

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 30 April 1563, together with a codicil dated 14 March 1564, proved 5 February 1566, of Sir John Leigh or Legh (1502-1564?), whose half brothers and sisters included Queen Katherine Howard; Oxford's friend, Sir George Howard; and Margaret Howard, the mother of Oxford's one-time friend and later bitter enemy, Charles Arundel (d.1587).

The testator was among those knighted (as 'John a Lee') on 2 October 1553, the day after the coronation of Queen Mary. He was in Cardinal Wolsey's household as a youth, had travelled to Jerusalem before 1538, was a prisoner in the Tower in that year, was in Antwerp in September 1561, and was a friend of Sir Thomas Gresham. According to Gresham, the testator was 'the man that preserved me when Queen Mary came to the crown'.

In 1541 the testator was called before the Privy Council to answer for having twice had contact with Cardinal Pole while on the continent. According to Warnicke, the testator's half-sister, Queen Katherine Howard, had once 'obtained the release from prison of her kinsman John Legh', and it seems likely that it was on this occasion that the Queen exercised her influence on the testator's behalf.

The testator is perhaps best known for a quarrel with his kinsman, Henry Howard, Earl of Surrey. On 13 July 1542 Howard was committed to the 'pestilent ayres' of the Fleet by the Privy Council for having struck the testator. Three weeks later Howard met with the King, and after entering into a recognizance on 5 August in the amount of 10,000 marks to guarantee his future good behaviour towards the testator, was released from custody. According to Burgon, *infra*, the testator himself was subsequently committed to the Fleet in August 1547, released after entering into a recognizance in the amount of £2000 to guarantee his good behaviour, and again confined to prison in November of that year, on both occasions for reasons unknown.

The testator was buried in the church of St. Margaret, Lothbury. Stow has preserved his epitaph, which states that he was 'to sundry countries known/ A worthy knight, well of his prince esteemed'.

For a summary of the testator's will, see Hooper, Hilda J., 'Some Surrey Wills in the Prerogative Court of Canterbury, Part I', *Surrey Archaeological Collections*, Vol. LI, (Farnham: E. W. Langham, 1950), pp. 90-2 at:

<https://archive.org/stream/surreyarchaeolog51surruoft#page/90/mode/2up>

FAMILY BACKGROUND

For the Leigh pedigree, see Burgon, John William, *The Life and Times of Sir Thomas Gresham*, (London: Robert Jennings, 1839), Vol. I, p. 467 at:

<http://books.google.ca/books?id=ZH8EAAAQAAJ&pg=PA467>

For the pedigree of Leigh of Stockwell, see Allen, Thomas, *The History and Antiquities of the Parish of Lambeth*, (London: J. Allen, 1826), p. 276 at:

<https://books.google.ca/books?id=xvQgAAAAMAAJ&pg=PA276>

Testator's grandparents

The testator was the grandson of Ralph Leigh, esquire, Serjeant of the Acatry, and Elizabeth Langley (living 1471), the daughter of Henry Langley, esquire, of Rickling, Essex. For the Langleys of Rickling, see:

'Lolworth: Manor', in *A History of the County of Cambridge and the Isle of Ely: Volume 9, Chesterton, Northstowe, and Papworth Hundreds*, ed. A P M Wright and C P Lewis (London, 1989), pp. 157-159. *British History Online* <http://www.british-history.ac.uk/vch/cambs/vol9/pp157-159> [accessed 26 September 2018]

According to the pedigree of Leigh of Stockwell, *supra*, Ralph Leigh and Elizabeth Langley had three sons and five daughters:

-**Sir John Leigh** (d. 17 August 1523), the testator's uncle. He married Isabel Worsley (c.1460 - 18 April 1527), daughter of Otwell Worsley of Southwark, Surrey, and widow of Richard Culpeper (c.1430 - 4 October 1484), by whom he had a son, John Leigh, and a daughter, Joyce Leigh, but died without issue, leaving the testator as his heir. See his will, TNA PROB 11/21/241. See also the will of Isabel (nee Worsley) Culpeper Leigh, dated 6 April 1527, TNA PROB 11/22/332. For summaries of the wills of Sir John Leigh and his wife, Isabel, see Hooper, *supra*, pp. 87-90 at:

<https://archive.org/stream/surreyarchaeolog51surruoft#page/86/mode/2up>

-**Ralph Leigh** (d. 6 November 1509), the testator's father (see below). For his will, proved 1 February 1510, see TNA PROB 11/16/46. For a summary of the will, see Hooper, *supra*, pp. 85-7 at:

<https://archive.org/stream/surreyarchaeolog51surruoft#page/84/mode/2up>

-**John Leigh**, who died without issue.

-**Allen Leigh**, who died without issue.

-**Jane Leigh**, abbess of St Mary's, Winchester.

-**Margaret Leigh**, who married Sir Edmund Denny (d.1520), Chief Baron of the Exchequer, for whose will see TNA PROB 11/19/409.

-**Alice Leigh**, who died without issue.

-**Katherine Leigh**, who married a husband surnamed Quixley, of London

-**Margaret Leigh**, who married firstly Sir Henry Frowick of Gunnersbury, Middlesex, and secondly Walter Forde, Remembrancer of the Exchequer.

See also Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. III, pp. 277-9.

See also Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., Vol. IV, pp. 107-9.

Testator's parents

The testator was the son of Ralph Leigh (d. 6 November 1509) and Joyce Culpeper (born c.1480), the daughter of Richard Culpeper (c.1430 - 4 October 1484), esquire, of Oxenhoath, West Peckham, Kent, by his second wife, Isabel Worsley (c.1460 - 18 April 1527). Joyce Culpeper had a brother and sister:

-**Thomas Culpeper** (d.1492).

-**Margaret Culpeper**, who married firstly Richard Welbeck, esquire, (by whom she was the mother of Joyce Welbeck, who married John Carleton) and secondly William Cotton, esquire, by whom she had a son, Sir Thomas Cotton, named as one of the testator's executors in the will below. See *Magna Carta Ancestry, supra*, Vol. II, p. 242, and Vol. IV, pp. 107-9. See also the will of Richard Welbeck, TNA PROB 11/18/262, and the wills of Joyce Welbeck's sons by John Carleton, Anthony Carleton, TNA PROB 11/58/192, and George Carleton, TNA PROB 11/75/14, who, with his wife, 'Mistress Crane', was involved in the printing of the Marprelate tracts.

Testator's siblings

The testator had a brother and three sisters of the whole blood:

-**Ralph Leigh** (d. before 1563), who married Margaret Ireland, the daughter of William Ireland, esquire, by whom he had a daughter, Frances Leigh, who married Edward Morgan, and a son, John Leigh (d. 19 or 20 January 1576), esquire, the testator's heir in the will below, who married Margery Saunders, widow of the London mercer, Robert Wolman (d.1571), and daughter of Thomas Saunders, gentleman, of Uxbridge, Middlesex. After the death of John Leigh in 1576, Margery (nee Saunders) Wolman Leigh married thirdly Sir William Killigrew (d. 23 November 1622), by whom she had a son, Robert Killigrew, and two daughters, Catherine Killigrew, who married Sir Thomas

Jermyn, and Elizabeth Killigrew, who married Sir Maurice Berkeley (c. 1576 – 1617), whose mother, Margaret Lygon (d.1616) was also the mother of Thomas Russell, overseer of the will of William Shakespeare of Stratford upon Avon. See *Magna Carta Ancestry, supra*, Vol. IV, p. 109; the will of Thomas Saunders, proved 6 November 1565, TNA PROB 11/48/283; the will of Robert Wolman, proved 2 February 1571, TNA PROB 11/53/53, in which the testator's servant and illegitimate son, Richard Blount (alias Leigh) (d.1575), is named an overseer; the will of Margery (nee Saunders) Wolman Leigh Killigrew, proved 14 June 1625, TNA PROB 11/146/44; Hotson, Leslie, *I, William Shakespeare Do Appoint Thomas Russell, Esquire*, (London: Jonathan Cape, 1937), pp. 260; and the Wikipedia entry for Sir Maurice Berkeley edited by the author of this summary.

-Isabel Leigh (d. 16 February 1573), Lady of the Privy Chamber to her half sister, Queen Katherine Howard, who married firstly, as his second wife, Sir Edward Baynton (d. 27 November 1544), son of Sir John Baynton (d. 31 October 1516) by Joan Digges, the daughter of Thomas Digges; secondly Sir James Stumpe (d. 29 April 1563), for whose will, in which the testator is appointed an executor and referred to as 'my trusty and well-beloved friend', see TNA PROB 11/46/257; and thirdly Thomas Stafford, esquire, of Bromham, Wiltshire. See *Magna Carta Ancestry, supra*, Vol. I, p. 131-2. For Sir James Stumpe, see also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/stumpe-sir-james-1519-63>

-Joyce Leigh, who married John Stanney, son of John Stanney, esquire, whom she predeceased, and by whom she had two sons William Stanney of Easton in Sidlesham, Sussex, who married Gertrude Wells, the daughter of Thomas Wells, and John Stanney, and four daughters, Joyce Stanney, who married Henry Mychell (see TNA C 1/1310-40-44), Mary Stanney, Cecily Stanney and Constance Stanney. William Stanney sued the testator's executor and illegitimate son, Richard Blount (d.1575), for a legacy of £100 mentioned in the will below (see TNA C 78/32/9). See the will of John Stanney, proved 28 October 1553, TNA PROB 11/36/263; the will of William Stanney, proved 10 October 1567, TNA PROB 11/49/281; and Bannerman, W. Bruce, ed., *The Visitations of the County of Sussex*, (London: Harleian Society, 1905), Vol. LIII, p. 67 at:

<https://archive.org/stream/visitationscoun00owengoo#page/n62/mode/2up>

-Margaret Leigh, who married a husband surnamed Rice [=Rhys?], by whom she had three sons, Thomas Rice, Henry Rice and Richard Rice, mentioned in the will below and in the testator's inquisition post mortem (see Hooper, *supra*, p. 91) and a daughter, Eleanor rice, mentioned in the will below.

Testator's mother's second marriage

After the death of Ralph Leigh in 1509, the testator's mother, Joyce Culpeper, married Lord Edmund Howard (1478x80-1539), by whom she had three sons and three daughters, the testator's brothers and sisters of the half blood:

-Henry Howard, Gentleman of the Privy Chamber to Henry VIII, who according to Brenan, married a wife named Anne who was in the service of Queen Katherine Howard, and was implicated in her downfall. See Brenan, Gerald and Edward Phillips Statham, *The House of Howard*, (London: Hutchinson & Co., 1907), Vol. I, pp. 235, 325 at:

<https://archive.org/stream/houseofhoward01bren#page/n369/mode/2up>

-Sir Charles Howard, who incurred Henry VIII's displeasure for having fallen in love with Lady Margaret Douglas (1515-1578), later Countess of Lennox, while Margaret was serving as first lady of honour to Charles' sister, Queen Katherine Howard. See the *ODNB* article on Margaret Douglas; and Brenan, *supra*, Vol. I, pp. 235, 305-7 at:

<https://archive.org/stream/houseofhoward01bren#page/304/mode/2up>

-Sir George Howard (d.1580), Oxford's friend, for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/howard-sir-george-1519-80>

-Margaret Howard (c. 1515 - 10 October 1572), who married Sir Thomas Arundell (beheaded 26 February 1552), by whom she had two sons, Sir Matthew Arundell and Oxford's one-time friend and later enemy, Charles Arundel (d.1587), and two daughters, Dorothy Arundell, who married Sir Henry Weston, and Jane Arundell, who married Sir William Bevyale. See *Magna Carta Ancestry*, *supra*, Vol. I, p. 44.

-Queen Katherine Howard (c. 1521 - 13 February 1542), fifth wife of Henry VIII.

-Mary Howard, who married Edmund Trafford.

After the death of the testator's mother, the testator's stepfather, Lord Edmund Howard, married secondly Dorothy Troyes (d. 11 May 1530), daughter of Thomas Troyes, esquire, of Kilmeston, Hampshire, and widow of Sir William Uvedale (d. 28 November 1528), and thirdly, before 12 July 1537, Margaret Munday (d.1565), daughter of Sir John Munday (d.1537), Lord Mayor of London, and widow of Nicholas Jenyn (d.1532). See the will of Sir John Munday, TNA PROB 11/27/118.

For Dorothy Troyes and Sir William Uvedale, see his will, TNA PROB 11/23/53, and the Uvedale pedigree in Leveson Gower, Granville, 'Notices of the Family of Uvedale of Titsey, Surrey, and Wickham, Hants.', *Surrey Archaeological Collections*, Vol. III, (London: Lovell Reeve & Co., 1865), pp. 63-192 at p. 186:

<https://books.google.ca/books?id=scgxAQAAIAAJ&pg=PA186>

For further details of the testator's family see the Wikipedia article on Joyce Culpeper edited by the author of this summary.

MARRIAGE AND ISSUE

The testator married, by 1522, Elizabeth Darcy, the daughter of Roger Darcy (d.1508) of Danbury, Essex, Gentleman of the Chamber to Henry VII, by Elizabeth Wentworth (living 1542), the daughter of Sir Henry Wentworth (c.1448 - August 1499) of Nettlestead, 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. For the will of Sir Henry Wentworth, dated 17 August 1499 and proved 27 February 1501, see TNA PROB 11/12/265. See also Hooper, *supra*, p. 86.

The testator's wife, Elizabeth Darcy, had a brother and two sisters:

-Thomas Darcy (1506 – 28 June 1558), 1st Baron Darcy of Chiche, who married Oxford's aunt, Elizabeth de Vere (d. 26 December 1565). Their 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. See the will, dated 27 June 1558 and proved 14 March 1561, of Thomas Darcy, 1st Baron Darcy of Chiche, TNA PROB 11/44/115.

-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).

After the death of Roger Darcy, the testator's mother-in-law, Elizabeth Wentworth (living 1542) married secondly Sir Thomas Wyndham (d.1522), nephew of Elizabeth de Vere (d.1537), Countess of Oxford, second wife of John de Vere (1442-1513), 13th Earl of Oxford. For the will of Sir Thomas Wyndham, proved 4 March 1523, see TNA PROB 11/21/53.

After the death of Sir Thomas Wyndham, the testator's mother-in-law, Elizabeth Wentworth (living 1542) married thirdly John Bouchier (d. 30 April 1539), 1st Earl of Bath. See *Plantagenet Ancestry, supra*, Vol. III, pp. 548-9.

For the testator's mother-in-law, Elizabeth Wentworth (living 1542), see also Rutton, William Loftie, *Three Branches of the Family of Wentworth*, (London: 1891), p. 137 at:

<https://books.google.ca/books?id=YhY5AQAAMAAJ&pg=PA137>

The testator states in the will below that he had divorced his wife, Elizabeth Darcy, by the time he made his will.

By his wife, Elizabeth Darcy, the testator had a daughter:

* **Agnes Leigh** (d. before 1590), who married firstly, Sir Thomas Paston, Gentleman of the Privy Chamber to Henry VIII, the fourth but third surviving son of Sir William Paston (c. 1479 – 1554) and Bridget Heydon, and secondly, Edward Fitzgerald, a younger brother of Gerald FitzGerald, 11th Earl of Kildare (1525-1585). See the History of Parliament entry for Sir Thomas Paston at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/paston-sir-thomas-1517-50>

See also the History of Parliament entry for Edward Fitzgerald at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/fitzgerald-%28fitzgarrett-garrett-tarrat%29-edward-1529-90>

Testator's illegitimate son

According to Hasted, the testator had an illegitimate son, presumably by a mistress surnamed Blount:

* **Richard Blount** (d.1575), who married Margaret Bostock, from whom Oxford leased the mansion of Fisher's Folly. See the will of Richard Blount, TNA PROB 11/57/612. See also:

Edward Hasted, 'Parishes: Stansted', in *The History and Topographical Survey of the County of Kent: Volume 5* (Canterbury, 1798), pp. 1-5. *British History Online* <http://www.british-history.ac.uk/survey-kent/vol5/pp1-5> [accessed 26 September 2018]

They, in the next reign of king Henry VII. joined in the sale of this manor to Thomas Leigh, of Sibton, in Lyminge, whose son John Leigh, esq. was of Addington, in Surry, and he died possessed of it in 1544. His grandson of the same name, in the 5th year of queen Elizabeth, devised it to Richard Blunt, alias Leigh, his natural son, for a long term of years, and died in 1576.

OTHER PERSONS MENTIONED IN THE WILL

The testator's executor, Thomas Felton (executed 28 August 1588), was the son of Richard Blount's cousin, Ellen (nee Blount), a Maid of Honour to Princess Mary, later Queen Mary I, who married firstly, the Queen's auditor, William Goodwin (d. 30 November 1554) of Bermondsey, Surrey (for whose will see TNA PROB 11/37/204); secondly John Felton (executed 8 August 1570); and thirdly, John Strangman, a Catholic recusant. See the *ODNB* entry for Thomas Felton, and the entry for Ellen Blount at:

http://www.tudorwomen.com/?page_id=646

For the inquisition post mortem taken after the testator's death see TNA C 142/141/26.

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

[f. 281r] In the name of God, Amen, of whom and by whom & by the merits of Christ's passion all Christian men have full and assured redemption and be made inheritors of the kingdom of heaven, the last day of April Anno Domini 1563 and in the fifth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., I, John Leigh of London, knight, being in full perfection of health both in body and mind, thanks be to God, and well considering and weighing the condition and disposition of this mutable and uncertain world, and that man's abiding therein is most uncertain, and very sure all men to have but small time here, and are here replete with much misery in this transitory life, therefore calling th' imperfection of this life to remembrance, do make and ordain this my last will and testament of all those things which God hath given me authority and grace to order, rule and dispose in this world, that is to say, of my soul, body, goods, chattels, lands and tenements to th' use, commodity and profit of such as at this present I will to enjoy the same:

First I give and bequeath my soul unto Almighty God, my Maker & Creator, and to his only Son, Jesus Christ, my Saviour and Redeemer, in [f. 281v] whom and by the merits

of whose passion and blessed death is all my whole trust of clear remission and forgiveness of all my sins;

And my body to be buried within the parish church of Lambeth in the county of Surrey in a chapel there which was erected and made by my uncle, Sir John Leigh, late of Stockwell, knight, deceased, or else in the parish church of St Margaret's in Lothbury in the city of London where I do presently inhabit;

And I will that a convenient and decent tomb be caused to be made by my executors wherein my body shall be buried with as convenient speed as may be, and thereupon my image and arms to be graven in Latin and the similitude of the Cross of Jerusalem that is on my breast cut in my flesh, and I will that there shall be bestowed on the said tomb or monument twenty pound of lawful money of England or more at the discretion of my executors if I depart from this world within 60 miles distant from the city of London or the said town of Lambeth, and if not, then to be buried where it shall be thought most convenient by my executors with a like tomb and furniture;

Item, I will that there shall be bestowed upon my burial and month's mind a hundred pounds with those blacks which I do give in this will, and I give to be bestowed at my said burial and month's mind amongst poor people twenty pound;

And moreover I will that my executors shall pay and content all such debts as shall be duly proved that I shall owe and ought of right to pay to any person at the time of my death, and also that my executors or the survivors of them shall satisfy all persons which can lawfully prove that I have done wrong or injury unto;

Item, I will that every of my overseers shall have a black gown, price the yard twenty shillings;

Item, to every of my menservants a black coat, and to every of my women servants a black gown of ten shillings the yard;

Item, I give and bequeath unto Richard Blount, my servant, fifty pound of lawful English money;

And to Thomas Rice, my sister's son, a hundred marks, so that he, the same Thomas, be with me at th' hour of my death or else at my appointment or by my consent to dwell with any other;

And to every of my other servants being of my chamber or of the degree of a gentleman or yeoman ten pound, and to every of my women servants and horse-keepers a hundred shillings so that they be in service and with me when I shall depart this world;

Item, to my cousin, Marie Marten, ten pound, and to Frances Martyn, her sister, ten pound;

Item, to Sir George Howard, knight, a hundred pound;

And to my god-daughter, my Lord William Howard's daughter, a hundred pounds;

Item, to Jane Arundell, daughter of Sir Thomas Arundell, knight, a hundred marks;

Item, I give to the children of my sister, Joyce Staney [=Stanney?], deceased, to be divided amongst them as my executors shall think to have most need when and as they or any of them shall come and be of the full age of 21 years or else be married, a hundred pound;

Item, I give to John Lovelace, Henry Lovelace, Arthur Lovelace and Elizabeth Lovelace, children of John Lovelace, esquire, late deceased, to every of them ten pound apiece, to be delivered to them as they shall severally come to lawful age of 21 years or else be married; if any of them do die, then their part to remain to thother surviving equally to be divided;

Also I will and bequeath unto Richard Rice and Eleanor Rice, children of my sister, Margaret deceased, equally to be divided amongst them, a hundred pound to be delivered as aforesaid, and if it shall happen any of them to decease and die before his or her marriage or lawful age of [-of] 21 years accomplished, then I will that his or her part so deceasing shall remain to the survivor of them;

Item, I give to Frances Leigh, daughter of my brother, Ralph Leigh, £100;

Also I will and bequeath to every of my godchildren twenty shillings apiece;

Item, I give to my son-in-law, Edward Fitzgerald, my collar of gold with stories enamelled, and I give also unto him and to my daughter, the Lady Agnes Paston, his wife, fifty pounds worth of my plate;

Item, I give and bequeath three hundred pounds of lawful English money to the daughters of the said Edward Fitzgerald begotten upon the body of my daughter, Agnes Paston, upon condition that the said Edward Fitzgerald upon th' offer or tender of the said £300 to him to th' use of the said daughters shall find and put in two sufficient sureties to be bound in the sum of £600 to my executors at the receipt of the said sum of three hundred pounds that the said £300 shall be yearly put and employed in a stock to the most advantage and to be delivered with th' increase thereof [f. 282r] to his daughters or the survivor or survivors of [+them] by equal portions when they shall come and be of the several age or ages of 21 years or else at such several times as they shall be severally married after their ages of 14 years;

Item, I will that if all the said daughters shall die before any of them shall be of the said age of 21 years or be married as is aforesaid, that then the said sum of £300 to be paid to the sons of the said Edward begotten of the body of my said daughter Paston upon like condition equally amongst them to be divided and to be delivered to them in manner,

form and condition as I have before willed that the same should be delivered to the same daughters;

Item, I give to Edward Paston, the younger son of Sir Thomas Paston, knight, a hundred pound;

Item, I give to Katherine Paston, his sister, two hundred pounds;

Item, I give to Mr Whetell, esquire, a hundred pound;

Item, I will that my servants, as well men and women, at my proper costs and charges shall have within my house in Lothbury or elsewhere sufficient meat, drink and lodging for two months, or longer if need shall require, after my decease by the discretion of my executors;

Item, I further will that my servant, Richard Blount, shall be allowed and have all such costs, charges and expenses which he shall bear, lay out or sustain by reason of any suit or suits, action or actions which shall be had or commenced against him or any other my executors in or about any thing or things touching th' execution of this my present last will and testament;

Also I will that if at any time after my decease any doubt, question or ambiguity shall be moved or rise concerning any word, matter, sentence or question, thing or things whatsoever in this my last will and testament before or hereafter written or mentioned, that the same ambiguity, doubt and question shall be fully expounded, opened and determined by the same Richard Blount, who doth understand my whole and full mind in every point and article contained in this my last will and testament;

Item, I will further that all and every such act and acts, thing and things as the said Richard Blount shall do and determine touching th' execution of this my last will and testament or any part thereof shall be of as good effect and of the same force in the law as though the same were plainly opened, written or declared in words and sentences in this my will and testament;

The rest of all my goods, chattels, jewels, plate, ready money and all furniture of household after my debts and legacies paid and this my last will in all things performed and done, I will that John Leigh, my nephew, shall have, so that the said John Leigh before the delivery thereof will be and do become bound to my executors by recognizance in such convenient sum of money as my said executors or the more part of them shall think requisite to acquit, discharge, save or keep harmless my said executors and every of them, their heirs, executors and administrators, against all manner of persons which shall vex, sue or trouble them or any of them as executors unto me, the said John Leigh, knight, except I will that all my apparel shall either be sold and the money thereof delivered to my said nephew, or else to deliver the said apparel to my said nephew as my said executors shall devise by their discretions;

And minding that this my last will shall be performed in every point, I do revoke all other wills heretofore by me made, and will the same other wills and every of them to be to all intents void and of none effect;

And for the same intent I do constitute and make my overseers of this my present testament and last will the right honourable Sir Nicholas Bacon, knight, Lord Keeper of the Great Seal of England, the right honourable the Viscount the Lord Montague, and Roger Manwood, esquire, giving to them & every of them for their pains in th' execution of this my last will and testament thirteen pound six shillings eight pence;

And I do also make and ordain to put in execution and to be mine executors of this my last will and testament Thomas Lovelace, esquire, Sir Thomas Cotton, knight, Thomas Felton of Clerkenwell in the county of Middlesex, esquire, and my servant, Richard Blount if the same Richard Blount be towards me and not servant to any other at the hour of my death, giving to the said Thomas Lovelace, Sir Thomas Cotton and Thomas Felton for their pains every of them £13 6s 8d;

[illegible note in right margin]

And further I will that if I, the said John Leigh, knight, in writing written or subscribed with my own hand do give and bequeath, limit or appoint any other legacy or bequest at any time or times hereafter, that every such be taken as parcel of my last will and testament;

Also I will that if by mischance or casualty all my goods, chattels, plate, jewels and ready money at the time of my death will not amount [f. 282v] to pay, fulfil and perform all my debts, legacies and bequests and all other things charged in or by this my testament and last will, that then my said nephew, John Leigh, his heirs, executors or assigns, so long as he or th' heirs of his body do continue, and after default of such issue such as by force of this my last will and testament shall inherit or possess my manors, lands and tenements or any part and parcel thereof, within three years next after my decease shall supply, pay, fulfil and perform in money all that and so much as shall lack and want of, for or to the due and full performance and payment of all the same my debts, legacies, bequests & all other things charged in or by this my testament or any part thereof;

And furthermore I will that Elizabeth, my wife, upon condition hereafter mentioned, by the way of my mere and free gift in recompense of her jointure which she late had of certain manors, lands, tenements and other hereditaments in the county of Surrey, albeit the said Elizabeth is not at this present, nor after my death by order of the laws of this realm can or ought to be intituled to the same, but precluded by reason of a just and lawful divorce made between me and the said Elizabeth had upon a just consideration, shall have and be paid one annuity or yearly rent of £33 6s 8d of lawful English money out of my manor of Hilton in the county of Dorset, to have and to hold the same to the same Elizabeth and her assigns for term of her natural life at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel or within 28 days next after either of the said feasts upon request in that behalf by even portions, upon condition that

the said Elizabeth do not at any time after my death make any claim or title to any of those manors, lands, tenements or other hereditaments which sometime were appointed for her jointure, nor do not claim any dower in any of my other manors, lands or tenements in the which I have been or now am seised within the realm of England, nor do not interrupt my executors nor any of them in th' execution of this my last will & testament;

And if the said Elizabeth do by any means let or go about to let that this my testament and last will shall not be in every point and article performed and observed, then I will the grant and payment of the said annuity or yearly rent of £33 6s 8d to the said Elizabeth shall cease, be void and of none effect;

Also I will that my said servant, Richard Blount, so he be towards me at the time of my death as aforesaid, shall have and be paid one other annuity or yearly rent of six pound thirteen shillings four pence of lawful money of England yearly to be going out and payable to the said Richard for term of his life out of my manor of Hilton in the county of Dorset aforesaid at the feasts & times aforesaid by even portions;

Item, I will that if the said Thomas Rice at th' hour of my death shall be with me or at my appointment or by my consent with any other, of if he shall then be married to any honest woman and of good fame and reputation, that then my nephew, John Leigh, shall grant and assure to the said Thomas Rice and to the heirs males of his body lawfully begotten out of the manor of Williton in the county of Somerset one annuity or yearly rent of £13 6s 8d of lawful money of England to be paid at two usual feasts in the year by even portions with a clause of distress for non-payment thereof by the space of a month after either feast of the said feasts;

Also I will that Henry Rice, brother to the said Thomas, shall have and be paid one other annuity or annual rent of ten pound out of my manor of Hilton aforesaid, to have, levy, perceive and enjoy the same annuity or yearly rent of £10 to the said Henry Rice for term of his natural life, payable at the feasts aforesaid or within one month next after either of the said feasts by even portions.

This is the last will and testament of me, the said John Leigh, knight, made and declared the day and years abovesaid as concerning all those manors, lands, tenements, rents, reversions, services and hereditaments with all and singular their appurtenances whereof I am now seised or hereafter shall fortune to be seised of any estate of inheritance, and which I, the said John Leigh, knight, over and besides my manors, lands and tenements by me heretofore conveyed and assured to my nephew, John Leigh, son and heir of my brother, Ralph Leigh, deceased, and to other do intend to give, grant and bestow by this my last will and testament;

First I give unto my said nephew, John Leigh, all those manors, lands, tenements, rents, reversions, services & hereditaments with all and singular their appurtenances and commodities whatsoever set, lying [f. 283r] and being within the counties of Berkshire,

Buckinghamshire and Oxford which I late bought and purchased of Sir Francis Stonor, knight;

And also all and singular manors, lands, tenements, reversions and services which I or any other of trust to my use shall hereafter at any time purchase or have of any person or persons within the realm of England;

And all and singular reversions, remainders, rights and interests of inheritance and of sums of money which at the time of my decease I or any other person of trust to my use shall have or be intituled to have by or upon any manner of assurance, conveyance, use, covenant, condition or means whatsoever of, in or to any manors, lands, tenements, hereditaments or other possessions within this said realm of England;

To have and to hold all the same manors, lands, tenements and other hereditaments and all and singular uses, conditions, reversions, remainders and rights and sums of money unto the said John Leigh, my nephew, and to his heirs and assigns forever

And further I will that if the said Edward Fitzgerald and Dame Agnes Paston, his wife, or either of them or th' heirs of either of them after my death upon request to them or any of them made by my said executors or any of them or by my said nephew, John Leigh, son of Ralph Leigh, his heirs or executors, do not cause, knowledge and suffer to be done all and every such act and acts, thing and things as by the said executors or by any of them or by the said John Leigh, son of Ralph Leigh, his heirs or executors or by his or their learned counsel shall be devised and required for the better and more clear and perfecter assurance and sure making of all and singular the said manors, lands, tenements, hereditaments, goods, chattels and things which I have by this my last will and testament or by any other deed, writing or conveyance limited and appointed unto the said executors or unto the said John Leigh, my nephew, to be had and enjoyed according to the meaning, tenor and form of this my said last will and testament and of every such my deed, writing or conveyance at the costs and charges in the law of the said John Leigh, his heirs or executors, or of my said executors, that then all and every legacy, gift and bequest of all and every the said manors, lands, tenements, annuities, sums of money, jewels, remainders and other things whatsoever by this my last will and testament given, limited or appointed to the said Edward Fitzgerald and Dame Agnes, his wife, or either of them or to th' heirs of them and of either of them shall be utterly void and of none effect to all intents and purposes and in no part to be performed but to be as if the same had never been expressed, limited or made in this my present testament or last will, anything to the contrary hereof in any wise notwithstanding;

Provided further and I will that if my daughter, the said Dame Agnes Paston, now wife to the said Edward Fitzgerald, esquire, do within three months next after my decease put and bring in two or three sufficient sureties that shall and will be bound unto the same my executors in two thousand pounds of lawful money of England that the said Edward and my said daughter, his wife, and either of them and the heirs of my said daughter shall forever permit and suffer all and all manner of persons whatsoever peaceably and quietly to have, hold, occupy and enjoy to them, their heirs and assigns all and all manner such

manors, lands, tenements and other hereditaments whatsoever set, lying and being within the counties of Somerset, Dorset, Surrey, Sussex, Southampton, London and elsewhere according to the tenor and purport of such deed or other conveyance as by me or any of my officers have been made and during my life shall be had or made by this my last will and testament or by deeds, releases, fines, recoveries, copies or indentures of leases or any other writings according to the tenor and true meaning of the same writings without vexation, interruption or trouble of the said Edward Fitzgerald or my said daughter or her heirs or of any other person or persons in his, her or their right, title, name or names or in the right, title, name or names of any of them, that then and not else I will that the said Edward Fitzgerald and the same Dame Agnes Paston, my daughter, and the children of them or either of them shall take the benefit of the legacies in this my last will and testament as therein is specified;

But if the said Edward Fitzgerald and the same Dame Agnes Paston, my daughter, or either of them upon request shall not do the same, or if they or any of them shall [f. 283v] by any manner of means in anything let or interrupt any person in the quiet enjoying and continuance of any my manors, lands, tenements or hereditaments or other things contrary to the tenor and true meaning of this my present last will and testament or of any other deed, writing or conveyance by me subscribed or by me to be subscribed, limited, given, devised or bequeathed to any person or persons, that then all gifts and bequests of goods, chattels, remainders, reversions, manors, lands, tenements, hereditaments and other things to the said Edward and Dame Agnes or to their or any of their children given to be void, frustrate and of none effect as though the same had never been contained in this my last will and testament;

In witness whereof to both parts of this my present testament and last will indented I, the said John Leigh, knight, have subscribed my name and set my seal, given the day and years first above-written. Witnesses at th' ensealing and delivery hereof by the said Sir John Leigh do hereafter follow, viz., John Birche, John Jefferey, Thomas Bradshawe, mercer, Nicholas Barham, William Sleywrighte, Richard Bostocke, Peter Baker, scrivener.

The 14th day of March Anno Domini 1563

These gifts and bequests hereafter following I will the same to be as part and parcel of my last will and testament in all points as though the same were engrossed there:

First I do give and bequeath to Dame Agnes Paston, my daughter, over and above such legacies given to her in my said last will and testament, the sum of one hundred pounds, the which sum I caused my friend to lend her upon the lease of Stanwell, the which lease I will be delivered her, and my executors to discharge the said £100;

Also I do give her more all such plate as I have here remaining at Stanwell with me;

Also I do give and bequeath unto Mr Edward Fitzgerald, my son-in-law, three of my best gowns furred, with also all my furs that be to make up;

Also I do give unto Christopher Lacelles, esquire, the sum of one hundred pounds;

Also I do give unto my cousin Whetelle's daughter dwelling with my Lady of Pembroke that hundred pounds the which Sir James Stumpe, knight, deceased, gave unto me by his last will and testament, the which sum my sister Stumpe must pay;

Also I do give unto John Dyckby, my servant, over and above such legacies given him by my last will, the sum of ten pound;

And also I do give unto Jacob, my servant, likewise ten pound;

Also I do give unto the servants of Mr [Fitz]geralds' and my daughter, to be divided amongst them to my daughter's discretion, the sum of ten pounds;

Also to Anthony, my servant, over and above the gift in my last will the sum of five pounds;

Also I do give unto Harmon Johnson, the horse-keeper, over and above the gift in my last will the sum of five pounds;

Also I do give unto my servant, Richard Blount, over and above the annuity in my last will the sum of thirteen pounds six shillings eight pence;

By me, John Leigh.

Also I give and bequeath unto my Lord Keeper my collar of gold with stories enamelled if it be not given away by my testament, and if it be given away then I give him fifty pounds in money;

Also I bequeath unto my Lord Montagu my best hobby or one other of my horses that he shall best like;

Also I give to the hospital twenty pounds;

Also to John Colly, my servant, over and above his legacy in my will the sum of ten pounds;

Also the Mr Baker, scrivener, for his pains and travail eight pound;

To his servant Harry, twenty shillings;

To Blount's man twenty shillings.

John Leigh.

Probatum fuit huiusmodi testamentum unicum codicillo eiusdem defuncti Coram magistro Walthero Haddon legum doctore curie Prerogative Cantuariensis custode siue commissario apud London vto die mensis februarii Anno Domini 1565 iuramento Georgij Harrison notarii publici procuratoris Thome Lovelace et Richardi Blunte executorum Ac per Sententiam diffinitivam approbatam et insinuatam Quibus commissaria fuit administratione bonorum dicti defuncti De bene & Reseruatam potestate similem auctoritatem commissarii Domino Thome Cotton militi et Thome Felton Armigero Ac executoribus etiam cum venerint &c

[=The same testament together with the codicil of the said deceased was proved before Master Walter Haddon, Doctor of the Laws, Keeper or Commissary of the Prerogative Court of Canterbury, at London on the 5th day of the month of February in the year 1565 by the oath of George Harrison, notary public, proctor of Thomas Lovelace and Richard Blount, executors, and by the definitive sentence probated and entered, to whom administration was granted of the goods of the said deceased, sworn to well etc., with power reserved for similar authority to be committed to Sir Thomas Cotton, knight, and Thomas Felton, esquire, also executors, when they shall have come etc.]

[NOTE: SENTENCIA DIFFINITIVA NOT TRANSCRIBED]