

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 7 August 1570 and proved 20 September 1570, of Constance Pakenham Pole, grandmother of John Fortescue, mentioned in the indenture by which William Shakespeare of Stratford upon Avon and others purchased the Blackfriars gatehouse on 10 March 1613.

### ***FAMILY BACKGROUND***

For the Pakenham family, see the pedigree in Lyon, William, *Chronicles of Finchampstead in the County of Berkshire*, (London: Longmans, Green, and Co., 1895), p. 99 at:

<https://books.google.ca/books?id=vfUVAAAAYAAJ&pg=PA99>

### ***Testatrix' great-grandparents***

The testatrix was the great-granddaughter of Hugh Pakenham and Constance de la Hay of East Court, daughter of Sir Richard de la Hay of West Hay, Hertfordshire, and his wife, Margaret. See Lyon, *supra*, p. 99.

### ***Testatrix' grandparents***

The testatrix was the granddaughter of John Pakenham (d. 1 October 1485) of East Court, and his wife, Margaret (d. 5 October 1485). See Lyon, *supra*, p. 99.

### ***Testatrix' parents***

The testatrix was the daughter and co-heiress of Sir Edmund Pakenham of Lordington (in Racton), Sussex, and East Court in Finchampstead, Berkshire, by the daughter of John Compton of Hawton, Nottinghamshire. See Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. III, p. 30, and Lyon, *supra*, p. 99.

### ***Testatrix' siblings***

The testatrix had two sisters, including:

**-Elizabeth Pakenham**, who married, as his second wife, Sir Edmund Mervyn, sergeant at law, son of Sir Walter Mervyn of Fonthill Gifford, Wiltshire, and Mary Mompesson, daughter of John Mompesson of Great Bathampton. Sir Edmund Mervyn and Elizabeth

Pakenham sold the manor of East Court to Stephen Cawood in 1538. See Lyon, *supra*, pp. 99, 107, 148, 153 at:

<https://books.google.ca/books?id=vfUVAAAAYAAJ&pg=PA107>

See also the will, proved 16 November 1553, of Sir Edmund Mervyn, TNA PROB 11/36/285, and Drake, William Richard, *Fasciculus Mervinensis*, (London, 1873), pp. 25-8 at:

<https://books.google.ca/books?id=PZUNAAAAQAAJ&pg=RA1-PA25>

### ***MARRIAGE AND ISSUE***

The testatrix married Sir Geoffrey Pole (d.1558), the son of Sir Richard Pole (d.1504) and Margaret Plantagenet (beheaded 28 May 1541), Countess of Salisbury, the daughter of George, Duke of Clarence (1449-1478), younger brother of Edward IV. See the *ODNB* entry for Margaret, Countess of Salisbury. See also *Plantagenet Ancestry, supra*, Vol. III, pp. 23-30; the *ODNB* entry for Sir Geoffrey Pole; and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/pole-geoffrey-15015-58>

*Pole's royal blood and religious dissidence continued to haunt his children. Two of his sons, Arthur and Edmund, embarked on a futile conspiracy in 1562 and disappeared as prisoners in the Tower, and the second son Thomas inherited Lordington only to die without issue, the manor passing to another brother Geoffrey, a recusant who alienated it before his death in exile.*

For the testatrix' marriage to Sir Geoffrey Pole, see also:

[http://www.tudorwomen.com/?page\\_id=701](http://www.tudorwomen.com/?page_id=701)

By Sir Geoffrey Pole the testatrix is said to have had five sons and six daughters:

- \* **Arthur Pole** (1531-1570), said to have died in the Tower.
- \* **Thomas Pole** (d.1570), who married a wife whose name is unknown. According to the probatum clause below, he was granted administration of the testatrix' estate on 20 September 1570, but had died by 1 February 1571, when administration was granted to his sister, Margaret.
- \* **Edmund Pole** (1541 – 12 August 1570), said to have died in the Tower.

\* **Geoffrey Pole** (1546 – 9 March 1591), who is said to have married Katherine Dutton of Dutton, Cheshire, to have been a Catholic recusant, and to have been the only one of the testatrix' sons to have issue. See *Notes and Queries*, 11<sup>th</sup> Series, Vol. III, (January-June 1911), pp. 45, 112, 154 at:

<https://archive.org/stream/s11notesqueries03londuoft#page/44/>

\* **Henry Pole**, about whom nothing further is known.

\* **Katherine Pole**, said to have died young.

\* **Katherine Pole** (again), who married firstly Sir Anthony Fortescue, by whom, according to the will below, she had three sons, Anthony Fortescue, John Fortescue, and a third son who is called Gregory Fortescue in one clause of the will, and George Fortescue in another clause. Katherine Pole's son, John Fortescue, gentleman, is mentioned in the indenture by which William Shakespeare of Stratford upon Avon and others purchased the Blackfriars gatehouse on 10 March 1613. See the Shakespeare Documented website at:

<https://shakespearedocumented.folger.edu/exhibition/document/shakespeare-purchases-blackfriars-gatehouse-copy-bargain-and-sale-signed-vendor>

For Katherine Pole's marriage to Sir Anthony Fortescue, see also the pedigree following p. 170 in Fortescue, Thomas, *A History of the Family of Fortescue*, (London, 1869), at:

<https://books.google.ca/books?id=J2gvAQAAMAAJ&pg=PA170>

For Katherine Pole's children by her first marriage, see also *A History of the Family of Fortescue*, *supra*, pp. 310-17.

Katherine Pole married secondly Ralph Henslowe (d. 18 June 1577), servant to the 1<sup>st</sup> Earl of Southampton, for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/henslowe-ralph-1520-77>

Ralph Henslowe's first wife was Clere Pound, the daughter of William Pound (d. 5 July 1525) by his second wife, Edburga Troyes. See the will of William Pound, TNA PROB 11/21/561. By Clere Pound, Ralph Henslowe had a daughter, Ellen Henslowe, who married her stepbrother, Katherine Pole's son, John Fortescue (see above). See the Fortescue pedigree, *supra*, after p. 170.

For the monument to Ralph Henslowe and his two wives in St Nicholas' Church, Boarhunt, Hampshire, see:

<http://www.geograph.org.uk/photo/2614803>

Katherine Pole Fortescue Henslowe was living in 1598. In his will dated 24 September of that year, her stepson, Henry Henslowe, bequeathed her a piece of plate. See TNA PROB 11/93/1.

\* **Elizabeth Pole.** She is not mentioned in the will below. She is said to have married William Neville (by 1532 – 1559 or later), esquire, of Torkesey, Lincolnshire. Margaret Neville mentioned in the will below may have been their daughter. See the History of Parliament entry for William Neville at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/neville-william-1532-59-or-later>

\* **Mary Pole** (d.1571), who married William Cufawde or Cufford, esquire, by whom, according to the will below, she had two sons and two daughters.

\* **Margaret Pole**, who married Walter Windsor, sixth son of William Windsor, 2<sup>nd</sup> Baron Windsor, by whom, according to the will below, she had two daughters, Katherine Windsor and Eleanor Windsor. For the will of William Windsor (1498-1558), 2<sup>nd</sup> Baron Windsor, see TNA PROB 11/42A/91. Walter Windsor was a younger brother of Edward Windsor (1532?-1575), 3<sup>rd</sup> Baron Windsor, who married Oxford's half-sister, Katherine de Vere (1538-1600). For the will of Edward Windsor, 3<sup>rd</sup> Baron Windsor, see TNA PROB 11/57/332. For the will of Katherine de Vere, see TNA PROB 11/95/237.

It appears Margaret Pole had died by 11 March 1572, when administration of the testatrix' estate, which had been granted to Margaret on 1 February 1571, was granted to her brother, Geoffrey Pole.

\* **Anne Pole.** She is not mentioned in the will below. She is said to have married firstly Thomas Hildersham, esquire, of Stetchworth, Cambridgeshire, by whom she was the mother of Arthur Hildersham (b. 6 October 1563, buried 6 March 1632), and secondly a husband surnamed Ward. See Sharpe, Thomasin Elizabeth, *A Royal Descent*, (London: Mitchell and Hughes, 1875), pp. 65-7 at:

<https://books.google.ca/books?id=dqVbarc4qt8C&pg=PA65>

For the testatrix' children, see also *The Royal Compendium*, (London: W. Owen, 1752), p. 142 at:

<https://books.google.ca/books?id=MjWlStaqlwsC&pg=PA142>

### ***OTHER PERSONS MENTIONED IN THE WILL***

For the testatrix' nephew and overseer, Henry Mervyn, esquire, son of the testatrix' sister, Elizabeth Pakenham, and Sir Edmund Mervyn, see Drake, *supra*, pp. 27-28 at:

<https://books.google.ca/books?id=PZUNAAAAQAAJ&pg=PA27>

Henry Mervyn married firstly Edith Windsor, the daughter of Sir Anthony Windsor (d. July 1548), brother of Andrew Windsor (1467 - 30 March 1543), 1<sup>st</sup> Baron Windsor. See the will of Sir Anthony Windsor, TNA PROB 11/32/517. See also Howard, Joseph Jackson, ed., *Miscellanea Genealogica et Heraldica*, Vol. I, New Series, (London: Hamilton, Adams and Co., 1874), p. 422.

RM: T{estamentum} D{omi}ne Constance Poole

In the name of God, Amen. The 7<sup>th</sup> day of August in the year of Our Lord God 1570 and in the 12<sup>th</sup> 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., I, Dame Constance Poole of Lordington in the county of Sussex, widow, being sick in body but of perfect remembrance, do make my last will and testament in form following:

First I bequeath my soul unto God, my Redeemer and Saviour, by the death of whose Son, Jesus Christ, I trust to be saved;

And my body to be buried in the church of Stoughton near unto my dear and well-beloved husband, Sir Geoffrey Poole, knight, deceased;

Item, I give to the Cathedral Church of Chichester 3s 4d;

Item, I give to the parish church of Stoughton 5s;

Item, I give unto Thomas Poole, my eldest son, and to his heirs forever all my manor of Lordington within the county of Sussex with all other my lands and tenements whatsoever they be within the realm of England;

Item, I give unto Geoffrey, my son, £20 in money to be paid to the said Geoffrey, my son, the last day of May next coming by the hands of mine executor;

Item, I give and bequeath to the said Geoffrey, my son, three featherbeds, three bolsters, three pair of sheets and three coverlets, or three pounds in money to buy the said coverlets at the discretion of mine executor, and two spoons of silver gilt;

Item, I give to my said son, Geoffrey, one tester of russet satin paned with black velvet;

Item, I give to Henry Poole, my son, £20 in money to be delivered to the said Henry or to his assigns by mine executor the last day of May as is aforesaid;

Item, I give unto my said son, Henry, three featherbeds, three bolsters, three pair of sheets and one tester of a bed of green and tawny damask, and I do likewise give unto my said son, Henry, £3 in money to buy him three counterpoints to his three beds before by me given, and two spoons of silver gilt;

Item, I give to my eldest daughter, Katherine Fortescue, ten pounds in money, one pair of beads of coral guarded with gold, one bed of down, one of my best featherbeds, three pounds in money to buy her three counterpoints to the same, one cambric pair of sheets, my best tablecloth of diaper, and two pair of Holland sheets, and my standing cup of silver and gilt with a cover to the same;

Item, I will that mine executor shall pay yearly unto the said Katherine, my daughter, during her natural life the sum of £6 13s 4d of lawful money of England, to be paid to the said Katherine or her assigns at two usual terms in the year, that is to say, at the feast of the Annunciation of Our Blessed Lady the Virgin and Saint Michael th' Archangel by even portions after my death;

Item, I give to Mary Cufawde, my daughter, £10 in ready money, one pair of coral beads guarded with silver and gilt, one gown of damask with a kirtle of russet satin, two gilt spoons of silver, two pair of my fine sheets and one pair of good middle sheets, one book garnished with silver, and 20s to buy her a counterpoint;

Item, I give and bequeath unto Margaret Windsor, my daughter, my gown of satin furred with sables, my best kirtle of velvet, a featherbed, my casting-bottle of silver and gilt with a gilt spoon to take up fruit, and two other spoons of silver and gilt, two pair of fine sheets and one pair of middle sheets;

Item, I give to my daughter Poole, my son, Thomas Poole's wife, two of my best silver spoons and my best silver and gilt salt with a cover to the same;

Item, I give to Margaret Neville one spoon of silver with a crucifix of gold;

Item, I give unto Katherine Windsor, daughter of Walter Windsor, esquire, one border called an upper biliment of goldsmith's work and pearl;

And to Eleanor Windsor, her sister, one spoon of silver;

Item, my will is that William Caufold, gentleman, my son in the law, shall give unto Constance, Mary and to Thomas and to Alexander, his children, as of my gift and to every of them £3, to be delivered to them and every of them when they shall accomplish th' age of 21 years or else at the day of their marriages;

And if it shall happen any of them to depart this life before the said age or day of marriage, then I will the survivor or survivors living have the parts and portions to them equally divided between them;

Item, I give and bequeath to Anthony Fortescue, John Fortescue and Gregory [sic?] Fortescue and either of them one silver spoon;

Item, I give to the said Anthony a piece of gold called a double sovereign;

Item, I give to the said John Fortescue a double double ducat, the price 26s 8d;

Item, I give to the said George 2 double ducats of gold;

Item, I give unto Constance Braye 40s in money;

Item, where there is money depending between me, the said Dame Constance Poole, and my well-beloved son, William Cowfolde, divers reckonings not yet determined at the day of the making hereof of this my last testament, I, the same Dame Constance, do at this present forgive and discharge the said William, his executors and administrators, all such debts and demands as I or my executor might in any wise claim by any means whatsoever, and hereof and of every part thereof I, the said Dame Constance, do acquit and discharge the said William and his executors and administrators forever;

Item, I give to Arthur Cager 40s;

Item, I will that my daughter, Katherine Fortescue, Mary Cowfalde [f. 193v] and Margaret Windsor shall have equally divided amongst them all my wearing linen belonging to my body;

All the residue of my goods not given and bequeathed I give unto Thomas Poole, my son, whom I make my sole executor of this my last will and testament, he to do for me as shall be thought good by him for the most profit he may devise for my soul;

And I do require my said son, Thomas, in God's name and upon my blessing, that he do see this my will performed with effect according to my meaning as he will answer at the latter day when all souls shall be called to answer before the face of God at the most dreadful Day of Judgment;

And I do ordain and make for the comfort of my said executor for his better advice in performing my will my well-beloved cousin, Henry Mervyn, esquire, and my friend, Ralph Henslowe, gentleman, overseers;

And I do give to my said overseers and to every of them two pieces of gold of the value 10s the piece.

Probatum fuit Testamentum suprascriptum coram D{omi}no Cant{uariensis} Archie{pisco}po apud London Vicesimo Die mensis Septembris Anno D{omi}ni millesimo Quingentesimo Septuagesimo Iuramento Thome Poole Executoris vniu{s}{(?)}

in h{uius}mo{d}i Testamento nominat{i} Cui com{m}issa fuit Administrac{i}o o{mn}i{u}m et sing{u}lorum bonorum Iurium et creditorum d{i}c{t}i defuncti &c De bene et fidei{te}r administrand{o} eadem ad sancta dei Eu{a}ngelia in debita Iuris forma Iurat{i} Primo die mensis ffebruarij Anno D{omi}ni 1570 emanavit Com{m}issio Margarete Windsor al{ia}s Poole filie naturali et l{egi}time d{i}c{t}e def{uncte} ad administrand{um} bona iura et credita eiusdem def{uncte} non administrat{a} De bene &c in p{er}sona Walteri Windsor Armigeri mariti sui &c iurat{i}

[=The above-written testament was proved before the Lord Archbishop of Canterbury at London on the twentieth day of the month of September in the year of the Lord the thousand five hundred seventieth by the oath of Thomas Poole, sole(?) executor named in the same testament, to whom administration was granted of all and singular the goods, rights and credits of the said deceased etc., sworn on the Holy Gospels in due form of law to well and faithfully administer the same. On the first day of the month of February in the year of the Lord 1570 a grant issued to Margaret Windsor alias Poole, natural and legitimate daughter of the said deceased, to administer the goods, rights and credits of the same deceased not administered, sworn to well etc. in the person of Walter Windsor, esquire, her husband etc.]

Deinde xj Martij 1571 introducti(?) h{uius}mo{d}i L{itte}re Administrac{i}o{n}is et com{m}issa fuit(?) administrac{i}o bonor{um} d{i}c{t}e D{omi}ne Constance Poole Galfrido Poole eius filio naturali{i} ad administrand{um} &c iuxta tenorem(?) suprad{i}c{t}i testamenti

[=Afterwards on the 11<sup>th</sup> of March 1572 the same letters of administration were brought [+into Court?], and administration was granted of the goods of the said Lady Constance Poole to Geoffrey Poole, her natural son, to administer etc. according to the tenor of the abovesaid testament.]