

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 24 July 1561 and 11 January 1564 and proved 22 June 1564, of Sir Richard Southwell (1502/3-1564), whose nephew, Francis Southwell, was involved in allegations against Oxford in 1581, and whose daughter, Dorothy Southwell, married Oxford's first cousin, John Wentworth. For the will of John Wentworth, see TNA PROB 11/73/245.

FAMILY BACKGROUND

For the testator's family background, see the Southwell pedigree in Dashwood, G.H., ed., *The Visitation of Norfolk in the Year 1563*, (Norwich: Miller & Leavins, 1878), p. 126 at:

<https://books.google.ca/books?id=qkpFAAAAYAAJ&pg=RA4-PP14>

See also the *ODNB*:

Southwell, Sir Richard (1502/3–1564), administrator, came of a family which originated in Suffolk and had recently prospered in government service. He was the eldest son of Francis Southwell (d. 1512), an auditor of the exchequer, and his wife, Dorothy, daughter of William Tendring of Little Birch, Essex. The lawyer Sir Robert Southwell was one of his younger brothers. Richard became heir not only to his father, but also to his uncle Sir Robert Southwell, chief butler to Henry VII, who died in 1514 leaving an estate based on the manor of Woodrising, Norfolk. In 1515 Richard became the ward of Sir Robert's widow and William Wootton. Four years later the wardship was acquired by Sir Thomas Wyndham, who married Richard to his stepdaughter Thomasin, the sister of Sir Thomas Darcy.

See also Miller, T.E. and M., 'The Southwells of Woodrising, Norfolk' at:

<http://apling.freesevers.com/Woodrising/Chapter3.htm>

For the testator's family background, see also the will, dated 24 August 1559 and proved 5 November 1560, TNA PROB 11/43/577, of the testator's younger brother, Sir Robert Southwell (c.1506 – 26 October 1559), whose son, Francis Southwell, was involved in allegations against Oxford in 1581, and whose daughter, Anne Southwell, was the sister-in-law of Thomas Bedingfield, who dedicated his translation of *Cardanus' Comfort* to Oxford.

MARRIAGES AND ISSUE

Testator's first marriage

The testator was the ward of Sir Thomas Wyndham (d.1522), nephew of Elizabeth de Vere (d.1537), Countess of Oxford, second wife of John de Vere, 13th Earl of Oxford. Sir

Thomas Wyndham married, as his second wife, Elizabeth Wentworth (living 1542), the daughter of Sir Henry Wentworth (d. August 1499) of Nettlestead, Suffolk, and Anne Say (d.1478), and sister of Margery Wentworth (d.1550), who married Sir John Seymour (1473/4-1536) of Wolf Hall and was the mother of Queen Jane Seymour, third wife of King Henry VIII, and of Edward Seymour (c.1500-1552), Duke of Somerset. See the will of Sir Henry Wentworth, dated 17 August 1499 and proved 25 February 1501, TNA PROB 11/12/265; Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 237-8; and the Wentworth pedigree in Rutton, William Loftie, *Three Branches of the Family of Wentworth*, (London: 1891), pp. 138-9 at:

<https://books.google.ca/books?id=YhY5AQAAMAAJ&pg=PA138>

At the time of Sir Thomas Wyndham's marriage to Elizabeth Wentworth, she was the widow of Sir Roger Darcy (d.1508) of Danbury, Essex, Gentleman of the Chamber to Henry VII, by whom she had several children, including a daughter, Thomasine Darcy. As noted above, Sir Thomas Wyndham was the testator's guardian, and married the testator to Thomasine Darcy.

By his first wife, Thomasine Darcy, the testator had a daughter:

* **Elizabeth Southwell** (d.1593), who married Sir George Heneage (1522-1595) of Hainton.

For Sir George Heneage, see also:

<http://www.geograph.org.uk/photo/2746932>

Sir George Heneage Tomb, Hainton church

Sir George Heneage (1522 - 1595) first son of John Heneage of Benniworth by Anne Cope. He married Elizabeth Southwell (D. 1593), and secondly Olive Bretton. He was in the service of Edmund Bonner, Bishop of London and sometime ambassador to the French court for Henry VIII.

Sir George is shown in an alabaster effigy on a fine marble tomb chest, in full armour along with his coats of arms and strapwork on the sides.

Testator's second marriage

The testator married secondly his mistress, Mary Darcy (d. by July 1561). There appear to be no records which definitively establish her family background, although she is usually said to have been the daughter of Thomas Darcy of Danbury.

It seems possible that she was the daughter of Sir Thomas Darcy (whose brother was of Danbury) and Anne Gates. See Sil, Narasingha P., *Tudor Placemen and Statesmen: Select Case Histories*, (London: Associated University Presses, 2001), p. 69 at:

<https://books.google.ca/books?id=GMLZx68bXzMC&pg=PA69>

John Gates hailed from a gentry family of Essex. His recorded ancestry goes back to Thomas Gates, Esq., who lived in the reign of Edward III. Thomas's son William had five children: Geoffrey, Ralph, Christopher, Agnes, and Jane. Geoffrey was a noted soldier who became a knight, served as governor of the Isle of Wight for six years, and later became marshal of Calais. He married Agnes, daughter and heir of Thomas Baldington of Adderbury, Oxfordshire. Sir Geoffrey died on 22 January 1477. Geoffrey's son William purchased the manor of Garnetts in High Easter, which remained the dwelling of the Gates family down to 1582. William married Mabel or Mirabil, daughter and heir of Thomas of Copdow, and had two children: Geoffrey and Anne. Anne was married to Thomas Lord Darcy, uncle of Lord Darcy of Chiche, Edward VI's vice-chamberlain. Geoffrey (1484-1526) joined the king's service and became a knight. Sir Geoffrey sired four sons and a daughter by his wife Elizabeth, daughter of William Clopton: John, Geoffrey, Henry, William, and Dorothy (married to Thomas Josselyn). The eldest of the children, John, was born in 1504.

See also the Gates pedigree in Maclean, John and W.C. Heane, eds., *The Visitation of the County of Gloucester Taken in the Year 1623*, (London: Harleian Society, 1885), Vol. XXI, p. 65 at:

<http://books.google.ca/books?id=zSgEAAAIAAJ&pg=PA65>

See also the Gates pedigree in Metcalfe, Walter C., ed., *The Visitations of Essex, Part II*, (London: Harleian Society, 1879), Vol. XIV, p. 574 at:

<https://books.google.ca/books?id=8vsUAAAAQAAJ&pg=PA574>

For the marriage of Anne Gates and Thomas Darcy, see also the Darcy pedigree in Metcalfe, Walter C., ed., *The Visitations of Essex, Part I*, (London: Harleian Society, 1878), Vol. XIII, p. 45 at:

<https://archive.org/stream/visitationsofess13metc#page/44/mode/2up>

It should be noted that according to Sil, *supra*, p. 69 and the pedigrees in Maclean, *supra*, p. 65 and Metcalfe, *Part II, supra*, p. 574, Anne Gates was the daughter of William Gates and Mabel Capdow, whereas according to the Darcy pedigree, *supra*, p. 45, she was the daughter of Geoffrey Gates.

The pedigrees do not show any issue of the marriage of Thomas Darcy and Anne Gates. However it is possible that the Mary Darcy who was the mistress and wife of the testator was their daughter.

For Mary Darcy, see also:

http://www.tudorwomen.com/?page_id=669

Mary Darcy (d. by July 1561) was the daughter of Thomas Darcy of Danbury, Essex. She was not the daughter of Thomas, 1st baron Darcy of Cliche (1506-June 28, 1558) and Elizabeth de Vere. By 1531, Mary was married Robert Leche (Leeche/Leech), an alderman of Norwich (d.1544+). During her marriage, she was the mistress of Richard Southwell of Wood Rising, Norfolk (d. January 11, 1565), who was married to Thomasine Darcy, sister of the 1st baron of Cliche. In 1544, Thomas Lewyn, a clerk acting for Southwell, had license to alienate Widford Manor in Hertfordshire to the use of Mary Leech, wife of Robert Leech. In 1558, Mary is listed as Mary Darcy alias Leech of Horsham St. Faith, Norfolk. Mary had four children by Southwell before Thomasine died and he was able to marry her. They were Richard (by 1531-1600), Dorothy, Mary (d.1622), and Thomas. After their marriage, they had one additional child, Catherine. Accounts that identify Mary's husband as Robert Leche of Colchester, Essex, who made his will in 1559, are incorrect, as is the claim that when Thomasine died, Southwell accused Leche of making a bigamous marriage with Mary, since his (Leche's) first wife still lived.

For Mary Darcy, see also:

'Parishes: Widford', in *A History of the County of Hertford: Volume 3*, ed. William Page (London, 1912), pp. 402-406. *British History Online* <http://www.british-history.ac.uk/vch/herts/vol3/pp402-406> [accessed 8 August 2020].

In 1544 the king granted Widford to Sir Richard Southwell (fn. 24) of Horsham St. Faith, co. Norfolk, (fn. 25) one of his councillors. In the same year Thomas Lewyn, clerk, who was apparently a trustee for Southwell, had licence to alienate the manor to the use of Mary Leech, wife of Robert Leech, alderman of Norwich; also a field called Newnneye Wood alias Woodfield beside Newnneye (Nimney) Wood in Ware. (fn. 26) This Mary Leech, who in another place is called Mary Darcy alias Leech, must have been Mary daughter of Sir Thomas Darcy of Danbury, co. Essex, who afterwards became the second wife of Sir Richard Southwell. (fn. 27) In 1558 she as Mary Darcy alias Leech of Horsham St. Faith, co. Norfolk, alienated the manor to Robert Adams, a yeoman of Widford, (fn. 28) who died seised of it in 1580.

By Mary Darcy (d. by July 1561) the testator had two sons and three daughters:

* **Richard Southwell** (d.1600). According to the *ODNB*, he was born while his mother, Mary Darcy, was still married to Robert Leech. He married firstly Bridget Copley, by whom he was the father of the Jesuit Robert Southwell (1561-1595). See:

http://www.tudorwomen.com/?page_id=667

Bridget Copley (c.1534-1583+) was the daughter of Sir Roger Copley of Gatton, Surrey (c.1473-September 10, 1549) and Elizabeth Shelley (1510-December 24,1560). According to the granddaughters of her brother, Thomas Copley (1532-1584), she was

“a very learned lady and Latin instructress to Queen Elizabeth.” This seems unlikely, especially since she was a) younger than Elizabeth and b) from a Catholic family, but her entry in Carole Levin, et al, editors, A Biographical Encyclopedia of Early Modern Englishwomen identifies her as a student at St. Mary’s Abbey in Winchester in 1536 and goes on to say she was appointed as the “bookish servant ” of Princess Elizabeth and later referred to as “her Majesty’s old servant of near forty years continuance.” She had charge of her nephew, Anthony Copley, when he was a child. The entry also mentions that her sister Margaret was sentenced to death along with her husband, John Gage, but was pardoned on the scaffold. This is in error. That Margaret was her niece. By December 1555 she had married Richard Southwell, alias Darcy, of Horsham St. Faith, Norfolk (d.1600), illegitimate son of Sir Richard Southwell of London and Wood Rising, Norfolk by Mary, daughter of Thomas Darcy of Danbury, Essex (later his second wife). Bridget and Richard had three sons, Richard, Thomas, and Robert the Jesuit (1561-x. February 22, 1595), and four daughters, Mary (d.1622), Anne, Catherine (1566-1618) and (possibly) Frances (d.1643). Southwell’s entry in the History of Parliament says that Bridget died in 1583 or later, and implies that her death may have occurred not long before Southwell remarried, in “indecent haste,” around October 1589. This same source calls Bridget “the bookish servant of Princess Elizabeth” and also says that she remained in the service of Elizabeth after her marriage, right up until her own death in the 1580s. Neither Bridget Copley nor Bridget Southwell, however, appears on any of the lists I have seen of Elizabeth’s ladies, either as princess or as queen. Whatever the truth of her service at court, after her brother fled abroad in 1569, Bridget and her husband made their home at Gatton until Sir William Cecil ordered them off the property. Afterward Southwell continued to manage affairs for his exiled brother-in-law.

Richard Southwell married secondly Margaret Styles, the daughter of John Styles of Ellingham, Norfolk, by whom he had two sons and three daughters. See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-richard-1531-1600>

b. by 1531, 1st illegit. s. of (Sir) Richard Southwell of London, and Wood Rising, Norf. by Mary, da. of Thomas Darcy of Danbury, Essex. educ. Corpus Camb. matric. 1545; L. Inn, adm. 4 Feb. 1547. m. (1) by Dec. 1555, Bridget (d.1583 or later), da. of Sir Roger Copley of Gatton, 3s. 4da.; (2) by Oct. 1589, Margaret, da. of John Styles of Ellingham, Norf., 2s. 3da.1

* **Thomas Southwell** of Morton. According to the *ODNB*, he was born while his mother, Mary Darcy, was still married to Robert Leeche. He is said to have died 8 April 1609, aged 60. See Dashwood, *supra*. According to Spelman, he left a life estate in the manor of Morton to his sister, Katherine (nee Southwell) Audley, with remainder to her younger son, Thomas Audley, which resulted in litigation. See Spelman, Henry, *The History and Fate of Sacrilege*, (London: John Hartley, 1698), pp. 252-3 at:

<https://books.google.ca/books?id=ofZiAAAACAAJ&pg=PA252>

* **Katherine Southwell.** According to the *ODNB* she was legitimate, born after her mother, Mary Darcy, married the testator. However the *ODNB* is contradicted by a contemporary document from circa 1577 which describes her as a ‘bastard daughter of Sir Richard Southwell’. See TNA SP 12/120, ff. 26-7, and Nelson, Alan H., *Monstrous Adversary*, (Liverpool: Liverpool University Press, 2003), p. 168:

There is one Mistress Audley, a widow, bastard daughter of Sir Richard Southwell, a very wealthy and dangerous woman. There meet very often Papists, well known, by 20 or 30 at a time. She dwelleth at Berechurch within Colchester jurisdiction. There hath been Mass said commonly; it is like to be so still.

See also Lemon, Robert, ed., *Calendar of State Papers, Domestic Series . . . 1547-1580*, (London: Longman, Brown, 1856), p. 576 at:

<https://books.google.ca/books?id=Qw4SAAAAYAAJ&pg=PA576>

Katherine Southwell married Thomas Audley (d.1572) of Berechurch, Essex, eldest son of Thomas Audley (d.1577/8), brother of the Lord Chancellor, Sir Thomas Audley (1487/8-1544). See TNA WARD 2/59A/233/1, dated 14 December 1554:

[ff 7-8] Copy of an indenture by which from Thomas Audley (Audeley) senior of Berechurch, Essex, esquire, brother of the late lord Audley of Walden, late lord Chancellor of England, deceased, and Thomas Audley junior, esquire, heir apparent of Thomas Audley of Berechurch, grants to John Lucas, George Foster, and George Christmas, esquires, the manor of Berechurch with appurtenances in Essex, Berechurch park, the advowson of the church of Berechurch, a mill called 'Layere Mylle' with a meadow and other appurtenances, all other lands, tenements, rents, reversions, woods and hereditaments in Colchester, Berechurch, West 'Donyland', East 'Donyland' and Fingringhoe, Essex, formerly belonging to lord Audley, all meadows called Colles land and Colles meadow in Abberton, Essex, a rent-charge of 20s of the manor of Horsted Hall, Essex. [ff 1-6] Preamble of the indenture made on 28 November 1547, between Richard Sowthwell, knight, on the one part, and Thomas Audeley senior and Thomas Audeley junior, on the other part, by which they were able to grant the land in the current indenture.

According to the pedigree of Audley of Berechurch, Thomas Audley (d.1572) and Katherine Southwell had three sons and two daughters. See *The History of Audley End*, (London: Samuel Bentley, 1836), p. 24 at:

<https://archive.org/stream/historyofaudley00bray#page/24>

In 1597 Robert Audley (d.1624), the eldest son of Thomas Audley (d.1572) and Katherine Southwell, married Katherine Windsor, the daughter of Edward Windsor (1532?-1575), 3rd Baron Windsor, and his wife, Katherine de Vere, Oxford's half sister. For the will of Edward Windsor, 3rd Baron Windsor, see TNA PROB 11/57/332.

See also the History of Parliament entry for John Audley (d.1588) of Berechurch, Essex, at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/audley-john-i-1588>

Almost all the information found about this John Audley, who was under 18 when his uncle, Lord Audley, died in 1544, is in his will, drawn up on the day of his death, 21 July 1588, and proved a month later by the executrix, his sister-in-law Katherine, widow of his brother Thomas.

For the will of John Audley, proved 20 August 1588, see TNA PROB 11/72/683.

In his will, dated 19 April 1544 and proved 18 February 1546, TNA PROB 11/31/64, Lord Chancellor Audley left his manor of Berechurch to his brother, Thomas Audley (d.1577/8), for life, remainder to Thomas Audley's eldest son and heir, Thomas Audley (d.1572).

* **Mary Southwell** (c.1550-1622), who married four husbands:

http://www.tudorwomen.com/?page_id=707

Mary Southwell (c.1550-1622) was the illegitimate daughter of Sir Richard Southwell of Woodrising, Norfolk (c.1502/3-January 11, 1564) and his longtime mistress and later wife, Mary Darcy (d. by July 1561). She married Henry Paston (d. before 1570). Some records give his name as Sir Thomas Paston (his father) and give them a son, Edward, but since Edward was born in 1577, this is obviously incorrect. Her second husband was William Drury of Brettshall in the parish of Tendring, Essex (d. May 7, 1589). Drury was a judge. He was buried in St. Mary Magdalen, Old Fish Street, London. His inquisition post mortem is dated December 14, 1589. Their children were John (1573-December 18, 1619), Bridget (b.1575), Elizabeth (b.1577), George (b.1580), William (b. 1584), and Robert (1586-November 5, 1623), a Jesuit. The Records of the English province of the Society of Jesus . . . in the sixteenth century (1877) by Henry Foley states that Mary was a Catholic early in her life but then fell into a schism but was reconciled to the Church in the early 1600s. All of her children except Elizabeth were Catholics. On April 3, 1592, she married Robert Forth (d. October 3, 1595). After 1595, she became the third wife of Thomas Gresley of Drakelow, Derbyshire (May 3, 1552-September 5, 1610). In his will, he named his daughter Dorothy as executor and left her most of his goods, plate, and jewelry.

As noted above, Mary Southwell's second husband was Dr William Drury of Brett's Hall in Tendring, Essex. He was also the subject of the complaint above which mentioned Mary Southwell's sister, Katherine Southwell Audley:

Doctor Drury dwelleth at Wivenhoe near Colchester upon the water's side, and there dwelleth one Love, a mariner whom he maintaineth. This Love is a shipmaster and carrieth news and bringeth news, as it seemeth. . . . He carried away Mistress Audley's son and a Mass priest from her house over the sea to Douai.

See Nelson, *supra*, p. 169.

* **Dorothy Southwell** (living 1609), who married, as his second wife, Oxford's first cousin, John Wentworth, esquire. For his will, dated 27 January 1588 and proved 29 January 1589, see TNA PROB 11/73/245.

In the codicil to the will below dated 11 January 1564 Dorothy and her sister Mary are bequeathed certain jewels:

Item, I, the said Sir Richard Southwell do by these presents give, will and bequeath unto my daughters Mary Paston and Dorothy Southwell alias Darcy all such my chains and other jewels of gold and stones as remaineth in the keeping of Dame Elizabeth Lovell, wife to Sir Thomas Lovell, knight, to be equally divided between the same Mary and Dorothy and either of them.

See also the inscription formerly at Little Horkesley in Rutton, William Loftie, 'Wentworth of Gosfield', *Transactions of the Essex Archaeological Society*, Vol. III, New Series, (Colchester: Wiles & Son, 1889), at p. 224:

<https://books.google.ca/books?id=WbC5AQAAMAAJ&pg=PA224>:

Daughter to Sir Richard Southwell of Rising. Here lieth Dame Dorothy, first the wife of Thomas Higgins of Norfolk, esquire, and after the wife of John Wentworth of Gosfield, esquire, and lastly the wife and widow of Sir Edward Moore of Mellefont in Ireland, and knight, who lived a long age and died much lamented.

For the testator's children, see also Spelman, *supra*, 252-3 at:

<https://books.google.ca/books?id=ofZiAAAACAAJ&pg=PA252>

OTHER PERSONS MENTIONED IN THE WILL

For Sir Thomas Cornwallis (1518/19 – 24 December 1604) of Brome, see his will, dated 26 March 1604 and proved 6 February 1605, TNA PROB 11/105/106. His youngest daughter, Alice Cornwallis (d. 2 October 1636), married the testator's grandson Richard Southwell, by whom she had three sons, Sir Thomas Southwell (d. 12 June 1626), Robert Southwell and Anthony Southwell (d.1623). See Lodge, John, *The Peerage of Ireland*, Vol. VI, (Dublin: James Moore, 1789), pp. 6-7 at:

<https://archive.org/stream/peerageofireland06lodg#page/6>

For Oxford's first cousin, Thomas Howard (1538-1572), 4th Duke of Norfolk, eldest son and heir of Henry Howard (1516/17–1547), Earl of Surrey, and Frances de Vere (1517–1577), daughter of John de Vere, 15th Earl of Oxford, see the *ODNB* entry.

For Sir Robert Catlyn (c.1510-1574), see the *ODNB* entry.

For Sir Anthony Browne (1509/10–1567), judge, a younger son of Sir Wistan Browne, see the *ODNB* entry.

For the testator's 'good neighbour and friend', Thomas Cecil (1542-1623), 1st Earl of Exeter, see the *ODNB* entry and Spelman, *supra*, p. 244 at:

<https://books.google.ca/books?id=ofZiAAAACAAJ&pg=PA244>

For Sir Thomas Paston (c.1517-1550), father of the testator's son-in-law, Henry Paston, see the *ODNB* entry.

For the testator's grandson, the Jesuit Robert Southwell (1561-1595), see the *ODNB* entry.

For the testator's aunt, Amy (nee Southwell) Wotton, widow of William Wotton, see Dashwood, *supra*, p. 125.

TESTATOR'S MANORS

For the testator's manors of Tottington cum Stanford and Mortimers, see:

"Topographical Account of Tottingham in Norfolk", *The Gentleman's Magazine and Historical Chronicle From January to June 1819*, Vol. 89, Part 1, (London: John Nichols, 1819), pp. 25-6 at:

<https://books.google.ca/books?id=QaBJAAAAYAAJ&pg=PP9>

See also Rye, Walter, ed., *The Norfolk Antiquarian Miscellany*, Vol. II, Part II, (Norwich: A.H. Goose and Co., 1883), p. 610 at:

<https://books.google.ca/books?id=A0tBAQAAMAAJ&pg=PA610>

For the manor of Woodhall alias Latimers in Carbrooke, see *History and Antiquities of the County of Norfolk*, Vol. IX, (Norwich: J. Crouse, 1781), pp. 25-6 at:

<https://books.google.ca/books?id=rmdBAQAAMAAJ&pg=RA4-PA25>

RM: T{estamentum} Richardi Southwell militis

In the name of God, Amen. The 24th of July in the year of Our Lord God 1561 and in the third year of the reign of our Sovereign Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith etc., I, Sir Richard Southwell of Woodrising in the county of Norfolk, knight, knowing that I am naturally born to die and pass from this transitory life, minding to put an order as well of all my goods movables and chattels as also of all my lands and tenements to th' intent there should no strife grow for the same after my decease, do therefore first of all after my most humble thanks given to Almighty God for his great and innumerable benefits, heartily desire and pray all such as shall take any benefit or profit by this my last will to be content and satisfied with such things as are by me given or bequeathed to them in this same my last will and testament without trouble or vexation of any of them against other for my said goods or lands;

And to avoid all occasion of contention and strife I renounce all former wills and testaments heretofore by me made by word, writing or otherwise, and make and ordain this to be my very true testament and last will concerning my said goods, chattels, lands and tenements in manner and form following, that is to say:

First I, most miserable and wretched sinner, commend my soul to Almighty God and his most Blessed Son, Jesus Christ, and the Holy Ghost, three Persons and one God, most humbly beseeching the most holy, blessed and glorious Trinity to have mercy upon my soul and to pardon and forgive me my sins so that after this transitory life I may arise (although of all other creatures most unworthy) with the elect to have eternal life and fruition of the godchild according to my true faith and undoubted belief in that behalf;

Item, God pleased, my will and mind is that my body shall be buried in the north side of the chancel of Woodrising church within the county of Norfolk near the north door of the same chancel and under the place where the sepulture [=sepulchre] was yearly wont to be set and made in case I shall chance to die within five score miles of the said town and parish of Woodrising, unto which church I will and bequeath forty shillings towards the reparations thereof;

And if I die not within five score miles of Woodrising, then my will and desire is to be buried within the parish church or chancel in which parish it shall chance me by God's merciful provision to decease in such sort as may most tend to th' honour & glory of God with as little pome [=sic for 'pomp?'] as my wretched body deserveth, to which church I will and give forty shillings for and toward the reparation thereof;

Furthermore willing and even so requiring mine executors and every of them that they or such of them as shall chance to live after me shall presently after my decease distribute and before all other my legacies, gifts and bequests give and deliver [f. 144v] in God's holy name and for his only sake one hundred pounds at the least of good English money unto the poor, lame, sick and most impotent persons, men, women and children, after 4d to every of them, dwelling and being in any town, hamlet or village as well in

Woodrising as within ten miles' compass thereof, first beginning with my most needy and impotent poor tenants dwelling within the compass aforesaid;

And that being foreseen and done, to do the like with all others of like poor and needy condition not being my tenants, to every of them 4d, so far as one hundred pounds in good current money may extend and stretch, to be delivered unto every of them in the towns, hamlets and villages where every of them do dwell or are most conversant or abiding within the compass afore remembered, requiring and charging my said executors and every of them as they and every of them shall answer before God at the dreadful Day of Judgment not to cut off, abate nor diminish any part, piece or portion of this my gift, legacy and bequest of one hundred pounds by me in this wise disposed and specially appointed by this my last will and testament to be given and delivered unto the poor in manner and form before remembered immediately and without further delay after my decease;

And in case so many persons, men, women and children of the needy and impotent condition shall not be found within the compass or limits before remembered, then I require, pray and charge mine executors and every of them as they shall answer for the contrary before God to dispose, give and deliver the other part of the foresaid hundred pounds remaining in their hands and charge ungiven unto the most needy poor men, women and children after 4d to every of them dwelling or being within the city of Norwich and in the town of Thetford or within the suburbs of the same, specially remembering among others the poor prisoners, so far as the said sum of one hundred pounds may stretch after the rate;

Thus having in my remembrance the great goodness of God, and therewith how much I acknowledge myself bounden for his only sake to remember the poor and needy, my Christian brethren, of whom I do pray and in God's name do charge my executors and every of them to be mindful according to the full effect of this part of my will without further delay or diminishing any part of the sum of money to be disposed and given in alms as before, do presently proceed by the other parts of this my last will and testament declaring the disposition and gift of my said goods, chattels movable, lands and tenements, most heartily requiring my said executors and every of them, after my burial and alms done and executed in form before remembered, for the true execution and well-doing of all which alms I have before many other things no small care, then I right heartily require and pray mine executors and every of them upon good and just occasion declared by any such person or persons as to whom I have done injuries being hitherto unrecompensed, if any such be found and known, to satisfy every of them in such wise to their reasonable contentation as may be to the good and clear discharge of my conscience;

And next and after such recompense made for injuries done, that then they, my said executors, with all convenient diligence proceed unto the payment of such my known debts as by good matter may and shall any way appear to be true debts, and therein to take such diligent and substantial order as may best please God and be to the good

discharge of my conscience and full satisfaction of all such as have borne with me, if any such shall be found unpaid;

Item, my mind and will is that no black gowns or coats be given by my executors to any person or persons at my burial or elsewhere but unto my executors and such of my brothers and kinsfolks as shall chance to be present in my house at the time of my said burial, [+or?] to my household servants and retainers dwelling within the county of Norfolk, for my mind and will is that none of my friends nor kinsfolks, household servants nor retainers other than such as shall happen to be in my house at the time of my burial shall have any black gowns or coats given them;

And further my mind and will is not to have any hearse of wax at my said burial, but only 2 fair tapers of virgin wax with branches to be set upon my hearse;

Also I will that at the day of my burial there be present 24 poor men and 24 poor women, unto every which poor man and woman I will my executors shall give a gown of good mantle frieze and 12d in money over and besides the said hundred pounds before appointed to be given in alms;

Item, I will that mine executors or one of them within 6 months next after my decease shall deliver unto my daughter, Elizabeth, now the wife of George Heneage, esquire, two thousand of my sheep, parcel of my three stocks of sheep-cattle chancing to be and go upon the fold-courses and grounds in Tottington, Campsey and Mortimers in Tottington commonly called Tottington Lodge ground, Stanford and Tottington South ground at the time of my decease to the use of my said daughter see [sic?] and upon condition that he, the said George Heneage, esquire, within 5 months next after my decease, or else the said Elizabeth if within that time of five months she shall be sole, shall be bound to mine executors in and by one recognizance to be knowledged in the Chancery in the sum of four thousand pounds to be paid within one month next after the date of the same recognizance, and the condition of the same recognizance to be as followeth, viz.:

That neither the said George Heneage nor Elizabeth, his wife, nor either of them nor any of the heirs of any of them nor any other by their means, [f. 145r] assent or procurement nor by the means, assent or procurement of any of them shall attempt to infringe, alter or break any part of this my last will and testament or in any wise attempt to intromit, meddle, disturb or alter any devise or assurance by me heretofore made, executed or suffered or cause to be made, executed or suffered of any my manor, lands, tenement or hereditaments, but shall suffer the same and every part and parcel thereof to remain and be according to such estate, form and manner as is specified and declared in one pair of indentures bearing date the 20th day of December in the first year [=20 December 1558] of the Queen her Highness' reign that now is made betwixt me, the said Sir Richard Southwell of thone party, and the Most Reverend Father in God, Nicholas, late Archbishop of York, and others remembered in the said indentures of thother party, and as is also specified and declared in one other pair of indentures bearing date the 20th day of April in the said first year [=20 April 1559] of the Queen's Highness' reign made betwixt me, the said Sir Richard Southwell, on the one party, and the right honourable Sir

Nicholas Bacon, knight, Lord Keeper of the Great Seal of England, and others remembered in the same last mentioned indenture of thother party, as in the said two pair of indentures is more at large declared;

And if the said George do or shall refuse to enter into such bond as before, or if the said George or the said Elizabeth or either of them or any other by their assent, means or procurement do or at any time hereafter shall attempt to infringe, alter or break any part of this my last will and testament, or hereafter do or shall intromit, meddle or attempt to alter any devise or assurance of any my said manor, lands, tenements or hereditaments after knowledge given to him and her or to either of them by my said executors or any one of them of the devises and conveyances by me made as before rehearsed, then my mind and will is that those my said gifts, legacies and bequests of the said 2 thousand sheep and every of them made unto the said Elizabeth, my daughter, shall be utterly void and of none effect;

And then I will and give the same two thousand sheep unto my nephew, Thomas Southwell, son and heir unto my late brother, Sir Robert Southwell, upon this condition following and none other, that is to say, that he nor any other for him shall in no condition disturb or intermeddle with any my goods or chattels movable or not movable being or that at the time of my death shall be within my house at Woodrising or elsewhere within the county of Norfolk or without, but shall quietly suffer all my devises, gifts and legacies to take good and quiet effect according to this my last will and testament without let or interruption any way, such special gifts or legacies excepted as I, the said Sir Richard, have of very love and favour bequeathed and given unto my said nephew, Thomas, remembered in this my last will and testament or in any schedule annexed or to be annexed to this my said last will and testament sealed and subscribed with my hand;

Item, I will that Anne, late wife of my brother, Anthony Southwell, shall after my decease have and hold to her during her natural life the manor of Little Cressingham with the whole members and appurtenances;

And after her decease the remainder of the said manor to be to my said nephew, Thomas Southwell, son and heir to my late brother, Sir Robert Southwell, and to his heirs males of his body lawfully begotten with such remainder over as in the foresaid indentures of uses is mentioned and declared;

Item, I give and bequeath unto the said Anne and her three children, viz., Robert, Anne and Elizabeth, and to the longer liver of them all my whole stock of sheep-cattle which at the time of my death shall be going or depasturing at, in or upon my liberty of fold-course commonly called Little Cressingham fold-course for the relief and comfort of the said Anne and to and for the good education of her said three children upon this condition following, viz., that she, the said Anne, within 8 weeks next after my decease if she be then sole and unmarried, or the husband of the said Anne if she shall be then married, and before the receipt of the said sheep-cattle shall be bound with good sufficient sureties unto mine executors or to the survivors or survivor of them in the sum of two hundred

marks to leave the said whole stock or the like at and from the time of the death of the said Anne to be and remain unto the said three children or to the survivors or survivor of them for the good purpose before remembered;

And if the said Anne or her husband, if she happen to be then married, shall not within the time before remembered become bound in form before rehearsed or at the least do as much as in them and either of them is or shall be to be bound unto mine executors with such condition as is before remembered, then I will and give the said stock unto my nephew, Thomas Southwell, son and heir to my late brother, Sir Robert Southwell, his executors and assigns;

Item, I will and by this my last will and testament do give unto Henry Paston, my son-in-law, and to Mary, his wife, having by order and according to the laws of Christ's church and the laws of this realm solemnly married the said Mary, his lawful wife, two hundred marks in ready money wherewith to discharge and reduce the livery and possession of his lands out of the Queen's hands, to be delivered and paid unto the said Henry by mine executors or by the survivors or survivor of them at his age of 21 years if the same Henry live to that full age;

Item, I will and give unto the said Henry and Mary, his wife, two thousand good sheep to be assigned, taken and delivered by mine executors or the survivor[s] or survivor of them unto the said Henry and Mary at the full age of the same Henry of 21 years out of my fold-courses and flocks chancing at the time of my decease to be going and depasturing in, at or upon my grounds called Brancaster West ground, Brancaster marsh and Great Birches, the same two thousand sheep to be fed and kept in and upon the said grounds and fold-courses until the said Henry shall come and attain unto the said age of 21 years [f. 145v] as hereafter in this my last will is mentioned and declared;

Item, I give and bequeath unto the said Henry and Mary, his wife, my flagon-chain of gold, which chain I myself was wont to wear in folds about my neck, which chain cost me, beside the fashion, one hundred marks of one William Birche of London, deceased, of which chain I, the said Sir Richard, have with my own hands made present delivery to the said Henry Paston and Mary, his wife;

Item, I give and bequeath unto the said Henry Paston and Mary, his wife, twelve good pieces of my hangings called brankeredge or parke work being in my house at Woodrising;

Item, I give unto the said Henry and Mary, his wife, 4 good featherbeds of the best and largest sort that I have in my house at Woodrising with their bolsters, four pair of good and large fustians, with also 4 pair of good sheets, 4 good pillows with good pillow-beres, and 4 coverlets of the best sort, and one of my best and largest quilts of silk;

I also give and bequeath unto the said Henry and Mary, his wife, my two testers of black wrought velvet and my tester of purple velvet and cloth of gold with mine arms thereupon embroidered;

Item, I give and bequeath unto the said Henry and Mary, his wife, one of the best of my three white basins and ewers of one making, the ewers being without covers, which I bought of Anthony Bonvise, merchant stranger;

Item, I give and bequeath unto the said Henry and Mary, his wife, two livery pots of silver marked upon the ears or handles with the name of Jesus;

Item, I will and bequeath [+to?] the same Henry and to Mary, his wife, two of my white salt-cellars which I do daily use at my table, and three white standing cups or bowls of one making bought of the said Anthony Bonvise;

Provided nevertheless and my mind and intent is that before any delivery shall be made unto the said Henry Paston of any my said gifts, legacies or bequests before remembered, except the two hundred marks to him before bequeathed for suing forth of his livery, the said Henry shall by the advice and counsel of my executors or of the survivors or survivor of them make unto the said Mary, his wife, a good and lawful assurance of manors, lands and tenements lying and being within the county of Norfolk to hold to her during her natural life to the clear yearly value of three hundred marks over and above all yearly charges and reprises, and upon that special consideration and for the love and hearty favour I bear unto the said Henry and his well-doing, I give and bequeath unto the said Henry and Mary, his wife, one hundred pounds more of increase over and besides the other sums and particular gifts before remembered, to be delivered unto the said Henry and Mary, his wife, by mine executors or one of them within three months next and immediately after such assurance shall be orderly made unto the said Mary by th' advice of my said executors or the survivors or survivor of them of manors, lands and tenements to the clear yearly value of three hundred marks above all yearly charges and reprises, parcel of the said Henry Paston his possessions within the said county of Norfolk;

Item, in case it shall chance the said Henry Paston to be called out of this world at any time before such assurance of good manors, lands and tenements of the clear yearly value of three hundred marks shall be made unto the said Mary, his wife, for term of her life in form before remembered, then I will, give and bequeath all my said gifts, legacies and bequests and every of them without exception before herein made and given unto the said Henry Paston and Mary or to any of them simply or conditionally unto Mary Paston, now his wife, to and for her relief, living and comfort to be immediately after the death of her said husband delivered unto her at her age of 18 years to dispose at her will and pleasure, whereof I right heartily pray my said executors with all favour not to fail as my trust is in their truth;

Item, in case the said Mary shall chance by God's merciful provision or sufferance to be called out of this life before the same Henry, now her husband, shall come to th' age of 21 years, himself still living after the said Mary, now his wife, if the said Mary happen to have any child or children by the said Henry which shall be living at the time of her death, then my mind, will and intent is that the said Henry shall have the moiety or one

half of the gifts, legacies, bequests and things before given, limited or bequeathed unto the said Henry and Mary or to any of them;

But if the said Mary shall chance to die before the said Henry, her husband, shall come to th' age of 21 years, himself still living after the said Mary, if the said Mary shall happen to have no child nor children by the said Henry which shall be living at the time of her death, then my will, mind and intent is that the said legacies, gifts, bequests and things and every of them before given, limited or bequeathed unto the said Henry and Mary or to any of them shall be by my said executors or the survivors or survivor of them given, delivered and parted by equal portions and accordingly sorted, divided and delivered to and betwixt the younger sons and daughters of Richard Darcy alias Southwell begotten of the body of Bridget, his wife, and the younger children, sons and daughters of Thomas Audley of Berechurch in the county of Essex, esquire, begotten of the body of Katherine, now his wife, at their several ages as followeth, that is to say, to the sons at their several ages of 21 years, and to the daughters at their full age of 18 years, the hundred pounds of increase last to the said Henry bequeathed after assurance made unto the said Mary of manors, lands and tenements to the clear yearly value as is aforesaid excepted;

And in case any of them shall depart this life before those years, then the part of him or her and every of them that shall so [f. 146r] die to be by my said executors or the survivors or survivor of them equally divided, delivered and parted to and among the residue of the younger children of the said Richard begotten of the body of the said Bridget and the younger children of the said Thomas Audley begotten of the body of the said Katherine surviving at their several ages as is aforesaid;

Item, I give and bequeath unto the said Thomas Audley of Berechurch in the county of Essex, esquire, and to Katherine Audley, now his wife, the second best of my three white basins and ewers of one making, the ewers being without covers, which I bought of Anthony Bonvise, merchant stranger, and three large bowls bought of th' Earl of Southampton his executors, one great pair of livery pots of Bruges making and one jug with a cover fastened to it, being the Queen's Majesty's New Year's gifts anno 1561, all which parcels of plate here last mentioned do weigh by estimation three hundred oz., to be delivered unto the said Thomas and Katherine or to the survivor of them, their executors or assigns, within one month next after my decease;

Item, I will and give unto the same Thomas Audley and to Katherine, his wife, two good featherbeds with their bolsters, two pair of good fustians, two good pillows, two pillow-beres good and fine, two pair of good large sheets, and my tester of crimson velvet fringed with red silk and gold, with also two good coverlets for the same beds, and twelve pieces of hangings called brankeredge or parke work, and one hundred pounds in ready money to be paid and delivered by mine executors or by the survivors or survivor of them unto the said Thomas Audley and Katherine, his wife, or the survivor of them within 4 months next after my decease of such ready money and good specialties wherein good, worshipful and substantial men are bounden as shall then be due and shall come to the hands of mine executors or of the survivors or survivor of them next after my decease, of all which they shall find a perfect book of remembrances in the casket wherein my will

doth lie, and also all such obligations and specialities as whereby any men do stand bound unto me for payment of money;

Item, I will, give and bequeath unto my nephew, Thomas Southwell, son and heir unto my late brother, Sir Robert Southwell, all my best hangings of imagery work containing eight pieces which I did provide and buy to hang the dining-chamber now lately made at Woodrising, and wherewith I was accustomed to hang my hall at high and solemn feasts;

Item, I will and give unto my said nephew, Thomas Southwell, twelve other pieces of hangings of brankeredge or parke work wherewith to hang other his chambers at Woodrising;

Item, I will and give unto my said nephew, Thomas Southwell, my best tester of cloth of silver tinsel and crimson velvet embroidered whereupon mine arms are set, with the curtains belonging to the same tester, the bedstead, the fustians, the bolster, the pillows and pillow-beres with the quilt thereunto accustomed;

Item, my mind, will and intent is that all my joined and framed stools, joined and framed forms, joined and framed tables, joined and framed cupboards and trestles of like sort and making shall be by th' order and assignment of mine executors or some of them by assent of the rest given, delivered and equally divided betwixt my said nephew, Thomas Southwell, and Henry Paston and Mary, his wife;

Item, I will and give unto my said nephew, Thomas, all my dairy neat which shall be at Woodrising at the time of my decease with the whole renew of calves which the said neat and every of them shall have in that year in which it shall please God to call me out of this life, that is to say, from the time of their last calving next before the day of my decease and after such young calves except as for the time of my burial and six weeks next after the same shall conveniently serve towards the serving of my household there;

Requiring and most heartily praying my said nephew and before God in conscience do straitly charge him to save, keep and yearly renew the number of milch neat which my said nephew shall find and have there at Woodrising aforesaid by force of this my last will and testament, so as the number or stock of neat cattle by me given unto him may not be decayed or any way diminished, but from time to time and from year to year renewed the good and able milch neat to the full number that my said nephew shall find and receive at Woodrising aforesaid by force of this my gift, to the special intent that my said nephew may and every Sunday or Friday yearly during his life shall give and deliver or warely and carefully cause to be given and delivered all the milk which upon every Sunday and Friday during his life may be made, milked and conveniently taken of all the said milch neat and every of them for that one day unto the most poorest tenants and other inhabitants dwelling in Woodrising and other parishes next about Woodrising for their relief and comfort, and hereof not to fail as my said nephew will and at the dreadful Day of Judgment shall answer before God for the contrary;

Item, I will and give unto my said nephew all such grain as shall chance to remain in my graners at Woodrising at the time of my burial, such convenient proportion or portion thereof and every part thereof except and out-taken as may and conveniently shall serve my house at the time of my burial and six weeks next after my burial to and for th' only expenses of my household there and such other reasonable occasions as within the said six weeks next after my burial shall chance;

Item, I give unto my said nephew all my swine and pullery which at the time of my decease shall be [f. 146v] found at Woodrising aforesaid and belonging to my dairy there with all the vessels belonging to the same dairy;

Item, I will and give unto my said nephew all my lead thereof, the remain left of my building, together [+with?] thone half of my boards and planks of oak, ash and elm;

Thother half or moiety thereof I give unto the said Richard Darcy alias Southwell, late of Lincoln's Inn, to and for the reparation of his decayed houses at Saint Faith;

Item, I will and give unto my said nephew thone half of my steers and oxen provided for beef to be spent in my house which at the time of my decease shall remain at Woodrising, Scoulton or at Whinburgh;

Thother part or half of my said steers and oxen provided as before I will and my mind and intent is that my said executors or the survivor or survivors of them shall cause to be equally divided, given and delivered betwixt the said Henry Paston, Mary, his wife, and Richard Darcy alias Southwell, late of Lincoln's Inn, out of all or both the parts of which steers and oxen are to be indifferently reserved and out-taken by my executors or the survivors or survivor of them so many of them as shall serve my house from the day of my decease unto the end of six weeks then next following;

Item, I will and give all my stoned horses, geldings, mares and colts either kept in my stable or at grass in Woodrising or Whinburgh park to be equally sorted, given and delivered into two parts betwixt the said Thomas Audley of Berechurch and Katherine, his wife, and the said Richard Darcy alias Southwell, late of Lincoln's Inn;

Item, I will and give unto my daughter [=daughter-in-law], Bridget, now the wife of the said Richard Darcy alias Southwell, late of Lincoln's Inn, and to her children begotten of her body by the said Richard all my household stuff, stock and store, great and small cattle [=chattels?], of what sort, kind, nature or quality soever they or any of them be in or at the time of my death shall be utensible, and all other my goods and chattels of all sorts, natures and qualities and kinds which shall chance to remain or be at, in or about my house in Horsham Saint Faith or within any part of that lordship or manors or within the manor of Spixworth or the members of the same manors and every of them at the day of my decease, my money, plate, jewels, sheep-cattle of all kinds and sorts and my wool there clearly, wholly and entirely excepted;

Also I give and bequeath by this my last will and testament unto the said Bridget and Richard, her husband, six thousand good sheep-cattle, parcel of the number of my sheep chancing at the time of my decease to be and remain in, at and upon my fold-courses and grounds in Weasenham, Rudham, Tofte(?), Burnham, Mare(?), Spixworth and Horsham Saint Faith in the said county of Norfolk in and upon such conditions as hereafter followeth, that is to say:

That the said Richard and Bridget or one of them shall by themselves and their friends before the receipt of the said 6 thousand sheep-cattle or any of them with good, sufficient and agreeable sureties become bounden to mine executors or to the survivors or survivor of them in the sum of two thousand pounds of good current money of England not only to permit and suffer the said two thousand sheep before by this my last will and testament given and bequeathed to the said Henry Paston and Mary, his wife, to be going, depasturing and feeding in and upon the said grounds and fold-courses called Brancaster West ground, Brancaster marsh and Bircham Magna until my said executors or the survivors or survivor of them shall deliver or cause to be delivered the said two thousand sheep unto the said Henry Paston and Mary, his wife, or to one of them being alive when the said Henry shall come to the full age of 21 years in form before remembered without let, impediment or interruption of the said Richard and Bridget or of any other person or persons by his or her assent, means, commandment or procurement;

And also that the said Richard and Bridget shall leave the said number of six thousand of good and able sheep-cattle unto such of their children now begotten or hereafter to be begotten by the said Richard upon the body of the said Bridget as by force of the said indentures bearing date the said 20th of April in the first year of the Queen's Highness' reign shall or ought to inherit the said manors, lands, tenements and possessions after the death of the said Bridget and Richard, but also in consideration of my said gift of the said six thousand sheep yearly and from year to year by the space and full term of seven years next and immediately following the day of my death to pay or cause to be paid yearly unto my said executors or to the survivor or survivors of them, or as they, my said executors or the survivor or survivors of them shall devise and assign, twenty pounds at the least and not under the yearly sum for every thousand sheep, amounting in those seven years to eight hundred and forty pounds, which said sum, after the rate of twenty pounds to be yearly received and taken by my said executors or the survivor or survivors of them [-them] for every several thousand sheep, my mind, will and intent is that my said executors or the survivors or survivor of them shall wholly give, employ and bestow in manner and form following, that is to say:

If the said Henry Paston shall chance by God's merciful provision to depart this life before he shall come and be of the age of 22 years, the said Mary, now wife of the said Henry then living and not advanced by the said Henry Paston, her husband, for term of her life by way of jointures with manors, lands and tenements of the clear value of three hundred marks above all manner of yearly charges and reprises as in this my will is before remembered, then my will, [f. 147r] meaning and intent is that my said executors shall not only immediately upon the death of the said Henry Paston give and pay unto the said Mary Paston thone moiety of all such sums of money as shall at that present time be

due or by them received for the farm of the said six thousand sheep, but also from thenceforth yearly and for every year then to come of the said seven years give and pay unto the said Mary the moiety of the said sum of twenty pounds for every several thousand sheep of the said six thousand by them to be received of the said Bridget and Richard as is aforesaid, which moiety in the whole shall come to the sum of four hundred and twenty pounds;

And thother moiety of the said sums of money received and to be received by my said executors for the said sheep amounting to other four hundred and twenty pounds I will that my said executors or the survivors or survivor of them shall employ, bestow and equally divide to and for th' only advancement of the daughter[s] of the said Bridget begotten of her body by the said Richard, now her husband, to be paid and delivered to every of the said daughters at their several ages of 18 years;

And in case any of them shall depart this life before those years, then the part of her, them and every of them that shall so die to be by my said executors or the survivor or survivors of them or by their assignment equally divided, paid and delivered to and among the several daughters of the said Bridget begotten of her body by the said Richard chancing to survive;

And in case it shall chance every of the said daughters to die before the several ages of 18 years, then I will, give and bequeath the said moiety amounting to the sum of four hundred and twenty pounds unto Thomas Southwell, now second son of the said Bridget, to be paid unto him at his age of 21 years;

And in case it shall chance by God's merciful provision the said Mary to depart this life, living the said Henry Paston, now her husband, or if she, the said Mary, shall overlive her said husband, & [-and] be by him advanced by way of jointure for term of her life with manors, lands and tenements to the said clear yearly value of three hundred marks over and above all yearly charges and reprises as is aforesaid, then I will and my full meaning and intent is that my said executors or the survivors or survivor of them shall wholly employ, bestow, give and equally divide the said sum of money so by them received or to be received during the space of the said seven years for the said six thousand sheep to and for th' only advancement of the said several daughters of the said Bridget begotten of her body by the said Richard, now her husband, to be paid and delivered to every of the said daughters at their several ages of 18 years;

And in case any of them shall depart this life before those years, then the part of her or them that shall so die to be by my said executors or the survivor or survivors of them or by their assignment equally divided, paid and delivered to and among the said several daughters of the said Bridget begotten of her body by the said Richard chancing to survive;

And in case it shall chance the said daughters of the said Bridget and every of them to die before their several ages of 18 years, then I will, give and bequeath the said sum of eight hundred and forty pounds to be taken in form before remembered unto Thomas

Southwell, now second son of the said Bridget begotten of her body by the said Richard, to be paid unto him at his age of 21 years;

And in case the said Bridget or Richard by themselves or their friends shall not within six months next after the death of me, the said Sir Richard Southwell, become bounden unto my said executors with good, sufficient and agreeable sureties in the sum of two thousand pounds for such purposes and intents as is before rehearsed, then I will, give and bequeath the said six thousand sheep unto Thomas Townshend, Frances Sturgis, Henry Richers, Thomas Thwaytes of Hardingham in the county of Norfolk, and Frances Southwell, now second son unto Sir Robert Southwell knight, deceased, upon condition that they, the said Thomas Townshend, Francis Sturgis, Henry Richars, Thomas Thwaytes and Francis Southwell and every of them being alive shall, after the said six months expired and no sufficient and agreeable sureties within that time put in by the said Bridget and Richard or any of them, in manner and form next before remembered by themselves and their friends become bound unto my said executors or to the survivor or survivors of them with good and sufficient sureties in the like sum of two thousand pounds of good English money yearly to content and pay unto my said executors or to the survivor or survivors of them for every year by the space of seven years next and immediately following the day of my death twenty pounds at the least and not under that yearly sum for every several thousand sheep, which shall amount in those seven years to eight hundred and forty pounds as is aforesaid, which said sum of twenty pounds to be yearly received by my said executors or by the survivor or survivors of them for every several thousand sheep, my will, meaning and intent is that the same shall be by my said executors or by the survivor or survivors of them employed, given and [-and] bestowed in like manner and form without alteration or change as if the said Bridget and Richard or any of them had by themselves or their friends become bounden with sufficient and agreeable sureties unto my said executors or the survivor or survivors of them for the receipt of the said sheep as is aforesaid and as if my said executors or the survivor or survivors of them had received the said sum of twenty pounds for every several thousand sheep by the hands of the said Bridget and Richard or any of them;

Item, I will, give and bequeath unto the said Bridget for the good relief and comfort of her and her children these parcels of plate following, being parcel of my plate still being and remaining among other parcels of my plate in the charge & keeping and custody of the said Bridget to my use, as doth plainly appear by one writing remaining [f. 147v] with this my last will under th' hand of the said Bridget, that is to wit, two gilt salts without covers with the four Evangelists, one plain standing cup gilt with a cover, one drinking cruse gilt with two crowns and a cover with a plain plate in the top, one other cruse gilt plain with great swelling ears without a cover, one basin and ewer bought of Mr Smithe, three bowls chased with one cover and a lion in the top holding mine arms in a scutcheon, twelve spoons parcel gilt with Christopher, six spoons with woodhouses [=woodwoses] five other spoons with round gilt knops, one pair of livery pots white chased, three goblets parcel gilt with one cover having the Woodhouse arms, four of my twelve large dishes bought of Mr Bonvise, and two of my six large saucers, all which parcels of plate here last mentioned done [=do] weigh by near estimation five hundred oz., to be

delivered unto the said Bridget within one month next after my decease if the same Bridget shall be then living;

And if she shall not be living at the time of my decease, then the same parcels of plate and every of them as before given to the said Bridget to be delivered to Richard Southwell alias Darcy, husband of the said Bridget;

Provided always and my meaning, mind and intent is that before receipt of the said parcels of plate last before mentioned the said Richard Southwell alias Darcy, if he be then living at the time of my decease, shall become bound unto my said executors or to the survivor or survivors of them with good and sufficient sureties in the sum of three hundred marks of good English money to leave unto the said Bridget, his wife, and to the children between them two begotten all the said parcels of plate or as much other plate to the number of five hundred ounces and to the like value of the said 5 hundred oz. that he shall receive by force of this my last will and testament;

And where divers parcels of my plate gilt, parcel gilt and white plate (upon good consideration moving me) have lately been taken out and from the charge and keeping of the said Bridget, all which parcels are particularly mentioned in the said writing subscribed with th' hand of the said Bridget and remaining with this my last will and testament, a true copy of which writing the same Bridget hath also under my hand, I, the said Sir Richard, do, as reason, honesty and truth bindeth me, acquit, unburden and discharge the [-the] said Bridget against me, mine executors, administrators and assigns and every of us of and for all the said parcels of plate and every of them by my order received and taken out and from her keeping and charge as before;

Item, I will, give and bequeath unto the said Thomas Audley of Berechurch in the county of Essex, esquire, and to the said Katherine, his wife, these other parcels of plate following, over and beside thother parcels of plate before in this my last will and testament willed, given and bequeathed unto them, that is to wit:

One of my two pottingers with ears and the cover to the same belonging, four of my said large 12 dishes of one sort bought of Mr Bonvise, two of my said six large saucers, two pots or ewers pounced gilt without covers bought of Sir Anthony Browne, now Lord Montagu, one casting-bottle of glass with a chain of silver, one pair of snuffers, one pair of cruets with covers commonly used for oil and vinegar, one little gilt spoon having a child in th' end and another gilt spoon with a rose in th' end, all which parcels of plate here last mentioned together with the said other parcels of plate before given to the said Thomas and Katherine by this my last will and testament done [=do] weigh by near estimation five hundred ounces, the same last recited parcels to be likewise delivered by my said executors or the survivor of [sic] survivors of them to the said Thomas and Katherine within one month next after my decease;

Item, I will, give and bequeath unto Thomas Southwell alias Darcy, son to my late wife, Dame Mary Southwell, these parcels of plate following, that is to wit, one basin and ewer bought of Calton, goldsmith, one pair of livery pots of Bruges making bought of th' Earl

of Southampton his executors, three of my plain white salts of one making without covers daily used at my table, 4 of my eight lesser sort of dishes bought of the said Mr Bonvise, one gilt jug weighing 16 oz. quarter, one little plain cruse with a cover, one casting-bottle gilt, 5 spoons gilt called slips, five other gilt spoons of which one hath a lion in th' end, the rest with diamond knops, one spoon with a square knop, one other gilt spoon with a cognizance in the top, one of my two pottingers with ears and the cover to the same pottinger belonging, one white jug with Sir Thomas Pope his arms on the top of the cover, one chafing-dish with one perfume pan, one other perfume pan white, one round ball wherewith to warm cold hands, and one little ewer or laver with a cover, all which parcels of plate here last mentioned given and bequeathed unto the said Thomas Southwell alias Darcy done [=do] weigh by near estimation 500 ounces, the same parcels of plate & every of them to be by my said executors or the survivor or survivors of them delivered to the said Thomas Southwell alias Darcy within one month next after my decease if the same Thomas shall be then living;

And if it shall please God to call the same Thomas to his mercy before the receipt of the said parcels of plate, then I will and bequeath the same parcels of plate last mentioned given to the same Thomas Southwell alias Darcy to the [-to the] daughters of the said Bridget Southwell begotten of her body by the said Richard Southwell, her husband, for and towards the relief and advancement of the same daughters, to be equally sorted, parted and delivered unto the said daughters by mine executors or the survivor or survivors of them within one month next after my decease;

Item, I will, give and bequeath unto Dorothy Southwell alias Darcy, daughter to the said Dame Mary Southwell, my late wife, the least of my three white basins and ewers of Flanders making bought of the said Anthony Bonvise, merchant stranger, one pair of small livery pots [f. 148r] with the letter 'W' on the covers, one gilt salt with a cover wrought antic fashion, two cruses gilt without covers engraven with these words 'Dominus mihi adiutor', one jug gilt wherein I myself do usually drink, four of the lesser sort of my eight dishes bought of the said Mr Bonvise, one long spoon with a wreathed handle, one jug with a cover parcel gilt, one chafing-dish parcel gilt, one piece of plate with a long handle wherewith to take up the table, one gilt salt with a pepperbox, and three of my six white bowls of Bruges making, all which parcels of plate here last mentioned given to the said Dorothy done [=do] weigh by near estimation five hundred ounces, to be delivered by my said executors or the survivor or survivors of them to the said Dorothy within one month next after my decease if the same Dorothy shall be then living;

And if it shall please God to call the said Dorothy to his mercy before the receipt of the said plate being unmarried, then I will, give and bequeath the same parcels of plate here last mentioned given to the said Dorothy to the said daughters of Bridget Southwell begotten of her body by the said Richard Southwell, her husband, for and towards the relief and advancement of the same daughters, to be equally sorted, parted and delivered unto the said daughters by mine executors or the survivor or survivors of them within one month next after my decease;

Item, I will, give and bequeath unto the said Henry Paston and Mary, his wife, these other parcels of plate following over and besides thother parcels of plate, sums of money and [-and] other legacies before in this my last will and testament in manner and form therein expressed, willed, given and bequeathed unto the same Henry and Mary, his wife, and to either of them, that is to wit, four of my said twelve large dishes bought of Mr Bonvise, two of my said six large saucers, one dozen and ten spoons with the Apostles, one barber's pot with the basin to the same, and four spoons with lions in th' ends, all which parcels of plate here last mentioned together with the said other parcels of plate as before given to the said Henry and Mary by this my last will and testament done [=do] weigh by near estimation five hundred ounces, the same last recited parcels of plate and every of them to be delivered unto the said Henry and Mary or to either of them by my said executors or the survivor or survivor[s] of them in such manner and form and under such special conditions, orders and limitations as are before expressed in this my last will and testament for the delivery of my said other legacies and bequests to the said Henry and Mary or either of them, and in none other manner, order or form;

Item, I will, give and bequeath unto my brother, Francis Southwell, esquire, five hundred good sheep to be delivered unto him out of my flocks chancing to be and remain at the time of my decease in Burnham called Burnham Hoggescourse within three months next after my decease;

Item, I will, give and bequeath unto Thomas Darcy alias Southwell, son to the same Dame Mary Southwell, my late wife, all my sheep-cattle chancing to remain and be at the time of my decease at, in or upon the manors of Helmingham, Morton cum Ringland and Great Bircham with th' appurtenances within the said county of Norfolk except such parcel of the said sheep as are before by this my will assigned and given out of the flock of Great Bircham to make up the number of two thousand sheep given to the said Henry Paston and Mary, his wife, by this my last will and testament, the said sheep as before is given to the said Thomas Darcy alias Southwell to be delivered within two months next after my decease to th' only use of the said Thomas unto such person or persons as shall have the same Thomas in his or their keeping until his age of 21 years;

And if it shall fortune the same Thomas Darcy alias Southwell to decease before that age of 21 years, then I give and bequeath the same sheep-cattle as before given to the same Thomas unto the said Mary Paston, now the wife of the said Henry Paston, to and for her better relief if she, the said Mary, be living at and after the death of the said Thomas Darcy alias Southwell;

Item, I will, give and bequeath one thousand good sheep unto my cousin and trusty friend, Francis Sturgis, to be taken and delivered unto him by mine executors or the survivor or survivors of them out of my flocks called Bircham Hoggesflocks within his charge within two months next after the day of my death, right heartily praying my said cousin, Francis, to counsel and assist mine executors or the survivors or survivor of them to and for the good and indifferent delivery of such other my sheep-cattle as I have by force of this my last will and testament willed, given and bequeathed unto such other several persons as are first or last principally remembered and mentioned in this my last

will and testament and according to a paper subscribed with my hand containing the division and disposition of all my sheep-cattle, which paper remaineth with this my last will and testament;

And where I, the said Sir Richard Southwell, by good, sufficient and lawful conveyance in the law have and do hold to me, mine executors, administrators and assigns of the covenant, gift, grant and assignment of Sir Robert Catlyn, knight, Lord Chief Judge of the Queen's Bench commonly called the King's Bench, and William Fleetwood, esquire, divers terms, rights and interests for term of years of, in and to the manors of Helmingham, Morton cum Ringland, Carbrooke, Woodhall alias Latimers in Carbrooke and Tottington cum Stanford with all and singular their members and appurtenances in the said county of Norfolk;

And of, in and to the [f. 148v] late Commandry of Carbrooke with the members and appurtenances in the said county of Norfolk;

And of, in and to the manors of Mortimers in Tottington and Westfield with all their members and appurtenances within the said county of Norfolk;

And of, in and to the rectories and parsonages of Tottington and Carbrooke with their appurtenances, and all manners [sic] of tithes, profits and emoluments to the same rectories or parsonages or either of them in any wise appertaining or belonging;

And also the advowson of the vicarage of Tottington and Carbrooke in the said county of Norfolk;

And of, in and to one close in Carbrooke aforesaid called the Culliet close now or late in the tenure of Thomas Paine of Castle Acres, gentleman;

And of, in and to all those messuages, lands, tenements and hereditaments with th' appurtenances in Cranworth and Letton in the said county of Norfolk which sometime were one John Palmer th' elder and lately purchased by me, the said Sir Richard, or to my use, of one John Hodgsonne, yeoman;

And also of, in and to all those eight and twenty acres of lands lying in the said close called Culliet close in Carbrooke aforesaid which were sometime one Dionyse Toppes and lately purchased by me, the same Sir Richard, or to my use, of one Francis Stewarde, gentleman;

And also of in and to all that tenement sometime called Toppes with all leases [=leasows?], meadows, pastures with their appurtenances to the same tenement belonging or used or occupied with the same and now or late in the tenure or occupation of Thomas Walsingham lying and being in Carbrooke aforesaid in the said county of Norfolk lately purchased by me, the said Sir Richard, or to my use, of Alexander Mather, late citizen and alderman of Norwich, and one William Necton of the same city;

And of, in and to all other the lands, tenements and hereditaments of me, the said Sir Richard Southwell, in Helmingham, Morton cum Ringland, Little Cressingham, Carbrooke, Tottington cum Stanford, Mortimers in Tottington, Westfield, Whinburgh, Garston [=Garvestone?], Yaxham, Attlebridge, Cossey [=Costessey?], Swannington, Lymewod and Campsey in the said county of Norfolk with all and singular their appurtenances;

And of, in and to every part and parcel of all and singular the premises as in one writing sealed and subscribed by the said Sir Robert Catlyn and William Fleetwood bearing date the last day of February in the first year [=28 February 1559] of the reign of our Sovereign Lady Queen Elizabeth more at large doth and may appear, I, the said Sir Richard Southwell, do by this my last will and testament give, grant, will and bequeath to my nephew, Francis Southwell, second son to my late brother, Sir Robert Southwell, one annuity or yearly rent of five pounds to be yearly going out of the said manor and late Commandry of Carbrooke to be paid and perceived to the said Francis and his assigns for term of threescore years, if the said Francis do so long live, at the feast of Saint Michael th' Archangel and th' Annunciation of Our Blessed Lady the Virgin by even portions from and immediately after my decease, the first payment thereof to begin at either of the same feasts that first shall come next after my decease;

Item, I do likewise will, give, grant and bequeath unto my nephew, Robert Southwell, one other of my brother Sir Robert Southwell his children, for the term of threescore years if he, the said Robert, the son, do so long live, one annuity or yearly rent of five pounds to be likewise paid at the said feasts from and immediately after my decease, and the same to be going out of the said manor and late Commandry of Carbrooke;

Item, I will and give unto my nephew, Robert Southwell, son unto my late brother, Anthony Southwell, for the said term of threescore years, if the same Robert do so long live, one annuity or yearly rent of six pounds thirteen shillings four pence to be likewise paid at the said feasts from and immediately after my decease, and the same to be going out of the said manor and late Commandry of Carbrooke;

Item, I do likewise will, give, grant and bequeath unto John Thomas, my clerk, one annuity or yearly rent of twenty pounds to be likewise paid at the said feasts from and immediately after my decease, and the same to be going out of the said manor and late Commandry of Carbrooke and out of the said manor of Woodhall otherwise called Latimers in Carbrooke over and beside one other annuity or yearly rent of ten pounds by me given and granted to the said John Thomas for term of his life by my patent under my hand and seal made unto him long time past;

And if it shall fortune the said several annuities or yearly rents or any of them to be behind unpaid in part or in all after any of the said feasts of payment in which the same or any of them ought to be paid, that then I will and by this my last will and testament do demise that it shall be lawful to all and every the said persons to whom the said several annuities or yearly rents be given or assigned in form aforesaid and to his or their several assigns and to every of them into such of the said Commandry and manors as out of

which his or their several annuities been going out or payable to enter and distrain, and the distress or distresses so taken to lead, drive & carry away and with him or them to retain and keep until his or their said annuities or yearly rents with the whole arrearages thereof, if any be, be unto him or them and every of them fully satisfied, contented and paid;

Item, I will, give, grant and devise my said term of years and all my right, title and interest of, in and to the said manors of Carbrooke and Woodhall alias Latimers in Carbrooke and the said late Commandry of Carbrooke with the whole members and appurtenances which I, the said Sir Richard Southwell, have of the said gift, grant and conveyance [f. 149r] of and from the said Sir Robert Catlyn and William Fleetwood as is beforesaid, charged with the yearly rents, annuities and fees and payments as before rehearsed and particularly remembered, to my nephew, Thomas Southwell, son and heir to my late brother, Sir Robert Southwell, knight, with and upon such several special conditions, remainders, uses and limitations as are mentioned and declared of, for, touching or concerning the same manors of Carbrooke and Woodhall alias Latimer[s] in Carbrooke and the said late Commandry of Carbrooke or any of them in one pair of indentures made betwixt me, the said Sir Richard Southwell, of thone party and the Reverend Father in God, Nicholas, late Archbishop of York, and others of thother party, bearing date the 20th day of December in the first year [=20 December 1558] of the reign of our said Sovereign Lady Queen Elizabeth, and also upon condition that the said Thomas Southwell, my nephew, his heirs, executors and assigns shall well and truly pay or cause to be well and truly paid out of the said manors of Carbrooke and Woodhall alias Latimers in Carbrooke and the said late Commandry of Carbrooke all such annuities as I have by this my last will willed or given out of the same or any part thereof to such person or persons to whom I have by this my said will given and limited the same according to the form and effect of this my last will and testament;

Item, I will, grant and devise my said term of years and all my right, titles and interest of, in and to the said manors of Tottington cum Stanford and Mortimers in Tottington with the whole members and appurtenances which I have of the said gift, grant and conveyance of and from the said Sir Robert Catlyn, knight, and William Fleetwood as is beforesaid to my daughter, Elizabeth Heneage, with and upon such special and several conditions, remainders, uses and limitations as are mentioned and declared of, for, touching or concerning the said manors of Tottington cum Stanford and Mortimers in Tottington or any of them in the said last remembered indenture bearing date the said 20th day of December in the said first year of the reign of our Sovereign Lady Queen Elizabeth;

Item I will, grant and devise my said term of years and all my right, titles and interest of, in and to the said manors of Helmingham [+and?] Morton cum Ringland with the whole members and appurtenances which I have of the said gift, grant and conveyance of and from the said Sir Robert Catlyn and William Fleetwood as is aforesaid to the said Thomas Darcy alias Southwell, son to the said Dame Mary, my late wife, with and upon such special and several conditions, remainders, uses and limitations as are mentioned and declared of, for, touching and concerning the said manors of Helmingham [+and?]

Morton cum Ringland in the said last remembered indentures bearing date the said 20th of December in the said first year of the Queen's Highness' reign;

Item, I will, grant and devise my said term of years and all my rights, titles and interest of, in and to the said manor of Westfield, the rectories of Tottington and Carbrooke, the advowsons of the vicarages of the churches of Tottington and Carbrooke, the said close called Culliet close in Carbrooke, the said lands, tenements and hereditaments late Palmers in Cranworth and Letton, the said eight and twenty acres of land lying in the said close called Culiett close purchased of the said Francis Stewarde, and the said tenement called Toppes with all and singular their members and appurtenances which I have of the said gift, grant and conveyance of and from the said Sir Robert Catlyn and William Fleetwood as is aforesaid to my nephew, Thomas Southwell, son and heir unto my late brother, Sir Robert Southwell, knight, with and upon such special and several conditions remainders, uses and limitations as are mentioned and declared of, for, touching and concerning the said manor of Westfield and other the said last remembered premises or any of them in the said indentures bearing date the said 20th of December in the said first year of the Queen her Highness' reign;

Item, I will, give and my mind and intent is that William Bacon my servant, shall have during his life the keeping of the park at Woodrising in Norfolk with the yearly fee of forty shillings, requiring and in God's name charging my nephew, Thomas Southwell, or such other as to whom the same shall chance to come after my decease to permit and suffer him, being an old aged man having spent a great part of his time in my service, to have and enjoy the keeping of the said park with the said yearly fee of forty shillings and such other like advantages and commodities with meat and drink in that place as the said William Bacon hath had of me at my charge in my lifetime;

And also that all other my patentees may quietly and severally receive their yearly annuities without let or disturbance;

Item, I will and give for and toward the reparation of the church of Woodrising in the county of Norfolk twenty shillings, and twenty shillings to and for the comfort and relief of the most needy poor tenants and inhabitants there;

And for and toward the reparation of Carbrooke church in the said county of Norfolk twenty shillings, and twenty shillings for the comfort and relief of the most needy poor tenants and inhabitants there;

And for and toward the reparations of Tottington church in the said county twenty shillings, and 20s to & for the comfort and relief of the most needy poor tenants and inhabitants there and in Letton;

Item, I will and give unto every gentleman and yeoman and all others from the degree of a yeoman downward being my ordinary household servant one whole year's wages over and besides such wages as at the time of my decease shall chance to be due or owing to

them or any of them at or before my death, to be paid to every of them by my said executors or one of them within 8 weeks next after my decease;

[f. 149v] Item, I require and desire my said executors and every of them with such portion of my goods as shall remain in their hands to make a convenient and decent tomb to be set over me in the church where I shall chance to be buried with such remembrance thereupon as shall seem to them meet if I, the same Sir Richard, do not in my time [=lifetime], as I intend, make and set up a tomb in Woodrising church where Dame Mary, my late wife, doth lie buried;

Item, I will, give and bequeath unto my cousin and assured friend, Sir Henry Bedingfield, knight, my harness complete made by Erasmus Kirkener for mine own body with the headpiece and all other pieces to the same belonging, with also my best battle-axe, if the same Sir Henry shall chance to survive me, the same Sir Richard, and not otherwise;

And if the same Sir Henry Bedingfield do not survive me, then I give and bequeath the same armour and battle-axe to my nephew, Thomas Southwell;

Item, I will, give and bequeath unto Bridget Southwell, now the wife of the said Richard Southwell alias Darcy, twelve pieces of my hangings commonly called brankeredge or parke work being at my house at Woodrising to be delivered by my said executors or by the assignment and consent of the more part of them within two months next after the day of my death;

Item, I give unto the said Bridget and Richard, her husband, six good featherbeds, six bolsters, six coverlets, six pillows, 6 pillow-beres, twelve pair of sheets, three pair of fustians, 3 pair of Spanish blankets, 6 testers with their curtains and 6 mattresses, parcel of such my stuff as shall be at Woodrising the day of my decease next unto such stuff as my executors or some other assigned by them shall indifferently assign unto Henry Paton and his wife and Thomas Audley of Berechurch and his wife;

Now touching the other parts and parcels of my household stuff and utensils of household remaining in my house at Woodrising hitherunto not given, bequeathed or specially remembered or assigned to any person or persons in or by any part of this my last will or testament, which household stuff and utensils of household yet and hitherunto being at my pleasure to dispose are for the most and greatest part of them very good and substantial stuff and things of right good value, my will, mind and intent is that the same parcels of household stuff and utensils of household stuff and every part of them hitherunto not given, bequeathed, remembered or assigned to any person or persons as before shall be gathered together and viewed by mine executors or by some of them with the consent of the rest or of the more part of them or by such other men of substance and wisdom as my said executors shall thereunto appoint or assign, and by them to be divided into 4 egal parts and portions by the good discretion of the same my executors or of some of them by and with the consent of the rest or of the more part of them or by such other men of substance & wisdom as my said executors or the survivor or survivors of them shall thereunto appoint and assign amongst the said Thomas Audley and his wife, Henry

Paston and Mary, his wife, if the said Mary be then living, and the said Richard Darcy alias Southwell, late of Lincoln's Inn, and the said Bridget, his wife, and the said Dorothy Darcy alias Southwell;

Nevertheless if the said Mary be then dead, then my mind, will and intent touching the said parts and parcels of my household stuff and utensils of household last before specified remaining at my house in Woodrising hitherunto not specially given or bequeathed to any person or persons as aforesaid is that the same parcels of household stuff and utensils of household stuff and every part of them shall be divided into three equal parts and portions according as is aforesaid, and so to be given and delivered unto the said Thomas Audley and his said wife, and Richard Darcy alias Southwell and his said wife, and the said Dorothy, and the said Henry not to have any part thereof;

And forasmuch as the said Dorothy is youngest, wanting years of discretion to help herself, upon that consideration I require and desire mine executors or the survivors or survivor of them to assist and help the same Dorothy, giving and assigning unto her their favourable counsel, aid and help, the first choice and best part of the said household stuff and utensils of household before appointed to be divided as aforesaid, the rather for(?) that she hath not before by this my will or otherwise any like utensils or stuff given, bequeathed or specially assigned unto her;

And my will, mind and desire is that the same household stuff and utensils of household that shall be so assigned unto the said Dorothy for her said first choice and best part shall be delivered by my said executors or some of them with the consent of the rest or the more part of them by indentures unto such person or persons as shall have the custody, rule and governance of the said Dorothy until she shall be of the age of eighteen years, minding nevertheless that the bedsteads of all sorts now being or that at the time of my decease shall be at my said house in Woodrising shall still there remain for the behoof of my nephew, Thomas Southwell, such few except as I have or shall by this my last will give and bequeath to any special person or persons;

Item, I will, give and bequeath unto Thomas Southwell, second son to Richard Darcy alias Southwell, late of Lincoln's Inn, my whole right, title, interest and term of years yet to come of and in the manor of Burnham Thorpe otherwise called Burnham Wymondham, sometime parcels of the possessions of the late monastery or dissolved house of Wymondham in the county of Norfolk for and toward his exhibition and finding;

And if the same Thomas shall depart this life before his full age of 21 years, then I will and give the residue of the said term then to come unto the said Richard Darcy alias Southwell, late of Lincoln's Inn, father of the same Thomas, and to his executors and assigns;

Item, I give and bequeath unto my said nephew, Thomas Southwell, son of my late brother, Sir Robert Southwell, knight, and to [f. 150r] his heirs and assigns all such interest, right, title, estate and term of years yet to come as I, the said Sir Richard

Southwell, have of, in and to all such lands, tenements and hereditaments with the appurtenances as I, the said Sir Richard, have and had by lease of the Lord of Abergavenny in Scoulton in the said county of Norfolk;

Item, I give and bequeath unto the said Richard Darcy alias Southwell, late of Lincoln's Inn, and to his heirs and assigns all such right, title, estate and term of years yet to come as I, the said Sir Richard Southwell, have of, in and to the fairs of Saint Faith with all profits and commodities to the same belonging, and of, in and to the parsonage of Tibenham within the said county of Norfolk with all and singular their appurtenances in as large and ample manner and form as I, the said Sir Richard, have, may or ought to have, hold and enjoy the same and every part and parcel thereof;

The residue of all my goods movables, chattels, plate, jewels and all other debts owing to me as well by obligations and specialties as upon undesupers [sic?] depending in my yearly accounts, and all other debts whatsoever they be, and all other my goods and chattels (the debts by me owing first paid), and also except such goods and chattels as I have willed, given and bequeathed unto the several parties in this my will mentioned or at any time during my life shall will, give or bequeath to any person or persons by any will, deed of gift, instrument or writing under my hand and seal, and also except all my leases, terms and interests for years yet to come which I have and intend otherwise to bestow, I freely give and bequeath unto my executors to and for the full performance of this my last will and testament (all my harness, weapon and munition except, all which I will and give unto the Duke of Norfolk his Grace that now is, the harness for mine own body before bequeathed also except out of this gift);

Also my will, mind and intent is that if it shall happen or chance any of the legacies, gifts or things that I have expressly by this my last will and testament given, willed or bequeathed not to take effect according to the express limitation in this my last will by reason of the death of the parties to whom I have by this my last will given, limited and appointed the same or by the breach of any condition, proviso or clause contained in this my last will, so that there remain no express limitation, appointment nor devise in this my last will to whom the same shall go, remain and be, then my mind, will and intent is that the same legacy, gift and thing shall be equally divided and given by my executors or the survivor or survivors of them among the children of the said Richard Darcy alias Southwell and the children of the foresaid Katherine, wife of the said Thomas Audley, and the children of the foresaid Mary Paston, and the children of the said Dorothy, or the children of such of them, the said Richard, Katherine, Mary and Dorothy, as shall then have children;

And of the same my last will and testament I ordain and make my singular and especial god Lord, Thomas, now Duke of Norfolk, Earl Marshal of England, Sir Robert Catlyn, knight, now Lord Chief Judge of the Queen's Bench commonly called the King's Bench, Anthony Browne, esquire, one of the Justices of the Common Pleas at Westminster, Sir Thomas Cornwallis, knight, my brother, Francis Southwell, my cousin, Osbert Moundforde, and Francis Gawdy, esquires, my executors, right heartily praying my said Lord's Grace and others mine executors and every of them to take pains to see this my

last will and testament substantially performed, and also to take such sober order and stay betwixt my children, brothers and kin as if any unkind occasion shall rise or grow for any matter concerning or touching this my last will and testament for any my possessions or other things assigned or given to any of them wherein they or any of them shall find themselves grieved the one against thother, they may be quieted and appeased by their good wisdom and mean as my special trust is in them and every of them;

Item, I will, give and bequeath unto my said Lord the Duke of Norfolk his Grace my cross of gold which I do usually wear about my neck and forty pounds of ready money for his pains to be taken in and about the execution of this my last will and testament and the good and orderly stay of all controversies and discords that may arise betwixt my said children, brother and kin;

Item, I will and give unto the said Sir Robert Catlyn for his like travail and pains forty marks in ready money;

Item, I will and give unto the said Mr Justice Browne for his like travail and pains forty marks in ready money;

Item, I will and give unto the said Sir Thomas Cornwallis for his like travail and pains forty marks in ready money;

And also I will and give to the said Francis Southwell, Osbert Moundeforde and Francis Gawdy, to every of them for their like travail and pains twenty pounds in ready money;

Item, I will, give and bequeath unto my very good neighbour and assured friend, Sir Thomas Lovell, knight, and to the very good Lady, his wife, as a remembrance and for a token of my goodwill my two high standing cups of one making parcel gilt commonly called the Flanders cups weighing 75 oz. [f. 150v] quarter;

Item, I give and bequeath unto my very good cousin and friend, Thomas Townshend, esquire, one of my best gowns of silk or cloth at his pleasure, and one ring of fine gold to be made for him worth three pounds;

Item, I give and bequeath unto my said son-in-law, Thomas Audley of Berechurch, esquire, and to my said daughter, Katherine, his wife, my horse-litter with the whole furniture;

Item, I give and bequeath unto the said Richard Darcy alias Southwell all my books of scripture, prophecy, stories and other Latin authors and my books of law and statute books;

Item, I give unto the said Bridget and Richard, her husband, my coach and wagon with their several furnitures;

Item, I give and bequeath unto my good neighbour and friend, Thomas Cecil, esquire, one of my best gowns of silk or cloth next after my cousin, Thomas Townshend, hath taken his choice, and also one ring of fine gold worth three pounds;

Now touching all and singular my manors, lands, tenements and hereditaments within the realm of England, I will and my mind and intent is that the same shall remain, be and continue to such persons and in such uses and of such interests and estates and with such remainders and also with such limitations and conditions and in such quality, manner and form as are specially and particularly mentioned and declared in divers and sundry indentures heretofore concluded, determined and made sithence the beginning of the reign of our Sovereign Lady Queen Elizabeth, right humbly and heartily requiring my said Lord his Grace, Sir Robert Catlyn, Mr Justice Browne, Sir Thomas Cornwallis and others my said executors before-named to take the charge and pain upon them to see this my last will and testament performed in such wise as this my last will, being made by great advice of counsel learned and like deliberation, may stand whole and perfect without change or alteration according to my true meaning and intent;

And further, having due consideration unto th' honour and calling of my said executors, I right heartily require them (bearing with my good purpose, as my special hope is they will) that it may like and please them and every of them in their degree, place and calling (specially my singular good Lord the Duke of Norfolk his Grace, Sir Robert Catlyn, knight, and Justice Browne, whom from my first acquaintance of them to this day I have found true and faithful gentlemen) joined with such their good and lawful favour toward me as without let or offence to their duty and order of justice might or at any time hath been required at their hands, by experience of whose indifferency and truth in every good condition (whereof I have had for my part great trial), I am moved over-boldly to require them and my very friend, Sir Thomas Cornwallis, as I do, to join with my said Lord's Grace, undertaking with him as mine executors and as my true and trusty friends with his good Lordship to see the good execution and like performing of this my said last will and testament, and that it may also please my said Lord's Grace, Sir Robert Catlyn, Justice Browne and Sir Thomas Cornwallis with favour to accept and take my said brother, Francis Southwell, my cousin and assured friend, Osbert Moundforde, and the said Francis Gawdy, esquires, with them also to be mine executors and to join and assist them to and for the good execution and performing of my said last will and testament for that they are near where my things are, ready also to stay and take order, as occasion shall serve, until they may receive the good advice and counsel of my said Lord's Grace, the said Sir Robert Catlyn, Justice Browne and Sir Thomas Cornwallis;

Humbly and heartily for one special part recommending th' order, education and bringing up of Henry Paston, now my ward, and Robert Southwell, my nephew, one of the sons of my late brother, Sir Robert Southwell, knight, deceased, in the study of the laws of this realm, wherein and whereat my special desire is, for the better well-doing and to increase them in virtue and knowledge, to have them straitly and continually holden in and therein brought up, for whose both charges in and at the Inns of Court I have taken such good and certain order as well may and shall fully bear their necessary charges with more, so that the good eye and care of my said executors given unto their well-doing, without

which they shall grow to liberty and so to ruin and lastly to nothing, which, having respect unto the towardness wherein I leave and deliver them into their care and charge, were not a little to be lamented;

In consideration whereof, and for that they and every of them have livings assigned unto them for that purpose, it may please my said Lord's Grace and other my said executors to have a care to their well-doing answering to my special request in this part made unto them in their behalf, eftsoons beseeching them to weigh and consider the towardness wherein I now, as they are, leave and deliver them, without dispraise to others their like or betters of their ages in learning, towardness and knowledge not easy to be found in this realm, and therefore in and by their honourable consideration to be followed and trained in virtue and the study of the laws as a right way and a direct path to make them necessary members of our commonwealth;

Item, where Thomas Darcy alias Southwell, son to Dame Mary Southwell, my late wife, is of young and tender years, to whom also I have given and assigned lands and possessions with other good advancements, my mind, special desire and intent in consideration thereof [f. 151r] is that the same Thomas Darcy alias Southwell shall be from the time of my decease unto his full age of 21 years in the rule, order and governance of my true and assured friends, Sir Thomas Cornwallis and Sir Thomas Lovell, knights, my brother, Francis Southwell, Osbert Moundford, Francis Sturgis and Thomas Thwaites, esquires, as well for his education and bringing up in virtues and knowledge of the laws of this realm at such age and time as the same shall be meet for his understanding gathered and taken in the university where the same Thomas now is, to be removed from thence unto th' Inns of Chancery and Court, as also for the due and well-ordering and receiving of the issues, revenues and profits of all such lands, tenements, possessions, leases, annuities, fees and other commodities as do or shall any way belong unto the same Thomas Darcy alias Southwell to be yearly and from time to time received by the said Sir Thomas Cornwallis, Sir Thomas Lovell, Francis Southwell, Osbert Moundforde, Francis Sturgis and Thomas Thwaytes or by any of them by and with the consent of the rest of them or of the more part of them for and to th' only use, profit and best behoof of the same Thomas Darcy alias Southwell;

And in consideration that the said Sir Thomas Cornwallis, Sir Thomas Lovell and other my friends of trust last before remembered, or one of them at the least by assent of the rest, are and of necessity must yearly travail and take pain in and about the preservation of all his lands and possessions and other things given and granted unto the said Thomas, and that they must also make one yearly collection and gathering of the yearly revenues, issues and profits and every of them any way rising, growing or coming of or by reason of the said lands, possessions, leases, fees, annuities or other stock and commodities belonging or any way appertaining to the said Thomas by force of this my last will and testament or by any other way or mean whatsoever, and of the whole receipts are, as by my friends of trust, to keep one yearly reckoning and account, for the well-doing whereof and also for the yearly pain of him or them that shall take pain in and about the same, my will, meaning and intent is that they, my said friends of trust and every of them or any of them keeping the yearly reckoning and account to be yearly subscribed by their hands or

by th' hands of so many of them as shall be alive or the more part of them, shall also have full allowance by their own discretion of their several charges any way and every way sustained in and about the premises;

In consideration whereof my hearty desire is that my said friends shall by one assent take substantial order that the overplus of the yearly revenues and profits may be put in sure and safe keeping to be answered to the said Thomas Darcy alias Southwell at his age of 21 years if he be alive at that time, or to such other as to whom the said lands, tenements, possessions, leases, fees, annuities, stocks of cattle and other gifts, legacies and bequests are assigned and given in case the said Thomas shall die before the age of 21 years;

Provided nevertheless and these premises notwithstanding, my will and meaning is that my said friends shall also take and yearly allow unto themselves all such sums of money as they shall yearly bestow and employ in and about the yearly reparations, charges, payments and expenses to and for the good education of the said Thomas Darcy alias Southwell, as well during such time as the said Thomas shall remain in Cambridge in the study there to be had and taken as in the Inns of Court and Chancery and every of them, in both which my desire is to have him continued as his age shall require;

And forasmuch as his advancement and every part thereof without exception hath, doth and shall grow and come unto the said Thomas by my only mean, charge and travail, I do hereby straitly command and charge the said Thomas upon my blessing to be ordered and ruled for his education, learning and bringing up by my said friends of trust before remembered, to whose trusty and faithful friendly order and wise direction I do eftsoons recommend the said Thomas Darcy alias Southwell;

And also do give like strait charge to the same Thomas that he shall, without denial or gainsaying now or at any time hereafter, suffer the same Sir Thomas Cornwallis, Sir Thomas Lovell, Francis Southwell, Osbert Moundford, Francis Sturgis and Thomas Thwaytes or any of them by assent among themselves, of such yearly rents and other profits as they shall from time to time receive to the use of the same Thomas, to content and pay yearly from the time of my decease until the time that the said Henry Paston shall attain and come to his full age of 21 years for and toward his exhibition and finding at and in the Inns of Court or Chancery the sum of twenty pounds of lawful money of England at 2 usual terms of the year, viz., at the feast of Saint Michael the Archangel and th' Annunciation of Our Lady by equal portions to be paid, and thereof and every part thereof and of all and singular other sums of money by my said friends to be employed to th' uses, purposes and good intents before remembered or otherwise by the discretion of my said friends to be employed to th' uses and behoof of the same Thomas and for his benefit and also for the yearly payment of the said twenty pounds unto Henry Paston from the day of my death in form specially before remembered, my will, mind, intent and strait charge unto the said Thomas Darcy alias Southwell is that he shall make due, full and whole allowance of the same to my said friends;

Provided nevertheless if the said Henry [f. 151v] Paston shall not or will not be ordered by my special and trusty good Lord and friends aforesaid according as is before limited,

and employ himself to the studies of the laws of the realm according to mine intent and meaning as aforesaid, then my will, mind and intent is that the said Henry shall not take or have any benefit of the said sum of twenty pounds by year before limited or appointed unto him nor have any part thereof, but the same to remain and be to the use of the said Thomas Darcy alias Southwell;

In witness whereof I, the said Sir Richard Southwell, have sealed this my present testament and last will and have also subscribed the same the 11th day of January in the year of Our Lord God 1563. Richard Southwell.

These being witnesses that this is my last will and testament although myself have not strength to subscribe my name. Edmund Sandell, Michael Spilman, Robert Holdriche, Thomas Crier, Henry Santrell, William Nicolls and Walter Jerningham.

Memorandum: That sithence the finishing of my said last will and testament, that is to wit the said 11th day of January in the said year of Our Lord God 1563 and in the sixth year of the reign of our said Sovereign Lady Queen Elizabeth, for divers good considerations me moving, I, the said Sir Richard Southwell, knight, for the advancement of other my kinsmen, friends and servants hereunder named do will, give and bequeath unto every of them the several sum[s] of money hereafter mentioned to be paid by my said executors or the survivor or survivors of them to the persons under-named within one month next after my decease, that is to wit:

To my cousin and trusty friend, Michael Spilman, esquire, steward of my household, ten pounds;

To my nephew, Francis Southwell, second son to my late brother, Sir Robert Southwell, one hundred marks;

To my cousin and friend, Robert Holdrich, esquire, one hundred marks;

To my servant, Walter Jernengan [=Jerningham?], twenty pounds;

To my clerk, John Thomas, one hundred marks;

To my servant, Henry Cantrell, steward of my courts, forty pounds;

To my servant, Edmund Sandill, twenty pounds;

To my servant, John Besowthe, forty pounds;

To my servant, Richard Kett, forty pounds;

To my servant, Thomas Dame, thirteen pounds six shillings and eight pence;

To my servant, Davy Davie, ten pounds;

To my servant, Leonard Moore, five pounds;

To my servant, John Comby, twenty nobles;

To my servant, Hugh Williams, ten pounds;

To my servant, Robert Lightefote, twenty pounds;

To my servant, William Watts, five pounds;

To my servant, Richard Holdworth, five pounds;

To my servant, Thomas Ranawe(?), four pounds;

To my servant, William Michael, five marks;

To my servant, Albert Holland, forty marks;

To my servant, Nicholas Gent, five pounds;

To my servant, Henry Palmer, four pounds;

To my servant, Robert Springall, four pounds;

To Robert Caly, forty shillings;

And to Olive Castle, one of my maidservants, five marks;

Item, I, the said Sir Richard Southwell, do by these presents pardon, remit and clearly release unto my servant, Robert Molhouse, his debt of five marks which he oweth to me by specialty or otherwise;

Item, I, the said Sir Richard Southwell, do by these presents give, will and bequeath unto my daughters, Mary Paston and Dorothy Southwell alias Darcy, all such my chains and other jewels of gold and stones as remaineth in the keeping of Dame Elizabeth Lovell, wife to Sir Thomas Lovell, knight, to be equally divided between the same Mary and Dorothy and either of them;

Item, I will that all such sums of money as Richard Southwell jointly with me and my brother, Francis Southwell, standeth bounden for unto Alice Graye of Norwich, widow, for her interest in the lease of the manor, park and demesnes of Horsforthe shall be paid and fully answered to the said Alice, to her executors and assigns, by my said executors or the survivor and survivors of them to and for the good and clear discharge of the said Richard Southwell, his executors and assigns;

And in witness that this is part and parcel of this my last will and testament I have willed and required these persons whose names are hereafter mentioned to subscribe this part of my will and testament as witnesses to the same. Michael Spilman, Francis Sturgis, John Thomas.

Item, I, the said Sir Richard Southwell, do by these presents give, will and bequeath unto mine especial good and [-and] true friend, Anthony Browne, esquire, one of my said executors, my great gilt laver with a cover weighing 134 oz. di over and beside my said legacy given unto him in the former part of this my last will and testament;

Item, I will, give and bequeath unto mine aunt, Amy Wotton of Norwich, widow, ten pounds;

To my cousin, John Corbet, gentleman, five pounds;

To my servant, William Wypole, five marks;

To my servant, John Barraclough, forty shillings;

To my servant, William Page, four marks;

To William Mason, four marks;

To Thomas Miller, cook, five marks;

And to Alice Rise(?) one of my maidservants, five marks;

The said last [f. 152r] mentioned gifts, legacies and bequests and every of them to be paid and delivered to the said persons and every of them to whom the same are given, willed and bequeathed by my said executors or the survivors or survivor of them within one month next after my decease;

And in witness as aforesaid I, the said Sir Richard Southwell, have willed and required the said Michael, Francis and John Thomas likewise to subscribe their names to this part of my last will and testament. Richard Southwell. Michael Spillman, Francis Sturgis, John Thomas. Sealed, subscribed in the presence of me, Robert Holdriche.

Probatum fuit suprascriptu{m} test{amentu}m coram Mag{ist}ro Waltero Haddon Legum Doctore Curie Prerogatiue Cant{uariensis} Commissario apud London xxijo Iunij Anno domini Mill{es}imo quingentesimo sexage{si}mo quarto Iuramento Mag{ist}ri Will{el}mi Babham Notarij pu{bli}ci procuratoris magnifici viri Thome Ducis Norff ac Marescalli Anglie Necnon D{omi}ni Thome Cornewallis milit{is} et ffauncisci Gawdy Armigeri executorum &c quibus commissa fuit administracio o{mn}i{u}m bonoru{m}

iurium et creditoru{m} dicti def{uncti} De bene &c ac de pleno et fideli Inuentario &c Necnon De plano et vero Comp{ot}o &c Ad sancta dei Evangelia Iurat{is} in persona dicti procu{rato}ris Iurat{is} Egregijs viris D{omi}no Roberto Catlyn Milite Principale Iustic{iaro} Anglie Anthonio Browne Armigero vno Iustic{iarum} D{omi}ne Regine de Co{mmun}i Banco Necnon ffrancisco Southwell et Osberto Moundforde Armigeris exec{utores} etia{m} in h{uius}mo{d}i testamento no{m}i{n}ati oneri execucionis testamenti pred{i}c{t}i ex certis causis eos moven{tibus} in persona p{re}d{i}c{t}i Mag{ist}ri Will{el}mi Babham procu{rato}ris sui &c expresse renun{tiaverunt}

[=The above-written will was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the 22nd day of June in the year of the Lord the thousand five hundred sixty-fourth by the oath of Master William Babham, notary public, proctor of the most noble Thomas, Duke of Norfolk and Marshal of England, and also Sir Thomas Cornwallis, knight, and Francis Gawdy, esquire, executors etc., to whom administration was granted of all the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well etc., and a full and faithful inventory etc., and also a plain and true account etc., sworn in the person of the said proctor, the worshipful Sir Robert Catlyn, knight, Chief Justice of England, Anthony Browne, esquire, one of the Justices of the Queen's Bench, and also Francis Southwell and Osbert Moundforde, esquires, executors also named in the same testament, having, for certain causes them moving, expressly renounced the burden of the execution of the same testament in the person of the foresaid Master William Babham, their proctor etc.]