

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 27 June 1558 and proved 14 March 1561, of Oxford's paternal uncle, Thomas Darcy (1506 – 28 June 1558), 1st Baron Darcy of Chiche, the husband of Oxford's paternal aunt, Elizabeth de Vere (d. 26 December 1565). The testator's son, John Darcy (d.1581), 2nd Baron Darcy of Chiche, was a co-guarantor, together with Sir William Waldegrave (c.1540 – 25 August 1613), of Oxford's debt to the Court of Wards.

FAMILY BACKGROUND

For the testator's family background, see the will of Thomas Darcy, esquire, TNA PROB 11/7/329.

The *ODNB* summarizes the testator's wardship, two marriages, and early career:

Darcy, Thomas, first Baron Darcy of Chiche (1506–1558), courtier and administrator, was born on 4 December 1506, the only son of Roger Darcy (d. 1508) of Danbury, Essex, and Elizabeth, daughter of Sir Henry Wentworth of Nettlestead, Suffolk. His father, who had been an esquire of the body to Henry VII, died before Darcy was two, and his wardship was granted to Sir John Raynsford of Bradfield, Essex. By September 1521, as soon as he had attained the minimum legal age for cohabitation, Raynsford married Darcy to his daughter Audrey. Nothing is known of his upbringing, but he seems to have been destined for a career as a soldier and courtier. Audrey died soon after Darcy achieved his majority in 1527, and they appear to have had no children. By 1532 he had married Elizabeth, the daughter of John de Vere, fifteenth earl of Oxford, and it was probably de Vere patronage that caused his career to take off at that point. He was knighted on 1 November 1532, and was appointed a knight of the household either then or shortly after. At the same time Darcy began to serve on numerous commissions, and it can be deduced that he enjoyed the favour of Thomas Cromwell, as well as the support of the earl of Oxford. He may have sat in the parliament that met from April to July 1536, and was certainly knight of the shire for Essex in 1539. When the earl of Oxford died in 1540 Darcy's position in Essex was enhanced by the grant of a number of local offices traditionally held by the de Veres. There are a number of references to his serving with 200 men in the French campaigns of 1543–4, which suggests that he was now one of the most important men in the county. On 9 June 1544 he was appointed to the key position of master of the Tower armouries. At court he became a carver of the king's table in 1540 (a position of honour but little substance) and was a gentleman of the privy chamber by the spring of 1544. He sat again for Essex in the parliament of 1545, and received a bequest of £200 in Henry VIII's will.

As noted above, the testator was the only son of Roger Darcy (d. 30 September 1508) of Danbury, Essex, Gentleman of the Chamber to Henry VII, and Elizabeth Wentworth, the daughter of Sir Henry Wentworth of Nettlestead by Anne Say, and sister of Margery Wentworth (d.1550), who married Sir John Seymour (1473/4-1536) of Wolf Hall and was the mother of Queen Jane Seymour, third wife of King Henry VIII, and of Edward

Seymour (c.1500-1552), Duke of Somerset. See the will of Sir Henry Wentworth, dated 17 August 1499 and proved 25 February 1501, TNA PROB 11/12/265; and Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 237-8.

After the death of Roger Darcy, the testator's mother married Sir Thomas Wyndham (d.1522), nephew of Elizabeth de Vere (d.1537), Countess of Oxford, second wife of the 13th Earl of Oxford. For the will of Sir Thomas Wyndham, see TNA PROB 11/21/53.

The testator had three sisters:

-Thomasine Darcy, who married Sir Richard Southwell (1502/3-1564), a ward of Sir Thomas Wyndham, by whom she had a daughter, Elizabeth Southwell (d.1593), who married Sir George Heneage (1522-1595) of Hainton. From the *ODNB*:

Southwell, Sir Richard (1502/3–1564), administrator, came of a family which originated in Suffolk and had recently prospered in government service. He was the eldest son of Francis Southwell (d. 1512), an auditor of the exchequer, and his wife, Dorothy, daughter of William Tendring of Little Birch, Essex. The lawyer Sir Robert Southwell was one of his younger brothers. Richard became heir not only to his father, but also to his uncle Sir Robert Southwell, chief butler to Henry VII, who died in 1514 leaving an estate based on the manor of Woodrising, Norfolk. In 1515 Richard became the ward of Sir Robert's widow and William Wootton. Four years later the wardship was acquired by Sir Thomas Wyndham, who married Richard to his stepdaughter Thomasin, the sister of Sir Thomas Darcy. . . . [Sir Richard Southwell] and his first wife, Thomasin Darcy of Danbury, Essex, had a daughter, Elizabeth, who married George Heneage.

For Sir George Heneage, see:

<http://www.geograph.org.uk/photo/2746932>.

-Margaret Darcy, mentioned in the will of Sir Thomas Wyndham (d.1522).

-Elizabeth Darcy the younger, mentioned in the will of Sir Thomas Wyndham (d.1522).

Sir Thomas Wyndham (d.1522) and Elizabeth Wentworth Darcy had a son, Thomas Wyndham, who died at Benin in February or March 1554 while on a voyage of exploration. After the testator's death, Elizabeth nee Wentworth Darcy Wyndham married, as her third husband, John Bouchier (d.1539), Earl of Bath.

MARRIAGES AND CHILDREN

As noted above, in his youth the testator was the ward of Sir John Raynsford, who by 1521 had married him to his daughter, Audrey Raynsford. For the will of Sir John Raynsford, dated 12 September 1521, see TNA PROB 11/20/79. It is usually said that

there were no issue of the testator's first marriage. However it seems possible that by his first wife the testator was the father of a daughter:

* **Mary Darcy**, later the mistress and second wife of Sir Richard Southwell (1502/3-1564).

The testator married secondly Oxford's paternal aunt, Elizabeth de Vere (d. 26 December 1565), the eldest daughter of John de Vere (1482-1540), 15th Earl of Oxford, for whom see the Wikipedia article at:

https://en.wikipedia.org/wiki/John_de_Vere,_15th_Earl_of_Oxford

By Elizabeth de Vere, the testator had three sons and two daughters:

* **John Darcy** (d. 5 March 1581), 2nd Baron Darcy of Chiche, co-guarantor of Oxford's debt to the Court of Wards, for whose will see TNA PROB 11/63/135.

* **Robert Darcy**, for whose will see TNA PROB 11/51/388.

* **Aubrey Darcy**, about whom nothing further is known.

* **Constance Darcy**, who married Edmund Pyrton (d.1609), by whom she had a daughter, Elizabeth Pyrton, who married firstly Sir Anthony Browne (d.1623) of Weald Hall, Essex, and secondly Captain Peter Lathom. See the Browne pedigrees in Metcalfe, Walter C., ed., *The Visitations of Essex*, (London: Harleian Society, 1878), Vol. XIII, pp. 166, 362 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA166>

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA362>

See also the Pyrton pedigree in Metcalfe, *supra*, p. 93 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA93>

See also the will, dated 16 January 1580 and proved 27 April 1581, of Wistan Browne (d.1581?), esquire, of South Weald, Essex, TNA PROB 11/63/226; and the will, dated 9 August 1590, of Wistan Browne of St Giles, Colchester, ERO D/ACW 3/398.

* **Thomasine Darcy**, about whom nothing further is known.

For the will of the testator's second wife, Elizabeth de Vere, see TNA PROB 11/48/328.

In the will below the testator bequeaths his lease of the 16th Earl of Oxford's manor of Wivenhoe to his wife, Elizabeth.

The mention in the will of a mortgage in the amount of £1000 held by Sir Thomas Dyer (d.1565), father of the courtier Sir Edward Dyer (d.1607), is also of interest since Sir Thomas Dyer's first wife was Frances Darcy, widow of William Thornborough, and in his own will dated 2 April 1563 Sir Thomas Dyer bequeathed to his stepson, John Thornborough, the 'custody, wardship and marriage of Thomas Darcy' (see TNA PROB 11/48/204).

Lord Darcy's ambition, fueled by his kinship to his first cousin, the Protector Somerset, induced him to take part in unpardonable actions against his brother-in-law, the 16th Earl of Oxford, including Somerset's fraud against the 16th Earl, the mutilation of the 16th Earl's mistress, and attempts to prevent the 16th Earl's remarriage (see TNA E 328/403, EL 5870, and SP 10/1/45).

The testator died at Wivenhoe on 28 June 1558. His will was not proved until 14 March 1561, when administration was granted to his eldest son and heir, John Darcy, 2nd Baron Darcy of Chiche, the two executors named in the will, William Aylofffe and John Holt, having renounced its execution. For the will of William Aylofffe (d.1569), see TNA PROB 11/51/50.

RM: T{estamentum} Thome Domini Darcy

In the name of God, Amen. The 27th day of June in the year of our Lord God 1558, I, Thomas, Lord Darcy of Chiche, of the right honourable Order of the Garter, knight, at Wivenhoe within the county of Essex, being of a very good and perfect memory, do declare my last testament comprehending therein my last will in manner and form following:

First, I commend my soul to Almighty God, my creator and redeemer, and as to the interring and funeral of my body, mine estate therein considered, I commit wholly to the order of the holy church and the order of this realm, to be used in all as appertaineth;

Item, I will that Lady Elizabeth, my wife, shall have, receive and take of the issues, revenues and profits of my manor of Claston the More [=Great Clacton?] and Claston the Less [=Little Clacton?] with th' appurtenances during and by all the term of her natural life the sum of one hundred pounds at 2 several terms in every year, that is to say, at the feast of Saint Michael th' Archangel and th' Annunciation of Our Lady by equal and even portions;

Item, I will that my said wife shall have and hold to her and her assigns all that my lease and term of years which I have of and in the park of Bentley, with all and singular those and such commodities and profits as to the same my grant of lease appertaineth except such and all that office of keeper with such other profits and commodities as Christopher Worlich, my servant, hath had and yet hath under me of and in the premises, which keepership with all and singular profits and commodities as the said Christopher hath had

under me I will he shall have, occupy and enjoy during his natural life as of my gift, now as then and then as now;

Item, I give unto my said wife and to her assigns my lease and term of years of and in the house of Wivenhoe with all parks, grounds and other commodities whatsoever which I have in Wivenhoe aforesaid which I have of the grant of the Earl of Oxenford, to have and to hold unto the said Elizabeth and her assigns in as large manner to all intents and purposes as I hold and have the premises, except before excepted;

Item, I give and bequeath unto Robert and Albery [=Aubrey], my sons, all that my manor of Little Oakley with the courts and leets with the profits of the courts and leets to the same manor appertaining, together with all lands, meadows, pastures, rents and services with all and singular other the commodities and appurtenances whatsoever, with the advowson of the church of Little Oakley and all other the premises last remembered, to the said Robert and Albery and to the heirs males of their bodies lawfully begotten, and for default of such issue, to John, my son, and the heirs males of his body lawfully begotten, and yet nevertheless I will that if the said Robert and Albery or either of them shall depart that life having no issue as aforesaid, yet that either of them shall by this my will have full power and strength by virtue hereof to make unto their wives or to the wife of either of them an estate without impeachment of waste for term of life of the said wife or wives in the name of jointure of and in all the premises or of and in so much thereof as shall like them to depart within that degree;

Item, I will that my manor of Elmswell and Woolpit with th' advowsons of the churches of Elmswell and Woolpit, together with all the lands, meadows, pastures, feedings, woods and underwoods, rents, reversions and services, together with the courts and leets appertaining to the said manors or to either of them, with all profits that to court and leet appertaineth, and all other royalties, members and appurtenances whatsoever to the said manors or to either of them in any wise belonging or appertaining, shall be sold by William Aylofffe, esquire, and John Holt, my servant, gentleman, and the money coming of the sale of the premises, I will it to be employed and bestowed in manner and form following:

First and especially to satisfy and pay unto Sir Thomas Dyer the sum of one thousand pounds for the redemption of such lands as he hath of mine in mortgage for the said sum, and all the residue, deducting the costs, charges and expenses of the said William Aylofffe and John Holt which they shall sustain and be at in and about the premises, I will they shall redeem of mine such plate as lieth in mortgage, and pay other my debts and legacies so far-forth as the said sum will amount unto;

Item, where I have appointed my servant, Harry Stapleton, to sell my wood and timber in the park of Alton or Alverton to the value by estimation of six score pounds, of [sic for 'if'] the sale thereof be made, I will the same shall stand in force according to that sale, and if it be not sold, I will the same shall be sold by the aforesaid Henry with th' advice of the said William and John to the most profit that may be conveniently, and the money thereof coming I will it shall be divided after a convenient rate by the order and discretion

of the said William, Harry & John amongst my servants of household, gentlemen, yeomen, pages and grooms, as by their discretion shall seem good;

Item, I will that George Frewell, my servant, shall have to him and his assigns during his life £10 by year out of my manor of Sedmister [=Southminster?] or Sedmester, to be received out of the said manor, and to be paid unto the said George or his assigns by the hands of the farmers or bailie there at the feasts of Saint Michael th' Archangel and th' Annunciation of Our Lady by even portions, and for non-payment the said George to distrain in the premises from time to time as occasion in that case shall be given unto him;

Item, I will that Sir Francis Jobson shall have again the gelding which he gave unto me, and one other of my trotting geldings by the discretion of mine executors, and in like manner I give unto Clement Paston, esquire, the gelding that he gave me, and one other trotting gelding by the like discretion;

Item, I give and bequeath unto Thomasine, my daughter, four hundred marks to be paid at the day of her marriage, which sum of four hundred marks I will mine executors shall pay either of the money which they shall receive of the sale of my manors before appointed to be sold, or else of my moveable goods or the profits of my lands to be received and taken at (blank) of all my manors as the same shall first rise next after my decease of the issues and profits of the said lands;

Item, I give to every gentleman being daily or most commonly attendant upon my person one gelding by the discretion of mine executors;

And of that my will and testament I ordain and make mine executors the abovenamed William and John Holt, these being witnesses.

Decimo quarto die Mensis Martij Anno Domini mill^{es}imo quingentesimo sexagesimo Emanavit com^{m}issio D^{omi}no Iohanni Darci militi d^{omi}no Darci de Chich filio naturali et l^{egi}timo d^{omi}ni Thome Darcy d^{omi}ni Darcy de Chiche preclari ordinis garterij militis defuncti habent &c Ad Administrand^{um} bona Iura et credita dicti defunct^{i} iuxta tenorem testamenti h^{uius}mo^{d}i eo quod Will^{el}mus Aylof Ar^{miger} et Iohannis holte gener^{osus} executores in h^{uius}mo^{d}i Testamento nominati oneri execucionis tes^{tamen}ti h^{uius}mo^{d}i expresse renuncia^{ve}runt &c de bene etc. Iurat^{us}

[=On the fourteenth day of the month of March in the year of the Lord the thousand five hundred sixtieth [=14 March 1561] a commission issued to John, Lord Darcy of Chiche, knight, natural and legitimate son of Lord Thomas Darcy of Chiche, knight of the noble Order of the Garter, deceased, having etc., to well and faithfully administer the goods, rights and credits of the said deceased according to the tenor of the same testament because William Aylofffe, esquire, and John Holt, gentleman, executors named in the

same testament, have expressly renounced the burden of the execution of the same testament. Sworn.]