

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 24 August 1559 and proved 5 November 1560, of Sir Robert Southwell (c.1506–1559), lawyer and member of parliament, the second son of Francis Southwell (d. 1512) of Norfolk, and Dorothy, daughter and coheir of William Tendring of Little Birch, Essex, and a younger brother of Sir Richard Southwell (1502/3–1564). The Jesuit martyr, Robert Southwell (1561-1595), was the son of the testator's nephew, Richard Southwell (d.1600), the illegitimate son of the testator's brother, Sir Richard Southwell (1502/3–1564).

Sir Richard Southwell (1502/3–1564) was heir not only to his father, but also to his uncle Sir Robert Southwell, chief butler to Henry VII, who died in 1514 leaving an estate based on the manor of Woodrising, Norfolk. In 1515 Sir Richard Southwell (1502/3–1564) became the ward of Sir Robert's widow and William Wootton. Four years later the wardship was acquired by Sir Thomas Wyndham, who married Richard to his stepdaughter Thomasine, the sister of Sir Thomas Darcy. The Southwells and the Wyndhams were both clients of the Howards. See the entries for members of the Southwell family in the online edition of *The Dictionary of National Biography*.

In 1535 the testator married Margaret, the daughter and heir apparent of Sir Thomas Neville (b. in or before 1484, d. 1542), lawyer and speaker of the House of Commons, the fifth son of George Neville (1436–1492), 2<sup>nd</sup> Baron Bergavenny, and his first wife, Margaret (d.1485), the daughter of Hugh Fenne. He married first Katherine, daughter of Humphrey, 1<sup>st</sup> Baron Dacre of Gilsland, and widow of George, 8<sup>th</sup> Baron Fitzhugh, with whom he had his only child, Margaret (d.1575); and second, on 28 August 1532, Elizabeth, widow of Robert Amadas (d. 1532), a London goldsmith who supplied plate and jewels to the royal court. See the entry for Sir Thomas Neville (b. in or before 1484, d. 1542), in the online edition of *The Dictionary of National Biography*.

The testator's eldest brother, George Neville (c.1469-1535), 3<sup>rd</sup> Baron Bergavenny, and his third wife, Mary Stafford, daughter of Edward Stafford (1478-1521), 3<sup>rd</sup> Duke of Buckingham, were the parents of Dorothy Neville (d.1559), the first wife of William Brooke (1527-1597). Lord Cobham was further linked to this branch of the Neville family by the marriage of the testator's heir, Thomas Southwell, to Nazareth Newton (d.1583), the youngest sister of Lord Cobham's second wife, Frances Newton (d.1592). See the entries for William Brooke and his second wife, Frances Newton, in the online edition of *The Dictionary of National Biography*.

As indicated in the will below, the testator and his wife, Margaret Neville (d.1575) had four sons, Thomas, Francis, Robert and Henry, and three daughters, Anne, Dorothy and Martha.

The testator's son, Francis, mentioned in the will below, was the Francis Southwell who was involved in allegations against Oxford in 1581 (see TNA SP 12/151/57, ff. 118-19).

As indicated in this bequest, the testator's daughter, Anne, married Edmund Bedingfield (d.1585), the brother of Thomas Bedingfield (d.1613), who dedicated his translation of *Cardanus' Comfort* to Oxford:

*Item, I give to Edmund Bedingfield, esquire, my son-in-law, and Anne, his wife, one great bowl of silver with a cover all gilt.*

For the will of Edmund Bedingfield (d.1585), see TNA PROB 11/69, ff. 86-9. For the will of Thomas Bedingfield (d.1613), see TNA PROB 11/122, f. 21. For Thomas Bedingfield's dedication of his translation of *Cardanus' Comfort* to Oxford, see STC 4607 on this website.

The testator died 26 October 1559 and was buried on 8 November in Kent, presumably at Mereworth. His widow, Margaret, married William Plumbe at Fulham on 13 November 1561. She died 25 December 1575 at the age of fifty-five, and was buried at Wyddial, Hertfordshire. William Plumbe died 9 February 1593, aged 60. For the foregoing information, and the will of William Plumbe, see Grosart, Alexander, ed., *The Complete Works of Joshua Sylvester*, Vol. I (Edinburgh: Thomas and Archibald Constable, 1880), pp. lv-lvii, available online.

The brass to Margaret Neville on the chancel wall of the Church of St Giles at Wyddial is described as follows:

*II. — Lady, inscription, and four shields. The figure is half-length, of full size, wearing a cap and ruff, and has an open book in front with these texts inscribed thereon —*

*"I have chosen ye way of truth & thy judgments have I layde before me."*

*"Thy statutes have bene songes in the house of my pilgrimage."*

*The inscription under —*

*"Here lyeth Dame Margaret the only daughter and heire of Sr Thomas Nevyll knight Brother to the Lord Aburgaveny and of the pryvey counsell to kinge Henry the eight, who had to her mother Dame Katharyne Fytzhewe daughter of the Lorde Dacres of the North to her fyrst husband Sr Robert Sowthwell knight Mr of the Rolls and to her last William Plumbe Esquyre at whose Charge this Monument was made, And after she had fynished the aige of fyftie and fyve years she made a most godly ende the xxvth daye of Decembre in the yere of our Lorde God 1575."*

*The four shields bear the arms of Nevill and others with whom she was connected according to the inscription, and given in detail by Cussans.*

See Andrews, William Frampton, *Memorial Brasses in Hertfordshire Churches*, (Stephen Austin, 1886), p. 53.

## LM: Testamentum Roberti Southwell Militis

In the name of God, Amen. The 24<sup>th</sup> day of August in the first year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., and in the year of Our Lord a thousand five hundred fifty and nine, I, Robert Southwell of Mereworth in the county of Kent, knight, being of good health and perfect memory, thanks be to God, minding to amove all cause of contention that may follow after my decease for such lands and goods as it hath pleased Almighty God to commit unto my care and disposition in this miserable vale:

First I revoke and renounce all will and testaments heretofore by me made, and I do ordain and make this my very true last will and testament, as well concerning all my lands and tenements as all my goods and chattels;

And before I shall proceed to the perfect and certain declaration of this my will for my lands and goods, I shall, after my most humble and hearty thanks given to Almighty God for his great and inestimable benefits sundry ways employed upon me, beseech his Deity to have mercy of me and to pardon and forgive me my great and heinous sins, and forasmuch as his Deity is th' only health of all men living and the everlasting life of all them that die in his faith, I do now willingly leave this frail and wicked flesh and commit myself wholly unto his most gracious & blessed will, trusting assuredly in the resurrection which by changing of my life here shall in better wise restore it to me again, humbly beseeching Almighty God, my only Saviour and Redeemer, so to comfort and strengthen me in faith and at all time[s] to comfort me with the assured hope of everlasting life, and so to defend me from all the assaults of the devil with the buckler of his mercy at the time and hour of my death when death shall take away the use of my tongue and speech, that yet my heart and spirit may incessantly cry, 'Lord, into thy hands and blessed custody I commit my soul and spirit';

And as to my body, I will it to be buried according to mine estate in the same parish church where it shall please Almighty God to call me to his mercy, and such order and obsequies to be used at the same as to the discretion of mine executors shall seem convenient, without pomp or pride, whom I heartily require before any other charges by diligent investigation first to satisfy or take order for all such injuries and debts as I owe, and in their alms also to have respect chiefly to my poor kinsfolks, servants and other familiars that have done me either pleasure or service, being in necessity, to whom of very congruence I owe such aid and relief as mine hability and power may suffer to be deducted of my small substance;

And as to the disposition of all and singular my manors, lands, tenements and hereditaments whereof I am seised in possession or reversion in any shire or town within the realm of England, first I will that immediately after my decease my son and heir shall enjoy to him and to his heirs by descent according to the course and order of the common law my manor of Hoxon [=Hoxne] Hall and my manor of Chickering with the tithes of Denham, with such lands also as I purchased of Nicholas Everard in the county of

Suffolk, and also such parcels of the priory lands in Hoxon aforesaid as are not by this my will appointed otherwise, which manors with the lands aforesaid are of the clear yearly value of one hundred threescore six pounds four shillings penny halfpenny by year, and above the third part of all my manors, lands, tenements and hereditaments in possession or reversion whereof I am or ever was sole seised;

And in respect the poor lands which I have were in manner all purchased with the sale of my wife's inheritance, I joined her in purchase with me during her life in the substance of my lands, as reason would, wherefore I humbly beseech the Queen's Majesty, my most gracious Sovereign, to be good and gracious unto her and my poor children, and to accept such part and portion of my said manors and other the premises with th' appurtenances before appointed for and to mine heir as yearly amount to the third part of all my manors, lands, tenements and hereditaments whereof I am or at any time have been sole seised without interruption, let or disturbance of any person or persons;

And further I will that where my wife, Dame Margaret, standeth and is seised as joint purchaser with me for term of her life of and in the manor of Merstham alias Mestham with th' appurtenances in the county of Surrey, and of and in the manor of Barwycke Raynam [=Berwicks Rainham?] with th' appurtenances in the county of Essex in recompense of the manors of Isfelde, Crawley, Shermarke, Twyneham and Shelwood in the counties of Sussex and Surrey, late the inheritance of the said Dame Margaret, and by me and the said Dame Margaret sold for the purchase of other lands of our late Sovereign Lord King Henry th' Eight, and where also my said wife is jointly seised with me for term of her life of and in the manor of Holbrook with th' appurtenances in the county of Suffolk, and of and in the manor of Aylesford within the county of Kent, my mind and will is that my said wife shall peaceably have, hold and enjoy all and singular my said manors, lands and tenements wherein she is jointly seised with me as is aforesaid, with all and singular th' appurtenances to her and her assigns for term of her life, and the profits and revenues of the same to take and receive to her own use according to the purport and effect of a fine and other assurances and several estates of the same made to my said wife for term of her life as before is expressed;

And further I will that my said manor of Merstham alias Mestham with th' appurtenances immediately after the death of my said wife shall go to my two sons, Francis and Robert, during their lives according to an estate thereof executed in my life to John Neville and others by deed of feoffment enrolled in the Chancery;

Item, where there is an agreement between Sir Henry Sidney, knight, and me for my capital mese in Bermondsey, as by a writing of articles subscribed with our own hands, and remaining by both our mutual assents in the custody of Mr Thomas Marrowe, esquire, more at large it doth appear, that in case the said Sir Henry proceed not according to his articles, which are to pay unto me, the said Sir Robert Southwell, knight, six hundred pounds at the feast of Saint Michael th' Archangel next ensuing the date above-written at one entire payment, or else thirty pounds yearly rent to me, the said Sir Robert, my heirs and assigns, till he shall pay six hundred pounds at one payment, then I will that Thomas Southwell, my son, shall have my said capital mese in Bermondsey

aforesaid, with the edifices, gardens and orchards thereunto belonging, to him and his heirs, he, the said Thomas, his heirs and assigns, paying to Henry Southwell, his brother, and his heirs yearly and quarterly thirty pounds of lawfully English money;

And if the said Thomas, my son, his heirs or assigns, shall make default of payment of the said sum of £30 to be paid yearly and quarterly to Henry Southwell, his brother, and his heirs, then I will and give to the said Henry and his heirs my said house of Bermondsey with the said buildings, orchards & gardens, and my said manor of Chickering with the tithes of Denham, and moreover, I will that the said Henry, my son, shall have to him and his heirs the said yearly rent of £30 to be paid yearly by the said Sir Henry and his heirs until the said Sir Henry, his heirs or assigns, shall pay the said sum of six hundred pounds at one entire payment;

And if the said Sir Henry do proceed according to the said articles, and do pay to my executors the sum of six hundred pounds for the purchase of the said house at one entire payment, then I will that mine executors, within as convenient and short time as they can, shall purchase with the said sum of six hundred pounds lands and tenements to the yearly value of thirty pounds, or amounting to that sum as near as they can, and then I will that my said executors or the survivor of them within one month next after the said purchase shall assure all the said lands and tenements so by them purchased to my said son, Henry, and his heirs forever;

Provided always that if my executors or any one of them after my decease do receive the said sum of six hundred pounds, then I will and my mind is that if my said executors or the survivor of them or the executors and administrators of the survivor of them do not purchase lands and tenements with the said sum of six hundred pounds amounting to the said yearly value of £30 as is before rehearsed within two years next after the receipt of the said sum of six hundred pounds, then I bequeath the said sum of six hundred pounds to my said son, Henry, to do therewith his pleasure;

I give also a messuage with certain lands thereunto belonging lying in Wennington in the county of Essex called Newmans of the yearly value of £6 which I bought of Mr Tylney to William Roydenhurst [=Rodenhurst?], my servant, during his life in case he be my servant at the time of my death; if not, I will my executors shall have the same to the performance of my will until the same be fully performed;

I give also to Humphrey Neville, my servant, a tenement with certain lands thereunto belonging in Barnham in the county of Essex called Elmehouse during his life, keeping the same in sufficient reparations during the said term;

And I will that the said messuage and lands called Newmans before willed to the said William Roydenhurst, after the decease of the said William and my will performed, and also that the said tenement and lands thereunto belonging called Elmehouse before given to the said Humphrey Neville, after the decease of the said Humphrey, shall wholly remain to the said Henry, my son, and to the heirs males of his body lawfully begotten, the remainder thereof for want of such issue to my right heirs;

I give to Edward Gyles, my servant, yearly during his lifetime one annuity or yearly rent of forty shillings;

I give to Bartilmewe [=Bartholomew] Pusany, my servant, during his life one annuity or yearly rent of 53s 4d;

Item, I give to Edmund Poole, my servant, during his life one annuity of 40s;

I give to Dorothy Turke, my wife's maid, ten pounds of lawful English money;

Item, I give to John [=Joan?] Hull yearly during her life one annuity of forty shillings;

And I give to Thomas Holdich, my servant, during his life one annuity or yearly rent of ten pounds for and in consideration that he, the said Thomas, shall be attendant and diligent to my executors about the execution of this my last will and testament;

Moreover I will that mine executors and th' executors and administrators of the survivor of mine executors shall have a certain messuage called Jurdeyns in Rainham aforesaid in the said county of Essex, with such lands as are letten to Henry Grygge, to the performance of this my will, saving that I will that the said Dame Margaret shall have during her life natural the yearly rent of ten pounds, parcel of the rent and farm which is reserved upon the lease made of the said messuage called Jurdens and such lands as been letten to the said Henry Grygge;

I will also that mine executors shall have a close called Great Headge [=Hedge?] and a meadow called Priory Meadow in the county of Suffolk late in the occupation of John Shirwood the younger, three pastures called Melhill, Askwys and Newarke, a certain close called Hawkes in the county of Suffolk and late parcel of the dissolved Priory of Hoxon in the said county of Suffolk, all which closes and other parcels next before rehearsed lying in Hoxon aforesaid being of the clear yearly value of £18 16s, and other the lands in Essex called Jurdens appointed for the performance of my will, being of the clear yearly value of £12 15s 10d, whereof ten pounds as aforesaid is appointed to be yearly paid to the said Dame Margaret, my wife, I will my executors shall take and receive the whole profits thereof to the only intent and use therewith to pay my debts and legacies, and after the same be truly performed according to my true intent and meaning, then I will that such lands as are appointed to the execution of my will shall go to my heir and to the heirs males of his body, the remainder thereof for want of such issue to the next heirs males of my body lawfully begotten;

And I will that the several annuities before given shall be yearly paid to such persons as the same be willed at the feasts of th' Annunciation of Our Blessed Lady and Saint Michael th' Archangel by even portions;

And I will that it shall be lawful to any of the said persons to whom the said several annuities be given as is aforesaid to distrain for the said annuities and th' arrearages of the

same, being unpaid at any of the said feasts, in all such lands belonging to the late Priory of Hoxon in Suffolk as been before appointed to mine executors for the performance of this my will;

And as to the disposition of my goods, chattels, household stuff, plate, jewels and ready money, first I will and give unto my said entirely beloved wife, Dame Margaret, as much of my plate to be taken at her will and election as is worth and in value one hundred pounds, to do therewith her pleasure, over and besides a perfume pan of silver, a toasting-fork of silver, a drinking pot of silver, and a strainer for oranges of silver which she herself made;

I also give unto my said wife all and singular her raiment, jewels, rings, chains of her own wearing, brooches, biliments and suchlike things belonging to the apparel of her body;

And further I will and give unto my said wife my whole linen stuff and napery and the half of my household stuff, plate excepted, to be taken at her election as they are and shall be furnished at the day of my death, except such household stuff as I shall hereafter specially give to my eldest son or to any other by this my last will and testament;

Item, I give to my said son and heir a basin and an ewer of silver parcel gilt where I will my arms and my wife's to be set at the costs and charges of mine executors, a goblet with a cover all gilt, a great pot all gilt which King Henry the Eight, mine old Master, gave me for my last New Year's gift, and twelve silver spoons parcel gilt;

I give unto him also my signet of gold wherein is my badge, and the ring that my good mother, whose soul God pardon, gave me, which I will him in any wise to keep in remembrance of his good grandmother;

I give unto him also the hangings of verdours wherein both my wife's arms and mine been set in the upper border, and the tester and celure of black velvet, and bed baudekin embroidered with goat-herds and scallop-shells of silver, with the featherbed of down and the counterpoint of cloth of tinsel belonging to the same bed;

I give unto him also all my harness and munition as they been in mine armoury, with all bills, halberds, bows and arrows;

Item, I give also by this my will to Francis, my son, my lease and farm of Todington in Kent with all the woods thereunto belonging, lying and being in Aylesford, Alyngton [=Allington?], Banham and Chetham [=Chatham?] in the said county of Kent, and I bequeath to the said Francis, my son, one hundred pounds in current money;

Item, I give and bequeath to either of my daughters, Dorothy and Martha, five hundred pounds in money, to be paid to either of them by mine executors or th' executors or administrators of the survivor of them at their several ages of eighteen years or at the several days of their marriages if they be unmarried at the said age if mine executors have so much in their hands at the same time, and if they have not so much money in their

hands at the same time, then within as convenient time as they may gather and levy the same of my debts, lands and tenements before to them appointed;

And if any of my said daughters, Dorothy and Martha, fortune to decease before they be married or come to their said age, then my will and mind is that one hundred threescore six pounds thirteen shillings and four pence of her portion so deceasing shall go to the other of my said daughters then living, to be paid unto her at the said time and as beforesaid to make the portion of her overliving one thousand marks;

And that all such ready money as shall be in my hands and possession at the time of my death, over and besides such portion thereof as shall be necessary to be spent upon my funerals, payments of debts and injuries that I ought to satisfy and pay for other legacies appointed by this my last will to be paid in convenient time after my death, shall be distributed amongst my poor children according to the discretion of my executors and the trust which I repose in them;

Furthermore I will and give to every of my household servants, as well men as women, their whole year's wages, and to such as been poor and needy, their half year board besides their wages, to be paid unto them and every of them within one month next after my decease;

And I will also Richard Gyles and Bess Foolle and such other of my servants as at any time have served me and are fallen into poverty to be kept of charity at the charge of mine executors during their lives if mine executors cannot otherwise provide for them;

Item, I bequeath to the poor people in Merewood £4(?), to the poor people in Wateringbury £3 6s 8d, to the poor people in Little Peckam £3 6s 8d, to the poor people in Aylesford £3 6s 8d, and to the poor people in Hoxon £3 6s 8d;

Item, I give to Edmund Bedingfield, esquire, my son-in-law, and Anne, his wife, one great bowl of silver with a cover all gilt;

I give to my Lord Abergavenny and to my Lady, his wife, and to either of them one ring, price £3;

I give to my brother, Francis Southwell, one ring, price £3;

I give to my brother, Anthony Southwell, £20 of lawful English money;

Item, I give to Mr John Spenc[e] of Norwich one ring, price £3;

I give to Mr Anthony Weldon my best horse, to be taken at his choice, with saddle, bridle and his whole furniture;

I give to Robert Godden, my servant, for his true and faithful service, five pounds in money;

I bequeath my apparel belonging to my back by this my will unbequeathed to William Rodenhurst, my servant;

I bequeath to Sir Henry Jerningham, knight, my goshawk;

I bequeath to Sir Henry Bedingfield, knight, a ring, price £3;

I bequeath to Sir Edmund Wyndham, knight, a ring, price £3;

I give to Susanne Myn, my wife's maid, £10 in money;

I give to Humphrey Neville, my servant, £20 in money;

I bequeath to William Aston £20 in money;

I give to Thomas Swanne, gentleman, £20 in money, and to William Swanne, his son, £10 in money;

I forgive and release to William Smothinge ten pounds which he oweth me;

I give to Mr George Dorrell [=Darrell?] of Calehill my gown of black velvet;

I give to Mr George Dorrell of Gray's Inn a ring, price £3;

I give to Jane Stoneham, my wife's maid, £4 in money, and to Margaret Prugnall, a girl brought up by my wife of charity, 40s in money;

I bequeath to every of my godchildren £3 6s 8d in money;

I give to Thomas Hotte [=Haute?] a black gown;

I give to Mr Richard Clarke my trotting roan gelding;

I give to Henry Cutt, esquire, my new gown of black damask and my jacket of velvet;

I give to my Lady Tyrrell, wife of Nicholas Cutler, esquire, a gown of black damask, to be bought at the costs and charges of mine executors;

And I give to Cecily Everard, wife of Nicholas Everard, at the costs and charges of mine executors, a gown of bussettes(?), and as much velvet as will guard the same;

I give to Nicholas Everard, my servant, £20 of lawful English money;

I give to Geoffrey Apprice, clerk, parson of Merewood, £3;

I give to the poor prisoners in every prison in London, viz., to the prisoners of the King's Bench, 20s; to the prisoners of the Marshalsea, 20s; to the prisoners in Newgate, 20s; to the prisoners in Ludgate, 20s; to the prisoners in the Gatehouse in Westminster, 20s; to the prisoners in Maidstone, 20s; and to the prisoners in the Castle in Norwich, 20s;

The test of all my goods, chattels, plate, jewels & households tuff I will mine executors shall have towards the payment of my debts, which being fully performed, I will equally to be divided amongst my children;

And I ordain and make executors of this my last will and testament my brother, Sir Richard Southwell, knight, Thomas Southwell, my eldest son, and John Thruston [=Thurstone?] of Hoxon, esquire;

And I give to the said Sir Richard, my brother, £20 of lawful English money;

I give to the said Thomas Southwell, my son, my best chain of gold, weighing 40 ounces and containing six score links;

And I give to the said John Thruston for his advice and counsel about th' execution of this my will £10 of lawful English money;

And I charge my said son, Thomas Southwell, of my blessing to see this my will executed in all points, for where I might have given from him the most part of my lands to my younger children, and might have also taken great commodity of his second marriage, I have given him in manner my whole lands, and do leave him at liberty besides for his marriage upon very confidence and trust to see this my will and last testament performed, for the which I have left in coin, plate, goods and chattels sufficient and enough to answer the same in every condition;

And I make the right honourable and mine old friend, Sir Nicholas Bacon, knight, Lord Keeper of the Great Seal of England, and the said Dame Margaret, my wife, supervisors of this my last will and testament, and do give unto the said Sir Nicholas Bacon knight, £20, and to my said wife the sum of two hundred pounds of lawful English money. Per me Robertum Southwell manu propria.

Present at such time as Sir Robert Southwell sealed and set his hand unto this his last will. By me, Thomas Chapman, James Barrand. Per me William Astyn.

Probatum fuit huiusmodi testamentum coram magistro Gwaltero haddon legum doctore Curie prerogative Cantuariensis Commissario apud london quinto die mensis Novembris Anno domini millesimo quingentesimo sexagesimo Iuramento Thome Holdiche procuratoris Thome Southwell executoris in huiusmodi testamento nominati Cui Commissa fuit administratio omnium et singulorum bonorum Iurium &c dicti defuncti de bene &c Ac de pleno et fideli Inventario Necnon de vero et plano compoto Reddendo &c

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Ad sancta Dei euangelia Iurati Reseruata potestate &c Richardo Southwell militi et Iohanni Thruston executoribus etiam &c cum venerint admissuris

[=The same testament was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the fifth day of the month of November in the year of the Lord the thousand five hundred sixtieth by the oath of Thomas Holdich, proctor of Thomas Southwell, executor named in the same testament, to whom administration was granted of all and singular the goods, rights etc. of the said deceased, sworn on the Holy Gospels to well etc., and to render a full and faithful inventory and also a true and plain account etc., with power reserved etc. to Richard Southwell, knight, and John Thurston, executors also etc., when they shall have come to be admitted.]