

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 13 March 1568 and proved 30 June 1568, of Thomas Southwell of Woodrising, whose younger brother, Francis Southwell (d.1585), was involved in allegations against Oxford in 1581.

FAMILY BACKGROUND

For the Southwell family, see the 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>

The testator was heir to his uncle, Sir Richard Southwell, for whose will see TNA PROB 11/47/231.

Testator's parents

The testator was the eldest son and heir of Sir Robert Southwell (c.1506-1559), lawyer and member of parliament, second son of Francis Southwell (d.1512) of Norfolk by Dorothy Tendring, daughter and coheir of William Tendring of Little Birch, Essex. See the *ODNB* entry; the will of the testator's father, Sir Robert Southwell, TNA PROB 11/43/577; and the History of Parliament entry for the testator's father at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-robert-1506-59>

See also Miller, Terry and Mary Miller, 'Master of the Rolls, Sir Robert Southwell, 1506-1559', *The Southwells of Woodrising, Norfolk*, (2011) at:

<http://apling.freesevers.com/Woodrising/Chapter4.htm>

The testator's mother was Margaret Neville (d.1575), daughter and heir of Sir Thomas Neville (b. in or before 1484, d.1542), lawyer and speaker of the House of Commons, the fifth son of George Neville (1436–1492), 2nd Baron Bergavenny, by his first wife, Margaret Fenne (d.1485), the daughter of Hugh Fenne. For the will of Sir Thomas Neville, see TNA PROB 11/29/193.

Testator's siblings

For the testator's three brothers and three sisters, see the will of the testator's father, TNA PROB 11/43/577.

As noted above, the testator's younger brother, Francis Southwell, mentioned in the will below, was involved in allegations against Oxford in 1581.

The testator's sister, Anne Southwell, also had a connection to Oxford's circle. She was the wife of Edmund Bedingfield (d.1585), and thus the sister-in-law of Thomas Bedingfield (d.1613), who dedicated his translation of *Cardanus' Comfort* to Oxford (see STC 4607 on this website). Anne is not mentioned in the will below, and it is possible that she had predeceased the testator.

MARRIAGES AND ISSUE

Testator's first marriage

The testator married firstly Mary Jerningham, the daughter of Sir Henry Jerningham (1509/10–1572), by whom he had no issue. She was a principal legatee in the 1546 will of her grandmother, Mary (nee Scrope) Jerningham Kingston (d.1548). See TNA PROB 11/32/320.

Testator's second marriage

The testator married secondly Mary Mansell, the daughter of Sir Rice Mansell (1487–1559), by whom he had his son and heir:

* **Sir Robert Southwell** (1563-1598), who married Elizabeth Howard, the daughter of Charles Howard (1536–1624), 1st Earl of Nottingham and Lord Admiral, and served as Rear Admiral under his father-in-law in the battle against the Spanish Armada in 1588. For the will of the testator's father-in-law, Sir Rice Mansell, see TNA PROB 11/42B/187. For Sir Robert Southwell (1563-1598), see his will, TNA PROB 11/92/228, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/southwell-sir-robert-1563-98>

Sir Robert Southwell (1563-1598) is mentioned in the will, TNA PROB 11/69/155, of his uncle, Francis Southwell (d.1585).

For the children of Sir Robert Southwell (1563-1598), see the pedigree in Dashwood, *supra*, pp. 127-8 at:

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

Testator's third marriage

The testator married thirdly Nazareth Newton (b. about 1541, d. 16 April 1583), a Gentlewoman of the Privy Chamber. She was the youngest daughter of Sir John Newton or Cradock (c.1505-1568) of East Harptree, Somerset, and Hanham, Gloucestershire, by Margaret Poyntz (c.1505-1559). Two of her sisters were Frances Newton (d.1592), one of the Queen's favourite gentlewomen, second wife of William Brooke (1527-1597), 10th Baron Cobham, and Eleanor Newton (d.1588), whose husband, John Elyott, was outlawed for debt in 1566. For the letters patent, dated 19 March 1571, by which Queen Elizabeth granted Nazareth the assets forfeited by her brother-in-law John Elyott's outlawry, see TNA C 66/1071, mm. 9-10. For the will of Nazareth's sister, Eleanor Elyott, see TNA PROB 11/73/55.

By Nazareth Newton the testator had a daughter:

* **Elizabeth Southwell** (1569-1602+), a Maid of Honour to Queen's Elizabeth. See the entry for Nazareth Newton at:

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

In 1591 Elizabeth Southwell (1563-1602+) had an illegitimate son, Walter (1591-c.1641), who was raised by Lettice Knollys Devereux Dudley, Countess of Leicester. Sir Thomas Vavasour (1560-1620) claimed paternity, but in May 1595 the Queen discovered that the boy's real father was Robert Devereux (1565-1601), 2nd Earl of Essex. By 1600 Elizabeth Southwell had married Sir Barentine Moleyns of Clapcot near Wallingford in Berkshire. See the will of Sir Thomas Vavasour, TNA PROB 11/136/511; Anthony Standen's letter dated May 1595, Lambeth Palace Library MS 651, f. 122; Hammer, Paul E., *The Polarisation of Elizabethan Politics*, (Cambridge: Cambridge University Press, 1999), p. 95; and the entry for Elizabeth Southwell at:

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

Elizabeth Southwell (1569-1602+) is mentioned in the will, TNA PROB 11/69/155, of her uncle, Francis Southwell (d.1585).

After the testator's death, his widow, Nazareth, married Thomas Paget (c.1544–1590), 4th Baron Paget. The marriage was an unhappy one. From McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham* (Salzburg: Institut für Anglistik und Amerikanistik, 1986), p. 380:

Thomas Paget, son of the protector of Cobham's youth, a cultivated nobleman in whose house William Byrd found employment and whose loss to England and "the Commonwealth of Learning" even that notable defender of the Elizabethan settlement William Camden deeply deplored, was informed against by his strident wife Nazareth Newton, whose perpetual demands had driven them to separate despite Burghley's efforts to reconcile them and Paget's reluctance to leave the woman he so self-destructively loved. Paget felt that he had a reason to remain in England so long as there was hope of regaining his wife, but when she died in 1583 he too fled abroad.

Lord Paget fled abroad in 1583 in the company of Charles Arundel (d. 1587), who, with Francis Southwell and Lord Henry Howard (1540-1614), was involved in allegations against Oxford in 1581 (see Paris Archives K.1561).

Administration of the testator's will was granted to his son and heir, Sir Robert Southwell (1563-1598), on 12 February 1587, four years after the death of Nazareth Newton (d.1583), whom the testator had appointed as sole executrix. The Southwells were clients of the Howards, as indicated by the testator's appointment of Thomas Howard (1538-1572), 4th Duke of Norfolk, as one of the supervisors of his will. Norfolk's appointment as supervisor was perhaps also related to the fact that the testator's maternal grandmother was Katherine, the daughter of Humphrey (d.1485), 1st Baron Dacre of Gilsland, and in 1567 Thomas Howard (1538-1572), 4th Duke of Norfolk, had married the widow of Humphrey's son, Thomas Dacre (1467-1525), 2nd Baron Dacre of Gilsland. The testator's brother, Francis Southwell, who was involved in allegations against Oxford in 1581, referred to himself in a note to Norfolk's brother, Lord Henry Howard (1540-1614), as 'your poor kinsman' (see TNA SP 12/151/57, ff. 118-19).

TESTATOR'S LANDS

For the testator's manor of Hoxne, mentioned in the will below, see Copinger, W.A., *The Manors of Suffolk*, Vol. 4, (Manchester: Taylor, Garnett, Evans & Co. Ltd, 1909), pp. 50-3, available online at:

<http://www.archive.org/stream/cu31924092579576#page/n59/mode/2up>

For the testator's manor of Great Horringer, see *Horringer Parish Registers*, (Woodbridge: George Booth, 1900), p. vii, available online at:

<http://archive.org/stream/horringerparishr00horr#page/n11/mode/2up>

For the testator's manor of Claydon, see Kirby, John, *A Topographical and Historical Description of the County of Suffolk*, (Woodbridge: J. Munro, 1839), p. 351, available online.

For the testator's manor of Berwick, see:

'Rainham: Introduction and manors', in *A History of the County of Essex: Volume 7*, ed. W R Powell (London, 1978), pp. 126-134. *British History Online* <http://www.british-history.ac.uk/vch/essex/vol7/pp126-134> [accessed 10 August 2018]

For the testator's manor of Woodrising, see Bayne, A.D., *Royal Illustrated History of Eastern England*, Vol. II, (Great Yarmouth: James Macdonald & Co., no date), p. 45:

<http://books.google.ca/books?id=G88HAAAAQAAJ&pg=PA45>

For the testator's manor of Holbrook, see Copinger, W.A., *The Manors of Suffolk*, Vol. 6, (Manchester: Taylor, Garnett, Evans & Co. Ltd, 1910), p. 65, at:

<http://archive.org/stream/manorsofsuffolkn06copiuoft#page/64/mode/2up>

For the testator's manors of Cranworth and Rysinge, see Mostyn, John Armstrong, *History and Antiquities of the County of Norfolk*, Vol. VIII, (Norwich: J. Crouse, 1781), p. 45, available online.

See also The Southwells of Woodrising, Norfolk at:

<http://apling.freesevers.com/Woodrising/Chapter1.htm>

LM: T {estamentum} Thome Sowthwell

In the name of God, Amen. I, Thomas Southwell of Woodrising in the county of Norfolk, esquire, being whole of mind and of good remembrance, thanks be to God, do ordain and make this my last will and testament in manner and form following, that is to say:

First, I bequeath my soul to Almighty God, and my body to be buried in the church of Woodrising;

Item, I give unto Nazareth, my wife, the manors of Hoxne, Horringer and Claydon with all and singular their appurtenances within the county of Suffolk, to have and to hold the same to her and her assigns for term of her life without impeachment of waste;

Item, I give unto the said Nazareth, my wife, two hundred marks yearly by and after the decease of my mother for term of her life, with such covenants and conditions as the same were assured unto my late wife, Mary Mansfield [=Mansell], and if it happen that my said wife be disturbed or any wise disquieted in any of the premises by any person or persons lawfully pretending or having any title to the premises, then I will that in recompense thereof the said Nazareth, my wife, shall have the manor of Woodrising with all and singular th' appurtenances thereunto belonging to her and her heirs forever, yielding and paying out of the same yearly and every year such annuities as are given by this my last will hereafter to be mentioned;

Item, I will that the said Nazareth, my wife, shall have the manor of Woodrising aforesaid during the minority of my son, Robert Southwell, with condition that she, the said Nazareth, shall keep the house & houses therein with all manner of reparations, and also shall yearly yield and pay all th' annuities hereafter given out of the same by this my last will and testament, viz.,

To my brother, Francis Southwell, twenty pounds yearly during his natural life;

Item, to my brother, Henry Southwell, ten pounds yearly during his life;

Item, to my servants Humphrey Neville, Thomas Phillpote and Christopher Thompson, every of them forty shillings yearly during their lives;

Item, I will that Elizabeth Southwell, my daughter, shall have one thousand pounds, to be paid to her at the day of her marriage out of my manor of Hoxne by him that shall have [f. 98r] and enjoy the same to him and his heirs;

Item, I will that if Nazareth, my wife, shall fortune to be with child at the day of my death, and if the same be a man-child, then I will that he, the same man-child, shall have the manor of Hoxne to him and his heirs, paying to my daughter, Elizabeth, as is aforesaid, and if she, the said Nazareth, my wife, shall have a maiden-child, that then I will that she, the said maiden-child or daughter, shall have one thousand pounds to her at the day of her marriage out of my manor of Berwick, to be paid by him that shall enjoy the same to him and his heirs;

Item, I will that the manor of Holbrook, Hardwick Wood and Marehall with all my lands to them belonging or any of them shall be sold by mine executors, and the money thereof coming to be paid unto my brother, Henry Southwell, and my sisters, Dorothy and Martha, in manner and form following, viz., to my said brother five hundred pounds, to my sister, Dorothy Southwell, two hundred pounds, and to my said sister, Martha Southwell, other two hundred pounds, and the overplus that shall grow by reason of the sale of the said manor I will that it shall be equally divided amongst them three;

Provided always that if the said manor of Holbrook be entailed to any use by reason whereof the sale shall or may not pass, then I will that so much of the manor of Berwick shall be sold in reversion as shall amount to the yearly value of the said manor of Holbrook, which money thereof growing I will shall be employed to th' use of my said brother, Henry, and sisters as is abovesaid;

Item, I will that all my lands that I have purchased within my manor of Rysinge shall pass in such order and to such uses as by this my last will I have given the manor of Woodrising aforesaid;

Item, I will that Thomas Philpote, my servant, shall have to him and his heirs forever all and singular such lands and houses as he, the said Thomas, doth hold of me as of my manors of Cranworth and Rysinge, yielding the rents accustomed for the same;

Item, I will that John Boydon, my servant, shall have and hold to him and his heirs forever his house and lands lying in Cranworth which he now holdeth of me as of my said manor of Cranworth, yielding the accustomed rents for the same;

Item, I will that Anthony Weste, my servant, shall have th' occupation of my house and land lying in Letton to him and his assigns for the space of twenty years and one year next ensuing the end and term of John Cumbie's lease wherein the said John Cumbie now dwelleth, and in as ample and large manner as he, the said John Cumbie, now hath and enjoyeth the same, yielding the rent accustomed;

Item, I will that Henry Palmer, my servant, being a bondman to my manor of Whingbernghe [=Whinburgh?], shall be made free and manumised forever by this my last will;

Item, I give and bequeath unto Robert Southwell, my son, one gilt bowl and a cup with the Nevilles' arms;

Item, I give unto William Chancie, gentleman, one of my young ambling geldings in the staple [sic?];

Item, I give unto Nicholas Stallenge, my servant, six pounds of lawful money of England;

Item, I give and bequeath unto my brother, Francis Southwell, all my wearing apparel & one of my chains;

Item, I give twenty pounds of lawful money to be equally divided amongst my servants in ordinary before not remembered;

Item, I will that the poor folks shall have every Sunday the milk of my dairy neat at Woodrising according to the true intent of the last will of my uncle, Sir Richard Southwell;

All the residue of my goods, chattels, debts and leases whatsoever heretofore not given nor bequeathed or hereafter by this my will to be given nor bequeathed, I do give and bequeath them wholly unto Nazareth, my wife, whom I do ordain, constitute and make my sole executrix of this my last will and testament;

Item, I do ordain and make the right high and mighty prince, Thomas, Duke of Norfolk, and John Thurstone, gentleman, the supervisors of this my said last will and testament, and I do give to either of them for their pains herein to be sustained as followeth, viz., I given unto the said Lord his Grace and Mr Thurstone two gilt bowls to be divided between them, and my Lord his Grace to have his choice, which bowls were given by the Lord Windsor and by my Lady Cheke;

In witness of this my last will and testament I have hereto set my hand and seal the 13th day of March Anno D^{omi}ni 1567. T. Southwell Sealed and delivered in the presence of us, William Chawcey, Thomas Phillipott, William Hubborde and Christopher Thompson.

Probatum fuit testamentum suprascriptum coram Mag{ist}ro Waltero Haddon Legum Doctore Curie prerogative Cantuarien{sis} commissario apud London Vltimo Die Iunij Anno D{omi}ni Mill{es}imo Quingentesimo sexagesimo Octavo Iurament{o} Mag{ist}ri Edwardi Brigg{es} notarij pu{bli}ci procurator{is} Nazareth{e} Rel{i}c{t}e et executric{is} in testament{o} h{uius}mo{d}i no{m}i{n}at{e} Cui comiss{a} fuit admi{n}istrac{i}o om{ni}u{m} et sing{u}lor{um} bonor{um} &c De bene &c Ad sancta Dei Evangelia Iurat{i}

[=The above-written testament was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the last day of June in the year of the Lord the thousand five hundred sixty-eighth by the oath of Master Edward Briggess, notary public, proctor of Nazareth, relict and executrix named in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc.]

Duodecimo ffebruarij 1587 emanavit comisio D{omi}no Rob{er}to Sowthwell mi{li}ti filio na{tura}li et L{egi}timo dicti def{uncti} Ad administrand{um} bona Iura et Credita h{uius}mo{d}i p{er} Nazaretham Sowthwell relict{am} et ex{ecutri}cem iam Def{unctam} non Administrata de bene etc In p{er}sona Petri Johnson p{rocuratoris} s{ui} Iur{ato}

[=On the twelfth of February 1587 a grant issued to Sir Robert Southwell, knight, natural and legitimate son of the said deceased, to administer the goods, rights and credits of the same by Nazareth Southwell, relict and executrix, now deceased, not administered, sworn to well etc. in the person of Peter Johnson, his proctor.]