

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 6 October 1581 and proved 9 February 1582, of Francis Southwell (c.1510-1581) of Hertingfordbury, Hertfordshire, and Islington, Norfolk, whose eldest son and heir, Miles Southwell, married the sister of Oxford's mistress, Anne Vavasour.

FAMILY BACKGROUND

The testator was the third son of Francis Southwell (d.1512), Auditor of the Exchequer, by his wife, Dorothy Tendring, daughter of William Tendring (d.1500) of Little Birch, Essex. See the History of Parliament entry for the testator at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-francis-1510-81>

Testator's siblings

According to Dashwood, *infra*, p. 125, the testator had three brothers and a sister:

-**Sir Richard Southwell** (1502/3-64) of London and Woodrising, Norfolk, for whom see the *ODNB* entry, his will, TNA PROB 11/47/231, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-richard-15023-64>

-**Sir Robert Southwell** (c.1506–1559) of Mereworth, Kent, Master of the Rolls, for whom see his will, TNA PROB 11/43/577; the *ODNB* entry; and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-robert-1506-59>.

Sir Robert Southwell's eldest son and heir, Thomas Southwell of Woodrising, is mentioned by the testator in the will below:

I give and bequeath unto Miles Southwell, my son and heir, one chain of fine gold which I bought of my nephew, Thomas Southwell of Woodrising, containing very near forty ounces.

For the will of the testator's nephew, Thomas Southwell of Woodrising, eldest son and heir of Sir Robert Southwell (c.1506–1559), see TNA PROB 11/50/204.

-**Anthony Southwell**, who married Anne Lestrangle (b.1520), the daughter of Sir Thomas Lestrangle (d. 16 January 1545) by Anne Vaux, the daughter of Nicholas Vaux (c.1460–

1523), 1st Baron Vaux of Great Harrowden. See the *ODNB* entry for Sir Thomas Lestrangle, and *The English Baronetage*, Vol. II, (London: Thomas Wotton, 1741), p. 145 at:

<https://books.google.ca/books?id=nC45AQAAMAAJ&pg=PA145>

-Katherine Southwell, who married Anthony Hansart of the manor of Hatchwood in March, Cambridgeshire, a servant of Cardinal Wolsey. See:

T D Atkinson, Ethel M Hampson, E T Long, C A F Meekings, Edward Miller, H B Wells and G M G Woodgate, 'North Witchford Hundred: March', in *A History of the County of Cambridge and the Isle of Ely: Volume 4, City of Ely; Ely, N. and S. Witchford and Wisbech Hundreds*, ed. R B Pugh (London, 2002), pp. 116-123. *British History Online* <http://www.british-history.ac.uk/vch/cambs/vol4/pp116-123> [accessed 14 September 2018].

See also 'Brass of the Month' at:

<http://www.mbs-brasses.co.uk/brass%20of%20the%20month%20january%202014.html>

Testator's mother's second marriage

After the death of the testator's father, the testator's mother, Dorothy Tendring, married secondly Sir John Peryent. See TNA PROB 51/15, Sir John Peryent of Bishops Hatfield, Hertfordshire, August 1550; and Dashwood, G.H., ed., *The Visitation of Norfolk in the Year 1563*, Vol. I, (Norwich: Miller & Leavins, 1878), p. 125 at:

<https://books.google.ca/books?id=qkpFAAAAYAAJ&pg=RA4-PP13>

See also TNA E 326/6394, a Chancery suit from 1516/17 involving 'John Peryent and Robert Foster, gents, who married the daughters and heirs of William Tenderyng'.

See also Nichols, John Gough, ed., *The Topographer and Genealogist*, (London: John Bowyer Nichols and Sons, 1853), Vol. II, p. 561 at:

<https://books.google.ca/books?id=EKhWAAAIAAJ&pg=PA561>

Gertrude, first wife of George Gyll, married 1535, ob. 1550, was daughter and coheir of Sir John Peryent, Knt., by Dorothy, widow of Francis Southwell, who deceased 1513, father of Sir Richard and Sir Robert Southwell of Woodrising, Norfolk, eldest daughter and one of the four coheirs of William Tendring (inq. p. m. 1500), of Stoke Neyland, Suffolk, and Little Birch, Essex, by Thomazine, daughter of William Sidney, sister of Nicholas Sidney, whose will was proved 11 Feb. 1515, ancestor of Sir Philip Sydney. This Thomazine died 4 Oct. 1485. (M. I. Yoxford, Suffolk.) Sir John Peryent was made auditor in the principality of South Wales, with Francis Southwell, 30 H. 8, and 32

following he was appointed to the Court of Wards and Liveries. He died about 1552, having remarried Elizabeth daughter and heir of John Hopton of Deptford (will proved 1526).

MARRIAGES AND ISSUE

Testator's first marriage

The testator married firstly, by 1544, Alice Standish, widow of John Mynne (d. 14 December 1542), Auditor of the Exchequer, and daughter of William Standish (d.1553) of London, by whom he had no issue. For the will of John Mynne, see TNA PROB 11/29/267.

Testator's second marriage

The testator married secondly Barbara Spencer, the daughter of John Spencer of Norwich, and widow of Richard Catlyn (d.1556) of Norwich and Lincoln's Inn. Richard Catlyn became a serjeant-at-law in 1552 and was appointed queen's serjeant in the same year as his cousin, Sir Robert Catlyn (c.1510–1574), with whom, according to the *ODNB*, he is sometimes confused. For the will of Richard Catlyn (d.1556), see TNA PROB 11/38/174. For a decree dated 6 May 1561 concerning the wardship of Richard Catlyn in a lawsuit brought against the testator and his wife, Barbara, by Christopher Coote (d. 17 September 1563) and his wife, Anne (nee Shelton) Knyvet, the daughter of Sir John Shelton (d. 21 December 1539) of Carrow, Norfolk, and widow of Sir Edmund Knyvet (d. 1 May 1551), see TNA C 78/20/11. See also the *ODNB* entry for Sir Edmund Knyvet and his will, TNA PROB 11/34/421, and Baker, John, *The Oxford History of the Laws of England*, (Oxford: Oxford University Press, 2003), p. 681 at:

<https://books.google.ca/books?id=Xc5qqYoF22IC&pg=PA681&lpg=PA681>

For Christopher Coote, see also:

<http://www.british-history.ac.uk/topographical-hist-norfolk/vol1/pp242-249>

By Barbara Spencer, the testator had two sons and a daughter:

* **Miles Southwell** (b.1563?), who was 18 years of age at the time of his father's death. He married Margaret Vavasour, sister of Sir Thomas Vavasour (1560-1620), and of Oxford's mistress, Anne Vavasour. See Chambers, E.K., *Sir Henry Lee*, (Oxford: The Clarendon Press, 1936), p. 151; Chambers cites Foster, J., *The Visitation of Yorkshire*, 120; and *Yorkshire County Families*, ii. Their daughter, Elizabeth Southwell, was left a bequest of £100 in the will of Sir Henry Lee (1533-1611), whose mistress Anne Vavasour became in the 1590s (for the will of Sir Henry Lee, see TNA PROB 11/117/490). For the will of Sir Thomas Vavasour, see TNA PROB 11/136/511. See

also Kaner, J. 'The Vavasours of Copmanthorpe and the Court of Elizabeth I', *Yorkshire Archaeological Journal*, Vol. 72, (Maney Publishing, 2000), pp. 107-130 at p. 110:

<https://archive.org/details/YAJ0722000/page/106>

Miles Southwell was thus a first cousin of Francis Southwell (b. 14 December 1538?), who was at one time a friend of Oxford's, but was involved with Oxford's first cousin, Lord Henry Howard (1540-1614), and Charles Arundel (d.1587) in libellous allegations against Oxford in late 1580 and 1581. See BL Cotton Titus C.6, ff. 5-8; Archivo General de Simancas Leg. 835, f. 6; and TNA SP 12/151/47, ff. 105-8.

In the will below, the testator makes this Francis Southwell, his nephew, his residuary legatee:

Item, if it shall please Almighty God to take all my children to his mercy before they have received their legacies before in this my last will to them and every of them given and bequeathed, then my will is that my executors or their executors or assigns shall pay, of such goods, money, plate and jewels as shall be in their hands after my decease and the decease of my said children, one moiety of the said money, plate and jewels to my nephew, Francis Southwell, one of Sir Robert Southwell his children then living.

* **Francis Southwell.**

* **Mary Southwell.** She is said to have been born at Windham Hall, Norfolk, in 1566, and to have died 19 December 1603 in Dublin, where there is a monument to her in St. Patrick's Cathedral, according to which she had four husbands: Thomas Sydney of Wyken, Norfolk; Nicholas Gorges (d.1594) of London and Alderton; Sir Conyers Clifford (1566-c.1599) of Bobbing Court, Kent, Governor of Connaught; and Sir Anthony St. Leger (d.1613), Master of the Rolls in Ireland. See the entry for her at:

http://www.tudorwomen.com/?page_id=707

See also Lodge, John, *The Peerage of Ireland*, (London: J. Leathley, 1754), Vol. III, pp. 181-2 at:

<http://books.google.ca/books?id=SGw9AQAAMAAJ&pg=PA182>

OTHER PERSONS MENTIONED IN THE WILL

The testator's executor Miles Corbet, whom he calls his 'cousin', may have been Sir Miles Corbet (d.1609) of Sprowston.

LM: T{estamentum} ffrancisci Southwell

Calling unto my remembrance the state of this transitory and miserable world wherein reigneth all kind of sin and wickedness, and that there is nothing in it contained but all the vanities and vile pleasure thereof, unperfect and uncertain, and nothing in this life so certain as death, therefore I, Francis Southwell th' elder, esquire, do ordain and make this my last will and testament the sixth day of October in the three and twenty 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 God one thousand five hundred eighty-one, wherein I commend my soul to Almighty God, the Father and Creator and Maker thereof, and to Jesus Christ, my Saviour, the only Redeemer thereof, and to the Holy Ghost, the Preserver and only Comforter thereof, having in this most blessed & glorious Trinity a sure faith and steadfast belief that through my Saviour Jesus Christ, and only by him and for his sake, all the multitude of my wretched and grievous sins committed against God be clearly remitted and forgiven for that he of his grace & abundant mercy, like a most merciful Saviour, took my sins with all the sins of the universal world upon him, and went laden to the altar of the cross, and there [+was] most truly crucified, and willingly shed his most precious blood, as well for my redemption as for all those that believe in him and his most sacred word;

And as for my vile and sinful body, which was made and formed by the power of God and his mighty handwork of the slime of the earth, whereunto it shall return, therefore I will it shall be buried in the common place appointed for dead bodies with all such most godly ceremonies as be set forth by the Catholic church, all pomp and superstition being avoided;

Item, whereas Almighty God of his most merciful goodness hath endued me with a much more greater portion of the goods of this world than I by a thousandfold have deserved (for the which I render unto his divine majesty my humble and most obedient thanks), even so with the same thanks I leave all the said goods as frankly and as willingly as ever I received them or any part of them, in manner and form following, that is to say:

I give and bequeath unto Miles Southwell, my son and heir, one chain of fine gold which I bought of my nephew, Thomas Southwell of Woodrising, containing very near forty ounces;

Item, I give unto the said Miles Southwell three hundred pounds of lawful money of England;

Item, I give unto the said Miles Southwell one nest of gilt bowls containing six score and seven ounces;

Item, I give unto the said Miles Southwell one pair of gilt salts containing, with the cover, four ounces and a half;

Item, I give unto the said Miles Southwell, my son, a gilt cup with a cover containing sixteen ounces;

Item, I give unto the said Miles Southwell a gilt flagon for rose-water containing five ounces & three quarters;

Item, I give unto the said Miles Southwell one basin and ewer parcel gilt containing fourscore and two ounces;

Item, I give unto the said Miles Southwell two livery pots parcel gilt containing threescore and ten ounces;

Item, I give unto the said Miles Southwell one chafing-dish containing threescore and twelve ounces;

Item, I give unto the said Miles Southwell three jugs containing fifty and six ounces;

Item, I give unto the said Miles Southwell a perfuming pan containing thirty-two ounces;

Item, I give unto the said Miles Southwell twelve spoons with wreathen tops containing sixteen ounces;

Item, I give unto the said Miles Southwell twelve spoons called slippes containing (blank);

Item, I give unto the said Miles Southwell one mazer with a fair bonde [=band?] of silver;

Item, I give unto the said Miles Southwell one pounced goblet weighing thirteen ounces;

Item, all which parcels of plate before specified and given unto my son, Miles Southwell, to be delivered unto him by mine executors or their heirs, executors, administrators or assigns when he shall come to the age of twenty years;

And if it shall fortune the said Miles Southwell, my son, to die before he shall accomplish and come unto the age of twenty years, then I will and my mind is that the said money, chain of fine gold and all the plate before specified and given unto the said Miles Southwell, my son, shall remain and come to Francis Southwell, my son (if he be then living) at his age of twenty years;

And if both the said Miles and Francis Southwell, my sons, do die before they come to their age of twenty years, then I will and my mind is that my said money, chain of fine gold, with all the parcels of plate before specified and all other gifts before given shall remain and come to Mary Southwell, my daughter (if she be then living) when she shall come to the age of eighteen years or at the day of her marriage, whether of them shall first happen;

Item, I give unto Francis Southwell, my son, one nest of gilt goblets containing forty ounces and a half;

Item, I give unto the said Francis Southwell a pair of gilt salts with a cover containing thirty ounces;

Item, I give unto the said Francis a gilt pot without a cover containing sixteen ounces a quarter and a half;

Item, I give unto the said Francis Southwell a livery pot with a spout containing twenty ounces;

Item, I give unto the said Francis a white jug with a narrow mouth containing seventeen ounces a quarter and a half;

Item, I give unto the said Francis Southwell a white tankard containing twenty-one ounce[s] and a half;

Item, I give unto the said Francis Southwell a little salt without a cover containing three ounces and a half;

Item, I give unto the said Francis Southwell a spice-box containing twelve ounces and a half;

Item, I give unto the said Francis twelve spoons called slippes containing ten ounces;

Item, I give unto the said Francis Southwell twelve spoons whereof two were huebont woodoses [=Woodhouse's?] containing fifteen ounces;

Item, I given unto the said Francis my wife's drinking-pot containing seven ounces;

Item, I give unto the said Francis Southwell, my son, a basin with an ewer containing fourscore ounces;

Item, I give unto the said Francis an nest of parcel gilt bowls containing threescore and nineteen ounces;

Item, I give unto the said Francis Southwell two livery pots containing threescore ounces;

Item, I give unto the said Francis Southwell a standing cup parcel gilt containing twenty and eight ounces;

Item, I give unto the said Francis Southwell a flat piece containing fifteen ounces;

Item, I give unto the said Francis a little tankard containing seven ounces;

Item, I give unto the said Francis Southwell an nest of parcel gilt bowls with a cover containing threescore one ounce and a half;

Item, I give unto the said Francis a little pounced goblet containing (blank);

Item, I give unto the said Francis Southwell, my son, three hundred pounds of lawful money of England, all which said parcels of plate, money and jewels to be delivered unto the said Francis Southwell by my executors, their heirs, executors or assigns, at the age of twenty years;

And if it shall fortune the said Francis Southwell, my son, to die and depart this present world before he shall come to the age of twenty years, then I will and my mind is that the said three hundred pounds and the said plate and all other bequests unto the said Francis Southwell in manner and form aforesaid shall remain unto Miles Southwell, my son, if he be then living, when he shall come to the age of twenty years;

And if it shall fortune the said Miles to die and depart this present world before he shall come to the age of twenty years, and also if the said Mary, my daughter, happen to die before she doth accomplish eighteen years of age or before the day of her marriage, then I will and my mind is that all th' aforesaid money, plate, jewels and household stuff bequeathed unto the said Miles and Mary shall remain unto Francis Southwell, my son, when he shall accomplish the age of twenty years;

Item, I give unto Mary Southwell, my daughter, six hundred threescore and six pounds thirteen shillings and four pence;

Item, I give unto the said Mary Southwell, my daughter, a gilt cup with a cover and a crystal in it, having also my arms graven in the top of the cover, containing twenty-five ounces and a half, all which parcels of money, plate and jewels before specified to be delivered unto the said Mary Southwell, my daughter, by mine executors, their heirs, executors or assigns, at the age of eighteen years or at the day of her marriage, which first shall happen;

And if it shall fortune the said Mary Southwell to depart this present life before she shall come to the age of eighteen years or before the day of her marriage, then I will that the said six hundred threescore and six pounds thirteen shillings four pence to her given and bequeathed and the gilt cup with a crystal, with all other the goods to her bequeathed, shall indifferently be divided between the foresaid Miles and Francis, my two sons, if they be then living, when they or any of them shall come to the age of twenty years;

Also, I give unto Miles and Francis Southwell, my two sons, all my household stuff and linen, by what kind of name or names soever any part or parcel of them be named or called, which shall be in my house in Lakenham or in my house in Christ Church in Norwich, or at the time of my death or elsewhere, other than such as shall be expressly named or bequeathed;

And where I have three beds of silk with their furnitures remaining in my said house in Norwich in Christ Church, I will that Miles Southwell have one of the said beds with all the furniture, and the first choice thereof;

Item, I give to the said Miles one canopy of yellow taffeta;

And I will that Mary Southwell, my daughter, have one other of the said beds with the furniture thereunto belonging, and the next choice thereof of the same;

And Francis Southwell, my son, one other of the said three beds with the furniture thereunto belonging, and the third choice of the same;

Item, I will that these parcels following be also bestowed as hereafter is declared, that is to say:

I will that Miles Southwell have the andirons of brass in the parlor, my best carpet with all the cushions of Turkey work which was used to lie on the(?) cupboard in the parlour on high days;

Item, I will that all the counterfeits in the parlor in Cottan [=Catton] and all other implements whatsoever there at the day of my death be left unto the use of the said Francis;

And also I give unto the said Francis Southwell all my tenements in Catton by Norwich, with all my lands, free and copy, thereunto belonging which I bought of John Throgmorton, esquire, to have and to hold to him and to his heirs forever;

And as concerning the order & disposition of my manors, lands and tenements, first I will that the moiety of my manor of Ilsington otherwise called Islington in Marslond in the said county of Norfolk shall be from and after my decease to the Queen's Majesty during the minority of my heir and heirs in full recompense of a third part of all my manors, lands, tenements and hereditaments whereof I stand now seised of any state of inheritance;

And I will my executors shall have the other moiety of the said manor and the patronage of the said manor belonging, and also all my pasture ground in the county of Surrey called or known by the name of Bermondsey which I purchased of Robert Southwell, esquire, my nephew, until the full age of twenty and one years of mine heir and heirs for and towards the bringing up of my two youngest children until the said full age of my said heir and heirs;

Saving that I will that my said executors shall yearly employ so much of the said profits towards the bringing up of my said heir & heirs until his or their said age of twenty and one years as, together with such yearly sum of money as shall be allowed by order to be taken by her Majesty's most honourable Court of Wards for the diet and finding of my

said heir and heirs as shall be sufficient for his or their education as shall seem meetest to my said executors;

Item, if it shall please Almighty God to take all my children to his mercy before they have received their legacies before in this my last will to them and every of them given and bequeathed, then my will is that my executors or their executors or assigns shall pay, of such goods, money, plate and jewels as shall be in their hands after my decease and the decease of my said children, one moiety of the said money, plate and jewels to my nephew, Francis Southwell, one of Sir Robert Southwell his children then living;

And where I have heretofore given unto Miles and Francis all my stuff of household as is aforesaid, yet my special will and desire is that if it shall happen that the overplus of such sums of money as I shall leave in the hands of my executors over and above my legacies will not amount to the discharge of my funerals, which I would should be but mean, and other occasions that may fall out unlooked for by mine executors, then my special will and desire is that mine executors shall sell as much of my said household stuff as will satisfy those charges whatsoever, only reserving the three beds of silk and the best furniture of beds belonging to them, with the canopy of yellow taffeta;

Item, I give unto Richard Lathwell, my old servant, twenty pounds, to be paid unto him presently after my decease;

Item, I give unto Mrs Jenney five pounds, to be paid her out of such household stuff as remains at Norwich or Lakenham;

Item, I give unto mine executors as a remembrance of my goodwill, to either of them a ring graven with the picture of death of the value of five marks apiece;

The residue of my goods (my debts, legacies and funerals discharged and performed in form aforesaid, and the poor refreshed), I give unto mine executors, whom I ordain and make my very good friends my cousin, Miles Corbet, esquire, and my very good friend, brother-in-law, Richard Catlyn, Mr John Spencer;

And I ordain and make my very good son-in-law, Richard Catlyn, esquire, supervisor of this my last will and testament, and I give him for his pains one ring of the value of three pounds six shillings and eight pence. By me, Francis Southwell. William Maister

A codicil to be annexed to the last will and testament of Francis Southwell th' elder, esquire, deceased, made and declared after the finishing of his former will the (blank) day of (blank) 1581 in the presence of divers persons;

Inprimis, he gave to his daughter, Mary, his white nag;

Item, he gave to his son, Miles, his bay nag;

Item, to his son, Francis, his black nag;

Item, to his servant, Richard Lathwell, his cloth black gown;

Item, to his son, Miles, his grogram gown, his velvet coat and satin doublet;

Item, he gave to his servants all the rest of his apparel;

Item, he willed that one hundred pounds, parcel of the three hundred pounds given to his son, Miles Southwell, should be stricken out of his will.

Witnesses being present at the declaration of the premises, the said Miles Southwell.

Probatum fuit suprascriptum testamentum apud London coram ven{er}abili viro m{agist}ro Will{el}mo Drury legum doctore curie prerogatiue cantuarien{sis} commissario etc Nono die mens{is} ffebruarij Anno Domini iuxta cursum et computacionem eccl{es}ie anglicane mill{es}imo quingen{tes}imo octogesimo primo Iuramento Edwardi Barker notarij publici procu{ra}toris Milonis Corbett armigeri et Ioh{an}ne Spencer gen{er}os{i} executor{um} etc Quibus com{m}issa fuit administracio etc De bene etc Iurat{i}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury etc., on the ninth day of the month of February in the year of the Lord according to the course and reckoning of the English Church the thousand five hundred eighty-first, by the oath of Edward Barker, notary public, proctor of Miles Corbett, esquire, and John Spencer, gentleman, executors etc., to whom administration was granted etc., sworn to well etc.]