

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 12 August 1550 and proved 17 December 1554, of Geoffrey Gates (d.1550?), whose son, Geoffrey Gates (living 1623), dedicated *The Defense of Military Profession* to Oxford on 23 December 1578. See STC 11683 and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/gates-geoffrey-1550>

### ***FAMILY BACKGROUND***

For the testator's family background see the discussion of the family background of his brother, Sir John Gates, in Sil, Narasingha P., *Tudor Placemen and Statesmen: Select Case Histories*, (London: Associated University Presses, 2001), p. 69 at:

<https://books.google.ca/books?id=GMLZx68bXzMC&pg=PA69>

*John Gates hailed from a gentry family of Essex. His recorded ancestry goes back to Thomas Gates, Esq., who lived in the reign of Edward III. Thomas's son William had five children: Geoffrey, Ralph, Christopher, Agnes, and Jane. Geoffrey was a noted soldier who became a knight, served as governor of the Isle of Wight for six years, and later became marshal of Calais. He married Agnes, daughter and heir of Thomas Baldington of Adderbury, Oxfordshire. Sir Geoffrey died on 22 January 1477. Geoffrey's son William purchased the manor of Garnetts in High Easter, which remained the dwelling of the Gates family down to 1582. William married Mabel or Mirabil, daughter and heir of Thomas of Copdow, and had two children: Geoffrey and Anne. Anne was married to Thomas Lord Darcy, uncle of Lord Darcy of Chiche, Edward VI's vice-chamberlain. Geoffrey (1484-1526) joined the king's service and became a knight. Sir Geoffrey sired four sons and a daughter by his wife Elizabeth, daughter of William Clopton: John, Geoffrey, Henry, William, and Dorothy (married to Thomas Josselyn). The eldest of the children, John, was born in 1504.*

See also the Gates pedigree 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. 65 at:

<http://books.google.ca/books?id=zSgEAAAIAAJ&pg=PA65>

### ***Testator's great-grandparents***

According to the Gates pedigree, the testator was the great-grandson of Sir Geoffrey Gates (d. 22 January 1477), Marshal of Calais and Captain of the Isle of Wight, by Agnes

Baldington (c.1427-1487), the daughter and heir of Sir Thomas Baldington (d. 22 August 1435) of Adderbury, Oxfordshire.

Sir Thomas Baldington was the first husband of Agnes (nee Danvers) Baldington Fray Wenlock Say (d.1478), and by her had three daughters, Agnes Baldington (c.1427-1487), Alice Baldington (b.1434?) and Isabel Baldington (b.1435?). Agnes Baldington is said to have married five times, her known husbands being firstly William Browne, secondly the testator's great-grandfather, Sir Geoffrey Gates (d. 22 January 1477), and thirdly William Bramlac. See an inquisition post mortem dating from 1481/2, TNA C 140/80/36 ('Browne, Agnes, who was the wife of William, and married to Geoffrey Gate Oxon, Essex'). Alice Baldington (b.1434?) married Henry Tracy (d. 30 June 1501) and is said to have married secondly John Wakehurst. See the will of Elizabeth (nee Tracy) Langley Baynham (d. 19 October 1526), the daughter of Henry Tracy and Alice Baldington, TNA PROB 11/22/255.

For the will of the testator's great-great-grandmother, Agnes Danvers Baldington Fray Wenlock Say, in which she leaves a bequest to the testator's great-grandmother, 'Lady Agnes Gate, widow', see 'Testament of a city-dwelling knight's widow' at:

<http://users.trytel.com/~tristan/towns/florilegium/lifecycle/lcdth18.html>

See also Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. IV, pp. 129-31.

See also the pedigree in Macnamara, F.N., *Memorials of the Danvers Family*, (London: Hardy & Page, 1895), p. 103 at:

<https://archive.org/stream/memorialsoldanve00macn#page/n145/mode/2up>

See also Macnamara, *supra*, pp. 143-4, 150-4 at:

<https://archive.org/stream/memorialsoldanve00macn#page/142/mode/2up>

For the inquisition post mortem taken after the death of the testator's great-grandfather, Sir Geoffrey Gates (d. 22 January 1477), see TNA C 140/56/50.

### ***Testator's grandparents***

According to the Gates pedigree, *supra*, the testator was the grandson of William Gates (d. 28 September 1485), esquire, by Mabel (or Merable) Capdow, daughter and heir of Thomas Capdow of High Easter, Essex, by Anne Fleming, daughter and heir of Thomas Fleming of Runwell, Essex, and granddaughter of John Capdow and his wife, Joan.

See TNA C 1/38/103) ('Joan, late wife of John Coptoo of High Easter, grandam of Merable, daughter of Thomas, son of the said John Coptoo').

See also TNA C 1/59/82 ('William Gates, son and heir of Geoffrey Gate, knight, and Agnes, his wife').

For the inquisition post mortem taken 21 March 1486 after the death of William Gates, see TNA C 142/1/26, and:

Maskelyne and H. C. Maxwell Lyte, 'Inquisitions Post Mortem, Henry VII, Entries 1-50', in *Calendar of Inquisitions Post Mortem: Series 2, Volume 1, Henry VII* (London, 1898), pp. 1-22. *British History Online* <http://www.british-history.ac.uk/inquis-post-mortem/series2-vol1/pp1-22> [accessed 4 December 2017].

### ***Testator's parents***

The testator was the son of Sir Geoffrey Gates (1484 - 7 May 1526) by Elizabeth Clopton. The wardship of the testator's father had been acquired in 1486 by Sir William Waldegrave (c.1465 - 30 June 1527) and John Clopton (1423-1497). See Ross, James, *John de Vere, Thirteenth Earl of Oxford (1442-1513), 'The Foremost Man of the Kingdom'*, (Woodbridge, Suffolk: The Boydell Press, 2011), p. 232; CPR 1485-94, p. 88; and TNA E 404/80/591.

For Sir William Waldegrave, see his will, TNA PROB 11/22/294; the will of his wife, Margery Wentworth Waldegrave (buried 7 May 1540), TNA PROB 11/28/96; and the Waldegrave pedigree in Metcalfe, Walter C., ed., *The Visitations of Essex, Part I*, (London: Harleian Society, 1878), Vol. XIII, pp. 308-9 at:

<https://archive.org/stream/visitationsofess13byumetc#page/308/mode/2up>

John Clopton, a 'stout Lancastrian' and a friend and associate of John de Vere, 12<sup>th</sup> Earl of Oxford was condemned to death for treason along with the 12<sup>th</sup> Earl and his son and heir, Aubrey de Vere. Although the 12<sup>th</sup> Earl and his son were beheaded on Tower Hill, Clopton escaped execution.

In his will, Clopton directed that his ward, the testator's father, Geoffrey Gates, should marry his granddaughter, Elizabeth Clopton, the daughter of Clopton's eldest son and heir, Sir William Clopton (1450 - 20 February 1531).

See also Macnamara, *supra*, p. 154:

*MS. No. 318 of Lambeth Palace contains in the handwriting of William Cecil, Lord Burghley, the pedigrees of many county families. Amongst others is that of the descendants of the marriage of Geoffrey Gates, great-grandson of Thomas Baldington and Agnes Danvers, with Elizabeth, daughter of William Clopton. . . .*

For John Clopton, see his will, TNA PROB 11/11/266, and Ross, *supra*, pp. 42, 134, 184-5, 188-9, 191, 199, 201, 230-2, 237.

For Sir William Clopton (1450 – 20 February 1531), see his will, ERO D/DRg 1/95, and the modern spelling transcript on this website. See also the transcript Howard, Joseph Jackson, *The Visitation of Suffolke*, Vol. I, (Lowestoft: Samuel Tymms, 1866), pp. 47-51 at:

<https://archive.org/stream/visitationofsuff01harv#page/46/mode/2up>

As ‘Geoffrey Gates, esquire’, the testator’s father was bequeathed an annuity of 53s 4d in the 1509 will of John de Vere (1442-1513), 13<sup>th</sup> Earl of Oxford, and is named as one of the trustees of manors set aside for the performance of the will. See the will of John de Vere, 13<sup>th</sup> Earl of Oxford, TNA PROB 11/17/379, and Ross, James, *John de Vere, Thirteenth Earl of Oxford (1442-1513), ‘The Foremost Man of the Kingdom’*, (Woodbridge, Suffolk: The Boydell Press, 2011), pp. 134, 232, 237, 238.

The testator’s father was among those knighted by Henry VIII at Tournai on 25 September 1513. See Shaw, William A., *The Knights of England*, Vol. II, (London: Sherratt and Hughes, 1906), p. 39 at:

<https://archive.org/stream/knightsofengland02shawuoft#page/n47/mode/2up>

For the testator’s father, see also TNA C 1/316/89 (‘Geoffrey Gates, knight, son and heir of William, son and heir of Geoffrey Gates, knight, and Agnes, his wife’, and the inquisition post mortem taken after his death, TNA C 142/45/11.

See also a deed made between the testator’s father and John Vere, esquire, later John de Vere, 15<sup>th</sup> Earl of Oxford, TNA E 326/7700.

### ***TESTATOR’S SIBLINGS***

The testator had two brothers and a sister:

-**Sir John Gates** (1504–1553). He was appointed an executor of the 1552 will of Oxford’s father, the 16<sup>th</sup> Earl, but was replaced as executor by a codicil dated January 28, 1554, having been executed on 22 August 1553 along with John Dudley (1504-1553), Duke of Northumberland, as a result of Northumberland’s failed attempt to put his daughter-in-law, Lady Jane Grey, on the throne after the death of Edward VI (see BL Stowe Charter 633-4). For Sir John Gates, see the *ODNB* entry, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/gates-john-1504-53>

For the will, dated 28 January 1582, of Sir John Gates’ wife, Mary (nee Denny) Gates, see TNA PROB 11/65/327.

For the marriage of Sir John Gates' daughter, Agnes, to John Crochrode, see the pedigree of Crochrode in Metcalfe, *supra*, p. 184 at:

<https://archive.org/stream/visitationsofess13byumetc#page/184/mode/2up>

-**Sir Henry Gates** (c.1523 – 7 April 1589), for whom see his will, dated 20 December 1588, TNA PROB 11/73/531, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/gates-henry-1523-89>

-**Dorothy Gates** (b.1512, buried 2 July 1582), who married Sir Thomas Josselyn (b. 1507, d. 24 October 1562). For his will, see TNA PROB 11/47/309. For the testator's sister, Dorothy (nee Gates) Josselyn, see her will, dated 10 June 1579 and proved 14 February 1583, TNA PROB 11/65/111; and the Josselyn pedigree in Metcalfe, *supra*, p. 430 at:

<https://archive.org/stream/visitationsofess13byumetc#page/430/mode/2up/>

By Sir Thomas Josselyn, the testatrix' sister had a daughter, Jane Josselyn, who married Oxford's receiver, Richard Kelton (d.1578). Richard Kelton is mentioned as a friend in the will of Oxford's stepfather, Charles Tyrrell (d.1570), and was a witness to the will:

*Item, I do give unto my brother, Philip Tyrrell, and my friend, Master Kelton of Colne, all that my lease and term of years yet to come which I have of the said house, manor and priory of Colne with th' appurtenances by any means or ways, as well by force of one indenture made by the late Earl, deceased, to John Booth and Thomas Coe, which said John and Thomas have, by their deed signed and sealed, released over their interest to my late wife, the Countess of Oxford, in her widowhood, as by all other means and ways whereby any right or title of the same might or may accrue or grow to me;*

*Item, I do make my brother, Philip Tyrrell, my sole executor of all other my goods and chattels yet ungiven upon condition he do pay all such debts and duties as may lawfully be demanded of me and shall justly be proved as above-written to be my debts, these being witnesses hereof, Master John Seymour, esquire, one of the Queen's Majesty's Gentlemen-Pensioners, and Mr Richard Kelton, gentleman.*

For the will of Charles Tyrrell, see TNA PROB 11/52/187.

After Richard Kelton's death, the testator's niece, Jane (nee Josselyn) Kelton, married Roger Harlakenden (d.1603), who defrauded Oxford in the sale of Colne Priory. Roger Harlakenden's marriage into a family which had numbered among its members trusted servants of the Earls of Oxford may have facilitated his fraud. For the will of Roger Harlakenden (d.1603), see TNA PROB 11/101/320.

Both the testator's brothers are bequeathed legacies in the will below, and Sir Henry Gates witnessed the will.

### ***MARRIAGE AND CHILDREN***

The Gates pedigree in *The Visitations of Essex* states that the testator married '(blank) daughter of (blank) Pascall of Essex'. See Metcalfe, Walter C., ed., *The Visitations of Essex, Part II*, (London: Harleian Society, 1879), Vol. XIV, p. 574 at:

<https://archive.org/stream/visitationsofess02metc#page/n91/mode/2up>

However according to the Gates pedigree in *The Visitation of Gloucester, supra*, p. 65, as well as the Walsingham and Wentworth pedigrees, the testator married Elizabeth Walsingham (d. 21 July 1596), sister of Sir Francis Walsingham (1532-1590) and daughter of William Walsingham and Joyce Denny. After the testator's death, she married secondly Peter Wentworth (1524–1597) of Lillingstone Lovell, the eldest son of Sir Nicholas Wentworth (d.1553?), chief porter of Calais, and Jane Josselyn (d.1569), the daughter of John Josselyn. For the will of Sir Nicholas Wentworth, see TNA PROB 11/39/237. For the will of John Josselyn, see TNA PROB 11/22/61. Elizabeth Walsingham Gates Wentworth died in the Tower, and was buried in the chapel of St Peter ad Vincula.

Peter Wentworth (1524–1597) and his wife, Elizabeth Walsingham Gates Wentworth (d. 21 July 1596), had four sons, including Nicholas Wentworth (1561 – 10 April 1613), who on 14 October 1587 married Susan Wigston, daughter of Roger Wigston (c.1537 – buried 28 September 1608), esquire, in whose house, Wolston Priory, the last two Marprelate tracts were printed in July 1589. See the will of Roger Wigston (c.1483 - 27 November 1542), TNA PROB 11/29/275. See also the Wentworth pedigree in Rutton, William Loftie, *Three Branches of the Family of Wentworth*, (London: 1891), pp. 263, 301 at:

<https://books.google.ca/books?id=YhY5AQAAMAAJ&pg=PA263>

The involvement of Peter Wentworth (1524–1597) in the issue of the succession resulted in his death as a prisoner in the Tower. From the *ODNB*:

*Soon after Mary Stuart's execution in 1587, Wentworth drafted A Pithie Exhortation to her Majestie for Establishing her Successor to the Crowne. He hoped to offer it in the parliament of 1589, but, having failed in that ambition, Wentworth lobbied for its presentation to the queen and found himself in temporary confinement once again. He was quite incorrigible, and his meeting with several MPs before the parliament of 1593 to discuss how they might pursue the subject in the Commons turned out to be a fateful decision. Wentworth found himself back in the Tower, and there he remained until his death. . . . Elizabeth was given permission to live with her husband in the Tower where she died in July 1596. Wentworth himself died there on 10 November 1597.*

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Although no children are mentioned in the brief will below, the testator had two sons:

\* **Geoffey Gates** (d.1623) of Lincoln's Inn. According to the Gates pedigree, he was of Bury St Edmunds, Suffolk, and married Elizabeth Pinchon, the daughter of John Pinchon (b. after 1510, d. 29 November 1573) of Writtle, Essex, by Jane Empson, daughter of Sir Richard Empson (executed 1510). For John Pinchon see his will, TNA PROB 11/55/500, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/pinchon-john-1510-73>

On 9 July 1580 Geoffrey Gates entered into an indenture with his first cousin, Jane (nee Josselyn) Kelton, for the purchase of the 21-year lease of Colne Priory, dated 12 February 1577, made by Oxford to his then receiver, Richard Kelton (d.1578). See ERO D/DPr/175, available on microfilm as ERO Ph 4/152/5.

For the indenture dated 9 November 1584 by which Roger Harlakenden (d. 21 January 1603) acquired the interest in the lease of Colne Priory held by Richard Kelton's nephew, Thomas Kelton, see ERO D/DPr/176.

For the indenture dated 31 December 1587 by which Geoffrey Gates transferred to Roger Harlakenden the interest he had acquired in the lease of Colne Priory, see ERO D/DPr/177.

As noted above, Geoffrey Gates (living 1623) has been identified as the author of *The Defense of Military Profession*, dedicated to Oxford on 23 December 1578. See STC 11683, the *ODNB* entry, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/gates-geoffrey-1550>

In the dedicatory epistle to *The Defense of Military Profession*, the author describes himself as an 'unlettered man' who has had to 'take unto me a notary to set down [my book] in writing':

*Experience hath taught me to love and to honour arms, and in the zeal of a good heart to covet the advancement of martial occupation, which made me (an unlettered man) to take unto me a notary to set down in writing this drift in the defence and praise of warlike prowess against all contemners of the same for the benefit and encouragement of my country & countrymen.*

However the author's claim to be 'unlettered' cannot be taken at face value in view of the style, vocabulary and rhetorical skill of the dedicatory epistle itself.

\* **Anthony Gates**, who was living at Oxford during the years 1591-1594, and is said to have died there. See TNA E115/168/136, TNA 115/167/27 and TNA E 115/162/44.

According to the Gates pedigree he married Judith Taverner, the daughter of Roger Taverner (b. by 1523, d. by 5 February 1582) of Essex, Deputy Surveyor of the Woods South of Trent. For Roger Taverner, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/taverner-roger-1523-7882>

The testator's two sons are mentioned in the wills of the testator's brother, Sir Henry Gates and the testator's sister-in-law, Mary (nee Denny) Gates (see above).

The testator may have been the plaintiff in a Chancery suit dating from the period 1544-1551, TNA C 1/1126/4-5.

RM: T{estamentum} Galfridi Gate

In nomine Dei Amen. I, Geoffrey Gates, maketh my last will and testament the 12<sup>th</sup> day of August Anno 1550 in manner and form following:

First I bequeath my soul and body to God's hand, whom I perfectly believe shall have it through Jesus Christ;

Item, I bequeath all my goods, leases and that that is mine to my well-beloved wife, Elizabeth Gates, paying my debts;

Item, I will that mine iron chest, with forty pounds to the same, to be delivered to the King's Majesty at such time as it shall be thought convenient by my brothers, John and Henry;

Item, I bequeath to my said brothers two of the best horses or geldings that I have, that is to say, either of them one;

Item, I give unto Henry Whittacre, my servant, forty shillings;

And of this my last will I make my wife sole executrix;

In witness whereof I have set to my hand the day and year above-written. Per me Galfridu{m} Gate. These witnesses: Sir Henry Gate, knight, Robert Hall & Robert Aston, gentlemen, & Henry Whittacre, with others.

Probatum fuit suprascriptu{m} testamentu{m} coram Mag{ist}ro Will{el}mo Cooke Legum doctore curie prerogatiue Cant{uariensis} Custode siue Commissar{io} Sede Archiep{iscop}ali iam vacante xvijo die Mens{is} Decembris Anno domini Mill{es}imo

Quingentesimo quinquagesimo quarto Iuramento Rob{er}ti Alen procurator{is} Executric{is} in h{uius}mo{d}i testamento no{m}i{n}at{e} Ac approbatu{m} et insinuatu{m} Et comissa fuit admi{ni}strac{i}o om{n}i{um} bonor{um} &c d{i}c{t}i Defuncti p{re}fat{e} ex{ecutrici} De bene et fidel{ite}r administrand{o} eadem Ac de pleno Inuentario &c exhibend{o} Ad sancta dei Eu{a}ngelia in Debita Iuris forma Iurat{e}

[=The above-written testament was proved before Master William Cooke, Doctor of the Laws, Keeper or Commissary of the Prerogative Court of Canterbury, the Archiepiscopal seat now being vacant, on the 17<sup>th</sup> day of the month of December in the year of the Lord the thousand five hundred fifty-fourth by the oath of Robert Allen, proctor of the executrix named in the same testament, and probated and entered, and administration was granted of all the goods etc. of the said deceased to the forenamed executrix, sworn on the Holy Gospels in due form of law to well and faithfully administer the same, and to exhibit a full inventory etc.]