

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 2 April 1621 and proved 17 December 1621, of Sir Henry Townshend (d. 8 December 1621), son-in-law of Sir Rowland Hayward (d. 5 December 1593), from whose executors Oxford's second wife, Elizabeth Trentham, purchased Kings Place in Hackney. For the will of Sir Rowland Hayward see TNA PROB 11/83/228.

### ***FAMILY BACKGROUND***

The testator was the third son, and one of the twelve children, of Sir Robert Townshend (d.1556/7), Chief Justice of the Council in the Marches of Wales and Chester, and Alice Poppy. See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/townshend-sir-henry-1537-1621>

See also 'The Townshend Family' at:

<http://home.worldonline.co.za/~townshend/history1.htm>

### ***MARRIAGES AND ISSUE***

#### ***Testator's first marriage***

The testator married firstly Susan Hayward (buried 31 May 1592), one of the three daughters of Sir Rowland Hayward (d. 5 December 1593), Lord Mayor of London, and his first wife, Joan Tillesworth or Tilsworth (d.1580), the daughter and coheir of the London goldsmith, William Tillesworth (d.1557), esquire.

Joan Tillesworth's sister, Ursula Tillesworth (d. September 1590) was the second wife of John Langley (d. 4 January 1578), Lord Mayor of London, uncle and guardian of Francis Langley (1548-1602), builder of the Swan Theatre. See the *ODNB* entry for Francis Langley; Ingram, William, *A London Life in the Brazen Age: Francis Langley 1548-1602*, (Cambridge, Massachusetts: Harvard University Press, 1978), pp. 14, 29-37; and Howard, Joseph Jackson and George John Armytage, *The Visitation of London in the Year 1568*, (London: Harleian Society, 1869), Vol. I, p. 6 at:

[https://archive.org/stream/VisitationOfLondonInTheYear1568/Visitationlondon1568\\_cooke#page/n15/mode/2up](https://archive.org/stream/VisitationOfLondonInTheYear1568/Visitationlondon1568_cooke#page/n15/mode/2up)

For Ursula Tilsworth, see also:

<http://www.tudorwomen.com>

Modern spelling transcript copyright ©2014 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

By his first wife, Susan Hayward (buried 31 May 1592), the testator had four sons and three daughters:

- \* **Hayward Townshend** (c.1577-c.1603), parliamentary diarist.
- \* **Tillesworth Townshend**.
- \* **Warren Townshend**.
- \* **John Townshend**.
- \* **Mary Townshend** (buried 3 November 1617), who married Sir Philip Cromwell.
- \* **Elizabeth Townshend**, who married Edmund Cresset, esquire.
- \* **Joan Townshend**, who married John Vaughan.

All but one of the testator's sons by his first marriage predeceased him. See 'The Early Townshends of Raynham' at:

<http://home.worldonline.co.za/~townshend/earlytownshends.htm>

For Susan (nee Hayward) see also Botfield, Beriah, *Stemmata Botevilliana*, (Westminster: J.B. Nichols and Son, 1858), p. 115 at:

<http://books.google.ca/books?id=L1pNAAAACAAJ&pg=PA115>

See also the *ODNB* entry for Hayward Townshend:

*Townshend, Hayward (c.1577–1603x21), parliamentary diarist, was the eldest son of Sir Henry Townshend (1537?–1621), second justice of Chester and a member of the council in the marches of Wales, and his wife, Susan (d. 1592), daughter of the prominent Londoner Sir Rowland Hayward.*

After the death of his first wife, the testator resided at Caus Castle, the Shropshire property of his brother-in-law, Sir John Thynne (c.1551 – 21 November 1604), and sister-in-law, Joan (nee Hayward) Thynne (bap. 28 August 1558 – d. 3 March 1612). See the *ODNB* entry for Joan Thynne, her will, TNA PROB 11/119/253; and:

<http://www.castlesontheweb.com/quest/Forum7/HTML/000374.html>

### ***Testator's second marriage***

The testator married secondly Dorothy Heveningham (buried 15 July 1635), the widow of Henry Vernon (d. 21 June 1592). For her family background, see her will, TNA

Modern spelling transcript copyright ©2014 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

PROB 11/170/105, and the will of her first husband, Henry Vernon, TNA PROB 11/80/156.

The testator was granted the wardship of Margaret Vernon, the daughter of the testator's second wife, Dorothy (nee Heveningham), by her first husband, Henry Vernon (d. 21 June 1592). See *The Archaeological Journal*, (London: 1851), Vol. VIII, pp. 192-4 at:

[http://books.google.ca/books?id=YnY\\_AAAAQAAJ&pg=PA193](http://books.google.ca/books?id=YnY_AAAAQAAJ&pg=PA193)

According to Cox, the testator and his second wife were the 'villains' in plots against John Vernon (d. 8 July 1600), and his wife, Mary (nee Littleton), widow of Walter Vernon of Houndhill, Staffordshire, described in verse by John Harestaffe. See:

Cox, J. Charles, ed., 'The Rhymed Chronicle of John Harestaffe', in *Journal of the Derbyshire Archaeological and Natural History Society*, (London: Bemrose & Sons, 1888), Vol. X, p. 75 at:

<http://books.google.ca/books?id=Yd84AAAAIAAJ&pg=PA75>

*The patient, forgiving, but determined heroine of Harestaffe's song is Mary, daughter of Edward Littleton, the wife of (1) Walter Vernon, of Houndshill, and then of (2) John Vernon, of Sudbury. The villain of the plot, though to some extent Justice Townshend, is also chiefly played by a woman, Dorothy, the daughter of Sir Anthony [sic] Heveningham, and wife of (1) Henry Vernon, of Hilton, and of (2) Sir Henry Townsend. It is remarkable that the name of Dorothy does not once occur in Harestaffe's rhymes, nor does he give any clue to her family.*

For a lawsuit brought by the testator and his second wife against John Vernon (d. 8 July 1600), see:

*C 2/Eliz/T8/56*

*Plaintiffs: Henry Townshende and Dorothy Townshende his wife, and others, their under-tenants*

*Defendants: John Vernon, Robert John Chawlnor, John Mannors and Roger Roe*

*Subject: To protect the plaintiffs' tenants in possession against oppressive suits at law of the defendants' tenants in reversion. Messuages, lands and premises situate in the Peake [Peak District], Derbyshire, and known by the name of The Farm of Haselbache alias The Lordship of Haselbach [Hazlebadge]*

By his second wife the testator had an only son:

\* **Henry Townshend** (1601-1663), who married firstly Elizabeth Acton, one of the four daughters and co-heiresses of Sir John Acton (d.1621) of Elmley Lovett, Worcestershire, and secondly Dorothy Bright, daughter of Henry Bright, Canon of Worcester, and widow of John Dobbins. See 'The Early Townshends of Rainham', *supra*, and:

Modern spelling transcript copyright ©2014 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

'Parishes: Elmley Lovett', *A History of the County of Worcester: volume 3* (1913), pp. 106-110. URL: <http://www.british-history.ac.uk/report.aspx?compid=43094>

See also:

<http://home.worldonline.co.za/~townshend/history1.htm>

*Sir Henry Townshend's youngest son, Henry, married a daughter of Sir John Acton of Elmley Lovett in Worcestershire, which estate and house he inherited from his father-in-law and remained the seat of his descendants down to the eighteenth century. Henry Townshend, of Elmley Lovett, kept a diary which is often quoted as the most important Worcestershire source on the civil war. One of Sir Henry Townshend's daughters, Mary, married Sir Philip Cromwell, uncle of the Lord Protector of England, Oliver Cromwell. One of her sons, Philip Cromwell, was killed at Bristol in September 1645 fighting for the Parliamentary cause against the King. However, and as so often happened during this dark period in English history when brother fought against brother, another of her sons, Thomas, fought on the opposing Royalist side. The family, like so many others was divided by the civil war, indeed Henry Townshend of Elmley Lovett was a Royalist Commissioner.*

See also Grazebrook, H. Sydney, *The Heraldry of Worcester*, (London: John Russell Smith, 1873), Vol. I, pp. 3-4 at:

<http://books.google.ca/books?id=8lMBAAAAQAAJ&pg=PA>

For the testator's marriages and issue, see also 'The Early Townshends of Rainham', *supra*, and the Townshend pedigree in Dashwood, G.H., ed., *The Visitation of Norfolk in the Year 1563*, (Norwich: Miller and Leavins, 1878), Vol. I, pp. 310-311 at:

<http://books.google.ca/books?id=Bv1QAQAIAAJ&pg=PA311>

See also 'The Townshend Lineage' at:

<http://home.worldonline.co.za/~townshend/lineage.htm>

In 1614 the testator's second wife was accused of forging the will of Sir Randle Brereton (d. 8 May 1611) of Malpas. See 'The Townshend Family', *supra*:

*An interesting reference to Sir Henry Townshend's second wife is contained in the State Papers of June 1614 where it is recorded that Dorothy, Lady Townshend, and others were fined £3000 for their part in forging the will of Sir Randall Brereton. It is recorded that Sir Henry refused to pay the fine as he said that he took no part in the offence, however the order was given that to "maintain the authority of the Star Chamber, power be given to levy the fine on the goods and chattels of Sir Henry Townshend on behalf of his wife." Sir Henry sought to recover from the other defendants their share of the fine, but these actions were stayed until he had made payment of the fine in full. These*

Modern spelling transcript copyright ©2014 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

*circumstances do not appear to have hindered Sir Henry's career as he was elected as Member of Parliament for Ludlow, Shropshire in the same year that the fine was levied and remained Deputy Justice of Chester until his death in December 1621.*

See also the will of the testator's second wife, Dorothy (nee Heveningham) Vernon Townshend, TNA PROB 11/170/105, and Brereton, Derek P., 'Brereton Wealth and Scheming at the Time of James I' at:

<http://www.brereton.org/star2.htm>

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

Sir Francis Newport (c.1555 – 6 March 1623) of High Ercall and Eyton-on-Severn, Shropshire, who witnessed the testator's will, was the son and heir of Sir Richard Newport (d.1570/1), the owner of a copy of Hall's *Chronicle* (formerly Loan 61 in the British Library, now in the hands of a trustee, Lady Hesketh), containing annotations thought to be by Shakespeare. See the will of Sir Richard Newport, TNA PROB 11/53/456, and the History of Parliament entry for Sir Francis Newport at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/newport-francis-ii-1555-1623>

Robert Parry (1563-c.1613) was a servant of the testator, and in 1595 dedicated to him a prose novel entitled *Moderatus: The Most Delectable and Famous History of the Black Knight*. See the ODNB entry for Robert Parry.

### ***MENTION OF THE TESTATOR IN THE WILLS OF OTHERS***

The testator and his first wife, Susan Hayward are left a bequest in the will of Francis Bowyer, TNA PROB 11/63/382.

LM: T{estamentum} D{omi}ni Henrici Townshend Milit{is}

[f. 352v] In the name of God, Amen. Anno regnj Regis Iacobj (blank), I, Sir Henry Townshend, knight, the Second Justice of Chester and one of his Majesty's Council in the Marches of Wales, being in good and perfect memory (praise be to the Almighty God), do make this my last will and testament all written with my own hand in form following this second day of April one thousand six hundred twenty-one, hereby revoking all former wills and testaments:

First, I do bequeath my soul unto Almighty God, my only Saviour and Redeemer, trusting in him only to be saved and pardoned of all my sins and offences, which I

Modern spelling transcript copyright ©2014 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

humbly desire at his holy hands, not deserving the same, but of his mere mercy and grace, grant unto me that I may be one of his elect children;

And I desire that my body may be buried at the discretion of my executors either in Ludlow or Cound without pomp, feasting or vainglory, as my son, John Townshend, lately was;

And as for the disposing of all my lands and goods that God hath blessed me with, I do upon special considerations and in discharge of my conscience and love towards Dorothy, my now wife, I do therefore will and devise to my said wife, Dorothy, all my lands, tenements, rents, leases and hereditaments which I am seised or owner of in possession, reversion, remainder or in use [f. 353r] or that any other hath to my use as joint purchaser to my use wheresoever the same doth lie in England or Wales, to hold to her for term of her life natural;

And after her decease to my son, Henry Townshend, and to the heirs males of his body lawfully begotten or to be begotten;

And for default of such issue males of the body of the said Henry Townshend, to my son, Warren Townshend, now beyond the seas and doubtful of his life, and to the heirs males of his body begotten or to be begotten;

And for want of such heirs males of the body of the said Warren Townshend, then to the heirs females of the body of the said Henry Townshend;

And for want and default of such heirs females of the body of the said Henry Townshend, then the premises to remain to the issue female of the body of my son, Warren Townshend;

And for default of such issues males and female as afore is limited, my will is that the whole premises shall remain and be and to go to my right heirs forever, and God bless them with it;

And my will notwithstanding is that if my son, Henry Townshend, have only but one or moe [=more] daughters, and my son, Warren Townshend, having issue any son or male child, that then my will and meaning is that my son, Henry Townshend, shall and may and I do so devise and require that my said son, Henry Townshend, may lawfully charge the said premises and lands with the sum of two hundred pounds to his daughter, and having more amongst them, his daughters;

And further I desire and require that neither my son, Henry Townshend, or Warren Townshend, or any their issues shall for any respect, necessity or consideration discontinue, charge, alien or encumber or cut off by fine, recovery, act or deed whatsoever or otherwise alter or change the estate or limitation of the estate tail aforesaid (as perhaps they may) upon my blessing and as he feareth to offend God and will answer

for this their disobedience and [sic for 'of?'] my command at the general Day of Judgment, and but that this my will and desire and commandment may be performed;

Provided also and my will is that if my son, Henry Townshend, do overlive my said wife and be in actual possession or may be of all my lands or of three parts thereof to him as afore bequeathed according to the meaning of this my will, then my will and desire is and [+I?] charge my said son, Henry Townshend, that then within one whole year after such his actual possession of the premises, and so I do devise, that my said son, Henry Townshend, shall content & pay to the children of my daughter Cromwell one hundred marks, and at the second year's end to the children of my son Cresset one hundred marks, and at the third year's end to the children of my daughter Vaughan one other hundred marks in token of my love and blessing to them all;

And further my will is that when my son, Warren, is to have my house, lands and appurtenances in Cound aforesaid after my decease and because my will is the same should not be wholly unfurnished, therefore I do devise to my said son, Warren Townshend, all my wooden household stuff of what fashion or kind whatsoever within the said house or back-houses, barns or stables;

Always I do except to my wife my best wain and furniture of husbandry thereunto belonging, and all covered chairs, stools covered, my couch-bed and the painted bedstead I do lie in with all my pictures in the parlour, and all her cabinets, boxes, coffers, chests and trunks, and all things, money, plate or other things whatsoever that is or shall be at my decease in any my wife's or my closets or storehouses, all which I do devise to my said wife forever to her use;

Provided and I do further devise to my son, Warren Townshend, all my furniture in the chamber over the great parlour with the appurtenances to it as it is [f. 353v] daily used, and all the furniture in the gatehouse chamber, and my best basin and ewer of silver wherein is engraven the matches of the Townshends;

And I do hereby declare that the lands called Guern Jenking in the lordship of Oswestry in the county of Salop [=Shropshire] are the lands of my said wife and my son, Henry Townshend, and their heirs, and of my credit I do not die seised thereof, for it was bought with their own money, albeit I have taken the rents thereof sithence the purchase of Mr Mathews, which is one cause that moveth me to be more liberal to her and her son;

And I do further declare that if [+I?] have made Mr John Mathews or any other jointly or solely to buy any lands in Carychona, Llannymoyth, Lantidian or Lander Mayer in the county of Salop, Montgomery or Denbigh whereof I have and do receive the rents and profits thereof by the hands of the said Mr Mathews, my agent and bailey, that all is and was to my sole and proper use, and this I set down on my credit to avoid all contention;

I do give and bequeath to my loving wife all my goods and cattle and chattels movable and unmovable, plate, household stuff, ready money, debts or what else I am possessed of or ought to be possessed of, which is not so much as she deserveth, for and towards the

performance of this my will (except before bequeathed to my said son, Warren Townshend);

Item, I give to the church and parish of Cound the sum of six pounds thirteen shillings four pence towards the augmentation of their stock for the maintenance of the poor, to be set forth by the churchwarden for the time being, hoping others of the parish will do the like;

Item, I do devise to my servant Bowen five pounds;

And to my daughter Vernon five pounds;

And to Sir Thomas Chamberlain a ring of a toad heart;

And to all my household servants in my house at my decease a quarter's wages;

And to all my sons-in-law mourning cloaks, and to my daughters gowns;

And to my daily waiters black cloaks, and coats to the retainers, for my servants are all well increased in their estates by my means and helps;

Item, to my cousin, Hugh Dutton, and to Mr Mathews, each of them a mourning cloak;

Item, I am to remember my executor that there is due and owing unto me for the fee of the stewardship of Whitechurch [=Whitchurch?] by way of a rentcharge of six pounds thirteen shillings four pence yearly sithence the decease of Mr Henry Talbot till my decease, which was Mr Talbot's grant and by him paid during his life but never since any penny paid, I wish my executors to demand the same, and if need require to distrain and sue for it;

And be it also remembered that a lease is made to my son [=son-in-law] Cressett and others by my son-in-law, Mr John Vaughan, of all his lands in possession and reversion wheresoever, that the same lease is meant and intended to my use until I be paid the sum of two hundred pounds which I lent him upon some necessity, as Mr John Mathews doth best know, my will is my executors do call for the same to perform my will;

And for my further security my son [=son-in-law] Vaughan made a deed of gift of all his goods to my use;

Item, if any my sons or daughters or their husbands or children shall interrupt, trouble, molest, implead or sue my said wife for her possession of the premises or her executors or any of them for the said lands and goods afore bequeathed that thereby the true meaning of this my will cannot be performed but infringed, then my will is that such grant and legacy and devise that is given unto any of them so disturbing the performance of the true meaning of this my will shall be merely and absolutely void and be to the use from thenceforth to my said wife;



And of this my last will all written with mine own hand containing three sheets of paper [+I?] do constitute and make my loving wife and Harry Townshend, my son, and the said Mr John Mathews my three executors, not doubting but they will see this my last will and testament truly performed;

Written this second day of April one thousand six hundred twenty-one under my own hand and seal etc. 19o Iacobj. H. Townshend.

[f. 354r] Provided notwithstanding the limitation of the uses and legacies of my lands, and notwithstanding my straight proviso and request and restraint of alienation, encumbrances or charges of the premises, that my intent, meaning and will is that my son, Henry Townshend, shall be at liberty to assure the premises or as much thereof as he please for any wife or wives which hereafter he shall marry or dispose for and during her life only, in name and for her jointure and lieu of dowry. The second of April one thousand six hundred twenty-one. H. Townshend. These subscribed and desired by me to be witness hereunto: Francis Newport, Reginald Piper, Thomas Dodd, Richard Blount, Thomas Rawson, Thomas Mason.

Probatum fuit testamentum suprascriptum apud London coram Mag<sup>ist</sup>ro Edmundo Pope Legum Doctore Surrogato venerabilis viri D<sup>omi</sup>ni Iohannis Benet militis legum etiam Doctoris Curie Prerogatiue Cantuariens<sup>is</sup> Mag<sup>ist</sup>ri Custod<sup>is</sup> siue Commissarij legitime constituti Decimo septimo die Mens<sup>is</sup> Decembr<sup>is</sup> Anno Domini millesimo sexcentesimo vicesimo primo Iuramento Henrici Townshend filij n<sup>atu</sup>ralis et legitimi dicti Defuncti et vnus Executorum in eodem Testamento nominat<sup>orum</sup> Cuit commissa fuit Administrac<sup>i</sup>o bonorum Iurium et Creditorum D<sup>i</sup>c<sup>t</sup>i Defuncti De bene et fideliter administrand<sup>o</sup> &c ad sancta Dei Evangelia Iurat<sup>i</sup> Reseruata potestate similem Commissionem faciend<sup>i</sup> D<sup>omi</sup>ne Dorothee Townshend Relicte dicti Defuncti et Iohanni Mathewes ceteris executoribus in eodem Testamento etiam nominat<sup>is</sup> eam cum veneri<sup>n</sup>t petituri in debita Iuris forma Admissur<sup>i</sup>

[=The above-written testament was proved at London before Master Edmund Pope, Doctor of the Laws, Surrogate of the worshipful Sir John Bennet, knight, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the seventeenth day of the month of December in the year of the Lord the thousand six hundred twenty-first by the oath of Henry Townshend, natural and legitimate son of the said deceased and one of the executors 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 Lady Dorothy Townshend, relict of the said deceased, and John Mathews, the other executors named in the same testament, when they shall have come to be admitted the same in due form of law.]