

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 6 October 1609 and proved 8 May 1611, of Sir Henry Lee (1533-1611).

FAMILY BACKGROUND

From the *ODNB*:

Sir Henry Lee (1533–1611), queen's champion, was born in Kent in March 1533, the eldest of four sons of Sir Anthony Lee (1510/11–1549) of Quarrendon, Buckinghamshire, MP for the county in 1542 and 1547, and his first wife, Margaret, daughter of Sir Henry Wyatt of Allington Castle, Kent. His younger brother Cromwell Lee was the compiler of an Italian–English dictionary. The Lees of Quarrendon rose to prominence at the end of the Wars of the Roses, their fortunes established by Robert Lee, Sir Henry's grandfather. Henry could claim kinship to the earls of Essex and Leicester, to William Cecil, and even to Queen Elizabeth.

Sir Henry Lee, in the phrase of his epitaph, served 'five succeeding princes, and kept himself right and steady in many dangerous shocks and utter turns of state' (Strong, 30), by being polite, politic, and well-connected. Entering Henry VIII's service at the tender age of fourteen, and succeeding his father only two years later, he had to grow up fast. He was knighted by the earl of Arundel on 2 October 1553. On 21 May 1554 he married Anne, daughter of the statesman William Paget. This brought Lee immunity from being persecuted for his protestantism during Mary's reign, and Anne was to bear him three children; but it was not a happy marriage. Two sons, John and Henry, died young, and a daughter, Mary, after a scandalous elopement, followed them childless to the grave. Anne was of Catholic stock, Lee staunchly committed to the new reformed faith. His 'dearest deare', according to Aubrey, was not his wife but one who shared her name, Anne Vavasour.

MARRIAGE

The testator married Anne Paget, the daughter of William Paget (1505/6–1563), 1st Baron Paget, whose second son, Thomas (c.1544-1590), 4th Baron Paget, was the Lord Paget who fled England in 1583 with Charles Arundel (d.1587), who was involved in libellous allegations against Oxford in 1581. Lord Paget married, about 1570, Nazareth (d.1583), daughter of Sir John Newton, and widow of Thomas Southwell (d.1568) of Woodrising, Norfolk (whose family was noted for its Catholicism), and died in exile as a committed Catholic. For the will of Thomas Southwell, see TNA PROB 11/50/204.

ANNE VAVASOUR

After the death of his wife, Sir Henry Lee lived openly with Oxford's former mistress, Anne Vavasour. She was the daughter of Henry Vavasour of Copmanthorpe, Yorkshire by Margaret Knyvet, daughter of Sir Henry Knyvet (d.1546). For the will of Sir Henry Knyvet, see TNA PROB 11/32/4.

Henry Vavasour and Margaret Knyvet had five children:

* Sir Thomas Vavasour (1560-1620), for whose will see TNA PROB 11/136/511. He was left a bequest in the will of his grandmother, Anne (nee Pickering) Weston Knyvet Vaughan (1514 – 25 April 1582). See TNA PROB 11/64/217:

Item, I give unto my daughter, Margaret Vavasour, all my household stuff as are now remaining in Escrick House situate and being within the county of York, so that she pay unto her two sons, Thomas Vavasour and John Vavasour, ten pounds of lawful money of England to either of them.

* John Vavasour, who was also left a bequest in the will of his grandmother, Anne (nee Pickering) Weston Knyvet Vaughan (1514 – 25 April 1582). See above.

* Anne Vavasour, mother of Oxford's illegitimate son, Sir Edward Vere, and later the mistress of the testator.

* Frances Vavasour, who is said to have been contracted to marry Leicester's illegitimate son, Sir Robert Dudley (7 August 1574 – 6 September 1649). The marriage did not take place, and in 1591 Frances Vavasour married Sir Thomas Shirley (1564–1633/4). See the ODNB entries for Sir Robert Dudley and Sir Thomas Shirley.

* Margaret Vavasour, who married Miles Southwell. See Chambers, E.K., *Sir Henry Lee* (Oxford: Clarendon Press, 1936), pp. 151, 234, and the will of Miles Southwell's father, Francis Southwell, TNA PROB 11/64/81. Elizabeth Southwell, who is left a bequest in the will below, was the daughter of Miles Southwell and Margaret Vavasour:

Also, I give and bequeath to Mrs Elizabeth Southwell, the daughter of Miles Southwell, esquire, the sum of one hundred pounds, to be paid unto her within six months next after the day of her marriage or within one year next after my decease, which of them shall first happen.

For a more detailed discussion of the Vavasour family, see TNA SP 12/154/13, ff. 23-4. For a letter endorsed 19 January 1585 from Anne Vavasour's brother, Thomas Vavasour (d.1620), challenging Oxford to a duel, see BL MS Lansdowne 99/93, ff. 252-253.

The ODNB entry for Anne Vavasour summarizes her marriages and extra-marital relationships:

Vavasour [married names Finch, Richardson], Anne (fl. 1580–1621), lady of the royal household, was the daughter of Henry Vavasour of Copmanthorpe, Yorkshire, and

Margaret Knyvet. Sworn as a gentlewoman of the bedchamber to Queen Elizabeth in 1580, she was serving within the year as one of the six maids of honour. This title proved all too ephemeral, for shortly after her arrival at court she became the mistress of Edward de Vere, seventeenth earl of Oxford (1550–1604), and on 23 March 1581 gave birth to his son in the maidens' chamber. The queen sent both parents to the Tower. Their son, Edward Vere, went on to a military career in the Netherlands and a knighthood (1607), probably under the tutelage of his paternal relatives Sir Francis and Sir Horace Vere.

By 1590 Anne had married one John Finch, but was probably already the mistress of the queen's champion at tilt, Sir Henry Lee (1533–1611), with whom she also had a son, Thomas Vavasour, alias Freeman. Anne and Sir Henry lived openly together at Ditchley in Oxfordshire and his other country houses; indeed, they entertained Queen Anne at a lodge near Woodstock in September 1608. At Lee's death in 1611 Anne inherited a jointure worth £700. By 1618 she had married a John Richardson, unmindful, apparently, that her first husband, Finch, was yet living. Lee's heir sued her for bigamy in the court of high commission, where she was fined £2000 in 1621. A tomb with a quatrain verse epitaph was prepared for Anne in St Peter's Chapel at Quarrendon, where Sir Henry was buried:

*Under this stone entombed lies a fair & worthy Dame
Daughter to Henry Vavasour, Anne Vavasour her name.
She living with Sir Henry Lee, for love long time did dwell
Death could not part them but here they rest within one cell.
(Lysons, and Lysons, 624)*

No further details of her career or death have come to light.

Chambers summarizes the principal provisions of Sir Henry Lee's will as follows:

The leases and chattels not covered by his settlement were disposed of by a will of October 6 1609. This set up two bodies of executors. To Sir Thomas Vavasour and John Walter Lee left his lease of Wedon, the stuff in his mansions of Lelius in Wedon and Lee's Rest in Charlbury and a farm in Spelsbury, and half his furniture, plate, and implement, for such uses and term as he might appoint in writing. It is obvious that these were for the benefit of Anne Vavasour, as an addition to the jointure already secured to her.

See Chambers, *supra*, pp. 233-4.

For a report dated 28 January 1617 concerning a suit in Chancery by the testator's heir, Sir Henry Lee, against Sir Thomas Vavasour and Anne Finch *alias* Vavasour in connection with the testator's will, see *Reports of Masters in Chancery* (R.O. C. 38/25), and Chambers, *supra*, pp. 309-15.

Chambers' comments with respect to two other legacies are of particular interest. He notes that Richard Nashe, Sir Henry Lee's servant, to whom he leaves £10, 'was of the

same family as Thomas Nashe, who married the granddaughter of William Shakespeare'. Chambers, *supra*, p. 234, also identifies Elizabeth Southwell, the daughter of Miles Southwell, esquire, to whom Sir Henry Lee left £100, as Anne Vavasour's niece. Anne Vavasour's brother-in-law, Miles Southwell, was a first cousin of the Francis Southwell who was involved in allegations against Oxford in 1581.

One of the witnesses to Sir Henry Lee's will is Edward Vere, Oxford's illegitimate son by Anne Vavasour.

LM: T{es}t{amentu}m Henrici Lee milit{is}

In the name of God, Amen. The sixth day of October in the years of the reign of our Sovereign Lord James, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith etc., viz., of England, France and Ireland the seventh and of Scotland the three and fortieth, 1609, I, Sir Henry Lee of Quarrendon in the county of Buckingham, of the most noble Order of the Garter, knight, being in good health and of perfect memory, thanks be given to Almighty God therefore, calling to my remembrance that to all men in this transitory world nothing is more certain than death, and nothing more uncertain than the hour thereof, do make my last will and testament in manner and form following:

First, I bequeath my soul to Almighty God, my Creator, not doubting but that as he of his great goodness hath made me, even so by his infinite mercy he will save me through the death and passion of his dear Son, Jesus Christ, my only Redeemer and Saviour;

Item, I will that my body shall be buried in the chancel of the church of Quarrendon aforesaid, in the north side of the same chancel in a tomb there already prepared by me, and that my last-named executors shall within convenient time after my decease cause to be made in the chancel aforesaid one tomb for the bodies of my father and mother, mentioning thereupon all their children, bestowing upon the same tomb £50, and one other tomb for the body of my uncle, Thomas Wyatt, and shall bestow thereupon £40, and shall also within three years next after my decease bestow £50 upon a tomb in the said chancel to lay in the body of Mrs Anne Vavasour alias Finch, and also shall within convenient time next after my decease erect four other tombs within the walls of the said chancel for the bodies of my brothers Robert Lee, Thomas Lee and Cromwell Lee, and of my sister, Joyce Cheney, and shall bestow upon the same tombs £10 apiece, but if any of the said tombs shall be made in my lifetime, then my executors not to be chargeable for the making of the same;

And whereas I do hold for divers years yet enduring by the demise of the Warden and scholars of St. Mary College of Winchester in Oxon the site of their manor of Wedon in the said county of Buckingham, with all the houses, buildings, demesne lands, meadows, leasow[s], pastures and commons to the same appertaining or demised with the same, I do hereby make and ordain Sir Thomas Vavasour, knight, and John Walter of the Inner

Temple, London, esquire, executors of my last will and testament, as well of, for and concerning my said demise and lease of the said site of the said manor and other the premises, as also of, for and concerning all such household stuff, utensils and implements of household (half the plate only excepted) as I shall be possessed of at the time of my decease at or in any mansion or manor house in Wedon aforesaid called Lelius, and at or in my mansion house called Lee's Rest situate in the parish of Charlbury in the county of Oxon, and at or in the messuage or farm in Spelsbury in the said county of Oxon wherein one John Poulter, deceased, did lately dwell, and of, for and concerning half of all the plate which I shall have at the time of my decease within the realm of England, for and during such term and time only, and in such manner, and to and under such uses, purposes, intents and provisos, as I by any writing under my hand and seal shall at any time during my natural life limit, appoint or declare;

And my will and mind further is that as well the use and occupation of the said site of the said manor and all other the premises thereunto appertaining or demised with the same, and of the household stuff, utensils, implements of household and plate aforesaid, after my decease and after the determination of such term or time, use, purpose or intent as I by any writing under my hand and seal shall limit, appoint or declare as aforesaid touching or concerning the premises, as also the use and occupation immediately after my decease of the parsonage and prebend of Aylesbury in the said county of Buckingham with th' appurtenances, and of the lands, tenements and hereditaments thereunto belonging which I hold by the demise or grant of Bennet Wilson, gentleman, and of thirty acres and a half or thereabouts of pasture ground and a little close called Seagers lying within the manor of Bridesthorpe in the said county of Buckingham which I hold by the demise of the aforesaid Warden and scholars, and of the farm and lands in the parishes of Euston and Spelsbury or either of them in the said county of Oxon which I hold by lease for years of Sir William Pope, knight, and of the manor of Charlbury in the said county of Oxon, and of all other the lands, tenements and hereditaments in the said counties of Buckingham and Oxon or either of them whereof I or any other to my use stand possessed by virtue of any lease or leases for term or terms of years, and also of all such other household stuff, utensils and implements of household, and of half the plate whereof I shall be possessed at the time of my decease at or in any mansion or manor houses of Quarrendon, Burston and Ditchley or any of them in the said counties of Buckingham and Oxon or elsewhere in the said counties, shall from time to time remain, go and be to every such person and persons as shall next after my decease have the immediate freehold of and in my manors of Quarrendon, Burston and Ditchley by virtue of any limitation contained in one indenture tripartite dated the thirtieth day of September last past before the date hereof, made between me of the first party, Jerome Nashe, gentleman, of the second party, and Richard Gosnold, gentleman, of the third party, for and during so long time and such and so many years of the said several leases only as such person or persons shall live and have the immediate freeholds aforesaid by virtue of any limitation in the said indenture contained, and no longer;

And that after, the use and occupation of the same shall successively remain, go and be to every such person and persons as shall from time to time for the time being have the immediate freehold of the said manors of Quarrendon, Burston and Ditchley for and

during so long time and such and so many years of the said several leases only as such person or persons shall live and have the immediate freehold of and in the same manors by virtue of any limitation in the foresaid indenture tripartite;

Provided always and my will and mind further is that all and every such person and persons as shall from time to time for the time being have the immediate freehold of and in my said manors of Quarrendon, Burston and Ditchley by virtue of any limitation in the aforesaid indenture contained, and to whom the use and occupation of the said leases, household stuff, utensils, plate and implements of household or any of them shall belong or appertain by force of any limitation in these presents, being of the full age of 21 years, shall within two months next after the decease of such person as shall then next before die seised of an estate of freehold of and in the said manors, deliver a true inventory of such of the foresaid leases, household stuff, utensils, plate and implements of household as such person so next before dying shall be by virtue of this my last will and testament possessed of at the time of his decease unto such person as shall be then next in remainder unto the said manors by force of any limitation contained in the foresaid indenture, and shall also within the said space become sufficiently bounden by his deed obligatory in double the value of the same leases, household stuff, utensils, plate and implements of household unto such person which shall be then next in remainder as aforesaid delivered as his deed unto the hands of the said person which shall be then next in remainder as aforesaid, with condition that he shall not at any time during his natural life waste, spoil or embezzle or suffer to be wasted, spoiled or embezzled (other than by usual and reasonable wearing) any the said household stuff, utensils, plate and implements of household to be contained in the said inventory to above the value of forty pounds, nor shall do or willingly suffer to be done any act or thing for the alienating, forfeiting, determining or altering of the term or terms, interest or property of or in any the foresaid leases, goods or chattels, but shall leave the same at the time of his decease unto such person and persons to whom the use and occupation thereof after his decease by force of this my last will and testament ought to remain, go and be according to the true intent and meaning of this my said last will and testament, or in default thereof the use and occupation of all the same leases, household stuff, utensils, plate and implements of household shall from time to time then immediately remain, go and be unto such person which shall be then next in remainder unto the said manors upon the like condition as aforesaid;

And my will and mind further is that all and singular the lands, tenements and hereditaments in Stansfield and elsewhere in the said county of Oxon which I hold by copy of court roll shall from time to time from and after my decease remain, go and be to every such person and persons as shall after my decease have the immediate freehold of my said mansion or manor house of Ditchley by virtue of any limitation contained in the foresaid indenture for and during so long time only as such person or persons shall have the immediate freehold aforesaid by virtue of any limitation in the said indenture contained, and no longer;

And that after, the same shall successively remain, go and be to every such person and persons as shall from time to time have the immediate freehold of and in the said mansion

or manor house of Ditchley for and during so long time only as such person or persons shall have the immediate freehold of and in the said mansion or manor house of Ditchley;

And for the better executing and performance of the foresaid devises and legacies, and of this my last will and testament (saving of, for and concerning my said lease of the said site and demesnes of the said manor of Wedon and the said household stuff, utensils and implements of household which shall be at the time of my decease at or in my said mansion or manor house called Lelius, my said mansion house called Lee's Rest, and the foresaid messuage or farm in Spelsbury, and in every or any of them, and of half my plate aforesaid for and during such term and time only and during the continuance of such uses, intents and purposes only as I by any writing under my hand and seal shall limit, appoint or declare as aforesaid), I do make and ordain the foresaid John Walter, Henry Lee, son and heir apparent of Sir Robert Lee, knight, son and heir of Bennet Lee, sometime of Hockett in the said county of Buckingham, esquire, deceased, and John Lee of Lachford in the said county of Oxon, esquire, executors of this my last will and testament, to the intent that they shall consent to the execution of the said legacies accordingly, and perform the residue of this my last will and testament according to the true intent and meaning thereof;

And I do further by this my last will and testament give and bequeath to the Lady Susan Bouchier the sum of two hundred pounds, to be paid unto her by my last-mentioned executors within one year next after my decease (over and besides the sum of eight hundred pounds due by me unto her by recognizance) upon condition that she, the said Lady Susan, shall not at any time after my decease recover, have or claim any annuity or rent-charge by me heretofore granted to her or to any other to her use, but shall release, surrender and yield up all her interest, claim and demand in and to every such annuity or rent-charge (if any such be) whensoever she shall be thereunto required by my executors or any of them, or else the said gift and bequest of the said sum of two hundred pounds to be void;

Also, I give and bequeath to Mrs Elizabeth Southwell, the daughter of Miles Southwell, esquire, the sum of one hundred pounds, to be paid unto her within six months next after the day of her marriage or within one year next after my decease, which of them shall first happen;

Also I give and bequeath to my servant Richard Nashe, ten pounds; to my servant Michael Lee, ten pounds; to my servant, Henry Trentall, ten pounds; to my servant Henry Thorneton, five pounds; and to my servant Alice Tate, five pounds, all the same several legacies to be paid and delivered within one year next after my decease;

Also I will and bequeath to every one of my servants which shall serve me at the time of my decease one whole year's wages over and besides the legacies hereinbefore to any of them given, the same to be paid unto them likewise within one year next after my decease;

Also my will and mind is that my last-named executors shall expend and bestow the sum of four hundred pounds in and upon my burial blacks and funeral charges over and above the charges of the tombs aforesaid;

And my will and mind further is that all the residue of my good, chattels, cattle and movables whatsoever not hereby given or bequeathed, or whereof the use or occupation is not hereby limited or appointed, shall be employed and bestowed towards the payment of my debts and legacies;

And that this my last will and testament may be the better performed according to my intent and plain meaning, I do make overseers thereof Sir Edward Coke, knight, Lord Chief Justice of his Majesty's Court of Common Pleas, and Sir Davie Williams, knight, one of the Justices of his Majesty's Court of King's Bench, desiring them that they will do their best endeavours to see this my last will and testament performed, and I do further will that if any ambiguity shall arise or grow after my decease of or upon any matter or thing in this my last will contained, the same shall be determined by my said overseers, and I do give to each of my said overseers for their pains to be taken herein the sum of ten pounds;

And I do also give to the foresaid John Walter, one of my said executors, towards his pains to be taken in the execution of my said last will the sum of twenty pounds;

And in witness that this is my last will and testament, my name being subscribed to every leaf thereof with my own hand, I have hereunto put my seal of arms and published the same the day and year first above-written. Henry Lee.

Sealed and subscribed and published the day of the date hereof in the presence of us, Edward Vere, William Scott, Thomas Johnes, Richard Nashe, Michael Lee, Richard Gosnold.

Probatum fuit testamentum suprascriptum apud London coram venerabili viro Domino Iohanne Benet milite legum doctore Curie prerogatiue Cantuariens{is} Mag{ist}ro Custode siue Comissario legitime constituto octauo die mensis Maij Anno Domini millesimo sexcentesimo vndecimo Iuramento Henrici Lee armigeri filij et heredis apparentis D{omi}ni Roberti Lee militis executoris in eodem testamento nominat{i} Cui com{m}iss{a} fuit Administracio bonorum Iurium et Creditorum dicti defuncti de bene et fideliter Administrand{o} &c ad sancta dei Evangelia Iurat{o} Reservata p{otes}tate similem Comissionem faciend{i} D{omi}no Thome Vavasor militi Iohanni Walter et Iohanni Lee armigeris executoribus etiam in h{uius}mo{d}i testamento nominatis cum venerint eam petitur{is}

Deinde tercio die mensis Iulij Anno Domini millesimo sexcentesimo vndecimo predict{o} coram d{i}c{t}o Domino Iohanne Benet milite Comissario predict{o} probatum fuit h{uius}mo{d}i testamentum Iuramento Iohannis Lee Armigeri Executoris

etiam in eod{e}m testamento nominat{i} Cui Com{m}issa fuit consimilis Administracio Bonorum Iurium et Creditorum dicti defuncti de bene et fideliter Administrand{o} &c ad sancta dei Evangelia Iurat{i} Reservate p{otes}tate similem Comissionem faciend{i} D{omi}no Thome Vauasor militi et Iohanni Walter Executoribus pred{i}c{t}is cum venerint eam petitur{is} Ex{aminatus}

[=The above-written testament was proved at London before the worshipful Sir John Bennet, knight, Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the eighth day in the month of May in the year of the Lord the thousand six hundred eleventh by the oath of Henry Lee, esquire, son and heir apparent of Sir Robert Lee, knight, executor named in the same testament, to whom administration was granted of the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc., with power reserved for a similar grant to be made to Sir Thomas Vavasour, knight, John Walter and John Lee, esquires, executors also named in the same testament, when they shall have come to petition the same;

Afterwards, on the third day of the month of July in the foresaid year of the Lord the thousand six hundred eleventh before the said Sir John Bennett, knight, the foresaid commissary, the same testament was proved by the oath of John Lee, esquire, executor also named in the same testament, to whom a similar administration was granted of the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc., with power reserved for a similar grant to be made to Sir Thomas Vavasour knight, and John Walter, executors aforesaid, when they shall have come to petition the same. Examined.]