

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 28 June 1585 and proved 8 July 1585, of Cecily (nee Gage) Baynham Herbert, stepmother of Frances Baynham Jerningham, who in 1580 leased the Jerningham mansion in the Blackfriars to George Carey (1548–1603), 2nd Baron Hunsdon. See SRO D641/3/E/1/7/2.

FAMILY BACKGROUND

Testatrix' parents

The testatrix was the daughter of Sir John Gage (1479–1556) and Philippa Guildford, the daughter of Sir Richard Guildford (c.1450-1506). For the testatrix' family see the will of her grandfather, Sir Richard Guildford, TNA PROB 11/17/381; the *ODNB* entries for Sir Richard Guildford and Sir John Gage; the pedigree of Gage in Questier, Michael C., *Catholicism and Community in Early Modern England* (Cambridge: Cambridge University Press, 2006), p. 524; and Maclean, John, ed., 'The History of the Manors of Dene Magna and Abenhall' in *Transactions of the Bristol and Gloucestershire Archaeological Society for 1881-82*, Vol. VI, (Bristol, C.T. Jefferies), pp. 123-209 at pp. 149-151:

<http://archive.org/stream/transactionsbris06bris#page/150/mode/2up>

Testatrix' siblings

For the testatrix' siblings, see the will, TNA PROB 11/40/174, of her sister, Elizabeth (nee Gage) Jenyn Adams (d.1558).

The testatrix' sister, Alice Gage (d. March 1540), married Sir Anthony Browne (c.1500-1548), whose eldest son and heir, Anthony Browne, Viscount Montagu (1528–1592), was the maternal grandfather of Shakespeare's dedicatee, Henry Wriothesley (1573-1624), 3rd Earl of Southampton. See Questier, *supra*, pp. 521, 524.

The eldest son and heir of the testator's executor, Sir Anthony Browne (c.1500-1548) and his wife, Alice Gage (d. March 1540), was Anthony Browne, Viscount Montagu (1528–1592), the maternal grandfather of Shakespeare's dedicatee, Henry Wriothesley (1573-1624), 3rd Earl of Southampton.

MARRIAGES AND ISSUE

Testatrix' first marriage

The testatrix married firstly Sir George Baynham of Clearwell, Gloucestershire, son and heir of Sir Christopher Baynham (d. 22 June 1540) and his wife, Jane Morgan (d. 11 December 1544), the daughter of Sir Thomas Morgan of Pencoed and Jane Herbert.

By his first wife, Bridget Kingston, the daughter of Sir William Kingston (d. 14 September 1540), brother-in-law of Elizabeth de Vere (d.1537), Countess of Oxford, Sir George Baynham had an only child, Frances Baynham Jerningham (d.1583), the wife of Sir Henry Jerningham (d. 6 September 1572). For the will of Sir William Kingston, see TNA PROB 11/28/542. For the will of Frances Baynham Jerningham, see TNA PROB 11/66/340. For the will of Sir Henry Jerningham, see TNA PROB 11/55/240.

For the testatrix' first husband, Sir George Baynham, see also his will, TNA PROB 11/32/282.

By her first husband, Sir George Baynham, the testatrix had five sons and seven daughters:

* **Christopher Baynham** (d. 6 October 1557), aged 17 at his father's death. He had livery of his lands in 1549, and married Bridget Porter, the daughter of Arthur Porter, but died without issue. See the pedigree of Porter 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. 127 at:

<https://archive.org/stream/visitationofcoun00inchit#page/126/mode/2up>

* **Richard Baynham**, who succeeded his brother Christopher, was sheriff of Gloucester in 1570, and died without issue.

* **Thomas Baynham**, (d. 2 October 1611) who succeeded his brother Richard, and married Mary Winter, the daughter of the naval administrator, Sir William Winter (c.1525–1589), of Lydney, but died without male heirs. For the will of Sir William Winter, see TNA PROB 11/73/383. Cecilia Baynham, wife of Sir William Throckmorton (1579-1628), and Joan Baynham, wife of John Vaughan, were his daughters and co-heirs. See the will of Thomas Baynham, TNA PROB 11/119/664, and the *ODNB* article on Sir William Winter.

* **John Baynham**, who is mentioned in his father's will, but of whom nothing further is known.

* **George Baynham**.

***Joan Baynham**, who married Sir Anthony Strelley (1528-1591), son of Sir Nicholas Strelley (d. 25 August 1560). Sir Anthony Strelley was knighted on 3 October 1547 at Berwick by Leicester's father, John Dudley (1504-1553), Duke of Warwick (later Earl of Northumberland). See Shaw, William A., *The Knights of England*, (London: Sherratt and Hughes, 1906), Vol. II, p. 63. In his will (Borthwick Institute, RPGre261015) dated 16

January 1591, Sir Anthony Strelley mentions the testatrix, 'Lady Baynham'; his brother John Strelley, still living; his brother Henry Strelley, deceased; his sister, Dame Jane Willoughby; his sisters-in-law(?), Anne Strelley, and Mary Fenton; his nephew, Anthony Strelley (now his servant); his niece, Elizabeth Strelley (now his servant); his cousin, Anthony Spencer; his wife Joan; his son and heir apparent, Philip Strelley; his two younger sons, George Strelley and Francis Strelley; and his two daughters, Helen Strelley and Mary Strelley, both unmarried. He appoints as supervisors his friend, Sir George Hastings, his wife Joan, his brother-in-law, Thomas Baynham, esquire, and his friend John Bonne, gentleman. For Sir Philip Strelley (c.1557 - 27 September 1607), see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/strelley-philip-1557-1607>

According to a pedigree signed by her grandson in 1665, Margaret Strelley, who married Nicholas Brend (d. 12 October 1601), owner of the ground lease of the Globe playhouse, was the daughter of Sir Philip Strelley. See Berry, Herbert, *Shakespeare's Playhouses*, (New York: AMS Press Inc., 1987), pp. 85, 112. For a discussion of this identification, see the will of Nicholas Brend, TNA PROB 11/98/348.

For the Strelley family, see also Kerry, Charles, 'Notes to the Pedigree of the Strelleys of Hazlebach' in *Journal of the Derbyshire Archaeological and Natural History Society*, (London: Bemrose and Sons, January 1892), Vol. XIV, p. 95 at:

<http://books.google.ca/books?id=9Lw1AAAAMAAJ&pg=RA1-PA95>

* **Anne Baynham**, who married John Strelley, the brother of Sir Anthony Strelley. The testatrix makes the following bequest for Anne's benefit:

Item, I give unto my daughter, Anne Sturley [=Strelley], one hundred pounds to be delivered into the hands of Sir Anthony Sturley [=Strelley], knight, to keep and employ the same and to pay and answer unto the said Anne ten pounds yearly during her life, and if she happen to die, then I will that the said hundred pounds shall remain to the children of the said Anne to be equally divided amongst them.

The foregoing bequest is mentioned in the will of Sir Anthony Strelley, *supra*, who directs his executor to pay the £10 per year to Anne Strelley 'as appointed unto her by the said Lady Baynham's will'.

* **Dorothy Baynham**, who is referred to in the will below as Dorothy Williams, the wife of Roger Williams. See also 'Ancestors of Jacqueli Charlene Finley', available online. She is referred to in the 1611 will of her brother, Thomas Baynham, *supra*, as 'my sister, Mrs Dorothy Morgan'.

* **Alice Baynham**, who married a husband surnamed Brayne, who may have been related to John Brayne, brother-in-law of James Burbage.

* **Mary Baynham**, unmarried in 1585. She is mentioned in the will, TNA PROB 11/40/174, of her aunt, Elizabeth (nee Gage) Jenyn Adams (d. 14 March 1558). She may be the 'Mary Fenton' mentioned in the will of Sir Anthony Strelley, *supra*.

***Philippe Baynham**, unmarried in 1585. In the will of her brother, Thomas Baynham, *supra*, she is said to be the wife of William Connocke, gentleman, for whose will, proved 6 February 1623, see TNA PROB 11/141/106.

* **Jane Baynham**, who was unmarried at the time the testatrix made her will.

For the foregoing see the pedigree in Maclean, 'The History of the Manors of Dene Magna and Abenhall', *supra*, pp. 185-7 at:

<http://archive.org/stream/transactionsbris06bris#page/184/mode/2up>.

See also the pedigree in Maclean, *The Visitation of the County of Gloucester*, *supra*, pp. 14-15 at:

<https://archive.org/stream/visitationcount00maclgoog#page/n38/mode/2up>

It should be noted that in his own will the testatrix' first husband, Sir George Baynham, mentions his son and heir, Christopher, and his 'four younger sons', Richard, Thomas, John and George (although George is not mentioned by name), his daughters Joan, Dorothy, Mary, Anne, Philippe and Alice, as well as 'the child that my wife doth now go withal', who would appear to have been the daughter, Jane, mentioned by the testatrix.

Testatrix' second marriage

The testatrix married secondly, as his second wife, Sir Charles Herbert (d.1557?) of Troy, Monmouthshire, the eldest son of Sir William Herbert of Troy by Blanche Milborne, one of the eleven daughters and coheirs of Simon Milborne of Tillington. Sir Charles Herbert's mother, Blanche Milborne Herbert, was the 'principal lady of [the future Queen] Elizabeth's household in 1536', and the aunt of one of the Queen's favourite gentlewomen, Blanche Parry (d.1590). See the *ODNB* article on Blanche Parry; her will, TNA PROB 11/75/180; and the entries for Blanche Milborne and Blanche Parry by Ruth Elizabeth Richardson in the *Dictionary of Welsh Biography* at:

<http://yba.llgc.org.uk/en/s7-TROY-HER-1557.html>

For the will of the testatrix' second husband, Sir Charles Herbert, dated 23 April 1552 and proved 22 January 1558, see TNA PROB 11/43/1. See also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/herbert-charles-1503-57>

Sir Charles Herbert's brother, Thomas Herbert (d. 8 October 1588), married Anne Lucy, the daughter of Sir Thomas Lucy (d.1525) of Charlecote and Elizabeth Empson, the daughter of Sir Richard Empson (executed 17 August 1510). See the *ODNB* article on Sir Richard Empson, and Dugdale, William, *Antiquities of Warwickshire*, (London: Thomas Warren, 1656)p. 399 at:

<https://archive.org/stream/antiquitiesofwar00dugd#page/398/mode/2up>

See also the History of Parliament entry for Sir Thomas Herbert at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/herbert-thomas-1514-88>

See also Burke, John, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, (London: Henry Colburn, 1838), Vol. III, p. 98 at:

<https://books.google.ca/books?id=yshsAAAAMAAJ&pg=PA98&hl=en#v=onepage&q&f=false>

LM: T{estamentum} d{omi}ne Cicilie harbert al{ia}s Bayneham

[f. 293v] In the name of God, Amen. The 28th day of June one thousand five hundred eighty-five, I, Dame Cicely Herbert, otherwise Baynham, of the city of Bristol, widow, being in reasonable health and perfect remembrance, do make and ordain this my last will and testament in manner and form following:

First I do bequeath my soul to Almighty God, my body to Christian burial, and my moneys, debts to me owing, with all other such goods as I have to such as hereafter followeth and herein shall be nominated with their portions:

I do give and bequeath towards the charges of my funerals one hundred and fifty pounds;

Item, to my son, George Baynham, one hundred and fifty pounds for his relief & finding, and I will that the same shall be delivered into the hands of my son, Thomas Baynham, paying fifteen pounds by the year to the said George for the same during his life, and that it shall be lawful to and for the said George to give and dispose the same hundred and fifty pounds by his last will and testament to such person or persons as to him shall seem meet, and if my said son, Thomas, shall refuse to have the use of the said money, and to pay fifteen pounds yearly for the same to my son, George, as aforesaid, then I will that my executors hereafter named shall deliver the same £150 to such person or persons as shall be thought meet by them and my overseer to have the use thereof from time to time

during the life of my said son, George, putting in sufficient band with sureties for the true payment of the said sum of one hundred and fifty pounds, as also for the payment of the said fifteen pounds yearly for the use thereof, and that the said George shall dispose the same £150 to whom please him at the time of his death;

Item, I give to my daughter, Philippe Baynham, four hundred pounds;

Item, I give to my daughter, Jane, four hundred pounds;

Item, to my daughter, Mary, I give one hundred marks over and besides two hundred marks which was given unto her by her late father, Sir George Baynham, knight, deceased;

Item, I give unto my daughter, Anne Sturley [=Strelley], one hundred pounds to be delivered into the hands of Sir Anthony Sturley [=Strelley], knight, to keep and employ the same and to pay and answer unto the said Anne ten pounds yearly during her life, and if she happen to die, then [f. 294r] I will that the said hundred pounds shall remain to the children of the said Anne to be equally divided amongst them;

Item, I do forgive Sir Anthony Sturley [=Strelley], my son-in-law, one hundred pounds which he oweth me, as by his band appeareth;

And also I forgive unto my son, Thomas Baynham, one hundred pounds which he oweth me by his band;

And I give unto his daughter, Cicely, my god-daughter, one hundred pounds;

Item, I give unto my daughter, Alice Brayne, twenty pounds, and do also forgive her twenty pounds which she oweth me;

Item, I give to my daughter, Dorothy Williams, forty pounds which her husband, Roger Williams, doth owe me;

Item, I give unto John Webbe, my servant, and to my three maidservants forty shillings apiece;

All the residue of my goods, my debts and legacies paid and my funerals discharged, I give unto my daughters, Philippe Baynham and Jane Baynham, whom I do ordain and make my full and whole executrices of this my last will and testament;

And I will that Sir John Yonge, knight, shall be my overseer to see the same performed;

And I will that ten pounds of the money appointed for my funerals shall be given and bestowed upon the poor people according to the discretion of my executors and overseers;

Item, I give towards the reparations of the church where I shall happen to be buried twenty shillings;

In witness whereof I, the said Cicely Baynham, have hereunto set my hand and seal the day and year above-written. Signu{m} D{omi}ne Cicilie Bayneham.

Read, sealed and delivered in the presence of those witnesses whose names are subscribed. John Yonge. Signum Caroli Harbert gen{er}os{i}. Signum Iohannes Webbe, [illegible].

Probatum fuit suprascriptum testamentum apud London Coram venerabili viro mag{ist}ro Will{el}mo Drury Legum Doctore curie prerogatiue Cantuarien{sis} commissario etc Octavo die mensis Iulij Anno D{omi}ni mill{es}imo quingentesimo [sic] octogesimo quinto Iuramento Edwardi Barker notarij publici procuratoris Philippe et Iane Bayneham executricum etc Quib{us} commissa fuit admininstracio bonorum etc De bene etc Iurat{is}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary etc. of the Prerogative Court of Canterbury, on the eighth day of the month of July in the year of the Lord the thousand five hundred eighty-fifth by the oath of Edward Barker, notary public, proctor of Philippe and Jane Baynham, executrixes etc., to whom administration was granted of the goods etc., sworn to well etc.]