

GAWAIN ATHERTON of ASHTON & WINDLE

This man together with his only surviving brother Humphrey is a son of Thomas Atherton of Ashton in Makerfield and I estimate that Gawain had been born by around the year 1575 and named after his grandfather.

He was a committed Roman Catholic and he made an early appearance as such, along with his wife Elizabeth in a Correction Book entry for 1601. This entry states that he was a Yeoman living in Ashton and he continues to be listed in the Correction Books during the early 17th Century. Gawain served the Gerard's of Ashton who were unambiguous in their opposition to the Church of England and the English Book of Common Prayer. These were introduced following Queen Elizabeth's Act of Uniformity passed in the year 1559.

In April 1603 Gawain found himself implicated in a suspected plot to overthrow King James I and so he is recorded as one of the first victims in the History of Catholic Recusancy in Lancashire. I quote from a leading authority on the subject of Lancashire Recusancy as follows - "Catholic plots lurked round every corner; and Lancashire had its share of them". (1)

This was largely "state paranoia" but it was in keeping with the mindset of Privy Councillors like Sir Robert Cecil. Most Roman Catholics sought nothing more than freedom of worship but the minority who also had a political agenda caused and would continue to cause questions to be raised as to the loyalty of Roman Catholics by those in Government.

In 1603 the Privy Council had received intelligence regarding the purchase of arms by Lancashire Catholics. This matter was as ordered, investigated by the Lancashire Magistrates and the Bishop of Chester.

At this point Gawain Atherton enters the story.

He was named in a report to the Privy Council and again I quote, "concerning the challenge, Garven Atherton, servant to Mr Garrard (Gerard) of Bryn (in Ashton) in the county, being discovered to be an actor therein is fled towards London where his master is said to be resident at present". The report continues, "He, (Gawain) being apprehended is able to decipher further practices of that sect". (1)

It may be that a few men had said things that it would have been better not to have been said. Possibly a few Catholic Gentlemen, "when in their cups" had ventured a few speculative ideas or expressed a view that England would be a better place for them if it had a Roman Catholic Monarch again?

The authorities must have reacted to the whisper of a rebellion and proceed to round up such persons as have been named by their informers.

It seems that Gawain, having been forewarned of impending arrest flees the area but has the great misfortune to be arrested "on the run" and so is presumed to be tainted with the guilt of involvement in the very plot that is currently supposed to exist.

Gawain's predicament seems dire indeed. (2)

He finds himself arrested and taken to Chester Castle where the “tools of interrogation” for crimes as serious as Treason were kept. The protocols for such investigations are understood to be in a format that comprised of an initial verbal interrogation with perhaps the use of a degree of physical violence.

If the inquisitors did not feel that they were making significant progress it is believed that the subject was then showed the instruments of torture and then returned to their cell to contemplate what was going to happen next.

The following day the authorities took the prisoner for further questioning and if information was still not forthcoming, physical torture began and I think most of us have a general idea of the cruelty that the captive prisoner was subjected too. Gawain cannot have had any information to give in respect of the suspected plot and the authorities may have kept hurting him until they concluded that he was telling them the truth.

The report back to the Privy Council states that despite some local talk, “much bespoken”, there was no material evidence of the purchase of arms for a rebellion in Lancashire. Gawain was released and I am not aware that William Gerard was sought out in London.

It would be wrong to imply that Gawain was “racked” until his limbs were dislocated leaving him maimed and crippled because he has later records in the capacity of a functionary in the Estates of the Gerard family. But I do think Gawain was fortunate not to have been handed over of England’s ‘Security Service’ which it is now known entrapped Mary Queen of Scots. Also, some believe that they aided the famous “Gunpowder Plotters” of November 1603 only to seem to uncover their plot at the last minute.

Further, his experiences in 1603 did not dent his faith. When he was summonsed for Roman Catholic Recusancy in 1606 he simply ignored the summons and declined to appear

Based on the record of 1603, Gawain Atherton sounds like he may have been something along the lines of William Gerards valet but he is rather more than this.

He is recorded with others in three Lancashire Court Rolls being National Archive references, PL6/6.127, IND8853 and DL4/52/3.3.

These date between 1607 and 1623 and are all land disputes involving the Gerard family and from these it is clear that Gawain is named in them as a Servant and an Official. Perhaps he was a Bailiff.

He is recorded with the social status of Yeoman and whilst this is no great thing, the point that is being made is that he has status in the community and based on his Will, he was not a poor man. Bailiffs of old serving the Gerard Family may have swaggered around with a Sword at their waist but in this more settled age, I doubt they carried anything more than a discreet Dagger.

In the later records, Gawain is referred to as living in Windle in the Parish of Prescott, as had others of the Atherton family that had been connected with the Gerards during the Medieval.

My impression was that the Gerards granted leases of Farms there to men who had served them, but in consideration of their age and having served as Men at Arms, were no longer “on the active service list”. I may be wrong and the lease of land in Windle may have been granted in lieu of cash wages but earlier records for Gawain clearly place him in Ashton and Garswood these being “central Gerard Estates”. I believe that in some sense Gawain had followed in the footsteps of earlier generations. Whilst he may not have drawn a sword for the Lords of Ashton, he certainly did their bidding, kept their secrets and enjoyed their patronage.

However, such relationships were now anachronistic. Westminster had usurped Lancashire’s former semi independence and the state demanded men’s obedience regardless of traditional local bonds of loyalty. All this was clearly apparent before the year 1600 and Gawain was probably the last member of his family to stand shoulder to shoulder with the Gerard Family and oppose such things as they opposed as a matter of duty. It’s fair to say that men who can fight generally do, whilst those who cannot often run. My ancestor ran! (3) His Will dated 1637 is a long document and in keeping with the times there are a very many bequests. After the fashion of his faith there is a long religious preamble but I am slightly surprised that he is not seeking burial at Windleshaw. What he does ask for is burial under the floor of the Parish Church of Prescott or failing this, he will settle for burial in the Churchyard. One of the objects of burial under the Church floor was that such graves were not re cycled after one 100 years or so. Also it was believed that on the “last day of judgement”, those buried inside the Church would rise up before those in the Churchyard.

The division of his estate is as follows-

Firstly it appears that he had already transferred all his Estate to his eldest son Thomas for the avoidance of dispute but out of that property Thomas must, within two years pay the following-

- 1/ £40 to Elizabeth my wiffe.
- 2/ £20 to be divided between daughters Jane, Ellene. Lucie & Margarett.
- 3/ A further £10 to wiffe Elizabeth
- 4/ £10 to my son Chrystopher
- 5/ one Cow to my wiffe
- 6/ one Stirke to daughter Margarett
- 7/ The £60 that has been loaned to Thomas Thirlewinde, Weaver of Windle to be repaid to my wiffe Elizabeth less £3 for son Thomas.
- 8/ Residue to be divided into three parts-
Part 1/ Cost of the Funeral, 20 Shillings to Mrs Bue----- , 20 Shillings to brother Humphre Atherton.

What remains I give to my Wyffe and Margaret & Lucie after the deductions of 12 penie a peece for each of my Grandchildren and to my sone in laws, 12 penie a peece.

Part 2/ All of this goes my wiffe

Part 3/ To my four daughters after the deduction of 5 Shillings each for my brother Humphre, my wiffes brother Humphrey Marsh.

9/ Bequests of personal possessions etc.

Finally, the following are appointed executors- my Wiffe, Elizabeth, my brother Humphrey, my Wiffes brother, Humphrey Marsh.

In addition the following are appointed to oversee the performance of my Will – John Marsh of Windle and Richarde Atherton of Bould.

It is not possible to establish the value of Gawains Estate because he transferred it to his son Thomas before he died but his Will makes bequests in excess of £130 so he was not poor at the end of his life.

However, it will have been the case that his eldest sons share will have exceeded his wife share and so the total value of the estate probably more than £250.

This being the case and had Gawain not lived out his life in the shadow of the Gerard family, he may have ventured a claim for having “Gentle” status. I feel that to some extent Gawains finances reflect his close association with the Gerards.

Qualifying statement – references to matters of religion and politics are intended to be interpreted in the context of 17th century English history only and no other. Modern English Law grants freedom of worship to all.

Mike Atherton 2005/10

Footnotes

(1) The Lancashire Elizabethan Recusants – J S Leatherbarrow

(2) I doubt that Gawain faced these problems alone and friendless.

The Gerard's will have felt an obligation to protect their man as far as possible and they will have used their influence to have him returned to them in good health. In the circumstances this may seem unrealistic but at this time the Lancashire Gentry were still a cohesive unit which was not divided by religion but rather were overwhelmingly loyal to other members of their social class.

(3) However, at the taking of a census of Roman Catholics in 1767, very few Atherton's in this general area still adhered to the Catholic Church.