

David and Humphrey Sidney:

Stuart merchants and litigants -

Who Did They Think They Were? Part 1

by

David Williams

For 200 years from the 1660s, a family called Sidney lived in some style on their Essex estates at Margaretting, and later more modestly at West Hanningfield. This article and its sequel will look at their social and economic rise and fall, and at what can be discovered about their ancestry.

While researching an unrelated topic several years ago, I had occasion to look at the Essex Record Office's (ERO) collection of papers for the former Chelmsford solicitors, Copland & Sons, for the 1860s.¹ My eye was taken by some lengthy letters to one Charles Algernon Philip Sidney, of Church House, West Hanningfield. I soon found that they concerned Sidney's daughter, Clarissa, and her troubled marriage—to which I will return in my second article. Eventually I found myself tracing the history of this family back to its earliest Essex members and beyond.

On 16th May 1668, the Court Roll of the Manor of Margaretting recorded the admission of David Sidney and his wife, Elizabeth, to the property known as Peacocks, comprising 24 acres, in the same parish. David was described as a merchant of Whitechapel, and when he enlarged his holding in 1670, as a gentleman of London. He appears to be the first member of this family to live in Essex, and later acquired land at Barking and Sandon (Fig. 1).

It seems likely that this David was the man, then described as a merchant of St Botolph's without Aldgate, who married Elizabeth Moore at Isleworth, Middlesex, in April 1667.³ Three sons of a David and Elizabeth Sidney, Humphrey, Thomas and David, were baptised at St Mary Matfellow, Whitechapel, in 1669, 1675 and 1679 respectively. Their parents' abode was stated as

'Goodmans Fields', the area roughly bounded today by Whitechapel High Street, Leman Street, Prescot Street and Minories, just outside the eastern boundary of the City of London. (Map 1) At least three younger children, Margaret (1683), Henry (1689) and Sophia (1695), were baptised at Margaretting, suggesting that the family moved permanently to their Essex estate around the early 1680s.⁴

Among the Margaretting parish papers at the ERO survives a letter of 1663 from one Gervase Locke to 'Humphrey Sidney, Merchant', at Leghorn, now known as Livorno, on the coast of Tuscany.⁵ Its survival there, though perhaps accidental, suggests that David (of Whitechapel and later of Margaretting) was the same David Sidney who, together with his brother and partner, Humphrey, is known, from some protracted litigation following Humphrey's death in 1676, to have traded at Leghorn from the late 1640s.

Leghorn was part of the domains of the Medici Grand Dukes of Tuscany. Under Ferdinando I, in the 1590s,

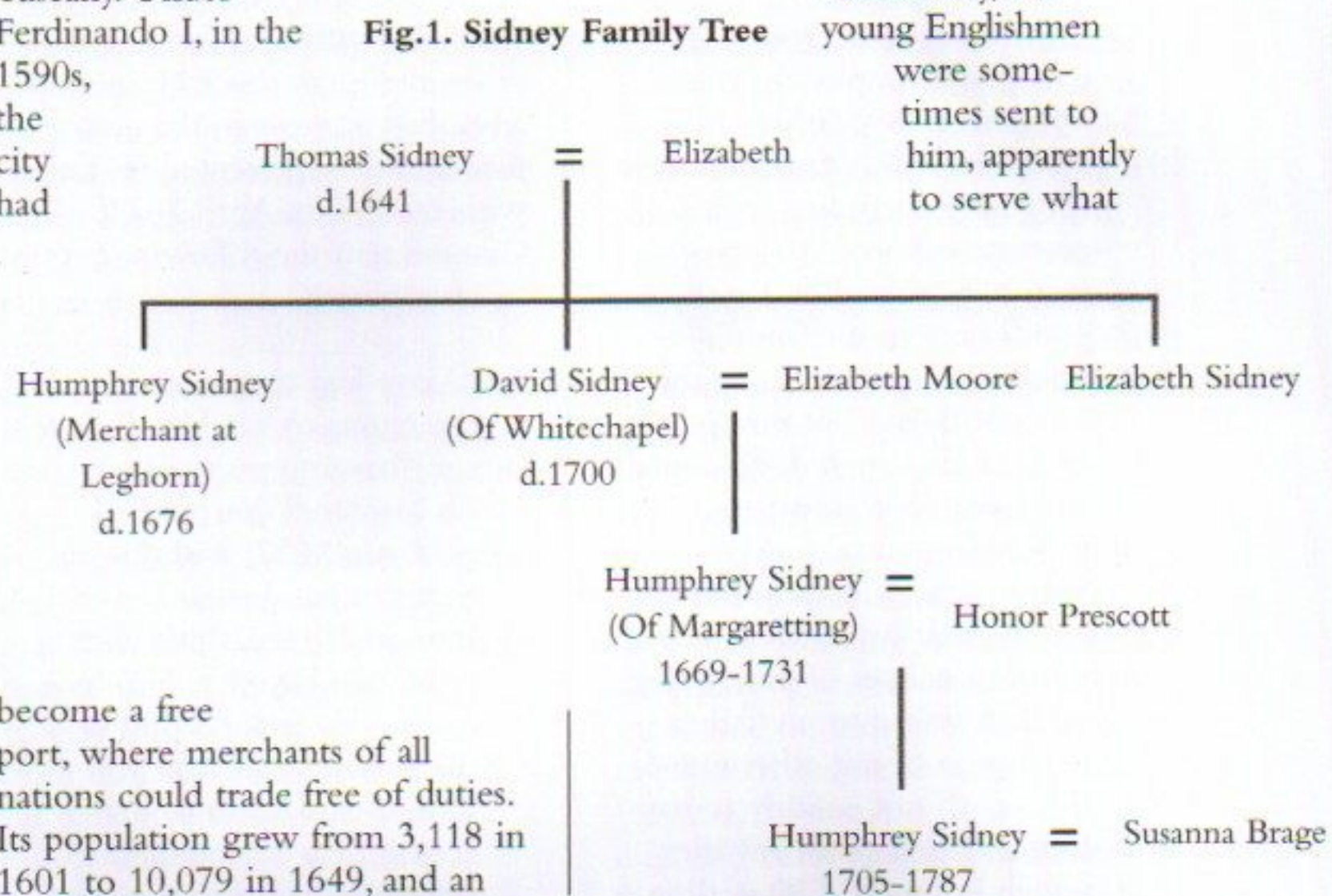
the city had

become a free port, where merchants of all nations could trade free of duties. Its population grew from 3,118 in 1601 to 10,079 in 1649, and an

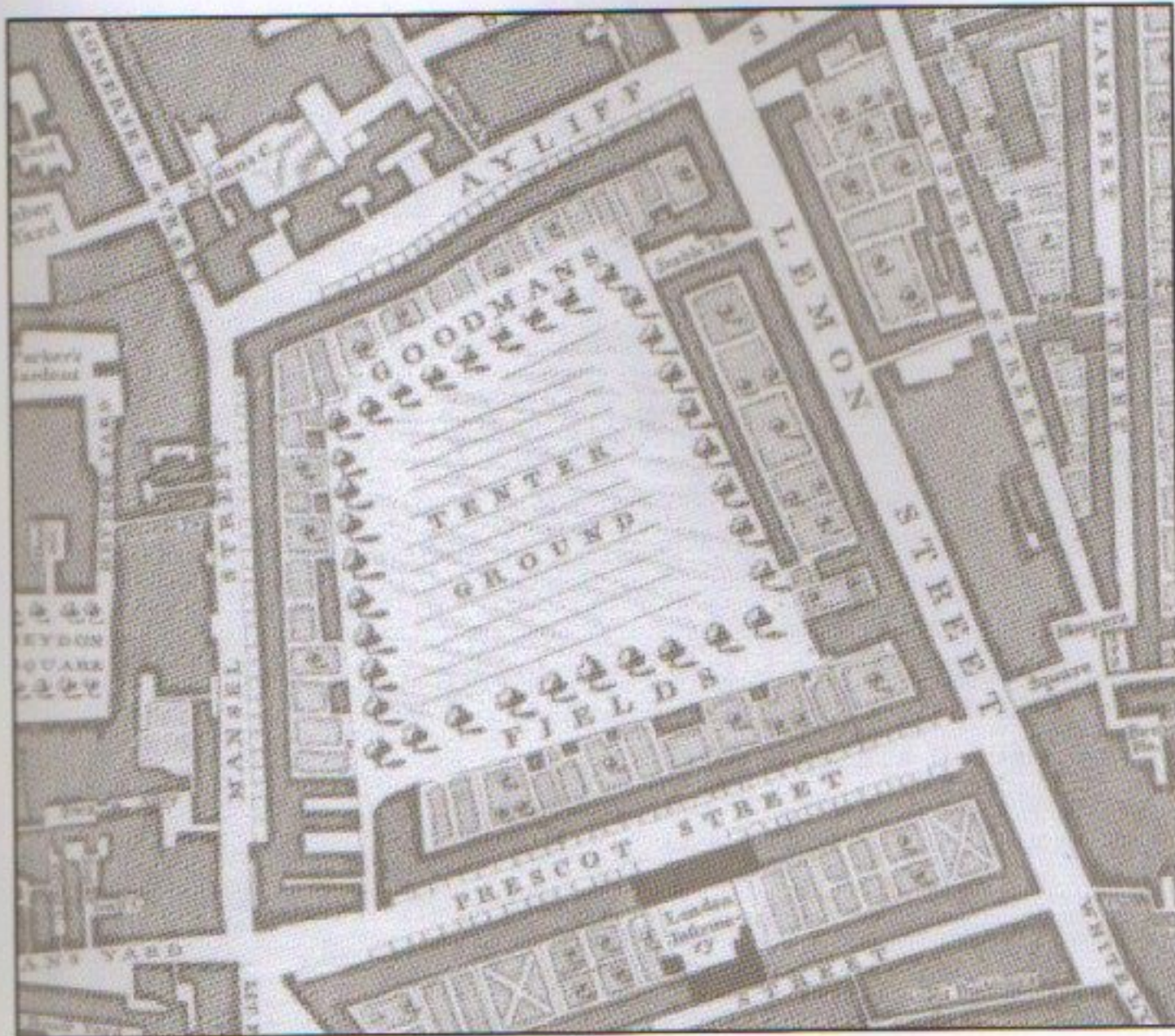
English merchant, Thomas Mun (d.1641) wrote that it was 'a strong and fair City, being one of the most famous places of trade in all Christendom'.⁶ The main trading currency there was the Spanish dollar or piece of eight, worth roughly five shillings, and the 20 or so English merchants resident there by the middle of the seventeenth century were the second largest group after the Florentines. The port gave access to the interior of Italy, but it was also, by about 1650, the commercial crossroads of the Mediterranean. Early exports from England included salted fish, cloth and grain, but later the English traders sent home silks, spices and coffee which came into Leghorn from the middle east.⁷

In the late 1640s, Humphrey Sidney became a partner at Leghorn with John Fairfax and Martin Lyster. They dealt with counterparties in London whose goods were shipped out and sold on. Humphrey became a prominent member of the local business

community, and young Englishmen were sometimes sent to him, apparently to serve what



David and Humphrey Sidney



Map 1. Goodman's Fields, Whitechapel
(Author's collection.)

might now be called internships, with all expenses paid by the 'intern', before attempting to launch independent careers. One such was Francis Williamson, a young cousin of Sir Joseph Williamson, Charles II's Secretary of State. He did not find his master an easy man to deal with. Writing in September 1664, he urged his cousin to persuade Francis's father to let him have more cash:

'[I] trespass upon your patience in imploring your assistance...My father...still feeds me with...fair promises for I have according to his promise expected to have seen bills of loading for the goods he sent me long since...to be sent me by the first good ship, but now find...I am much discouraged and have no comfort to proceed in business. Mr Sidney...has...been pleased to tell me that he understands not this manner of proceedings; he hath wrote to my father to dispose of me otherwise & if he doth not comply to pay him 200 dollars for my diet which is almost £50 sterling,

I believe he will deal none of the best by me...[He] looks upon none no further than his interest guides him'⁸

Francis was not the only young man to find a residency with Humphrey expensive. Gervase Locke's letter to Humphrey, mentioned earlier, suggests that Locke sent his son on a similar enterprise, only to find that it produced enormous bills (Plate 1); he had sent what he thought would be sufficient funds, but when these ran short Humphrey advanced moneys to the young man and then presented his father with the bill. In April 1673 Gervase sent the following protest to Humphrey:

'If you had observed my directions to lett him [Locke's son] have no more money (as I ordered you when I paid you \$122) without my order itt had beene better for you & mee, since which tyme you have lett him have & paid his taylor \$ 350 or thereabouts and why you should pass \$ 350 to my account for a levitation [increased contribution] to

the ration I know nott... How \$ 464...could all bee spent & mee not know of itt besides all that paid his taylor is a paradox to mee unless some fraude was used...I think the world will judge...I need not to have given \$600 with a boy to pay for washing his cloathes...[Locke's son] writes that by you & your damned cash hee is ruined & undon'⁹

One of the firm's clients was Francis Pargiter, probably¹⁰ an elderly merchant of St Ann's, Blackfriars, whose interests may have included trade with Russia through the Muscovy Company.¹¹ Pargiter seems to have remained a client until August 1676, when Humphrey died at Leghorn, intestate.¹²

The news of his death must have reached London by 25th September, when Pargiter appeared in person in the Prerogative Court of Canterbury (PCC), seeking letters of administration of Humphrey's estate, on behalf of himself and other creditors.¹³ He alleged that Humphrey's debts to them went back over 20 years, with Pargiter personally being owed at least £1,000; that they had tried to make him bankrupt in the courts in Leghorn, only to be foiled because Humphrey had been granted immunity by the Grand Duke; that Humphrey's brother, David, had already left for Leghorn and that if the court did not intervene he (Pargiter) and his colleagues would be cheated out of their just debts; and finally, that the brothers owned several ships that even as he spoke, were waiting in the Thames, ready to sail away, taking his and his co-claimants' property with them.

The PCC readily granted Pargiter letters of administration,¹⁴ but this was only the start of some ten years of procrastination, allegation and counter-allegation which kept the lawyers employed both in the PCC and the Court of Chancery, where Pargiter soon started a separate action, against

David and Humphrey Sidney

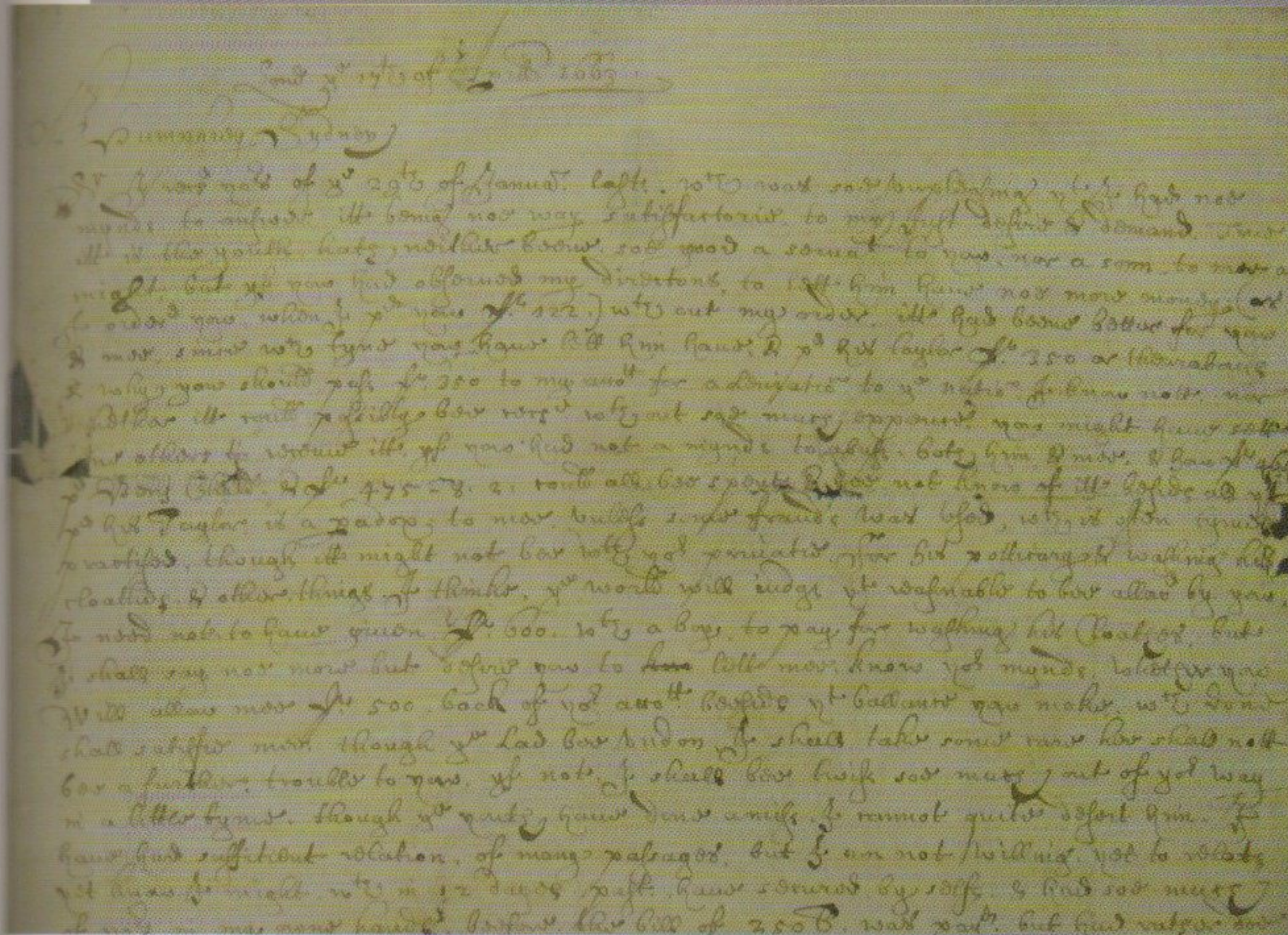


Plate 1. An early case of the Bank of Mum and Dad? Gervase Locke writes in 1663 to Humphrey Sidney, the merchant of Leghorn, to complain (inter alia) about a tailor's bill for \$350 and a laundry bill for \$600, charged to Locke for the alleged board and lodging costs of his son, who was working in Sidney's business. (Reproduced by courtesy of the Essex Record Office, D/P 235/28/1.)

David Sidney and one John Ashby, allegedly a partner with the two brothers.

Pargiter launched his attack in Chancery with a Bill of Complaint¹⁵ in May 1677, describing the history of his relationship with the original firm of Fairfax, Lyster and Sidney, and later, after Fairfax and Lyster had died, with the Sidney brothers, Ashby and one Nicholas Wyles. Lawyers tended to throw every possible allegation into such a document, but even allowing for this, the 'charge sheet' appears formidable.

Pargiter claimed that the defendants had traded both on their own account and as agents or factors, and by 1650, Fairfax, Lyster and Humphrey already owed him £1,000, being the value of

consignments of goods entrusted to them for sale. He repeated his allegation that the Grand Duke (at the time Ferdinando II) had granted the defendants immunity when Pargiter tried to sue them in Leghorn. Moreover, the three partners: 'did then all of them in or about the month of September [1650]...withdrawe and conceale their persons and abscond and hide themselves and would not be seen nor spoke with by any of their creditors'. Later, after Fairfax and Lyster had died, he alleged that David Sidney, Ashby and Wyles had conspired to conceal the successor firm's ill-gotten assets from him and his co-creditors, 'all which was done by them only with a cunninge subtile and fraudulent intent and with

a desigine to deceive'.¹⁶

Then, claimed Pargiter, followed attempts to compromise the debts for such derisory amounts as 1s.4d. in the pound (about 6.5%), which some creditors had accepted. But Pargiter, refusing to believe that the partners had, as they 'gave out or pretended...lost all their estates by some accidents and misfortunes', held out, and received a favourable judgment in England in 1656.

But, he claimed, Fairfax and Lyster had simply ensured that all their assets were transferred off-shore, to Humphrey's hands, and Humphrey then invoked his state-sponsored immunity at Leghorn to resist all claims. Eventually, said Pargiter, Fairfax and Lyster had died and been replaced by David Sidney, Ashby and Wyles alongside

David and Humphrey Sidney



Plate 2. Cosimo III de' Medici
(Author's collection.)

Humphrey, who:

'did in the concealinge of his said estate much make use of the aforesaid John Ashby Nicholas Wyles & David Sidney his brother & divers others...and putt a great part of his said estate in their names and bought severall wares and merchandizes and severall ships...in their or some of their names & consigned great quantities of goods & merchandizes to them'¹⁷

Pargiter named the ships: the *Turkey Merchant*, the *Samuel* and *Jonathan*, the *New African* and others, all bought with the creditors' money and used by Humphrey to 'drive a very great trade' which continued 'for many yeares till or near the time of his death'. Humphrey had also invested this fraudulently (as Pargiter claimed) obtained fortune in houses and vineyards in Leghorn and Pisa, 'great quantities of plate rings jewels [and] household stuffe', all amounting to about £30,000.

Now that Humphrey was dead, claimed Pargiter 'the said Humphrey Sidney dying a bachelour & without any issue the said David Sidney his brother hath since his death seized and possessed himself of the greatest part of the said estate' and had himself obtained from the Grand Duke the same immunity enjoyed by his brother. He had also made away with the firm's books.¹⁸

Meanwhile, David had returned from Leghorn to find himself deprived of legal control of Humphrey's estate by the PCC's decision the previous year. In May 1679 he persuaded the PCC to revoke this and to concede administration to him. But by now, he had embarked on a strategy of minimal co-operation with Pargiter's lawyers in both Courts. By February 1684, nearly seven years after Pargiter had launched his Chancery action, Pargiter's lawyers had still not obtained the books and papers of the Leghorn partnership. John Ashby had simply told the Court that Humphrey and David had taken all the decisions and kept all the records.¹⁹ The Court had (in 1681) ordered²⁰ that all the records should be produced 'with all convenient speed' before two members of the English trading community at Leghorn, who were to take copies, but by early 1684 this had still not been done.

David's counsel had already cited ongoing separate lawsuits in Leghorn as excuses, but by now was reduced to falling back on the weather, claiming that his client:

'hath used all possible endeavours to give obedience to the said order and to that purpose at his great charge procured His Majesties [Charles II's] letters to the Grand Duke of Tuscany...for his leave to proceed therein...and endeavoured to dispatch a messenger on purpose to Leghorne to see the said commission executed and to bring back the said bookes papers and writings with him, but by the extremity of the late

frost the said messenger was forced to lose his passage in the Dover coach which he had hired for that purpose and to continue here'²¹

The Court gave David until Whitsun (about three months) to produce the papers on pain of being committed to the Fleet Prison. But his prevarications seem to have provoked Pargiter into action that caused even more delay. A few days after this order, on 1st March 1684,²² Pargiter's lawyers objected to a certain William Hodges, one of the 'commissioners' appointed by the Court, on the nomination of the defendant, to receive and bring back the evidence from Italy. Hodges, they alleged, was 'a scandalous person & of soe mischevious & troublesome a temper the plaintiff [Pargiter] cannot procure any commissioner to be joined with him'. They insisted on alternative nominations, but David's Counsel retaliated that Hodges was: 'an ingenious person of knowne integrity and reputation & that the plaintiffs designe by making these objections & cavells is to spin out the time soe that it will be impossible for the defendant to performe the conditions by the time limited'.²³

The Court rejected Pargiter's objections to Hodges, which rebounded to the extent that David was given another month to comply. Meanwhile, Pargiter's lawyers had interviewed a number of witnesses whose depositions cast light on business conditions at Leghorn, and on the mood of the times. The objections to William Hodges, for example, are illuminated by one of the questions asked of all the witnesses:

'Were not you at Leghorne when the defendant [David] arrived there after the death of his brother...and doe you not know have heard or doe believe that the said defendant changed his religion there, and what report had he their, was he accounted an honest

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man or a dishonest or how otherwise. And what company did he keep there and of what religion?'²⁴

These were highly loaded questions so soon after the 'Popish Plot' of 1678, and the false claims of Titus Oates about a Catholic conspiracy to overthrow the King and install his brother, James, Duke of York. However, only one of the six deponents whose answers survive responded to this invitation to smear David's character; John Broking, a merchant of Bucklersbury in the City, said that he:

'hath bin credibly informed that [David] changed his religion or profest the Papist religion & ...that he became scandalous to all of the English nation that were protestants in regard of his accompanying himselfe with fryers preists Italians & some English that had likewise changed their religion & particularly one Wm Hodge a Papist'²⁵

To its credit, perhaps, there is no evidence that the Court was swayed by such hearsay allegations, and its attention was focused on proving the alleged debts. John Porter, a merchant living near the Tower of London, was shown two documents dated 1649 and 1650 which were claimed to be acknowledgements of debts due from Fairfax, Lyster and Humphrey Sidney to Pargiter; he compared the handwriting to some similar bills in favour of his late uncle, and said that: 'he verily believeth that the signs & subscriptions on the said two produced accounts are & were the usuall & proper forme or way of subscription of the said partnership'.²⁶ Another witness, Edward Gold, said that he had seen:

'an authentick copy of an inventory drawn out of the Leghorn Court of Justice signed by Pier Francisco Nonni Cavaliere della Consilio di Livorno &

authenticated by a publique notary which...this deponent believeth to be true having had experience & knowledge of the forms or handwritings of the said Nonni & notary publique duringe this deponents abode att Leghorn'²⁷

Gold added that the total value of Humphrey's assets shown on the inventory was \$150,000 'or at least \$80,000'. Several others confirmed that the Grand Duke (since 1670, Cosimo III de Medici, Plate 2) had granted to David, after Humphrey's death, an immunity similar to that of his brother, for use in several actions against the estate there, including one by a Jew called Moses Vigarena or Vigavcena, and agreed that \$80,000 was the approximate value of Humphrey's estate after payment of all debts. John Broking, who thought the amount was nearer \$100,000, had been appointed one of the official valuers of the estate by the Leghorn Court, along with another Englishman, Charles Harris, and Humphrey's cashier, Francesco Campagni, but testified that as soon as David arrived from England, all three of them had been relieved of their duties and then handed a discharge signed by David.²⁸

David himself, in one of his rare moments of co-operation, had submitted to the PCC, back in 1679, a purported inventory²⁹ of his brother's assets which put the total at a mere \$9,100, including shares in three ships (none of which were those named in Pargiter's Chancery pleas), but this excluded any real estate. It was also peppered with his customary excuses: two of the ships, the *Scandaroon* and the *Mediterranean*, had been taken by Algerine pirates; later,³⁰ he modified this by admitting that the pirates had seized only 'the cargo and tackling', leaving him with 'the mere hulls and some rigging only', and even then their sister, Elizabeth, had claimed that Humphrey had made a gift to her of the *Scandaroon*, so Pargiter could forget any claim to that. Furthermore, although he admitted that

he and Humphrey were joint owners of a house in Pisa, the contents were likewise not available to satisfy creditors, 'because one Elizabeth Gascoigne...pretending some gift of the same from the said deceased got the same into her possession before this respondent's arrival at Leghorn and still keeps and detains the same'.³¹

So David's excuses went on: a Jew called Mocatta owed the firm \$6,000 which was never likely to be paid, and the warehouse at Leghorn was full of goods belonging to third parties which were not David's to dispose of. And just in case Pargiter intended to ask for a list of their alleged owners, David added that: 'merchandizing and correspondency with merchants and the sort of goods they deal in being a great mystery and secrett and the discovery thereof the utter overthrowe of their trade, hee [David] is not bound by law to discover the same'.³²

By November 1684, his time was running out. Pargiter had by now reduced his claims to a debt of £800 due to himself and another of £300 in his capacity as executor of one Robert Ward. The Chancery Master (the assistant judge deputed to take evidence and report back with proposals to the Court) found that David had failed to produce any of the promised papers from Italy, and that his lawyers had failed even to attend the most recent hearings (one wonders if they were no longer being paid). He found it proved that Pargiter had consigned goods to the firm of Fairfax, Lyster and Sidney in 1649 and 1650 to the value of about £2,000 sterling, and had received nothing on this account; he also found, from the depositions of Broking and others, that Humphrey's net estate at Leghorn had been worth about £20,000.³³ He also found that the Ward debt had been proved, by a document that acknowledged that Humphrey had been indebted to Ward for 'for two and twenty packs of Muscovia hides', worth about £900. He advised the Court, therefore, to order David to pay

David and Humphrey Sidney

the full amount of £1,100 claimed.³⁴ Still David was not finished. He lodged a series of 'exceptions' (objections) to these findings, but on 12th December 1684 the Court found 'the said exceptions appearing to be frivolous and onely for delay', and gave judgment for Pargiter for £1,100, with costs of £191.³⁵ On 18th December, Pargiter claimed that 'the defendant Sidney abscondeth himselfe so that he could not be served personally with any order of the Court', and on Christmas Eve he persuaded the Court to declare David in contempt.³⁶

'despite my great age of 79 years'

That is where the records appear to end. Assuming that I am right in my identification of the defendant in this case with David of Whitechapel and Margaretting, the latter's evident standing and prosperity do not suggest that he ultimately defied the Court to the point of being bankrupted and imprisoned; Pargiter presumably got paid enough to satisfy him in the end. He may not have had long to enjoy his victory, because he appears to have died between 30th January 1686, when he made his Will, thanking God for his 'perfect memory despite my great age of 79 years', and 29th October of that year when probate was granted.³⁷ David's subsequent business life is unknown, but even after paying off Pargiter it seems clear that he must have inherited an estate of nearly £20,000 from Humphrey, in addition to whatever he had accumulated himself in England. He lived on at Margaretting until his death in August 1700, having left his lands there to his eldest son, Humphrey, along with other freehold lands at Writtle: the rest of his estate, including property at Sandon and Barking, was left equally to his other children.³⁸

There was a strange sequel some 250 years later. In 1954, alterations to Sandon Church were halted when a previously unknown brick vault was discovered beneath

the floor of the east end of the north aisle. It contained several lead coffins, one of them that of a child, and some fragmentary human remains. One of the coffins bore the inscription 'D S 1700'. The Vicar reviewed his burial registers and found that a 'David Sidney, Gent' had been buried there on 13th August 1700; his wife, Elizabeth, had preceded him in 1695, on the same day as their son Henry, aged (if this was the boy baptised in 1689) about six. The Vicar concluded that the merchant of Whitechapel and Margaretting had found his final resting place near one of his Essex properties, and he was probably right.³⁹ In my next article, I will look at the fortunes of some of David's descendants.

References

1. Essex Record Office (ERO), D/DDw B1/29, letter book of Copland and Sons, solicitors of Chelmsford, 1863-64.
2. ERO, D/DP M647, Court Roll, Manor of Margaretting, 1665-85.
3. Isleworth registers at the London Metropolitan Archives. The exact date is unclear but the Faculty Office allegation is dated 29th April 1667.
4. At least two other children, Mary and Charles, are also documented though their baptisms have not been found.
5. ERO, D/P 235/28/1, letter from Gervase Lock to Mr Humphrey Sidney.
6. See G. Pagano de Divitiis, *English merchants in seventeenth century Italy*, (Cambridge, 1997).
7. H. Blake, 'Why Livorno?', *Society for Post-Medieval Archaeology Newsletter*, Summer 2005, [pp.5-6].
8. State Papers (Domestic) of Charles II, TNA, SP 29/102, letter, 05/09/1664.
9. ERO, D/P 235/28/1.
10. Assuming he can be identified with the man of that parish whose will is mentioned below.
11. He may be the man mentioned in this connection in Pepys' Diary for 27th July 1661 & 16th September 1664. <http://www.pepysdiary.com/>, (04/10/10).
12. TNA, C 6/78/83, *Pargiter v Ashby and others* - this includes Pargiter's Bill of Complaint, mentioned below, which gives this as the approximate date of death. The exact date, according to Humphrey's Tomb in the English cemetery at Livorno, was 8th Aug.
13. The proceedings of the PCC are at The National Archives (TNA), PROB 28/59, 60 & 61. The PCC had jurisdiction over the estates of English subjects who died abroad.
14. TNA, PROB 6/51, f.73.
15. TNA, C 6/78/83.
16. *Ibid.*
17. *Ibid.*
18. *Ibid.*
19. Answers of Ashby dated 18th July 1677 to Pargiter's Bill, TNA, C 6/78/83. David Sidney's answers, if any, have not survived.
20. TNA, C 33/258, f.140.
21. TNA, C 33/262, f.322.
22. *Ibid.*, f.257.
23. *Ibid.*
24. TNA, C 24/1061 - containing all Pargiter's witnesses' depositions.
25. *Ibid.*
26. *Ibid.*
27. *Ibid.*
28. *Ibid.*
29. TNA, PROB 5/762B.
30. David's Answers to Pargiter's interrogatories in the PCC, dated 22nd May and 16th October 1680, TNA, PROB 25/3, ff.54&75.
31. *Ibid.*
32. *Ibid.*
33. At the usual exchange rate of 5s to the dollar, this implied that he accepted the witnesses' estimates of \$80,000.
34. TNA, C 38/219.
35. TNA, C 33/264, f.93 (judgment) and C 38/222 (costs).
36. TNA, C 33/264, ff.159&140.
37. TNA, PROB 11/385, will of Francis Pargiter, Merchant of Saint Ann Blackfriars, City of London, 29/10/1686. It cannot be proved beyond doubt that this Francis Pargiter was the Sidneys' opponent but the links are suggestive.
38. TNA, PROB 11/456, will of David Sidney, Gentleman of Margaretting, Essex, 20/08/1700.
39. S.H. Chase, 'Discovery of the Sidney Family Vault in Sandon Church', *Essex Review*, LXIV, 254, (1955), pp.80-82. The exact location of the Sidney property at Sandon is unknown; 140 acres in the parish were sold by David's son, Charles, to his siblings in 1714: ERO, D/DHt T15/13, deeds of Barking.

The Sidneys - zenith and decline:

Who Did They Think They Were? Part 2

by

David Williams

For most of the century after the death in 1700 of David Sidney, merchant of Whitechapel, whose story was covered in the first part of this article,¹ the Sidney family seems to have prospered on its Essex estate at Peacocks, Margaretting (Plate 1). David's eldest son, named Humphrey after his uncle, the merchant of Livorno, and Humphrey's own eldest son who bore the same name, were between them 'squires' of Margaretting from 1700 until the younger Humphrey's death in 1787.

The elder Humphrey (1669-1731) married Honor Prescott,² daughter of Alexander Prescott of Thobies Priory. Already wealthy in his own right by inheritance, in 1723 he was given 127 acres in the nearby parish of West Hanningfield³ by Edmund Humphrey, a bachelor and the last of a wealthy family which had been given lands in Essex by Henry VIII,⁴ who was also godfather to the younger

Humphrey Sidney. In addition to their existing estates at Sandon and Margaretting this gift must have greatly enhanced the Sidney fortunes and also brought them Church House in West Hanningfield (Plate 2), where they seem to have lived from the early nineteenth century.

The younger Humphrey (1705-87) married Susanna Brage, the daughter of William Brage of Hatfield Peverel whom he outlived by some years. In his time the family fortunes seem to have been at their peak. His Will⁵ left properties in several parts of Essex as well as substantial amounts of cash and stock, but closed simply: 'I desire to have no tombstone or inscription put over me but choose to have my grave [in Margaretting churchyard] turfed and brambles put over the same as soon as I am buried'

Humphrey the younger's son, Charles William (1756-1823), became a Commissary, or supply officer, in the army during the Napoleonic Wars and also a deputy

lieutenant for Essex.⁶ It was in his time that the family fortunes seem to have taken a downward turn. This could be connected with the fact that in the late eighteenth century Peacocks was rebuilt in the latest style, and the estates there and at West Hanningfield appear to have become heavily mortgaged. As early as 1809, he was contemplating the sale of Peacocks to raise funds,⁷ and latterly he seems to have lived in Suffolk, Dorset and finally Sussex; he had given the West Hanningfield estate to his son, Charles Algernon Philip (1783-1864), in 1808, and the Margaretting estate in 1822. By then the latter was mortgaged for at least £3,000, and Charles Algernon Philip sold it in 1833 to John Disney for £6,300.⁸ From about this time, Charles Algernon Philip seems to have lived at West Hanningfield (itself mortgaged for at least £1800 by 1809), sinking steadily into further financial trouble.

Humphrey Sidney II = Susanna Brage
1705-1787

Charles William Sidney = (1) Elizabeth Davis (d.1804)
1756-c1823 (2) Elizabeth?

Charles Algernon Philip Sidney = (1) Sarah Frost (d.1820)
1783-1864 (2) Sarah Smith

Charles William Henry Humphrey Sidney = Jane Crow
1825-1892

Philip Sidney
1827-1884

Clarissa Sidney = Thomas 'Floyer Bulstrode' Pope
1840-1931

Thomas Sidney Wilmot Pope
1865-1924

Fig. 1. Simplified Sidney Family Tree

The Sidneys - zenith and decline



Plate 1. Peacocks Margareting. (By courtesy of Philip Torr)

Charles Algernon Philip's children-troubles come not single spies

Although his father's expenditures may have started his problems, the younger Charles hardly helped himself by having at least 14 children with Sarah Smith, the daughter of a Writtle farmer, who does not seem to have married him until 1828,⁹ five years after the birth of the eldest child. Misfortune dogged several of them in later life. We will focus on three: the eldest son to survive to adulthood, Charles William Henry Humphrey (CWHH), and his siblings Philip and Clarissa.

'Mr Pope produced credentials...

Born in 1825, CWHH graduated from Sidney Sussex College, Cambridge, and was ordained in 1850. In 1853 he became Vicar of Gooderstone, in the west of Norfolk, and held that post until 1891, only a year before his death, but he seems to have lived elsewhere for part of that time; presumably he had to pay a curate to take his place, which must have strained his pocket since the Gooderstone post was worth only £170 a year.¹⁰ We will return to him a little later. Philip, two years his junior, qualified as a Master Mariner in 1855,¹¹ and by February 1857 his father had bought a half share in the *Sir Colin Campbell*, a 248 ton brig, of which Philip became master.¹² Over the next two years this

modest vessel sailed under his command to Trebizond [modern Trabzon in Turkey] on the Black Sea, then on to Constantinople [Istanbul], then to Queenstown [Cobh], Ireland, and then to Rio de Janeiro, via Madeira, a voyage which took just under six months, before returning, via Constantinople again, to Falmouth in January 1859.¹³

We do not know how financially successful these voyages were, but Philip's father sold his share in 1860 and Philip had to look elsewhere. In August 1861 he bought a 100% interest, for £2,000, in the *Leading Star*, a 210 ton barque built in Essex, at Fingringhoe, and registered at Colchester.¹⁴ We have part of the story of his only voyage in this vessel in his own words, as told to a bankruptcy court in South Africa six years later. Although his ancestors, David and Humphrey of Leghorn, may have been economical with the truth when pursued by their creditors, Philip's account is substantially confirmed by the records in *Lloyd's List* and at The National Archives. On 31st August 1861, the *Leading Star* sailed from Gravesend, bound for Natal, a journey then requiring the rounding of the Cape of Good Hope, and arrived there on 1st April 1862. In Philip's words, 'She was loaded with timber for the harbour works, and 12 or 15 passengers. I became sick on the voyage out and was obliged in consequence thereof to remain in Natal.'¹⁵

Philip seems to have spent the next two years in Natal, which had been a settled British colony

only since 1843. Around the end of 1862, he was joined by two of his younger sisters. One of them was definitely Clarissa (born 1840) and the other was almost certainly Lucy (1835). The sisters may have originally come out for a holiday and to see their brother, but events fell out otherwise, because on 28th February 1863, Philip and Lucy witnessed the marriage, at Pinetown (now a suburb of Durban), of their sister Clarissa to Floyer Bulstrode Pope;¹⁶ at least, that was what everyone (except the bridegroom) thought at the time. In fact, they had witnessed a deception that was to have sad consequences. By January 1864, at West Hanningfield, Clarissa's father, Charles Algernon Philip, now 80 years old, had received such distressing news from his daughters that he instructed his solicitor, Albert Copland, of

...of the most satisfactory nature'

the Chelmsford firm of Copland & Sons, to write to the bridegroom's father, Thomas Pope, a substantial farmer at Horningsham in Wiltshire. Explaining how the sisters had sailed for Natal, Copland went on:

'During the voyage a Gentleman calling himself Floyer Bulstrode Pope but who eventually was found to be Mr Thomas or Tom Pope...engaged the affections of Miss Clarissa Sidney...who was a very fine girl of 23 years of age & a short time after the arrival of the ship at Port Natal¹⁷... they were married at Pine Town church nearby...Mr Pope produced credentials of the most satisfactory nature apparently, before the marriage, and was I am informed generally believed both on board the ship and in the Colony to be a respectable man.'¹⁸

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The bridegroom was indeed Tom Pope, one of several sons of his namesake father, and Floyer, whose name he used, was in fact his elder brother, by 1871 a wine merchant in Yeovil, Somerset.¹⁹ Tom may have decided that his brother's name was more impressive than his own, although it is clear that his wife soon discovered the truth. Worse was to follow. Albert Copland continued:

'After the marriage Mr & Mrs Pope went up into the country to a place called Durban [far away in Chelmsford, Copland seems to have been rather hazy about his geography] and lived there together for 2 or 3 months. Mr Pope then left to go...to the Cape of Good Hope²⁰ upon urgent business which required his personal superintendence, promising his wife to return as speedily as he could. I am informed that he reached the Cape and whilst there he by some act (said to be forgery) made himself answerable to the Law and was imprisoned but afterwards liberated thro' the intervention of Sir W. Hodges with whom he was in some way connected. He fully acknowledged to persons there that tho' he had married Miss Sidney he should not return to her or ever live with her again or visit her. [Clarissa] some time afterwards received information that at a place called Stellenbosch [Stellenbosch?] her husband had represented himself to be unmarried and had made an offer of marriage to a girl living there with whom he had gone off into the country. Mrs Pope was thus left alone at Durban, without friends or money & the cruel deception of her husband wrought so upon her as to produce premature confinement from the evil effects of which she was on the 28th October last miserably suffering.'

Nothing more is heard of this pregnancy, which appears to have ended in a miscarriage or neonatal death. Whether Tom indeed 'went off' with another woman is unknown, but he certainly ran into trouble in Cape Town. In July 1863, he was charged there, under the even more exotic but equally false name of Floyer Balstrode A'Court Pope, with passing a cheque for £15 in the knowledge that he lacked the funds to meet it. He was, just as Copland had said, acquitted, after producing a letter offering to back his cheques up to £50, signed by Sir William Hodges, then President of the Legislative Council and Chief Justice of the Cape Colony.²¹ Professional discretion may have stopped Copland short of a direct plea to Pope senior for cash, but that was clearly his object. His letter ended by referring to Charles Algernon Philip's great age and how 'he has had large property and is very respectably connected but by the expenses of a large family [he] is now much reduced in worldly importance', before ending with this plea: 'Such a sad calamity falls heavily upon an old man and I am sure you, who have a good and honourable name, must feel for him & Mrs Sidney as well as the unfortunate girl who has been so cruelly deceived.'

We do not know whether Thomas Pope senior replied, but from later evidence we do know that Clarissa and Tom were reconciled for a time. We will return to them shortly, but meanwhile, Clarissa's brother, Philip, was running into misfortunes of his own. When he fell ill in 1862, Philip appointed William Graham²² as acting master of the *Leading Star*, and from May 1862 to early 1864, she toured the China Sea under Graham's command. She sailed first to Kurrachee [Karachi], then to Penang, Singapore and at the end of 1862 to 'Kongpoot', which may be Kampot in modern Cambodia; 1863 found her calling at Bangkok, Batavia [Jakarta], Surabya (also in what is now Indonesia), Amoy [Xiamen, on

the Chinese mainland opposite Taiwan], Shanghai, and Tamsui [Danshui in Taiwan]. Early in 1864 she began to work her way back to Batavia, from where she sailed on 28th February, bound, according to *Lloyd's List*, for Amsterdam. However, this was not what Philip had intended when appointing Graham. As he told the Pietermaritzburg Bankruptcy Court in 1867:

'The ship sailed from [Natal] for China in ballast under the command of a person named Graham...She cruised 18 months in the China seas and afterwards loaded in Batavia for Amsterdam the arrangement being between Graham and myself and the Charterers that she was to take me up here [in Durban] on her return voyage.'

Philip claimed that when the ship returned to Durban from Batavia, he had gone inland for a while, leaving his Durban agent instructions to send for him as soon as the *Leading Star* arrived so that he could return with her to Europe. The agent, however, was away in Cape Town when the *Leading Star* arrived, and she sailed without Philip (on 16th April according to *Lloyd's List*), bound for Amsterdam. In Philip's words:

'I followed after her as soon as I possibly could and found the ship empty-cargo in the hands of the merchants & the crew waiting for their wages. The ship was arrested and sold & the proceeds applied in paying the crew's wages, so she was a total loss to me. She was my own bona fide property and all paid for. I found on my arrival at Amsterdam that I had been robbed by the Master Graham who had reduced the Charter amount from £200 to £130 which for 18 months amounted to £1,260 - which I presume he shared with the merchants & which led to my ruin.'

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Lloyd's List, dealing only in hard facts, records that the ship arrived in Amsterdam on 12th August. Soon after this she had a new owner, Richard Page, who presumably bought her from the port authorities after discharging the dues, and retained her until, in November 1875, she sailed from the Tyne, bound for Folkestone, but as the official register recorded the following January, 'has not been since heard of, is considered lost.'²³ By then, Philip had been declared bankrupt in Pietermaritzburg in 1867, and eventually died at Ficksburg in the Orange Free State in 1884, aged 57.²⁴

'dragged her across the room by the hair of her head'

Clarissa and Tom had by now been reconciled and returned to England. Her father, whose lands at West Hanningfield were mortgaged for almost their full value by 1861,²⁵ had died in April 1864, only a few weeks after his interview with Albert Copland. In April 1865 they were living at Hounslow, and a son, Thomas Sidney Wilmot Pope, was born, but the relationship was still unhappy. According to Clarissa, Tom 'struck [her] several times on her head' on the return voyage, and in the last days of her pregnancy he also 'struck [her] in her stomach and dragged her across the room by the hair of her head', and- a particularly squalid touch - 'forced one of his dirty socks into [her] mouth.' By 1870 the couple had moved to Guernsey, where Tom allegedly committed repeated adultery with a local woman.²⁶ By early 1870, Clarissa had returned to West Hanningfield, evidently alone,²⁷ and had instructed Albert Copland to seek a divorce.

For a provincial solicitor, this may have been a novel experience, for divorce had been feasible only for the very wealthy until the 1858 Divorce Act. Copland initially

advised a separation,²⁸ perhaps because to obtain a divorce a woman had to prove *both* adultery, *and* either cruelty or desertion, whereas a separation required only one of the latter pair.²⁹ Clarissa was adamant, however, and despite continual problems paying Copland's fees she persuaded him to obtain evidence from Guernsey of Tom's adultery. This involved asking a local solicitor to take statements from various women in the island, including the alleged co-respondent's landlady, which took until the middle of 1872. Even then, some of Copland's advice seems rather naive, suggesting that Clarissa ask Tom for a written 'confession',³⁰ and later that they should subpoena the alleged 'other woman' herself, because 'I have no doubt [she] could be got to tell the truth as her only chance with Mr Pope is to get him, if divorced, to marry her.'³¹ But it gradually became clear that Tom, who was 'living upon the charity of his relations',³² could not afford to contest the divorce, and once the witnesses' statements from Guernsey arrived, Clarissa was granted a decree nisi in January 1873. Bizarrely, her husband was described in the Court papers as Floyer Bulstrode Pope right to the end. When Clarissa queried this, Copland replied, with a touch of male condescension:

'you were married to a person calling himself Floyer Bulstrode Pope... Whether his name really is Tom is immaterial. It was the man who signed and presented himself as Floyer Bulstrode Pope that you want to be free from. Once free you will not be troubled by 'Tom Pope' or 'Floyer Bulstrode Pope' any more.'³³

Did the real Floyer Pope discover that in the eyes of the law, he had been married, in a country he probably never visited, to a woman he probably never met? Copland's work did not end there,

however, and correspondence continued for some years about his fees. Clarissa had been left almost penniless at her mother's death in 1871, and the only funds available to pay Copland were held in a trust created by her father for her twin sister, Clara, described in the relevant censuses as an imbecile from birth. Once Clara had died, in 1876, these funds were to be distributed to the other children, and although Tom should have paid Clarissa's costs it was obvious that he would never do so. Copland persuaded Clarissa to assign her share of the fund to him to settle the costs, which came to £110; even then, Copland claimed to be out of pocket by over £20.³⁴

At this point Clarissa's other siblings started to pepper Copland with requests for their share of Clara's trust; the most frequent requests came from the Rev Charles William Henry Humphrey, the eldest son. With only £170 a year from the meagre living of Gooderstone, CWHH took curacies elsewhere to supplement his income, in St Ervan, Cornwall, 1875-77, Burton, Pembrokeshire, 1878, and Menheniot, also in Cornwall, 1878-82, as well as holding two other Norfolk curacies in parallel. His wanderings may have had a darker aspect; as early as 1873, when he first seems to have applied for help to the Corporation of the Sons of the Clergy, a church charity, he was described as 'in an asylum', and when his wife applied on his behalf in 1885, he was 'in Bodmin Asylum, mentally incapacitated for duty.' By now his income from Gooderstone had reduced to £140 a year and by 1890 it had halved, to £72 (this may have been the amount left after paying a curate). He died in Kimberley, South Africa, while visiting his sister Lucy, in 1892, and his widow was forced to seek help from the Corporation again; her income was now less than £10 a year, and the minutes granting her an additional £10 recorded: 'Husband long suffered mentally and bodily.'³⁵

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Plate 3. Clarissa Oastler, mother of Thomas Pope, seated fifth from left. (By courtesy of Douglas Roads Maschmedt.)

Could the author of these pieces have been none other than Charles Algernon Philip Sidney himself? Beset by debts and an expensive family, might he have looked for some consolation in a noble ancestry? If so, there is little hard evidence in his favour in the published sources, which do not offer any 'stray' descendants of the noble family with whom Thomas, David or their descendants can be linked. In his marathon lawsuit against Humphrey's estate and David, launched less than a century after Sir Philip Sidney's death in 1586, Francis Pargiter alleged that Humphrey: 'had some estate in England in lands of inheritance...which descended or came to him from his father who is long since dead or from some other of his ancestors.'⁴⁸ It seems likely that if there had been a connection with the noble family, it would have been known in the 1670s, and that the commercially sharp Pargiter would have exploited it. But nowhere in the mass of legal papers is there the slightest hint of it. One thing Pargiter would not have known, however, was that his adversary's tomb at Leghorn was decorated with what its recorder in 1906 described as 'a pheon with an orle of seven mullets.' The pheon, or arrowhead, forms part of the arms of the Sidneys of Penshurst.

Does this decoration support a connection with the noble Sidneys? Unfortunately, enquiries at the College of Arms have not revealed any grant of arms to Thomas of Fetter Lane, David of Whitechapel and Margaretting, or Humphrey of Leghorn, and they do not appear in the records of heralds visitations. The College's files did, however, contain correspondence from the very end of the eighteenth century between an assistant to the eminent genealogist Sir Isaac Heard, and a 'Mr Morris', probably William Morris of Havering-atte-Bower, whose father had married into the Northumberland Sidneys mentioned above in the *Gentleman's Magazine* article. Morris claimed that both the Northumberland and Margaretting families were descended from a Rev Thomas Sidney or Siddan, who had been a secretary to Charles I, so dedicated to his duties that he was found dead at his desk. Morris went on to claim that this man's sons were David and Humphrey, merchants at Leghorn; and that 'we have seals in both our families, the arms alike, a pheon, a blue porcupine with a gold chain.'⁴⁹

I have been unable to find any reference to 'Thomas the secretary' in the records of Charles I's household at The National Archives or elsewhere.⁵⁰ The will of Thomas of Fetter Lane describes him as a 'gentleman'

and not as a cleric or royal official. It could well be that Morris was merely repeating oft-retold and sincerely believed family legends in the hope of finding some independent confirmation; just as David Sidney, over a century earlier, may have believed in such connections to the point of adorning his brother's tomb with similar devices. Could such beliefs have solidified over the next 150 years to inspire later generations, and perhaps provide comfort to those who, like Charles Algernon Philip Sidney, fell on very hard times? The truth remains elusive, but no less fascinating for that.

References

1. D. Williams, 'David and Humphrey Sidney: Stuart merchants and litigants - Who Do They Think They Were? Part 1;', *Essex Journal*, 45, II, (2010), pp.39-44.
2. St Mary Matfellow, Whitechapel, 16/09/1703.
3. Essex Record Office (ERO), D/DCr T40, deeds of various properties and land, 1723-1887.
4. Philip Morant, *History and Antiquities of the County of Essex*, Vol 2, (London, 1768), pp.38-40.
5. ERO D/DDS T30, will of Humphrey Sidney (dated 1786).
6. *Gentleman's Magazine*, art. Cit.
7. ERO, D/DDW B1/4, letter book of Copland and Sons, correspondence from, John Copland the elder, 06/05/1809.
8. Documents in bundle ERO, D/DDS T30.
9. Guildhall Library (GL), St Bride's, Fleet Street, marriage register, 02/12/1828, MS6542, Vol.8. Sarah was baptised at Writtle in 1802. Charles seems to have been previously married to Sarah Frost, at St Mary's, Lambeth, 19/03/1807; she was buried at Margaretting, 14/03/1820, and no children of this marriage have been traced.
10. Crockford's Clerical Directory, *passim*.
11. The National Archives (TNA), BT122, certificate number 12485.
12. TNA BT 108/93 and 108/4.
13. These voyages, and those of the *Leading Star* mentioned later, can be traced from the relevant editions of Lloyd's List, available at the Guildhall Library in London.

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14. ERO, A/SR 3/1/10, Port of Colchester Shipping register 'A', June 1855-August 1863, f.24.
15. Philip's account is in the National Archives of South Africa, Pietermaritzburg Repository, NAB/MSA/LEER Vol 1/53.
16. Marriage certificate at TNA J77/115 no 2053.
17. The original name of the city of Durban.
18. ERO D/DDw B1/29, f.681. This is Copland & Sons outgoing letter-book, consisting of 'Jellygraph' manuscript copies. These are sometimes difficult to read but I have I hope made reasonable inferences where words are doubtful.
19. 1871 census, RG10; Piece: 2417; £35; p.5.
20. Then a separate colony, with its capital at Cape Town.
21. National Archives of South Africa, Cape Town Repository, KAB/CSC/LEER vol 1/1/1/19. The full details of this case are distinctly bizarre. Hodges, like Pope's father, came from Dorset (see *DNB*) and may have been a family friend, but did he think he was writing about the real Floyer?
22. Confirmed by the register at TNA BT108/44.
23. Lloyd's Register, January 1876.
24. Free State Archives, South Africa, death notice, reference MHGS647.
25. ERO, D/DCr T40. In 1861 he was forced to sell the West Hanningfield estate, on which outstanding mortgages appear to have been at least £6,900, to William Thomas Wright for £7,768, but appears to have leased back Church House where he lived until he died.
26. All these quotations are from the divorce papers at TNA J77115 no. 2053. It is important to state that these only tell Clarissa's side of the story because her petition was undefended.
27. In the 1871 census she is still described as married but there is no trace of Tom.

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28. ERO, D/DDw B1/38, letter book of Copland and Sons, f.811, letter of 18/03/1870.
29. A man had only to prove adultery, see J.H.Baker, *Introduction to English Legal History*, (London, 1990), ch.27.
30. ERO, D/DDw B1/38, f.463, letter, 09/01/1871.
31. ERO, D/DDw B1/40, letter book of Copland and Sons, f.1016, letter, 26/06/1872.
32. *Ibid.*, f.822, letter, 11/05/1872.
33. ERO, D/DDw B1/38, f.1341, letter, 14/10/1871.
34. ERO D/DDw B1/46, letter book of Copland and Sons, f.674, letter, 13/11/1877.
35. Records of the Corporation of the Sons of the Clergy at the London Metropolitan Archives, A/CSC/417A.
36. This emerges from several letters by Copland in 1877, ERO, D/DDw B1/46. No other details of this marriage have been discovered.
37. D.R. Maschmedt, *Roads Across the Ocean*, (privately published), 1991, and correspondence with Merryn Zeppel and Rhonda Embee, 2007.
38. In 1881 he was shown in Alverstoke, Hants, as living with a wife called Rachel, born in Paris but of British nationality; whether she was the lady cited in the divorce is unclear but there is no trace that he ever remarried. In 1891 he was a 'dockyard warder' in Alverstoke, still described as married but with no wife accompanying him; by 1901, he was in Southsea, now described as unmarried and 'living on own means'. His date of death is unknown.
39. Especially (1832) Vol CII, Pt I, p.604 & (1833) Vol CIII, Pt I, p.406. The author signed himself 'Genealogical Enquirer'.
40. P. Sidney, *The Sidneys of Penshurst*, (London, 1901).
41. *The Times*, 03/12/1941.
42. Conversation and correspondence, December 2007 & February 2010.
43. *Gentleman's Magazine*, 1832.
44. GL, St Andrew's, Holborn, burial register, 15/08/1641, MS6673/2, giving the date of death as the previous day.
45. TNA, PROB11/187, will of Thomas Sidney, Gentleman of London, 26/08/1641.
46. Registers at the Guildhall Library, Holborn and London Metropolitan Archives (Clerkenwell).
47. G.G. Milner-Gibson-Cullum & F.C. Macauley (eds), *Inscriptions in the Old British Cemetery at Leghorn*, (Leghorn, 1906).
The inscription reads:
Dom. Honuphrii Sidnei Thomae Fili/nobilis Angli et negociatoris providi/hoc sub marmore mortalia/conduntur spolia/ex hac vita migravit/die VIII Augusti AD MDCLXXVI/ aetatis vero suae LIV:
'Beneath this marble are consigned the mortal remains of Mr Humphrey Sidney, son of Thomas, a noble Englishman and a prudent businessman, who departed this life 8 August 1776 in his 54th year'.
I accept that this age does not exactly tally with the Clerkenwell baptism.
48. Pargiter's Bill of Complaint at TNA, C6/78/83.
49. College of Arms, Ms BP Collection BP15/302a-304. The probable date of Morris's letter is 13/02/1800.
50. TNA, LC3/1 lists the Royal household, but only from 1641. As this was the year of Thomas of Fetter Lane's death, his absence is not therefore conclusive. But see also G.E. Aylmer, *The King's Servants: The Civil Service of Charles I, 1625-42*, (London, 1974), and its source files at the Library of the Institute for Historical Research, which also fail to mention anyone who could be the 'secretary' Thomas Sidney or aliases.

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