

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 18 and 31 October 1568 and proved 26 November 1568, of Sir John Radcliffe (1539 – 9 November 1568), whose stepsister, Jane Fitzalan, married Oxford's friend, John Lumley, 1<sup>st</sup> Baron Lumley. For Oxford's letter requesting Lord Burghley to intercede with the Queen on behalf of Lord Lumley, see BL MS Lansdowne 38/62, ff. 158-9.

## ***FAMILY BACKGROUND***

### ***Testator's parents***

The testator was the only surviving child of Robert Radcliffe (d. 27 November 1542), 1<sup>st</sup> Earl of Sussex, by his third wife, Mary Arundell. For his parents, see the *ODNB* entries.

By his father's two earlier marriages the testator had three brothers and two sisters of the half blood.

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

The testator's father married firstly, shortly after 23 July 1505, Elizabeth Stafford (d. 1530-1532), the elder daughter of Henry Stafford (1455-1483), 2<sup>nd</sup> Duke of Buckingham, and Katherine Woodville (1457/8-1497). After Buckingham's death, Katherine Woodville married secondly Jasper Tudor (c.1431-1495), Duke of Bedford, and thirdly Sir Richard Wingfield (b. in or before 1469, d.1525), for whose will see TNA PROB 11/22/51.

By his first wife, Elizabeth Stafford, the testator's father had three sons:

**-Henry Radcliffe** (1507-1542), 2<sup>nd</sup> Earl of Sussex, father of Thomas Radcliffe (1526/7 - 9 June 1583), 3<sup>rd</sup> Earl of Sussex, a leading figure at the court of Queen Elizabeth.

**-Sir Humphrey Radcliffe** (c.1508/9-13 - August 1566) of Elstow, Bedfordshire, who married Isabel Harvey (d.1594), daughter and heir of Edmund Harvey of Elstow and Margaret Wentworth, by whom he had two sons, Thomas Radcliffe (d. 18 September 1586), and Edward Radcliffe (d.1643), 6<sup>th</sup> Earl of Sussex, and four daughters, Mary Radcliffe, who was a lady-in-waiting to Queen Elizabeth, Frances Radcliffe, Elizabeth Radcliffe, and Martha Radcliffe. For Sir Humphrey Radcliffe, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/radcliffe-sir-humphrey-1509-66>

For Sir Humphrey Radcliffe's son, Edward Radcliffe (d.1643), 6<sup>th</sup> Earl of Sussex, see the will of Anne (nee Browne) Tyrrell Petre (d.1582), TNA PROB 11/64/153, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/radcliffe-edward-1643>

**-George Radcliffe**, who married Katherine Marney, the daughter of John Marney (d. 17 April 1525), 2<sup>nd</sup> Baron Marney. For John Marney, 2<sup>nd</sup> Baron Marney, see his will, TNA PROB 11/21/540, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/marney-sir-john-1485-1525>

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

The testator's father married secondly, by 1 September 1532, Margaret Stanley (died c.1534), the only daughter of Thomas Stanley (d. 21 May 1521), 2<sup>nd</sup> Earl of Derby, and Anne Hastings, the daughter of Edward Hastings (26 November 1466 – 8 November 1506), 2<sup>nd</sup> Baron Hastings (eldest son of William Hastings (c.1430-1483), beheaded on the orders of Richard III), by whom he had two daughters:

**-Jane Radcliffe** (1531/2–1552), who married Anthony Browne (1528–1592), 1st Viscount Montague, by whom she had a daughter, Mary Browne (d.1607), mother of Shakespeare's dedicatee, Henry Wriothesley (1573-1624), 3<sup>rd</sup> Earl of Southampton.

**-Anne Radcliffe** (d.1561), who married Thomas Wharton (1520-1572), 2<sup>nd</sup> Baron Wharton, the son of Thomas Wharton (c.1495–1568), 1<sup>st</sup> Baron Wharton, and Eleanor Stapleton (d.1547×61), third daughter of Sir Brian Stapleton (d. 16 September 1518) of Wighill, Yorkshire, and his wife, Joan. The account of her funeral states that she left two sons, Philip Wharton and Thomas Wharton, and two daughters, Mary Wharton and Anne Wharton. See Nichols, John Gough, ed., *The Diary of Henry Machyn*, (London: Camden Society, 1868), pp. 259, 384. For Eleanor Stapleton, see Clay, J.W., ed., *Dugdale's Visitations of Yorkshire, with Additions*, (Exeter: William Pollard & Co., 1899), pp. 170-1 at:

<https://archive.org/stream/dugdalesvisitati01dugd#page/170/mode/2up>

### *Testator's father's third marriage*

The testator's father married thirdly, on 14 January 1537, Mary Arundell (d. 20 October 1557), the only child of Sir John Arundell (c.1474 – 1545) of Lanherne, Cornwall, and his second wife, Katherine Grenvile, by whom he had two sons:

-(**blank**) **Radcliffe**, eldest son, baptized 22 March 1538, died in infancy.

-**Sir John Radcliffe**, the testator.

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

After the death of the testator's father, the testator's mother, Mary Arundell, married secondly, on 19 December 1545, as his second wife, Henry Fitzalan (d. 24 February 1580), Earl of Arundel. There were no issue of the marriage.

By his mother's second marriage the testator was a stepbrother of the Earl of Arundel's three children by his first marriage to Katherine Grey (b. in or after 1509, d. 1542), second daughter of Thomas Grey (1477-1530), 2<sup>nd</sup> Marquess of Dorset, and his second wife, Margaret Wotton (d. in or after 1535), daughter of Sir Robert Wotton of Boughton Malherbe, Kent, and widow of William Medley:

-**Henry Fitzalan** (1538–1556), later Lord Maltravers.

-**Jane Fitzalan** (1537 – 27 July 1578), who was the first wife of Oxford's friend, John Lumley (c.1533 – 11 April, 1609), 1st Baron Lumley, and by him had two sons and a daughter who all died in childhood. For Jane Fitzalan, see the *ODNB* entry. After Jane Fitzalan's death, Lord Lumley married Elizabeth Darcy (d.1617), the daughter of Oxford's first cousin, John Darcy (d. 5 March 1581), 2<sup>nd</sup> Baron Darcy of Chiche, and his wife, Frances Rich, one of the nine or ten daughters of Richard Rich (1497-1567), 1st Baron Rich. For the will of John Darcy, 2<sup>nd</sup> Baron Darcy of Chiche, see TNA PROB 11/63/135. For the will of Elizabeth (nee Darcy), Lady Lumley, proved 8 February 1617, see TNA PROB 11/129/144.

-**Mary Fitzalan** (1539/40 – 25 August 1557), who married, as his first wife, Oxford's first cousin, Thomas Howard (10 March 1538 – 2 June 1572), 4<sup>th</sup> Duke of Norfolk, and by him had an only child, Philip Howard (1557 – 15 October 1595), 13<sup>th</sup> Earl of Arundel.

For the testator, see also the Wikipedia article edited by the author of this website.

### **MARRIAGE**

According to King, the testator married Anne Benolt, the younger daughter and coheir of the herald, Thomas Benolt (d. 8 May 1534), esquire, and his second wife, Mary, the daughter of Lawrence Richards *alias* Fermour of Minster Lovel, Oxfordshire, ancestor of the Earls of Pomfret. For Thomas Benolt, see his will, TNA PROB 11/25/167, and Noble, Mark, *A History of the College of Arms*, (London: J. Debrett, 1804), pp. 111-14 at:

<https://archive.org/stream/ahistorycollege00noblgoog#page/n134/mode/2up>

According to Noble, after the testator's death, his widow, Anne Benolt, married Richard Buckland, esquire, by whom she had several children. According to King, she died 10 December 1585, and was buried at St Olave, Hart Street.

However according to the *ODNB*, which appears to be in error on this point, it was Thomas Benolt's widow, Mary, who married Richard Buckland:

*Benolt, Thomas (d. 1534), herald and diplomat . . . married twice. His first wife was Margaret (d. 1526), widow of Henry Arnold and daughter of Richard White of Kent, with whom he had no children. His second wife was Mary, daughter of Laurence Fermor of Minster Lovell, Oxfordshire, with whom he had a son, who probably died young, and two surviving daughters. . . Benolt died on 8 May, and was buried in St Helen, Bishopsgate. . . Benolt's widow later married Richard Buckland.*

For the testator's monument, see Povah, Alfred, *The Annals of the Parishes of St Olave Hart Street and Allhallows Staining in the City of London*, (London: Blades, East & Blades, 1894), pp. 93-4 at:

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

For the testator's funeral certificate, see King, Thomas William and F.R. Raines, eds., *Lancashire Funeral Certificates, in Remains Historical & Literary Connected with the Palatine Counties of Lancaster and Chester*, (Chetham Society, 1869), Vol. LXXV, pp. 3-4 at:

<https://books.google.ca/books?id=zdFMAQAAMAAJ&pg=PA7-IA17>

RM: T{estamentum} Ioh{ann}is Radcliffe Militis

[f. 159r] In the name of God, Amen. The eighteen day of October in the year of Our Lord God a thousand five hundred threescore and eight, I, Sir John Radcliffe, knight, of Cleeve in the county of Somerset, being whole of mind and of good and perfect remembrance, laud and praise be unto Almighty God, therefore do make and ordain this my present testament and last will concerning my chattels and movables in manner and form following:

First I commend my soul unto Almighty God, my Maker, Saviour and Redeemer, and my body to be buried where it shall best like my wife;

Item, I give and bequeath unto Anne, my wife, all my household stuff, plate, goods, chattels and corn with all movables of mine whatsoever hereafter in this my present testament and last will not otherwise given or bequeathed to this end, that she shall see and procure all my debts well and truly paid and discharged;

Item, I give and bequeath unto my Lord of Arundel my ring with a stone set and fixed therein called a turquoise in token and remembrance of goodwill;

Item, I give and bequeath unto my Lord of Sussex my ring called a signet of gold in token and for a remembrance of goodwill;

Item, I give and bequeath unto Gartrithe [Gertrude?] Tyrrell, my wife's waiting-maid, four pounds of lawful money of England;

Item, I give and bequeath unto Richard Johnson, my servant, four pounds of lawful money of England and one gelding of and to the value of four marks in money;

And to all the residue of my household servants I give and bequeath forty shillings apiece to every one of them;

Also I give and bequeath unto the poor people five pounds of current money of England which I will to be given and distributed amongst them the day of my burial by Anne, my wife, or by some other for her, which Anne I do make and ordain of this my present testament and last will my sole and only executrice, willing and requiring of her to see my debts paid, my legacies performed, and my body well and in decent manner brought to the earth as my trust is in her;

And I utterly revoke and annul all and every other testament, will, legacy and bequests in any wise before this time by me made, willed or bequeathed;

In witness that this is my testament and last will I, the said Sir John Radcliffe, knight, to these presents have put my hand and seal the day and year above-written in the presence of him whose name is under-written;

Sealed and subscribed by two letters for his name in the presence of me, John Raynoldes;

This last will and testament of Sir John Radcliffe, knight, sealed and with letters of his name subscribed, was read and delivered by his own hands to the Lady Anne Radcliffe, his wife, the last day of October 1568 in the presence of us by the said Sir John Radcliffe called as witnesses: George Dacres, George Arundel, Francis Tregian.

Probatum fuit Testamentum suprascriptum coram mag{ist}ro Waltero Haddon Legum doctore curie prerogatiue cantuar{iensis} comissario apud London Vicesimo sexto die Nouembris Anno d{omi}ni Mill{es}imo quingen{tesi}mo sexagesimo octauo Iuramento Georgij Harryson notarij publici procurator{is} D{omi}ne Anne Rel{ic}t{e} et executrici{is} in testamento h{uius}mo{d}i no{m}i{n}at{e} Cui comiss{a} fuit admi{n}istrac{i}o o{mn}i{u}m et sing{u}lor{um} bonor{um} &c De bene &c Ad sancta dei Evangelia Iurat{o}

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[=The above-written testament was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the twenty-sixth day of November in the year of the Lord the thousand five hundred sixty-eighth by the oath of George Harrison, notary public, proctor of Lady Anne, relict and executrix named in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc.]