

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 18 December 1517 and proved 29 January 1519, of Sir John Dawtrey (d.1518), whose widow, Isabel (nee Shirley) Dawtrey, later married Sir Richard Lyster (c.1480 – 16 March 1553), Chief Justice of the King's Bench, whose grandson, Richard Lyster, esquire, married Mary Wriothesley, aunt of Henry Wriothesley (1573-1624), 3rd Earl of Southampton, to whom Shakespeare dedicated *Venus and Adonis* and *The Rape of Lucrece*, and whose great-grandson, Michael Lyster, married Elizabeth Southwell, sister of the Jesuit, Robert Southwell (1561-1595). For Sir Richard Lyster, see his will, TNA PROB 11/36/390.

FAMILY BACKGROUND

According to the will below, the testator was the son of Andrew Dawtry by his wife, Alison, and had a brother, Edmund Dawtry, who predeceased him.

MARRIAGES AND CHILDREN

First marriage

The testator married firstly Jane or Joan Scardeville. According to the will below she was the widow of Watkyn Williams, who appears from the will below to have been the son of John Williams. See also:

<https://comestepbackintime.wordpress.com/tag/sir-john-dawtrey/>

Second marriage

The testator married secondly, in 1509, Isabel Shirley, the daughter of Sir Ralph Shirley (1433-1510) of Wiston, Sussex, by Jane Bellingham, daughter of Thomas Bellingham of Leominster, Sussex. For Isabel Shirley, see Emerson at:

<http://www.kateemersonhistoricals.com/TudorWomenSa-Sn.htm>

Isabel Shirley (d. July 1533+) was one of the daughters of Sir Ralph Shirley of Wiston/Westmeston, Sussex (1433-1510) and Jane Bellingham. She married first, on January 17, 1508, Sir John Dawtrey of Southampton (c.1433-November 24, 1518) and had a son, Francis (1510-July 1533+). A record of July 1533 identifies Francis as the son of Sir John Dawtry and Isabella, "now wife of Sir Richard Lyster." Sir Richard's wife is often misidentified as Jane Shirley, largely because Isabel's sister also married a man named Sir John Dawtrey. This second Sir John was of Petworth and Moor House, Sussex and did not die until September 21, 1542. Isabel's second husband, Sir Richard Lister or Lyster (c.1480-March 16, 1553/4), was a chief justice of the king's bench. The Oxford DNB says their children were Richard and Charles and possibly Elizabeth (1520-1572), but calls Lyster's son Michael (d.1551) the child of a later wife, Elizabeth Stoke

(d.1567+). Not only is this not possible, since Michael was already married to his first wife in 1529, but Richard and Charles were Michael's sons, not Richard's. His will, proved April 16, 1554, makes Richard, "son and heir of my late son Michael," his principal heir and identifies Charles, who was not yet twenty-one, as the younger son of Michael and his second wife, Margery. Richard also mentions his daughter, Elizabeth and her husband, Richard Blount, in his will. Elizabeth is probably Isabel's daughter. Michael seems to belong to an earlier, unknown wife. Isabel's first husband, John Dawtrey, and his first wife, Joan Scardeville, had what is now known as "The Tudor House" in Southampton built for them in 1495. After Dawtrey's death and during her second marriage, Isabel continued to trade as a merchant of Southampton dealing in millstones. Portrait: Isabel is the most likely possibility to be the subject of the Holbein sketch labeled "Lady Lister" and dated c.1532-1543. Alternatives are Michael Lyster's second wife, Margery Horsman, and Elizabeth Stoke.

For Isabel Shirley, see also Brydges, Egerton, *Collins's Peerage of England*, (London: F. C. and J. Rivington, 1812), Vol. IV, p. 93 at:

https://books.google.ca/books?id=j4kUAAAAYAAJ&pg=PA93&lpg=PA93&dq=%22Sir+Ralph+Shirley%22+%22Wiston%22&source=bl&ots=_3TEEi227w&sig=9Q68cNY7DLrQyzCG1TU6a_w9UI4&hl=en&sa=X&ved=0ahUKEwjmmenO5tzKAhUS-mMKHYyFAHMQ6AEISzAJ#v=onepage&q=%22Sir%20Ralph%20Shirley%22%20%22Wiston%22&f=false.

For the Shirley family, see also the will of Anne Kempe Shirley, TNA PROB 11/141/330, and 'History of Wiston, in Sussex, the Ancient Seat of the Brews's, Shirleys, Faggs, and Gorings', *The Topographer*, No. XXVII, Being No. VI of Vol. IV, June 1791, at pp. 332-3:

https://books.google.ca/books?id=BfcxAQAIAAJ&pg=PA332&lpg=PA332&dq=%22Sir+Ralph+Shirley%22+%22Bellingham%22&source=bl&ots=DJR5vMqvfc&sig=YsxE7K-a5fpubm1uj_Y3E5kS1BQ&hl=en&sa=X&ved=0ahUKEwjczsfH6tzKAhVW92MKHZbrAUAQ6AEIPjAI#v=onepage&q=%22Sir%20Ralph%20Shirley%22%20%22Bellingham%22&f=false.

He had issue by her, Ralph Shirley, son and heir, 9 Hen. V. who by Joan, daughter and heir of Thomas Basset, of Brailsford, his son and heir, had issue Ralph Shirley, who died 6 Edw. IV. leaving issue by his first wife Margaret, daughter and sole heir of Thomas Stanton, of Stanton Harold, Esq. John Shirley, his first son and heir, ancestor to Earl Ferrers; and by his second wife, Elizabeth, daughter of Sir John Blunt, Kt. and sister to Walter Lord Mountjoy, Sir Ralph Shirley of Wiston, in Sussex, Kt. who, by Jane, eldest daughter of Thomas Bellingham, of Church Hells, in Sussex, Esq. (whose arms were A. 3 bugle horns stringed, S.) had issue Thomas Shirley, his second son, of Bodington, Co. Sussex, (who by Elizabeth, daughter and heir of Marmaduke Gorge, had Francis, of Bodington and West-Grinstead, whose wife was Barbara, daughter of Sir Richard Blunt of Maple-durham, Co. Ox. Isabel, Elizabeth, Joan and Elinor, wife of Henry Browne of

Betchworth, Surrey,) and Sir Richard Shirley of Wiston, son and heir, who married Anne, daughter of John Shelley of Michelgrove, and had issue William Shirley of Wiston, son and heir, who by Mary, daughter of Thomas Isley of Kent, Esq. had Sir Thomas, who married Anne, daughter of Sir Thomas Kempe, and heir to her mother, and is commemorated by a monument consisting of the figures of a man and his wife, (he in armour) kneeling at a desk, under a Grecian arch, supported by pillars, with this inscription:

Here lyeth the body of Sir Thomas Shirley who deceased in October, 1612, who was married unto Mrs. Anne Kempe, daughter of Sir Thomas Kempe, Kt. with whom he lived in wedlock the space of 52 years by whom he had 12 children five sones and seaven daughters, whereof 3 of them died in their infancies, the residue being 3 sones and 6 daughters lived to be married, as is expressed upon this monument.

See also the Shirley pedigree in Cartwright, Edmund, *The Parochial Topography of the Rape of Bramber in the Western Division of the County of Sussex*, Vol. II, Part II, (London: J.B. Nichols and Son, 1830), p. 139 at:

<https://books.google.ca/books?id=MFoMAQAAMAAJ&pg=PA139&lpg=PA139&dq=%22Sir+Ralph+Shirley%22+%22Bellingham%22&source=bl&ots=qZXS7ktqZE&sig=BfAoJs6tBohPsYB2oM0OxyT2dzs&hl=en&sa=X&ved=0ahUKEwjczsfH6tzKAhVW92MKHZbrAUAQ6AEIQDAJ#v=onepage&q=%22Sir%20Ralph%20Shirley%22%20%22Bellingham%22&f=false>.

By Isabel Shirley, the testator had a son and daughter:

* Francis Dawtrey (born 1510), for whom see:

<http://fortunatusfamilia.com.au/getperson.php?personID=I05169&tree=tree1>.

* Barbara Dawtrey, who married, by 1535, William Thorpe (d.1549).

OTHER PERSONS MENTIONED IN THE WILL

For the testator's cousin and executor, Sir John Ernley (c.1464 – 22 April 1520), see the *ODNB* entry.

RM: Test{amentu}m Ioh{ann}is Dawtry Milit{is}

[f. 103r] In Dei nomine Amen. The 18 day of December in the year of Our Lord 1500 and 17 and in the 9th year of the reign of King Henry the 8th, I, John Dawtrey, knight, being of whole mind, thanked be Almighty God, ordain and make this my testament and last will in form following, that is to say:

First I bequeath my soul to Almighty God and to Our Blessed Lady, his Mother, and to all the holy company of heaven, my body to be buried at the pleasure of mine executors, so it be in Christian burial, that is to say, in church or churchyard;

Also I will that mine executors cause one thousand Masses to be said for me all in one day as soon after my burial as conveniently can be;

Also I will that mine executors give to the Friars Observants to pray for me 5 marks;

Item, to the mother church of Saint Swithin's 3s;

Item, to my curate of my parish church of Saint Michael for tithes and offerings forgotten 20s;

Item, to the reparation of the church of Saint Michael 6s 8d, and to every parish church in Hampton [=Southampton] 3s 4d;

Item, I will that Watkyn Williams' testament, to [+whom?] Joan, my late wife, was executrice, and John Williams' testament, to whom Watkyn Williams was executor, and my brother Edmund Dawtrey's testament, to whom I was executor, be all fulfilled by mine executors if anything be left behind not fulfilled;

Also I will that one honest priest be found to sing 20 years immediately after my death for the souls of John Williams, Watkyn Williams, Jane, late the wife of Watkyn Williams, and after the wife of me, John Dawtrey, for my father Andrew's soul, my mother Alson's [=Alison's?] soul, my brother Edmund's soul, for mine own soul, my wife Isabel's soul, and for all Christian souls, and that he be paid £6 13s 4d by the year or 5 marks, and meat and drink out of my lands in the town and liberty of Southampton by the hands of my wife, Isabel Dawtrey, during her life, and if she decease, mine heir being within age of 21 years, then I will that mine executors shall see the priest paid out of my said lands in Hampton till the full age of mine heir, and then mine heirs see him paid as above during the time abovesaid out of my said lands in Hampton;

The residue of all my goods not bequeathed, my debts first paid, I will that Isabel, my wife, and my cousin, John Erneley, the King's attorney, whom I make mine executors, shall dispose for the weal of my soul and to th' use of my children as they shall think best after their discretions and conscience;

In witness whereof I have written this with mine own hand the day and year aforesaid.

Probatum fuit testamentum supradicti defuncti h{ab}entis &c Coram d{omi}no apud Lamethith xxix die mensis Ianuarij Anno d{omi}ni Mill{es}imo quingentesimo xvijjo Iurament{o} executorum in h{uius}mo{d}i test{ament}o no{m}i{n}at{orum} pro eo &

ex eo & con(er)i execucionis eiusd(em) in se assumere expresse refutarunt et com(m)issa fuit admi(n)istrac(i)o omn(i)um & singulor(um) bonorum & debitorum d(i)c(t)i defuncti Iohanni Erneley & Isabelle Rel(i)c(t)e In p(er)sona Ioh(ann)is Rymchyn(?) procu(rato)ris in hac p(ar)te ad viam intestati De bene & fidel(ite)r admi(n)strand(o) Ac de pleno & fideli In(uenta)rio citra festum purificac(i)o(n)is b(ea)te marie viriginis prox(imum) futur(um) exhibend(o) Necnon de plano & vero compoto reddend(o) Ad s(an)c(t)a Dei eu(ang)elia in debita iuris forma Iurat(o)

[=The testament of the abovesaid deceased, having etc., was proved before the Lord at Lambeth on the 29th day of the month of January in the year of the Lord the thousand five hundred 18th by the oath of the executors named in the same testament, and for that etc. [+the same executors] expressly refused to assume the burden of the execution of the same [+testament], administration was granted of all & singular the goods & debts of the said deceased to John Erneley & Isabel, relict, in the person of John Rymchyn(?), their proctor, by way of an intestacy, sworn on the Holy Gospels in due form of law to well & faithfully administer, and to exhibit a full & faithful inventory before the feast of the Purification of Blessed Mary the Virgin next to come, and also to render a plain & true account.]