

SUMMARY: The document below is the will, dated 1 March 1586 and proved 16 April 1586, of Frances Kitson (buried 4 April 1586), whose brother, Sir Thomas Kitson (1540-1603), was closely associated with Oxford's friends, Lord Henry Howard and Charles Arundel, and whose sister was the mother of three daughters praised by the poet, Edmund Spenser.

FAMILY BACKGROUND

Testatrix' father

The testatrix was the daughter of Sir Thomas Kitson (1485 - 11 September 1540) of Hengrave, Suffolk, the son of Robert Kitson of Warton, Lancashire. See the *ODNB* entry for Sir Thomas Kitson, and his will, TNA PROB 11/29/2.

The testatrix' aunt, Margaret Kitson, was the wife of John Washington, the ancestor of President George Washington. See:

<https://www.sulgravemanor.org.uk/about-us/a-brief-history>

The testatrix' father married firstly a wife whose name is unknown, by whom he had a daughter, the testatrix' half sister:

-Elizabeth Kitson, who married Edmund Crofts (c.1520 – 4 February 1558) of West Stow, Suffolk, by whom she had two sons, Thomas Crofts (b. 12 June 1540, buried 14 April 1612) and Henry Crofts. After the death of Elizabeth Kitson, Edmund Crofts married secondly Eleanor Burgh, the daughter of Thomas Burgh, (c.1488 – 28 February 1550), 1st Baron Burgh, by whom he had a son, John Crofts (d. November 1558), and two daughters, Alice Crofts (buried January 1561) and Margaret Crofts, who married John Southwell of Barham, Suffolk. Thomas Crofts' son, Francis Crofts, the testatrix' godson, is mentioned in the will below. For the Crofts family see *West Stow Parish Registers, 1558 to 1850*, (Woodbridge, Suffolk: George Booth, 1903), pp. 148-50, 168, 179-80 at:

<https://archive.org/details/weststowparishre00hervuoft/page/148>

Testatrix' mother

The testatrix' mother was Margaret Donnington (1510 - 20 December 1561), the only child of John Donnington (d.1544) of Stoke Newington by Elizabeth Pye. For Margaret Donnington, later Countess of Bath, see her will, dated 10 December 1561 and proved 18 February 1562, TNA PROB 11/45/55; the *ODNB* entry for the Kitson family; and the entry for her at:

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

The testatrix had a brother and three sisters of the whole blood:

-Sir Thomas Kitson (1540-1603), born after the death of his father. He married firstly, in 1557, Jane Paget (d.1558), the daughter of William Paget (1505/6–1563), 1st Baron Paget. He married secondly, ‘at Kenninghall Palace in December 1560 under the auspices of the duchess of Norfolk’, Elizabeth Cornwallis (1546/7–1628), the eldest daughter of Sir Thomas Cornwallis (1518/19–1604) of Brome (whose eldest son and heir purchased Oxford’s lease of the mansion of Fisher’s Folly). See the will of Sir Thomas Cornwallis, TNA PROB 11/105/106.

Sir Thomas Kitson (1540-1603) was responsible for the secret marriage of the testatrix’ son, William Bouchier (1557 – 12 July 1623), 3rd Earl of Bath, to Mary Cornwallis. From the *ODNB*:

Kitson's efforts were not always crowned with success. In 1577 he had taken advantage of a visit from his young nephew William, fourth earl of Bath, then an undergraduate at Trinity College, Cambridge, to engineer his marriage to Mary Cornwallis, his wife's youngest sister. The marriage ceremony was performed late at night and the couple duly bedded. All seemed well until the young man returned to Cambridge and declared his delight in his new bride to his tutor. His mother was summoned to Cambridge, shut the bridegroom with her in her chamber, and, after what was evidently a scene worthy of her own mother, Margaret, dispatched him far from Hengrave. Although the marriage was judged to be valid, it appears eventually to have been set aside on grounds of disparagement, arising from Mary Cornwallis's Catholicism. Nevertheless, to her family and especially to Kitson, who acknowledged that the marriage had been of his contriving, she remained the rightful countess of Bath, receiving a handsome bequest of £300 under Sir Thomas Kitson's will and an annuity of £20 from her sister in 1626, which she was able to enjoy until her own death in 1627.

For Francis Davison’s account of the marriage, see Nicolas, Nicholas Harris, *The Poetical Rhapsody*, Vol. II, (London: William Pickering, 1826), p. 387 at:

<https://books.google.ca/books?id=YNUIAAAAQAAJ&pg=PA407>

It should be noted that sources conflict as to the year of the marriage. The *ODNB* entry states that it took place in 1577, Davison’s account in Nicolas, *supra*, p. 391, dates it to 15 December 1578, while in *Private Correspondence*, *supra*, p. xx, it is dated to 1579. At the time of the death of his grandfather, John Bouchier, 2nd Earl of Bath, on 10 February 1561, William Bouchier, 3rd Earl of Bath, was aged three years and eight months. See *Private Correspondence*, *supra*, p. xxi. He was thus born in June 1557, and would have been 20 years of age if the marriage took place in December 1577, 21 years of age if the marriage took place in 1578, and 22 years of age if the marriage took place in 1579.

As noted above, the marriage was set aside, and the 3rd Earl of Bath married secondly, on 7 August 1583, Elizabeth Russell (d. 24 March 1605), second daughter of Francis Russell (1526/7-1585), 2nd Earl of Bedford.

Sir Thomas Kitson was the subject of interrogatories put to Charles Arundel by the authorities in early January 1581 in connection with allegations made by Charles Arundel and Lord Henry Howard against Oxford at that time:

What papers and printings did you and the Lord Henry burn together? What did you at Sir Thomas Kitson's, and whether did you hear any Mass there, and whether did you burn any writings there?

To which Charles Arundel responded:

Other errand had we none at Sir Thomas Kitson's than to dine, and I some business with Sir Thomas Cornwallis.

See TNA SP 12/151/47, ff. 105-6 and TNA SP/151/48, ff. 107-8.

-Katherine Kitson (d. by 10 December 1561) who married Sir John Spencer (d.1586), by whom she had four sons and eight daughters. See Collins, Arthur, *The Peerage of England*, Vol. II, Part I, (London: R. Gosling and T. Wotton, 1735), p. 229 at:

<https://books.google.ca/books?id=ITw-AAAACAAJ&pg=PA229>

Three of the daughters of Sir John Spencer and Katherine Kitson were praised by the poet Edmund Spenser as 'Phyllis, Charillis, and sweet Amaryllis' in *Colin Clout's Come Home Again* (1595).

Thomas Spencer, second son of Katherine Kitson and Sir John Spencer, is mentioned in the will below.

-Dorothy Kitson (1531 - 2 May 1577) who married firstly Sir Thomas Pakington (d. 2 June 1571), the son of Robert Pakington (1489-1536), great-uncle of Humphrey Martyn, the addressee of the *Langham Letter* describing Leicester's entertainment of Queen Elizabeth at Kenilworth in the summer of 1575. See the will of Robert Pakington, TNA PROB 11/27/46.

Dorothy Kitson married secondly Sir Thomas Tasburgh (c.1554-1602), for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/tasburgh-thomas-1554-1602>

-Anne Kitson, who married Sir William Spring (d. 3 February 1600?) of Pakenham, Suffolk, son and heir of Sir John Spring (d. 12 August 1547) by Dorothy Waldegrave

(buried 10 April 1564?), and grandson of the wealthy clothier, Thomas Spring (d.1523) of Lavenham, Suffolk (for whose will see TNA PROB 11/21/179). For the will of Sir John Spring, see TNA PROB 11/32/430. For the will of Dorothy (nee Waldegrave) Spring, see TNA PROB 11/47/337. See also Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. I, pp. 641-2.

On 19 February 1583, Sir William Spring purchased Oxford's manor of Earls Hall (see TNA C 54/1171, Part 25).

By Sir William Spring, Anne Kitson had a daughter, Anne Spring (d. 7 May 1600), who married Thomas Hinson (c.1551-1614), the testatrix' niece and nephew mentioned in the will below. See Collins, Arthur, *The English Baronetage*, Vol. II, (London: Thomas Wotton, 1741), p. 242 at:

<https://books.google.ca/books?id=l2QUAAAAYAAJ&pg=PA242>

See also the History of Parliament entry for Thomas Hinson at:

<https://www.historyofparliamentonline.org/volume/1604-1629/member/hinson-thomas-1551-1614>

b. c.1551,1 2nd s. of Thomas Hinson (d.1570), yeoman, of Fordham, Cambs.2 educ. Christ's, Camb. 1567, BA 1571, MA (Corpus, Camb.) 1574; incorp. Oxf. 1577.3 m. by 1579,4 Anne (d. 7 May 1600), da. of Sir William Spring of Pakenham, Suff., 5s. (3 d.v.p.) 9da. (4 d.v.p). d. 18 Apr. 1614.5

For Sir William Spring, see also the Wikipedia article edited by the author of this website at:

https://en.wikipedia.org/wiki/William_Spring_of_Lavenham

After the death of the testatrix' father, the testatrix' mother, Margaret Donnington, married secondly, by settlement dated 10 November 1541, Sir Richard Long (d. 29 September 1546), of Shingay, Cambridgeshire, Gentleman of the Privy Chamber, for whose will see TNA PROB 11/31/302.

By Sir Richard Long, Margaret Donnington had a son and three daughters, the testatrix' half brother and sisters:

-Henry Long (d. 15 April 1573), godson of Henry VIII, and first husband of Dorothy Clerke (d.1618), the stepdaughter of Lord Burghley's long-time servant, Roger Alford (c.1530-1580). See the will of Roger Alford, TNA PROB 11/62/442, and the will of Henry Long, TNA PROB 11/55/169.

-Jane Long.

-Katherine Long, who married Edward Fisher of Ichington, Warwickshire.

-Mary Long.

After the death of Sir Richard Long, the testatrix' mother, Margaret Donnington, married thirdly, in December 1548, as his third wife, John Bouchier (c.1499 - 10 February 1561), 2nd Earl of Bath, by whom she had two daughters, the testatrix' half sisters:

-Susan Bouchier.

-Bridget Bouchier.

MARRIAGES AND ISSUE

The testatrix married firstly her stepbrother, John Bouchier (1529 – 28 February 1557), Lord Fitzwarin, son of John Bouchier (c.1499 - 10 February 1561), 2nd Earl of Bath, by his second wife, Eleanor Manners (buried 16 September 1547), by whom she had a son:

* **William Bouchier** (1557 – 12 July 1623), 3rd Earl of Bath. He succeeded his grandfather, the 2nd Earl of Bath, and married firstly, in a secret marriage at night, Mary Cornwallis, the youngest daughter of Sir Thomas Cornwallis (see above). William Bouchier, 3rd Earl of Bath, married secondly, on 7 August 1583, Elizabeth Russell (d. 24 March 1605), second daughter of Francis Russell (1526/7-1585), 2nd Earl of Bedford.

The testatrix' first husband, Lord Fitzwarin, died in the lifetime of his father, and after his death the testatrix married, about September 1557, William Barnaby of Great Saxham, Suffolk, 'land agent to the Earl of Bath, which marriage gave great offence to her friends'. See Cokayne, George Edward, *The Complete Peerage*, Vol. II, (London: St Catharine Press, 1912), pp. 16-18, and Vol. V, (London: St Catharine Press, 1926), p. 511.

For William Barnaby, see Taylor, Martyn, *A-Z of Bury St Edmunds*, (Stroud, Gloucestershire: Amberley Publishing, 2016), at:

<https://books.google.ca/books?id=dWjWDAAAQBAJ&pg=PT130>

For the will of Mary Cornwallis, see TNA PROB 11/151/729. For the will of John Bouchier, 2nd Earl of Bath, proved 22 April 1561, see TNA PROB 11/44/139. For the will of William Bouchier, 3rd Earl of Bath, proved 25 September 1623, see TNA PROB 11/142/325.

OTHER PERSONS MENTIONED IN THE WILL

For Sir George Bouchier (c.1535-1605), called 'Sir George Bowsar' in the will below, see:

'Cecil Papers: December 1594, 26-31', in *Calendar of the Cecil Papers in Hatfield House: Volume 5, 1594-1595*, ed. R A Roberts (London, 1894), pp. 48-77. *British History Online* <http://www.british-history.ac.uk/cal-cecil-papers/vol5/pp48-77> [accessed 21 May 2019].

See also the Wikipedia entry at:

[https://en.wikipedia.org/wiki/George_Bouchier_\(Elizabethan_soldier\)](https://en.wikipedia.org/wiki/George_Bouchier_(Elizabethan_soldier))

George Bouchier married Martha Howard (c. 1555–1598), daughter of William, 1st Lord Howard of Effingham by Margaret Gamage. Her brother was the Lord High Admiral Charles Lord Howard of Effingham.

'Lady Mary Wyatt' appears to have been the testatrix' sister-in-law, Mary Bouchier, wife of Hugh Wyatt. See:

https://en.wikipedia.org/wiki/Devon_heraldry

Hugh Wyatt of Shillingford, married Lady Mary Bouchier, a daughter of John Bouchier, 2nd Earl of Bath (1499-1561), of nearby Tawstock Court, a highly influential figure in Barnstaple.

For the testatrix' godson, Francis Crofts, see the will of his father, Thomas Crofts, in *West Stow Parish Registers, supra*, p. 150 at:

<https://archive.org/details/weststowparishre00hervuoft/page/150>

For Sir John Chichester (1529/30-1569), see the Wikipedia entry at:

[https://en.wikipedia.org/wiki/John_Chichester_\(died_1569\)](https://en.wikipedia.org/wiki/John_Chichester_(died_1569))

The testatrix' executor, Humphrey Wyndham, may have been the son of Sir John Wyndham and Joan Portman. See Burke, Bernard, *A Genealogical and Heraldic History of the Landed Gentry*, Vol. II, (London: Harrison, 1882), p. 1797 at:

<https://books.google.ca/books?id=yr48fD1QbMEC&pg=PA1797>

See also *Memorials of Adare Manor*, (Oxford: Messrs. Parker, 1865), p. 19 at:

<https://books.google.ca/books?id=IDUJAAAAQAAJ&pg=PA19>

LM: T{estamentum} ffrancisce D{omi}ne ffitzwaren

In the name of God, Amen. The first day of March in the year of Our Lord God one thousand five hundred four score and five and in the eight and twentieth year of the reign of our most gracious Sovereign Lady Queen Elizabeth etc., I, Frances, Lady Fitzwarin, widow, being perfect and whole as well of body as also of mind, disposition and memory, do in the Lord's most holy name and under his gracious permission order, constitute and make this my present last will and testament in manner and form following wherein:

First and principally I give and bequeath my soul to the hands of Almighty God, maker of heaven and earth and all worlds, and to his only Son, my Saviour and Redeemer, Jesus Christ;

And when God's pleasure is to call me out of this transitory life, then I will and desire that my body may be buried in the church or churchyard at the discretion of the Earl of Bath, my son, and my executors;

Item, I give unto the same Earl, my son, and to my daughter of Bath, Elizabeth, his wife, my best basin and ewer of silver, and my best upper border or biliment with pearl, and my great chain enamelled, and my best gelding and furniture that I use to ride in, and my great salt-cellar with crystal, and that twenty pounds which Sir John Chichester oweth unto me, beseeching God to bless them and their posterity with th' increase of godliness, honour and wisdom into many ages;

Item, I give unto my Lord Fitzwarin, their son, one standing cup all gilt with a cover to the same, and also my jewel with the unicorn's horn valued at twenty pounds;

Item, I give unto my Lady Frances, their daughter, one other standing cup all gilt, and my second chain enamelled;

Item, I give unto my sister Bowes ten pounds;

Item, I give to my Lady Mary Wyatt five pounds;

And to my Lady Elizabeth's [sic?], her sisters [sic?], to each of them five pounds apiece;

And to my brother [=brother-in-law], Sir George Bowsar [=Bourchier], five pounds;

Item, I give unto Francis Crofts, my godson, ten pounds;

Item, I give unto Margaret Neville, my gentlewoman, fifty pounds to be paid unto her within one year next after my decease;

And I will that the threescore pounds which my late husband, William Barnaby, gave unto Henry Barsey and his brother by his last will and testament be duly satisfied and paid accordingly;

Item, I give and bequeath to Thomas Hinson of Tawstock, gentleman, and to my niece, Anne, his wife, all my household stuff and stock of cattle remaining at Coveney in the Isle of Ely, most heartily praying my son to be good unto them, for next unto myself they have been his most faithful and best friends;

And I further pray my said son, and upon my blessing I require him as he will answer at the dreadful Day of Judgment when the secrets of all hearts shall be laid open, that he do quietly permit and suffer this my will in every point to be performed;

Item, I give and bequeath unto Margaret Hinson one hundred pounds to be paid and bestowed to her use and for her maintenance immediately after my decease;

Item, I give unto every other of the children of the said Thomas Hinson now living twenty pounds apiece to be paid unto them when they shall attain and come to the full age of eighteen years;

Item, I give unto Elizabeth Richards, my maid, ten pounds;

And to Joan Huice(?) fifty shillings;

And to Joan Chesewrite five marks;

And to John Piper five marks;

And to John Kitson five marks;

And to every of my menservants which shall be in household with [f. 156r] me at the time of my decease five pounds apiece;

And to Margery Forde, my maid, five marks;

And to every man and woman that were in service with my son the time of his great troubles and are yet in household with him twenty shillings apiece for a remembrance of me, and I wish I were able to do them more good;

Item, I give unto John Lake, my son's old servant, five pounds;

And to Marmaduke Woode, my son's cook, four pounds;

And to George Hobson, my son's man, three pounds six shillings eight pence;

Item, I give unto the preacher that shall be appointed to instruct the people at the time of my burial forty shillings and a gown-cloth;

And to the poor people at the same time ten pounds;

To the poor at Wantage five pounds;

To the poor at Coveney forty shillings;

And the rest of my goods and chattels unbequeathed that shall remain after my debts, legacies and funerals discharged, I give and bequeath unto the children of the said Thomas Hinson to be equally divided among them when they shall attain and come to the age aforesaid;

And of this my present last will and testament I ordain and make my executors my good friend and counsellor, Mr Humphrey Wyndham, esquire, and Thomas Hinson, my nephew, gentleman, unto whom I give for their pains in that behalf twenty pounds;

And I heartily pray my well beloved son, William, Earl of Bath, and Thomas Spencer, my nephew, esquire, and James Clerk, gentleman, to be aiders to my executors with the best advice they may in the performing of this my last will and testament as my special trust is in them;

And to every one of them for their pains therein I give one ring of gold or five pounds for a poor remembrance of me;

In witness whereof I, the said Frances, Lady Fitzwarin, have to this my present testament and last will put to my seal and set to my hand the day and year first above-written. Frances Fitzwarin. Humphrey Wyndham, the 25th of March 1586. Thomas Pollard, the 25th of March 1586. De: Brina [sic for Domine Regina?] the 26th March 1586, Thomas Hinson.

Probatum fuit testamentum suprascriptum apud London coram venerabili viro magistro Willmo Drury Legum Doctore Curie Prerogative Cantuariensis Magistro Custode siue Commissario Decimo sexto die mensis Aprilis Anno Domini Millesimo Quingentesimo Octagesimo Sexto Iuramento frauncisci Clerk notarij publici procuratoris Thome Hinson vnus executorum etc Cui commissa fuit administratio etc De bene et fideliter administrando etc Iurat Reservata potestate similem comissionem faciendi Humfrido Wyndham Armigero alteri executori in huiusmodi testamento nominato cum venerit etc admissur

[=The above-written will was proved at London before the worshipful Master William Drury, Doctor of the Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury on the sixteenth day of the month of April in the year of the Lord the thousand five hundred eighty-sixth by the oath of Francis Clerk, notary public, proctor of Thomas Hinson, one of the executors etc., to whom administration was granted etc., sworn to well and faithfully administer etc., with power reserved for a similar grant to be

made to Humphrey Wyndham, esquire, the other executor named in the same testament when he shall have come to be admitted etc.]