

SUMMARY: The document below is the Prerogative Count of Canterbury copy of the will, dated 27 March 1613, together with a codicil dated 3 April 1613, proved 14 April 1613, of Margaret (nee Port) Stanhope, widow of Sir Thomas Stanhope (d.1596) of Shelford, whose father, Sir Michael Stanhope was involved in the Protector Somerset's fraud against Oxford's father, the 16<sup>th</sup> Earl. See TNA E 328-345 and other documents on this website, and *The Fall of the House of Oxford* by the author of this website.

### ***FAMILY BACKGROUND***

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

The testatrix was the granddaughter of Sir John Port (c.1472-1540), Justice of the King's Bench, the son of Henry Port (d.1512) and his first wife, Anne Barrow, the daughter of Roger Barrow of Chester. Sir John Port (c.1472-1540) married, as his first wife, Jane Fitzherbert (died c.1520), the daughter of John Fitzherbert (d.1502), King's Remembrancer of the Exchequer, and a cousin of Sir Anthony Fitzherbert (c.1470–1538). At the time of the marriage she was the widow of John Pole of Radbourn. They had a son, John Port (d.1557), the testatrix' father, and three daughters. In the 1520s the testatrix' grandfather married secondly Margery Trafford, the daughter of Sir Edmund Trafford, and the widow of Sir Thomas Gerard (d. 1523); she died childless in May 1540. For the will of the testatrix' grandfather, Sir John Port (c.1472-1540), see TNA PROB 11/28/58.

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

The testatrix was the daughter of Sir John Port (before 1510 – 6 June 1557) by his first wife, Elizabeth Gifford, the only daughter of Sir Thomas Gifford (d. 27 May 1560) of Bryn, Lancashire, whom he married in 1531. For the will of Sir John Port, see TNA PROB 11/39/245.

The testatrix had two brothers and two sisters:

-**Walter Port**, who died young.

-**Thomas Port**, who died young.

-**Elizabeth Port**, who married Sir Thomas Gerard of Bryn, Lancashire. Their second son was the Jesuit, John Gerard (1564–1637).

-**Dorothy Port** (1540?-1607), who married George Hastings (1540 – 30 December 1604), 4th Earl of Huntingdon, younger brother of Henry Hastings (d. 14 December 1595), 3<sup>rd</sup> Earl of Huntingdon, by whom she was the mother of Francis Hastings (d. 17 December 1595), who, by his wife, Sarah Harington (d. September 1629), the daughter of

Sir James Harington (d. January 1592) of Exton, Rutland, and Lucy Sidney (c.1520-c.1591) was the father of Henry Hastings (24 April 1586 – 14 November 1643), 5<sup>th</sup> Earl of Huntingdon.

The testatrix' father married secondly, Dorothy Fitzherbert, the daughter of Sir Anthony Fitzherbert (c.1470 – 26 or 27 May 1538), and widow of Sir Ralph Longford (d.1543), by whom he had no issue.

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

The testatrix married Sir Thomas Stanhope (d.1596), eldest son and heir of the courtier Sir Michael Stanhope (b. before 1508, d.1552) and his wife Anne Rawson (c.1515-1588), the daughter of Nicholas Rawson (1475-1529?), esquire, of Aveley, Essex, by Beatrix Cooke (d. 14 January 1554), the daughter of Sir Philip Cooke (d. 7 December 1503) and Elizabeth Belknap (died c. 6 March 1504). Beatrix Cooke was the aunt of Lady Burghley's father, Sir Anthony Cooke (1505 – 11 June 1576). See Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. IV, p. 144, and the will of Sir Anthony Cooke, TNA PROB 11/59/110.

The History of Parliament entry for Sir Thomas Stanhope notes his relationship to Lady Burghley:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/stanhope-sir-thomas-1540-96>

*These extensive estates, and the protection of Sir William Cecil, Lord Burghley, would have allowed Stanhope to have indulged himself in a career at court had he wished. He was related to Burghley's second wife, Mildred, the daughter of Sir Anthony Cooke. Sending Burghley a New Year's gift in December 1579, he acknowledged he had received 'more good and grave counsel and advice from you in my time than from any other man (good Sir Anthony Cooke except), I mean when I was very young. I have had more commodity by your free gift than of all persons now living'.*

For Sir Thomas Stanhope's siblings, see the inscription on the tomb of his mother, Anne (nee Rawson) Stanhope, in Shelford Church in Brown, Cornelius, *Lives of Nottinghamshire Worthies*, (London: H. Sotheran & Co., 1882), p. 109, at:

<https://books.google.ca/books?id=14ZQAAAAYAAJ&pg=PA109>

*By Sir Michael she had these children, Sir Thomas Stanhope of Shelford in the County of Nottingham, knight; Eleanor, married to Thomas Cooper of Thurgarton in Com. Nottingham, esquire; Edward Stanhope, esquire, one of her Majesty's Council in the north parts of England; Julian, married to John Hotham of Scarborough in Com. Eborum, esquire; John Stanhope, esquire, one of the Gentlemen of the Privy Chamber to our most dear Sovereign Lady, Queen Elizabeth; Jane, married to Sir Roger Townshend*

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*of Eyam in Com. Norfolk; Edward Stanhope, Doctor of the Civil Law, one of her Majesty's High Court of Chancery; Michael Stanhope, esquire, one of the Privy Chamber to Queen Elizabeth; besides Margaret, William and Edward, who died in their infancy.*

By Sir Thomas Stanhope (d.1596) the testatrix had three sons and a daughter:

\* **Sir John Stanhope** (d.1611) of Shelford, who married Oxford's sister-in-law, Katherine Trentham (d.1621?). For his will, see TNA PROB 11/117/473.

\* **Edward Stanhope**, who appears to have been in disfavour, as the testatrix bequeaths him only 'ten shillings in consideration of his child's part'.

\* **Thomas Stanhope**, who appears to have predeceased the testatrix, as he is not mentioned in the will below.

\* **Anne Stanhope** (1576-1651) who married Sir John Holles (d.1637), 1st Earl of Clare, the son of Denzel Holles (1538?-1590) by Oxford's first cousin, Eleanor Sheffield, the daughter of Edmund (1521-1549), Lord Sheffield, and his wife, Anne de Vere (d.1572), sister of the 16<sup>th</sup> Earl of Oxford. The year of Sir John Holles' birth is unknown. He matriculated at Christ's College, Cambridge, in 1579, entered Gray's Inn in 1583, inherited a considerable estate at the deaths of his father and grandfather, married Anne Stanhope in 1591, and was knighted by the Earl of Essex in October 1593. In July 1616 he paid £10,000 for the barony of Haughton. He was involved as an adviser to Elizabeth, Lady Hatton, the estranged wife of Sir Edward Coke, and in 1617 represented Lady Hatton in the negotiations for the marriage of her daughter, Frances Coke, to Sir John Villiers, a brother of the Earl of Buckingham. From the *ODNB*:

*When it was discovered that Coke, who had been dismissed from the bench, also saw the marriage as a way of regaining favour, Frances was removed to the country. Coke, who accused but never proved that Haughton was responsible for his stepdaughter's seclusion, seized Frances and his terms for the marriage were accepted by Buckingham. When Lady Hatton tried to defeat her husband by claiming there was a prior contract of marriage to [Henry de Vere, 18th] Earl of Oxford, Haughton advised her to concede and seek the best available terms. She made her peace but Haughton found himself out of favour with Buckingham and James I.*

The testatrix' eldest grandson, Sir John Holles (1595-1666), 2nd Earl of Clare, on 24 September 1626 married Elizabeth Vere (d.1683), the daughter of Oxford's first cousin, Sir Horace Vere (1565-1635), Baron of Tilbury.

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

The Hastings, Stewart and Chetwynd relatives mentioned by the testatrix in her will were the descendants of her sister, Dorothy (nee Port) Hastings (d.1607), Lady Huntingdon. Sir Walter Chetwynd (d. 1638) of Ingestre, mentioned in the will below, in 1605 married

Katherine Hastings, the daughter of the testatrix' sister, Dorothy (nee Port) Hastings (1540?-1607), Countess of Huntingdon. Sir Walter Chetwynd's sister, Mary, was married to Ralph Sneyd (d.1620), the uncle of Oxford's second wife, Elizabeth Trentham (d.1613). See *Newcastle-under-Lyme in Early Tudor and Stuart Times* (1938), pp. 45-6, available online at:

<http://books.google.ca/books?id=ExwNAQAAIAAJ&pg=PA45>

### ***LADY DERBY'S ENTERTAINMENT***

The testatrix was the Lady Stanhope who was present at the entertainment given by Alice (nee Spencer) Stanley (1559-1637), Lady Derby, as was her sister, Dorothy (nee Port) Hastings (1540?-1607), Lady Huntingdon. For Lady Derby's Entertainment, see issues 41-44 of the *Edward De Vere Newsletter* on this website.

RM: T{estamentum} D{omi}ne Margarete Stanhope vid{ue}

In name of God, Amen. I, Lady Margaret Stanhope of the town of Nottingham in the county of the town of Nottingham, widow, seeing the manifold inconveniences wherein they who dies intestate leaves their successors, do here make my last will and testament the 27th day of March in the year of Our Lord God 1613 in manner and form following:

First, I bequeath my soul into the hands of Almighty God, my Maker, and my body to be buried in Shelford church in the vault where my husband now lieth, and that on the next day after my death if I die at Shelford or so near it as my body may be brought thither so soon, but wheresoever it pleaseth God I shall die, my will is to have no funeral, for I hold it a vain ceremony;

Item, whereas I lately purchased in the town of Nottingham a dwelling-house called Thurland house with other houses thereunto belonging and certain grounds on the backside of the same with their appurtenances, all the said purchased premises with th' appurtenances and all my right, title and interest that I have, may have or of right ought to have in the same I do freely give and bequeath unto my son, Sir John Holles, knight, and to my daughter, his wife, during their natural lives and to the longer liver of them, and after their decease to their son, John Holles, my grandchild, and to the heirs of his body, and if he die without issue then to my grandchild, Denzel Holles, and to the heirs of his body, and for want of such issue then to my grandchild, Francis Holles, and to the heirs of his body, and for want of such issue to the right heirs of my son, Sir John Holles, and my daughter, his wife, and to their heirs forever;

Item, whereas I purchased of one Thomas Hewton and Mary, his wife, certain messuages, burgages, lands, tenements and hereditaments lying and being in the town and township of Nottingham likewise, and also of one William Munday of Bellone(?) Park one piece of

ground lying within the territories of the town of Nottingham, and also of one George Hutchenson of Basford one close of meadow or pasture with th' appurtenances called the Beck Close in Nottingham aforesaid, I give and bequeath these three aforesaid purchases and all my right, title and interest I have in and to the same with their appurtenances unto my said son, Sir John Holles, knight, and to my daughter, his wife, during their lives and to the longer liver of them, and after their decease to their son, John Holles, my grandchild, and to the heirs of his body, and if he die without such issue then to Denzel Holles, my grandchild, and to the heirs of his body, and for want of such issue then to my grandchild, Francis Holles, and to the heirs of his body, and for want of such issue to the right heirs of my son, Sir John Holles, and my daughter, his wife, and to their heirs forever;

Item, I give to my godson and grandchild, Denzel Holles, and to his heirs forever a piece of ground or wood called Portes Wood with th' appurtenances and all my right, title and interest I have in and to the same which I purchased of my sister Gerard in the time of her widowhood;

Item, I give and bequeath to my son, Sir John Holles, and my daughter, his wife, during their lives and to the longer liver of them all my gilt plate, and after their decease I give the same to my grandchild, Mr John Holles, during his life, and after him to his heirs, my will and purpose being that the same gilt plate shall remain to that house forever as a token of my love to my said son and daughter;

Item, I give and bequeath to all the daughters of my said son Holles and my daughter, his wife, my grandchildren, viz., Mrs Eleanor Holles, Mrs Arbella Holles and Mrs Elizabeth Holles, every one of them four hundred pounds apiece presently to be put forth to go forward to the best profit, use and behoof of my said grandchildren, provided always and my will is that if it please God any one of them shall die in her minority or before her marriage, then this my legacy shall equally be divided amongst them that survive, and so to the survivor of them;

Item, I give and bequeath to my niece, the Lady Dorothy Stewart, all my silver dishes and saucers;

Item, I give and bequeath to my nephew, George Hastings, the ten pounds which his brother, the Earl of Huntingdon, oweth me for his grandmother's legacy which she gave me;

Item, I give to my nephew, Edward Hastings, ten pounds;

Item, I give to my godson, George Stanhope, ten pounds;

Item, I give to my son, Edward Stanhope, ten shillings in consideration of his child's part from me;

Item, I give and bequeath to so many of my household servants as have served me two years and are my household servants at my death and are not provided of farms or dwellings by me, nor yet have hereafter by name a special legacy given them of me, two years' wages over and besides their yearly wages then due, and to those that have served me but one year, being unprovided as aforesaid and without legacy, one year's wages over and besides their wages then due; John Procter, William Brierlie, Richard Shipman and Cecily Leening(?) I exempt from any benefit of this my last will;

Item, I give and bequeath to my god-daughter, Francillina Stapleton, three pounds six shillings eight pence;

Item, I give and bequeath to the poor people of Gedling parish ten pounds;

Item, I give to the poor people of the town of Nottingham fifty pounds in manner and form following, viz., that the mayor of Nottingham with two sufficient aldermen or burgesses shall upon their bond acknowledged to my son, Sir John Holles, and his heirs receive the said sum of fifty pounds, yielding and paying yearly and every year upon Michaelmas day the sum of five pounds of lawful English money, which my will is shall be equally distributed amongst the poor people of the town, but if the mayor for the time and aldermen or burgesses, which election is to be made by my son, Sir John Holles, and his heirs, shall or do refuse the bond or condition aforesaid, then my will is that my son, Sir John Holles, or his heirs shall receive back again th' aforesaid sum of fifty pounds, and the same distribute amongst the poor of the town with indifferency;

Item, I give to my son, Sir John Holles, my jewel that is in my little beaver hat;

Item, I give to my daughter Holles, his wife, my chain of pearl and all my pearls;

Item, I give to my grandchild, Mr John Holles, their son, my little jewel;

Item, I give to nurse Howett three yards of broadcloth of 13s 4d the yard to make her gown;

Item, I give to nurse Bee five pounds of lawful English money;

item, I give and bequeath unto my nephew, Sir Walter Chetwynd, knight, forty pounds;

Item, I ordain, constitute and make the said Sir John Holles, knight, Denzel Holles, Francis Hollis, Eleanor Holles, Arbella Holles and Elizabeth Holles the true, lawful and sole executors of this my last will and testament, and by virtue of this present will all former wills, of what kind or nature or sort soever they same be, I utterly renounce, make void and of none effect as if they had never been, and the residue of my goods, chattels and credits not before herein bequeathed I give and bequeath to the said Denzel Holles, Francis Holles, Eleanor Holles, Arbella Holles and Elizabeth Holles, my said-mentioned executors;

Item, my desire and will is that the said Sir Walter Chetwynd shall have one thousand pounds delivered unto him by my said son, Sir John Holles, for a year, two, three or four now next ensuing at the election of the said Sir Walter Chetwynd, he, the said Sir Walter Chetwynd, at or before the receipt thereof giving security unto the said Sir John Holles by obligation wherein the said Sir Walter Chetwynd and Henry Agard of Fossen in the county of Derby, esquire, their heirs, executors and administrators, are to be jointly and severally bound unto the said Sir John Holles in the double sum with condition thereunder to be written or thereupon to be endorsed for the payment of the said sum of a thousand pounds at the end of the time for which the same shall be so lent, together with interest after the rate of ten pounds for a hundred pounds for a year, and if the said Sir Walter Chetwynd shall not be willing to have the same so long time as two, three or four years, that then he shall give six months' warning unto the said Sir John Holles of the time that he will repay the same with interest after the rate foresaid, and then the said Sir John Holles to accept thereof;

In witness whereof I have hereunto set my hand and seal the day and year first above-written, viz., the seven and twentieth day of March in the year of Our Lord God 1613. Sealed, signed and delivered in the presence of these whose names are underwritten as the last will and testament of the Lady Margaret Stanhope, widow: Walter Chetwynd, Francis Coke, William Fletcher, William Poole, Edward Mountfort, Thomas Fowke, Gilbert Baradalle.

April the third anno Domini 1613.

Whereas before in my will I have bequeathed the sum of fifty pounds to be put forth to the use upon security given to my son, Sir John Holles, knight, for the payment of £5 yearly to the poor of the town of Nottingham, and now upon further consideration finding the same intricate and not likely to be performed according to my meaning, I do revoke the same gift of fifty pounds, and do now will and bequeath unto the poor people of the same town of Nottingham the sum of £12 to be presently in my lifetime distributed to them, videlicet, to the poor people of the parish of St Mary's the sum of £8, to the poor of the parish of St Peter's the sum of forty shillings, and to the poor people of the parish of St Nicholas the sum of forty shillings, and I do also further give unto the poor people of the parish of Shelford the sum of forty shillings presently to be delivered to them;

And whereas further in the former part of my will I have devised one thousand pounds to be lent to Sir Walter Chetwynd, knight, for divers years upon use after ten pounds the hundred upon such security as therein is limited, and now weighing with myself that in all my lifetime I never took use for any money, I make some scruple and doubt whether that act and devise be lawful or not; therefore to avoid all scandal that may arise, I do by these presents revoke the same lending of any money to the same Sir Walter Chetwynd as is before set down in that my will;

And my will and desire is that this before-written be added to my last will as a codicil to the same, these being witnesses: Robert Snoden, William Bennett, KH, the mark of Alice Fintche, Elizabeth Carings, her mark.

Probatum fuit Testamentum suprascriptum vnacum Codicillo apud London coram venerabili viro Domino Iohanne Benet milite legum Doctore Curie prerogatiue Cantuariens{is} Mag{ist}ro Custode siue Com{m}issario legitime constituto Decimo quarto Die mensis Aprilis Anno Domini millesimo sexcentesimo Decimo Tertio Iuramento D{omi}ni Iohannis Holles milit{is} vnus Executorum in eodem Testamento nominat{i} Cui com{m}issa fuit Administrac{i}o bonorum Iurium et Creditorum dicti defuncti [sic?] De bene et fideliter Administrando &c ad sancta dei Evangelia Iurat{i} Reservata p{otes}tate similem Com{m}issionem faciend{i} Densell Holles ffrancisco Holles Elianore Holles Arbelle Holles et Elizabeth Holles Executoribus etiam in h{uius}mo{d}i Testamento nominat{is} cum venerint eam petitur{is}

[=The above-written testament was proved, together with the codicil, at London before the worshipful Sir John Bennett, knight, Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the fourteenth day of the month of April in the year of the Lord the thousand six hundred thirteenth by the oath of Sir John Holles, knight, one of the executors named in the same testament, to whom administration was granted of the good, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc., with power reserved for a similar commission to be made to Denzel Holles, Francis Holles, Eleanor Holles, Arbella Holles and Elizabeth Holles, executors also named in the same testament, when they shall have come to petition the same.]