

SUMMARY: The document below is the last will and testament, dated 4 August 1615 and proved 10 November 1615, of Sir John Leveson (d. 7 November 1615), brother of William Leveson (d.1621), who acted as trustee to the Lord Chamberlain's Men, including William Shakespeare of Stratford upon Avon, in the allocation of shares in the ground lease of the Globe Theatre in 1599. In the will below the testator forgives William Leveson (d.1621) debts amounting to £580. For the will of William Leveson (d.1621), see TNA PROB 11/137/600.

The testator was the son of Thomas Leveson (1532-1576) and Ursula Gresham (1534–1574), the daughter of Sir John Gresham by his first wife, Mary Ipswell. For the will of the testator's grandfather, Sir John Gresham (d.1556), see TNA PROB 11/38/241.

Besides his brother, William Leveson (d.1621), mentioned above, the testator had nine sisters: Dionyse, Mary, Elizabeth, Frances, Ursula, Anne, Grisell, Mary (again), and Nazareth. Only Grisell is named in the will below.

The testator married firstly, on 27 April 1579, Margaret Manwood (d. 26 April 1585), the daughter of Sir Roger Manwood (for whom see the *ODNB* entry), by whom he had three daughters who predeceased him.

The testator married secondly, on 9 July 1586, Christian Mildmay (buried 16 February 1627), the daughter of Sir Walter Mildmay (for whom see the *ODNB* entry and his will, TNA PROB 11/74/73). See also her will, TNA PROB 11/151/186, and Payne, George, *Collectanea Cantiana*, (London: Mitchell and Hughes, 1893), pp. 134-5 at:

http://books.google.ca/books?id=8WUWAAAAYAAJ&pg=PA134&lpg=PA134&dq=%22Ashmores%22+%22Leveson%22&source=bl&ots=pwhzu4pv9_&sig=zida5bXKNt5m7VZBhqJ1DK8l2Lc&hl=en&sa=X&ei=ZMV0VPKbOMbTiQK2_ICgCw&ved=0CCIQ6AEwAg#v=onepage&q=%22Ashmores%22%20%22Leveson%22&f=false

At the time she married the testator, Christian Mildmay was the widow of Charles Barrett, by whom, according to the 1589 will of her father, Sir Walter Mildmay, she had two sons, Sir Edward Barrett and Walter Barrett, and a daughter, Anne Barrett (d.1603).

Anne Barrett (d.1603) married, as his first wife, Sir Robert Harley (1579-1656), frequently mentioned in the will below. See the *ODNB* article on Sir Robert Harley.

Sir Edward Barrett married Jane Carey on 20 February 1609 at the home of Sir Dudley Digges, with John Heminges of the King's Men in attendance as a witness. See ERO D/DL/T1/673; Hotson, Leslie, *I, William Shakespeare*, (London: Jonathan Cape, 1937), p. 218; and Malcolm, James Peller, *Londinium Redivivum*, (London: John Nichols & Son, 1803), Vol. II, p. 120 at:

http://books.google.ca/books?id=Fck_AAAAcAAJ&pg=PA130&lpg=PA130&dq=%22Edward+Barrett%22+%22Carew%22&source=bl&ots=TmHwO2LRtc&sig=aqx3AkIov5s

6eGgXiewjYhFubeA&hl=en&sa=X&ei=OgxkVN6eK6fliQLym4GAAw&ved=0CCUQ6AEwAg#v=onepage&q=%22Edward%20Barrett%22%20%22Carew%22&f=false.

See also:

<http://www.bbc.co.uk/arts/yourpaintings/paintings/jane-carey-15941633-wife-of-edward-barrett-lord-newburgh-77789>.

By Christian Mildmay the testator had five sons and five daughters, only three of whom survived him, Richard, Francis and Rachel.

The testator's eldest son, Sir John Leveson (d.1613), married Frances Sondes (1592–c.1634), the daughter of Thomas Sondes (1544–1593) of Throwley, Kent, by Margaret Brooke (1563–1621), the youngest daughter of William Brooke (1527–1597), 10th Baron Cobham. Sir John Leveson died of plague in December 1613, predeceasing his father and leaving two infant daughters, Christian and Frances. His widow married secondly Thomas Savile (died c. 1659). She is referred to by the testator as 'my dear and good daughter-in-law, the Lady Leveson' in the will below. See McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham*, (Salzburg: Universitat Salzburg, 1986), Vol. II, pp. 424–9, 702, 752; and Cokayne, George Edward, *The Complete Peerage*, (London: St Catherine Press, 1953), Vol. XII, Part I, pp. 531–2.

The testator's grand-daughters, Christian Leveson (buried 3 April 1655) and Frances Leveson, married, respectively, Sir Peter Temple (d.1653) and Sir Thomas Gower. See Burke, John, *A Genealogical and Heraldic Dictionary of the Peerage and Baronetage of the British Empire*, (London: Henry Colburn, 1839), p. 1009 at:

http://books.google.ca/books?id=h_U8AQAAIAAJ&pg=PA1009&lpg=PA1009&dq=%22Sir+John+Leveson%22+%22sons%22&source=bl&ots=NFvRmsyccu&sig=9-T1Mx0mEyaqfXquDHwrJ9OPjTA&hl=en&sa=X&ei=XMpzVLuHO-6QigKTsoGYAw&ved=0CEIQ6AEwCA#v=onepage&q=%22Sir%20John%20Leveson%22%20%22sons%22&f=false.

See also Brydges, Egerton, *Collins's Peerage of England*, (London: F.C. and J. Rivington, 1812), Vol. II, pp. 411 and 446 at:

http://books.google.ca/books?id=rhIwAAAAYAAJ&pg=PA446&lpg=PA446&dq=%22Sir+John+Leveson%22+%22sons%22&source=bl&ots=-6ezmgIShh&sig=SrxCt7bYPPooGEeohk28ak_aRP4&hl=en&sa=X&ei=XMpzVLuHO-6QigKTsoGYAw&ved=0CEQQ6AEwCQ#v=onepage&q=%22Sir%20John%20Leveson%22%20%22sons%22&f=false.

The testator was survived by two sons and a daughter:

* Richard Leveson, who died without issue, and adopted as his heir Sir William Leveson-Gower. See Brydges, p. 446, *supra*.

* Francis Leveson, who appears to have died without issue, as neither he nor any children of his are mentioned in his mother's 1626 will.

* Rachel Leveson, who married Richard Newport (7 May 1587 – 8 February 1651), 1st Baron Newport, of Eyton and High Erccall, Shropshire, whose grandfather, Richard Newport (d. 12 September 1570), was the owner of a copy of Hall's *Chronicle*, formerly Loan 61 in the British Library, containing annotations thought to have been made by Shakespeare. The volume is now in the hands of a trustee, Lord Hesketh. See the will of Richard Newport, TNA PROB 11/53/456; and Keen, Alan and Roger Lubbock, *The Annotator*, (London: Putnam, 1954). See also the History of Parliament entry for Richard Newport at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/newport-richard-1511-70>.

See also the History of Parliament entry for Sir Richard Newport at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/newport-richard-1587-1651>.

As noted in the will below, the testator was the heir of Sir Richard Leveson (d. 2 August 1605), the son of Sir Walter Leveson (1551–1602) of Lilleshall, Shropshire, by his first wife, Anne Corbet (fl.1550–1576). Sir Walter Leveson's second wife, Susan Vernon, is mentioned in the will below as 'the Lady Susan Leveson'. She was the sister of Elizabeth Vernon, the wife of Henry Wriothesley, 3rd Earl of Southampton, and of Sir Robert Vernon, Comptroller of the Household, and was a first cousin of Robert Devereux, 2nd Earl of Essex. It is indicative of the complexity of family relationships in the Elizabethan period that the testator played a prominent role in the suppression of the Essex Rebellion in 1601, for which Essex and Southampton were tried for treason.

For Sir Richard Leveson's marriage to Margaret Howard and his liaison with his second cousin, Mary Fitton (1578-1641), by whom he had an illegitimate daughter, Anne Leveson, see his will, TNA PROB 11/106/91.

As noted in the will below, the testator's inheritance from Sir Richard Leveson involved him in 'a mass and heap of suits and charges'. For background to the testator's legal and financial difficulties as heir to Sir Richard Leveson, see TNA C 2/JasI/S12/39; the *ODNB* entries for the testator and Sir Richard Leveson, and the History of Parliament entry for the testator at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/leveson-sir-john-1556-1615>.

The testator's trustee, Sir Francis Fane (1583/4-1629), 1st Earl of Westmorland, was the eldest son and heir of Sir Thomas Fane (d.1589) by his second wife, Mary Neville

(c.1554–1626), the daughter and heir of Henry Neville (d. 10 February 1587), Baron Bergavenny. Sir Francis Fane married Mary Mildmay (1581/2–1640), the daughter and heir of Sir Anthony Mildmay (c.1549–1617), eldest son and heir of Sir Walter Mildmay by Mary Walsingham. Mary (nee Mildmay), Lady Fane, was thus the niece of the testator's second wife, Christian (nee Mildmay) Barrett Leveson. See the *ODNB* articles on Sir Francis Fane, Sir Anthony Mildmay and Sir Walter Mildmay.

For the testator's relative, Sir Walter Leveson (d. January 1620) of Ashmores, see the will of Sir Richard Leveson, *supra*.

RM: T{estamentum} Iohannis Leveson milit{is}

[f. 246r] In the name of the Almighty and eternal God, Amen. I, John Leveson of Halling in the county of Kent, knight, knowing that nothing is more certain than that all flesh must die, and the time thereof to be as uncertain as the other is sure, and considering the troubles that often ensue by not disposing of worldly estates in due time, do now in this my perfect health make this my last will and testament, revoking all former wills:

First, therefore, I commend my soul to God Almighty and to my Blessed Saviour, Jesus Christ, in whom only the hope [f. 246v] and assurance of my salvation is builded, acknowledging the greatness of my sins and repenting from the bottom of my heart, do humbly beg forgiveness of the same for Jesus Christ his sake, my only Saviour and Redeemer;

My body I desire may be buried in Cuxton church if I shall happen to die in Kent, but if it please God I shall die in Shropshire or Staffordshire or near thereto, then I desire to be buried in Lilleshall church;

But wheresoever I shall die, I will neither have blacks, heralds, doles nor other ceremonies more than the presence of some very few friends dwelling near the place of my burial, which I desire to be as privately done as may be, and instead of a dole, which calls unruly assemblies of common people, I will have twenty pounds to be divided and given among the poor in the parishes of Cuxton, Halling, Snodland, Cobham and Wouldham, and five pounds to be likewise given to the poor of the parish of Lilleshall within fourteen days next after my funeral;

And whereas it hath pleased God for the punishment of my sins to take away my eldest son, John Leveson, knight, and yet of his mercy to leave me two young sons, viz., Richard and Francis, and one daughter, viz., Rachel, now the wife of Richard Newport of Eyton in the county of Salop, knight, besides two daughters, viz., Christian and Frances, being infants, the children of my said son, John Leveson, for whom I stand bound by nature to provide out of that estate which it hath pleased God to give me, for the better performance whereof I have by a bargain and sale under my hand and seal made to Sir Francis Fane, Sir Thomas Gresham, Sir Edward Barrett, knights, Richard Newport,

knight, and Walter Barrett, esquire, granted, bargained and sold my lands for certain years for the rent of two hundred pounds to be yearly paid upon special trust and confidence that they shall suffer Dame Christian Leveson, my well-beloved wife, during the term of the said lease, if she so long shall live, to receive and take the said rent of two hundred pounds reserved upon the said lease, therewith and with such other means as I shall leave first to pay all my debts as they shall be due, as also all such legacies, pensions, bequests and annuities which are issuing out of those lands or which I shall give, limit or appoint, I do therefore will and require my wife out of the said rent of two hundred pounds to be paid for all those lands, and out of the issues and profits of Sir Richard Leveson's lands which I hold by lease, and also out of the issues and profits of all other my leases to see my debts to be paid, defalking out of them so much only as shall be necessary for the maintenance of my two sons;

And after payment of my debts and legacies, then I will that there be raised out of the two hundred pounds rent yearly payable by Sir Francis Fane and the rest, as also out of the rents and profits of Leybourne whereof my son, Richard Leveson, is a joint purchaser with me, the sum of six thousand pounds towards the portions of the two daughters of my son, John Leveson, viz., three thousand pounds to each of them, which portions I will shall be employed as my wife during her life, and after her death then as Sir Francis Fane shall direct and order until such time as the said two daughters of my son shall accomplish the age of twenty and one years or shall marry after the age of 16 years with the consent in writing of my wife or of their mother, if she be living, and if she be dead, then with the consent of the Lady Fane, the wife of Sir Francis Fane;

And if any of my said son, John, his two daughters shall die before such her marriage or before the age of 21 years, then my will is that the survivor shall have one thousand pounds to be added to her portion to be taken out of the portion given to her that so shall happen to die, and the payment of the other two thousand pounds of her which shall so die to cease;

And whereas my brother, William Leveson, oweth unto me three hundred and four score pounds which I lent him, and one hundred pounds which I borrowed for him of one Fowntane, and paid the interest thereof for many years, and lately discharged the principal debt, I do forgive him the said three hundred and four score pounds and the said hundred pounds borrowed for him;

And whereas he, my said brother, did owe and [f. 247r] stand bound to my sister, Griselde, for the payment of two hundred pounds which he borrowed of her for which she had his obligation, of which sum he hath only paid to her fifty pounds, and hath given bond to her for the payment of fifty pounds more, so as there remains yet one hundred pounds to be satisfied to her besides the said fifty pounds, which hundred pounds I have promised to be paid and do pay interest therefore to her, I will that the said hundred pounds so meant to be paid to my said sister by me be paid by my executors so soon as they may raise the same after the payment of my debts, and in the meantime to allow her interest therefore after ten pounds for the hundred by the year;

And I further will that they, my said executors, pay to my said sister, Griseld, fifty pounds more as of my gift, if my said sister be then living, within one year after my death, and in the meantime to allow her interest for that fifty pounds at £10 the hundred until it shall be paid;

Further, I do give to my wife towards her better maintenance of housekeeping the profit and benefit of my lease of the parsonage of Halling during her life, and after her death I give the said lease to Richard Leveson, my son;

I do also give to her, my said wife, the use of all my plate and household stuff at London, Halling and Lilleshall together with all my cattle and corn there upon confidence and trust that after her death my said plate and household stuff shall come to Richard, my son, and to the heirs males of his body, and for default of heirs males of his body then I give the same plate and household stuff to Francis, my son, and to the heirs males of his body, and for default of such heirs males, then to my next heirs;

And my further will is that in anything that my dear and good daughter-in-law, the Lady Leveson, shall during her widowhood require, there be to her good satisfaction given by my executors, and that my sons do from time to time give to her all due respect as the wife of their elder brother, and such a one as hath so deserved of him while he lived and of me before and sithence his death as that I hold her worthy of all good respect that may be done to her, and so I require it to be done;

I do further will and give to Francis, my youngest son, my three leases which I have of certain lands in the Isle of Grain, the profit whereof shall wholly be disposed for him after his age of seventeen years, and in the meantime so much only thereof as my wife shall take out of them for his necessaries being defalked, the rest to be disposed towards the payment of my debts and legacies, for which my son, Francis, I have made further provision by the assurance of Tendrings to him, of which I will that the profits be taken and received by my wife for his use until he shall come to the age of 22 years, and that then one thousand pounds in money be also paid to him by my executors out of the profits of my estate;

And whereas Sir Robert Harley and John Terricke have conveyed unto me all their estate in one lease of one hundred years made to them and Sir Edward Fitton, deceased, by Sir Richard Leveson of Lilleshall in the county of Salop, deceased, of all his manors, lands, tenements and hereditaments in the counties of Salop, Stafford and Chester, which lease was so conveyed and assured to me by the said Sir Robert Harley and John Terricke for that of the burden, charge and danger like to fall upon them by the defence of the said lease and estate they, the said Sir Robert Harley and John Terricke, were desirous to be freed and delivered at the time of the said conveyance made to me, the charge whereof being foreseen by them and the encumbrances and suits which fell upon the estate of Sir Richard Leveson proving to be such as they were neither able nor could undergo but with the ruin of their own estates, they therefore earnestly desired me to free them thereof;

And whereas the Lady Fitton, the widow of Sir Edward Fitton, deceased, pretending to have an interest in the said lease as executrix for her said husband, hath also conveyed all her part and interest therein to me for five hundred pounds in money paid, which money was hardly exacted from me and I enforced to pay the same to her to my great hindrance and charge or to suffer the whole estate of Sir Richard Leveson to be ruined upon an outlawry against the said Sir Edward Fitton at the suit of one Waldoe(?), by which outlawry the said [f. 247v] lease was forfeited to the King, and the moiety of the forfeit of that outlawry granted by his Majesty among others to Sir George Curzon, Sir James Creighton and the Lady Susan Leveson by the King's letters patents, and the other moiety of that forfeiture with other forfeitures reserved for the King's Majesty, as by the said letters patents will appear, which outlawry without a writ of error to be brought in the name of the said Lady Fitton as executrix to her husband was not to be reversed, and so thereby the whole estate of Sir Richard Leveson's lands had been lost for one hundred years, for preventing of which peril and maintenance of my possession I was forced to give to the said Lady Fitton five hundred pounds for a letter of attorney under her hand and seal thereby to authorize me to bring a writ of error for the saving of that lease from forfeiture and the lands of Sir Richard Leveson from being seized into his Majesty's hands, besides which I was forced to undertake upon the sudden the payment of a debt of eight hundred forty and eight pounds to the King's Majesty for cloves taken out of Leadenhall in London by Sir Richard Leveson and not paid nor accounted for by the said Sir Richard Leveson in his lifetime, and was then likewise forced to pay to Sir Richard Corbet and Mrs Mary Corbet, his sister and aunt to Sir Richard Leveson, and to the executors of the said Richard Corbet three thousand three hundred seventy-two pounds more for the debt of Sir Richard Leveson, thereby to free his lands from an extent of four thousand pounds which my adversaries and the competitors for Sir Richard Leveson's lands sought to have procured into their hands and thereby to have gained the possession of those lands from me;

And for further defence of all the said estate sought to be overthrown by mine adversaries upon pretence of a title set on foot by the practice of one Sheppear by a deed by him forged, pretended by him to be made by Sir Walter Leveson, which deed being first set on foot in the Chancery, afterwards questioned by me in the Court of Wards, and thereafter long since to my great charge sentenced, was after that sentence brought by me into the most honourable Court of Star Chamber, where after examination of many witnesses the cause came to hearing, and so after four days spent in hearing the said cause before the right honourable the Lord Chancellor and the lords and judges there, it received the sentence of that court and was dampned and cancelled, and the said Sheppear punished, this suit being also to my great charge;

Besides which I was further forced to take order and to pay many great debts of the said Sir Richard Leveson and Sir Walter Leveson, as also forced to make a composition with his Majesty for one moiety of the goods pretended to be taken at sea out of a carrack taken upon the coast of Portugal or Spain by Sir Richard Leveson and not accounted for;

And I was further also forced to compound with his Majesty for the several outlawries of the said Sir Walter Leveson, Sir Richard Leveson and Thomas Crompton, and also forced

to compound for the other moiety of the said carrack, goods and outlawries aforesaid with Sir George Curzon, Sir James Creighton and the Lady Susan Leveson, to whom the same by his Majesty's letters patents were also granted and by practice multiplied and found by inquisition to be of forty thousand pounds' value and more, all which being shared into twelve parts, of which six parts granted to the said patentees and the other six parts reserved for the King and by seizures and inquisitions laid upon Sir Richard Leveson's lands would have utterly defeated all the estate which Sir Richard Leveson had made of the said lands;

For defence of which estate as well from the said carrack, outlawries, statutes, debts, titles, suits in law and other infinite encumbrances I have been forced to pay, spend and disburse of my own estate above eighteen thousand pounds over and above what hath come to my hands either of the goods of Sir Richard Leveson or the goods taken in the carrack or of the profit of his lands, as by the declaration of my accounts most plainly will appear, insomuch as this mass and heap of suits and charges hath not only exhausted and spent great sums of money which I had in my purse and in good debts at the time of the death of Sir Richard Leveson, but hath enforced me to sell a lease worth one hundred pound *de claro per annum* and better, and also to raise eight thousand pounds in money by [f. 248r] the sale of the fee simple of a good part of my Kentish and Essex lands, and by the sale of Prestwood Hall and all other of my ancient inheritance in the county of Stafford except one house in Wolverhampton with th' appurtenances, which lands in the said county of Stafford had been in my name and blood three hundred and fifty years at the least, besides the sale of my coppice-woods in Kent and Essex, the sale of my silver vessel and most of my plate, and the expenses of all my revenues and other means whatsoever, mine own estate and all the means I could make not sufficing to support the charge which necessarily I was to undergo in defence of Sir Richard Leveson's estate, payment of his debts and composition for the said outlawries and carrack goods;

Besides all which by a deed dormant left in the custody of Sir Walter Leveson of Wolverhampton made by Sir Richard Leveson with power of revocation the manors of Oxley, Seawall [=Showell?], Perton, Rowley, Sommerey and other lands being assured to the said Sir Walter Leveson of Wolverhampton and his heirs, the revocation of which deed not being extant, and he insisting upon the validity of the said deed, considering the charge, tediousness and uncertainty of suits in the law and that if Sir Walter Leveson should die *pendente lite* the Court of Wards would or might decree the possession of all those lands against me or my children during the minority of his children, who are yet infants, and after their full age this title might breed a great suit between our posterities, I rather did choose to end all suits concerning the claim which Sir Walter Leveson made to those lands with the loss of the manor or farm of Seawall which I was of necessity to forego, or else no bargain, than by prosecution of law to plunge myself into a new suit and thereby to make a perpetual unkindness between my posterity and his house, with whom I desire all love and amity may continue, and therefore I bought the said lands of Sir Walter Leveson, and gave and made good to him the legacy of Sir Richard Leveson, being a great mass of pearl left in a trunk at Ashmores, which pearl being carrack goods I may well call mine, having the same at a dear rate from the patentees and by his Majesty's grant;

Besides which pearl the said Sir Walter Leveson hath the fee simple of the said farm called Seawall, for the better enjoying whereof I have given him my security that my son, Richard, shall at his full age by further assurance in the law ratify the fee simple of the said Seawall to him, the said Sir Walter Leveson, and his heirs, which I will be done by my sons accordingly if the said Sir Walter Leveson will so require it, and by this means I have been forced to make another purchase of these lands intended by Sir Richard Leveson to come freely to my children;

Now, therefore, forasmuch as by these infinite toils, suits, vexations, titles, payments and charges sustained by me in defence of this estate of Sir Richard Leveson for the debts of him and his father, I have not only weakened my own estate, hindered the advancement of my other children, and impaired near the one half of that fortune which should have come to John, my eldest son, if I had never meddled with the estate of Sir Richard Leveson, insomuch as I may well say that what Sir Richard Leveson intended to give to me and mine I have truly and dearly paid for, I doubt not but with the good allowance of all good men the declaration which I shall make for the disposing of the interest and right which I have in the lease of Sir Richard Leveson's lands for the discharge and payment of his debts and such debts as I have undertaken for him and for his occasions shall receive approbation and justification before God and man, which declaration is as followeth, viz.,

That after the payment of mine own debts and legacies to be raised out of the issues and profits of Sir Richard Leveson's lands, all the due debts of Sir Richard Leveson upon specialty be paid by my executors, then that two hundred pounds, being the remain of a debt of £300 from Sir Walter Leveson of which I have already paid one hundred pounds, which debt was challenged to be due to the widow of my cousin, John Skeffington, and executrix to her husband, be paid to the said widow or to whom she shall by her last will give the said remain, then [f. 248v] that care be taken that such legacies as Sir Richard Leveson hath by his will given be paid as the same may be yearly raised out of the rents of his lands, of which legacies I have paid long sithence to John Terricke his legacy of two hundred pounds, and to Samuel Bowdler his legacy of one hundred pounds, and I have also given assurance and satisfaction to pay to my cousin, Penelope Leveson, the now wife of my cousin, John Tunstall, esquire, her legacy of one thousand pounds given by Sir Richard Leveson to her, of which I have paid eight hundred pounds in hand and have given my bond for two hundred pounds more to be paid, and I have also paid to Mrs Corbet £75 in part of her legacy, and to Philip Mainwaring one hundred pounds in full payment of his legacy, and have given satisfaction to the husband of Jane Rolston in the full payment of his wife's legacy of one hundred pounds;

Further that whereas by a writing indented bearing date the 29th of June Anno 50 Iacobi Regis made between the Lady Fitton, the grandmother of Anne Leveson, the daughter of Mary Fitton, on the one party, and myself on the other, I have agreed that in case my son, Richard or Francis, after he or they shall come to the age of twenty and one years, and before that she, the said Anne Leveson, shall come to the age of twenty years, as in the said writing indented is mentioned, shall refuse to take to wife and refuse to marry the said Anne Leveson, that then she, the said Anne Leveson, shall have paid to her the sum

of four thousand pounds as the same may be raised out of the rents of a third part of all the lands of Sir Richard Leveson, and that if she refuse to marry with my said son, Richard, or if he die, if she refuse to marry with my said son, Francis, then she to have but two thousand pounds only, or if she marry with any other without the consent of her grandmother or her mother or Sir Robert Harley or John Terricke or one of them, then she to have but one thousand pounds only, as by the said deed indented whereto reference is to be had more plainly it appeareth;

Now for the better declaration how that money shall be paid, I will that if my son, Richard, after his age of one and twenty years and after the said Anne shall be of the age of nineteen years, refuse to take to wife the said Anne, or if he die, if my son, Francis, after his age of 21 years and after the said Anne shall be of the age of nineteen years, refuse to take to wife and to marry the said Anne Leveson, that then the said four thousand pounds be paid to the said Anne Leveson by my wife, if she be living, and if she be dead then by my executors out of the lands of Sir Richard Leveson as the same may be raised yearly out of the half of the said lands;

And for the two thousand pounds to be paid by the said agreement to the said Anne if she refuse to marry with my son Richard or Francis, I will that my wife, if she be living, and if she be dead then that my executors pay the said two thousand pounds as it may be yearly raised out of the moiety or half of Sir Richard Leveson's lands;

All which sums I will be paid upon such conditions, sanctions and making of releases as are mentioned in the said indented writing or by the said writing indented have reference to two other several indentures made between me and Sir Robert Harley on the one party, and me and John Terricke on the other party, which indentures bear date 17^o July Anno 4^o Iacobi Regis;

Further my will and meaning is that if Richard, my son, shall not take to wife the said Anne after she shall have accomplished the age mentioned in the said indenture between the Lady Fitton and Edward Fitton on the one party, and myself on the other party, but die before such marriage, then that my son, Francis, do take her to wife, so as the education of her be wholly committed to my wife within three months next after my death, and so as after the death of my said wife the education of her be committed to that honourable and worthy lady, the Lady Fane, wife of Sir Francis Fane, knight, and niece to my wife, till she by the direction of my wife, if she be living, and if she be dead then till she by the direction and consent of the said Lady Fane, and if she be dead, till she by the consent & direction of Sir Francis Fane and Sir Walter Leveson of Wolverhampton shall be thought worthy and fit to be disposed in marriage with such of my two sons, Richard and Francis, as shall be then living;

But in case the mother of the said Anne do refuse to give consent to such [f. 249r] education of her daughter as I have before propounded, then I do neither will nor like that any of my two sons marry with her, nor do intend any allowance for her education and maintenance;

And therefore in case both my sons, Richard and Francis, shall refuse to marry and take her to wife, or shall die before such marriage or refusal, then my will and meaning is that if there be any heir male of my body living at such age and time as aforesaid, the sum of four thousand pounds aforesaid be paid to her, the said Anne, by my wife, and if she be dead then by my executor as I have before limited and appointed out of the revenues as the same may be collected half yearly of Sir Richard Leveson's lands, so as the said Anne do release and quitclaim all such title as she hath or may pretend to have to the lands of Sir Richard Leveson or to any legacy intended to her by his will or by colour of any conveyance by him made, the said release or assurance to be made at the costs and charges of my wife, if she be living, and if she be dead then of my son, Richard and Francis, or such of them as shall be then possessed of those lands as shall be reasonably advised by his or their counsel learned in the laws;

And in the meantime until all those several payments may be made out of those lands, I will that my son, Richard, have yearly paid to him for his maintenance out of Sir Richard Leveson's estate the sum of one hundred pounds by the year after his age of seventeen years until his age of one and twenty years, and then after that age I will that he have out of the said estate two hundred pounds per annum until all the debts and legacies of Sir Richard Leveson and all my debts and legacies shall be fully paid;

After the raising and payment of all which several sums, debts and legacies, I will that my executors do suffer my son, Richard, and if he be dead, then my son, Francis, to take and receive the issues and profits of Sir Richard Leveson's lands saving such of those lands as I shall otherwise dispose of by this my last will, of which my will is that Christian, my wife, have the possession of the manor and lordship of Lilleshall with the park, tenements and granges there with all th' appurtenances for so many years as she shall like to dwell there after my death because my desire is that during her life my son, Richard and Francis, or which of them shall live to have Sir Richard Leveson's estate, do inhabit and dwell with their said mother for their better instruction and her comfort; therefore I will that after all my debts and Sir Richard Leveson's debts and my legacies and his legacies paid, yet my wife hold the said manor and lordship of Lilleshall with all th' appurtenances during her life as abovesaid without any account to be made to my heirs for taking the profits thereof;

And if it shall happen, which God forbid, that all issue male of me and my heirs males should fail, then I will that my executors do keep the possession of Sir Richard Leveson's lands and take the profits of them until Sir Walter Leveson of Wolverhampton or his issue male shall fully satisfy and pay to my executors or the survivor of them the remain of the eighteen thousand pounds which I have disbursed and so much more money as I shall disburse about the estate of Sir Richard Leveson and for his daughter and for the debts of Sir Walter Leveson in full satisfaction of the debt due to me;

Further my will is that Richard, my son, and if he die, then Francis, my son, do suffer their mother during her life, and after her death Sir Francis Fane, to receive and take the issues, rents and profits of the manor and castle of Leybourne with all th' appurtenances, to be employed by them towards the payment of my debts and legacies and performance

of my will until with the issues and profits to be raised out of that manor and other my lands my debts and legacies be all levied and paid;

And I do will that John Watkys, my servant, have ten pounds per annum given him for his service done and to be done in following my business as my wife and my son shall direct him, which ten pounds I will he shall yearly have partly out of a cottage of which he hath the profit, and the rest from my wife, until a lease now in being of that which I have granted to him in the parish of Lilleshall shall be expired and that the farm by me granted to him by that lease made to him shall be in his possession so as he may take the benefit thereof;

And I further will that care be taken [f. 249v] that as anything shall come out of lease or shall fall worth ten pounds by the year that something be done for Thomas Foster, my servant, to that value for one and twenty years in recompense of his service, so as he leave the possession of Trentham House to my executors and all those lands which he holds under me there to be disposed by my wife or my son as they shall please when he shall receive benefit from them to that value;

And of this my last will I make my well-beloved wife, Dame Christian Leveson, the executrix during her life, and after her death I make Sir Francis Fane the sole executor of this my will, and after his death I make my son, Richard Leveson, executor of this my will, and after his death my son, Francis;

And I do pray Sir Francis Fane, Sir Robert Harley, Sir Edward Barrett, and my son-in-law, Sir Richard Newport, that they will be the overseers of this my will;

And for the better ordering of the estate of Sir Richard Leveson's lands I desire that my wife will be advised by Sir Francis Fane, Sir Robert Harley, Sir Francis Newport, Sir Walter Leveson, Sir Edward Barrett, my son [=son-in-law] Newport, my cousin, Walter Gifford, and my especial dear friend, Mr Humphrey Lee, esquire, whose advices I desire may be taken in all business of difficulty and question, and to be accordingly followed for any matters or questions concerning Sir Richard Leveson's lands;

And if any question shall grow upon the interpretation of any part of this my will, then I will that whatsoever Sir Francis Fane, Sir Robert Harley, Sir Edward Barrett or any two of them shall in their consciences think most fit and agreeable with my meaning, that upon their judgment under their hands or the hands of two of them the resolution and determination of that question of doubt shall depend, and to be followed accordingly by my executors and children;

And I do heartily pray my said overseers and other my select friends in this my will named that they will afford their aid, advice and counsel for th' execution of this my will and any codicil thereto to be annexed as I would be ready for them in the like trust if they should desire me;

And in witness that this is my last will I have to every leaf of the same, being eight in number, subscribed my name this fourth of August 1615. John Leveson.

And concerning my daughter Leveson, for the increase of her portion I give her one thousand pounds to be paid within five years after my death;

And concerning my son Newport and his wife, I give each of them one hundred pounds to be paid within six year years after my decease;

And for my servant, Story, I will that he have out of some of my tenements sixteen pounds a year for his second son to be taken of that which shall first fall after my death, my meaning being that he shall hold for his eldest son the rest of the estate which he hath from Sir Richard or Sir Walter Leveson except Hales wood;

And for Camberford, my man, I give him the next tenement that shall fall not exceeding £15 by year;

And I give to old Hamersley six pounds by year besides the tenement which he hath, not meaning him any of my lime grounds;

And for Marshall, my man, I give him a tenement worth 20 marks a year in the occupation of Richard Higgins over and above the four pounds which he hath in the Moores;

And for my man, Newton, I give him some land or tenement worth ten or twelve pounds by year for 21 years when it shall fall;

And to Suger I give the tenement which his father had, paying half the worth of it when it shall fall;

All which several gifts my meaning is that they and every of them to whom they be given shall hold for one and twenty years after such time as they shall fall in possession;

And for the residue of my servants at Halling, my meaning is that my wife give them some several things as they shall happen and as they shall deserve;

Concerning the recompense of Ellen Johnson for her often pains taken in watching and attendance of me in my sickness, I give her fifty pounds to be paid within five years after my death;

And to Mary Hastings I give her £10 to be paid within five year after my death

John Leveson.

Memorandum: That the seventh day of November 1615 Sir John Leveson did publish this to be his last will, his name being with his own hand subscribed to every leaf thereof, being in number eight, and did set to his seal in presence of us whose names at the request of the said Sir John Leveson are hereunder subscribed: Richard Browne, Edward Carr, William Gowge.

[f. 150r] Probatum fuit Testamentum suprascriptum 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 Die mensis Novembris Anno Domini millesimo sexcentesimo Decimo quinto Iuramento Domine Xpiane Leveson Relicte dicti defuncti et Executricis in eodem Testamento nominat{e} Cui com{m}issa fuit Administrac{i}o bonorum Iurium et Creditorum dicti defuncti De bene et fideliter Administrando &c ad sancta Dei Evangelia Iurat{e}

[=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 tenth day of the month of November in the year of the Lord the thousand six hundred fifteenth by the oath of Lady Christian Leveson, relict of the said deceased and executrix 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.]