SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 16 September 1588 and proved 7 November 1588, of Eleanor (nee Newton) Elliott.

The testatrix was one of the twenty-one children of Sir John Newton (c.1505-1568) or Cradock of East Harptree, Somerset, and Hanham, Gloucestershire, by Margaret Poyntz (c.1505-1559). She was the sister of Jane (new Newton) Cartwright Fitzjames; Nazareth (nee Newton) Southwell Paget; and Frances (new Newton) Brooke, second wife of William Brooke (1527-1597), 10th Baron Cobham. For Lady Cobham, see the *ODNB* entry.

See the Elliott pedigrees of 1558 and 1612 in *The Visitations of Essex*, Part I, pp. 49 and 192 at:

https://archive.org/stream/visitationsofess13metc#page/192/mode/2up

The 1558 pedigree appears to be in error with respect to the testatrix' marriage. However the 1612 pedigree states that Eleanor Newton, the daughter of Sir John Newton, was the wife of John Elliott of London. For John Elliott's family, see also the will of his uncle, George Elliott, esquire, of Stortford, Hertfordshire, dated 12 January 1549, in which the testatrix' husband is described as John Elliott, mercer of London, TNA PROB 11/37/240.

The testatrix' husband, John Elliott, was outlawed for debt on 21 November 1566. According to McKeen, Elliott 'died a charity case', and was buried in the parish church of West Malling. On 19 March 1571, Queen Elizabeth awarded the forfeitures to the Crown occasioned by Elliott's outlawry for debt to the testatrix' youngest sister, Nazareth Newton, the widow of Thomas Southwell of Woodrising, Norfolk, and later the wife of Thomas Paget (c.1544-1590), 4th Baron Paget. See McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham* (Salzburg: Institut fur Anglistik und Amerikanistik, 1986), pp. 140-3, citing *CPR Elizabeth*, V, 164. See also the *ODNB* entry for Thomas Paget.

The testatrix and her husband, John Elliott, would appear to be the John Elyott and his wife, Eleanor, who were involved in Lord Burghley's purchase of the manor of Theobalds from Robert Burbage (d.1575). See TNA C 54/583, mm. 18-20, and the will of Robert Burbage, TNA PROB 11/57/448.

The testatrix mentions only one child in the will below, her daughter, Anne Elliott, who married Robert Harris of Reading, Berkshire. See the pedigree of Harris of New Windsor in Rylands, W. Harry, ed., *The Four Visitations of Berkshire*, (London: Harleian Society, 1908), Vol. LVII, pp. 138-9 at.

https://archive.org/stream/fourvisitations00britgoog#page/n158/mode/2up.

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In the foregoing pedigree the testatrix' husband is described as 'John Elliott of London Clarke of the navye'.

In the will below, the testatrix leaves the residue of her estate to her daughter, and appoints her sister, Jane (nee Newton) Cartwright Fitzjames, as her executrix. However on 7 November administration was granted to Anne Harris, Lady Fitzjames having renounced.

For the testatrix' interest in the manor of Middle Littleton, see TNA C 2/Eliz/H12/45 at:

http://discovery.nationalarchives.gov.uk/details/r/C5701571.

For John Elliott's acquisition of the manor of Middle Littleton in 1557, see also *The Victoria History of the County of Worcester* at:

http://www.mocavo.com/The-Victoria-History-of-the-County-of-Worcester-Volume-2/587158/473.

See also NRO Phi/581 578 x 3 at:

http://discovery.nationalarchives.gov.uk/details/rd/1a8c09a0-2434-4020-9a21-c081a1e45189.

In a bill of complaint filed in the Star Chamber, Oxford recounts the circumstances of John Elliott's outlawry for debt; the Queen's grant to John Elliott's sister-in-law, Nazareth Southwell, of the forfeitures to the Crown occasioned by Elliott's outlawry (which included Elliott's interest in a 31-year lease of the manor of Aveley); Nazareth Southwell's immediate grant of her newly-acquired interest on 10 October 1571 to her niece, Anne Elliott; Anne's Elliott's subsequent marriage to Robert Harris; and Harris's sale of his interest in the lease of Aveley to Oxford, as a result of which on 30 September 1585, Oxford entered into possession of the manor of Aveley. However Richard Payne and others fraudulently altered the documents pertaining to John Elliott's outlawry, thereby negating Oxford's interest in the lease of Aveley and bringing about his complaint to the Star Chamber (see TNA STAC 5/O3/35 and STAC 5/O8/52). For further discussion of documents involving Oxford's lease of Aveley, see TNA SP 46/41/, f. 133.

For further details concerning the testatrix, see the will of her brother-in-law, Hugh Cartwright, dated 10 December 1571 and proved 65 July 1572, TNA PROB 11/54/317.

RM: T{estamentum} Elinore Elliott

[f. 34r] In the name of God, Amen. The sixteenth day of September Anno D{omi}ni a thousand five hundred eighty-eight and in the thirtieth year of the reign of our Sovereign

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Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith etc., I, Elinor Elliott of West Malling within the county of Kent, widow, [f. 34v] sick in body but of good and perfect remembrance, thanks be unto God therefore, do make this my testament and last will in manner and form following:

First I bequeath my soul into the hands of Almighty God, my Creator and Maker, believing verily to be saved only by the death and merits of Jesus Christ, my Redeemer and only Saviour;

Item, I do give and bequeath unto the poor people of the parish of West Malling aforesaid twenty shillings, to be delivered unto them by my executors;

Item, my will is that there shall be given and bestowed on the day of my funerals the sum of six pounds at the good discretion of my executrix;

The residue of all my goods, my debts, legacies and bequeaths first paid and discharged, I do give unto Anne Harris, the wife of Robert Harris of Reading within the county of Berkshire, gentleman, the same to be delivered unto her by my executrix within one year next after my debts and legacies be paid and discharged;

Item, I do heartily desire the right worshipful my Lady and sister, the Lady Dame Jane Fitzjames, to be executrix of this my last will and testament, unto whom for her pains herein I do give as a declaration and for a remembrance of sisterly love and affection towards her a fine tick of a featherbed;

In witness whereof to the premises above-written I have subscribed my name the day and year above-written.

Probatum fuit testamentum suprascriptum apud London coram venerabili viro m{agist}ro Will{el}mo Drury Legu{m} d{oc}tore Curie prerogatiue Cant{uariensis} com{m}issario &c septimo die mens{is} Novembris Anno D{omi}ni mill{es}imo quingentesimo octogesimo octauo iuramento Ioh{ann}is Theaker notarij publici procuratoris Anne Harris filie naturalis et l{egi}time d{i}c{t}e def{uncte} cui com{m}issa fuit administratio bonoru{m} iuriu{m} et creditoru{m} eiusdem def{uncte} de bene et fidel{ite}r administrand{o} &c ad sancta dei evangelia iurat{i} D{omi}na Iana ffitzJames executrice in eodem testamento nominat{e} oneri executionis d{i}c{t}i testamenti ex certis causis ea moventibus expresse renuntian{s}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary etc. of the Prerogative Court of Canterbury, on the seventh day of the month of November in the year of the Lord the thousand five hundred eighty-eighth by the oath of John Theaker, notary public, proctor of Anne Harris, natural and legitimate daughter of the said deceased, to whom administration was granted of the goods, rights and credits of the same deceased, sworn

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on the Holy Gospels to well and faithfully administer etc., the Lady Jane Fitzjames, executrix named in the same testament, for certain causes her moving, expressly renouncing the burden of the execution of the said testament.]

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