffield suggests how this aspiration was manifested not only in the Inns’ formal structures of internal governance, but also in the detailed architectural design and decorative ornamentation of their buildings, in patterns of symbolic action within the rituals of ‘commons’ (dinners) and moots, in sumptuary regulations concerning sobriety of dress, in imagery and dramatic archetypes acted out in the annual revels, and in recurring themes and characterisations of political relationship in masques, frequently performed in the presence of the monarch. Through a proliferation of such didactic signifying devices, Raffield argues, the Inns’s members were consciously engaged in a performative ‘aesthetics of the law’, visibly reinforcing the law’s procedural and textual modes of authority – and in the process pointing to an alternative ‘Aristotelean’ form of polity to that of centralised autocracy, the constantly lurking threat ever since the 1530s reforms of Henry VIII. Thus through the very fabric of the Inns’ practices and self-projections, says Raffield, ‘the legal profession gave visible shape and proportion to the illusory and fictive rights of the Ancient Constitution’<sup>415</sup> – presenting themselves as constant reminders of the need for a balance between sovereign power and protection of the individual’s rights in a ‘mixed commonwealth’.

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<sup>414</sup> Ibid., p. 1.

<sup>415</sup> Ibid, p. 263.

If this picture is close to correct, it would imply that by the end of the Elizabethan period Lincoln's Inn and its fellow societies were nourishing a collective sense of themselves as an intellectually autonomous public sphere, often in tacit philosophical counterpoint to the crown's pretensions – effectively a polite but dynamic critical presence in relation to the constitution of the realm itself. Raffield's argument relies on assumptions about the psychological and political potency of the symbolic vocabularies the Inns were deploying in these various ways – assumptions which appear credible for a period in which comparable semiological approaches were being used routinely in the self-projection of successive monarchs.<sup>416</sup> It is a thesis which adds a plausible further dimension to the accounts by other historians of the public articulation of political and constitutional reflections by many Inns of Court members of the time. Brooks, for example, has shown how individual lawyers as diverse as William Lambarde, Edmund Plowden, William Fleetwood, Thomas Norton, Sir Henry Yelverton and James Morice gave lengthy public expression to their views on contentious matters of constitutional theory and practice in the later decades of the century.<sup>417</sup> 'The intellectual culture of the time,' says Brooks, 'made it almost second nature for technical legal argument to be merged with more general observations on the nature of the rule of law into modes of general political discourse...'<sup>418</sup> Raffield's stress on semiotics and symbol evident in the physical and behavioural fabric of the Inns themselves goes beyond this; it implies that the Societies' most senior members were routinely enacting a collective sense of themselves as responsible intellectual leaders in the deeper constitutional debates of the period, reaching well beyond any role as mere jurists.

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<sup>416</sup> R Strong, *The Cult of Elizabeth: Elizabethan Portraiture and Pageantry* (London, Thames & Hudson, 1977); K Sharpe, *Selling the Tudor Monarchy: Authority and Image in Sixteenth-Century England* (Newhaven & London, Yale University Press, 2009).

<sup>417</sup> Brooks, *Law Politics and Society*, pp. 59-118.

<sup>418</sup> *Ibid* p. 59.

This is important for an understanding of Hugh Hughes' own attitudes. From 1599 till shortly before his death in 1609, he played a prominent role at the highest levels of Lincoln's Inn's governance. As well as becoming Treasurer in 1602-3, he held the senior offices of Keeper of the Black Book, in charge of the records in 1599-1600, and Master of the Walks, in charge of the grounds and gardens between 1605 and 1608. And, as already noted, he was asked to become a double reader in 1605, an honour which had been achieved by only one other Welshman at the Inns during this period - David Williams of the Middle Temple, following promotion to Serjeant-at-Law in 1594.<sup>419</sup> There is thus little doubt that he won recognition as an authoritative figure in the higher reaches of Lincoln's Inn during the concluding decade of his life - and unquestionably this would have nourished in him a sense of being implicated, directly and personally, in the intense and historic constitutional arguments of the time, and the intellectual and political ambiance suggested by Raffield.

From the age of sixteen, his education and subsequent professional and personal networks had thus brought him to a place close to the heart of hierarchical English society. His sense of personal identity must have been profoundly affected. Four years at an elite Cambridge college, rubbing shoulders with contemporaries from backgrounds of previously unimaginable privilege and literacy, followed by the decades-long connection with Lincoln's Inn within a rarefied and disciplined professional culture, would have been formative for a sense of himself as more than simply a Welshman in England, but rather as an active participant in momentous developments that were increasingly 'British' in scope.<sup>420</sup> The marriage into the Montagu family with its web of connections across Protestant intellectual society would have been reinforcing still further a

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<sup>419</sup> Griffith, *Learning Law and Religion*, p. 196.

<sup>420</sup> The implications of this are considered further in chapter six below.

sense of being close to the centre of the polity, whatever any lingering ambivalences he may have retained from his parallel Welsh cultural loyalties.

This chapter has sought to trace some determining features of Hugh's *English* experience – his university education, legal training and marriage, as well as his continuing role at the Inn. It has shown how he rose to eminence in specific English institutions of the time. However, such an account is far from exhaustive of what can be said of him in that connection. Chapter five will focus on three further appointments which were to require his presence beyond the Welsh border – in the House of Commons as Knight of the Shire for Anglesey in 1597, as a member of the Council in the Marches between 1601 and 1609, and as Lord Chief Justice of Ireland-designate in 1609. However, in order to understand how these appointments came about, and what their significance may have been both for him personally and for the developing English-Welsh relationship of the period, it is necessary first to return to the parallel development of his adult career and experience as a Welshman in Wales. The next chapter attempts to do this, returning to the story following the final stages of his legal training in the late 1570s.



## **Chapter 4.**

### **Hugh Hughes in North Wales**

Despite the clear evidence of his eminence within the Lincoln's Inn society, and hence within the capital's networked community of lawyers and court officials, it is a striking feature of Hugh Hughes' career that, unlike many Welsh lawyer contemporaries such as David Williams of Ystradfellte<sup>421</sup> and the already-mentioned William Jones of Castellmarch,<sup>422</sup> he did not become either a Sergeant or a Judge in the English courts. Though clearly an accomplished lawyer, as his succession of senior appointments shows, he appears to have chosen to pursue his career from a home base in Anglesey, rather than by ascending the greasy pole of the English judiciary.

It is unlikely he lacked – or had been judged to lack - the ability for such advancement, since late in life, in 1609, he appears to have been appointed Lord Chief Justice for Ireland at a particularly challenging historical moment.<sup>423</sup> As will be argued in chapter five below, Hugh would have taken up this Irish post at precisely the moment the English crown was preparing to enact a radical new colonialist land-redistribution policy - a policy that was to be implemented through the Irish Courts of which Hugh would have been head, as well as being a member of the Governor's executive. This lay well in the future however. It looks as if, by the end of his training at Lincoln's Inn in 1579, he had made an explicit decision to return home to Anglesey. Or perhaps that had always been the intention. Whichever was the case, there are indications that for most of the 1580s and 1590s, he based himself at Plas Coch rather than in London, albeit

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<sup>421</sup> *ODNB*, Vol 59, pp.153-154.

<sup>422</sup> *ODNB*, Vol 19, pp. 659-660.

<sup>423</sup> This appointment and its political implications are considered in chapter five below.

with visits to the capital during law terms.<sup>424</sup> In this he resembled his younger Lincoln's Inn colleague Sir Peter Mutton,<sup>425</sup> who a decade or so later combined continuing residence at Llanerch, Denbighshire with appointments as Attorney-General of Wales and the Marches (from 1609) and Chief Justice of the Anglesey-Caernarfonshire circuit of Great Sessions (between 1622 and 1637).

To be sure, Hugh's position in this regard is less than unambiguously clear. In a selection of twenty-seven of his surviving archived documents from these two decades, he refers to himself as 'Hugh Hughes of Lincoln's Inn' in eighteen,<sup>426</sup> and 'of Porthamel' in nine<sup>427</sup> – but since the bulk concern contractual legal matters, in relation to which it was obviously advantageous to stress his professional identity, this provides little basis for conclusions about residency. Equally unhelpful are the fifteen surviving indentures, leases and articles of agreement<sup>428</sup> identified by the former Bangor University archivist Thomas Richards as having arisen from Hugh's Lincoln's Inn business over the same period – since, as WP Griffith has commented, '[these] papers reveal business centred on his chambers, the drafting of various legal instruments such as land conveyances, bonds, deeds of title and leases – solicitor's work in other words'.<sup>429</sup> Again, the papers suggest only that Hugh was active at least part of the time at Lincoln's Inn, without conclusive pointers to his place of residence.

The position is made cloudier still by fragmentary evidence that perhaps three of Hugh's brothers - there having been eight in all, as well as two sisters (Elinor and Catharine)<sup>430</sup> – played roles in relation to his properties in Porthamel over

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<sup>424</sup> See note 354 above.

<sup>425</sup> *Dictionary of Welsh Biography*, p. 1144..

<sup>426</sup> UB Plas Coch 2950, 2956, 2957, 2964, 2965, 29606, 2970, 2971, 2974, 2975, 2976, 2977, 2981, 2985, 2992, 3002, 3008 & 3019.

<sup>427</sup> *Ibid*, 2946, 2960, 2979, 2983, 2984, 2988, 3004, 3020, 3026 & 3027.

<sup>428</sup> *Ibid*, 340-355.

<sup>429</sup> Griffith, *Learning, Law and Religion*, p. 346

<sup>430</sup> Griffith, *Pedigrees*, p. 31.

the same period. One brother in particular, John ap Dafydd Llwyd, appears to have acted more than once as a surrogate for purchases of land which he subsequently passed back to Hugh.<sup>431</sup> One implication could be that John, and possibly William and Lewis, helped manage the estate during Hugh's absences in London. But yet again, the fragmentary documentary evidence neither confirms nor negates the possibility of Hugh being primarily based anywhere but Plas Coch during the decades in question.

There are moreover strong grounds for believing a Plas Coch domicile to have been probable. Not only is there the fact that Hugh extended the Plas Coch (Porthamel Isaf) estate significantly during these decades, but there are also the time-consuming and locally important posts he came to occupy. First, he was active on the Anglesey Commission of the Peace, being appointed a justice in 1577,<sup>432</sup> and continuing to serve actively on this Commission and its *quorum* - as well as, from 1591, on the *quora* of the Caernarfonshire and Merioneth Commissions - for the remainder of his life. He also served as Sheriff of Anglesey in 1581, 1590 and 1600,<sup>433</sup> a post implying obligatory physical presence on the island for the whole of each term. At a more local level, he was in addition steward of three separate manorial jurisdictions in the island between 1580 and 1600.<sup>434</sup> And equally he held offices at a higher level within the region, becoming Deputy Attorney-General for North Wales in the Court of Great Sessions in 1589,<sup>435</sup> and full Attorney-General in 1596,<sup>436</sup> both appointments requiring an active and informed presence close to the home patch. Finally, as has already been shown in chapter two, he was involved in the protracted local land dispute with Rhydderch ap Risiart, with several Anglesey

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<sup>431</sup> UB Plas Coch 2947 (in 1581), 122 (in 1584), 128 & 131 (both in 1588).

<sup>432</sup> Phillips, *op cit*, p. 2.

<sup>433</sup> Richards *New Kalenders of Gwynedd*, p. 53.

<sup>434</sup> See pages 162-165 below.

<sup>435</sup> UB Plas Coch 138.

<sup>436</sup> UB Plas Coch 159.

hearings, over a period of eight years in the late-1580s and early 1590s – again suggesting a need for a physical presence on the island during all, or at least much, of this period.<sup>437</sup>

These appointments and activities moreover suggest a significant pattern. They point to a progressively deeper professional involvement in the distinctive institutional matrix of government in the Wales of the time. Indeed, when one includes his election as Knight of the Shire for Anglesey in the 1597 Parliament and subsequent appointment to membership of the Council in the Marches in 1601, it will be seen that during the course of his life Hugh played an active role at *every* level of the principality’s judicial and administrative system. Quite apart from the interest of this for the understanding of a personal life and career which actively straddled two distinct linguistic cultures, it also makes Hugh something of a prism through which workings of the processes of governance of late-Tudor Wales can be glimpsed.

In what follows in this chapter, the broad political and historical context is first considered, to be then followed by discussion of Hugh’s specific involvements in these various institutional tiers.

Dominant historical accounts concur that the 1536-43 statutes which have come to be known as the ‘acts of union’<sup>438</sup> were driven by *raisons d’etat* of the English crown in the wake of Henry VIII’s breach with Rome, rather than by any particular interest in or good will towards the Welsh themselves.<sup>439</sup> Behind the new measures lay the monarchy’s urgent wish to project more uniform and consistent royal authority into all corners of the kingdom, not least to minimise the mounting risks of invasion by Catholic continental powers in the wake of

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<sup>437</sup> This is the dispute examined at length in chapter two.

<sup>438</sup> 27 Hen VIII c. 26; and 34 & 35 Hen VIII c 26.

<sup>439</sup> Williams, *The Later Tudors*, pp. 520-521; Davies, *op cit*, pp 224-238; Williams *Recovery*, pp. 266-267

the breach with Rome. In the case of Wales, this found expression in the innovative administrative and jurisdictional reconfigurations initiated by Thomas Cromwell and completed after his 1540 execution. The measures evolved iteratively; the 1543 Act, which introduced radical changes to the court structure across Wales, as well as Commissions of the Peace, had not in fact been envisaged by Cromwell.<sup>440</sup> And as late as 1540, both the abolition of the Council in the Marches and the creation of a formal Principality for the new Prince Edward under the king's overlordship, were being considered seriously.<sup>441</sup> However this came to nothing – and the final framework had four key elements: Shire government with county Commissions of the Peace across the whole of Wales; the creation of the four circuits of the Courts of Great Session and a more powerful and effective Council in the Marches at regional level; and House of Commons representation for the shire and key boroughs of Wales.

In important respects the new institutional framework consolidated social and administrative trends and practices that had been crystallising over the previous half-century or more.<sup>442</sup> It built on a number of established templates – such as the former King's Sessions in the shires of the old principality, and many of the previous official roles from medieval English law. But nevertheless it was novel in fundamental respects. First, it brought into being an *integrated* hierarchy of institutions run increasingly by Welshmen themselves, articulated in the main through the 1543 statute. And second, it embodied features previously unknown to Wales – the office of justice of the peace, the right to members of Parliament, and equal citizenship under the common law, with English as the formal language of law and administration.

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<sup>440</sup> J. Gwynfor Jones, *Early Modern Wales c1525-1640* (Basingstoke, St Martin's Press, 1994), pp. 77-85.

<sup>441</sup> P.R. Roberts, 'A Breviat of the Effectes devised for Wales c.1540-41', *Camden Miscellany XXVI* (1975).

<sup>442</sup> Gwynfor Jones, *Early Modern Wales*, p. 85.

Though in immediate realpolitic terms the primary drivers behind the new dispensation were political priorities of the English crown, nevertheless Welsh attitudes and sensibilities were also of central importance in bringing the changes about. In the first place, the political climate which had permitted their uncontroversial introduction<sup>443</sup> was itself a by-product of deep-rooted Welsh loyalty to the Tudor dynasty. The good will flowing from Henry VII's *mab darogan*<sup>444</sup> status, and the bards' associated belief that the true (brythonic) Britons now ruled, fed widespread ideological acceptance of the arrangements.<sup>445</sup> Moreover, the late-medieval decline of Welsh magnates through escheats and wastage, and the consequent crown acquisitions of the majority of Marcher patrimonies, particularly the Mortimer lands in 1461, had created a favourable context for reform. Unlike the position in Ireland, these developments meant that the decks had effectively been cleared to create a platform for *uchelwr* or local gentry dominance, as 'residuary legatees of the leadership role' across Wales.<sup>446</sup> Increasing numbers of the latter had been chafing against continuing legal discrimination from the preceding colonialist era, particularly measures relating to exclusion from key offices and restrictions on Welsh rights of inheritance through primogeniture – so the prospect of equal participation in English 'privileges and liberties' was highly attractive. This is confirmed by the welter of petitions and other representations from groups and influential individuals in Wales in the years immediately preceding the Acts of Union – in 1536 for example from inhabitants of Montgomery,<sup>447</sup> and from Sir Richard Herbert, Sir John Price and others<sup>448</sup>, in both cases pressing for the

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<sup>443</sup> Glanmor Williams notes the lack of criticism within Wales in the immediate wake of the statutory changes – as well as the many paeons of praise for the arrangements by many educated Welshmen over subsequent decades – Williams, *Recovery*, p. 275.

<sup>444</sup> *Mab darogan*: 'son of the prophecies'.

<sup>445</sup> G.A. Williams, 'The Bardic Road to Bosworth: a Welsh View of Henry Tudor', *THSC* (1986), pp. 7-31.

<sup>446</sup> B. Bradshaw, 'The Tudor Reformation and Revolution in Wales and Ireland: the Origins of the British Problem', in B. Bradshaw & J. Morrill *The British Problem c.1534-1707: State Formation in the Atlantic Archipelago* (London, Macmillan, 1996), p. 72

<sup>447</sup> W.L. Williams, 'The Union of England and Wales' *THSC* (1907-8), pp. 54-56.

<sup>448</sup> W. Rees, 'The Union of England and Wales', *THSC* (1937), p. 50.

same ‘laws and privileges’ as English subjects. The more secure legal status – in particular the formalisation of *primogeniture* - and improved economic and political opportunities for those native Welsh ‘with the wit, enterprise or luck to seize them’<sup>449</sup> meant that the legislation as a whole was seen by many from the outset in a predominantly positive light.<sup>450</sup>

The framework in its completed form gave tacit recognition to Wales as appropriately a unified institutional whole.<sup>451</sup> This raises a further interpretative consideration. Recent studies<sup>452</sup> suggests that the supposedly unequivocal Tudor drives towards a standardising *unification* of the kingdom, as suggested by Elton and others, may have been overstated. For example, using a case study of the Cheshire Palatinate, Tim Thornton has shown that a far greater degree of local institutional autonomy and resilience was permitted to survive within that particular jurisdiction throughout the sixteenth century than had previously been assumed. Nor was this unintended on the part of the crown and Westminster officials, Thornton suggests: Thomas Cromwell and successors such as William Cecil had always recognised, in their sixteenth-century circumstances, that a kingdom was ‘an association of varied and particularist elements’<sup>453</sup>, notwithstanding any theoretical aspiration to versions of ‘absolute sovereignty’ consistent with the Justinian Code. Moreover, not only the Palatinate, but also the Isle of Man, the Durham Palatinate, the Channel Islands, Cornwall, Ireland and Wales, each had their own deep-rooted cultural and institutional peculiarities – and it was accepted by Cromwell, Cecil and others that crown authority had to work with the grain of such strikingly different jurisdictional arrangements, rather than seek crudely to press for a one-size-fits-all uniformity.

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<sup>449</sup> Williams, *Religion*, p. 152.

<sup>450</sup> Gwynfor Jones, *Early Modern Wales*, pp 87-88. Also, J.G.Edwards, *The Principality of Wales, 1267-1907*, (Caernarfon, UWP, 1969).

<sup>451</sup> Edwards, *The Principality of Wales, 1267-1907*.

<sup>452</sup> eg Thornton, *Cheshire and the Tudor State*.

<sup>453</sup> *Ibid*, p. 242.

There are echoes here of the later intense exchanges concerning the constitutional appropriateness of multiple jurisdictions between Sir Edward Coke and Lord Ellesmere (formerly Thomas Egerton) in the first two decades of the next century.<sup>454</sup>

Such a perspective assists understanding of some of the underlying English assumptions which may have informed the rapid succession of initiatives for Wales embodied in the 1536-43 statutes, shaping their subsequent implementation and development. The aim appears to have been greater integration and effectiveness of government, but harmonising as appropriate with locally valued customs and patterns of authority. Indeed, the much-discussed language provisions of the 1536 Act<sup>455</sup> may usefully be understood in this light – less as a contemptuous assault on the language, than as reflecting a bureaucratising drive towards standardisation across ‘Britain’ of official records, without serious detriment to the continued routine use of local vernaculars in the courts.<sup>456</sup> The pragmatism with which the issue of a Welsh translation of the Bible was treated later in the century – for example in the discussions around the 1563 Act<sup>457</sup> - points in the direction of a similar inclination to work with the grain of cultural difference. All of which adds weight to Dodd’s suggestion that what was at stake in the statutory union of Wales with England may best be understood as a process ‘not of *fusion* but of *federation*’<sup>458</sup> - if hardly federation between equals. The new integrated hierarchy of Welsh legal institutions was the machinery through which this reconfigured relationship was to be implemented. And from the 1540s onwards,

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<sup>454</sup> See pp. 103-104 above.

<sup>455</sup> S.18 of 27 Hen VIII, c 26.

<sup>456</sup> P.R.Roberts, ‘The Welsh Language, English Law and Tudor Legislation’, *THSC* (1989), pp. 19-25, and ‘Tudor Legislation and the Political Status of “the British tongue”’. Also, Gwynfor Jones, *Law, Order and Government in Caernarfonshire*, pp. 66-70. For practical reasons in a largely monoglot region, widespread continuing use of Welsh throughout the courts system continued to be the rule. (Dyfnallt Owen, *James I*, pp. 39-40)

<sup>457</sup> 2 Eliz c.28.

<sup>458</sup> Dodd, ‘The Pattern of Politics’, p. 8.



and in particular during Elizabeth's reign, new political and social contingencies bore in on each one of the new bodies brought into being under these arrangements, developing their roles as well as their inter-relationships, both with one another and with the Privy Council and Westminster courts. By the later decades of the century, as the discussion below of Hugh Hughes's particular experience suggests, this complex of interdependent courts and councils had more or less seamlessly produced a smooth-running machinery of government for the principality, whilst in the process preserving much that was distinctively Welsh.

It should be emphasised that the institutions in question – the Council in the Marches, the Courts of Great Sessions, the Commissions of the Peace, and the multiplicity of associated local officials such as coroners, constables, bailiffs, and of course sheriffs - existed to play more than simply 'judicial' or 'law enforcement' roles. In late-Tudor Wales, they acted also as key instruments of what today would be regarded as public policy and local public administration. To be sure, much of the work involved overtly legal forms and processes. But this reflects the particular stage in the development of the modern state in which their development was occurring.<sup>459</sup> As pressing new social needs developed under the pressures of population growth, land price inflation and periodic agricultural dearth, so the formal roles of the various bodies expanded, as will be shown below. To cite just one example, by the time Hugh Hughes began to become personally involved in the late 1570s and early 1580s, county Commissions of the Peace were being given increasing statutory responsibilities for the welfare of 'the impotent and deserving poor', particularly at times of food scarcity.<sup>460</sup> And the execution of their multiplying responsibilities was

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<sup>459</sup> As discussed in the Introduction, p. 10 above.

<sup>460</sup> eg 14 Eliz, c5 (1576); 18 Eliz, c3 (1576); 29 Eliz, c 5 (1587).

being coordinated and monitored by both the Great Sessions judges and the Council in the Marches in its quasi-Privy Council role.<sup>461</sup>

This in turn anticipates an especially significant feature of the overall system vis a vis Hugh's own position within it - the integrated nature of the different tiers of institution. As will become clear, his personal experience at each one of the various institutional levels would have shaped his understanding of the roles and workings of the rest – as well as his internalised sense of the system as a whole. His public, and indeed personal (eg estate), responsibilities appear to have been mutually reinforcing, with positive implications for his value as a professionally informed presence – as well as, crucially, a Welsh-speaking Welshman - within any single one of the bodies.

It is appropriate to consider in greater detail the individual entities in which Hugh played a role, and their interactions within the system overall. However, in discussing these bodies, the researcher faces significant constraints, for there are major gaps in the documentary record. For instance, as already noted, no papers from the Anglesey Commissions of the Peace in the sixteenth or seventeenth centuries have survived – and indeed for the whole of Wales only those for the Caernarfonshire Commission are still in existence. Moreover, even the latter have important gaps, including the years 1589-1608, which cover not only most of Hugh's period as an Anglesey justice, but also virtually the whole of his term on the *quorum* of the Caernarfonshire Commission. Similarly, the surviving records of the Courts of Great Sessions for the two North Wales circuits for the relevant years are patchy in the extreme.<sup>462</sup> Nevertheless, an attempt can be made.

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<sup>461</sup> P. Williams, *The Council in the Marches of England and Wales in the Reign of Elizabeth I* (Cardiff, UWP, 1958), chapter 5.

<sup>462</sup> Parry, *Great Sessions Records*, pp. xlii-xlix & 130-135.

### Anglesey's Commission of the Peace

Views of justices of the peace of the late-Elizabethan period tend toward caricature. Shakespeare's Justice Shallow - provincial, self-important, mildly corrupt – is hard to escape.<sup>463</sup> Equally, the picture of those same JPs in *administrative* guise tends to arrive through the distorting lense of Henry Fielding's Squire Western and later representations of *de haut en bas* gentry dominance of the countryside. Though such caricatures contain a measure of truth, they obscure more than they reveal about the nature and role of Commissions of the Peace of the kind on which Hugh Hughes served between 1577 and 1609. These were in fact key institutions of day-to-day county government by this period, across Wales as much as England. The regular three-monthly Courts of Quarter Sessions at Beaumaris were important judicial and administrative events for Anglesey, and, in a society where daily life was fundamentally *local*, served as recurrent rituals for the continuing reinforcement of social order and hierarchy. The text of a 1552 Caernarfonshire proclamation, giving the required fifteen days notice of the holding of a quarter sessions, states the purpose of the justices as being 'to keep the peace and determine divers felonies, trespasses and other misdemeanours perpetrated in the same county'<sup>464</sup>. But these duties extended well beyond those of a court of law narrowly defined. Not only trials, but also a multiplying range of local government functions were administered through the Commission, using criminal judicial procedures. In Caernarfonshire the quarterly Sessions also required the presence of 'twenty four free and lawful men from each hundred, tithing, wapentake and each borough' as well as 'all stewards, constables, sub-constables and bailiffs within hundreds and of the boroughs aforesaid'.<sup>465</sup> Almost certainly, the position in Anglesey was identical to that immediately across the Straits – implying that the

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<sup>463</sup> *Henry IV Part II*. Also, J Bate, *Soul of the Age: the Life, Mind and World of William Shakespeare* (London, Penguin, 2008), pp. 313-318.

<sup>464</sup> Williams, *Calendar of the Caernarvonshire Quarter Sessions*, p. 93-94 (159).

<sup>465</sup> *Ibid*.

Quarter Sessions required the mandatory presence in Beaumaris,<sup>466</sup> four times a year, of *two or three hundred* men of both gentry and ‘middling sort’ from all corners of the county. A succession of presentments from the hundred representatives would be heard, reporting on the state of roads and bridges in each bailiwick, leading in cases of failure or inefficiency to indictments by juries, followed by prosecutions and punishments. This was in addition to the hearing of criminal cases in relation to which the justices heard presentments and indictments from the grand jury and could impose a graded range of punishments, up to and including hanging. The most serious offences were then referred upwards to the Court of Great Sessions, through the justices’ own bills of indictment.

A striking, if little remarked feature of these arrangements is the evident depth of what might anachronistically be pictured as *democratic* - or at least vertically distributed - involvement in Elizabethan county government. The regular mandatory gatherings of upwards of two hundred part-time citizen-officials from all corners of the island for the Quarter Sessions were by no means the only local official occasions at which such personal attendances were routinely required during any given year. There were also the monthly Sheriff’s county courts (discussed below<sup>467</sup>), at which all free-holders of the county were obliged, nominally at least, to be physically present as suitors and potential jurors – as well as, at hundred level, the ‘sute’ or ‘dadlau’ courts,<sup>468</sup> and, increasingly, parish-level vestry gatherings entailing a further diversity of local ‘middling sort’ responsibilities.<sup>469</sup> Indeed, to contemplate these multiple obligations is to be bewildered by the continuing levels of personal engagement

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<sup>466</sup> In fact in mid-century there was jockeying between Newborough and Beaumaris for the right to host the quarter sessions. By the 1580s, Sir Richard Bulkeley 3<sup>rd</sup>’s influence had secured Beaumaris’s position as the exclusive location.

<sup>467</sup> See p. 153 below.

<sup>468</sup> See pp. 153-156 below.

<sup>469</sup> S. Hindle, *The State and Social Change in Early Modern England, 1550-1640* (Basingstoke, Palgrave, 2002), pp. 208-215.

in local affairs required of individual citizens of different social degrees. The opportunities for bribes to sheriffs, under-sheriffs and their underlings, to turn a blind eye to non-attendances or other evasions of obligation, must have been extensive - as were the fees and fines to which they were legally entitled

As the second half of the century advanced, the balance between the justices' judicial and local administrative roles was shifting increasingly towards the latter,<sup>470</sup> as their formal responsibilities, extended repeatedly by statute, reached ever deeper into economic, social and defence spheres,<sup>471</sup> - processes driven in part by ever-increasing privy council concern for social stability and order in the face of economic dislocations and mounting levels of poverty and distress. Indeed, by the time Hugh became a justice in the late 1570s, the strictly judicial dimensions of the quarter sessions were a diminishing proportion of a justice's work. Three-weekly petty sessions, first permitted under a 1545 Act<sup>472</sup> but increasingly resorted to as the pressure of business grew, involved one of two justices acting still more locally in their 'divisions', exercising considerable personal discretion.<sup>473</sup>

As already mentioned, Hugh was young, probably 29 and still in his bar training, when he was appointed to the Anglesey Commission in 1577<sup>474</sup>. His appointment would have been made under the seal of the Great Sessions Justices, on the recommendation of the Council in the Marches. The most locally powerful presences already on the Commission in the year he joined<sup>475</sup> were William Lewis, Lewis ap Owen ap Meyrick, Owen Wood and Sir Richard

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<sup>470</sup> T. Skyrme, *History of the Justices of the Peace* (Chichester, Barry Rose, 1991), pp. 138-168.

<sup>471</sup> Gwynfor Jones, *Caernarfonshire*, pp. 112-147.

<sup>472</sup> 37 Hen. VIII, c 7 (1545).

<sup>473</sup> 'Whether such (petty sessions) proceedings were formal or informal, it is clear they gave rise to opportunities for favouritism, bullying and corruption.' J Hurstfield *Freedom, Corruption and Government in Elizabethan England: County Government – Wiltshire c.1530-1660* (London, Jonathan Cape, 1973) p. 262.

<sup>474</sup> Phillips, *Justices*, p. 2.

<sup>475</sup> Phillips, *Justices*, p. 2. Also Gwynne Jones, 'Some Notes', pp. 63-64.

Bulkeley 3<sup>rd</sup>. The first three of these can be pictured as effectively the native Welsh power axis in the county. Thus William Lewis (1526-1603), living at his ancestral site of Presaddfed near Bodedern, was the second richest man in the county after Sir Richard Bulkeley, as shown by the Subsidy assessments of 1581 and 1597,<sup>476</sup> and had been MP for Anglesey in 1553 (a rare contested election) and 1555,<sup>477</sup> as well as Sheriff in 1549, 1557, and 1572.<sup>478</sup> Owen Wood of Hendregadog was his son-in-law and in 1577 the serving Sheriff,<sup>479</sup> his father, William Wood of Rhosmor, having been Inquisitor of Confiscations for North Wales in 1576, as well as possibly an agent of the Earl of Leicester.<sup>480</sup> As to Lewis ap Owen, he was Owen Wood's uncle, chosen twice as MP for Anglesey, in 1553 and 1572,<sup>481</sup> as well as serving as Sheriff in 1556 and 1572. His service in the Commission of the Peace lasted more than 30 years between 1555 and 1587. This was a tightly knit and powerful group - and at the time of Hugh's appointment, an intense rivalry was brewing between them and Sir Richard Bulkeley of Beaumaris (c.1540-1621),<sup>482</sup> the other contending political presence on the island. Sir Richard, already the richest man on Anglesey,<sup>483</sup> was building on his antecedents' accumulations of land and power, and on the way to becoming the island's dominant presence. In the 1580s, his rivalry with the other three turned into a naked power struggle which boiled over as the decade ended, with calamitous results for Owen Wood and Lewis ap Owen.<sup>484</sup> At this stage however Sir Richard was only a summer presence in Anglesey, being largely resident in London as a Gentleman Pensioner at the court of Queen

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<sup>476</sup> TNA 179 291/17 & TNA 179 219/17 (a).

<sup>477</sup> Richards, *New Kalenders*, p. 153.

<sup>478</sup> *Ibid.*, p. 52.

<sup>479</sup> *Ibid.*

<sup>480</sup> Griffith, *Learning, Law & Religion*, p.132.

<sup>481</sup> Richards, *New Kalenders*, pp. 153-4.

<sup>482</sup> *ODNB*, Vol 3, pp. 575-577.

<sup>483</sup> TNA 179 291/17 & TNA 179 219/17 (a).

<sup>484</sup> The controversy is discussed further below at pp. 132-134.

Elizabeth between 1568 and the early 1580s. But this did not prevent his being the Commission's *custos rotulorum*.<sup>485</sup>

There were 43 members of the Anglesey Commission in all. Only half of these were Anglesey residents, the remainder being *ex officio* and from outside the county, playing little if any direct role in the routine business of quarter and petty sessions. Hugh's close neighbours, Rowland Bulkeley of Porthamel (Hall),<sup>486</sup> Maurice Griffith of Llwyn y Moel (Plas Newydd),<sup>487</sup> and Rowland Meredith of Bodowyr,<sup>488</sup> all of them living within a mile or so of Plas Coch, would have been especially familiar local faces, though the likelihood is that the Lewis (of Presaddfed)-Owen Wood-Lewis ap Owen axis was the dominant internal faction over the few years immediately following Hugh's appointment. One indication of this is that it was Lewis ap Owen in person who is recorded as having handed in an Anglesey justices' petition on defence-related matters to the Privy Council in Westminster in mid-1586<sup>489</sup> - at much the same time Owen Wood was lodging a Bill of Complaint in the Star Chamber about Sir Richard Bulkeley's attempts to brow-beat fellow justices at the Quarter Sessions in July of that year.<sup>490</sup>

In the absence of surviving papers it is impossible to be certain precisely which of the individual justices bore the brunt of daily work. J Gwynfor Jones

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<sup>485</sup> R Flenley, *A Calendar of the Register of the Queen's Majesty's Council in the Dominion and Principality of Wales and the Marches of the Same (1569-1591)* (London, Hon Soc Cymmrodorion, 1916), p. 133 (fo 48). See also note 332 above.

<sup>486</sup> Rowland Bulkeley was Hugh's next-door neighbour at Porthamel Hall. He had been MP for Beaumaris in 1554, and Sheriff in 1568. A copy of his will, dated 13 October 1592, appears in the Plas Coch papers (UB Plas Coch 149).

<sup>487</sup> Maurice Griffith of Llwyn y Moel (Plas Newydd), another close neighbour, had been Sheriff in 1561, and served subsequently as Hugh's Deputy-Sheriff (in 1581). Probably Hugh's senior by twenty years or more, he also sold the latter lands in Porthamel (UB Plas Coch 131, 3026, 3029), following personal financial difficulties (BE Howells (ed), *A Calendar of Letters Relating to North Wales* (Cardiff, UWP, 1967), pp. 5-8).

<sup>488</sup> Rowland Meredith had been MP for Anglesey in the 1558 and 1559 Parliaments. He was Hugh Hughes' close neighbour at Bodowyr, and the families overlapped on a variety of property and arbitration matters (eg UB Plas Coch 80, 83, 137).

<sup>489</sup> TNA SP 12/195, item 92.

<sup>490</sup> Jones, *Bulkeleys of Baron Hill*, p. 204.

suggests<sup>491</sup> that in Caernarfonshire between 1608 and 1624 an average of sixteen out of thirty-two working justices<sup>492</sup> were active attenders at Quarter Sessions, but he notes also that this was ‘a much larger group than in the 1560s and 1570s’. In fact the overall membership of the Caernarfonshire Commission in those earlier decades was sometimes as low as seventeen<sup>493</sup>, implying an active attendance reaching barely double figures during that period. Joel Hurstfield’s study of the parallel Wiltshire Commission points to Quarter Sessions in that county attended by as few as two or three justices out of thirty or forty<sup>494</sup> during the same two decades. There is little reason to suppose things would have been greatly different in the Anglesey Commission during the early years of Hugh Hughes’ appointment.

Having almost certainly been appointed for his energy and legal promise, the expectation would have been that he would be an active member of the Commission, at a time when the justices’ duties overall were becoming ever more complex and demanding. Indeed by the concluding decades of the century the general responsibilities of justices of the peace had come to encompass oversight or direct administration of a ramifying range of facets of local social and economic life – including the maintenance of gaols, houses of correction, highways and bridges; trading standards; liquor licensing; wage rates and conditions of employment; the safeguarding of grain stocks and food distribution in times of dearth; enforcement of religious conformity; control of vagrancy; and, in particular, poor relief and local defence. Increasingly by this time, the established reliance on quasi-criminal procedures of presentment and indictment, as means of enforcement, was being diluted in favour of day-to-day

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<sup>491</sup> Gwynfor Jones, *Law, Order and Government in Caernarfonshire*, pp. 108-9.

<sup>492</sup> *Ibid.*

<sup>493</sup> Phillips, *Justices*, pp. 10-11.

<sup>494</sup> Hurstfield, *Freedom, Corruption and Government*, pp. 253-258.



discretionary activity by justices, individually and in petty sessions as well as quarter sessions, accountable collectively to the Council in the Marches.

That said, a surviving manuscript in the drafting of which Hugh himself may well have had a hand in his role as a *quorum* member of the Merioneth Commission – the Merioneth Wage Assessment of 23 May 1601<sup>495</sup> - illustrates graphically the continuing centrality of *personal* accountability and punishment for ensuring the execution of routine local duties in the community interest. The document appears to have been drawn up for distribution to the high and petty constables across the county, though it is addressed specifically to the Constable of Edeyrnion. Signed by three justices (‘Humfrey Hughe, Gruf Nanney, and Robert Morgan’), it nevertheless has a sophisticated lawyer’s hand to it, reflected in the preamble’s summary of the national statutory framework - for which the *quorum*, advised by Hugh,<sup>496</sup> would almost certainly have been responsible. The document’s specific instructions illustrate the machinery of personal accountability by which the justices controlled the lower-level appointed officials in accordance with the Highways Act 1555. Thus for example, ‘Constables and church wardens of every parish must yerelie in Ester weeke call together the parishioners and appoint overseers of the highe wayes wch if he neglecte or if suche overseers refuce their chardge they *shall forfect xxd [20 pence] for such offence*’ [emphasis added]. These overseers were then responsible for the designation of six days in the year for the repairing of roads ‘leadinge from one market towne to another’, and for ensuring the active presence of all parishioners, subject to a fine of ‘xijd for every such daies absence’. Similarly they were required to report any such absences to a local justice within a month, again ‘upon payne of xd for eche default’. And finally

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<sup>495</sup> NLW MSS, 1610, F II – reproduced in ‘A Merioneth Wage Assessment’ in *Journal of Merioneth Historical & Record Society* (1955), pp. 204-208.

<sup>496</sup> By this date Hugh would already have been a member of the Merioneth justices’ *quorum* for about nine years.

the bailiffs and constables in their turn were to collect any such fines from the overseers ‘upon payne of xd for eche default’ and to ensure the proceeds were then used for further road repairs.

The Merioneth document is rare amongst records of early-modern Welsh justices in having survived – and is of particular interest here because of Hugh Hughes’ likely role. It offers a glimpse of the punitive practical means by which local government under the justices was being effected during the period, across a proliferating range of statutory responsibilities. Matters would have been the same in Anglesey, and there too Hugh’s role, as an increasingly authoritative lawyer and *quorum* member, would have been an influential one.

By the later years of the century, the justices’ roles as public administrators were being extended remorselessly by Privy Council instructions and Acts of Parliament. In Anglesey’s case, the spheres of defence and poor relief offer vivid illustrations of how this worked, over a period when personal rivalries between key individual justices continued to be potent.

As regards defence, Anglesey’s justices increasingly shared with the sheriff a general responsibility for military matters across the island, subject to instructions from the Council in the Marches (which after 1586 were transmitted through the island’s newly created Deputy Lieutenant, Sir Richard Bulkeley 3<sup>rd</sup>, as *custos rotulorum*). Very particular circumstances prevailed within the island in this connection. Throughout the second half of the sixteenth century, Anglesey’s exposed geographical situation gave rise to persistent concern about possible invasion – by the French and Scots between 1539 and 1560, and most especially by the Spanish between 1585 and 1601.<sup>497</sup> This meant that for much of Hugh’s period of office, he and his fellow justices found

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<sup>497</sup> E. Gwynne Jones, ‘Anglesey and Invasion 1539-1603’, *TAAS* (1947), pp. 26-37.

themselves having to balance the obligation to ensure a supply of impressed local men for national military service, especially for the nearby Irish wars of the 1590s, against the more immediate priority of defence preparedness for the island itself. Hugh can be assumed to have endorsed petitions by leading Anglesey gentlemen to the Privy Council and Council in the Marches in 1586 ('Consideracons whie the Isle and countie of Anglesey should be by the Lls [ie Lords] provided for &c')<sup>498</sup> and 1595<sup>499</sup>, involving pleas for exemption from conscription for the island's male population, on the grounds that all local men were needed for home defence protection against invasion. That this latter possibility was real is confirmed by the fact that the Privy Council twice granted such exemptions, in 1581<sup>500</sup> and 1598<sup>501</sup>, despite an urgent national need for more troops. The fervid security climate in the region in the late 1580s and 1590s is confirmed by contemporary papers in the Wynn archives relating to Caernarfonshire, with their repeated references to invasion scares,<sup>502</sup> local recruitment and desertion problems,<sup>503</sup> suspected fifth-column recusant activities,<sup>504</sup> and difficulties associated with adequate musters and deployment of weaponry<sup>505</sup>. The limited evidence available suggests that similar preoccupations consumed much of the time and energy of Anglesey's justices over the period.<sup>506</sup>

Indeed deep tensions between the most powerful of the island's justices came to a head in the late 1580s precisely through the medium of such national security concerns. The long-running power struggle between Sir Richard Bulkeley and

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<sup>498</sup> TNA SP 12/195. Item 92.

<sup>499</sup> NLW, *Calendar of Wynn Papers 1515-1690* (Cardiff, UWP, 1925), p. 178.

<sup>500</sup> *Acts of the Privy Council*, (J.R.Dasent, ed), 12 (London, HMSO, 1896), p. 364.

<sup>501</sup> *Ibid.*, 28, p. 223.

<sup>502</sup> NLW *Calendar of Wynn Papers*, 123.

<sup>503</sup> *Ibid.* 110, 114, 153, 160.

<sup>504</sup> *Ibid.* 107, 110, 241, 123.

<sup>505</sup> *Ibid.* 156, 201, 254.

<sup>506</sup> Gwynne Jones, 'Anglesey and Invasion', pp 31-36; J.J.W. McGurk, 'A Survey of the Demands made on the Welsh shires to supply soldiers for the Irish wars 1594-1602', *THSC* (1983), pp. 56-67.

the rival Anglesey land-owner axis of William Lewis of Presaddfed, Lewis ap Owen Meyrick of Llanidan, and Owen Wood of Hendregadog<sup>507</sup> peaked during these years of greatest Spanish invasion threat, particularly following the former's appointment to the county's Deputy-Lieutenancy in December 1587. Whilst there is no evidence that Hugh himself was a partisan in the poisonous personal contentions between these individuals, the fact that all of them were justices and that the hostilities found open expression at Quarter Sessions meetings means he would have been unavoidably involved. For example, according to a Star Chamber suit in 1589, Owen Wood was physically assaulted by Bulkeley during a Quarter Sessions meeting in Beaumaris on 28 July 1586, as part of the latter's alleged pattern of intimidation and brow-beating of fellow justices in the face of challenge to his decisions.<sup>508</sup> The resulting atmosphere in the justices' routine meetings would have been profoundly unsettling for everyone, particularly as the antagonisms affected their defence obligations. Early in 1588 – with the Armada looming – Lewis ap Owen Meyrick complained directly to the Privy Council about the allegedly discriminatory ways in which Sir Richard, as Deputy Lieutenant, had been supervising the collection of arms and other resources for the island's defence, favouring friends and targeting his enemies with excessive assessments.<sup>509</sup> Within a few months, tensions had run so high that Lewis ap Owen himself was indicted and gaoled by the Council in the Marches for refusing to hand over 'the common armour' to Sir Richard,<sup>510</sup> and no sooner had a Commission been set up to investigate the matter than Lewis ap Owen raised the stakes still higher with allegations implying treason on Bulkeley's part, relating to the Babington plot and personal endorsement of piracy.<sup>511</sup> Though quickly cleared of these charges

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<sup>507</sup> See pp. 132-133 above.

<sup>508</sup> TNA STAC 6/6/W4.

<sup>509</sup> *Acts of the Privy Council*, 15, p. 375.

<sup>510</sup> *Ibid.*

<sup>511</sup> *Ibid.*, 15, p. 409.

by the Privy Council,<sup>512</sup> the stain on Sir Richard's reputation led him then to be bent on revenge. Though Lewis ap Owen appears to have died later that same year, there were further episodes in mid-1588 - in particular, a ferocious physical attack by Bulkeley's men on Richard Gwynn, the Anglesey muster-master and a small land-owner who was probably also an ally of Sir Richard's rivals.<sup>513</sup> The proximate trigger for the violence was probably a disagreement about firearms training, Gwynn's speciality, but the underlying issue was the same more fundamental power struggle.<sup>514</sup> It remained for Owen Wood to make one last attempt to topple Sir Richard. In the autumn of 1589, he presented a final sweeping Star Chamber Complaint against the latter, but after a lengthy hearing Sir Richard received only mild censure (and a short detention in prison), and was returned to the island on the Privy Council's instruction, to resume his defence leadership as Deputy Lieutenant.<sup>515</sup> Bulkeley then rubbed in this vindication by successfully suing Wood for slander,<sup>516</sup> and having him deposed humiliatingly from the commission on the peace.<sup>517</sup>

Thus ended a rivalry between the two factions which went back to at least the early 1550s – when, not long after his defeat by William Lewis in the controversial 1553 Anglesey parliamentary election,<sup>518</sup> Sir Richard Bulkeley 2<sup>nd</sup>, as Mayor of Beaumaris, had filed a Star Chamber complaint against Lewis ab Owen Meyrick and William Wood (Owen Wood's father), together with Hugh's neighbour, Rowland Meredith of Bodowyr<sup>519</sup>, concerning the holding of a Quarter Sessions at Newborough rather than at Beaumaris.<sup>520</sup> These various events were early stages in the same continuing struggle by prominent

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<sup>512</sup> Ibid, 16, p. 23.

<sup>513</sup> Ibid, 16, p. 118.

<sup>514</sup> Jones, *Bulkeleys of Baron Hill*, p. 216.

<sup>515</sup> Ibid, 21, p. 137

<sup>516</sup> TNA STAC 6/6/W.4

<sup>517</sup> Jones, *Bulkeleys of Baron Hill*, p. 228.

<sup>518</sup> P.J. Bullock, 'An Early Election Contest in Anglesey', *TAAS* (1976-77), pp. 25-35.

<sup>519</sup> See note 486 above.

<sup>520</sup> TNA STAC 4/4/57.

interlinked *uchelwr* families, themselves all justices of the peace, to limit the Bulkeleys' escalating dominance, which was aided by influential marriage connections with the Griffiths of Penrhyn, across the island.<sup>521</sup> The decade-long absence from Anglesey of Sir Richard Bulkeley 3<sup>rd</sup> at court, following his father's death in 1572, had provided an opening for the Lewis-Wood faction to begin to rebuild its earlier dominance, and it was during this period, specifically in 1577, that Hugh himself was nominated a justice, albeit there is uncertainty about where his key support was actually coming from at this juncture. Indeed, it is possible he had gained the patronage of both William Lewis *and* Sir Richard.<sup>522</sup> Be that as it may, when Sir Richard returned to take up residence in the island in c.1585, the factional battle was rejoined in earnest – at precisely the moment when issues of local and national defence were at their most pressing, with the Anglesey justices required to play a full and active role.

Hugh would have been close to all of these disruptive struggles between the commission's most prominent members, even whilst the range of justices' duties – and in particular Westminster's and Ludlow's expectations of efficient local administration in times of escalating official anxiety about social order generally – was increasing year on year. The show had to go on – and, whatever the upheavals, the Anglesey commission of the peace somehow fulfilled its front-line role in wider defence and security matters, over and above the proliferating range of wider social and economic duties.<sup>523</sup> Indeed their role in this regard underlines the importance of the late-Tudor justices, in Wales as much as England, as *de facto* instruments of central government, over and above their local judicial and public order roles. Not only were Hugh and fellow magistrates required to act as government agents for the recruitment and organisation of aspects of national defence within the county, but in practice

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<sup>521</sup> Jones, *Bulkeleys of Baron Hill*, Chaps 3-5.

<sup>522</sup> See p. 97 above.

<sup>523</sup> See p. 134 above.

they were helping also to actively *shape* that policy, drawing attention (for example through the petitions mentioned above) to specific local contingencies on the ground where modifications were needed.

The same was true of a second major field of national concern, the issue of poverty and its relief, which developed as a consuming preoccupation for the Anglesey Commission throughout Hugh's years as justice. The later decades of Elizabeth's reign saw a succession of innovations in social policy, aimed at mitigating the calamitous effects for the least well-off of destabilising economic and social forces throughout England and Wales. The combination of inexorable population increase, accelerating price inflation, tightening land markets, and periodic harvest failures, particularly during the late 1580s and 1590s, acted to intensify hardship for those in the lower reaches of the economic scale - resulting in escalating suffering and deprivation, as well as chronic ruling-class anxieties about the potential for popular disorder and even rebellion.<sup>524</sup> It was within certain English cities that these tensions were initially most noticeable, as well as most disturbing to the Privy Council<sup>525</sup> - but the symptoms were being experienced across the nation as a whole.

In Wales there were additional factors, including those arising indirectly from the former inheritance system of *cyfran*. The accumulated fragmentation of land holdings under pre-union inheritance practices meant that many farm units, already barely large enough to sustain a living,<sup>526</sup> were rendered increasingly unviable as the owners were exposed to mounting inflationary pressures. Conversely, the post-union abolition of *cyfran* in favour of primogeniture meant that younger sons no longer had entitlement to a share, however modest, in their

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<sup>524</sup> J. Walter & K. Wrightson, 'Dearth and the Social Order in Early Modern England', in *Past & Present*, 71 (1976), pp. 22-42.

<sup>525</sup> Williams, *The Later Tudors*, pp. 222-3.

<sup>526</sup> Williams, *Tudor Gwynedd*, p. 40.

ancestors' land.<sup>527</sup> Factors like these contributed to the growing numbers of landless individuals and families, at best dependent on constantly depreciating wages, at worst reduced to penury and starvation.

From the 1560s onwards, a succession of statutory measures initiated by the Privy Council through complementary proclamations sought to mitigate the worst consequences of such developments. A distinction was developed, and built upon, between the 'impotent poor' and 'rogues and vagabonds' – in other words, the 'deserving' and 'undeserving', the former to be assisted with a modicum of relief and work opportunities, the latter supposedly to be punished out of existence. In a series of incremental steps, poor rates were established,<sup>528</sup> local houses of correction built, and work materials provided for the able-bodied<sup>529</sup> - in fact, a progressive system of rudimentary social support had begun to develop, subsequently consolidated and codified by the historic 1598<sup>530</sup> and 1601<sup>531</sup> Poor Law Acts. As it happens, Hugh Hughes was Anglesey's knight of the shire in the 1597-8 Parliament and may even have participated in the committee debates on that bill (a matter discussed below).

The personal demands implied for local justices like Hugh by such growing social provision were extensive. Not only were they required to set and ensure the collection of local rates to contribute to the costs of poor relief, but they also had to oversee the recruitment, payment and supervision of local officers – notably, constables and overseers - to administer the system at both hundred and parish levels. More straightforwardly, and equally onerous, they had to execute a parallel obligation to prosecute and punish 'rogues and vagabonds'. The 1601

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<sup>527</sup> N.M.W. Powell, 'Crime and Community in Denbighshire during the 1590s: the Evidence of the Records of the Court of Great Sessions', in J. Gwynfor Jones (ed), *Class, Community and Culture in Tudor Wales* (Cardiff, UWP, 1989), p. 283.

<sup>528</sup> 5 Eliz c.3 (1563), 14 Eliz c.5 (1572).

<sup>529</sup> 18 Eliz c.3 (1576).

<sup>530</sup> 39 Eliz c.3.

<sup>531</sup> 43 Eliz c.2.



Merioneth Assessment discussed above<sup>532</sup> includes a section titled ‘For Relief of the poore and punishment of rogues’, which details the ways in which the duties devolved to the local overseers were enforced. Failures to contribute to the poor liable to harsh fines if ‘rogues’ escaped, or if poor relief went un-administered.

Few sixteenth-century records have survived documenting the conduct of the Anglesey justices in relation to these matters specifically, but it is clear from studies of other counties<sup>533</sup> that the system evolved iteratively, with small sub-regional variations. Nevertheless it is hard to determine how effectively the requirements to provide poor relief were actually being implemented in Anglesey at this juncture. Hindle has shown that there were considerable variations in enforcement of poor law provisions across England and Wales in the 1590s, with much of Kent, Essex and other southern counties relatively strong performers, and northern counties such as Lancashire and Cheshire considerably less so.<sup>534</sup> The gap between ‘the bombast of magistrates and the resistance of taxpayers’ was a continuing problem in many areas, quite apart from the fact the operation of the system was dependent overwhelmingly on the abilities and commitment of lower tier overseers and constables, at the coal face so to speak.<sup>535</sup>

The already noted absence of relevant Quarter Sessions records for Anglesey and Caernarfonshire frustrates detailed further analysis of the position in those counties, though later indications may hint at a relatively satisfactory situation – for example the low returns from Welsh JPs in response to Privy Council inquiries about problems with poor law administration in the early decades of

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<sup>532</sup> See pp. 135-136 above.

<sup>533</sup> Gwynfor Jones, *Caernarfonshire*; Hurstfield, *Freedom, Corruption & Government*.

<sup>534</sup> Hindle, *State and Social Change*, 153-162.

<sup>535</sup> *Ibid.*

the seventeenth century.<sup>536</sup> It could also be that the distinctive oversight role of the Great Sessions judges in relation to Welsh county Commissions of the Peace (discussed below at pages 166-167) was contributing at this time to a discouragement of laxity in implementation, though again the patchiness of relevant court records for the period makes this difficult to confirm.

By the 1590s, the necessarily local nature of poor relief, vagabond persecution and rate collection processes was feeding further the requirement for justices to work individually or in pairs in their local ‘divisions’, exercising personal discretion outside formal quarter or petty sessions. In Anglesey, there appear to have been just two such divisions at this stage, one embracing the hundreds of Twrcelyn, Dindaethwy and Menai, the other Malltraeth, Llifon, and Talybolion.<sup>537</sup> Steve Hindle has pointed to the way in which growing reliance on the parish as the key unit for administration of poor relief in this period was helping to reshape the social depth of ‘democratic’ involvement in processes of local governance, drawing previously unengaged ‘middling sort’ individuals at vestry level into involvement in the late-Tudor political nation - processes which in turn had the side-effect of helping entrench long-lasting ideological distinctions between ‘deserving’ and ‘undeserving’ poor.<sup>538</sup>

In the absence of surviving records, it may be assumed that Hugh Hughes, having been appointed to the Commission at a young age, contributed personally as a justice to the workings of all of these processes during much of the late 1570s and 1580s. There is confirmation that he did so effectively in the fact that he went on to be appointed not only to the *quorum* of the Anglesey

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<sup>536</sup> Williams, *Tudor Gwynedd*, p. 54

<sup>537</sup> ‘Submission by John Bulckley (sic), Beaumaris, 28 June 1575’ (Bulckley was Clerk to the Anglesey Commission of the Peace), in Flenley, *Calendar of Council in the Marches*, op cit, pp. 133-134. The divisions in question are stated to have been ‘for the execution of the statutes concerning Labourers and Servants’, rather than poor law administration per se.

<sup>538</sup> Hindle, *State and Social Change*, pp. 228-231.

Commission in 1591, but also to those of the Caernarfonshire and Merionethshire Commissions the following year,<sup>539</sup> whilst also being appointed Deputy Attorney-General for the two north Wales Great Sessions circuits in 1589<sup>540</sup> – all of them unambiguous pointers to the regard in which his legal judgement and professional commitment had by then come to be held by key figures in the Council in the Marches and Great Sessions judiciary.

### **Sheriff**

In November 1580, after just three years service as a justice,<sup>541</sup> Hugh was appointed the island's sheriff for the first time. To serve in this role in late-Tudor Wales had become something of a rite of passage for a leading man of the county - indeed, most of his fellow Anglesey-resident members of the 1578 Commission of the Peace held the post at some point or other.<sup>542</sup> Though no longer commanding many of the direct powers that had attached to it in the shires of the principality before the Acts of Union - when these territories had effectively been crown feudal lordships, and the sheriff 'undisputed ruler of the shire'<sup>543</sup> – the shrievalty continued to be a highly significant post, in terms of both duties and local prestige. In the words of George Owen of Henllys, he was 'the chief officer of trust and credit in the sheere',<sup>544</sup> the crown's key representative within the county, albeit since the 1536 Act subordinate to the justices in crucial respects. Appointment to the office for the standard one-year term was felt to be a mark of personal distinction, as recurrent bardic references

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<sup>539</sup> P.W. Hasler, *The House of Commons 1558-1603* Vol 2 (Members), p. 351; Phillips, *Justices*, pp.12, 21.

<sup>540</sup> UB Plas Coch 138.

<sup>541</sup> Richards, *New Kalenders*, p. 53.

<sup>542</sup> For example, William Lewis had been Anglesey's Sheriff in 1548 & 1557, Lewis ap Owen ap Meyrick in 1570, Owen Wood in 1576, Richard ap Owen in 1572, Rowland Bulkeley in 1568 and Maurice Griffith in 1561. (Richards, *New Kalenders*, pp. 52-53).

<sup>543</sup> G.R. Elton *The Tudor Constitution: Documents and Commentary* (Cambridge, CUP, 1960), p. 451.

<sup>544</sup> George Owen, *Dialogue of the Government of Wales*, p. 67.

affirm. In practical terms, the holder was the crown's executive officer, the formal passage-point for crown writs and proclamations relating to the shire, as well as having responsibility for conduct of Parliamentary elections; the empanelling of juries at assize, quarter session, county and hundred levels; keeping the county gaol; carrying out sentences on those convicted by the justices; and jointly organising military musters. All of these were weighty, sometimes controversial, functions of government locally. Quite as important, it was the sheriff who was responsible for the collection of crown rents across the island, and for rendering accounts to the regional Auditor.

Finally, not the least of the sheriff's responsibilities was the regular holding of his own county and hundreds courts, as well as the twice-yearly tourn. It was the county court, to which all forty-shilling freeholders paid suit, that was responsible for the election of the county's member of Parliament, or 'knight of the shire'. And the hundreds or local *dadlau* courts also played significant roles. Such bodies have tended collectively to be pictured as faded carry-overs from pre-union days, largely superceded by the justices' quarter and petty sessions, but there are in fact grounds for suggesting that by Hugh's time these courts had evolved to carry a distinctive *cultural* significance, deriving from the overwhelmingly Welsh-monoglot circumstances of rural Anglesey. The evidence is limited, but the possibility is considered later in this section.

Immediate documentary traces from Hugh's first term as sheriff in 1580-81 are few. Of the scarce surviving papers, the most striking hints at a major upset of some kind. This is a summons, backed by a mandatory £40 bond, to appear in person before two Privy Councillors - Lord Burleigh, the Lord High Treasurer, and Sir Walter Mildmay, the Chancellor of Exchequer - 'to answer a charge of contempt in disobeying certain precepts addressed from the courts of Exchequer'. It is dated 31 January 1581/2, a few months after the completion of

his term,<sup>545</sup> and covers not only Hugh, but also his brother-in-law, Richard Griffith,<sup>546</sup> and the latter's brother, Maurice Griffith, named as Hugh's under-sheriff.<sup>547</sup> But there the trail goes cold. The calendar of Privy Council papers contains no reference to the case, which may or may not mean that it was resolved before a hearing took place. Nevertheless, the fact of a Privy Council summons suggests a major irregularity of some kind, possibly relating to the sheriff's end-of-year accounting for crown rents collected by local subordinates. If that was indeed the case, Hugh as sheriff would have been liable personally to make good the sum to the crown Auditor. Conrad Russell has suggested that 'being summoned before the [Privy] Council was one of the most alarming experiences which might befall a Tudor gentleman'.<sup>548</sup> The episode would certainly have shaken Hugh, though the fact that it appears not to have had negative impacts on his subsequent career suggests that blame for the incident may have come to rest on his underlings rather than himself. He went on to be appointed the island's High Sheriff on two further occasions (for the years 1591-2 and 1599-1600), as well as accumulating additional official posts later in the 1580s.

But there are grounds nevertheless for believing that the upset may have had important and continuing reverberations. To help carry out his functions, the sheriff had not only to appoint a working deputy (the under-sheriff) and a county gaoler, but also bailiffs for each of the county's five hundreds. There are numerous recorded instances of sheriffs in other Welsh counties at this period – for example, Edward Kemys of Glamorgan<sup>549</sup> and David Lloyd Jones of

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<sup>545</sup> UB Plas Coch 2950.

<sup>546</sup> Richard Griffith, younger son of Rowland Griffith of Llwyn y Moel, was married to Hugh's sister, Elinor. (UB Plas Coch 69).

<sup>547</sup> See note 487 above.

<sup>548</sup> Russell, *Crisis of Parliaments*, p. 49.

<sup>549</sup> TNA, STAC 8/197/29.

Carmarthenshire<sup>550</sup>- lining their pockets with sales of bailiff posts and other sinecures to friends or close relatives, for sums of £10 or more. Indeed, G Dyfnallt Owen suggests that, amongst sheriffs, ‘there were few places in Wales where a brisk market in private deals for jobs and situations did not flourish’.<sup>551</sup> George Owen of Henllys noted that the going rate was ‘£10 or £20’ for a hundred bailiff. ‘There is every yeare a hungrye baylyff placed who thinketh to fill him self by fleecing others eve the yeare go about, and by that time his powling is ended theare succeedeth hym an other as needy as he’, he observed.<sup>552</sup> Whilst there is no documentary evidence that Hugh demanded such payments, there is equally no reason to suppose that he did not follow the widespread contemporary practice.

However, this aside, the papers for his three terms as sheriff suggest a more complex situation in Anglesey. Specifically there are indications of steps taken by Hugh to cut off the potential for leakage to the bailiffs of crown revenue (and by extension, *in extremis*, of his own personal resources, as compensation to the crown for losses) under his watch. Thus a document dated 19 January 1591/92, during the second of his shrieval terms, records the posting of a bond of £100, underwritten by four named householders on behalf of Thomas ap John ap Llewelyn, as a condition of the latter’s taking on the responsibilities of sheriff’s bailiff for the Talybolion hundred of the shire.<sup>553</sup> This is the sole surviving manuscript from Hugh’s second term in the shrievalty. The high sum required (£100), to be paid the Sheriff should the bailiff fail in his duties, is especially interesting. It appears to suggest that – probably as a fall-out from the Privy Council knuckle-wrapping at the end of his first shrieval term – Hugh had now decided on a substantially higher degree of insurance against possible bailiff

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<sup>550</sup> TNA, STAC, 8/215/20.

<sup>551</sup> Dyfnallt Owen, *Wales in the Reign of James I*, p.129.

<sup>552</sup> Owen, *Dialogue of the Government in Wales*, p. 82.

<sup>553</sup> UB Plas Coch 2989

misbehaviour than the routine payment noted by George Owen as normal. Moreover, by the time of his third term, in 1599-1600, there had been a still sharper escalation, suggesting that his levels of concern about the discretion vested in such individuals, with their substantial opportunities for financial sleight of hand, graft and worse, had continued to grow. Thus indentures amongst his surviving papers show that the levels of bond required of his 1600 appointees had ratcheted even higher than in 1591: In February and March 1600, the putative bailiffs of Dindaethwy, Twrcelyn, Talybolion and Llifon hundreds – respectively, Rheinallt ap William Thomas,<sup>554</sup> John Fletcher of Bodafon,<sup>555</sup> Hugh ap Rees ap Griffith of ‘Llanbaboe’,<sup>556</sup> and Edmund Meyrick of ‘Trefedrayth’<sup>557</sup> – each entered into bonds of a remarkable £500, again co-signed in each case by four associates, for their respective posts - an equivalent of £73,000 in 2009 values,<sup>558</sup> a strikingly high sum for a single remote Anglesey hundred.

What was going on here? Whilst it seems plausible in narrow terms to suggest that Hugh was seeking simply to insure himself against repetitions of the unidentified mishap that had occurred at the end of his first term, the levels of cash increase for the second- and third-term bonds are remarkable, even over a period of continuing inflation. Perhaps therefore there was more to it than simple prudence. In the first place, the sequence needs to be interpreted against the background of Hugh’s wider career preoccupations at the time. From June 1589 onwards, that is, from two years before his second term as Anglesey’s sheriff, he was also Deputy Attorney-General for north Wales, attached to the two north Wales circuits of the Great Sessions. In May 1596, he became the full

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<sup>554</sup> UB Plas Coch 163.

<sup>555</sup> UB Plas Coch 164.

<sup>556</sup> UB Plas Coch 3013.

<sup>557</sup> UB Plas Coch 3015.

<sup>558</sup> Offering, ‘Purchasing Power’.

Attorney-General for the region.<sup>559</sup> In other words, across the period of his second and third terms as Anglesey's sheriff, Hugh was also the crown's senior (or second) legal official in north Wales. Furthermore, this was at a time of persistent Privy Council and Council in the Marches agitation aimed at securing greater probity and reliability of county justices, sheriffs and other lesser local officials - as reflected in the stream of instructions to this effect issuing from Westminster and Ludlow throughout the later decades of the century.<sup>560</sup> Against this background, escalating levels of bailiffs' bond of the kind initiated by Hugh could well have been part of a wider policy initiated by Ludlow and/or Westminster, aimed at improving the quality of local officials in Anglesey, as elsewhere. Sharp escalations in the level of bond guaranteed by propertied associates of a prospective bailiff would make it more likely that only more 'reliable' individuals would choose to apply for such posts, with correspondingly greater sanctions in the event of a default. In other words, the measures were probably aimed at reducing the unscrupulous 'pollynge and pyllynge' of the kind referred to in 1576 by Judge David Lewis<sup>561</sup> – and with every prospect of success. The evidence of the bailiffs' bonds of 1600 is that there was no shortage of takers, even at £500. So, perhaps it is reasonable to picture the sequence of escalating bonds as having been crafted explicitly as a reform measure reflecting, characteristically for the time, lawyerly energy and imagination aimed at improved social norms underpinned by legal sanctions. If this suggestion is plausible, it would point to a style Hugh may have brought to other of his public roles also, combining knowledge of the low politics of hundred-level Welsh social life, with experience of court and crown administrative behaviours at multiple levels of governance.

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<sup>559</sup> UB Plas Coch 159.

<sup>560</sup> eg Flenley, *Calendar*, pp. 98-9, 132, 148-9, 198-9, 212.

<sup>561</sup> In his report to Secretary of State Walsingham, cited in D.Lewis, 'The Court of the President and Council of Wales and the Marches from 1478 to 1575', *Y Cymmrodor* 2 (1891), p.62.



This account also suggests how it may have been that Hugh was able to avoid any lingering damage to his reputation in the wake of the 1582 Privy Council incident. Perhaps, as a high-flying Cambridge-educated young lawyer-landowner at the time, he had been able on that occasion to win the confidence of Burghley and Mildmay, or their Privy Council colleagues, that he was capable of being a ‘sound’ reforming presence in the crown’s service in remote north Wales, if given another chance. Certainly, that would be consistent with the way in which his career developed over the following decades, as will become apparent.

Such speculations, significant as they may be, risk becoming a digression from the analysis of Hugh’s first-hand experience of the shrievalty. To return to the particular role of the bailiffs - it is striking that, in the case of Fletcher, the indenture accompanying the bond includes a recital of the bailiff’s duties. Crown rent collection duties are presented as central, but there are also prescriptions that serve as reminders of the hard-man dimensions of the role – to ‘doe noe extorc[i]on to any of the Queene’s ma[jes]ties subjects by color of his sayd office’, and still more strikingly - in the event of sentence of death being passed on any person for ‘treason, murder of felony’ (within the bailiwick/hundred presumably) - to personally ‘execute or finde an executioner to execute the sayd felones or felones att such tymes and as often as need shall require.’<sup>562</sup> Such requirements, as much as the financial aspects of the bonds, bring home the stark practical significance of the sheriff’s role, with his bailiffs, as key executive agents in late-Elizabethan government, as well as the routinely harsh and acquisitive temper of the times.

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<sup>562</sup> UB Plas Coch 164. Fletcher signed the document with an ‘X’, presumably indicating non-literacy. The first of the four co-signers was William Griffith, the new under-sheriff (see note 548 below).

In parallel with the £500 commitments made by the putative bailiffs, on 3 March 1600 William Griffith of 'Coedaney' gent, also with four co-signatories, entered into a bond of still higher value - £1000 - to act as Hugh's under-sheriff.<sup>563</sup> Again, the high values point to the sheer quantities of hard cash that appear to have been involved in crown rent collection duties.

As regards the post of county gaoler, the terms of a further indenture signed by Hugh as sheriff and dated 1 April 1600<sup>564</sup> also illustrate the scope of farming for individual gain. Rowland Harrison, a 'tanner of Beaumaris', having sought the post at his own 'earnest suit and special request', undertook to carry out all the gaoler's duties at his own 'proper cost and charges', including 'sav[ing] the sheriff harmless from any consequences arising from the escape of prisoners...maintain[ing] the prisoners with sufficient meals and drinks, and removing them at the request of the authorities to any place or places in the county as required'. The implication is obvious: 'Within the precincts of their prisons, [gaolers] were an undisputed law unto themselves. They were not paid for their services but were allowed to extract what remuneration they could from the exploitation of their prisoners.'<sup>565</sup> Though the indenture itself includes no direct reference to a bond or other material *quid pro quo*, this piece of patronage probably also involved financial gain to Hugh himself. In the devolved, privatised system of local administration characteristic of the period, public service and private benefit ran hand in hand as a matter of routine.

As the crown's senior law officer in the shire, the sheriff executed writs for a variety of purposes, including on behalf of courts in other counties. The sparse documents from Hugh's first term include reference to an investigation of Richard Meyrick of Bodorgan in mid-1581, in response to a writ *Ad*

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<sup>563</sup> UB Plas Coch 3012.

<sup>564</sup> UB Plas Coch 165.

<sup>565</sup> Dyfnallt Owen, *Elizabethan Wales*, pp. 194-5.

*Inquirendum*, resulting in an Inquisition at ‘Gwindy’ on 9 September, at which he reported Meyrick as having ‘no property in my bailiwick’,<sup>566</sup> which on the face of it is puzzling, as this Richard Meyrick appears to have been a major landowner in Bodorgan. A possible explanation is that the sheriff was exercising ‘discretion’ in return for a payment, or in order to help a friend – an illustration of the extent to which central authority at the time was routinely dependent on local agents in Hugh’s position for the execution, and indeed the interpretation, of its wishes.

However, such delegated local power involved time-consuming obligations, including the operations of the regular sheriff’s courts. The twice-yearly county ‘tourn’, at which attendance by the county’s forty-shilling free-holders was required, was run personally by the sheriff<sup>567</sup>, as were, in theory at least, the monthly county courts and still more frequent hundreds courts. Quite how these various bodies worked, and how consistently Hugh as sheriff in practice appeared at them - as opposed to the under-sheriff or his deputies, for whom the participants’ fees and douceurs were routine sources of personal revenue - is obscure, since few direct records survive.<sup>568</sup> However, it is clear they were very well used. George Owen noted that ‘...in most partes of Wales as I travelled, I have seene great assemblies of people together, and it hath been allwayes towld me that it was the sheriffs hundred howlden there’.<sup>569</sup> Moreover, ‘I have been present at a hundred courte, wheare I often resort to see theyr fashions, and wheare I have heard 140 actions of debt and trepass called in on[e] courte daye’.

<sup>570</sup> He added that such courts were ‘commonly held in some odd or obscure

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<sup>566</sup> UB Plas Coch 101-103.

<sup>567</sup> Williams, *Tudor Gwynedd*, p. 26.

<sup>568</sup> Ibid.

<sup>569</sup> Owen, *Dialogue of the Government in Wales*, p. 71.

<sup>570</sup> Ibid.

place or blynd Ale-house in every hundred wheare no man of accompte will resorte'.<sup>571</sup>

In Anglesey, these hundreds courts appear to have been known locally as 'sute' or 'dadley' (*dadlau*) courts, held regularly in taverns and other public places around the island. Robert Bulkeley of Dronwy's diary, written in northern Anglesey little more than a generation later in the 1630s,<sup>572</sup> refers to them frequently. For example: '1 June 1631 – 'vespi I went with Rowland ap Richard to ye dadley and there fell a drinking with Owen Foulke, John Thomas and Edmund Gruffydd ye undersheriffe & we dranke all night';<sup>573</sup> or again, '27 June 1632 – I went to the court & paid for the sherife's dinner & mine owne. I took my man Owen's part against Huw Lewis & dafydd ap Powell...'.<sup>574</sup> There are further entries of a similar kind. In the present context, what is especially striking is the reference in these passages to occasional attendance of the sheriff himself at such occasions, in villages like Llanfachraeth and Llanfechell, alongside the more usual presence of an under-sheriff. If this was true in the 1630s, it was almost certainly also true during Hugh's terms in the 1580s and 90s, suggesting that routine interaction with grass-roots vernacular disputes through this court system may have been part of the experience of the sheriff himself as much as that of his deputies. The key formal functions of these 'base'<sup>575</sup> bodies were to examine allegations of local trespass (endemic in the still-prevalent open-field agricultural circumstances of the period), and, most crucially, to arbitrate the constant civil disputes around routine low-level debts of less than 40/- which were oiling the wheels of a liquidity-scarce, seasonal rural economy.<sup>576</sup> Tensions around transactions of this kind would have been

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<sup>571</sup> Ibid.

<sup>572</sup> H. Owen (ed), 'The Diary of Bulkeley of Dronwy, Anglesey, 1630-36', *TAAS* (1937), pp. 26-172.

<sup>573</sup> Ibid p 46.

<sup>574</sup> Ibid p 74.

<sup>575</sup> George Owen used the term 'Base courts' to encompass the range of county and hundreds courts.

<sup>576</sup> Owen, *Dialogue of the Government in Wales*, pp. 83-85.

especially significant in periods of rising inflation like the 1580s and 90s, albeit their regulation at base court level goes largely unmentioned in the surviving records of Welsh quarter and petty sessions.<sup>577</sup>

All of which may in turn have implications for how the role of sheriff was coming to be seen in late-sixteenth century Anglesey. As already indicated, the post-1536 Commissions of the Peace had come to replace the shrieval courts, formally at least, as primary sources of justice and public authority in individual shires - both as tribunals of first instance for misdemeanours and felonies, and increasingly as organs of active public administration. Furthermore, the parish vestry was fast becoming a further lower tier of local government, prompted by the statute-driven priorities of poor relief.<sup>578</sup> From the perspective of Westminster and Ludlow, it would have been these bodies which were now the crucial elements of county governance in Anglesey as elsewhere in Wales, subject to statute and common law, as institutional cogs in the post-union constitutional machinery. Moreover the official language of record and office-holding for such bodies was English – albeit there had to be wide margins of acceptance granted to monoglot Welsh speakers at Great Sessions,<sup>579</sup> and even more so *vis a vis* both suitors and officials at quarter and petty sessions.<sup>580</sup> But even so, there is scope for wondering how comprehensively the reformed institutional matrix would by this period have replaced local Welsh-speaking people's long-established cultural identification with the negotiative processes of the local hundred or dadley courts to which they were suitors. These had after all a long cultural history, with origins probably lying in the commotal courts of pre-conquest Gwynedd.<sup>581</sup> Jones Pierce observes that such courts had

<sup>577</sup> Williams, *Tudor Gwynedd*, p. 29.

<sup>578</sup> Hindle, *State and Social Change*, pp. 207-230.

<sup>579</sup> W.O. Williams, 'The Survival of the Welsh Language after the union of England and Wales: the first phase, 1536-1642', *WHR* (1964-5) 2, pp. 71-73.

<sup>580</sup> Gwynfor Jones, *Caernarfonshire*, pp. 66-71

<sup>581</sup> Williams, *Tudor Gwynedd*, p. 26.

‘cognizance of the usages surrounding partible inheritance and native forms of mortgage [which] lingered on in the folk life of parts of Wales...and until the end of the seventeenth century it would appear that such matters were the subject of extracurial arbitration in *unofficial assemblies which are described in contemporary diaries as dadlau, the term used in medieval law books for the old modes in which legal issues had been determined*’ [emphasis added].<sup>582</sup> This likelihood, coupled to the convivial flavour of Robert Bulkeley’s diary references to dadleys, suggests that by this period the latter were persisting as occasions for Welsh social interaction and vernacular negotiation of differences between neighbours and community members, beyond any strictly ‘judicial’ role.<sup>583</sup> Indeed the diary confirms that tourn, dadley and sute continued to have popular significance across the island until well into the seventeenth (or even the eighteenth<sup>584</sup>) century, with the sheriff and his deputies central figures in their operation.

The significance of this ‘base’ level of local government in late-sixteenth century north Wales appears so far to have been largely unexplored by historians of the period. The emphasis vis a vis local government has tended to be on the post-union county quarter and petty sessions. Against this background, the fresh interpretative observations offered in the paragraphs above may be claimed as an addition to historical and even political understanding. They point to the reality that amongst the overwhelmingly monoglot rural yeomanry and peasantry of Anglesey, these lower tiers of institutionalised arbitration provided a vigorous continuing complement to the work of the county-level Commissions of the Peace.

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<sup>582</sup> T. Jones Pierce ‘Landlords in Wales’, in Finsberg HPR (ed), *The Agrarian History of England and Wales* Vol 5 (Cambridge, CUP, 1969), p 369.

<sup>583</sup> N. Evans, *Religion and Politics in Eighteenth-Century Anglesey* (Cardiff UWP 1937), Appendix 2.

<sup>584</sup> The still later diary of William Bulkeley of Brynddu notes, on 27 October 1737, the holding of ‘a grand tourn’ in Llanfechell. (Evans, *Religion and Politics*, p. 122).

This in turn points to an intriguing irony - that, in the particular circumstances of late-sixteenth century Anglesey (and other Welsh-speaking shires), the sheriff's role may have been developing in two rather contrary directions. On the one hand, he continued to be the embodiment of English-speaking crown legal authority within the county, not only symbolically but still also, in significant respects, in practice. On the other, his supposedly increasingly marginalised courts had come to act, by default, as residual harbours of local cultural continuity, such that the sheriff, himself bi-lingual, was now a kind of involuntary *de facto* patron of local Welsh social interaction and negotiation at the vernacular level. To what extent Hugh was personally engaged at day-to-day grass roots level is impossible to determine, given the sparseness of surviving records, but at the very least he would have been attuned to such developments through routine monitoring of his network of surrogates – deputy-sheriffs, bailiffs and the like.

Such aspects of the shrievalty are reminders of the organic character of local institutional development in early modern Wales. Whilst, as has been shown, statutory changes such as the 1536-43 acts of union and the succession of poverty alleviation measures emanating from Elizabethan parliaments had specifiable and direct consequences for institutions at the various levels of government, nevertheless deeper continuities were also in play. Posts like that of sheriff did not disappear; rather they changed their meanings as needs and circumstances altered. And in Anglesey, a bi-lingual *uchelwr* like Hugh Hughes would have been able to mediate quite naturally across any cultural divides. The fresh interpretation presented in this section suggests that figures like Hugh, with their ability to straddle the cultural divides between crown-legal and Welsh-customary institutions at local level, would have been crucial to the frictionless meshing of the two tiers.

## Manorial courts

A further set of local governance institutions that were undergoing change in Elizabeth's later decades were the courts of Anglesey's long-standing royal and ecclesiastical manors. Hugh became a key figure in three of these, being appointed steward or deputy-steward to the crown manor of Rhosyr ('Rhosfair') in 1580;<sup>585</sup> the erstwhile Abbot of Aberconwy's Anglesey manors of Celleiniog, Cornwy, Penmynydd and Bodegwedd (Bodegwaith) in 1586;<sup>586</sup> and the Bishop of Bangor's 'manors and lands' in 1595.<sup>587</sup> Strictly speaking these were English-style manors only by analogy, their origins being as *maenols*.<sup>588</sup> For example the Celleiniog, Cornwy, Penmynydd and Bodegwedd lands, dispersed around the island, had accumulated to Aberconwy Abbey through pre-Conquest grants of granges by Gruffydd ap Cynan ap Owain Gwynedd in c. 1188-1199, Llewelyn ap Iorwerth in c. 1200,<sup>589</sup> and subsequently Edward I in 1284.<sup>590</sup> By contrast, the Rhosyr manor was a consolidated crown holding deriving from the Princes' former *maenol* in the south-east corner of Menai commote, albeit much diminished in extent over the centuries. And the Bishop of Bangor's lands, concentrated largely along the Menai Straits though extending also into Twrcelyn and Talybolion, were by 1535 in the long-term tenancy of Sir Richard and William Bulkeley.<sup>591</sup>

Hence each of the manors was different in history and structure, but the three were alike in each still having an independent infrastructure of steward and bailiffs<sup>592</sup> to run and regulate its court leet. As with the shrievalty however, by

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<sup>585</sup> UB Plas Coch 99 & 172.

<sup>586</sup> UB Plas Coch 125 & 171.

<sup>587</sup> UB Plas Coch 3002.

<sup>588</sup> Carr, *Medieval Anglesey*, p. 154. See also note 62 above.

<sup>589</sup> C Gresham, 'The Aberconwy Charter', in *Arch. Cam.* XCIV (1939), pp. 124-144.

<sup>590</sup> *Cal. Chanc. R. Vac.*, cited in Carr, *Medieval Anglesey*, p.269.

<sup>591</sup> UB Baron Hill 1956.

<sup>592</sup> Wiliam ap John ap Gwilym posted a £60 bond as bailiff of the Bishop of Bangor's lands under Hugh's deputy-stewardship, on 14 May 1592 (UB Plas Coch 3007).



the late sixteenth century the justices of the peace had come to assume many of the manorial courts' historic judicial functions - leaving apparently only the handling of pleas involving sums of less than 40s, and minor disputes arising amongst the tenants. Indeed, as Christopher Brooks points out, manorial courts were one of the few jurisdictions in which the numbers of actions declined during the second half of the century.<sup>593</sup> Nevertheless, the attractions of the post of steward to a rising lawyer of Hugh's stripe would have been considerable. Quite apart from the fees, fines and amercements arising from the routine case-work, the steward's role as legal adviser to some of the island's largest landowners would have brought with it enhanced prestige and contacts, as well as opportunities for land-related intelligence of potential personal significance. It is striking for example that one of the Plas Coch estate's prize acquisitions in the period following Hugh's 1586 appointment as steward for the Aberconwy Abbey properties (which, as elsewhere, had passed into Crown ownership following the dissolution) was the former township of Nantcall near Clynnog in Caernarfonshire, part of the former Abbey's estate.<sup>594</sup> The papers are incomplete, but they show that by 1590 he had acquired an initial lease in Nantcall,<sup>595</sup> on nearby crown land recently controlled by the Earl of Leicester,<sup>596</sup> and by 1595 was in receipt of rents.<sup>597</sup> By 1606 he was well on the way to taking over the ex-Abbey-owned remainder of the Nantcall houses and lands<sup>598</sup> – much of which in the late 1580s<sup>599</sup> had been the focus of a dispute within the then-leaseholders' family, a dispute of which Hugh would have had inside knowledge as a key official of the estate. There is no direct evidence to suggest anything underhand on Hugh's part, but the coincidence of dates may well be

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<sup>593</sup> C.W. Brooks, *Pettifoggers and Viper of the Commonwealth: the "Lower Branch" of the Legal Profession in Early Modern England* (Cambridge, CUP, 1986), p. 96.

<sup>594</sup> UB Plas Coch 374-393.

<sup>595</sup> Ibid 378.

<sup>596</sup> C. Gresham, *Eifionydd: a Study in Landownership from the Medieval Period to the Present Day* (Cardiff, UWP, 1973), p 303.

<sup>597</sup> UB Plas Coch 379.

<sup>598</sup> Ibid 381-384.

<sup>599</sup> Ibid 377.

significant. Whatever the professional value he was able to give the Abbey's manor as steward – at a time when his own specialist professional interest in recent developments in land tenure<sup>600</sup> was of growing significance for the management of manorial jurisdictions<sup>601</sup> - he may also have gained intelligence of direct personal benefit.

The real significance of manorial stewardships in the context of this chapter's argument is that they underline again the means by which Hugh was able to stay embedded in the routine grass-roots social and administrative life of the island, even whilst maintaining an ascent on the regional and wider national scene. Just as conduct of Anglesey's sheriff's courts would have kept him alert to grass-roots concerns, so local manorial experience of tensions surrounding land tenure and management would have fed personal attunement to the social and economic pressures affecting late Elizabethan-early Jacobean north Wales. And it was pressures of these kinds which were manifesting themselves both in the civil suits and felonies tried at the Courts of Great Sessions, and in the 'public policy' preoccupations of the Council in the Marches (as well as the 1597 House of Commons), over the period in which Hugh now also became centrally involved in these very bodies. The next section turns to this matter.

### **Attorney-General for North Wales**

The Courts of Great Session were arguably the most distinctive elements of the Tudor settlement for Wales. Whilst the 1536 and 1543 Acts' provisions for county magistrates, with their Quarter and (subsequently) Petty Sessions, were designed explicitly to align Welsh practice with that in England, the creation of the four judicial circuits of Great Sessions was an innovation peculiar to Wales,

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<sup>600</sup> Baker, *Readers and Readings*, p 132.

<sup>601</sup> Brooks, *Pettifoggers and Vipers*, p. 199-201. Brooks suggests that during the last two decades of Elizabeth's reign, there was mounting activity by common lawyers such as Kitchin, Calthorpe and Coke, aimed at integrating manorial customs and tenures into forms assimilable by the Westminster common law courts.

albeit the circuits themselves followed the geographical boundaries of the circuits prior to 1536. The Great Sessions courts, whose duties were set out in the 1543 ‘Ordinances’,<sup>602</sup> were given extensive powers, equivalent to those of both King’s Bench and Common Pleas in England - as well as a substantial equity jurisdiction, though for the purpose of initiating proceedings in this connection they were linked to four local chanceries, rather than the main Chancery court in Westminster. Geographical location within Wales made them relatively inexpensive for local suitors, and from the outset they appear to have been widely respected. Initially there was a single judge for each circuit, but within a decade and half of their inception, the courts’ popularity and the resultant pressure of business led to a second judge being added in each case, consistent with William Gerard’s urging in his 1576 *Discourse to Walsingham*.<sup>603</sup> Most of these judges and many senior court officials were in fact English, but that did not detract from the widespread sense that Welsh distinctiveness was being maintained and respected. Indeed, that is why Gerard at least urged the creation of specifically Welsh-speaking judges.<sup>604</sup> As Richard Suggett observes of these courts, ‘Behind the English and Latin legal record there was a concealed world of arbitration, settlement and compromise in the Welsh language’.<sup>605</sup>

Hugh Hughes rose to become almost certainly the first Welsh-speaking Attorney-General attached to the Great Sessions, in his case to the two north Wales circuits of Anglesey-Caernarfonshire-Merioneth (‘the Anglesey circuit’) and Denbighshire-Flintshire-Mongomeryshire (‘the Chester circuit’). The respect this appointment attracted within Wales is implied in a 1604 *cywyd* by the Anglesey poet Huw Pennant –

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<sup>602</sup> 33/4 Hen VIII c.26.

<sup>603</sup> 18 Eliz c. 8. See also Thomas, *Further Notes on the Court of the Marches*, pp. 161-163.

<sup>604</sup> *Ibid.*

<sup>605</sup> Suggett, ‘Welsh Language and Court of Great Sessions’, in Jenkins, *The Welsh Language*, pp. 153-180.

*‘Benser a Reder odiaeth/Yn Lincoln’s Inn uwch hyn aeth/Hwyroedd gael Cymro iddi/Ngwynnedd wych hedd ond chwi...’*,<sup>606</sup> (‘As a Lincoln’s Inn bencher and fine Reader/Went even further than this. It was high time that Gwynedd should have a Welshman like you/ Bringing fair peace to Gwynedd...’).

The last two of these lines allude to Hugh’s path-breaking significance as a native-born senior lawyer-administrator. His distinctiveness as a native Welshman in the role is consistent with the apparent Englishness of the recorded names of the other sixteenth-century Welsh regional Attorneys-General.<sup>607</sup> His initial appointment was on 20 June 1589,<sup>608</sup> as the Deputy to Attorney-General Ralph Barton, an elderly and highly experienced Gray’s Inn bencher from Lancashire.<sup>609</sup> Barton had been a member of the Council in the Marches since 1570 and was a brother-in-law of William Gerard, who was the Council’s vice-president at the time. He would have interacted closely with Sir Thomas Egerton in the same context in the late 1580s – a possible chain of influence relevant to Hugh’s appointment.

The terms of the 1589 deed show that Hugh was appointed Barton’s immediate subordinate, in what was a demanding post. As number two to the Crown’s top legal official in the region, his key responsibilities included confirming and signing all indictments before their submission to the assize Grand Juries, and personally conducting criminal prosecutions of prisoners in court.<sup>610</sup> He was also obliged to appear in person for the crown in every case in which the crown’s name appeared. Hugh agreed to ‘discharge the duties of the office and save [Barton] harmless from any untowardness incident to its execution’, as

<sup>606</sup> Wyn Wiliam (ed), *Menai*, p. 17.

<sup>607</sup> WR Williams, *The History of Great Sessions in Wales 1542-1830* (Brecknock 1899), pp. 79-81.

<sup>608</sup> UB Plas Coch 138.

<sup>609</sup> Hasler, *Members 1558-1603*, p. 387.

<sup>610</sup> W.R. Williams, ‘The King’s Court of Great Sessions in Wales’, *Y Cymmrodor*, XXVI (1916), pp. 79-80 & 120.

well as allowing the latter ‘to have, receive and take’ the annual fee arising from the office.<sup>611</sup> In addition, if Barton happened to appear in person to perform the duties, Hugh was automatically to give way. Though it has not been possible to trace any records of specific trial activities, it may be assumed that a great deal of expert judgement and personal hard work was involved, both during the Courts’ twice-yearly assizes in each of the six counties, every summer and autumn - a total of twenty-four sessions a year, each lasting six days – in interaction with officials of the judges and the Council of the Marches, and in preparatory and crown-advisory work behind the scenes.

Within less than three years, Ralph Barton died.<sup>612</sup> His successor as Attorney-General, from 19 May 1592,<sup>613</sup> was Peter Warburton, a Lincoln’s Inn bencher since 1582, who was also a contemporary and close Cheshire associate of Sir Thomas Egerton.<sup>614</sup> Within eight days of this appointment, Warburton confirmed Hugh, who he must also have known well as a colleague and probably friend at the Inn (as is argued below), as his Deputy.<sup>615</sup> This arrangement continued for almost four years, till Warburton resigned the senior post because of pressures arising from an accumulation of further appointments.<sup>616</sup> At that point, on 8 May 1596, Hugh was raised to full Attorney-General for the north Wales circuits in his own right.<sup>617</sup> The connection with Warburton, who finished his career as a much-respected senior judge, persisted however; in 1603 Hugh named him as one of the overseers of his own will, whilst also bequeathing him a gift of a ring,<sup>618</sup> gestures pointing to

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<sup>611</sup> UB Plas Coch 138.

<sup>612</sup> On 18 March 1592 - see note 594 above.

<sup>613</sup> Williams, *History of Great Sessions*, p.80.

<sup>614</sup> *ODNB*, Vol 17, p. 264.

<sup>615</sup> Williams, *op cit*, p. 150.

<sup>616</sup> *ODNB*, Vol 57, p. 264.

<sup>617</sup> UB Plas Coch 159.

<sup>618</sup> UB Plas Coch 408.

a degree of personal respect and even warmth which must surely have been reciprocated.

As an institution, the late-Elizabethan Great Sessions was more than simply a trial court in eyre; it was also a regional manifestation of government. The cyclical arrival of the Assizes carried symbolic and ceremonial significance for county towns, as an emblematic embodiment of law and constitutional order – a locally visible representation of national hierarchy and authority, backed by the gallows, compelling attention and even awe. As already noted, the 1580s and 90s were a period of fierce judicial enforcement of behavioural norms,<sup>619</sup> and popular dread of the assizes played a crucial psychological role as ‘social theatre’, over and above the courts’ more specifically judicial functions.<sup>620</sup> The Attorney-General and his Deputy would have been key actors in such ‘dignified’<sup>621</sup> dimensions of the courts’ political role. Though few accounts appear to have survived of the actual routines of the north Wales Great Sessions during the period, Hugh can be expected to have featured consistently, in person, in the ceremonials as well as the actual judicial processes.

The most explicit articulation of this connection between the Great Sessions and wider issues of constitutional government and citizens’ obligations would have been through the judges’ ‘charges’, or introductory speeches, to the grand jury at the commencement of particular sessions.<sup>622</sup> Such charges were evolving across England and Wales throughout the Elizabethan period as important media for public communication of both legal-political principles and recent

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<sup>619</sup> Hindle, *State and Social Change*, pp. 116-121.

<sup>620</sup> J.S. Cockburn, *A History of English Assizes, 1558-1714*, (Cambridge, CUP, 1972), p. 3.

<sup>621</sup> ‘Dignified’ in Bagehot’s sense, in his 1867 work, *The English Constitution*, (Oxford, OUP, 2011 edn), contrasting the *dignified* (‘that part which is symbolic’) with the *efficient* (‘the way things actually work and get done’) elements of the constitution.

<sup>622</sup> Brooks, *Law, Politics and Society*, pp. 22-23.

statutory developments from the centre to localities,<sup>623</sup> and whilst Attorneys-General were technically independent of the judges, the formers' well-informed views would have helped influence selection of the issues highlighted by the judges as relevant to particular local circumstances. So Hugh may well have played a significant contributory role in these processes too.

It is important in addition to keep in mind that, over and above the range of his Great Sessions responsibilities, he had now also been a specifically Anglesey justice for nearly twenty years by this stage - across a period when, as has been shown, the duties attaching to that role were becoming steadily more demanding of time, energy and powers of judgement. Indeed, as has already been shown,<sup>624</sup> at some point in 1590-91 he was elevated to the *quora* of not only the Anglesey Commission of the Peace, but also to those of Caernarfonshire and Merioneth. This meant that, at this level, he would have been operating close to the centre of the affairs of all three sets of county justices - active at many of their Quarter Sessions, whilst also being available for Petty Sessions and less formal single-or-combined justice activities within his own Anglesey division. As has already been noted, the role of a senior lawyer within a *quorum* was to ensure informed and up-to-date local implementation of the fast-changing policy and legal framework by his fellow justices, acting collectively. So on top of his higher Attorney-General responsibilities, operating in this way, in both languages, in three geographically extensive counties would have involved Hugh in an enormous personal workload. Indeed the fact of a simultaneous personal presence on three *quora* from the early 1590s onwards suggests physical and intellectual stamina, as well as negotiating and advocacy skills across linguistic and cultural divides, which must have been recognised as valuable by the key members of the Council in the Marches and circuit court justices who had

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<sup>623</sup> Ibid, pp. 87-92.

<sup>624</sup> See page 42 above.

appointed him.<sup>625</sup> His Great Sessions activities - whether as crown advocate in court, or as authoritative back-stage adviser – can be expected to have had the effect of thickening an already rich understanding of the social and political circumstances of communities across north Wales.

It is relevant in this connection that the period witnessed continuing *interactions* between the two levels of local government - county Quarter Sessions and regional Great Sessions. Hugh's first-hand familiarity with what was going on at both levels would have put him in an influential position in relation to a wide range of governance issues. The issue of what today would be called 'sentencing tariffs' offers an illustrative example. Nia Powell has pointed to the degree of 'sympathy and compassion' reflected in some of the levels of sentence imposed at the Denbighshire assizes in cases of theft by individually poor and needy individuals, during the dearths and local famines of the mid-1590s, when Hugh was the crown's representative on that circuit.<sup>626</sup> Such observations complement Thomas Lewis's parallel argument that, at shire level, justices of the peace at this time were often deliberately undervaluing stolen goods in order to enable offences to be graded as petty rather than grand larcenies, thus avoiding the possibility of a death sentence attracted by the latter category, by ensuring that the indictments need not be referred to the higher court.<sup>627</sup> Given that Hugh was playing a leading role at both levels, the signals he would have given – either in advising his fellow Anglesey, Caernarfonshire or Merioneth justices, or in prosecuting particular cases before the assize judges – would have commanded particular attention. The authority of his position would appear to have been such that he was in a position to interpret and nuance

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<sup>625</sup> As argued above in chapter three, Sir Thomas Egerton, a weighty legal presence at the Council in the Marches and on the move from Crown Solicitor-General to Attorney-General in 1592, was almost certainly one of his key sponsors at this stage.

<sup>626</sup> Powell, 'Crime and Community in Denbighshire', pp. 286-287.

<sup>627</sup> T.H. Lewis, 'The administration of justice in the Welsh county in its relation to the organs of justice, higher and lower', *THSC* (1966), pp. 158-159.



crown policy on these matters – effectively, a political role in circumstances requiring social sensitivity, rather than simply a legal one. Moreover his experience of local circumstances through repeated service as sheriff (his second term was in 1591-2, it will be recalled) and as manorial steward would also have been able to inform his advice.

Furthermore, as Lewis notes,<sup>628</sup> a key significance of officers of the Great Sessions courts in relation to local justices lay in the fact that, since the former were operating across several shires (in Hugh's case, six of them), they were in a position to evaluate and communicate experience of other counties' interpretations of both their legal and their administrative obligations. The latter – proliferating over the ever-widening range of social and economic matters from poverty relief to trading standards – are especially likely to have benefited from the higher courts' comparative perspective. This perspective would have been evident in more than just the Charge at the opening of each Great Sessions. It would also have arisen in relation to particular indictments where there had been administrative dereliction, for example vis a vis neglect of roads and bridges, or failure to provide facilities for the indigent. Given that Elizabethan local government operated through criminal judicial procedures, such cases were the bread and butter of the Great as well as the Quarter Sessions. It seems unlikely that a regional Attorney-General, with his finger on the pulse of crown policy and priorities, could have avoided being drawn into disputes about substantive fields which today would be regarded as matters of public administration and social policy.

This chapter has sought to piece together the fragmentary traces of Hugh Hughes' public life in Anglesey and other north Wales counties during the later

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<sup>628</sup> Ibid, p. 161.

decades of the sixteenth century. Having apparently taken the decision in his mid-twenties to pursue a career from the family's expanding establishment at Plas Coch at Llanedwen, the same talents which had attracted success at Cambridge and Lincoln's Inn won him early recognition as a coming man on the island, as a local justice, as sheriff, and as a skilled common law advocate. A combination of Welsh family pedigree, English establishment networks flowing from his education (and reinforced by his Montagu marriage), and senior judicial patrons, possibly aided by fall-out from the chance mishap during his first term as sheriff, attracted growing official recognition as a skilled bi-lingual lawyer and official in the Privy Council's interest. There are even signs – in the bailiffs' bond sequence<sup>629</sup> - that he may have become an actively reforming presence in the region, vis a vis higher standards of local government probity. Overall, these simultaneous involvements in the various interlocking tiers of legal-administrative institution in north Wales, coupled to sustained interaction with Lincoln's Inn during an intellectually dynamic phase of the Inns of Court's existence, appear to have led to growing standing within the governing class of the region, reflected most strikingly in the appointments as Deputy and then full Attorney-General of the north Wales Great Sessions or Assize circuits. It should be added that his value as a respected Welsh lawyer-administrator would have been especially great for the Privy Council and Council in the Marches<sup>630</sup> during the 1590s, when north Wales, like other parts of the country, was plagued by national security concerns about possible Spanish invasion, political conspiracy, and conscription tensions related to the Irish wars - as well as persistent concerns about food shortages, social order and the relief of poverty, all of which were felt to require ever more active – not to say, draconian – juridical intervention.

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<sup>629</sup> See pp. 141-145 above.

<sup>630</sup> His appointment to the Council in the Marches in 1601 is considered in the next chapter.

Hugh's feel for the social realities of Anglesey Welsh life, discussed above in chapters one and two, would also have been a significant asset.

Historiographically, the present chapter has been able to cast fresh light on the extent to which communal Welsh social and institutional life at hundred level was continuing in this period to be negotiated and regulated in the vernacular, through the sheriff's long-existing 'sute' and 'dadlau' courts, notwithstanding the emphasis laid by recent historians on the latter's apparent supercession by the post-union commissions of the peace. This is a matter that could repay further research, not least for the light it could cast on the pervasive linguistic tolerance that continued to prevail in local official life notwithstanding the 'language clauses' of the 1536 and 1543 acts.

In sum, despite a tantalising paucity of direct documentary evidence relating to Hugh's north Wales career, it has been possible here to suggest how what must have been an unusual combination of local knowledge, sophisticated Welsh-English cross-cultural understanding, and up-to-date public policy attunement and legal expertise were building him a distinctive and respected presence in the region. This combination of skills appears to have enabled him to apply up-to-date legal and administrative understanding at the vernacular local level, quite as effectively as in the higher courts. Such aptitudes then went on to win him recognition on a wider national canvass, as the next chapter shows.

## **Chapter 5**

### **Hugh Hughes and the national scene**

By the mid-1590s Hugh was a public figure across north Wales. Almost certainly the reconstruction of Plas Coch was under way, adapting the earlier mansion which had been built by his father in the 1560s on the family's historic Porthamel Isaf site - and he and his wife Elizabeth now had a growing family, including a male heir, Roger their eldest child. A bencher at Lincoln's Inn since January 1594,<sup>631</sup> his promotion in May 1596 to Attorney-General for the north Wales circuits would have reflected Privy Council recognition of both legal and political weight. It was an appointment which entailed a strong personal identification with the crown. Increasingly he was becoming part of the institutional fabric of the new 'imagined community'<sup>632</sup> of *Britain*.

### **Knight of the Shire**

All of this is consistent with the reality that in Anglesey his preoccupations were increasingly in harmony with those of Sir Richard Bulkeley 3<sup>rd</sup>, beyond question by this stage the dominant political presence on the island. Sir Richard's prestige, national as well as local, had been confirmed by the speed with which earlier in the decade he had been quickly reinstated as the county's Deputy Lieutenant and, 'by the Queen's command', overseer of Anglesey's defence, following the embarrassment of a formal censure and brief imprisonment in 1590-91, as a result of Owen Wood's Star Chamber suit against him.<sup>633</sup> Such rapid official rehabilitation so soon after a conspicuous public disgrace points to the favour Sir Richard continued to enjoy at court and

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<sup>631</sup> *LI Black Books*, II, p. 31.

<sup>632</sup> Anderson, *Imagined Communities*, pp. 37-46.

<sup>633</sup> See p. 138-139 above.

within the Privy Council, ever since his service at court as a Gentleman Pensioner in the 1560s and 70s.<sup>634</sup>

This high Bulkeley standing appears to have worked in Hugh's favour also. As already suggested, Sir Richard had probably assisted the latter's rise locally, first as justice and then as sheriff on the island. Now, the Bulkeley hand can also be detected in Hugh's election on 3 October 1597<sup>635</sup> as Anglesey's knight of the shire for the 1597-98 Parliament. This was possible because control of the county seat, like that for the borough of Beaumaris, had rested with Sir Richard for at least fifteen years up to this point. As D.C. Jones has shown,<sup>636</sup> each one of the county MPs for Anglesey in the four immediately preceding parliaments – those for 1584, 1586, 1589, and 1593 – had been a Bulkeley relative or protégé, as was also true of the county's representative in the subsequent 1601 parliament.<sup>637</sup> Moreover the 1597 election, like the others just mentioned, appears to have been uncontested, suggesting that - whether as a reflection of the power of Sir Richard's backing, or perceptions of Hugh's own merits, or both - there was no overt opposition to his election from the island's other landowners and forty shilling freeholders. This is noteworthy because such consensus over parliamentary candidacies was by no means automatic at the time in Wales. Both the Denbighshire elections of 1588 and 1601,<sup>638</sup> and the Montgomeryshire election of 1588<sup>639</sup> were bitterly contested by rival gentry factions within those counties. And in Merioneth, allegations of corrupt practices during the 1597 election resulted in Star Chamber action against the two Deputy Lieutenants.<sup>640</sup> However in Anglesey, no such challenges appear

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<sup>634</sup> Jones, *Bulkeleys of Beaumaris*, p. 193.

<sup>635</sup> Richards, *New Kalenders*, p. 87.

<sup>636</sup> Jones, *Bulkeleys of Beaumaris*. pp. 261-264.

<sup>637</sup> 1584 - Owen Holland of Berw, Sir Richard's brother-in-law. 1586 – Sir Henry Bagnall of Plas Newydd, cousin by marriage. 1589 – Richard Bulkeley of Porthamel, cousin. 1593 – William Glyn of Gyllifon, son-in-law. 1601 – Thomas Holland, nephew. (Richards, op cit, p. 154).

<sup>638</sup> JE Neale, *The Elizabethan House of Commons* (London, Jonathan Cape, 1949), pp. 111-128.

<sup>639</sup> *Ibid*, pp. 99-110.

<sup>640</sup> Edwards, *Star Chamber Proceedings*, p. 90.

to have arisen with respect to Hugh that September. In any event, the sheriff in charge of the island's 1597 election was a Bulkeley relative, William Glynn of Glynllifon, Caernarfonshire, Sir Richard's son-in-law, who had himself been Anglesey's knight of the shire in the previous (1593) parliament.<sup>641</sup> The wheels of patronage appear to have been organised to turn smoothly on Hugh's behalf.

So what role might he have played, following his arrival at Westminster for the opening of Parliament on 24 October 1597? Hayward Townsend, another neophyte member of the 1597 Parliament, kept a journal recording his first-hand experience, probably identical to Hugh's, of the state opening, swearings-in, and other key events of the session. Townsend was a member of Lincoln's Inn, and would certainly have known Hugh.<sup>642</sup> Moreover there would have been many other familiar faces, from Welsh gentry, Inns of Court and Montagu family connections. However, more substantively, a sense of the broader context is first appropriate, as there is continuing historiographical debate about the nature and role of the late-Elizabethan Parliament itself. Sir John Neale's path-breaking but in retrospect rather Whiggish contention that the period witnessed a progressive crystallisation of Commons' opposition to Crown priorities, with a nascent puritan 'party' in the vanguard,<sup>643</sup> has met convincing challenge in recent years – in particular from those, following Elton,<sup>644</sup> who argue that during the late sixteenth century the Commons continued to be, like the Lords, overwhelmingly an instrument of royal government, for advice and law-making,<sup>645</sup> rather than an even embryonic arena of political struggle against the crown. So it is probably more accurate to picture it as an essentially unified, if opinionated, assembly at the service of the crown at this stage than as an arena nourishing political

<sup>641</sup> Richards, *New Kalenders*, pp. 53, 154.

<sup>642</sup> T.E. Hartley (ed) *Proceedings of the Parliaments of Elizabeth I – Vol III, 1593-1601* (Leicester, Leicester University Press, 1995), pp. 225 et seq.

<sup>643</sup> J.E. Neale, *Elizabeth and Her Parliaments, Vols I & II* (London, Jonathan Cape, 1957).

<sup>644</sup> G.R. Elton, 'Parliament in the Reign of Elizabeth I' in C. Haigh (ed), *The Reign of Elizabeth I* (Athens, Georgia, 1985).

<sup>645</sup> G. Seel & D. Smith, *Crown and Parliaments 1558-1689* (Cambridge, CUP, 2001).

challenges on matters of state.<sup>646</sup> On this account the most conspicuous conflicts to surface in the late-Elizabethan Commons and Lords – those concerning for example the fate of Mary Queen of Scots, the issue of the Queen’s marriage, the succession, and the increasingly sensitive matter of crown monopolies – were reflections of vertical differences of view within the court and privy council transferred into the two Houses, rather than, *pace* Neale, concerted horizontal movements of challenge to crown policy from organised groups of MPs.<sup>647</sup> This being so, the crown’s central preoccupation within the Commons during this period - Elton,<sup>648</sup> Graves<sup>649</sup> and others have argued - was to negotiate the passage of nationally significant legislation and taxation through effective management of otherwise rather fragmented bodies of members. Michael Graves in particular has illustrated the key role of parliamentary ‘men of business’ – individual members whose skills of argument, drafting and political judgement made them Commons’ leaders by example - in ensuring the effective implementation of crown legislative priorities.<sup>650</sup>

Given the interests and evident sympathies of both Hugh Hughes and Sir Richard Bulkeley, it seems likely that in the 1597 Parliament the former would have been unambiguously aligned with the crown’s interests in the Commons - though how actively is tantalisingly difficult to determine. The evidence already adduced of his associations with such significant Privy Council figures as Sir Thomas Egerton,<sup>651</sup> at this stage Lord Keeper and Speaker in the House of Lords, and Sir Robert Cecil, then the Queen’s Secretary, is suggestive though far from conclusive. It was Cecil who was to propose Hugh’s nomination to the

<sup>646</sup> On ‘matters of state’, see note 643 below.

<sup>647</sup> D. Smith, *The Stuart Parliaments 1603-1689* (London, Hodder, 1999), esp Introduction. pp. 7-9.

<sup>648</sup> Elton, ‘Parliament in the Reign of Elizabeth I’.

<sup>649</sup> M.A.R. Graves, *Elizabethan Parliaments, 1559-1601* (Harlow, 1996)

<sup>650</sup> M.A.R. Graves, ‘Thomas Norton the Parliament Man: An Elizabethan MP, 1559-1581’ in *The Historical Journal* 23, 1 (1980) pp. 17-23.

<sup>651</sup> See pp. 94-104 above.

Council in the Marches in 1601.<sup>652</sup> As a county member, Hugh would have been entitled to serve on a number of specific bill committees in the parliament, on matters to which his north Wales administrative experience would have equipped him to contribute. Apart from the all-important issue of the triple crown subsidy agreed by the Commons, the key preoccupations of the 1597 Parliament reflected the catalogue of misfortune the country had been experiencing in the middle years of the decade, compounding the social impacts of continuing inflation.<sup>653</sup> Following the 1592-93 plague, in which more than 10,000 Londoners lost their lives,<sup>654</sup> there had been four successive years of failed harvests and ensuing dearths, leading to chronic deprivation and sporadic food riots up and down the country.<sup>655</sup> As chapter four has suggested, these were social conditions of which Hugh had been having direct experience through his role at the Great Sessions in Denbighshire and elsewhere. It is conceivable he could have contributed specific details from this experience to the committee discussions on both subsidy bills and poverty alleviation measures in the session. But if so, there is no record of such interventions.

The persistent national social and economic strains of the time were also being exacerbated for many by ever-increasing demands for impressed men for the armies in Ireland and the Netherlands.<sup>656</sup> Indeed by this stage the country had already experienced more than a dozen successive years of sustained warfare, aggravating the social and law-enforcement pressures at home, in relation to which Hugh himself, as a *quorum* member of Anglesey as well as of Caernarfonshire and Merioneth, would have developed his own personal concerns. The scale of the tensions confronting crown and Commons alike is

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<sup>652</sup> Hasler, *House of Commons Members 1558-1603*, p.35(1).

<sup>653</sup> Russell, *Crisis of the Parliaments*, pp. 4-11.

<sup>654</sup> D.M.Palliser, *The Age of Elizabeth: England under the Later Tudors, 1547-1603*, (London, Longman, 1983), pp. 189-201.

<sup>655</sup> J. Sharpe, 'Social strain and dislocation, 1585-1603' in J. Guy (ed), *The Reign of Elizabeth I: Court and culture in the last decade* (Cambridge, CUP, 1995).

<sup>656</sup> See pp. 136-137 above.



worth emphasising: Over 100,000 men were conscripted for military service overseas between 1585 and 1603, for wars costing a total of c. £4.5 million, at a time when the revenues of the crown from its own resources were no more than £300k a year.<sup>657</sup> Such strains help explain not only the scale of the crown's multiple subsidy requests in the session, but also the fraught and anxious domestic political climate in which the Commons chose to initiate the social and poverty relief measures for which this particular parliament is best remembered – most notably the landmark Elizabethan Poor Law of 1598.

The Commons' initiative on this matter reflected the queen's well-established distinction between 'matters of state', on which parliamentary discussion could only, and exceptionally, be initiated with explicit crown permission, and matters of 'commonwealth', in relation to which members' freedom of debate and innovation were relatively unfettered.<sup>658</sup> The issues with which the 1598 Poor Law was concerned were in the second category, matters of what today would be called social policy, albeit driven importantly by ruling class anxieties about corruptions of public order. The measure was the culminating stage in the succession of relatively progressive measures by Elizabethan parliaments aimed at relieving social distress and deprivation in society's lower reaches, whilst also persecuting 'rogues and vagabonds', with the aim not least of reducing the prospect of further social disorder. Again, Hugh was entitled to have been a member of the bill's committee during its Commons stages, and would have been able to draw on personal experience of the issues both at grass roots level and in the courts, though here too there is no specific record of any such contribution.

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<sup>657</sup> C. Haigh 'Politics in an age of peace and war, 1570-1630', in J. Morrill (ed), *The Oxford Illustrated History of Tudor and Stuart England* (Oxford, OUP, 1996), p. 338.

<sup>658</sup> Elton, *Tudor Constitution*, p. 256.

In a survey of the general performance of Welsh elected members in the Elizabethan and early Stuart parliaments, A.H. Dodd suggests that the period 1567-1603 saw the clear evolution of a ‘Welsh interest’ in the Commons, manifested especially in a developing bloc participation on private bill committees concerned with particular bridges, ports and county boundaries within the principality.<sup>659</sup> Neither makes specific reference to Hugh Hughes, but the latter would probably have been part of this coterie, which in the 1597 parliament included such local familiars as William Maurice of Clennenau (MP for Caernarfonshire) and William Jones of Castellmarch (MP for the borough of Beaumaris). However Dodd’s emphasis on the primacy of Welsh links feels a trifle forced in Hugh’s case. It seems unlikely that by this stage he would have thought of himself as exclusively a ‘provincial’ within the Commons. At a personal level, he is equally likely to have identified with the educated family networks of his wife’s well-established Northamptonshire family – two of his wife’s Montagu cousins, Sir Edward and Henry were fellow MPs in this session, for Tavistock and Higham Ferrers respectively<sup>660</sup> - and the large number of successful Inns of Court colleagues numbered amongst the 1597 MPs, quite as much as with fellow Welsh land-owners. Indeed, many of the latter would also have shared cultural outlooks and social networks with their English equivalents, having been through the mill of similar processes of higher education. Throughout the Elizabethan period there had been a steady rise in the proportion of members who had attended the universities of Oxford and Cambridge or the Inns of Court, or in many cases both. For example, in the 1563 Parliament, of 420 MPs 139 (33%) had attended university and/or the Inns of Court, whereas by 1593, the figure had risen to 252 out of 460 (55%).<sup>661</sup> The equivalent figure for the 1597 Parliament was still higher. So more than half of

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<sup>659</sup> AH Dodd, ‘Wales’s Parliamentary Apprenticeship, 1536-1625’ in *THSC* (1942) pp. 12-13.

<sup>660</sup> *ODNB*, Vol. 33, pp. 699, 733.

<sup>661</sup> J.P.Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* (London, Longman, 1999), p 34.

Commons members, whether English or Welsh by origin, were by this time products of essentially the same demanding higher educational experience, with the spin-offs of increasingly shared cultural outlooks, networks of the like-minded, and enduring friendships transcending differences of regional origin. It is worth underlining the resulting intellectual confidence and vigour amongst Hugh's parliamentary peers, at a time when the tensions and security challenges of the 1590s were also acting as forcing agents for the freshness and originality of thought and expression manifesting itself in the theatre and preaching of the time.<sup>662</sup> What was emerging was a new and increasingly independent-minded social and intellectual elite – and through its multiple interactions, the crystallisation of something akin to an embryonic 'public sphere' in civil society.<sup>663</sup>

This in turn was all part of a progressive unifying of national life in post-Reformation England and Wales. In an increasingly educated though still powerfully hierarchical society, London was becoming unequivocally the hub, politically, culturally, and economically, for Wales as much as England. Yet even though Hugh had been an active participant in the dynamic life of the capital for some years previously through Lincoln's Inn and the Westminster courts, to journey there as a member of parliament would have been a distinctive kind of experience. A meeting of parliament in late-Elizabethan London, says Neale, 'was the season of seasons',<sup>664</sup> a gathering of immense prestige for those involved. 'A matchless attraction it was to be in London at this time,' he continues, 'To be "of the parliament"; to move on the fringe of the court, marvelling at its fashions and splendours; to see and hear the Queen; perchance to kiss her hand; to be at the heart of politics, and listen to famous

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<sup>662</sup> See pp 214-215 below.

<sup>663</sup> cp J Habermas, *The Structural Transformation of the Public Sphere* (trans. T Burger & F Lawrence, Cambridge Mass, MIT Press, 1991), in which the later, eighteenth-century 'public sphere' is seen as a citizen-based 'site for the production of discourses that can in principle be critical of the state' (p. 57).

<sup>664</sup> Neale, *Elizabethan House of Commons*, p 150.

men speaking in the House; to gather news from all quarters of the kingdom and the world. Such a one stood on tip-toe among his neighbours on his return home...'<sup>665</sup>

Such hyperbole reflects the truth that 'until 1640 the selection of knights of the shire for Parliament was essentially a process of social recognition, the acknowledgement of status.'<sup>666</sup> Indeed Hugh's sense of himself as both a regionally significant presence and a now-equal participant in national matters of state would have been powerfully reinforced by his election to and participation in the 1597 assembly. All of this paralleled continuing progress as a senior crown legal officer, whilst his involvement in the internal affairs of Lincoln's Inn during term times was also intensifying. Not only was he an increasingly active bencher in the Society's administration (as already shown<sup>667</sup>), but in 1599 he was appointed Keeper of the Black Book, the guardian of the Inn's records,<sup>668</sup> the first of his succession of top jobs amongst the society's benchers, as already discussed in chapter three.<sup>669</sup>

### **Council in the Marches**

Back in Wales, Hugh's appointment to the Council in the Marches in 1601, on Robert Cecil's nomination,<sup>670</sup> was a further signal of recognition. He was one of a select batch of new Welsh gentry members of the Council appointed that year, the others being Sir William Herbert, Sir Thomas Mansell (Glamorganshire), Richard Price (Cardiganshire), Roger Puleston (Flintshire) and Sir Richard Trevor (Denbighshire),<sup>671</sup> all weighty figures both within their counties and further afield. The latter two were known as especially forceful and

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<sup>665</sup> Ibid.

<sup>666</sup> K. Thomas, *The Ends of Life: Roads to Fulfilment in Early Modern England* (Oxford, OUP, 2009), p. 152.

<sup>667</sup> See pp. 111-117 above.

<sup>668</sup> *LI Black Books*, II, p.59.

<sup>669</sup> See p. 117 above.

<sup>670</sup> See note 656 above

<sup>671</sup> Williams, *Council of the Marches*, pp. 350-359.

overbearing, both having faced corruption charges in Star Chamber suits arising from the stormy 1588 and 1601 Denbighshire parliamentary elections.<sup>672</sup>

Collectively this fresh Welsh intake had the effect of tilting the numerical balance within the Council somewhat away from the long-established marcher members' dominance – a development which appears to have fed the always lurking sense of grievance about the Council's territorial jurisdiction felt by many English border gentry in counties such as Shropshire, Herefordshire, Gloucestershire and Worcestershire. Indeed, as will emerge below, Hugh's appointment coincided with an increasingly rancorous phase in the Council's long existence.

Created originally in 1473<sup>673</sup> to advise the Prince of Wales, the Council in the Marches had developed in the mid- and late-Tudor period to become a key government institution for Wales, its initial prerogative powers having been extended and consolidated in the 'act of union' statute of 1543.<sup>674</sup> By Elizabeth's time, the Council was based at the imposing Ludlow castle, and was Wales's over-arching government agency, a quasi-Privy Council for the region, with – in theory at least - full judicial and executive powers to supervise law and order. In Penry Williams' words, it was 'part of that remarkable Tudor policy of creating centralised regional administrations within England and Wales'.<sup>675</sup> The Council's president was also Lord Lieutenant for Wales, as well as having the dominant influence over appointments to shrievalties and Commissions of the Peace throughout the principality, above and beyond the judicial, defence and law-enforcement duties. The role also had an important ceremonial dimension of a vice-regal kind; Court occasions at Ludlow Castle became glittering social gatherings for the actual and aspiring governing classes

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<sup>672</sup> *Dictionary of Welsh Biography*, pp. 816 & 981. See also p. 165 above.

<sup>673</sup> Skeel, *Council in the Marches in Wales*, p. 22.

<sup>674</sup> s. 34-35 Hen VIII.

<sup>675</sup> Williams, *Council of the Marches*, p. 3.

of Wales.<sup>676</sup> However, the Council's record of performance was mixed. Its glory days, following the rumbustious presidency of Bishop Rowland Lee in the late 1530s, had been between 1560 and 1590, under the presidencies of Sir Henry Sidney and the Earl of Pembroke. But by 1601 it was entering a problematic phase. After a protracted illness, Pembroke died in January of that year, and as a consequence the Presidency was vacant for a number of months immediately following Hugh's appointment. However, in June 1602, after predictable court-factional jockeying, Robert Cecil prevailed<sup>677</sup> and the new crown appointee to the post turned out to be Lord Zouch, a very English and somewhat high-handed nobleman<sup>678</sup> who was in fact an uncle of Hugh's wife,<sup>679</sup> and could well have known Hugh previously through the Montagu family networks.

In the late-1590s, there had been mounting tensions between the ailing Pembroke and his senior lawyers, led by the Chief Justice of Chester, Sir Richard Shuttleworth, about issues such as the pace and nature of procedural reform and the location of real authority within the Council.<sup>680</sup> Absenteeism by both members and senior officials had reached disturbing levels, and internally there were mounting concerns about declining fee income from the court processes overall. Thus despite the praise the Council continued to attract well into the 1590s from contemporary commentators such as George Owen<sup>681</sup> concerning the success of its law and order role in Wales, it was facing challenges on a number of fronts by the time of Hugh's – and indeed Lord Zouch's - appointment. Two of these disruptions, closely related, were especially significant from 1602 onwards.

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<sup>676</sup> A.H. Dodd, 'The Lost Capital', in A.H. Dodd, *Studies in Stuart Wales*, (Cardiff, UWP, 1952), pp. 50-52

<sup>677</sup> Williams, *Council of the Marches*, pp. 298-299.

<sup>678</sup> Ibid. Also, *ODNB*, Vol 60, pp. 1008-1010.

<sup>679</sup> Cope, *Life of a Public Man*, p. 42.

<sup>680</sup> Skeel, *Council in the Marches*, pp. 120-128.

<sup>681</sup> Owen, *Dialogue of the Government of Wales*, pp. 21-24.

The first was the rumbling controversy about the Council's increasingly pressurised income. There was a wider context to this difficulty. As the Inns of Court turned out more and more lawyers in the late sixteenth century,<sup>682</sup> the latter's availability for the Westminster common law courts led them to search with increasing opportunism for work previously handled by other more local or prerogative jurisdictions. The Council in the Marches was an obvious instance.<sup>683</sup> In reaction to these incursions, as the lawyer-members within the Council gained the upper hand in the years leading up to Pembroke's death, they mobilised the Council to resist the threat to their incomes from professional rivals in Westminster, whilst simultaneously maximising fines and fees locally. This had a further consequence. Because of their relative proximity to Ludlow, it was the high proportion of the Council's litigants from the four border counties who felt the increasing levels of charge most immediately – and this in turn fed the festering local gentry resentments, particularly in Herefordshire and Worcestershire, counties which were under-represented numerically on the Council itself.<sup>684</sup> This set the stage for a growing convergence of interest between these border gentry and key actors in the Westminster courts, including Sir Edward Coke.

It is difficult to determine where Hugh personally would have stood on the issue. As himself a common lawyer, professionally attuned to the dynamic development of that body of law and the associated growth of the profession, he would have recognised and understood the pressures from London. However he is likely also to have identified closely with the prestigious Council of which he had recently been made a member with Cecil's patronage, and would have been reluctant to see it weakened. He appears not have been one of the quorum of four salaried lawyers – the 'councillors attendant', all of them judges - whose

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<sup>682</sup> See pp. 94-95 above.

<sup>683</sup> P Williams, 'The Attack on the Council of the Marches, 1603-1642', *THSC* (1961, Pt II), pp. 10-14.

<sup>684</sup> *Ibid.*

posts were given greater formal standing by Pembroke in 1600, to ensure greater efficiency and consistency of attendance at Ludlow during law terms. In this context, he was a Welsh gentry member as much as a legal eminence. Penry Williams has suggested that amongst the groups of members who acted obstructively towards the new president's (ie Zouch's) attempts to wrest back control of the Council's procedures and appointment from the now-dominant lawyers was a faction of lawyer-members led by Egerton, including Puleston and Trevor (both of whom had Inns of Court experience).<sup>685</sup> Was Hugh a member of this group, given his respect for Egerton? Or did he align himself with Zouch (his uncle by marriage), who was backed consistently throughout the dispute by Sir Robert Cecil (Hugh's own sponsor)? Unfortunately, the surviving records for the Council's internal debates are too patchy to provide any kind of an answer. Moreover, as in the case of many of Hugh's roles in public bodies, he is conspicuous in the documents that survive only by omission – a state of affairs which in this case might be interpreted as reflecting either crafty office-political manouvering in the face of awkwardly conflicting loyalties, or simply his relative unimportance to the key players.

A similar difficulty arises in relation to a second, related strategic issue that came to preoccupy the Council during much of Hugh's period of office (indeed extending beyond his death in 1609). This was the Fairley case, a minor legal dispute which blossomed into the long-running political struggle better known as the Four Shires controversy. In late 1602, one John Fairley (or Farley) had been sued in the Council by 'a poore widdow' to hand over a copyhold cottage she claimed was rightly hers. Lord Zouch, sitting as judge, ruled in her favour, and ordered Fairley to hand it over. The latter refused, so he was arrested and imprisoned in Ludlow castle. He then appealed, sideways as it were, to the King's Bench, which in the autumn of 1604 issued a writ of *habeas corpus*,

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<sup>685</sup> Williams, *Council of the Marches*, pp. 304-306.



ordering Fairley and his case to be transferred to the Westminster court. Zouch's indignation at this invasion of his jurisdiction precipitated a hearing before the Privy Council, but the outcome was that the senior judges to whom the matter was delegated ordered Fairley's release, having concluded that the four counties did indeed lie outside the Council's proper ambit.<sup>686</sup> This was a victory for the Westminster lawyers, and Sir Edward Coke as Attorney-General in particular, in their competition with the ambiguous, part-prerogative part-statutory jurisdiction (and income) of the Ludlow court.<sup>687</sup> It also gave encouragement to the dominant four shires gentry, triggering acts of disobedience towards the its edicts by local justices and sheriffs over the next three years.<sup>688</sup>

Yet the king himself had still to be won over to the judges' view. So organised pressure was mobilised in the border shires aimed at winning his endorsement. The leader of this campaign was Sir Herbert Croft, Herefordshire's deputy-lieutenant and county MP in the 1601 and 1604 parliaments, and a member of the Council in the Marches from the same 1601 intake as Hugh.<sup>689</sup> The two would certainly have known one another, though Hugh would probably not have cared for Croft's disdain towards the influential body of which they were now both members. The affair must have given rise to continuing personal discord around the table at gatherings of the Council, not least because of the chronic dislocations to its authority and the undermining of its ability to carry through its responsibilities on the ground. The Welsh members like Hugh, who had experienced the continuing benefits of the Council's supervisory role within the principality,<sup>690</sup> are likely to have shared the frustrations of Zouch in this

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<sup>686</sup> R.E. Ham, 'The Four Shire Controversy', *WHR* (1977) 8, p. 390.

<sup>687</sup> Williams, *Council of the Marches*, Chap. 13.

<sup>688</sup> Dyfnallt Owen, *Wales in the Reign of James I*, pp. 28-35.

<sup>689</sup> Williams, *Council of the Marches*, pp. 346-347.

<sup>690</sup> '(The Council in the Marches) has brought Wales to the civilities and quietness that you now see it, from that wilde and outrageous state that you shall reade of...' Owen, *Dialogue oif the Government in Wales*, p. 24.

respect at least. In mid-1605, Croft and his allies made their next move. They drew up and presented a petition to the king, urging royal confirmation that the four shires be exempted from the Council's jurisdiction. But, having obtained an advance copy of the petition, Zouch and the Council's leading lawyers, perhaps including Hugh, drew up a detailed point-by-point critique, highlighting the challenge to James's prerogative represented by these pleas. This raised the constitutional stakes, touching on a nerve of particular crown sensitivity. It appears to have ensured James's inaction in the short term.<sup>691</sup>

Croft and company immediately switched tack, introducing a parliamentary bill in February 1606 aimed at securing the exemptions. Though this safely negotiated its Commons stages, it was stalled by Cecil (now Salisbury) in the Lords. Croft realised it was unlikely to pass, so, following a personal audience, he then settled for the king's promise of revised Instructions aimed at reining in the Council on at least some of the contentious issues. In July, the Council's jurisdiction over misdemeanours in the four shires was abolished, as were both its jurisdiction (highly profitable) over sexual offences, and its right to inflict torture. These restrictions represented a partial, if temporary, victory for the petitioners. Zouch, humiliated and furious, resigned as lord president.

Again, there was a gap before a replacement was found. It was not till the summer of the following year (1607) that Ralph, Lord Eure was appointed, a tough and administratively experienced Yorkshire magnate who quickly ensured that Sir Herbert Croft lost not only his seat on the Council, but also the deputy-lieutenancy and commission of the peace.<sup>692</sup> There had been a precipitous decline in the Council's income over the previous five years, compounded by the reduced fines resulting from the recently revised

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<sup>691</sup> Ham, 'Four Shire Controversy', p 392.

<sup>692</sup> TNA, *Calendar of State Papers* 14/28/51.

Instructions – from £2,311 in 1602-3; to £1,140 in 1604-5; and £683 in 1606-7<sup>693</sup> - and Eure appears to have been determined to redress the position.

Throughout his first few months in office, he lobbied Salisbury and other privy councillors intensively for renewed crown support, arguing that the crown's authority was being undermined by the persistence across the four counties of flagrant non-cooperation and disobedience by sheriffs, justices and even the majority of deputy-lieutenants towards the Council's injunctions, under Sir Herbert Croft's continued direction.<sup>694</sup> Eure's contention, almost certainly shared by a Welsh lawyer-administrator like Hugh on the basis of his direct experience as a quorum justice and crown advocate, was that the Council was in fact popular at grass roots level for its success in providing justice in the face of powerful bullying minorities like those now active in the four border shires.

The result was an historic conference in London on 3 November 1608, attended by the king, the privy councillors and the Westminster judges. James made his position clear. The Council in the Marches was his prerogative court – and 'none doe oppose themselves against the jurisdiction of the Councell...but certain higheheaded fellows...such as Sir Harbert Crofte...whoe, because they would oppresse the meaner people and beare the whole swaye of their country without controulment, doe oppose themselves against government and the state of kinges to whom they know not what apperteigneth.'<sup>695</sup> Reportedly, at the conclusion of the speech, the two chief justices and chief baron of the exchequer 'swelled soe with anger that teares fell from them'.<sup>696</sup> This unambiguous support from the monarch secured the Council's territorial authority once again. Despite the Westminster judges, its formal writ was to continue to encompass the four counties. New Instructions were issued the following May, restoring all

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<sup>693</sup> Williams, 'Attack on the Council of the Marches', p. 5.

<sup>694</sup> TNA *Calendar of State Papers* 14/31/30; /32/13.

<sup>695</sup> *Ellesmere Manuscripts* (Huntingdon Library) E1, No 1763.

<sup>696</sup> *Ibid.*

of the Council's former powers apart from the right to inflict torture – and from that point on, its popularity appears to have begun to grow again, as reflected in the growing number of cases coming before it from October 1609 onwards.<sup>697</sup> The disobedience of local officials gradually diminished - though not Croft's appetite for the struggle, which persisted till the middle of the following decade, before finally petering out.

Hugh lived till June 1609, so he would have been aware of the success of Eure's efforts. However, what role, if any, he had played in assisting the outcome is impossible to determine from the sketchy surviving materials. Indeed, it could well be that one's impression of the overwhelming significance of the Four Shires controversy for the Council between 1604 and 1609 is an historiographical distortion - a reflection of the lack of surviving records detailing its other more routine activities across the period. There are indications that despite the internal tensions during Zouch's and Eure's presidencies, solid progress was being made by Sir Richard Lewknor (Chief Justice of Chester) and his fellow 'councillors attendant' in stabilising the Council's procedures, and that Wales itself was quiet and ordered in the early years of the seventeenth century.<sup>698</sup>

As regional Attorney-General and an active quorum member of three Welsh-speaking Commissions of the Peace, Hugh's role on the Council would have been at the interface between national and local initiatives throughout this period. The disruptions and power struggles between the presidency and the border-shire gentry may perhaps have drawn historians' attention disproportionately, when compared with successfully continuing routine activities of the Council across the same period. Certainly Lord Eure claimed to

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<sup>697</sup> Ham, 'Four Shire Controversy', Table I.

<sup>698</sup> Williams, *Council of the Marches*, Chap 13.

Salisbury in 1610 that ‘notwithstanding the great opposition that hath been and the devises to withdraw, and even to terrifie the subjects hence, there hath been out of those 4 English counties more suitors then out of halfe Wales, as may appeare by the records of the Court [of the Marches]’.<sup>699</sup> And the routine administrative and executive roles of the Council as a key organ of government for Wales also continued to be vital. It was in relation to these that Hugh’s particular value as a member would have lain. Yet at the same time, as has already been indicated, it is inconceivable he would not have been deeply engaged, emotionally and politically, in the struggles surrounding the Council’s jurisdiction and indeed its very survival as a credible entity during his term of office. In chapter four, reference has been made to the likelihood of his identification with Egerton’s endorsement of regional and local prerogative jurisdictions in the face of Coke’s constant pressure to extend the standardising reach of the central courts of law at the formers’ expense.<sup>700</sup> Though, as it happens, on the specifics of the Fairley case Egerton had sympathised with the King’s Bench judges in their wish to bring greater consistency to key judicial appointments to the prerogative courts, his principled view was that a diversity of independent jurisdictions like the Council in the Marches was constitutionally desirable. Indeed, he laboured mightily to secure and improve the Council in the Marches’ authority in that regard.<sup>701</sup> One senses this would also have been Hugh’s inclination, grounded in his own experience in Wales, where many felt themselves to have benefited substantially from the crown prerogative over the previous seventy years - quite apart from his personal sense of himself as a crown official.

However, using a longer historical lense, it is also possible to picture his situation in the Council in the Marches in different, even perhaps more atavistic,

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<sup>699</sup> TNA, *Calendar of State Papers, Domestic*, James 1 1603-10, vol 57, fol 218, 10 October 1610.

<sup>700</sup> See p. 103 above.

<sup>701</sup> Knafla, *Law and Politics*, pp. 146-154.

terms. Rees Davies has suggested that a key strategic need of English rulers from the fourteenth century onwards, if political stability through ‘a broader based polity’ was to be achieved, was to generate ‘a greater measure of convergence between the outer parts of the British Isles and the English polity – *in social customs and structure, economic attitudes and practices, laws, land tenure, civic notions and, preferably, language...*’<sup>702</sup> (emphasis added). On this account, the acts of union of the 1530s and 1540s may be taken as signals that such conditions of convergence were felt to be well advanced in Wales’s case,<sup>703</sup> albeit, as observed earlier, the boundaries of tolerance about language were more broadly drawn than has been assumed by some in the past. The Council in the Marches can be understood as an important institutional medium through which these changing norms were being consolidated, and yet at the same time it embraced and continued thereby to foster differences of social and cultural diversity – for example through respect for the Welsh language in its own practices.<sup>704</sup> Indeed the improvement in the ratio of Welsh to marcher appointees to the Council in the early years of the new century<sup>705</sup> can be interpreted as reflecting the degree to which cultural convergence was occurring – a trend manifested also in a mutual toleration of difference now developing within the emergent ruling class. Hugh himself can be seen to have embodied such perhaps contradictory processes within his own person. Nevertheless it is tempting to suggest that the turbulence within the Council arising from the Four Shires controversy between 1604 and 1609 could have touched latent ‘ethnic’ sensitivities between its Welsh and English participants. This is not to suggest that such tensions became explicit – evidence for that is lacking - rather that the potential for English and in particular marcher gentry high-handedness and lack

<sup>702</sup> Davies, *The First English Empire*, p. 199.

<sup>703</sup> C Brady, ‘Comparable Histories? Tudor Reform in Wales and England’, in S Ellis & S Barber (eds), *Conquest and Union: Fashioning a British State 1485-1725* (London, Longman, 1995), pp. 65-85.

<sup>704</sup> Roberts, ‘Welsh Language, English Law & Tudor Legislation’, p. 39.

<sup>705</sup> The five Welsh members (of whom Hugh was one) appointed in 1601, were followed by three further such appointments in 1602 – Sir Richard Bulkeley 3<sup>rd</sup> (Anglesey). Sir Thomas Jones (Carmarthenshire) and Sir Thomas Mostyn (Flintshire). (Williams, *Council of the Marches*, pp. 345-352).

of sensitivity towards the continuing cultural distinctiveness and needs of Wales had a long history, and that Sir Herbert Croft's campaign relied for its local effectiveness on reopening the divide between what was good for the border shires and what was good for, as it were, 'mere' Wales. Whatever the degree to which Hugh may by this stage have become culturally assimilated as part of the new English - or rather 'British' - governing class, he was also still Welsh through and through, and proud of it, as his lineage-consciousness shows. Given an intellectual commitment to a strong Council in the Marches, now being put in jeopardy by the wrecking tactics of the marcher gentry in their pursuit of secession, the crisis would have been perhaps an enforced reminder of persistent cultural realities lying beneath the surface of the actual union settlement. It would be understandable if, alongside Hugh's intellectual disagreements, there was not also an element of visceral irritation at those – including his border county friends – who were colluding in a regression to old, corrosive divisions.

The complex question of how to capture the essence of the Welsh-English relationship of this period – and in particular the extent to which it is helpful or otherwise to use the language of 'colonialism' in discussing what was at stake – is considered further in the final chapter, using Hugh and his career as a prism. But whatever else the overall relationship was, it was overwhelmingly a close and trusting one by this stage, particularly when compared with England's escalating difficulties in Ireland. There, the Battle of Kinsale in 1601 was an important punctuation point in a long period of savage intermittent conflict, after which English policy across the Irish Sea became ever-more explicitly colonialist. It is unsurprising, given the evident success of the English-Welsh federation, that that experience was seen by influential crown officials as potentially relevant for a desired new Irish settlement.<sup>706</sup> Nor in this context is it surprising that Hugh's personal experience as a senior common lawyer and

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<sup>706</sup> Brady, 'Comparable Histories'..

crown official may have been viewed as potentially helpful for engaging with the problems faced by the English government in that connection. This is now discussed in the section following.

### **Lord Chief Justice for Ireland**

In 1609 Hugh was appointed Lord Chief Justice of Ireland, the apotheosis of his legal career. Or at least, that appears to have been the case. As A.H. Dodd has pointed out,<sup>707</sup> formal documentary confirmation of the appointment is still lacking – possibly because he died that same year, before being able to take up the appointment. Nevertheless the circumstantial evidence is strong. First, there is the detailed mid-nineteenth century antiquarian record of the Plas Coch genealogy executed for Hugh’s direct descendent, the MP William Bulkeley Hughes (1797-1888).<sup>708</sup> This states unambiguously that ‘he was appointed by King James I Lord Chief Justice for Ireland, but died before he proceeded to that country’ – which at the very least points to a strong family memory of the elevation. And second, building on that memory, there is the inherent plausibility of such an appointment, given Hugh’s earlier promotions through patronage by Cecil (by then, Earl of Salisbury) and Egerton (Lord Chancellor Ellesmere), both of whom would have been decisive in any such arrangement. Reinforcing this is the fact that two of Hugh’s close Lincoln’s Inn colleagues, the senior judges Sir James Ley (in 1604) and Sir William Jones (in 1617)<sup>709</sup> were both appointed to the post – again hinting at the guiding hand of Ellesmere in advancing high-achieving members of the Inn in that particular theatre. Of course it is conceivable that further research could emerge to suggest that Hugh did *not* achieve this position. But in the mean time, on the basis of the reasoning above, the assumption is made in the discussion that follows that he was indeed appointed to this senior judgeship, but that his sudden death in late 1609 came

<sup>707</sup> In P. Haseler, *Members of Parliament*, Vol II, p. 352.

<sup>708</sup> *Hughes of Plas Coch Pedigree* 1865.

<sup>709</sup> See notes 406 & 421 above..



before the formalities had been completed, as Thomas Richards implies was the case.<sup>710</sup>

His appointment to Lord Chief Justice came at a crucial moment in the development of crown policy for Ireland, and it is not too much to say that, had Hugh been able to fulfil the duties, he would have had a role in seminal developments in Irish history – indeed in the formative stages of western colonialism itself. It is useful to examine the circumstances as he would have encountered them, in order to be in a position to speculate as to what the post might have entailed, and why he might have been considered suitable for it. The wholesale defeat of the Gaelic lords under Hugh O’Neill at the Battle of Kinsale in 1601 was an historic watershed for Ireland. In the immediate wake of this disaster for the Irish, a new and far-reaching English approach began to take shape. The long-term stability of Ireland on English terms was seen as a vital issue of national security. The risks of future Spanish invasion through a Catholic nation on England’s flank could not be tolerated. Moreover, the previous century’s piecemeal attempts at a stable political settlement had proved inadequate - measures such as ‘surrender and re-grant’, the attempted plantation of Munster and the like.<sup>711</sup> Hence in the first decade of the sixteenth century, there was a transformation in the crown’s policies for Irish pacification and control.

The new approach had two key elements. Native forms of political organisation and land-holding were to be broken up. And Catholicism and its adherents were to be suppressed. Hence English common law was to be extended forthwith to all areas of Ireland, and English statutes against Jesuits and other seminary

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<sup>710</sup> UB Plas Coch, Vol 1 - Introduction by Thomas Richards.

<sup>711</sup> R.E. Foster, *The Oxford History of Ireland* (Oxford, OUP, 2001 edn), pp. 97-116; N. Canny, *Making Ireland British 1580-1660* (Oxford, OUP, 2001), pp. 1-187.

priests applied rigorously.<sup>712</sup> Hans Pawlisch has shown how the legal underpinnings for such radical extensions of English power were found in the concept of ‘conquest right’, developed through contemporary Spanish discussion of South America, drawing on both canon and Roman law, concerning the rights and privileges of conquerors and conquered.<sup>713</sup> In the hands of Sir John Davies (1569-1626), the Solicitor-General for Ireland during the formative years of 1603-1606, this evolving body of jurisprudence provided justification for the suppression of indigenous Irish law and the re-making of property rights through the application of English common law. Gaelic law, which to that point still prevailed in most of Ireland outside the Pale, vested property rights in the extended kin, making individual holdings temporary, as had been the case in medieval Welsh law. As the decade advanced, these and other native land tenure conventions were subjected to root-and-branch change to bring them into line with English principles and practice.<sup>714</sup>

It is the institutional mechanisms employed to achieve such ends that are of particular significance when it comes to considering the possible role Hugh Hughes would have played as Lord Chief Justice in the period from 1609 onwards. The English administration had to overcome two persistent obstacles to its new programme. One arose from the continuing failure of sixteenth-century Irish Parliaments to implement Tudor statutes across the country at large – a situation which had grown ever more problematic in the concluding years of the century with the growth of Old English/Anglo-Irish Catholic opposition to crown policies. There was thus a need both to marginalise the parliament in order to enforce the new dispensation, and subsequently (in 1613) to pack it with a Protestant majority. Similarly, the Irish bench was seen as

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<sup>712</sup> Ibid, p 113.

<sup>713</sup> H.J. Pawlisch, *Sir John Davies and the Conquest of Ireland: A Study in Legal Imperialism* (Cambridge, CUP, 1985), pp. 8-10.

<sup>714</sup> R.E. Foster, *Modern Ireland 1600-1972* (London, Allen Lane, 1988), pp. 45-52.

compromised by its continued predominance of Old-English judges, whom experience in the previous decades had shown to be unsatisfactorily soft on recusants. Hence radical change was needed there too. The solution was to first purge the judiciary, and then pack it with new English lawyers, leaving only a token Old-English representation.<sup>715</sup>

From 1605, under Lord Deputy Sir Arthur Chichester, a sweeping new policy of officially sponsored plantations across the country began to emerge, in parallel with harsh though uneven attempts to suppress catholicism in the face of continuing Old-English obduracy. To assist these measures, Pawlisch and Canny concur, the real innovation was the systematic use of *judicial resolutions*, to provide the legitimacy for unimpeded executive action. Formally, these were declarations of law arrived at in difficult cases by processes of ‘debate and certification’ by a collectivity of senior judges, setting precedents and effectively by-passing conventional parliamentary processes of law-making. Such declarations had the force of statute and Sir John Davies’s 1615 Reports,<sup>716</sup> which document Irish legal developments over this period, show that they were central to the imposition of the new crown policies for Ireland from 1607 onwards. To cite just two instances, they were used to void customary patterns of Gaelic land-holding and descent by invalidating native titles standing in the way of the Ulster plantation of 1610, and also to eliminate the claimed corporate autonomy of Munster towns from 1609 onwards.<sup>717</sup> Achieving such ends through judicial resolution required close coordination at the highest level between the English and reconstituted Irish judiciaries, creating a basis for the imposition of a level of centralised executive control which had formerly been impossible. The overall result was a *de facto*

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<sup>715</sup> Ibid.

<sup>716</sup> Sir John Davies, *Le Primer Report des Cases in Les Courts del Roy* (Dublin 1615), translated as *A Report of Cases and Matters of Law Resolved and Abridged in the King’s Courts in Ireland* (Dublin 1762)

<sup>717</sup> Pawlisch, *Sir John Davies*, pp. 57-82, 122-141.

redefinition of the terms of English sovereignty across Ireland, creating for the first time what was effectively a colonial administration. It was a precedent which was to be developed, with multiplying refinements, for application in British colonial possessions over the following three centuries. So out of the exigencies of early seventeenth-century Ireland, a template for future imperial practice was emerging.

It is not hard to see that, had Hugh been able to take up the post of Lord Chief Justice in 1609, he would have had a close and continuing role in these developments and their enforcement. He would have been an *ex officio* member of the council of the Lord Deputy, as well as one of the most senior Irish judges involved in declarations of the law – effectively, for Ireland *new law* – by means of judicial resolutions bearing on constitutionally significant cases, during a period of dramatic social and political upheaval across the country. To have been nominated for such a role at such a sensitive moment for English policy in Ireland suggests he must have been seen as having both the legal gravitas and the political toughness to carry it off effectively and loyally.

He would have known what he was getting into. At least two close Anglesey neighbours with whom he had recorded dealings – Sir Henry Bagnall of Plas Newydd<sup>718</sup> and Sir William Herbert of St Julian's<sup>719</sup> - had been deeply involved in the front line of matters Irish. Bagnall, a son-in-law of Hugh's associate Maurice Griffith<sup>720</sup> and resident at Plas Newydd in the last few years of his life, had been a long-serving soldier in the Irish campaigns till his death in the Battle of Blackwater in 1598.<sup>721</sup> And Herbert, a landowner in nearby Llanidan though resident in Monmouthshire, was a leading 'undertaker' in the Munster

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<sup>718</sup> UB Plas Coch 1204 & 2960.

<sup>719</sup> UB Plas Coch 123, 140, 2964, 2977, 2985 & 2986.

<sup>720</sup> See note 487 above.

<sup>721</sup> Griffith, *Pedigrees*, p 57.

plantation, paying a crown rent of £200 a year for 13,000 acres in county Kerry, on the strength of which experience he wrote copious analyses of English policy there.<sup>722</sup> Through social interactions with these and other enterprising individuals with Irish interests in and around Llanedwen, Hugh can be assumed to have been well-versed in the complex realities of Irish politics and administration - quite apart from his wider range of acquaintance in London and the law. Conceivably he had also come across (Sir) John Davies at an earlier stage, during the latter's time as a student at the Middle Temple in the late 1580s and early 90s, before either of them had become involved directly in Ireland. Twenty years younger than Hugh, the dynamic Davies was yet another protégé of Ellesmere,<sup>723</sup> his practical and theoretical legal accomplishments coming later to be overshadowed by recognition as an accomplished poet and man of letters.

With so much uncertainty surrounding the question of Hugh's preferment to the Irish post, it is hard to judge the extent to which, in London, his specifically Welsh background and experience would have been considered crucial for the problems with which he would be expected to deal, and hence a factor in the appointment. On the face of it, the experience of mediating between two sharply different cultures (albeit ultimately on English terms) could have provided highly relevant insights. From a Westminster perspective, the ways in which the Welsh had come to terms with the English must have constituted something close to an ideal, as evidenced in proposals for different variants of a 'Welsh Policy' for Ireland in the 1560s and 70s by figures including Lord Deputy Sir Henry Sidney, to Sir John Perrot. Sir William Herbert and, most of all, Sir William Gerrard.<sup>724</sup> Shifts from Welsh to English law, from crown fiefdom to regional self-government, from traditional Catholicism to increasingly devout

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<sup>722</sup> *Dictionary of Welsh Biography*, p. 355.

<sup>723</sup> Pawlisch, *Sir John Davies*, pp. 25, 30.

<sup>724</sup> Brady, 'Comparable Histories', pp. 77-86.

Protestantism, from *cyfran* to primogeniture – all had been accomplished over the two centuries since the Glyndwr revolt in largely painless fashion. And the routine operation of regional and local administration through the hierarchy of ‘acts of union’ institutions also offered a beguiling lesson in harmonious governance across cultural divides. The contrast with Ireland was stark,<sup>725</sup> and from an English strategic perspective the underlying challenge for that island was similar – how to create a stable and acceptable settlement, on terms which would ensure English security. However by the 1590s, any hopes for a reformist approach along Welsh lines had been wrecked on the reefs of ‘Old English’ intransigence. Yet the subsequently radical change of crown policy in the wake of Kinsale towards a pioneering colonialist settlement did not imply invalidation of the relevance of the Welsh experience. The latter’s value as a guide to handling the legal and political challenges continued to be significant. Thus Hugh’s long experience in mediating across celtic-English cultural divides was almost certainly a factor in the pivotal Irish appointment.

However, he died unexpectedly in London in early June 1609,<sup>726</sup> - possibly from the plague<sup>727</sup> - and was never able to take up the appointment.

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Nevertheless, this last decade of Hugh’s life had seen him play roles close to the highest levels of late-Elizabethan and early-Jacobean government, whilst continuing to be engaged in local affairs as a Welsh-speaking Welshman. He was of course not alone in combining such accomplishments, as examples such as the already-mentioned Simon Thelwall (1526-1586) and Sir Peter Mutton (1565-1637), both Welsh-speaking lawyers from Denbighshire, demonstrate.

<sup>725</sup> Ellis, ‘Tudor State Formation’, pp. 56 seq.

<sup>726</sup> The Inventory of his goods and chattels (UB Plas Coch 184) was made on 19 June 1609.

<sup>727</sup> There were notably serious plague epidemics in London in the summer of 1609, with 4240 deaths directly attributable, (J.F.D. Shrewsbury, *A History of Bubonic Plague in the British Isles*, (Cambridge, CUP, 1970), p. 299).

The literate and sophisticated Thelwall,<sup>728</sup> called to the bar at the Middle Temple in 1568, combined life-long local Welsh-language cultural patronage with service as MP for the borough of Denbigh in 1553 and 1571, membership of the Council in the Marches, and service as a Justice on the Chester circuit in the 1580s - whilst Mutton,<sup>729</sup> following training at Lincoln's Inn, retained a life-long local Welsh-speaking presence at Llanerch, whilst also rising to Attorney-General in Wales and the Marches in 1609 and Chief Justice on the Anglesey circuit in 1622, as well as becoming a member of the Council in the Marches and MP for Denbighshire and Caernarfon, in respectively 1604 and 1624. Such individuals, like Hugh himself, appear to have had little difficulty in reconciling continuing loyalty to their community roots and culture with creative intellectual participation in the evolving institutions of the overarching political entity in which the Welsh now saw themselves as full partners.

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<sup>728</sup> *Dictionary of Welsh Biography*, pp. 932-933.

<sup>729</sup> *Ibid*, p 1144.

## Chapter 6.

### Was Hugh Hughes ‘British’?

**‘History, unlike fiction and physics, never quite gells; it is an armature of rather randomly preserved verbal and physical remains upon which historians slap wads of supposition in hopes of the lumpy statue’s coming to life. One of the joys of doing original research is to observe how one’s predecessor historians have fudged their way across the very gaps, or faultlines, that one is in turn balked by.’<sup>730</sup>**

At the most straightforward level, this study has tried to throw light on some of the ways in which Hugh Hughes rose to regional, even national, eminence in the concluding decades of Elizabeth’s reign and the first decade of her successor, and the means by which he came to build up his family’s Anglesey estate. In the process it has sought to gain a degree of wider insight into the ways in which Wales was being administered a generation or so after the reforms that later became known as the ‘acts of union’ . The overall challenge has been to find a way of conceptualising the kind of public actor Hugh was, in the context of his times – in terms of both what he *thought* he was, and of what light his actions and commitments might cast on the emerging Anglo-Welsh polity at this particular stage of historical development. In the background also lurks the more familiar question – recurrent in Welsh historiography and indeed Welsh politics to this day – of whether or not the ‘union’ was purchased at the expense of Welsh distinctiveness, and the role, allegedly a self-interested one, played by the Welsh ‘gentry’ in hastening any such erosion. Using Hugh as a prism, it is

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<sup>730</sup> Updike, *Memories of the Ford Administration*, pp. 165-6.



possible to offer tentative reflections on some of these matters, so crucial for an understanding of early modern Wales.

It may be helpful to consider first on what has been learnt from the investigation about Hugh as an individual. The evidence suggests an able and intelligent man, groomed for success by an energetic and enterprising father who had strained every sinew to ensure the best available education for his eldest son and heir. Hugh turned out to be an individual with the determination and staying power to take full advantage of the expanding opportunities offered by Cambridge in the 1560s, and the Inns of Court from the early 1570s onwards, and to convert them into success as a senior crown legal official and public servant, in a period of accelerating political and social development across the kingdom. To have accomplished this as scion of what, in lowland-English terms, would have been regarded as an modestly endowed Welsh-speaking family points not just to intellectual accomplishment, but also to a high degree of self-confidence and solidity of character, which doubtless flowed in part from a sense of personal rootedness in a secure and distinguished lineage by the criteria of his own culture (as outlined in chapter one). A high flyer from the outset – how else would he have been judged suitable to matriculate at Trinity? - these accomplishments rested on personal qualities quite as much as on patronage. Keith Thomas notes that whilst prevailing theory in early-modern England was unsympathetic to the general idea of social mobility, individual opportunism was in fact the order of the day, and ‘academic proficiency was frankly recognised as a route to advancement in public life’.<sup>731</sup> For talented young Welshmen like Hugh in the late-Tudor period, education was the route into the expanding opportunities offered by English society and its institutions.

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<sup>731</sup> Thomas, *Ends of Life*, pp. 29-30.

It must be admitted that, despite the extensive research reflected in the thesis, Hugh remains a shadowy figure in personal terms. Quite apart from the difficulty of projecting a twenty-first century imagination into the subjective ontological world of a sixteenth-century Welshman, this reflects the fact that documented traces of his personal attitudes and feelings are minimal in the extreme. The signatures on his will<sup>732</sup> - a more or less identical 'Hugh Hughes' appears in what must be his hand at the bottom right-hand corner of each of the will's four pages – have a clear and free-flowing character, suggesting perhaps a confident and articulate nature, but it would be invidious to place stress on this as firm evidence. For the rest, one is left to read between the lines elsewhere for clues to the colour of his mature personality. For example, the records of the Lincoln's Inn benchers, referred to in chapter three, show that on several occasions his senior colleagues assigned him administrative roles requiring a combination of personal tact and clear-headed forensic nous – sorting out complex humanly sensitive irregularities in the Inn's kitchens, and untangling the state of the society's all-important buildings and tenancies. He seems to have been regarded as a man who could be relied upon to get things done, grounded, diplomatic and practical. One also gains the impression of a certain doggedness and tenacity alongside the intelligence. Building and maintaining a growing estate in a period of intense competition over land, as illustrated in the dispute with the Rhydderchs discussed in chapter two, required an active and vigilant presence in Anglesey. But simultaneously he was able also to sustain a multi-faceted public career in London, Ludlow, the north Wales courts of Great Sessions, and the justices' *quora* of Caernarfonshire, Merioneth and Anglesey itself. Such dedication and physical and intellectual stamina - travelling on horse-back to forensically exacting work-places, up, down and across the country, year on year - were not unusual amongst men of the time working at this level of course. Lincoln's Inn colleagues like William Jones and Thomas

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<sup>732</sup> UB Plas Coch 408.

Egerton had quite as many strings to their bows. It is difficult of course to know how much he was operating alone in the various tasks; the likelihood is he could rely on deputies, clerks and like in some of them – for example, as discussed in chapter four, as High Sheriff, as North Wales Attorney-General, and in managing the family estate. Yet the fact remains that his commitments, private and public, were substantial and unrelenting. Taken in sum, they reflect a deep involvement in the affairs of the day at all levels – local, county, regional and national -, reflecting in his own person a growing consistency of outlook and aspiration in English and Welsh public administration of the time.

What drove him on? Keith Thomas suggests that ‘in early modern England, the desire to secure the favourable opinion of other people was a primary determinant of human behaviour’.<sup>733</sup> Honour, the esteem of others in a strongly hierarchical society, was one attraction, for Hugh perhaps as much as for other Welsh gentry of the time.<sup>734</sup> In his particular case, there may also have been a competitive element peculiar to the south-east corner of Anglesey and the particular position his direct Porthamel Isaf forbears had occupied relative to some of their previously more notable neighbouring kinsmen down the ages, as discussed in chapter one.<sup>735</sup> Over and above such motivations however, he seems to have been a man of integrity by the rather confusing standards of the time, conscious of his responsibilities to a community which extended not just to Anglesey, but far farther afield. The scale and appearance of Plas Coch mansion, following its 1590s’ expansion and remodelling, appears to have been an assertion of new, not to say flamboyant, contemporary energy, created in apparent contrast to the more conventional hall-house dwellings of contemporaries at, for example, nearby Plas Porthamel or Plas Berw. Its design suggests a deliberate statement on behalf of his family’s standing and

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<sup>733</sup> Thomas, *Ends of Life*, p. 147

<sup>734</sup> Gwynfor Jones, *Welsh Gentry*, Chap. 1.

<sup>735</sup> See pp. 31-34 above.

aspirations for the future – not just as long-established local *uchelwyr*, but also as actors in a sophisticated wider world.

Though a praise poem of the 1590s to Hugh and his wife asserts in conventionally fulsome style that he was ‘good to the poor and weak/and fair to the humble ones’ (*‘a da ar ran y gwan gwael/a dwyfal wrth un difalch’*)<sup>736</sup>, there is little surviving evidence of such personal charity. The material gulf between his world and that of the least fortunate in Anglesey would have been growing ever greater as his career advanced and wealth increased, though at the same time (as explained in chapter four) his duties as a justice included an obligation to enforce measures aimed at securing the welfare of the indigent on a continuing basis. Where his own affairs were concerned, he was probably a hard man, operating to the letter of the law. There are few grounds for believing he showed any particular thoughtfulness towards the poor inhabitants of Maesoglyn and Bodrida townships, following his acquisition of the crown lands on which they had been long-term tenants (as described in chapter two). After the growing fashion of the time, what had previously been sub-divided open fields supporting a number of families were quickly consolidated into relatively large individual farms,<sup>737</sup> and the erstwhile tenants dispersed, in the process doubtless contributing to the problems of vagrancy and poverty with which Hugh in his role as justice was having increasingly to deal, as a result of the social legislation that punctuated the later decades of the century.

On the other hand, he appears to have been engaged in processes of institutional reform, however indirectly. The saga of the sheriff’s bailiffs’ bonds discussed in chapter four<sup>738</sup> points to his having been involved in adjustments to the quality of local government in Anglesey during the 1590s, probably reflecting privy

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<sup>736</sup> Huw Pennant, ‘Moliant Huw Huws ac Elisabeth ei wraig’ in Wyn Wiliam, *Menai*, p. 18.

<sup>737</sup> See pp. 42-43 above.

<sup>738</sup> See pp. 149-151 above.

council policy of the time. Official fears about potential social chaos and disorder, as much as the need to maximise crown rental incomes, were putting a premium on securing more reliable ‘bureaucratic’ behaviour at local level. The arguments in chapter four suggest that this is the context in which the increases in bond levels for bailiffs enforced by Hugh in his successive terms as Sheriff should be understood.

As to the personal company he kept, again the evidence is frustratingly slight. There are indications that at least some of his friends may have been drawn from the (largely English) fraternity of lawyers amongst whom so much of his life was spent, not least at Lincoln’s Inn, as well as from the family and associated networks of his wife, Elizabeth Montagu. In the last decade of his life, Hugh served in several key offices of the Lincoln’s Inn society, as Bencher, Keeper of the Black Books, Treasurer, and Master of the Walks - an indication of the personal respect he grew to command amongst largely English colleagues at the Inn. In a long and detailed will,<sup>739</sup> he named his colleague and fellow bencher Sir Peter Warburton, later Lord Justice Warburton, as overseer, and referred specifically to a ‘loving friend’, Mr John Cekrewe,<sup>740</sup> to whom he bequeathed a ring of 40 shillings value. *Vis a vis* Elisabeth’s relatives, two names in particular recur in the records in such a way as to suggest a degree of intimacy – Roger Montagu, ‘my loving uncle’, named as executor and bequeathed a ring of the value of five pounds in the will,<sup>741</sup> and Walter Montagu, Elisabeth’s first cousin, who married into the Morgan family of Tredegar in Monmouthshire, and made an appearance as a durable business partner during the legal dispute with Hugh ap Rees Wynn of Maesoglyn.<sup>742</sup> But

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<sup>739</sup> UB Plas Coch 408.

<sup>740</sup> It has not been possible to trace this individual.

<sup>741</sup> UB Plas Coch 408.

<sup>742</sup> TNA E123/12(a).

these apart, there is little evidential basis for confident conclusions about his social life and personal relationships.

It is reasonable to speculate that the language of the household at Plas Coch was well on the way to becoming English by the 1590s, if only because Elisabeth herself would have been most comfortable in that language. It is not known whether she acquired some rudimentary knowledge of vernacular Welsh to help run the household. Ogwen Williams has noted that ‘in the sixteenth and early seventeenth century, the fact that [many of] the gentry’s womenfolk were Welsh-speaking would have been effective in sustaining their bi-lingualism and in maintaining Welsh as the everyday speech of their households’.<sup>743</sup> Elisabeth’s Northamptonshire background makes it questionable whether this could have applied at Plas Coch, which may well mean that the family was one for whom the native idiom was losing its ascendancy relatively early, in comparison with other gentry houses in Anglesey and north-west Wales.<sup>744</sup> However, even if this were the case, it is not to say that Hugh himself would not have continued to interact routinely with local peers, tenants and other acquaintances in Welsh, quite apart from his constant professional use of the language.<sup>745</sup> One way of picturing this is by analogy with the way in which the eighteenth-century Russian land-owning class used French in the drawing room and some professional contexts, and their own vernacular Russian in interactions with familiars and the peasantry.<sup>746</sup>

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<sup>743</sup> Williams, ‘Survival of the Welsh language’, p. 84.

<sup>744</sup> Ibid, p. 85. Williams suggests that in many gentry households, Welsh continued to dominate until the late-seventeenth, or even early-eighteenth centuries.

<sup>745</sup> His brother Owen, as rector of Llanfachraeth (see Griffith, *op. cit.*, p. 30), would have used Welsh routinely in his work – indirectly reinforcing the obvious assumption that he and his siblings had been raised as first-language Welsh-speakers.

<sup>746</sup> ‘...French the sphere of thought and sentiment, Russian the sphere of daily life...’ – O. Figes, *Natasha’s Dance: A Cultural History of Russia* (London, Penguin, 2003), p. 103.

This in turn brings into focus the question of his personal sense of cultural identity. The discussion in the previous chapters has conveyed the reality that Hugh developed as a novel kind of Welsh-English cultural hybrid. Such a phenomenon is far from unfamiliar in our own time. As Linda Colley has observed in a seminal discussion of ‘Britishness’, ‘identities are not like hats. Human beings can and do put on several at a time’,<sup>747</sup> a truth which is now virtually a commonplace in a twenty-first-century context of continuing flows of cross-border immigration and ‘multicultural’ absorption in countries like Britain. Such contemporary experience is consistent with the impression that Hugh’s Cambridge education and deep professional embeddedness in the English common law, together with the modest extant clues about his marriage and personal friendships, would have led him to feel a strong affinity with the dominant English culture’s values and individualism<sup>748</sup> - whilst at the same time sustaining a sense of himself as Welsh *au fond*. Most of his adult life was spent working in the distinctively Wales-focused institutions deriving from the Acts of Union, one by-product of which had been to reify (or even to invent anew) the very idea of a common Welsh identity, reflected for example in the geographical compass of the Council in the Marches.<sup>749</sup> And his resulting stock-in-trade as a mediator and legal translator across the linguistic divides would have had a powerful influence on his personal self-perception. His home and ancestral roots lay in the (from a London perspective) relatively remote island community of Anglesey, giving rise to perhaps his deepest sense of himself. But beyond this, the workings of the language clauses within the ‘acts of union’ institutions probably meant that, in his public roles, a bi-lingual figure of Hugh’s standing would have found himself in a position of exceptional

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<sup>747</sup> L. Colley, *Britons: Forging the Nation 1707-1837* (Newhaven, Yale University Press, 1992), p. 6.

<sup>748</sup> A. Macfarlane, ‘The Origins of English Individualism’, *Theory and Society* 6(1978), pp.255-277.

<sup>749</sup> Though Colley suggests that, even in the early *eighteenth* century, ‘the degree to which the Welsh were able to see themselves as one people was... limited by an acute north-south divide, the country’s central range of mountains making trade, communications and ordinary human contact between counties in South Wales, like Glamorgan, Carmarthen and Pembroke, and northern counties, such as Flint, Merioneth and Caernarfon, very difficult indeed. ...’ Colley, *Britons*, p. 15.

authority and influence, leading to a distinctive, and perhaps to the more parochial majority of his Anglesey acquaintances ambiguous, sense of ‘hybrid’ identity, alongside any sense of local rootedness.

It is significant for the argument being developed here that there was little if any popular prejudice against the Welsh in late-Elizabethan and early-Jacobean England. The general histories of the period concur that they were seen generally in a positive light, unlike the Irish of the time.<sup>750</sup> One confirmation is the way in which the Welsh were being represented in the *public* entertainments of the period. Stock characterisations in late-Tudor drama paint them consistently as good-humoured, brave and trustworthy, if talkative and occasionally hot-tempered.<sup>751</sup> At the very least, in Bartley and Richard’s words, they tended to be experienced sympathetically as ‘the strangest of provincials and the nearest and most intimate of foreigners’.<sup>752</sup> Shakespeare’s well-disposed representations of Ffluelen and Glendower<sup>753</sup> probably reflect popular sentiment of the period, with an emphasis on loyalty and good humour in the one, and oddity and wisdom in the other. Moreover if such well-disposed acceptance applied to the Welshman-in-the-street, it would have applied all the more strongly to those like Hugh whose education and professional accomplishment in the highly regarded field of law was a motor of growing social advance.

How then might one conceptualize Hugh’s life and career more generally, in the context of recent political-historical and literary debates about the relationships between apparently unequal protagonists like the Welsh and the English in the early modern period? For example, should one understand his role as a lawyer-

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<sup>750</sup> eg Williams, *Religion*, p. 144.

<sup>751</sup> E.J. Miller, ‘Wales and the Tudor Drama’ *THSC* (1948), *passim*. It appears that this general English good will towards the Welsh was wearing thin by the time of the Commonwealth in the next century, possibly reflecting disapproval of widespread Welsh loyalties towards the crown during the civil war. See P. Lord, *Words with Pictures: Welsh Images and Images of Wales in the Popular Press, 1640-1860* (London, Planet, 1995).

<sup>752</sup> J.O. Bartley & M. Richards, ‘The Welsh Language in English Plays’, *Philological Quarterly*, (1933) 12.

<sup>753</sup> In, respectively, Henry V and Henry IV Part I.



administrator working within a template of English statute and common law in the ‘acts of union’ institutions in Wales as that of an agent of ‘internal colonialism’, as implied by the analysis of Michael Hechter?<sup>754</sup> Others<sup>755</sup> have pointed to the limitations of Hechter’s thesis when applied to Wales – in particular the paucity of empirical evidence in support of a model alleging economic exploitation of a ‘peripheral’ principality by a dominant London-based ‘core’. To this might be added a corollary, that in Hugh’s case the complexities of his personal loyalties – long-established roots in and manifest identification with Wales alongside an English marriage and English professional training applied within Wales – discourage too confident an ascription of simple subordination to a dominant power as an appropriate explanatory framing. Indeed, such an account begs many questions about the intentions behind the ‘Acts of Union’ settlement itself, including ‘the paradox’ noted by John Morrill, that ‘the expansion of English institutions and English cultural forms took place for almost all of the early modern period in the context of relative English indifference to any systematic absorption or integration of the outlying kingdoms into an enlarged English state’.<sup>756</sup> That matter is considered further below.

An alternative to Hechter’s sociological approach might be to argue that there are insights from contemporary post-colonial theory, for instance in the work of Robert Young<sup>757</sup> and Homi Bhabha,<sup>758</sup> which could help make intelligible the behaviour of an institutional actor like Hugh in late-sixteenth-century Welsh county and regional government. For example, might it be useful to picture him

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<sup>754</sup> M. Hechter, *Internal Colonialism: the Celtic Fringe in British national development, 1536-1966* (London, Routledge & Paul, 1975).

<sup>755</sup> eg P.J. Madgwick, ‘Reviews’ in *Welsh History Review* (1976-77), pp. 241-244; C. Brady, ‘Comparable Histories?’ in Ellis & Barber, *Conquest and Union*, p 65 seq. Also, Leighton Andrews AM’s letter in *New Welsh Review* 69 (2005), pp. 106-7.

<sup>756</sup> J. Morrill, ‘The Fashioning of Britain’ in Ellis & Barber (eds) *Conquest and Union*, p. 26.

<sup>757</sup> R. Young, *Postcolonialism: An Historical Introduction* (Oxford, OUP, 2001).

<sup>758</sup> J. Bhabha, *The Location of Culture* (London, Routledge, 1994).

as a ‘native agent’ acculturated by the dominant power to rule over a culturally ‘inferior’ and linguistically distinct (‘other’) native population, in the way suggested by Bhabha as characteristic of the effective imposition of colonialist regimes?<sup>759</sup> Or more specifically, might Hugh not be thought of as one of those early modern ‘native gentry and reformed Anglican clergy [who] became the apparatus in Wales for government within an English hegemony’, suggested by Griffith in the introductory chapter of his landmark study of nineteenth-century Anglesey local government?<sup>760</sup> Whilst there are important elements of truth in such suggestions – most obviously the incontestable reality that in the late-medieval period Wales had been conquered by the English and the subsequent Glyndwr rebellion suppressed in unambiguously colonialist fashion, with continuing reverberations of multiple kinds – their explanatory adequacy in relation to the position as it had evolved in Wales for figures like Hugh by the late-sixteenth century is more questionable. In chapter three, it has been suggested that a combination of educated Welsh enthusiasm for the union, the fact that the ‘language clauses’ of the 1536 Act were neither intended nor generally perceived as hostile to the survival of the Welsh language,<sup>761</sup> and the readiness with which Welsh translations of the Bible and Prayer book were given statutory blessing by both Privy Council and parliament<sup>762</sup> all point to growing toleration of cultural ‘otherness, and indeed to a significant degree of convergence between Welsh and English aspirations across this period. If such was indeed the case, it implies that by the later years of the century Hugh and his kind would in practice have been embedded in circumstances more subtle and complex than implied by the relatively one-dimensional theorisations of ‘internal colonialism’ or ‘postcolonialism’ – albeit the latter, in its associated

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<sup>759</sup> cp J. Aaron, ‘Postcolonial change’ in *New Welsh Review* 67 (2005), pp. 32-36.

<sup>760</sup> W.P. Griffith, *Power, Politics and County Government in Wales: Anglesey 1780-1914* (Llangefni, Anglesey Antiquarians Society, 2009), p. 6.

<sup>761</sup> Roberts ‘The Welsh Language, English Law’, pp. 27-33.

<sup>762</sup> *Ibid* pp. 54-63.

concepts of ‘ambivalence’<sup>763</sup> and ‘appropriation’,<sup>764</sup> has resources which might be argued to contain useful echoes of aspects of the Welsh-English relationship at later stages.

Nevertheless, it is possible to suggest an arguably richer account, one which dovetails more convincingly with the evidence assembled in the present thesis. This grants a prominent position to the concepts of ‘imagined community’ and ‘Britain’, as well as to the role of personal agency and choice on the part of individuals like Hugh himself. Such an argument has several facets. In the first place, the post-Reformation entrenchment of English as the official language of public administration and law in Wales *as it actually occurred* may be better understood as a product of adventitious historical forces and contingencies than as a calculated act of cultural repression. Reference has already been made to Peter Roberts’ analysis of the relevant clauses of the 1536 Act, suggesting that suppression of the language formed a negligible part of the latter’s design.<sup>765</sup> Benedict Anderson’s seminal study of the emergence of nationalism and the nation state<sup>766</sup> reinforces this understanding. On Anderson’s account, the emergence of English in the late-medieval/early modern period as the dominant ‘administrative vernacular’ across the island occurred in a ‘gradual, unselfconscious, pragmatic, not to say haphazard’ fashion,<sup>767</sup> exemplifying general trends across western Europe driven by the need for ‘documentary interchangeability’ by officialdoms in particular federated polities, for their own inner convenience. At this stage, suggests Anderson, ‘there was no idea of

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<sup>763</sup> ‘Ambivalence suggests that complicity and resistance exist in a fluctuating relation within the colonial subject. Ambivalence also characterises the way in which colonial discourse relates to the colonised subject, for it may be both exploitative and nurturing, or represent itself as nurturing, at the same time...’ – B. Ashcroft, G. Griffiths & H. Tiffin, *Post-Colonial Studies: the Key Concepts* (London, Routledge, 2000), p. 10.

<sup>764</sup> ‘Appropriation: A term used to describe the ways in which post-colonial societies take over aspects of the imperial culture ... that may be of use to them in articulating their own social and cultural identities...[and] in which the dominated or colonised culture can use the tools of the dominant discourse to resist its political or cultural control’ - *ibid.*, p. 15.

<sup>765</sup> See note 456 above.

<sup>766</sup> Anderson, *Imagined Communities*, chapters 1 & 2.

<sup>767</sup> *Ibid.* p. 42.

systematically imposing a unifying language on the dynasts' various populations' - that particular drive coming much later, on the back of *nationalism* from the late-eighteenth century onwards, he argues. Coupled to inexorable bureaucratic logic, in states where Latin was being superceded as the language of record, it was the rapid development of print-capitalism in the early sixteenth century which made it inevitable that certain 'dialects' (in the present case English) should then prosper through 'market' processes, and subsequently crystallise as dominant languages of administration, whilst others 'lost caste' and became subordinate.<sup>768</sup> In the case of Welsh, the effect was at one level, in Gwyn Williams words, a 'retreat to the kitchen' and a shrinkage of its cultural role back into local and domestic life.<sup>769</sup> Yet simultaneously, the growing body of religious texts and instruction in Welsh following Morgan's 1588 Bible translation came also to secure the future of the language in more dynamic and 'exalted' form, 'as something more than a spoken language'.<sup>770</sup> Nevertheless the significant point here is, in the sixteenth century it was English that rose to the surface, rather than Welsh that was actively repressed.

The final form of the 1536-43 statutory framework had the effect of maintaining a substantial degree of Welsh distinctiveness under an English security umbrella and framework of law. It also gave strength to powerful currents already tending towards cultural convergences of new kinds. As discussed in Chapter 3, on the Welsh side there was continuing ideological support for the Tudor monarchy - initially a legacy of Henry VII's '*mab darogan*' status and, as the century went on, a reflection of the multiplying London successes of Welshmen

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<sup>768</sup> Ibid p. 45.

<sup>769</sup> G.A.Williams, *When Was Wales?* (London, Black Raven Press, 1985), pp. 121-131.

<sup>770</sup> Davies, *History of Wales*, p. 244. The welter of Welsh-language religious texts in the immediate wake of the 1588 appearance of Morgan's Bible included *Deffynniad Ffydd Eglwys Lloegr* (1594) by Morus Kyffin; the *revised Book of Common Prayer* (1599) by William Morgan; *The Psalms of David* (1603) by Edward Kyffin; *The Psalms* (1603) by William Middleton; *The Homilies* (1606) by Edward Jones, and others. William Salusbury's initial translation of the New Testament (in 1568) had of course preceded all of these.

in many fields, not least as crown advisers and court intellectuals.<sup>771</sup>

Reinforcing this, the dissolution of the monasteries created lavish opportunities for personal gain across Wales as much as England – ‘the greatest upheaval in the land market Britain has yet seen’ says Gwyn Williams.<sup>772</sup> One by-product was a nakedly material gentry interest on both sides of the border in securing any such gains, reflected in increasingly concerted resistance to further interference by the Papacy and Catholic continental powers - and as a corollary the ever-greater consolidation of the Elizabethan protestant settlement.

Educated Welsh enthusiasm for such mergings of outlook and interest found further expression in the efforts of intellectuals such as John Dee, Humphrey Llwyd of Denbigh and Sir John Price of Brecon by the 1580s to assert a then highly influential interpretation of Anglo-Welsh history, which pointed towards a shared *British* destiny and empire, through shared Brythonic origins.<sup>773</sup> This was consistent with views expressed William Cecil (who was of recent Welsh descent<sup>774</sup>) as early as the 1540s,<sup>775</sup> echoed in the later promotion of Elizabeth as ‘Britannia’ – a British rather than an English queen, endorsing venturers and colonisers in America and the like. Such a ‘British’ emphasis addressed the continuing ideological need of the Tudor monarchy for a fresh, historically-grounded national identity which would legitimise the breach with Rome.<sup>776</sup>

Coming in a period when assassination plots against the monarch were rife and anxieties about Spanish invasion greatest, such developments point to authentic solidarities being generated in the face of a common enemy. As Colley notes of a later period of threat to the home countries from the continent, ‘Men and women decide who they are by reference to who and what they are not. Once

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<sup>771</sup> Williams, *When Was Wales?*, pp. 123-124.

<sup>772</sup> *Ibid* p. 122.

<sup>773</sup> P.J. French, *John Dee, the World of an Elizabethan Magus* (London, Routledge & Kegan Paul, 1979).

<sup>774</sup> D. Loades, *The Cecils: Privilege and Power behind the Throne* (London, TNA, 2007), pp. 10-11.

<sup>775</sup> J.E.A. Dawson, ‘William Cecil and the British dimension of Early Elizabethan Foreign Policy’, *History* (1989) 74, esp pp. 196-200.

<sup>776</sup> Williams, *When Was Wales?* pp. 122-125.

confronted with an obviously alien “Them”, an otherwise diverse community can become a reassuring or merely desperate “Us”.<sup>777</sup>

Overall then, it is clear that a cluster of factors – religious, economic, cultural, political, mythological, and, crucially, technological (the print-capitalism phenomenon) - were contributing powerfully in the later sixteenth century towards a dynamic fusion of interests, identities and shared responses amongst at least the land-holding classes of England and Wales. What is more, as Chapter two has shown through the prism of Hugh Hughes’ extended experience of Cambridge and London, these developments were being reinforced through the exposure of increasing numbers of such (male) individuals from both sides of Offa’s Dyke to common patterns of schooling and higher education at the universities and Inns of Court, a trajectory which continued until well into the early Stuart period. Lawrence Stone speculates, ‘it may well be that early seventeenth-century England was at all levels the most literate society the world has ever seen’.<sup>778</sup> Whether or not this was the case, young men of the time attending these elite bodies were exposed to emergent new discourses of politics, culture and national interest in unprecedented fashion, with aspects of Welsh culture understood as ‘British’ and thus elements in the emerging new collective identity.<sup>779</sup>

Colley’s account<sup>780</sup> of the ‘forging of the British nation’ in the eighteenth and early nineteenth centuries lays stress on the energies released in the wake of the 1707 Act of Union between England and Scotland. She points to the role of a shared Protestantism and the need to defend it against Catholic France as key factors in the crystallisation of a progressively more chauvinistic sense of

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<sup>777</sup> Colley, *Britons*, p. 6.

<sup>778</sup> Stone, ‘Educational Revolution’.

<sup>779</sup> Colley, *Britons*.

<sup>780</sup> *Ibid.*.

shared ‘Britishness’ throughout the populations of England, Scotland and Wales during this period, climaxing in the period of the Napoleonic wars. The analysis is a compelling one. However, viewed from the perspective of Welsh history, it is possible to feel that Colley understates the significance of the parallel, if less comprehensive, processes of creative integration which were occurring between England and Wales in the Elizabethan period. Here too, were developments which transcended previously ‘self-evident’ ascriptions of national identity. A number of the factors to which she refers as decisive in the eighteenth and nineteenth centuries were also present in the sixteenth, in the decades following the 1536-43 Welsh Acts. These included: a nationally distinctive and defensive Protestantism; a common political-religious enemy (albeit Spain rather than France); increasingly shared patterns of education and acquaintance across borders; growing economic interpenetration; and a London-bound traffic of provincial talent. Such developments may have been patchier and more embryonic than in the period of their full flourishing a century and a half later. But it is surely reasonable to argue that the ‘imagined community’ which was being brought into being was more than the sum of its parts. In the terms of the time, England and Wales were increasingly united under a self-consciously ‘imperial’ crown. ‘Britain’ seems a not inappropriate term to use.

And Hugh Hughes was in the engine room of these processes. The framework of law and legal institutions in which he was such an active participant was a crucial part of the glue permitting such developments to take place, without obvious dislocation to the layered local identities of any of the participants. The interlocking institutions of local and regional government in Wales – commissions of the peace, Great Sessions courts, Council in the Marches – were different from, whilst mostly paralleling, their English equivalents. All of them were alike in being accountable ultimately to the Westminster common law courts and/or the Privy Council, albeit often mediated through the Council in

the Marches. This meant that there was an essentially identical system of law and administration across England and Wales, which, while respecting Welsh distinctiveness in crucial respects, applied common juridical principles and standards across the country as a whole, in a period when the overarching challenges to national security and social order were largely indistinguishable on the two sides of Offa's Dyke. One consequence was to nurture amongst educated Welshmen a growing sense of cultural kinship, a tacit sense of what may appropriately be seen as Britishness, without necessary detriment to their local loyalties. And in Hugh's case, such a perspective would also have been fed by his attunement to the fervid late-sixteenth/early-seventeenth century debates centred on the Inns of Court, focussing on the evolving role of law in relation to emerging ideas about constitutional monarchy. These intense and serious discussions (as suggested in chapter three) were directed at the very philosophical fabric of what was now a polity in which English and Welsh enjoyed equal status – again, with overarching implications which it is more appropriate to picture as British rather than merely English. What was at stake was how to picture the monarch's contract with the people as a whole on both sides of the border, under law. Hugh's embeddedness in such discussions from the vantage point of the higher reaches of Lincoln's Inn, coupled to hands-on practical engagement as a county justice and regional crown official in north Wales, would have fostered in him in the sense of working on behalf of a single dynamic, if diverse, nation.

In considering how Hugh and others were experiencing the turmoils of the time, it is of course important to keep in mind the event-driven, inherently unpredictable nature of political and social developments, then as now. What may appear in hindsight to have been inevitable progressions of policy or institutional development were generally by-products of responses to unanticipated contingencies – security threats, recusant plots, natural disasters,



macro-economic surprises (like inflation for which then-current theory had few if any explanatory concepts), tensions surrounding the royal succession, and the like. The late-Elizabethan world was fraught with anxieties about the potential for social chaos and disintegration, reflected in the elevation of Tacitus as a seminal intellectual source for political philosophers of the period.<sup>781</sup> In response to such apprehensions, it was the law that held promise of stable social ordering principles. As Bouwsma observes of the period, lawyers ‘reliev[ed] the terrors in this hazardous world by supplying a social foundation on which some sense of order and meaning of life could be reconstructed.’<sup>782</sup>

Of course, the social anxieties in question were also finding reflection, frequently to brilliant effect, in the drama and poetry of the time. By the turn of the century, London’s theatres had evolved as veritable public fora in which, despite niggling censorship, every facet of contemporary human experience – personal, political, theological, philosophical - was being explored in language and narratives of startling energy and freshness. It was the era of Thomas Kyd, Kit Marlowe, Ben Jonson, and, above all, William Shakespeare. James Shapiro has shown how ‘in the hands of Shakespeare and his fellow playwrights, (the theatre) not only absorbed social energies that had become unmoored in a post-Reformation world, but also explored in the plays it staged the social trauma that had enabled it to thrive, the repercussions of which the culture had not yet fully absorbed’.<sup>783</sup> This was an era in which art and life came to mirror one another with rare intensity. Inns of Court members like Hugh constituted a significant proportion of the audiences not only for the plays,<sup>784</sup> but also for the proliferation of public sermons characteristic of this moment, particularly at St

<sup>781</sup> Bate, *Soul of the Age*, pp. 336-337.

<sup>782</sup> Bouwsma, ‘Lawyers and Early Modern Culture’, p. 327.

<sup>783</sup> J. Shapiro, *1599: A Year in the Life of William Shakespeare* (London, Faber & Faber, 2005), p. 171.

<sup>784</sup> W.R. Prest, *The Inns of Court 1590-1640* (London, Longman, 1972) pp. 155-162.

Paul's Cross,<sup>785</sup> occasions which acted as key media for discussion of the burning concerns of the day.

It is thus reasonable to suggest that, in the swirling social environment of the time, the key preoccupation of a highly educated lawyer like Hugh would have been with the security and stability of the realm as a whole, regardless of questions of more regional identity. Rather than representing him and fellow Welsh gentry-lawyers as fundamentally compromised imposers of an alien English hegemony, as might be regarded as the implication of commentaries such as those of Hechter, Griffith, and others,<sup>786</sup> it seems truer to the actual circumstances to picture him as a conscious and committed participant in the evolution of a now-federated English-Welsh state, an embryonic *British* state in fact.<sup>787</sup>

At the same time Hugh can serve as a prism for understanding how the processes of federation were working within Wales itself. The 'acts of union' had ushered in a period in which Wales became routinely governed through a multi-layered matrix of institutions compatible with but distinct from those of England. The evidence of his experience, as offered in this thesis, is that by the end of the century these institutions – the Council in the Marches, the Great Sessions courts, and the county Commissions of the Peace, together with the longer-established manorial and sheriff's courts at more local levels – were evolving effectively in a web of interlocking relationships. The Council in the Marches was responsible to the Privy Council in London, whilst also relating to the Great Sessions and Quarter Sessions in human as well as supervisory terms; Great Sessions judges were members of the Council, as were, increasingly, a

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<sup>785</sup> M. Maclure, *The St Paul's Cross Sermons 1534-1642* (Toronto, Univ of Toronto Press, 1989).

<sup>786</sup> See pp. 207-209 above.

<sup>787</sup> This *British* emphasis gained added strength with the accession of James I, and his drives towards integration of Scotland into the wider polity.

number of county justices, even as the Council was handing down instructions and guidance to the county Commissions of the Peace. Equally there were constant interactions between the Great Sessions and the Quarter Sessions – not only judicial and political (through the judges’ Charges<sup>788</sup>) but also of a personal kind through both the membership composition of Great Sessions’ grand juries and the required presences of county justices at the regular assizes. And at the next level down, whilst there was no formal provision for appeals from the local sheriffs’ courts to the county justices, nevertheless the sheriffs themselves were generally also JPs, with the result that there was continuing cross-fertilisation between those tiers also.

Within such a system, in the overwhelmingly monoglot circumstances of most of early modern Wales, bi-lingual legally skilled individuals like Hugh, grounded in both cultures and in his particular case present at all of the various levels of governance, were coming to carry a distinctive authority. It was they who made the system work. Through the prism of Hugh’s experience it is possible to see how by this stage a new cohort of Welsh individuals with real power and influence was emerging within the interstices of the administrative and judicial machinery – actively guiding the English ‘centre’ on matters concerning the Welsh ‘periphery’.

Hugh can serve as a prism also in a second, more general respect. He can be seen to have embodied in his person some of the most significant forces and flows touching Wales and the Welsh at the turn of the seventeenth century – even more so perhaps than alternative representative archetypes such as the cultured antiquarian Humphrey Llwyd, or the self-promoting Sir John Wynn. For centuries, through processes of economic and cultural osmosis as much as brute colonialist power, English individualism had been helping erode the

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<sup>788</sup> See pp. 164-165 above.

former rural communalism of native Welsh society,<sup>789</sup> albeit there are growing indications that the latter's agricultural market economy was more innovative, and at earlier stage, than has hitherto been assumed.<sup>790</sup> By the mid-sixteenth century, convergences of economic circumstance on the two sides of the border were contributing to the widespread Welsh embrace of the 'union'. One finds reflected in Hugh not only the fresh aspirational energies that were unlocked in many Welshmen by equal access to 'English' opportunities, and a positive identification with the Tudor crown and state, but also an active embrace of the dynamic new cultural universe in which post-reformation values and economic forces were reshaping political and social relations, and a commitment to the power and social creativity of the law within a newly emergent type of European state. Of course there were conflicts, and prices to be paid. One also finds reflected in Hugh a tempering, indeed probably a domestication, of his personal manifestations of native Welshness within the new order of things. But despite this, overall his life points to the subtlety and intelligence with which the post-union Welsh were developing their accommodation with the Leviathan that was – and indeed remains - their dominant neighbour.

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The broad methodological approach of this thesis has been to track the personal development of a single individual with a foot firmly in camps on both sides of the ancient English-Welsh border, during a period when processes of political and cultural integration were increasingly real for Wales and at least its more educated inhabitants. By focussing on Hugh's' involvements in both English institutions and the machinery of local and regional government in Wales, and seeking to treat these as seriously as he himself appears to have taken them, an

<sup>789</sup> Davies, *First English Empire*; Macfarlane, *English Individualism*.

<sup>790</sup> N.M.W. Powell, "'Near the Margin of Existence'?: Upland Prosperity in Wales During the Early Modern Period', *Studia Celtica* (2007), pp. 137-162.

attempt has been made to enhance understanding of how the new federal dispensation was evolving during what is a relatively under-examined transitional period. The patchy nature of his surviving personal records has necessitated a complementary reliance on a diverse range of other source materials. But at the very least, whatever the study's limitations, it is hoped the analysis may point to the methodological as much as the historiographical value of attempting to understand such a personally-elusive individual through the medium of the institutional contexts in which he found himself.

A key conclusion is that Hugh is best understood as an individual who chose deliberately to apply his talents to the development and operation of the legal infrastructure of the then-emergent constitutional entity of 'Britain'. Whether or not he pictured himself as acting literally in such terms is impossible to know. But the pattern of his commitments, insofar as they can be determined, suggests that that was how he chose to spend his life. His primary practical sphere of operation was north Wales, to which he was deeply attached, but he understood himself to be operating also on a larger national canvass - an estimation which would have been reinforced by his last official appointment, as Lord Chief Justice of Ireland.

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As a coda, it is worth considering whether the thesis' general argument about early modern governance in Wales carries any twenty-first century relevance – for example, for the continuing debates about devolved government in Wales. There are grounds for thinking it may indeed have such relevance.

Two recent (2010) surveys by political scientists<sup>791</sup> have sought to throw light on what might be called the phenomenologies of political identity in the current populations of Wales and Scotland. To what extent, these studies have asked, do people in the two politically devolved regions now think of themselves as ‘Welsh’ and ‘Scottish’ as opposed to ‘British’? Though the two studies rely on very different methodologies, their findings are illuminating. The Scottish study concludes that a sense of ‘Scottishness’ is now increasingly the dominant political identity within Scotland, with ‘Britishness’ receding as ever-less significant, indeed becoming increasingly invisible, in people’s self-identification. On the other hand, whilst the Welsh study finds that devolution has encouraged growing levels of self-definition as ‘Welsh’ by people living within Wales, such levels continue to coexist with an unchanged levels of self-proclaimed ‘Britishness’.

This is not the context in which to examine these studies in detail, though they beg a variety of questions. For example, the methodological issues raised by the two studies are legion, not least concerning a lack of clarity about how the subjects of either of the surveys actually understood the concept of ‘Britishness’. Nevertheless, a general pattern of some interest is apparent: *Present-day Welsh subjects appear to experience less difficulty in thinking of themselves as adhering simultaneously to two ‘national’ identities - ie ‘British’ as well as ‘Welsh’ - than do present-day Scottish subjects.*

It is plausible to detect in this finding an echo of the early-modern origins of the Welsh federation with England. If, as has been argued, the legal and cultural marriage of Wales and England implemented by individuals like Hugh Hughes in the decades following the ‘acts of union’ was seen and experienced by the

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<sup>791</sup> J Bradbury & R Andrews, ‘State Devolution and National Identity: Continuity and Change in the Politics of Welshness and Britishness in Wales’; and M Stewart Leith, ‘Governance and Identity in a Devolved Scotland’ – both in *Parliamentary Affairs* (2010) 63, pp. 229-249.

educated community of the time as working towards a positively regarded larger whole ('Britain') without significant detriment to local ('Welsh') identity, perhaps a pattern was set which has prevailed down the centuries, regardless of the ebb and flow of very contrary political attitudes and prejudices at particular historical moments, such as the notorious Blue Books of the 1840s and the reactions they provoked.

The state of Welsh language and culture in the 21<sup>st</sup> century can be interpreted in different ways. To concerned cultural nationalists, understandably, the present glass is at least half empty, and the culture is struggling for survival. One often-voiced historiographical corollary is that things have never recovered since the culture was betrayed by Wales's leaders in the sixteenth century.<sup>792</sup> But others might interpret the lively survival of the language and culture into the current century, with its contemporary energy manifested through the far-reaching multi-level Eisteddfod network, the significant proportion of Welsh speakers amongst the young, and other indicators, as evidence rather that the glass is at least half-*full*. Indeed, it could be argued that the present flourishing of this ancient minority language and culture, in the contemporary media-saturated age, geographically cheek-by-jowl with the world-conquering English language and culture, is itself an astonishing triumph of a truly improbable kind. If this view is taken, then it may also be appropriate to look more sympathetically at the seminal role of the sixteenth-century Welsh leadership, given the blame attached to them by the 'half-empty' school. An implication of the arguments in this thesis is that the Welsh leadership, at shire and Great Sessions levels as well as in the negotiations concerning the Welsh-language Bible, made the new dispensation work so uncontroversially that the issue of repression did not arise, and in this way, unlike in either Scotland or Ireland, the indigenous language

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<sup>792</sup> eg Evans, *Fight for Welsh Freedom*.

and its associated culture survived, to fight another day up to and beyond our own times.

Thus, over and above his role as a lawyer and crown official during his own lifetime, Hugh Hughes, as a key mechanic in the machinery of the union in Elizabethan and early-Jacobean times, must be granted at least a modest place as one of the unsung contributors to the survival of Welsh language and culture into our own times.



## ANNEX

### **The Plas Coch Estate after Hugh Hughes. A Footnote to Chapter 1.**

Brief mention should be made of the way in which the Plas Coch estate evolved in the centuries following Hugh, if only to gauge the longer-term impacts of the latter's efforts on behalf of the Hughes family. The surviving estate papers suggest that Roger, his son and heir, though called to the bar at Lincoln's Inn, was a paler character than his father, content to live a relatively uneventful Anglesey life on the estate till his death in 1646. The same appears to have been true of several further generations of his successors, beneficiaries of the by-now complacent 'age of the gentry'. A painted Plas Coch family genealogy dated March 1697, now hanging on the wall at Brynddu, Llanfechell, bears the inscription 'A Pedigree of Roger Hughes of Plas Coch in Anglesey drawn by his brother Owen Hughes', thus confirming both that the family was by then overwhelmingly English-speaking (the Roger in question being the grandson of Hugh's son), and that pride in the family's ancient Welsh roots continued to prevail. The Brynddu-Plas Coch connection was established in 1765, with the marriage of Hugh Hughes (the third) to Anna Wright, grand-daughter and heiress of the celebrated diarist, William Bulkeley of Brynddu. This added Brynddu's then-2200 acres to Plas Coch's 1500, an increase in resources which did not prevent colossal mismanagement, sweeping sell-offs of key farms, and looming bankruptcy by Hugh and Anna's playboy son, Sir William Bulkeley Hughes (1766-1836), who as a Bath habitué owed his knighthood in 1804 to an acquaintanceship with the Prince Regent. It was Sir William's son, William Bulkeley Hughes,<sup>793</sup> best known as MP for Caernarfon Boroughs (for forty years during the period 1837-1882) who retrieved the position, expanding the

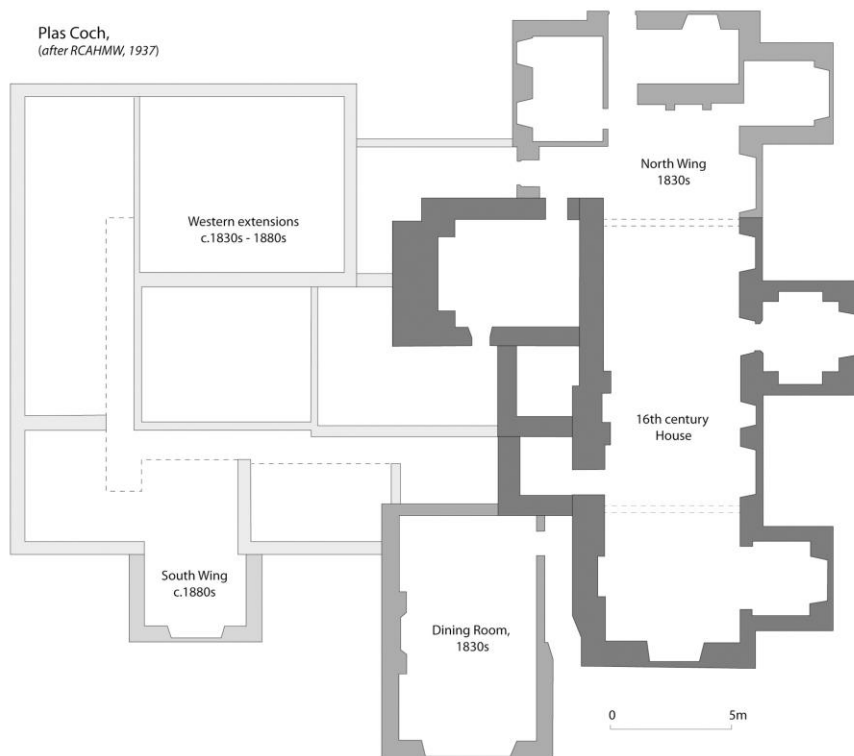
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<sup>793</sup> *Dictionary of Welsh Biography*, o. 394.

Plas Coch-Brynddu portfolio to more than 5000 acres by the mid-nineteenth century.

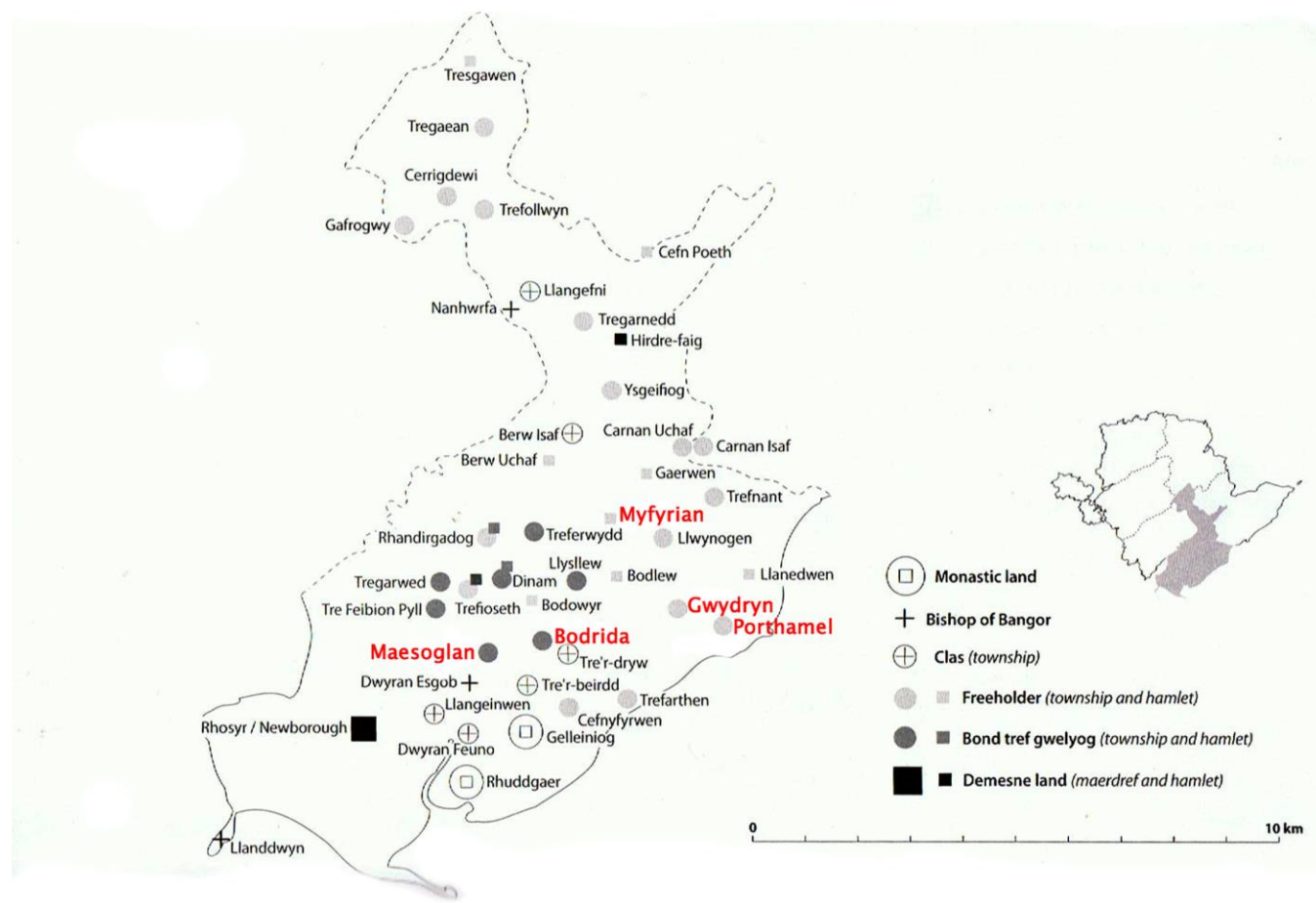
William Bulkeley Hughes apart, Hugh's descendents did not repeat his pattern of public accomplishments. Nevertheless, fragments of the modest estate he consolidated have survived in family hands into the twenty-first century.

## Plas Coch, Llanedwen, 2011 – photograph and ground plan



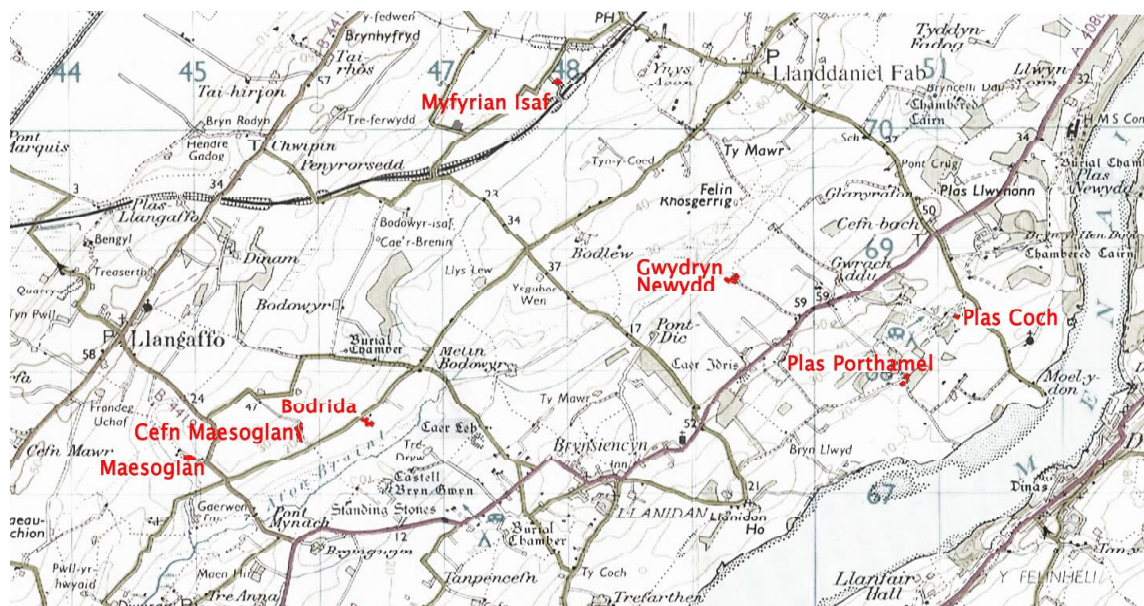
**Map A. Menai commote in 13<sup>th</sup> and 14<sup>th</sup> centuries, highlighting Porthamel and other relevant townships (Chapters 1 & 2)**

(Adaptation of map by D. Longley, in A.C.Carr, *Medieval Anglesey*, p.274)



**Map B. Plas Coch and neighbouring farms in late 20<sup>th</sup> century (Chapters 1 & 2)**

(Adaptation from Ordnance Survey map of Anglesey, No 114, HMSO, 1989)



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