

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 26 March 1604 and proved 6 February 1605, of Sir Thomas Cornwallis (1518/19–1604), the eldest son of Sir John Cornwallis (c.1491 d. 23 April 1544), steward of the household of Prince Edward from 1538 to 1544, and his wife, Mary, the daughter of Edward Sulyard (d.1516) of London and Otes in High Laver, Essex by his second wife, Anne (d.1531), the daughter of John Norris, of Bray, Lancashire.

Sir John Cornwallis (c.1491 d. 23 April 1544) and his wife, Mary Sulyard, had four sons, Thomas (the testator in the will below), Henry, Richard and William, and three daughters, Anne, Mary and Elizabeth. For their marriages, see Richardson, Douglas, *Plantagenet Ancestry* (Baltimore: Genealogical Publishing, 2004), pp. 252-3, 711, and the will of Sir John Cornwallis, TNA PROB 11/30, ff. 82-4).

It should be noted that the pedigree on pp. 252-3 of *Plantagenet Ancestry* shows Sir John Cornwallis (c.1491 d. 23 April 1544), and thus the testator in the will below, as descendants of King John of England and his mistress, Clemence, and that Oxford shared this line of descent since both Oxford and the Cornwallises were descendants of Sir Richard Sergeaux (d.1393) and Philippe (d.1399) Arundel, named in that pedigree (see Richardson, pp. 252, 646-7).

The testator's wife Anne, who died at Brome on 28 May 1581, was the daughter of Sir John Jerningham (d.1558?) of Somerleyton in Suffolk and his wife, Bridget Drury, the daughter of Sir Robert Drury (d.1535), chief steward to John de Vere (1442-1513), 13th Earl of Oxford, by his first wife Anne Calthorpe. For the will of Sir Robert Drury, see TNA PROB 11/25, ff. 237-9.

The testator was the father of Sir William Cornwallis (c.1551-1611), who purchased Oxford's lease of the mansion of Fisher's Folly in the parish of St. Botolph's, Bishopsgate, and whose daughter, Anne Cornwallis (d.1635), has been identified as the 'Anne Cornwaleys' of the short anthology of sixteenth century poetry known as the Cornwallis-Lysons manuscript, now in the Folger Library (Folger MS V.a.89).

The testator makes the following bequest to his daughter-in-law, Lucy (nee Neville) Cornwallis (c.1549-1608):

Item, I give and bequeath to Dame Lucy Cornwallis, my daughter-in-law, one of the daughters and heirs of the Lord Latimer, wife to my son, Sir William Cornwallis, knight, a pot all gilt with a fast cover and fair pounced all over.

Lucy Neville's father was John Neville (d.1577), 4th Lord Latimer, the son of John Neville (1493-1543), 3rd Lord Latimer and his first wife, Dorothy de Vere (d.1527), sister and co-heir of John de Vere (1499-1526), 14th Earl of Oxford. Lucy Neville's mother was Lucy Somerset (d.1582), the daughter of Henry Somerset (1495/6–1549), 2nd Earl of Worcester, and his second wife, Elizabeth (c.1502–1565), daughter of Sir Anthony Browne (d.1506). For the will of Lucy Somerset (d.1582), see TNA PROB 11/65, ff. 129-30.

The testator makes his daughter, Elizabeth (1546/7–1628), a supervisor of his will. At the time of the making of the will, she was the widow of Sir Thomas Kitson (1540-1603). From the online edition of *The Dictionary of National Biography*:

Sir Thomas Kitson (1540–1603) was born on 9 October 1540. In 1557 he married Jane, daughter of William, first Baron Paget, but she died in the following year. Thomas was thus barely twenty at the time of his second marriage, which took place at Kenninghall Palace in December 1560 under the auspices of the duchess of Norfolk. His second wife, Elizabeth Kitson, Lady Kitson (1546/7–1628), was the eldest daughter of Sir Thomas Cornwallis of Brome, and came to her marriage handsomely dowered with a portion of £600 and a training in the duchess's household which fitted her to preside over large households in Suffolk and London, where players and musicians were welcomed and splendour was tempered with elegance. The Kitsons were notable patrons of music in the late sixteenth and early seventeenth centuries, forming an excellent collection of instruments and music books, and employing first Edward Johnson and later the celebrated madrigalist John Wilbye, who acted as their resident musician in both Suffolk and London from about 1598 until Elizabeth Kitson's death. At a more mundane level, Thomas Kitson was piloted through the intricacies of county politics by his father-in-law, Sir Thomas Cornwallis, learning to hold his tongue and keep his temper, even in the face of deliberate provocation.

Sir Thomas Kitson (1540-1603) was responsible for the unfortunate marriage of the testator's daughter, Mary, deplored by the testator in the will below:

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.

The testator's daughter, Elizabeth (1546/7–1628), and her husband, Sir Thomas Kitson (1540-1603), had two daughters, Margaret (1563-1583), who married Sir Charles Cavendish, the son of Bess of Hardwick (1527?–1608), Countess of Shrewsbury, and died in childbirth, and Mary (1565/6–1644), who in 1583 married Thomas Darcy (b. about 1565, d. 21 February 1639-40), 3rd Baron Darcy of Chiche, the son of Oxford's cousin, John Darcy (d. 3 March 1580/1), 2nd Baron Darcy of Chiche.

The testator's son-in-law, Sir Thomas Kitson (1540-1603), 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 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.

One of the more interesting legatees in the will is Ralph Sheldon, esquire, presumably Ralph Sheldon (d.1613) of Beoley, whose daughter, Katherine Sheldon, was married to Oxford's brother-in-law, Francis Trentham, and whose daughter, Elizabeth Sheldon, was the wife of Sir John Russell (1552-1593), stepbrother of the Thomas Russell (1570-1634) whom Shaksper of Stratford named as an overseer of his will. In addition to leaving Ralph Sheldon a ring of gold, the testator requests him to assist with the legal action to be commenced against his daughter Mary's husband, the Earl of Bath.

According to the online edition of *The Dictionary of National Biography*, the testator died on 24 December 1604 at the age of 85, and was buried at Brome on 28 December. For a discussion of Oxford's interest in Fisher's Folly, see TNA PROB 11/61, ff. 362-3. For correspondence between the testator and Lord Burghley concerning the purchase by Sir William Cornwallis (c.1551-1611) of Oxford's lease of Fisher's Folly, see CP 166/80 and CP 17/60. For the will of the testator's eldest son and heir, Sir William Cornwallis, see TNA PROB 11/118, ff. 93-5.

RM: Testamentum Domini Thome Cornwallis

In dei nomine amen. The six and twentieth day of March in the second year of the reign of our Sovereign Lord James by the grace of God King of England, France and Ireland, Defender of the Faith etc., and of Scotland the seven & thirtieth, Anno Domini one thousand six hundred and four, I, Sir Thomas Cornwallis of Brome in the county of Suffolk, knight, do make my last will and testament wherein I mind to dispose as well of the sepulture of my body as of all my ready money, plate, jewels, armour, movable goods, grain, cattles, chattels, implements of household and husbandry whatsoever in manner & form following:

First, I commit my soul to Almighty God and to his dearly beloved Son, Jesus Christ, my Redeemer and Saviour, by whose bitter death and passion I trust to have remission and forgiveness of all my sins, and to Our Blessed Lady St Mary the Virgin, and to all the holy company of heaven;

Item, I will that my body, if I depart within one hundred miles of Brome aforesaid, shall be carried thither and be buried in the aisle of the church there which my great-grandfather made and I enlarged, and to be buried by the body of Dame Anne, my late well-beloved wife (whose soul I beseech Jesus to assoil), under the tomb made for myself & my said wife;

And I will the body of my father, Sir John Cornwallis (whose soul I beseech Jesus also to assoil) shall be removed by the appointment of my executor at such time as he shall think meet from Berkhamsted in Buckinghamshire where he died (attending on Prince Edward as Steward of his Household), and laid in the same aisle in Brome church aforesaid under the tomb that I have made and set up for him and Dame Mary, my mother, the daughter of Edward Sulyard of Essex, esquire;

Item, I will that blacks, viz., black broadcloth for gowns and cloaks or coats, shall be bestowed upon my children and servants and to such of my friends' servants as shall be present at my funeral and to none other, and black frieze gowns to five poor men and five poor women of Wilton in Cleveland in Yorkshire, and to two poor men and two poor women of these several towns following, that is to say, of Brome, Oakley, Thrandeston, Eye, Palgrave & Stuston in the said county of Suffolk, Tivetshall, Thorpe and Scoale [=Scole?] in the county of Norfolk at the discretion and appointment of mine executor, to be worn upon the day of my funeral and obsequy by such of them as can conveniently be there in person, which day I will shall be kept within such short time after my decease as the same may be conveniently compassed, and to be done in such frugal and decent sort without pomp, for so is my very true meaning, but to the comfort of the poor as shall seem best to mine executor according to the proportion of my poor calling, mean wealth and living;

Item, I give and bequeath twenty pounds of lawful money of England to be distributed to the poor inhabitants of such towns as I am owner of by the appointment of mine executor upon the day of my funeral or in short time after;

Item, I bequeath towards the reparation of Brome church six pounds thirteen shillings and four pence of like money to be bestowed there as need shall require in such sort as shall seem best to mine executor and the churchwardens with the best inhabitants for the time being;

Item, I give and bequeath to Dame Lucy Cornwallis, my daughter-in-law, one of the daughters and heirs of the Lord Latimer, wife to my son, Sir William Cornwallis, knight, a pot all gilt with a fast cover and fair pounced all over;

Item, I give and bequeath to Dame Anne Cornwallis, now wife to my son, Sir Charles Cornwallis, knight, my jewel with a chain whereon hangeth a piece of an unicorn's horn garnished with gold and with seven diamonds, one ruby and two pearls which I usually wear, praying her to leave the same to Dorothy Cornwallis, her daughter, my grandchild;

Item, I give and bequeath to the said Sir Charles Cornwallis, my son, these several and particular legacies following, to be delivered unto him within one month next after my decease, that is to say, six corslets, all black, with the burgonets and furniture unto them, six French halberds, six bills and ten pikes, all which parcels of armour be or late were at my house in Norwich in the possession of the said Sir Charles, and also all my utensils, implements in household and household stuff whatsoever remaining also at my said house in Norwich;

Item, I give and bequeath to the said Sir Charles, my son, in silver plate these parcels following, viz., one nest of goblets with a cover pounced parcel gilt, per oz. fourscore seven ounces; two livery pots with covers, per oz. threescore twelve ounces; one dozen of silver spoons with knops gilt, per oz. nineteen ounces; one chafing-dish, per oz. forty-three ounces three quarters; four small cups, per oz. thirty ounces; a Magdalene cup with a cover, per oz. eleven ounces three quarters; six silver plates, per oz. forty-seven ounces; a deep basin and ewer in my chamber, per oz. (blank); a nest of bowls without a cover, per oz. forty-four ounces, the which said several parcels of plate my will is that the said Sir Charles, my son, shall leave the same after his decease to his son, my grandchild, Sir William Cornwallis, knight;

Item, I give and bequeath to Thomas Cornwallis, my grandchild, the younger son of the said Sir Charles, one hundred pounds of lawful money of England, to be paid to him by mine executor within one year next after my decease;

Item, I give and bequeath to Dorothy Cornwallis, the daughter of the said Sir Charles, one hundred pounds of lawful money of England due unto me by the said Sir Charles Cornwallis, my son, by one obligation bearing date the fifteenth day of February in the three and thirtieth year of the reign of the late Queen Elizabeth; also threescore one pounds and three shillings as so much owing unto me by her said father upon a reckoning over and above all allowances, as appeareth by two bills written by William Crowe;

Item, I give and bequeath more to the said Dorothy forty pounds of lawful money of England, which maketh the sum of my said gift two hundred & one pounds, the last said forty pounds to be paid to the said Sir Charles, my son, to the use of the said Dorothy by mine executor within two years next after my decease;

Item, I give and bequeath to the Lady Kitson, my well-beloved daughter, my ring with a table diamond therein that I do usually wear;

Item, I give and bequeath to Mary, my youngest daughter, unfortunately married to the Earl of Bathen [=Bath], over and above all the implements, bedding and all other furniture now belonging or used in the chamber where she lieth, and also over and besides all the

parcels of napery, linen and several pieces of plate, which napery, linen and plate is particularly expressed and set down in a bill indented whereunto I have subscribed my name and been left out of mine inventory because I have given the same unto her in my lifetime and delivered them absolutely her own, one bell salt of silver without a cover, per oz. ten ounces; item, two silver dishes whereof one of the middle sort and one of the lesser sort; item, two bedsteads for servants furnished with featherbeds, bolsters, pillows, blankets and coverlets to every of them; item, my Italian clock with one plumet given unto me by the late Duke of Norfolk; also an ambling gelding or ten pounds of lawful money of England to buy her one withal, and my coach with the harness and furniture unto it; also hangings of verders sufficient to hang her a convenient chamber or twenty pounds in money to buy her the same, the said bedding, ambling gelding, coach with the harness and furniture, & hangings of verders and other things before to her given, my will is the same shall be paid and delivered to the said Mary, my daughter, or her assigns by mine executor or his assigns within one month next after my decease, and to be chosen, set out and appointed by the said Lady Kitson, my daughter;

Item, I give and bequeath to the said Mary, my daughter, five hundred marks of lawful money of England if she (bona fide) by the consent and advice of the said Lady Kitson, my daughter, the said Sir Charles Cornwallis, my son, Ralph Sheldon, esquire, my loving cousins Michael Hare, esquire, and Edward Grimston, esquire, and John Cornwallis, my nephew, and of my very good friends, Doctor Steward and Doctor Creak, or the more part of them or the more part of the survivors of them under their hands in writing shall commence suit for restitution ad societatem coniugalem to the Earl of Bathen, her husband, or for recovery of dower in his lands, to be paid to the said Mary, my daughter, by mine executor in manner and form following, that is to say, at the feasts of St Michael the Archangel or the Annunciation of Our Blessed Lady which shall first and next follow after the commencement of the said suit one hundred marks, and so forth one hundred marks every year then next following until the said legacy of five hundred marks be well and truly satisfied and paid to the said Mary or her assign[s], the said suit proceeding and continuing in law;

Item, I give and bequeath to Mary Warren, my sister, the late wife of Roger Warren, esquire, fine black cloth for a mourning gown for her, and one ring of value six and twenty shillings eight pence;

Item, I give and bequeath to my nephew, John Cornwallis, esquire, the eldest son of my brother, Richard, fine black cloth to make him a gown or a cloak;

Item, I give and bequeath to my nephew, Edward Sulyard of Wetherden, esquire, cloth fine for a cloak;

And to his son, Sir John Sulyard, knight, black cloth to make him a mourning gown;

Item, to Thomas Sulyard, gentleman, my nephew and godson, fine black cloth to make him a cloak;

To Ralph Sheldon, esquire, a ring of gold to be made for him with an inscription or motto (Vt mihi sic meis);

Item, to John Bedingfield of Bedlingfield [=Bedingfield], esquire, a black cloak;

To my cousin, William Aucher, esquire, a piece of plate of the value of six pounds thirteen shillings four pence with mine arms upon it;

And also to William Cornwallis, who attendeth on my son, Sir William, ten pounds of lawful money of England, to be paid unto him by mine executor within seven months next after my decease;

Item, my will, meaning and intent is that all mine apparel not being velvet or silken shall be given and distributed amongst such of my servants as have served me five years or above at the discretion of my said son, Sir William, and the said Mary, my daughter, who know best their service and my liking of the same;

Item, I will that mine executor shall keep house at Brome and give my servants meat and drink that will tarry for the space of three months next after my decease, in which time such of my servants as my said executor shall not like to entertain may provide themselves of other services;

And further I will that such of my servants as have served me fully the space of five years in household next before my decease shall be paid their wages for one whole year following next after my decease;

Item, I give and bequeath to those of my servants hereafter named these legacies following, viz., to Robert Morse, surveyor of my lands, a piece of plate with mine arms; to William Crowe, receiver of my revenues, my new russet cloak with buttons, and my jerkin of velvet; to William Rixe, steward of my house (blank); to Thomas Covell (blank); to Robert Cornwallis, attending in my chamber, ten pounds of lawful money of England and such apparel as my said son and daughter shall bestow on him;

Item, I desire my said son, Sir William Cornwallis, to grant unto Edward Shawe, my cook, the reversion of the farm where his father dwelleth at some reasonable rent with good covenants for reparations, his said father and mother having very unconscionably much decayed the houses;

Item, I will and charge my said son, Sir William, and my will and earnest desire and meaning is that he suffer all my farmers to whom I have made any lease or demise by indenture to enjoy quietly their leases and farms according to the tenor and true meaning of their several leases, they behaving themselves to him and his in dutiful manner & in such good order as becometh dutiful farmers to do;

And whereas under my handwriting I have promised and given to the said Robert Cornwallis the reversion of the tenement in Oakley late Aldhowso[n's(?) now in the farm

of Robert Brady for term of his life, and to Nicholas Wyard the reversion of a tenement in Brome which I purchased of William Smythe now in th' occupation of Robert Baxter for term of his wife's life, my desire is and I charge the said Sir William, my son, that as they shall severally come to his hands he grant to the said Robert Cornwallis & Nicholas Wyard the said tenements according to the true meaning of the said several writings subscribed with my hand;

The residue of all my plate, jewels, chattels and cattles whatsoever not before bequeathed I give and bequeath to my said son, Sir William Cornwallis, to the intent that he shall carefully perform and fulfil this my last will and testament in all points according to my true meaning, of the which said last will and testament I do make the said Sir William Cornwallis, my son, my only and sole executor, earnestly charging him (as my trust is he will) to have a special care to the full performance thereof in form aforesaid according to my true meaning & intent herein;

And of this my last will and testament I make supervisors the said Lady Kitson, my daughter, and the said John Cornwallis, my nephew;

In witness whereof I, the said Sir Thomas Cornwallis, have hereunto set my seal to a label in the top thereof & signed every leaf with mine own hand in the presence and testimony of Robert Morse, John Sherwood, William Crowe and Thomas Morse. Thomas Cornwallis.

An addition made by me, the said Sir Thomas Cornwallis, the sixth day of November anno Regni Regis nostri Iacobi supradicti &c secundo, which I will shall stand and be of the same force that my former will is for such things and to such persons as hereafter follow, viz.:

I give and bequeath to Robert Cornwallis, who hath very diligently and painfully attended upon me all the time of my sickness, a yearly payment of five marks of lawful money of England, to be paid unto him by mine executor every year during the life of Robert Brady, my late servant, at the feasts of the Annunciation of Our Blessed Lady and St Michael th' Archangel by even portions, the first payment thereof to begin at either of the said feasts which shall first and next happen after my decease;

Item, I give and bequeath to my said daughter, Mary, unfortunately married to the Earl of Bathon, over and above the legacies before to her given, twenty pounds of lawful money of England, which I desire my said executor he would deliver unto her in good gold. Thomas Cornwallis. Witnesses: Elizabeth Ritson, William Crowe, Walter Warde.

Probatum fuit Testamentum Suprascriptum apud London coram venerabili viro Domino Iohanne Bennett milite legum Doctore Surrogato venerabilis viri Domini Iohannis Gibson

militis Legum etiam Doctoris Curie Prerogative Cantuariensis magistro Custodis sive Commissarij legitime constituti Sexto die Mensis february Anno domini iuxta cursum et computacionem Ecclesie Anglicane millesimo sexcentesimo quarto Iuramento Domini Willelmi Cornwalleys militis filij naturalis et legitimi Dicti Defuncti et Executoris in huiusmodi testamento nominati Cui commissa fuit administracio omnium et singulorum bonorum Iurium et creditorum eiusdem defuncti De bene et fideliter administrando eadem Ad sancta Dei Euangelia iurati examinatum

[=The above-written testament was proved at London before the worshipful Sir John Bennet, knight, Doctor of the Laws, Surrogate of the worshipful Sir John Gibson, knight, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the sixth day of the month of February in the year of the Lord according to the course and reckoning of the English Church the thousand six hundred fourth by the oath of Sir William Cornwallis, knight, natural and legitimate son of the said deceased and executor named in the same testament, to whom administration was granted of all and singular the goods, rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer the same. Examined.]