

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 10 October 1552 and proved 16 April 1554, of Sir Richard Lyster (c.1480 – 16 March 1553), Chief Justice of the King’s Bench, whose grandson, Richard Lyster, esquire, married Mary Wriothesley, aunt of Henry Wriothesley (1573-1624), 3rd Earl of Southampton, to whom Shakespeare dedicated *Venus and Adonis* and *The Rape of Lucrece*, and whose great-grandson, Michael Lyster, married Elizabeth Southwell, sister of the Jesuit, Robert Southwell (1561-1595).

FAMILY BACKGROUND

According to the *ODNB*, the testator was the grandson of Thomas Lyster, and ‘the son of John Lyster of Wakefield, Yorkshire, and his wife, who was one of the Beaumont family of Whitley’. For the testator’s career, see the *ODNB* entry.

MARRIAGES AND ISSUE

The testator appears to have married three times. See Butler, Cheryl, ‘How Many Wives Had Sir Richard Lyster’? at:

<http://www.tudorrevels.co.uk/articles.php?itemId=74>

Testator’s first marriage

The testator married firstly a wife whose name is unknown. According to Butler, it is almost certain the testator had two surviving children by her:

* **Sir Michael Lyster** (d. 1 August 1551). For the testator’s son and heir, Sir Michael Lyster, see his will, TNA PROB 11/34/405.

As noted above, Sir Michael Lyster’s eldest son and heir, Richard Lyster (b. 23 November 1532, d.1558?), married Mary Wriothesley (buried 13 December 1561), daughter of Thomas Wriothesley (1505-1550), 1st Earl of Southampton. See Hants. RO 5M53/932, TNA C 54/830, and the will of Thomas Wriothesley (1505-1550), 1st Earl of Southampton, TNA PROB 11/34/154.

* **Elizabeth Lyster** (born by 1510, d. 1582). In 1526/7, she married Sir Richard Blount (d. 11 August 1564) of Mapleduram, Oxfordshire, Gentleman of the Privy Chamber and a member of ‘a cadet branch of the baronial family of Mountjoy’, by whom she had two sons and two daughters, including Elizabeth Blount (c.1540 - 11 August 1587), who married Nicholas St John (d. 8 November 1589), esquire, of Lydiard Tregoze. For Sir Richard Blount, see his will, TNA PROB 11/47/281, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/blount-sir-richard-1506-64>

See also the will of Elizabeth Lyster Blount (c.1510-1582), TNA PROB 11/64/289, and:

<https://goodgentlewoman.wordpress.com/2014/06/25/the-other-elizabeth-blount/>

Testator's second marriage

According to Butler, *supra*, the testator married secondly, about 1532, Isabel Shirley, the daughter of Sir Ralph Shirley (1433-1510) of Wiston, Sussex, and Jane Bellingham, daughter of Thomas Bellingham (d.1490) of Lyminster, Sussex.

When the testator married Isabel Shirley, she was already the mother of a son, Francis Dawtrey, and a daughter, Barbara Dawtrey, by her first marriage to Sir John Dawtrey (d.1518?) of Southampton. According to Butler, the testator's stepdaughter, Barbara Dawtrey, married, by 1535, William Thorpe (d.1549), mentioned in the will below. For the will of Sir John Dawtrey, proved 29 January 1519, see TNA PROB 11/19/193.

For the testator's stepson, Francis Dawtrey, see:

<http://fortunatusfamilia.com.au/getperson.php?personID=I05169&tree=tree1>

For the testator's second wife, Isabel Shirley, see also:

<http://www.tudorwomen.com/>

Isabel Sherley (d. July 1533+) was one of the daughters of Sir Ralph Sherley or Shirley of Wiston, Sussex (1433-1510) and Jane Bellingham. On January 17, 1508, she married Sir John Dawtrey of Southampton (c.1433-November 24, 1518). Dawtrey and his first wife, Joan Scardeville, had what is now known as "The Tudor House" in Southampton built for them in 1495. After Dawtrey's death and during her second marriage, Isabel continued to trade as a merchant of Southampton dealing in millstones. A record of July 1533 identifies Francis (1510-July 1533+) as the son of Sir John Dawtry and Isabella, "now wife of Sir Richard Lyster." This was Isabel's second husband, Sir Richard Lister or Lyster (c.1480-March 16, 1553/4), was a chief justice of the King's Bench. Sir Richard's wife is often misidentified as Jane Sherley, largely because Isabel's sister also married a man named Sir John Dawtrey. This other Sir John was of Petworth and Moor House, Sussex and did not die until September 21, 1542. The Oxford DNB says Isabel's children were Richard, Charles, and possibly Elizabeth Lister (1520-1572), but calls Michael (d.1551) the child of a later wife, Elizabeth Stoke (d.1567+). Not only is this not possible, since Michael was already married to his first wife in 1529, but Richard and Charles were Michael's sons, not Richard's. Sir Richard's will, proved April 16, 1554, makes Richard, "son and heir of my late son Michael," his principal heir and identifies

Charles, who was not yet twenty-one, as the younger son of Michael and his second wife, Margery. Sir Richard's will also mentions his daughter, Elizabeth and her husband, Richard Blount. Elizabeth was probably Isabel's daughter, while Michael seems to have been the son of an earlier, unknown wife. Portrait: Isabel is the most likely possibility to be the subject of the Holbein sketch labeled "Lady Lister" and dated c.1532-1543. Another possibility is Michael Lister's second wife, Margery Horsman.

For Isabel Shirley, see also Brydges, Egerton, *Collins's Peerage of England*, (London: F. C. and J. Rivington, 1812), Vol. IV, p. 93 at:

<https://books.google.ca/books?id=j4kUAAAAYAAJ&pg=PA93>

For the Shirley family, see also the will of Anne Kempe Shirley, TNA PROB 11/141/330, and 'History of Wiston, in Sussex, the Ancient Seat of the Brews's, Shirleys, Faggs, and Gorings', *The Topographer*, No. XXVII, Being No. VI of Vol. IV, June 1791, at pp. 332-3:

<https://books.google.ca/books?id=BfcxAQAIAAJ&pg=PA332>

He had issue by her, Ralph Shirley, son and heir, 9 Hen. V. who by Joan, daughter and heir of Thomas Basset, of Brailsford, his son and heir, had issue Ralph Shirley, who died 6 Edw. IV. leaving issue by his first wife Margaret, daughter and sole heir of Thomas Stanton, of Stanton Harold, Esq. John Shirley, his first son and heir, ancestor to Earl Ferrers; and by his second wife, Elizabeth, daughter of Sir John Blunt, Kt. and sister to Walter Lord Mountjoy, Sir Ralph Shirley of Wiston, in Sussex, Kt. who, by Jane, eldest daughter of Thomas Bellingham, of Church Hells, in Sussex, Esq. (whose arms were A. 3 bugle horns stringed, S.) had issue Thomas Shirley, his second son, of Bodington, Co. Sussex, (who by Elizabeth, daughter and heir of Marmaduke Gorge, had Francis, of Bodington and West-Grinstead, whose wife was Barbara, daughter of Sir Richard Blunt of Maple-durham, Co. Ox. Isabel, Elizabeth, Joan and Elinor, wife of Henry Browne of Betchworth, Surrey,) and Sir Richard Shirley of Wiston, son and heir, who married Anne, daughter of John Shelley of Michelgrove, and had issue William Shirley of Wiston, son and heir, who by Mary, daughter of Thomas Isley of Kent, Esq. had Sir Thomas, who married Anne, daughter of Sir Thomas Kempe, and heir to her mother, and is commemorated by

A monument consisting of the figures of a man and his wife, (he in armour) kneeling at a desk, under a Grecian arch, supported by pillars, with this inscription:

Here lyeth the body of Sir Thomas Shirley who deceased in October, 1612, who was married unto Mrs. Anne Kempe, daughter of Sir Thomas Kempe, Kt. with whom he lived in wedlock the space of 52 years by whom he had 12 children five sones and seaven daughters, whereof 3 of them died in their infancies, the residue being 3 sones and 6 daughters lived to be married, as is expressed upon this monument.

See also the Shirley pedigree in Cartwright, Edmund, *The Parochial Topography of the Rape of Bramber in the Western Division of the County of Sussex*, Vol. II, Part II, (London: J.B. Nichols and Son, 1830), p. 139 at:

<https://books.google.ca/books?id=MFoMAQAAMAAJ&pg=PA139>

Testator's third marriage

No wife is mentioned in the will below. However the testator's widow erected a monument to his memory, and according to Butler the testator likely married a third wife after he had made his will. She is thought to have been Elizabeth Stoke (d. 18 March 1567).

According to one source, the testator had two daughters in addition to the children mentioned above:

* **Jane Lyster**, who married Sir Charles Crofts of Bardwell, Suffolk

* **(blank) Lyster**, who married Sir Thomas Bromley (d.1555), Lord Chief Justice, by whom she was the mother of Margaret Bromley, wife of Sir Richard Newport, owner of a copy of Hall's Chronicle thought to have been annotated by Shakespeare, now in the hands of a trustee, Lord Hesketh. See Denny, *supra*, p. 260 at:

<https://archive.org/stream/memorialsfancie00denn#page/260/mode/2up>

However the *ODNB* entry for Sir Thomas Bromley states that his mother was Isabel Lyster, the daughter of Richard Lyster of Rowten, which appears to be a different branch of the Lyster family:

Bromley, Sir Thomas (d. 1555), judge, was born about the end of the fifteenth century. He was the second son of Roger Bromley of Mitley, Shropshire, and Jane, daughter of Thomas Jennings of Church Pulverbatch. He was a cousin of George Bromley (d. 1534) of Hodnet, bencher of the Inner Temple and recorder of Shrewsbury. Thomas Bromley joined the Inner Temple about 1515, was temporarily put out of commons in 1519 for 'evilly behaving' himself, but was called to the bar soon afterwards and to the bench in 1533. His one and only reading was on the statute of 11 Hen. VII, c. 20, concerning the wrongful alienation by widows of their dower land. By 1526 he had married Isabel, the daughter of Richard Lyster of Rowten; some pedigrees indicate that he was previously married to Elizabeth, the daughter of John Dodd.

TESTATOR'S LANDS

For the Tudor House, Southampton, see:

<http://www.hampshire-history.com/the-tudor-house-southampton/>

For the manor of Holybourne Eastbrook, see:

<http://holybourne.com/history/>

See also:

'Parishes: Bishop's Sutton', in *A History of the County of Hampshire: Volume 3*, ed. William Page (London, 1908), pp. 41-45. *British History Online* <http://www.british-history.ac.uk/vch/hants/vol3/pp41-45> [accessed 22 August 2018].

From this date the history of the manor is uncertain until 1501, in which year John Wayte of Titchfield recovered seisin of the manors of Bishop's Sutton and Medsted against Eleanor Courte. (fn. 42) From John it passed with Medsted to Sir Richard Lyster, who died seised of it in 1553, his heir being his grandson Richard, aged twenty years nine months. (fn. 43) In the inquisition taken after his death it was called the manor of Bishop's Sutton.

MONUMENT

For the testator's monument, see Madden, Frederick, 'Remarks on the Monument of Sir Richard Lyster in St. Michael's Church, Southampton', *Proceedings at the Annual Meeting of the Archaeological Institute of Great Britain and Ireland at Winchester, September 1845*, p. 120 at:

<https://books.google.ca/books?id=DbBJAAAAMAAJ&pg=RA1-PA120>

LM: T{estamentum} Ric{hardi}i Lyster

[f. 226v] In nomine Patris et filij et spiritus sancti Amen. I, Richard [f. 227r] Lyster, knight, Chief Justice at Pleas before the King to be holden, being whole of mind this tenth day of October in the sixth year of the reign of our Sovereign Lord Edward the Sixth, King of England, France and Ireland, Defender of the Faith and in earth Supreme Head of the Church of England and Ireland, having no trouble with sickness of body, laud be to God Almighty, remembering my great age and uncertainty of this mortal life, preparing myself with the help of God to be in readiness when God will call for me forth of this present life, make my will and testament in form following, and clearly revoke all other wills by me declared before this day:

And first I bequeath my soul to Almighty God, my Maker and Redeemer, trusting in his mercy and thereby and by the merits of his passion to come to everlasting life and glory;

And I will and desire that my dead body, when God shall call me from this transitory life, shall be buried in hallowed ground ordained for Christian burial where mine executors and friends think convenient, and that to be done forthwith after my soul be departed out of my mortal body without prolonging of time for any great solemnity thereabout, and after that to have such divine service as is ordained for the burial of Christian men with alms to be given to the poor and other deeds of charity as shall be thought convenable by the discretion of mine executors and friends after the pleasure of Almighty God;

And I will and ordain by this my present testament that the King our Sovereign Lord shall be satisfied and paid of all his duties which shall belong unto his Highness, as liveries out of his Grace's hands, primer seisins of such lands as I have, and wardship if any such be, with all fines reliefs, heriots and other duties which to his Highness shall lawfully appertain as I am bound of duty, being long servant as well to his Highness for his reign, as for the time of his noble father, King Henry the Eight, as of his noble grandfather, King Henry the Seventh, of noble memory, whose souls God pardon;

And because I am indebted to the King's Highness and divers persons, I will that my debts be paid by mine executors of such money, plate and goods as I shall leave to them and of the profits of my lands, tenements and hereditaments in as speedy and convenient time as may be for the discharge of my soul, trusting to God to pay the great part thereof or [=ere] I depart this present life, if God suffer me;

And I will that all my lands, tenements and hereditaments at this side Trent shall go and remain unto Richard Lyster, son and heir of my late son, Michael Lyster, knight, and to the heirs of the said Richard forever;

And I will that all my lands, tenements and hereditaments beyond Trent, as well copyhold as freehold, with th' appurtenances in Wakefield, Wrenthorpe, Stanley and elsewhere in the county of York shall go and remain immediately after my decease to Charles Lyster, younger son of my said son, Michael Lyster, knight, and to the heirs of his body lawfully begotten;

And for lack of such issue to the right heirs of the body of the said Richard Lyster lawfully begotten;

And for lack of such issue the said lands and tenements beyond Trent to remain to the right heirs of me, the said Richard Lyster, knight forever;

And I will that mine executors shall have the custody of the said Charles Lyster until he come to th' age of 21 years, and then I will that they give such bequests as I make and bequeath in loving and charitable wise to such my children and kinsfolks, servants and friends as I have cause charitably to remember, that is to wit, to the said Richard Lyster, son and heir apparent to my son, Sir Michael, a gilt cup with a cover and a gilt salt;

And I give to Charles Lyster, second son of my said son, Sir Michael, and Dame Margery, his wife, another gilt cup with a cover and a gilt salt;

And I will that they shall have such convenient bedding and other household stuff as shall be thought meet and convenient for them by the discretion of mine executors, and to be ordered accordingly;

And I bequeath and give to Richard Blount and my daughter, Elizabeth, his wife, and to every one of his children one silver cup;

And also to every one of my servants five shillings besides their quarter's wages;

And to every one of my servants that used to ride with me an horse or gelding, to be delivered [f. 227v] and appointed to them by mine executors;

And I will that mine executors shall give to all my late nephew's William Thorpe's children, after my debts be paid, such honest portion of my plate and household stuff as they shall think meet for every of them to remember me with their prayers hereafter;

And in like wise I will that my niece, Elizabeth Methley, the wife of James Kember, shall have 21 years of and in the manor of Halyborne Estbroke [=Holybourne Eastbrook?] within the county of Southampton as by my executors they shall be assured in consideration of their long and true service that they have done;

And I ordain and make by this my present testament and last will Sir Richard Blount, knight, and Richard Lyster, esquire, my whole executors;

And I will that such tenants and farmers as I have shall enjoy their holdings and farms, doing their duties as shall become them to mine heirs without expulsion or strait handling, specially when they have paid their fines or other pleasures;

And I doubt not but my son [=grandson], Richard Lyster, will lovingly handle all my friends, doing them such pleasures as he can because they may continue their kind and loving minds towards him and his hereafter, *Quia fidei Amico nulla est comparatio*, which friends I pray God send him and me ever, and the grace of God withal, to whom be all honour and glory forever, Amen.

These bearing witness: Walter Baker, James Kember and others.

Probatum fuit huiusmodi Testamentum coram Decano et Capitulo Ecclesie Metropolitane xpi Cantuariensis Decimo sexto die mensis Aprilis Anno Domini Millesimo quingentesimo lxxxviii Iuramento magistri Iohannis Talkar(?) notarij publici procuratoris executorum in huiusmodi Testamento notarij Ac approbatum et insinuatum Et commissum fuit admistracione omnium bonorum &c prefatis Executoribus De bene et fideliter admistracione

eadem Ac de pleno Inventario exhibend{o} Necnon de plano et vero comp{ot}o reddend{o} Ad sancta Dei Eu{a}ngelia in p{er}sona d{i}c{t}i procuratoris Iurat{is}

[=The same testament was proved before the Dean and Chapter of the Metropolitan Church of Christ of Canterbury on the sixteenth day of the month of April in the year of the Lord the thousand five hundred 54th by the oath of Master John Talkar(?), notary public, proctor of the executors named in the same testament, and probated and entered, and administration was granted of all the goods etc. to the forenamed executors, sworn on the Holy Gospels in the person of the said proctor to well and faithfully administer the same and to exhibit a full inventory and also to render a plain and true account.]