

SUMMARY: The document below is the will, dated 31 May 1571 and proved 21 July 1571, of Sir Thomas Pakington (d. 2 June 1571), first cousin of Lettice (nee Pakington) Martyn, the mother of Humphrey Martyn (d.1587?), the addressee of the *Langham Letter* describing Leicester's entertainment of Queen Elizabeth at Kenilworth in the summer of 1575.

FAMILY BACKGROUND

For the Pakington family, see the pedigree in Phillimore, W.P.W., ed., *The Visitation of the County of Worcester Made in the Year 1569*, (London: Harleian Society, 1888), Vol. XXVII, p. 103 at:

<https://books.google.ca/books?id=EC0EAAAAIAAJ&pg=PA103>

See also the Pakington pedigree in Metcalfe, Walter C., ed., *The Visitation of Buckinghamshire in 1566*, (Exeter: William Pollard, 1883), p. 27 at:

<http://books.google.ca/books?id=VgpBAQAAQAAJ&pg=PA27>

See also Betham, William, *The Baronetage of England*, Vol. I, (Ipswich: Burrell and Bransby, 1801), pp. 185-9 at:

<http://books.google.ca/books?id=L1QOAAAAQAAJ&pg=PA185>

See also the pedigree of Pakington of Harvington Hall in Hussey, Christopher, *Harvington Hall Near Kidderminster Worcestershire*, (Exeter: Catholic Records Press, 1981), p. 31.

Testator's parents

The testator was the son of Robert Pakington (1489?-1536) and his first wife, Agnes Baldwin, the daughter of Sir John Baldwin (d.1545), Lord Chief Justice. For the will of Robert Pakington, see TNA PROB 11/27/46. See also the pedigree in Metcalfe, Walter C., ed., *The Visitation of Buckinghamshire in 1566*, (Exeter: William Pollard, 1883), p. 28 at:

<https://archive.org/details/visitationofbuck00harvrich/page/28>

Sir Thomas Pakington's uncle, Humphrey Pakington (1502-1556), was the father of Lettice Pakington, wife of Sir Roger Martyn (1526-1573), Lord Mayor of London in 1568. As noted above, their son, Humphrey Martyn, is the addressee of the *Langham Letter* of 1575 describing Queen Elizabeth's entertainment at Kenilworth.

The testator is mentioned in the will of his aunt, Elizabeth (nee Harding) Pakington (d. 28 September 1563), wife of Humphrey Pakington (1502-1556). For her will, see TNA PROB 11/46/444.

Humphrey Pakington (1502-1556) and Elizabeth Harding also had a son, John Pakington (1530-1578), who married Elizabeth Newport. Their son, Humphrey Pakington (1555-1631) married Bridget Kingsmill (1572-1606), who was the aunt of Francis Norris (1579-1623), husband of Oxford's daughter Bridget de Vere. Moreover Elizabeth Newport was the sister of Sir Richard Newport of High Ercall (d.1570), owner of a copy of Hall's *Chronicle* in the British Library containing extensive annotations thought to be by Shakespeare.

Testator's siblings

According to the pedigree in Phillimore, *supra*, the testator had one brother and three sisters:

-**John Pakington**, of whom nothing further is known.

-**Elizabeth Pakington**, who married firstly John Lane (died 12 September 1557) of Walgrave, Northamptonshire, and secondly Sir Richard Malory, Alderman of London and Lord Mayor in 1564.

-**Anne Pakington**, who married Richard Cupper, esquire, of Glympton, Oxfordshire.

-**Margaret Pakington**, who married firstly Benedict Lee (d.1559), esquire, of Burston, Buckinghamshire, henchman to King Henry VIII. Benedict Lee was the son of Sir Robert Lee (d.1539) by his second wife, Lettice Peniston (d.1557), and the half brother of Sir Anthony Lee (d.1549), a son of Sir Robert Lee by his first wife, a member of the Cope family. Sir Anthony Lee (d.1549) was the father of Queen Elizabeth I's Champion, Sir Henry Lee (d.1611). After the death of Benedict Lee, Margaret Pakington married secondly Thomas Scott, esquire, of Yorkshire. See Chambers, E.K., *Sir Henry Lee; An Elizabethan Portrait*, (Oxford: Clarendon Press, 1936), pp. 28, 247-8.

MARRIAGE AND ISSUE

The testator married, by dispensation dated 20 September 1546, Dorothy Kitson (1531 - 2 May 1577), the daughter of Sir Thomas Kitson (1485–1540) of Hengrave, Suffolk, by his second wife, Margaret Donnington (1510 - 20 December 1561), the only child of John Donnington (d.1544) of Stoke Newington by Elizabeth Pye. For Margaret Donnington, later Countess of Bath, see her will, dated 10 December 1561 and proved 18 February 1562, TNA PROB 11/45/55; the *ODNB* entry for the Kitson family; and the entry at:

http://www.tudorwomen.com/?page_id=669

For Dorothy Kitson, see the *ODNB* entry, her will, TNA PROB 11/59/313, and the entry at:

http://www.tudorwomen.com/?page_id=691

The testator's brother-in-law, Sir Thomas Kitson (1540-1603), is mentioned as being part of Oxford's circle of acquaintances in allegations by Charles Arundel (see SP 12/151/48, ff. 107-8). For her will, see TNA PROB 11/59/313.

According to the pedigree in Phillimore, *supra*, by Dorothy Kitson the testator had four sons and three daughters:

* **Sir John "Lusty" Pakington** (1549-1625), eldest son, a favourite of Queen Elizabeth, and one of Oxford's companions at court (see BL Cotton Titus C.6, ff. 7-8). He married, In November 1598, Dorothy Smith, widow of the London alderman, Benedict Barnham, and daughter of Humphrey Smith of London, by whom he had a son, Sir John Pakington (1600–1624), 1st Baronet. By her earlier marriage to Benedict Barnham, Dorothy Smith was the mother of Alice Barnham, who married Sir Francis Bacon. See the *ODNB* entry for Sir John Pakington.

* **Henry Pakington**, who died without issue.

* **Robert Pakington**, who died without issue.

* **Thomas Pakington**, who married Anne Pelham, the daughter of Sir William Pelham (d.1587) by his first wife, Eleanor Neville (d.1574), the daughter of Henry Neville, 5th Earl of Westmorland, by whom he had a son, Thomas Pakington. The testator's son may be the Thomas Pakington who made a nuncupative will 25 August 1598, proved 27 October 1598. See TNA PROB 11/92/256.

* **Margaret Pakington**, who in 1573 married Thomas Lichfield (d.1586), gentleman of the privy chamber, for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/lichfield-thomas-1586>

* **Mary Pakington**, who, as noted above, married Sir Walter Long (1555?-1610).

* **Katherine Pakington** (d.1622), who married firstly John Davis of Lincoln's Inn; secondly Sir Jasper More; and thirdly, as his third wife, Sir Richard Mompesson (d.1627).

For Sir Jasper More, see Savage, James, *The History of Taunton in the County of Somerset*, (Taunton: John Poole, 1822), p. 96 at:

<https://books.google.ca/books?id=jw0jAAAAMAAJ&pg=PA96>

For Sir Richard Mompesson, see the History of Parliament entry at:

<http://www.histparl.ac.uk/volume/1558-1603/member/mompesson-richard-1627>

For the will of Katherine Pakington, proved 14 December 1626, see TNA PROB 11/150/556.

After the testator's death, his widow married secondly Sir Thomas Tasburgh (c.1554–1602) of Hawridge, a young lawyer and future Teller of the Exchequer, for whom see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/tasburgh-thomas-1554-1602>

OTHER PERSONS MENTIONED IN THE WILL

Sir John Spencer of Althorp (d.1586), appointed in the will below as a trustee and overseer, was the husband of the testator's wife's sister, Katherine Kitson.. Three of the daughters of Sir John Spencer and Katherine Kitson were praised by the poet Edmund Spenser as 'Phyllis, Charillis, and sweet Amaryllis' in *Colin Clout's Come Home Again* (1595). Another of their daughters, Margaret Spencer, married Giles Alington of Horseheath (d.1573); their son, Giles Alington of Horseheath (d.1638), married Dorothy Cecil, daughter of Lord Burghley's eldest son, Sir Thomas Cecil. A relative, Hugh Alington, was Lord Burghley's brother-in-law, the husband of Lord Burghley's sister, Elizabeth Cecil. A prospective marriage is mentioned in the will between Sir Thomas Pakington's eldest son and heir, Sir John "Lusty" Pakington, and Mary Alington, whose sister Cordelia Alington married Sir John Stanhope (d.1611), whose second wife was Katherine Trentham, sister of Oxford's second wife, Elizabeth Trentham.

Sir William Cordell of Long Melford, Master of the Rolls, mentioned in the will as involved in the negotiations for the prospective marriage between Sir John "Lusty" Pakington and Mary Alington, was the latter's uncle by marriage. Sir William Cordell's wife, Mary Clopton, was the sister of Mary Alington's mother, Jane (nee Clopton) Alington. Jane and Mary Clopton were also distant cousins of Queen Elizabeth. The Pakington/Alington marriage may have come to pass, although records of it are scanty, and in middle age Sir John "Lusty" Pakington married, apparently as his second wife, Dorothy Smith, widow of Benedict Barnham, whose daughter, Alice Barnham, became the wife of Sir Francis Bacon (1561-1626), first cousin of Oxford's first wife, Lord Burghley's daughter Anne Cecil.

A Roger Alford mentioned in the will may have been the same Roger Alford who was in Lord Burghley's service.

RM: T{estamentum} Thome Pakington Militis

In the name of God, Amen. The last day of May in the thirteenth 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, Sir Thomas Pakington of Aylesbury within the county of Buckingham, knight, calling to my remembrance the uncertain state of this our fragile life and minding to reduce and set in order such manors, lands, tenements, goods and chattels as God hath endued me with in this transitory world, being now somewhat sick in body but yet, thanks be given to Almighty God, of good and perfect remembrance, do now make my last will and testament in manner and form following:

First, I do bequeath my soul to Almighty God, my body to be buried in such decent order and sort and with such funeral charges and expenses as to Dame Dorothy, my well-beloved wife, shall be thought meet and convenient for my estate and degree;

Item, I do give and bequeath unto my daughter, Margaret Pakington, eight hundred pounds to her marriage, to be paid unto her at the day of her marriage or at her age of twenty-one years, which of them shall first happen;

Item, I do give and bequeath unto my daughter, Katherine Pakington, eight hundred pounds to be paid unto her at the day of her marriage or at her age of twenty years, which of them shall first happen;

Item, I do give and bequeath unto Mary Pakington, my youngest daughter, eight hundred pounds to be paid unto her at the day of her marriage or at her age of 20 years, which of them shall first happen;

Item, I will that if it shall happen any of my said daughters for to die before she shall be married or before she shall have accomplished the said age of 20 years, then I will the portion of such of them that so shall first happen to die to be unto the other two of my said daughters or to either of them as shall be then living, and if two of my daughters shall happen to die before the said age or marriage as is aforesaid, then I will the portion of her that shall happen last to die to all my children as shall be then living, equally to be divided amongst them;

Item, I give Peter, my servant, the £12 which he ought me;

Item, I do give to Thomas Pakington, my brother John Pakington's son, five pounds;

Item, I do give unto every my menservants (the said Peter excepted) one year's wages, and to every of my women-servants one year's wages, after such rate to every of them as they do now take wages of me;

Item, I do bequeath unto John Pakington, my son and heir apparent, all my household stuff and implements of household being now within my mansion or capital house of Hampton Lovett within the county of Worcester, and three geldings and four beds with all furniture thereunto belonging, to be assigned by mine executors and overseers, and thone half of all mine armour, and one basin and ewer of silver ungilt remaining in my house at Aylesbury within the said county of Buckingham;

Item, whereas there is certain communication and agreement in articles between me, the aid Sir Thomas, and Sir William Cordell of Long Melford within the county of Suffolk, knight, and Master of the Rolls of the Queen's Majesty's Court of Chancery, touching and concerning a marriage to be had between the said John Pakington, son and heir apparent unto me, the said Sir Thomas, and Mary Alington, one of the daughters and co-heirs of Richard Alington and Jane Alington, widow, late wife unto the said Richard, I will that if the same marriage shall take effect in my lifetime, that then my executors shall have and receive all such sums of money as shall be due for the said marriage of the said John, my son and heir apparent, and my said executors shall have, receive and take the same towards the performance of this my last will and testament;

Item, I do give unto the said Mary Alington three beer-cups of silver with covers which now be at my house of Aylesbury within the said county of Buckingham;

Item, I do give unto the said Jane Alington, widow, my very good friend, a cup of silver and gilt of the value of five pounds for a token, and to my sister-in-law, Mary Long, a cup of silver and gilt of the value of five pounds, and to John Borlase, Roger Alford, Thomas Lichfield, and Richard Cupper, esquires, my very good friends, to every of them a cup of silver and gilt of the value of five marks for a token of my goodwill towards them;

Item, the residue of all my goods and chattels, as well moveable as unmoveable, not herebefore bequeathed, I do give and bequeath unto Dame Dorothy, my well beloved wife, whom I do ordain and make my sole and only executrix of this my last will and testament, and I do make the said Sir William Cordell, Master of the Rolls, and my brother-in-law Sir John Spencer, knight, overseers of this my last will and testament, and I do give unto either of them a cup of silver and gilt of the value of five pounds for a remembrance;

And as touching the order and disposition of all & singular my manors, lands, tenements and other hereditaments within the several counties of Buckingham and Worcester or elsewhere within the realm of England, I do make and declare my last will thereof in manner & form following:

First, I will to Dame Dorothy, my well beloved wife, all those my several manors of Aylesbury, Bierton, Abbots Broughton and Ellesborough within the said county of Buckingham, and all my messuages, lands, tenements and hereditaments whatsoever in Aylesbury, Bierton, Hoggette alias Huaote, Abbots Broughton, Ellesborough and Walton in the said county of Buckingham, and also 6 saltfats in Droitwich within the said county

of Worcester, and all other my lands, tenements and hereditaments whatsoever within the said several countries of Buckingham & Worcester which at any time heretofore were conveyed or meant or intended to be conveyed to the said Dame Dorothy by any manner of assurance or conveyance whatsoever, to have and to hold to the said Dame Dorothy for and during the natural life of the said Dame Dorothy according to the true intent and meaning of the said several assurances or conveyances, and if any of the said manors, lands or tenements shall at any time hereafter be evicted or taken from the said Dame Dorothy, so as the said Dame Dorothy shall not or may not have and enjoy the same during her life as is aforesaid, I will to the said Dame Dorothy in consideration thereof all such lands and tenements whatsoever set, lying & being in Aylesbury and Walton aforesaid as Dame Anne Baldwin, late wife of Sir John Baldwin, knight, deceased, had to her or to any other persons to her use assured to or for her jointure or for any part thereof, to have and to hold the said last-recited premises to the said Dame Dorothy for and during her natural life;

Item, for & towards the preferment of my younger sons, I do will, give and bequeath unto Henry Pakington, my second son, one annuity or yearly rent of thirty pounds, and also one other yearly rent of twenty pounds, to be issuing and going out of all that my manor of Hampton Lovett within the said county of Worcester, to have and to hold the said yearly rent of £30 unto the said Henry for and during the natural life of the said Henry, to be paid at the feasts of Saint Michael th' Archangel and th' Annunciation of Our Lady Mary the Virgin by equal portions, and to have and to hold the said yearly rent of twenty pounds to the said Henry for term of his life, to be paid at the feasts aforesaid by equal portions, and the first payment of the said yearly rent of £20 to commence and begin at such of the said feasts as shall first happen to be next after that the said Henry shall have accomplished his age of twenty & four years, and further I do will that if the said several annual rents or either of them or any part of either of them fortune to be behind unpaid by the space of one month next after any of the said feasts in which the same ought to be paid as is aforesaid, that then it shall and may be lawful to the said Henry and his assigns into the said manor of Hampton Lovett and into every part and parcel thereof to enter and distrain, as well for the said several yearly rents and either of them and every part of them and either of them, as also for the sum of four pounds for and in the name of a pain to be forfeited for every time as the said several rents or either of them or any part of them or either of them shall so fortune to be behind and not paid as is aforesaid, and the same distresses so there taken and had lawfully to lead, drive, carry away and withhold unto such time as the said Henry and his assigns be of the said several yearly rents and of every part of them so being , with all th' arrearages thereof and of the said four pounds for and in the name of a pain so to be forfeited as is aforesaid, fully satisfied & paid;

Item, I will, give and bequeath to Thomas Pakington, my youngest son, two several yearly rents of twenty pounds apiece to be issuing and going out, of and in the said manor of Hampton Lovett, to have and to hold the one yearly rent of £20 to the same Thomas for and during his natural life, to be paid at the feasts aforesaid by equal portions, and to have and to hold the said other yearly rent of twenty pounds to the said Thomas likewise for term of his life at the said feasts by equal portions to be paid, and the first payment of the said last-mentioned yearly rent of £20 to commence and begin at such of the said

feasts as shall first happen to be next after that the said Thomas shall have accomplished his age of twenty and four years, and further I will that if the said several annual rents or either of them or any part of either of them fortune to be behind and unpaid by the space of one month next after any of the said feasts at which the same ought to be paid as is aforesaid, that then it shall and may be lawful for the said Thomas and his assigns into the said manor of Hampton Lovett and into every part and parcel thereof to enter and distrain, as well for the said several yearly rents and either of them and every part of them, as also for the sum of four pounds for and in the name of a pain to be forfeited for every time as the said several rents or either of them or any part of them or either of them shall so fortune to be behind and not paid as is aforesaid, and the same distresses so there taken and had lawfully to lead, drive, carry away and withhold unto such time as the said Thomas and his assigns be of the said several yearly rents and of every part of them so being behind, with all the arrearages thereof and of the said four pounds for and in the name of a pain to be forfeited as is aforesaid, fully satisfied and paid;

Item, I do give to John Pakington, my brother, one yearly rent of ten pounds to be issuing out, of and in all those lands and tenements known or called by the name of Great Thicken Appletree within the parish of Hampton Lovett in the said county of Worcester, to have and to hold to the said John Pakington, my brother, for and during his natural life, at the like feasts aforesaid to be yearly paid by equal portions with like distress in the said lands called Thicken Appletree and for the sum of forty shillings for a pain as often as the same or any part thereof shall so fortune to be behind unpaid by the space of one month in manner and form as is above appointed for the other annual rents aforesaid;

Item, I will that my several manors of Westwood, Clethall, Hampton Lovett and Uphall otherwise called Upperhall, and all those my messuages, rents, reversions, services, lands, tenements and hereditaments whatsoever in Westwood, Clethall, Cavering, Hampton Lovett, Haggettes, Broughton, Horton and King's Thicken Appletree within the said county of Worcester to be as for a full third part of all and singular my manors, messuages lands, tenements and hereditaments whatsoever within the said several counties of Buckingham and Worcester and elsewhere, as well to satisfy the Queen's Majesty for the third part of all my lands as to satisfy mine heir for that part that should descend to him;

Item, I will the residue of all my manors, lands & tenements whatsoever within the said counties of Worcester and Buckingham and either of them (the manors, lands, tenements and hereditaments appointed to the said Dame Dorothy for her life as is aforesaid only excepted) unto the said Dorothy, my wife, Sir John Spencer, knight, my brother-in-law, John Borlase, esquire, and Richard Cupper, esquire, my brother-in-law, to have and to hold unto them, their executors, administrators & assigns for & during and to the end and term of 21 years immediately from & after my decease for & towards the payment of my debts & performance of my last will and testament;

Item, I will that after my debts paid & my last will & testament performed and funerals discharged, that the said Dorothy, my wife, Sir John Spencer, knight, John Borlace and Richard Cupper or the survivor or survivors of them or the executors of the survivors of

them shall yield up & deliver unto John Pakington, my son and heir, the rest & residue of the said term of years which shall be then to come of the term of 21 years aforesaid, provided always that no part of my goods appointed to the legacy of the said Dame Dorothy, my wife, shall be accounted for any part or parcel of that which shall go to the performance of my said last will in allowance of or for th' exoneration of the said lease;

In witness whereof hereunto I have put my seal & subscribed every leaf with mine own hand, given the day & year first above-written in the presence of the persons whose names be here subscribed: George Fettiplace, Thomas Lichfield, Richard Cupper, Robert Harte, William Pace, Edward Conyers.

Probatum fuit testamentum suprascriptum coram Mag{ist}ro Thoma Yale legu{m} doctore Curie p{re}rogatiue Cantuarien{sis} com{m}issario apud london vicesimo primo die Iulij anno d{omi}ni Mill{es}imo quingen{tesi}mo septuagesimo primo Iuramento Edwardi Bellingham n{ota}rij publici procur{atoris} D{omi}ne Dorothie Rel{i}c{t}e et executrix{is} in testamento h{uius}mo{d}i no{m}i{n}at{e} Cui com{m}iss{a} fuit Admin{is}trac{i}o om{n}iu{m} et sing{u}lor{um} bonor{m} &c De bene &c Ad sancta dei evangelia Iurat{e}

[=The above-written testament was proved before Master Thomas Yale, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the twenty-first day of July in the year of the Lord the thousand five hundred seventy-first by the oath of Edward Bellingham, notary public, proctor of the Lady Dorothy, relict and executrix appointed in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc.]