

SUMMARY: The document below is the will, dated 28 April 1627 and proved 25 May 1627, of Mary Cornwallis (buried 17 May 1627), Countess of Bath, whose brother, Sir William Cornwallis, purchased Oxford's interest in the mansion of Fisher's Folly, and whose brother-in-law, 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.

FAMILY BACKGROUND

For the Cornwallis pedigree, see *The Private Correspondence of Jane Lady Cornwallis, 1613-1644*, (London: S. & J. Bentley, 1842), p. xxxii at:

<https://archive.org/stream/privatecorrespon00baco#page/n41/mode/2up>

For a brief biography of the testatrix, see *Private Correspondence, supra*, p. xxi at:

<https://archive.org/stream/privatecorrespon00baco#page/n29/mode/2up>

Testatrix' grandparents

The testatrix was the granddaughter of Sir John Cornwallis (c.1491 - 23 April 1544), Steward of the Household of Prince Edward from 1538 to 1544, and Mary Sulyard, the daughter of Edward Sulyard (d.1516) of London and Otes in High Laver, Essex, by his second wife, Anne Norris (d.1531), the daughter of John Norris, of Bray, Lancashire. For the will of Sir John Cornwallis, see TNA PROB 11/30/155. For the will of Edward Sulyard (d.1516), see TNA PROB 11/18/348.

Testatrix' parents

The testatrix was the youngest daughter of Sir Thomas Cornwallis (1518/19 – 24 December 1604) of Brome and Anne Jerningham (buried at Brome 28 May 1581), the

daughter of Sir John Jerningham (d.1558?) of Somerleyton, Suffolk, and 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.

Testatrix' siblings

The testatrix had three brothers and two sisters:

-Sir William Cornwallis (c.1549 - 13 November 1611), who married firstly Lucy Neville (c.1549-1608), the daughter of John Neville (d.1577), 4th Baron Latimer, son of John Neville (1493-1543), 3rd Baron 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 Browne (c.1502–1565), daughter of Sir Anthony Browne (d.1506). Anthony Browne (1528–1592), 1st Viscount Montagu, grandfather of Henry Wriothesley, 3rd Earl of Southampton, was Lucy Somerset's first cousin. See references cited in the will of Lucy Somerset, TNA PROB 11/65/170.

For Sir William Cornwallis' children by his first marriage, see his will, TNA PROB 11/118/441.

The testatrix is mentioned in the will of Sir William Cornwallis' daughter, Frances Cornwallis (baptized at Brome 23 January 1575, living June 1625). See TNA PROB 11/149/54:

I here testify that I give to my aunt, commonly called and certainly ought to be so, the Countess of Bathon, who hath ever tenderly loved me, as a token of my gratitude, my sable muff.

Sir William Cornwallis' daughter, Anne Cornwallis (d.1635), Countess of Argyll, has been identified as the 'Anne Cornwaleys' of the anthology known as the Cornwallis-Lysons manuscript, now Folger MS V.a.89. See the *ODNB*:

[Anne Cornwallis] came to the notice of literary historians because the short anthology of sixteenth-century poetry known as the Cornwallis-Lysons manuscript, now in the Folger Library (Folger MS V.a.89), bears on its second page the signature, in a large, rather immature italic hand, 'Anne Cornwaleys her booke'. Samuel Lysons, the late eighteenth-century antiquary, was a subsequent owner. Beginning with seven verses by John Bentley, the anthology moves on to twenty-seven more poems, including some by Edward de Vere, seventeenth earl of Oxford, and one which is attributed to Shakespeare: 'When that thyne eyes hath chose the dame'.

On 30 November 1609 Anne Cornwallis married, as his second wife, Archibald Campbell (1575/6-1638), 7th Earl of Argyll, whom she converted to Catholicism in 1618. For her will, see TNA PROB 11/167/70.

Sir William Cornwallis married secondly, in 1609, Jane Meautys (1580/81–1659), the daughter of Hercules Meautys by Philippa Cooke, the daughter of Lady Burghley's brother, Richard Cooke (d.1579), and thus a first cousin of Oxford's wife, Anne Cecil. See the will of Hercules Meautys, TNA PROB 11/73/110, and the *ODNB* entry for Jane Meautys. By Jane Meautys, Sir William Cornwallis had a son, Frederick Cornwallis, mentioned in the will below.

After the death of Sir William Cornwallis, Jane Meautys married secondly Sir Nathaniel Bacon (1585–1627), for whom see the *ODNB* entry. By Sir Nathaniel Bacon, Jane Meautys had a son and two daughters:

(1) Nicholas Bacon (1617-1660?).

(2) Anne Bacon (1615-1680), who married firstly, about 1637, her mother's cousin, Thomas Meautys (d.1649), secretary to Sir Francis Bacon, and secondly, Sir Harbottle Grimston (1603-1685), for whom see the History of Parliament entry.

(3) Jane Bacon (b. February 1624, died c.1627 at three years of age). She appears to be the testatrix' god-daughter mentioned in the will below.

As noted above, Sir William Cornwallis purchased Oxford's interest in the mansion of Fisher's Folly in the parish of St. Botolph's, Bishopsgate. For a discussion of Oxford's interest in Fisher's Folly, see the will of Jasper Fisher, TNA PROB 11/61/541, and correspondence between the testatrix' father and Lord Burghley concerning the purchase, CP 166/80 and CP 17/60.

For Sir William Cornwallis see also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/cornwallis-sir-william-1549-1611>

-Sir Charles Cornwallis (c.1555 - 21 December 1629), for whom see the *ODNB* entry. Sir Charles Cornwallis married firstly Anne Fincham (buried 4 (or 29) July 1584), the daughter of Thomas Fincham (d. 30 July 1551) of Fincham, Norfolk, and widow of Richard Nicholls (d.1573/4) of Islington, Norfolk, by whom he was the father of the essayist William Cornwallis the younger (c.1579-1614), for whom see the *ODNB* entry. For Anne Fincham, see Blyth, William, *Historical Notices and Records of the Village and Parish of Fincham, in the County of Norfolk*, (King's Lynn: Thew & Son, 1863), pp. 119-20 at:

<https://archive.org/details/historicalnotic00fincgoog/page/n162>

Sir Charles Cornwallis married secondly, in 1585, Anne Barrow (buried 30 March 1617), widow of Sir Ralph Shelton (d. by 1581). She was the sister of the religious separatist, Henry Barrow (c.1550–1593), for whom see the *ODNB* entry, and the daughter of

Thomas Barrow (d.1590) of Shipdham, Norfolk, and Newton Hall near Sudbury, Suffolk. For Thomas Barrow, see Copinger, W.A., *The Manors of Suffolk: The Hundreds of Babergh and Blackbourn*, (London: T. Fisher Unwin, 1905), p. 174 at:

<https://archive.org/stream/manorsofsuffolkn01copiuoft#page/174/mode/2up>

For Thomas Barrow, see also Dashwood, G.H., ed., *The Visitation of Norfolk in the Year 1563*, (Norwich: Miller and Leavins, 1878), p. 114 at:

<https://books.google.ca/books?id=Bv1QAQAAIAAJ&pg=PA114>

For Sir Ralph Shelton, see Shelton Family History' at:

<https://sheltonfamilyhistory.wordpress.com/>

Sir Charles Cornwallis married thirdly, on 29 April 1620, Dorothy Vaughan, the daughter of Richard Vaughan (c.1553–1607), Bishop of London, and widow of John Jegon, Bishop of Norwich.

For Sir Charles Cornwallis, see also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/cornwallis-sir-charles-1555-1629>

-John Cornwallis, baptized at the church of St Nicholas, Oakley, Suffolk, 8 September 1547.

-Elizabeth Cornwallis (d. 6 June 1628), who married Sir Thomas Kitson (d. 28 January 1603) of Hengrave, Suffolk, for whom see his will, TNA PROB 11/101/153, the will of his mother, Margaret Donnington Kitson Long Bouchier (1510 - 20 December 1561), Countess of Bath, TNA PROB 11/45/55, and the *ODNB* entry and will, TNA PROB 11/29/2, for his father, Sir Thomas Kitson.

In the will below the testatrix leaves bequests to her sister, Elizabeth Cornwallis ('the Lady Kitson'), and to Elizabeth Cornwallis Kitson's two daughters, Mary Kitson ('the Countess of Rivers'), and Penelope Kitson ('Lady Penelope Gage'). In 1583 Mary Kitson (1565/6–1644) married Thomas Darcy (c.1565 - 21 February 1640), 3rd Baron Darcy of Chiche, Viscount Colchester and Earl Rivers, the son of Oxford's cousin, John Darcy (d. 3 March 1581), 2nd Baron Darcy of Chiche. Mary Kitson and Thomas Darcy had a son and two daughters:

(1) Thomas Darcy, who died in the lifetime of his father.

(2) Elizabeth Darcy (1581 – 9 March 1651), who married, on 14 May 1602, Thomas Savage (d. 20 November 1635), 1st Viscount Savage, who on 8 October 1613 obtained a grant for life of the reversion of the barony of Chiche after the death of the 3rd Baron with

remainder to his male heirs by Elizabeth Darcy. In the event, Thomas Savage predeceased the 3rd Baron, and the barony of Chiche created in 1551 thus became extinct with the death of the 3rd Baron in 1640, although the title was inherited in remainder by the son of Thomas Savage and Elizabeth Darcy, John Savage (c.1603 – 10 October 1654), Viscount Savage, Viscount Colchester, and Earl Rivers. See Cokayne, George Edward, *The Complete Peerage*, Vol. IV (London: The St Catherine Press, 1916), p. 79, and Vol. XI, (London: The St Catherine Press, 1949), pp. 26-7. See also the will of John Darcy, TNA PROB 11/63/135.

(3) Penelope Darcy, who married Sir John Gage, the son of Thomas Gage (d. August 1591) and Elizabeth Guildford, the daughter of Sir Thomas Guildford. See the Gage pedigree in Questier, Michael C., *Catholicism and Community in Early Modern England*, (Cambridge University Press, 2006), p. 524.

-Alice Cornwallis (d. 2 October 1636) baptized 23 August 1552 at St Nicholas, Oakley, who married Richard Southwell of Woodrising, Norfolk, brother of the Jesuit, Robert Southwell (1561–1595), for whom see the *ODNB* entry. By Richard Southwell, Alice Cornwallis had three sons, Sir Thomas Southwell (d. 12 June 1626), Robert Southwell and Anthony Southwell (d.1623). See the will of Sir Richard Southwell (1502/3-1564), TNA PROB 11/47/231, and Lodge, John, *The Peerage of Ireland*, Vol. VI, (Dublin: James Moore, 1789), pp. 6-7 at:

<https://archive.org/stream/peerageofireland06lodg#page/6>

MARRIAGE

The testatrix' brother-in-law, Sir Thomas Kitson, was responsible for the testatrix' secret marriage to William Bouchier (1557 – 12 July 1623), 3rd Earl of Bath, the son of Sir Thomas Kitson's sister, Frances Kitson (buried 4 April 1586) by her stepbrother, John Bouchier (1529 – 28 February 1557), Lord Fitzwarin, son of John Bouchier (c.1499 - 10 February 1561), 2nd Earl of Bath. 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 testatrix' 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 testatrix' marriage to William Bouchier, 3rd Earl of Bath, 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.

For the will of Frances Kitson, dated 1 March 1586 and proved 16 April 1586, see TNA PROB 11/69/188. 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.

For the testatrix' marriage, see also the entry at:

http://www.tudorwomen.com/?page_id=667

Mary Cornwallis (d.1627) was the daughter of Sir Thomas Cornwallis of Brome Hall, Suffolk (c.1519-December 24, 1604) and Anne Jerningham (June 28, 1516-before May 28, 1581). On December 15, 1578, she secretly married William Bouchier, earl of Bath (1557-July 12, 1623) though the connivance of her brother-in-law, Sir Thomas Kytson, who was the young earl's uncle. The marriage was later repudiated because, according to some sources, the earl's mother (Frances Kytson, by then remarried to William Barnaby) would not consent to the match. A trial over the matter was instituted in May 1590 [sic?] and the marriage was annulled on April 28, 1581. In 1582, the earl married Elizabeth Russell (d. March 24, 1605), daughter of the earl of Bedford. Mary, however, did not accept this turn of events. For the rest of her life, she continued to style herself countess of Bath and to stir up controversy over the matter. In 1600, poet Francis Davison, who had a connection to the Russell family, published "Answer to Mrs. Mary Cornwallis," an account of the affair that charged that Mary had "lived an incontinent and lewd life" and had borne a child to her lover, one Francis Southwell, before she seduced William Bouchier into agreeing to marry her. How much truth there is in this is

difficult to say. On the other side of the argument, Sir Thomas Kyston left his sister-in-law £300 in his will in June 1601 and included in it a statement of his belief that she was the rightful countess of Bath. Portrait: by George Gower c.1580-85.

For Davison's insinuation that the testatrix had a child by Francis Southwell, see p. 397 at:

<https://books.google.ca/books?id=YNUIAAAAQAAJ&pg=PA397>

It seems possible that the testatrix' alleged lover, Francis Southwell, was the Francis Southwell who was involved with Lord Henry Howard and Charles Arundel in libellous allegations against Oxford in late 1580 and early 1581 (see above). In TNA SP 12/151/57, ff. 118-19, Francis Southwell appears to allude to the testatrix and the Kitson family, and perhaps to the testatrix' marriage:

There is great wrong done me about the said lady. I never spake such a word. I deal not about her, nor anything else, so private a life I lead, and good my Lord, let them know so much. I would go a thousand miles on my bare feet it were to be done, for I love the house well, though my fortune hath caused them to hate me.

OTHER PERSONS MENTIONED IN THE WILL

The testatrix' relationship to the 'Lady Anne Oucherlany' is not clarified in the will. She may have been the wife of James Ouchterlony, knighted at Winchester between 20 September and 4 October 1603. For his will, proved 16 September 1636, see TNA PROB 11/172/101. In a document dated 27 May 1625 he is described as a servant of the late King James (see TNA SP 17/A/2). In a lawsuit c.1632 he is described as a gentleman of the privy chamber to Charles I (see TNA E 134/8Chas1/Mich17).

The testatrix leaves a bequest to 'the Lady Sulyard, late the wife of Sir John Sulyard, knight, deceased'. Lady Sulyard was Philippa Sheldon (b.1571, living 1627), ninth daughter of Ralph Sheldon of Beoley. She was the sister of Katherine Sheldon (d.1633?), who married Oxford's brother-in-law, Francis Trentham (d. 12 October 1626), and the half sister of Elizabeth Sheldon, who married Sir John Russell (1552-1593), the half brother of Thomas Russell (1570-1634), overseer of the will of William Shakespeare of Stratford.

Philippa Sheldon married Sir John Sulyard (born c.1575, buried 12 September 1626), son of the Catholic recusant, Edward Sulyard (buried 21 May 1605), and grandson of Sir John Sulyard (d.1575), a descendant of Sir John Sulyard (d. 18 March 1488) of Weston, Norfolk, Lord Chief Justice of England, by his second wife, Anne Andrews (d. 25 July 1520). See the Sulyard pedigree in Marshall, George W., ed., *The Genealogist*, Vol. IV, (London: George Bell and Sons, 1880), pp. 230-1 at:

<https://books.google.ca/books?id=kzULXfzM16IC&pg=PA231>

For Sir John Sulyard (born c.1575, buried 11 September 1626), see his will, dated 11 September 1626, TNA PROB 11/151/181. For his grandfather, Sir John Sulyard (d.1575), see his will, TNA PROB 11/57/552, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/sulyard-john-1518-75>

See also the pedigree of Sulyard of Haughley Park in Foley, Henry, *Records of the English Province of the Society of Jesus*, Vol. IV, (London: Burns and Oates, 1878), p. 606 at:

<https://books.google.ca/books?id=DDbdNjrNWaAC&pg=PA606>

See also Dimock, Arthur, 'Haughley Park and the Sulyards', pp. 91-3, available as a pdf file online.

RM: T{estamentum} D{omi}ne Marie Comitisse Bathon

In the name of God, Amen. The eight & twentieth day of April in the year of the reign of our Sovereign Lord Charles by the grace of God of England, Scotland, France and Ireland King, Defender of the Faith &c, the third Annoq{ue} d{omi}ni 1627, I, Lady Mary, Countess of Bathon, youngest daughter of Sir Thomas Cornwallis, knight, deceased, being sickly disposed and infirmed in body, yet of whole mind and perfect memory, thanks be given to Almighty God, do ordain and make this my last will and testament in manner and form following:

First I render and give again my soul into the merciful hands of Almighty God, hoping and firmly believing by the only merits and bitter passion of my sweet Saviour, Jesus Christ, to have full remission of all my sins and to be placed in the holy company of the blessed saints in heaven;

And my body I willingly give over again, when it shall please God to call me out of this vale of misery, to the earth whereof it was first made, to be buried by the discretion and direction of my executor in Christian and decent manner without any pomp of funeral or any other extraordinary solemnity in the chancel at Brome at and by the south side of the tomb of Sir John Cornwallis, knight, my grandfather;

Item, I give & bequeath in alms and deeds of charity twenty pounds of lawful English money to be divided equally into five parts and distributed speedily after my decease amongst the chief and most distressed poorer sort of people in every of the several towns of Thrandeston, Brome, Oakley & Shorston [=Stuston?] in the county of Suffolk and within the hundred of Hartismere and Thorpe Cornwallis alias Thorpe Abbots in the county of Norfolk, videlicet, in every of the said towns four pounds, and my meaning is

that the same distribution be made by the discretion of the churchwardens and overseers for the poor of every of the said several parishes respectively for the time being, and further my meaning is that my said gift shall not extend in any wise unto or be any cause of abridgement or hindrance of any relief or collection which by the statutes and laws of this realm in that behalf is to be bestowed or distributed amongst any of the same poorer sort in any of the same several parishes;

Item, in token of mine especial love and goodwill which I bear to such of my brothers and sisters and their children and grandchildren as are hereafter named and mentioned in particular, I give and bequeath these legacies following:

First, to Sir Charles Cornwallis, knight, my brother, my silver basin and ewer, a pair of livery silver pots [f. 435v], my pot of stone ribbed with silver, my yellow printed say bed with all the furniture thereunto belonging, all my chairs, stools, carpets and curtains used with and about the same, all my printed yellow hangings of say in the chamber where that yellow bed standeth, and two hundred pounds of lawful English money;

And to Rachel Cornwallis, daughter to my said brother, Charles, one hundred pounds of lawful English money which I will shall be employed for her to the best profit during her minority;

To the Lady Kitson, my well beloved sister, my gold ring with a table diamond set therein;

To the Countess of Rivers, my well beloved niece, my best wrought cushion-cloth with gold lace and the pillow-beres to the same;

To [-the same] Lady Penelope Gage, my niece, my least perfuming pan of silver;

And to Dorothy Gage, her daughter and my god-daughter, two silver candlesticks which stand upon balls and are wired up;

To my sister-in-law, the Lady Jane, late the wife of Sir William Cornwallis, knight, my eldest brother, deceased, and now the wife of Sir Nathaniel Bacon, knight, my greatest Dansk chest with thirteen drawers and three cupboards with locks and keys, the chair coach which she gave unto me, and twenty pounds in old gold;

To Frederick Cornwallis, esquire, my nephew, son of my said brother, William, my great silver bowl with a cover and twenty pounds of lawful English money in gold which I desire he will accept in good part, I having been at a very great charge in building and repairing of the house where I now dwell, the reversion whereof after my decease belongeth to the said Frederick;

To Jane Bacon, daughter of the said Sir Nathaniel Bacon and my god-daughter, my silver pottinger with two ears;

To Elizabeth, my niece, now the wife of Edmund Downer of Bodney, gentleman, my little flagon chain of gold, my crimson velvet petticoat laid with gold and silver lace, one of my biliment boxes lined with yellow baize out of which I do also give her two of my wrought smocks, a roller of four yards long, seven double cloths, seven towels, a piece of new Holland containing four or five yards, three quarters of cambric out of my drape chest, and my coach with all the harness thereunto belonging;

To my niece, Margaret Graye, a little silver bowl and five silver spoons which I bought of the widow Tolver;

Item, I give and bequeath unto my kinsfolks next hereafter named these legacies following, videlicet:

To the widow of my cousin, Thomas Cornwallis of Ipswich in the county of Suffolk, esquire, lately deceased, my silver standish with boxes and counters and two silver dishes;

To the Lady Sulyard, late the wife of Sir John Sulyard, knight, deceased, my crucifix of gold and one hundred pounds of lawful English money;

To my cousin, Mrs Susanne Cornwallis, servant to my cousin Cobbe(?), my gilt casting bottle which her grandfather gave me;

And to my cousin, Robert Morse of Sturston [=Stuston?] in the county of Suffolk, gentleman, my silver and gilt spice-box with my silver spoon in it, and all my brewing vessels of wood or timber, and one hundred pounds of lawful English money;

Item, I give and bequeath to the Lady Anne Oucherlany the one half of all the usual wearing linen to my body, my petticoat wrought in coloured crewels and my green taffeta petticoat, a good featherbed with a bolster and pillow, one pair of sheets, a pillow-bere, a coverlet of verdures, & twenty pounds of lawful English money, and also the bed in which my maids usually lie, and two blankets;

Item, I give and bequeath unto my servants these legacies following, videlicet, to Robert Cornwallis, gentleman, my kinsman and servant, my silver tankard, my little silver salt, a featherbed with all the furniture thereunto belonging, videlicet, one bolster, one pair of pillows, a pair of blankets, a yellow rug, a coverlet, a bedstead, a mat and a canopy of green say, my green coverlet somewhat old, my murrey Irish mantle, my murrey cloth chair and a high stool and two low stools suitable to it, two pair of good sheets and two pillow-beres of Holland, two square board-cloths, one towel, two dozen of table napkins, six pewter dishes, one little brass pot and a skillet, my pewter basin, my great pewter pot, a mourning cloak to be made for him, and one hundred and threescore pounds of lawful English money;

To Marie Gould, my chambermaid servant, my rowel spoons of silver, my best bed and bolster whereon my maidservants do usually lie, a pair of coarse new blankets, the yellow

Irish rug which usually lieth upon the pallet in my chamber, two pair of sheets, a [f. 436r] pair of pillow-beres, two dozen of good napkins of housewife's cloth, my kitchen kettle, my newest posset there, six pewter dishes at her choices, all my petticoats of baize and my best and newest petticoat of stuff, the other half of all the usual wearing-linen to my body, two little square tablecloths, a mourning gown to be made for her, and one hundred pounds of lawful English money;

To Thomas Collvyll, gentleman, my servant, ten pounds of lawful English money and a mourning cloak to be made for him;

And I also I [sic] give to every other of my maidservants which shall be dwelling with me at the time of my decease one apron, one smock and one fore-head cloth;

And to every servant which shall have dwelt with me two years at the time of my decease and not before named in this my will twenty shillings of lawful English money;

Item, I give and bequeath unto my cousin, William Forster, gentleman, half a dozen of silver spoons with colts' feet;

To Mr Thomas Short the elder of Bury Saint Edmunds twenty pounds of lawful English money;

And to Richard Lindall, servant to my said sister Kitson, five pounds of lawful English money;

Item, whereas I have by this my will devised certain legacies to some persons under-age, I will that the acquittance or acquittances or other writing or writings under the hands and seals of the parents or parent of such person and persons so being under-age respectively shall be and accounted a good and lawful discharge to my executor of this my last will and testament for every such of the said legacies as shall be paid and delivered unto such person or persons so being under-age or to their parents or parent to their use or uses respectively and shall be mentioned and comprised in any such writing or acquittances as aforesaid;

Nevertheless my meaning is that the said parent or parents or any of them shall not employ or dispose any of the said legacies to their or any of their own use or uses or in their or any of their own name or names, but in the name and names and to the use and uses of such person and persons to whom the same are devised by this my last will and testament;

Item, whereas some part of my estate consisteth in assurances of lands and tenements made to feoffees in trust to my use or for my benefit and some in leases of lands and tenements made to certain lessees or assignees in trust also to my use or for my benefit, the true intent and meaning of some of which said trusts and in what sort the same are to be performed I have by some writings under my hand and seal declared and expressed, I will that the same assurances and the benefits and profits which shall arise or come for or

by reason of the same shall be employed and disposed of according to the true intent and meaning of such writing or writings under my hand and seal expressing or declaring such trust respectively;

And I further will and my full intent and meaning is that all such assurances of lands and tenements whatsoever either by way of feoffment or lease or otherwise as are made to any person or persons in trust or confidence to or for my use or benefit and whereof I have made no special declaration of any trust by any writing under my hand and seal and the benefit and profit of them shall go and be employed towards the execution of this my last will and testament;

And I hereby require all and every person and persons which do or doth stand so trusted as aforesaid that they shall and will permit and suffer the executor of this my last will and testament to have and take the benefit and profit of the same towards the execution of this my last will and testament, and that they shall from time to time dispose of and convey the same lands and tenements in such sort and manner as shall be thought fittest by my said executor towards the better execution of this my last will and testament;

Item, I give and bequeath to some persons before-named besides their legacies above-written these legacies following, videlicet:

To the Lady Anne Oucherlany one pair of household sheets and a mourning gown to be made for her;

To my servant, Robert Cornwallis, my young bay mare;

And to my servant, Thomas Colvyll, my grey mare;

All the residue of my goods, cattles, chattels, debts, implements of household, household stuff, jewels, plate and ready money whatsoever unbequeathed I wholly give and bequeath the same unto the right honourable Viscount Savage of Melford in the county of Suffolk whom I make, nominate and ordain the sole executor of this my last will and testament, desiring him to see the same well and truly performed according to mine special trust and confidence in him reposed;

In witness whereof I have set my hand and seal to a label put through the top of this my last will and testament being written in three sheets of paper, those whose names are hereunder written being witnesses. Marie Bathon. Testibus John Wulward(?), Robert Gibson, Peter Woodward his mark.

Probatum fuit testamentum suprascriptum apud London coram vene{rabi}li viro Domino Henrico Marten milite legum d{o}c{t}ore Curie Prerogatiue Cantuariensis Mag{ist}ro Custode siue Com{m}issario l{egi}time constituto Vicesimo quinto die mensis Maij Anno D{omi}ni Mill{es}imo sexcentesimo vicesimo septimo Iuramento honorandi viri

Thome vicicomitis Savage executoris in h{uius}mo{d}i testamento nominato Cui Com{m}issa fuit administrac{i}o om{n}iu{m} et singulorum bonorum Iurium et creditorum dict{e} defunct{e} de bene et fideliter administrando eadem Ad sancta dei Evangelia Iurat{o}

[=The above-written testament was proved at London before the worshipful Sir Henry Marten, knight, Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the twenty-fifth day of the month of May in the year of the Lord the thousand six hundred twenty-seventh by the oath of the right honourable Thomas, Viscount Savage, executor named in the same testament, to whom administration was granted of all and singular the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer the same.]