

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 13 March 1568 and proved 30 June 1568, of Thomas Southwell of Woodrising. For the testator's family background, see the will of his father, Sir Robert Southwell (c.1506–1559), TNA PROB 11/43, ff. 408-10.

The testator married three times. His first wife was Mary Jerningham, the daughter of Sir Henry Jerningham [Jernegan] (1509/10–1572), by whom he had no children. She was a principal legatee in the 1546 will of her grandmother, Mary (nee Scrope) Jerningham Kingston (d.1548). See TNA PROB 11/32, ff. 168-9. The testator's second wife was Mary, the daughter of Sir Rice Mansell (1487–1559). By her the testator had his son and heir, Sir Robert Southwell (d. 1598), who married Elizabeth Howard, the daughter of Charles Howard (1536–1624), 1st Earl of Nottingham and Lord Admiral, and served as Rear Admiral under his father-in-law in the battle against the Spanish Armada in 1588. For the will of Sir Rice Mansell, see TNA PROB 11/42B, ff. 127-130. The testator's third wife was Nazareth Newton (d.1583), the youngest daughter of Sir John Newton (d. 1568) of Hanham, Gloucestershire, by whom the testator had a daughter, Elizabeth Southwell, who in 1600 married Sir Barentine Moleyns, of Clapcot near Wallingford in Berkshire. It is said that Elizabeth Southwell became pregnant by Robert Devereux (1565-1601), 2nd Earl of Essex, in 1591 (see Hammer, Paul E., *The Polarisation of Elizabethan Politics*, (Cambridge: Cambridge University Press, 1999), p. 95). After the testator's death, Nazareth Newton (b. about 1541, d. 16 April 1583), married Thomas Paget (c.1544–1590), 4th Baron Paget. The testator's third wife, Nazareth Newton (b. about 1541, d. 16 April 1583), was the youngest sister of Frances Newton (d.1592), the second wife of William Brooke (1527-1597), 10th Baron Cobham. The marriage was an unhappy one. From McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham* (Salzburg: Institut für Anglistik und Amerikanistik, 1986), p. 380:

Thomas Paget, son of the protector of Cobham's youth, a cultivated nobleman in whose house William Byrd found employment and whose loss to England and "the Commonwealth of Learning" even that notable defender of the Elizabethan settlement William Camden deeply deplored, was informed against by his strident wife Nazareth Newton, whose perpetual demands had driven them to separate despite Burghley's efforts to reconcile them and Paget's reluctance to leave the woman he so self-destructively loved. Paget felt that he had a reason to remain in England so long as there was hope of regaining his wife, but when she died in 1583 he too fled abroad.

Lord Paget fled abroad in 1583 in the company of Charles Arundel, who, with Francis Southwell and Lord Henry Howard (1540-1614), was involved in allegations against Oxford in 1581 (see Paris Archives K.1561).

Administration of the testator's will was granted to his son and heir, Sir Robert Southwell (d.1598), on 12 February 1587, four years after the death of Nazareth Newton (d.1583), whom the testator had appointed as sole executrix. The Southwells were clients of the Howards, as indicated by the testator's appointment of Thomas Howard (1538-1572), 4th Duke of Norfolk, as one of the supervisors of his will. Norfolk's appointment as

supervisor was perhaps also related to the fact that the testator's maternal grandmother was Katherine, the daughter of Humphrey (d.1485), 1st Baron Dacre of Gilsland, and in 1567 Thomas Howard (1538-1572), 4th Duke of Norfolk, had married the widow of Humphrey's son, Thomas Dacre (1467–1525), 2nd Baron Dacre of Gilsland. The testator's brother, Francis Southwell, who was involved in allegations against Oxford in 1581, referred to himself in a note to Norfolk's brother, Lord Henry Howard (1540-1614), as 'your poor kinsman' (see TNA SP 12/151/57, ff. 118-19).

As noted above, the testator's younger brother, Francis Southwell, mentioned in the will below, was involved in allegations against Oxford in 1581. The testator's sister, Anne Southwell, also had a connection to Oxford's circle. She was the wife of Edmund Bedingfield (d.1585), and thus the sister-in-law of Thomas Bedingfield (d.1613), who dedicated his translation of *Cardanus' Comfort* to Oxford (see STC 4607 on this website). Anne is not mentioned in the will below, and it is possible that she had predeceased the testator.

LM: Testamentum Thome Sowthwell

In the name of God, Amen. I, Thomas Southwell of Woodrising in the county of Norfolk, esquire, being whole of mind and of good remembrance, thanks be to God, do ordain and make this my last will and testament in manner and form following, that is to say:

First, I bequeath my soul to Almighty God, and my body to be buried in the church of Woodrising;

Item, I give unto Nazareth, my wife, the manors of Hoxon, Hornyger and Claydone with all and singular their appurtenances within the county of Suffolk, to have and to hold the same to her and her assigns for term of her life without impeachment of waste;

Item, I give unto the said Nazareth, my wife, two hundred marks yearly by and after the decease of my mother for term of her life, with such covenants and conditions as the same were assured unto my late wife, Mary Mansfield [=Mansell], and if it happen that my said wife be disturbed or any wise disquieted in any of the premises by any person or persons lawfully pretending or having any title to the premises, then I will that in recompense thereof the said Nazareth, my wife, shall have the manor of Woodrising with all and singular th' appurtenances thereunto belonging to her and her heirs forever, yielding and paying out of the same yearly and every year such annuities as are given by this my last will hereafter to be mentioned;

Item, I will that the said Nazareth, my wife, shall have the manor of Woodrising aforesaid during the minority of my son, Robert Southwell, with condition that she, the said Nazareth, shall keep the house & houses therein with all manner of reparations, and also shall yearly yield and pay all th' annuities hereafter given out of the same by this my last will and testament, viz.,

To my brother, Francis Southwell, twenty pounds yearly during his natural life;

Item, to my brother, Henry Southwell, ten pounds yearly during his life;

Item, to my servants Humphrey Neville, Thomas Phillpote and Christopher Thompson, every of them forty shillings yearly during their lives;

Item, I will that Elizabeth Southwell, my daughter, shall have one thousand pounds, to be paid to her at the day of her marriage out of my manor of Hoxon by him that shall have and enjoy the same to him and his heirs;

Item, I will that if Nazareth, my wife, shall fortune to be with child at the day of my death, and if the same be a man-child, then I will that he, the same man-child, shall have the manor of Hoxon to him and his heirs, paying to my daughter, Elizabeth, as is aforesaid, and if she, the said Nazareth, my wife, shall have a maiden-child, that then I will that she, the said maiden-child or daughter, shall have one thousand pounds to her at the day of her marriage out of my manor of Barwicke, to be paid by him that shall enjoy the same to him and his heirs;

Item, I will that the manor of Holbrook, Hardwick Wood and Marehall with all my lands to them belonging or any of them shall be sold by mine executors, and the money thereof coming to be paid unto my brother, Henry Southwell, and my sisters, Dorothy and Martha, in manner and form following, viz., to my said brother five hundred pounds, to my sister, Dorothy Southwell, two hundred pounds, and to my said sister, Martha Southwell, other two hundred pounds, and the overplus that shall grow by reason of the sale of the said manor I will that it shall be equally divided amongst them three;

Provided always that if the said manor of Holbrook be entailed to any use by reason whereof the sale shall or may not pass, then I will that so much of the manor of Barwick [sic] shall be sold in reversion as shall amount to the yearly value of the said manor of Holbrook, which money thereof growing I will shall be employed to th' use of my said brother, Henry, and sisters as is abovesaid;

Item, I will that all my lands that I have purchased within my manor of Rysinge shall pass in such order and to such uses as by this my last will I have given the manor of Woodrising aforesaid;

Item, I will that Thomas Philpote, my servant, shall have to him and his heirs forever all and singular such lands and houses as he, the said Thomas, doth hold of me as of my manors of Cranworth and Rysinge, yielding the rents accustomed for the same;

Item, I will that John Boydon, my servant, shall have and hold to him and his heirs forever his house and lands lying in Cranworth which he now holdeth of me as of my said manor of Cranworth, yielding the accustomed rents for the same;

Item, I will that Anthony Weste, my servant, shall have th' occupation of my house and land lying in Lelton [=Letton?] to him and his assigns for the space of twenty years and one year next ensuing the end and term of John Cumbie's lease wherein the said John Cumbie now dwelleth, and in as ample and large manner as he, the said John Cumbie, now hath and enjoyeth the same, yielding the rent accustomed;

Item, I will that Henry Palmer, my servant, being a bondman to my manor of Whingbernghe, shall be made free and manumised forever by this my last will;

Item, I give and bequeath unto Robert Southwell, my son, one gilt bowl and a cup with the Nevilles' arms;

Item, I give unto William Chancie, gentleman, one of my young ambling geldings in the staple [sic?];

Item, I give unto Nicholas Stallenge, my servant, six pounds of lawful money of England;

Item, I give and bequeath unto my brother, Francis Southwell, all my wearing apparel & one of my chains;

Item, I give twenty pounds of lawful money to be equally divided amongst my servants in ordinary before not remembered;

Item, I will that the poor folks shall have every Sunday the milk of my dairy neat at Woodrising according to the true intent of the last will of my uncle, Sir Richard Southwell;

All the residue of my goods, chattels, debts and leases whatsoever heretofore not given nor bequeathed or hereafter by this my will to be given nor bequeathed, I do give and bequeath them wholly unto Nazareth, my wife, whom I do ordain, constitute and make my sole executrix of this my last will and testament;

Item, I do ordain and make the right high and mighty prince, Thomas, Duke of Norfolk, and John Thurstone, gentleman, the supervisors of this my said last will and testament, and I do give to either of them for their pains herein to be sustained as followeth, viz., I given unto the said Lord his Grace and Mr Thurstone two gilt bowls to be divided between them, and my Lord his Grace to have his choice, which bowls were given by the Lord Windsor and by my Lady Cheke;

In witness of this my last will and testament I have hereto set my hand and seal the 13th day of March Anno Domini 1567. T. Southwell Sealed and delivered in the presence of us, William Chawcey, Thomas Phillpott, William Hubborde and Christopher Thompson.

Probatum fuit testamentum suprascriptum coram Magistro Waltero Haddon Legum Doctore Curie prerogatiue Cantuariensis commissario apud London Vltimo Die Iunij Anno

Domini Millesimo Quingentesimo sexagesimo Octavo Iuramento Magisri Edwardi Brigges notarij publici procuratoris Nazarethe Relicte et executricis in testamento huiusmodi nominate Cui comissa fuit administracio omnium et singulorum bonorum &c De bene &c Ad sancta Dei Evangelia Iurati

[=The above-written testament was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the last day of June in the year of the Lord the thousand five hundred sixty-eighth by the oath of Master Edward Brigges, notary public, proctor of Nazareth, relict and executrix named in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc.]

Duodecimo ffebruarij 1587 emanavit comisio Domino Roberto Sowthwell militi filio naturali et Legitimo dicti defuncti Ad administrandum bona Iura et Credita huiusmodi per Nazaretham Sowthwell relictam et executricem iam Defunctam non Administrata de bene etc In persona Petri Johnson procuratoris sui Iurato

[=On the twelfth of February 1587 a grant issued to Sir Robert Southwell, knight, natural and legitimate son of the said deceased, to administer the goods, rights and credits of the same by Nazareth Southwell, relict and executrix, now deceased, not administered, sworn to well etc. in the person of Peter Johnson, his proctor.]