

SUMMARY: The document below is the last will and testament, dated 4 January 1573 and proved 7 January 1573, of John Clerke, father of Bartholomew Clerke, translator of Castiglione's *The Courtier* (*Balthasaris Castilionis Comitis De Curiali siue Aulico*), to which Oxford contributed a commendatory Latin epistle dated 3 January 1572, for which see STC 4782.

For the testator's parents, see the will of his son, Bartholomew Clerke, TNA PROB 11/75/99.

In the will below the testator describes himself as a gentleman, and a proctor of the Court of Arches in London. He names his second wife, Elizabeth, two sons, Bartholomew Clerke, Doctor of Law, and Francis Clerke, and two daughters, Eleanor Clerke and Dorothy Clerke, as well as a son-in-law [=stepson?], Richard Sherwood.

For the testator's eldest son, Bartholomew Clerke, see his will, *supra*; the Wikipedia article edited by the author of this website; and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/clerke-bartholomew-1537-90>.

For the testator's second son, Francis Clerke, see the will of Bartholomew Clerke, *supra*.

The testator's second son, Francis Clerke, had a son, John Clerke of London and Hurtmore, Surrey, who married Mary Prannell, whose brother, Henry Prannell (d. 10 November 1599), was the first husband of Frances Howard (27 July 1578 – 8 October 1639), daughter of Thomas Howard (c.1520 - 28 January 1582), 1<sup>st</sup> Viscount Bindon. The testator's sons, Bartholomew Clerke and Francis Clerke, were appointed executors of the will of the 1<sup>st</sup> Viscount Bindon, TNA PROB 11/65/112. See also the will of Henry Prannell, TNA PROB 11/94/506; and the History of Parliament entry for the testator's grandson, John Clerke, at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/clarke-john>.

The testator may have been the John Clerke mentioned in connection with a letter to Cardinal Thomas Wolsey (1470/71 – 29 November 1530) in 1530. See Heales, Alfred, *The Records of Merton Priory in the County of Surrey*, (London: Henry Frowde, 1898), p. 333 at:

<https://archive.org/stream/recordsofmertonp00healuoft#page/332/mode/2up>.

The testator may have been the John Clerke who was appointed proctor by Stephen Gardiner (c.1495x8-1555), Bishop of Winchester, during his imprisonment in the Tower during the reign of Edward VI. See Cumming, John, ed., *Fox's Book of Martyrs*, 3 vols., (London: George Virtue, 1844), Vol. II, p. 882 at:

[https://books.google.ca/books?id=OpQLAAAAIAAJ&pg=PA882&lpg=PA882&dq=%22John+Clerke%22+%22Arches%22&source=bl&ots=C\\_Eb6efUrf&sig=jKXTQA\\_tUXZx8Hz5suMEe\\_02ggE&hl=en&sa=X&ved=0ahUKEwiQ\\_\\_aThvjLAhUJKWMKHeycB0gQ6AEILDAD#v=onepage&q=%22John%20Clerke%22%20%22Arches%22&f=false](https://books.google.ca/books?id=OpQLAAAAIAAJ&pg=PA882&lpg=PA882&dq=%22John+Clerke%22+%22Arches%22&source=bl&ots=C_Eb6efUrf&sig=jKXTQA_tUXZx8Hz5suMEe_02ggE&hl=en&sa=X&ved=0ahUKEwiQ__aThvjLAhUJKWMKHeycB0gQ6AEILDAD#v=onepage&q=%22John%20Clerke%22%20%22Arches%22&f=false).

LM: T{estamentum} Iohan{n}is Clarke notarij pub{li}ci

[f. 9v] In the name of God, Amen. The fourth day of January in the year of Our Lord God 1572, I, John Clerke of London, gentleman, one of the proctors of th' Arches, being of perfect mind and memory, make and declare this my [-my] last will and testament in manner and form following:

First I bequeath my soul to Almighty God, my Maker and Redeemer;

Item, I will that my wife, Elizabeth Clerke, shall have and enjoy to her own use all such goods as she had of her own and brought to me at the time of her marriage between her and me;

And further I give unto her such portion of my goods as I have promised her and bound [=bond?] taken to pay unto her;

And further I will and charge the said Elizabeth, as she will answer at the dreadful day of judgment before Almighty God, that neither she nor any other by her procurement or sufferance do embezzle or purloin any part or parcel of my goods, plate, jewels, household stuff or ready money from the knowledge of my overseers hereunder named, to th' end that a true and perfect inventory may be had of the same, and her portion well and truly paid;

Item, I give unto my son, Bartholomew Clerke, Doctor of Law, all my printed books, as well of the canon and civil law as other whatsoever;

Item, I bequeath all books of precedents and other written scrolls or papers to my son, Francis Clerke, and to my son-in-law [=stepson?], Richard Sherwood, to be equally divided between them;

Item, I give unto my said two sons, Francis and Bartholomew, all that my lease and term of years yet to come of the farm of Salinge in the town of Merton in the county of Surrey with the stock of cattle thereunto belonging which my cousin, Nicholas Clerke, occupieth and for the which he is answerable, yielding and paying therefore yearly towards the performance of this my will £6 13s 4d, and to deliver the stock wholly at th' end of the years to the use aforesaid;

And I give unto my said two sons my two rings, thone with a diamond, the other with a jacinth, which I do usually wear;

All the residue of my goods, chattels, plate, jewels and ready money not given nor bequeathed, my debts, legacies and funerals discharged, I wholly give and bequeath to my two daughters, Eleanor and Dorothy, to be equally divided between them;

And I ordain and make the said Elizabeth, my wife, my executrix of this my present last will and testament;

And overseers thereof I name, ordain and make the said Bartholomew and Francis, my sons, and do commit full authority to them to see the same fully executed and performed in all points as my trust is in them;

And my full mind and will is that my said executrix shall not praise, sell nor alienate any part or parcel of my said goods, nor pay any debts or legacies but by th' advice, consent and knowledge of my said overseers;

In witness whereof I have hereunto subscribed my name the day and year above-written. Witnesses hereunto: Christopher Smyth, [f. 10r] C.S., William Babham, Anthony Morton, Richard Wynder, Richard Sherewood, Robert Newes.

Probatum fuit h{uius}mo{d}i Testamentum coram D{omi}no Cant{uariensis} apud London Septimo Die mens{is} Ianuarij Anno D{omi}ni Mill{es}imo Quingentesimo Septuagesimo secundo Iura{men}to Rob{er}ti Newes procu{rato}ris Elizabethe Reli{c}t{e} et ex{ecutri}c{is} Cui Commissa fuit Administratio &c De bene &c Ad S{an}c{t}a Die [sic] Evangelia Iurat{e}

[=The same testament was proved before the Lord of Canterbury at London on the seventh day of the month of January in the year of the Lord the thousand five hundred seventy-second by the oath of Robert Newes, proctor of Elizabeth, relict and executrix, to whom administration was granted etc., sworn on the Holy Gospels to well etc.]