

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 6 October 1578 and proved 21 August 1579, of John Turner. Turner had been a servant of John de Vere (1516-1562), 16th Earl of Oxford, and was named as an executor of his will, although he renounced the execution when probate was granted on 29 May 1563 (see TNA PROB 11/46/247). For a lawsuit filed in Chancery on 6 October 1564(?) by Thomas Ashfield (d.1609) against Thomas Bacon (d.1577) mentioning the testator as an officer of the Earls of Oxford, see TNA C 3/5/26.

As the will indicates, John Turner and his wife Christian (nee Fisher) had one daughter, Margaret, the wife of Thomas Smyth, for whose children (Charles, Thomas, John and Arthur, Margaret and Abigail) Turner provides in his will. After Thomas Smyth's death Margaret married Stephen Powle (c.1553-1630) in late 1593 (see the *ODNB* entry for Powle. It would appear that of John Turner's four grandsons, only John and Arthur were still living in 1596 when they joined with their grandmother, Christian Turner, and their mother, Margaret, and her second husband, Stephen Powle, in the sale of the manors of Bacons and Flories mentioned in the will below (see Fitch, Marc and Frederick Emmison, eds., *Feet of Fines for Essex, Vol VI:1581-1603* (Oxford: Leopard's Head Press, 1993), p. 132).

As indicated in the will, John Turner held leases of three of Oxford's manors, Crepping Hall, Castle Camps, and Lamarsh. After his death, by a fine levied on 25 November 1584 and 20 January 1585, his widow, Christian Turner, purchased the manors of Lamarsh and Crepping Hall from Oxford (see TNA CP 25/2/132/1696/27ELIZIHIL, Item 30).

John Turner is one of the few men who benefited from Oxford's generosity who remembered Oxford in his will:

Item, I give to the right honourable the Earl of Oxenford, in that he shall be good to my wife and such poor friends as I leave behind me, forty pounds of lawful money of England, to be paid unto him within two years after my decease if my executrix may conveniently pay the same so soon, and if the said Earl shall depart this world before the said forty pounds be due and paid to him, I will that the said forty pounds shall be paid unto my Lady, his wife, within two years after my decease if she be then living.

Turner also leaves a legacy to Oxford's maternal uncle, George Golding (d.1584):

Item, I give unto George Golding, esquire, three pound six shillings and eight pence, to be paid to him within one year next after my decease, desiring him to be aiding and friend to my said wife as he hath been heretofore to me.

Another legacy of interest is bequeathed to a William Byrd, who may have been the composer:

Item, I give to my cousin Richard Byrd forty shillings, to be paid to him within two years next after my decease, and sooner if my wife conveniently may, and to William Byrd 20s, to be paid to him within two years next after my decease.

RM: T{estamentum} Iohan{n}is Turno{r}

In the name of God, amen. The sixth day of October in the twenty year of the reign of our most Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc. and in the year of Our Lord God 1578, I, John Turner of Crepping Hall in the parish of Colne Wake in the county of Essex, esquire, being of and in good and perfect remembrance and memory (thanks be unto God), do make & ordain this my last will and testament in manner and form following, that is to say:

I give and bequeath my soul to the Majesty of God who hath redeemed me of his infinite mercy by the death and blood of his Son, Christ, by which death alone I hope assuredly to be saved;

And my body to be buried in the parish church of that parish where it shall please God to take me from this life;

Item, I give to the poor men's box of Colne Wake aforesaid forty shillings, to the poor men's box of Chappel Parish ten shillings, to the poor men's box of Much Tey 13s 4d, to the poor men's box of Fordham ten shillings, to the poor men's box of Aldham 10s, to the poor men's box [+of] Mount Bures ten shillings, to the poor men's box of White Colne 6s 8d, and to the poor men's box of Earls Colne twenty shillings, to be paid to them within one whole year next after my decease;

Item, I give to the poor strangers, the French Congregation in London, six pounds thirteen shillings and four pence, to be paid to them within one whole year next after my decease;

Item, I will that my executrix hereafter named shall give yearly, during her life, to some godly preacher to preach the gospel of Jesus Christ truly, five pounds, if it shall please God to suffer the same in England so long, and if not, that then the said payment to cease;

Item, I give to Christian, my loving wife, my manors of Bacons and Flories with all and singular their hereditaments and appurtenances, the land now in the occupation of John Craymer, the lands and tenements which John Finch holdeth of me, my tenements and lands called Machons, Bottistie(?), Bakers and Trashes, Cobbes Fen, Cobbes Field, Green Grasses and Trendle Fen, my tenements and lands called Fishers and Pages, with all and singular their appurtenances whatsoever, set, builded, lying and being in the towns, fields and bounds of Much Tey, Feering, Earls Colne, Pontisbright, Colne Wake, Mount Bures and Fordham in the said county of Essex, to have and to hold the same to her and her assigns during her natural life;

And after her decease, I will that all my said manors, lands, tenements and hereditaments above rehearsed and bequeathed shall be and remain to Margaret Smyth, my daughter, and to her assigns during the natural life of the same Margaret, paying out of the same to Charles Smyth, her son, twenty pounds of lawful money of England yearly during the natural life of the said Margaret if the said Charles shall so long live, the first payment thereof to begin within one year next after the decease of my said wife;

And after the decease of my said wife and daughter, I will and do give and bequeath all and singular my said manors, lands, tenements and hereditaments with all and singular th' appurtenances unto the said Charles Smyth and his assigns for and during the natural life of the said Charles;

And after the decease of the said Charles, then I will that all and singular the said manors, lands, tenements and hereditaments with all and singular their appurtenances shall be and remain unto the eldest issue male of the said Charles then living for term of the life of such eldest issue male,

And after the decease of such eldest issue male, then I will that all & singular the said manors, lands, tenements and hereditaments with all and singular their appurtenances shall be and remain to the second issue male of the said Charles then living for term of the life of such second issue male;

And so to descend from one to another being issues males of the body of the said Charles for term of the several lives of such several issues males so long as any such issue male shall be living;

Upon this condition, and so that the said Charles or his assigns for term of the life of the said Charles, and after his decease that the eldest issue of the said Charles and his assigns for term of the life of such eldest issue, and so that every one of the said issue males and his assigns unto whom my said manors, lands, tenements and hereditaments shall come by force and virtue of this my testament and last will, shall during their several lives pay or cause to be paid unto Thomas Smyth, John Smyth and Arthur Smyth, brothers of the said Charles, and to every of them, six pounds thirteen shillings and four pence of lawful money of England yearly during the lives natural of the same Thomas, John and Arthur and the longer liver of them;

And my very will, purpose, mind and intent further is this, that if it fortune the said Charles Smyth to depart this world without issue male of his body lawfully begotten, that then all and singular the said manors, lands, tenements and hereditaments with all & singular their appurtenances shall be and remain unto the said Thomas Smyth and his assigns for and during the natural life of the said Thomas;

And after the decease of the said Thomas Smyth, then I will that all and singular the said manors, lands, tenements & hereditaments above rehearsed with all and singular their

appurtenances shall be and remain to the eldest issue male of the body of the said Thomas that shall be then living for term of the life of such eldest issue male;

And after the decease of such eldest issue male, then I will that all and singular the said manors, lands, tenements and hereditaments with all & singular their appurtenances shall be and remain unto the second issue male of the said Thomas then living for term of the life of such second issue male;

And so to descend and come from one to another being issues males of the body of the said Thomas for term of the several lives of such several issues males so long as any such issue males shall be living;

Upon this condition and so that the said Thomas or his assigns for term of the life of the said Thomas, and after his decease that the eldest issue male of the said Thomas or his assigns for term of the life of such eldest issue, and so every one of the said issues males unto whom my said manors, lands, tenements and hereditaments shall come by force and virtue of this my testament and last will or his assigns, shall during their several lives pay unto the said John Smyth and Arthur Smyth, brothers of the said Thomas, and to either of them, ten pounds of lawful money of England yearly during the lives natural of the same John and Arthur and the longer liver of them;

And further my will, mind, purpose and intent is that if it fortune the said Thomas to depart this world without issue male of his body lawfully begotten, that then all and singular the said manors, lands, tenements and hereditaments with all and singular th' appurtenances shall be and remain to the said John Smyth and his assigns for and during the term of the natural life of the said John Smyth;

And after the decease of the said John Smyth, then I will that all and singular my said manors, lands, tenements and hereditaments with all and singular their appurtenances shall remain unto the eldest issue male of the body of the said John that shall be then living for term of the life of such eldest issue male;

And after the decease of such eldest issue male, then I will that all and singular my said manors, lands, tenements and hereditaments with all and singular their appurtenances shall be and remain unto the second issue male of the said John then living for term of the life of such second issue male;

And so to descend and come from one to another being issues males of the body of the said John for term of the several lives of such several issues males so long as any such issue male shall be living;

Upon this condition and so that the said John or his assigns for term of the life of the said John, and after his decease that the eldest issue male of the said John or his assigns for term of the life of such eldest issue, and so every one of the said issues males unto whom my said manors, lands, tenements and hereditaments shall come by force and virtue of this my testament and last will or his assigns, shall during their several lives pay or cause

to be paid unto the said Arthur Smyth or his assigns twenty pounds of lawful money of England yearly during the life natural of the said Arthur;

And further my will, mind, purpose & intent is that if it fortune the said John to depart this world without issue male of his body lawfully begotten, that then all and singular the said manors lands, tenements and hereditaments with all and singular their appurtenances shall be and remain unto the said Arthur and his assigns during the term of the natural life of the same Arthur;

And after the decease of the same Arthur, then I will that all and singular my said manors, lands, tenements and hereditaments with all and singular their appurtenances shall remain unto the eldest issue male of the body of the said Arthur that shall be then living for term of the life of such eldest issue male;

And after the decease of such eldest issue male, then I will that all and singular my said manors, lands, tenements and hereditaments with all and singular their appurtenances shall be and remain unto the second issue male of the said Arthur then living for term of the life of such second issue male;

And so to descend and come from one to another being issues males of the body of the said Arthur for term of the several lives of such several issues males so long as any such issue male shall be living;

Upon this condition and so that the said Arthur or his assigns for term of the life of the said Arthur, and after his decease that the eldest issue male of the said Arthur or his assigns for term of the life of such eldest issue, and so every one of the said issues males unto whom my said manors, lands, tenements and hereditaments shall come by force and virtue of this my testament and last will or his assigns, shall during their several lives pay or cause to be paid unto Margaret Smyth and Abigail Smyth, his sisters, and to either of them, ten pounds of lawful money of England yearly during the natural lives of the said Margaret & Abigail and the longer liver of them;

And yet further my will, mind and intent is that if it fortune the said Thomas, John and Arthur to depart this world without issue male of their bodies lawfully begotten, that then all and singular my said manors, lands, tenements and hereditaments with all and singular their appurtenances whatsoever shall fully, clearly and wholly come, remain, descend and be to the said Charles Smyth and his heirs forever, to the only sole proper use and behoof of the said Charles Smyth, his heirs and assigns, forever absolutely and freely without any condition annexed;

Item, I do give, will and bequeath unto the said Christian, my wife, all that my lease, title, interest and term of years yet to come which I have of and in the manor of Crepping Hall, set, builded, lying and being in the parish[es] of Colne Wake, Much Tey, Fordham, Aldham, Mount Bures, Withermountford [=Wormingford?] and White Colne in the said county of Essex which I hold of the right honourable the Earl of Oxenford, to have and to hold the same lease, title and interest and term of years of and in the said manor of

Crepping Hall with th' appurtenances unto the said Christian and her assigns during all the years yet to come contained in the same lease if the said Christian do so long live;

And if the said Christian do depart this world before the said lease and term of years be expired, then I will the said lease, title, interest and term of years then remaining shall come, remain and be unto the said Margaret Smyth, my daughter, during all the same residue of the years then to come contained in the said lease if the said Margaret do so long live;

And if it fortune the said Margaret to depart this world before the said lease and term of years be expired, then I will, give and bequeath the said lease and residue of the years & term aforesaid of and in the said manor of Crepping Hall after the decease of the said Margaret unto Charles Smyth, son of the said Margaret, if the said Charles shall so long live;

And if it fortune the said Charles to depart this world before the said lease and term of years be expired, then I will that the said lease and residue of the years contained in the same shall come, remain and be to the eldest son of the said Charles then living if the same eldest son shall so long live;

And if the said eldest son of the said Charles do depart this world before the said lease and term of years [+be] expired, then I will the said lease and residue of years then remaining shall come, remain and be to the second son of the said Charles in form aforesaid, and so from the one son of the said Charles unto the other successively until the whole term contained in the said lease be fully expired if the said sons of the said Charles shall so long live;

And if it fortune the said Charles and his issue aforesaid to depart this world before the said lease expired, then I will the residue of the said lease and term of years then remaining contained in the said lease unto the said Thomas Smyth if he shall live until th' expiration of the same;

And if the said Thomas do depart this world before the said lease be expired, then I will, give and bequeath the said lease and residue of years then remaining unto the said John Smyth if he shall live until th' expiration and determination of the same;

And if it fortune the said John Smyth to depart this world before the said lease be expired, then I will, give and bequeath the said lease and residue of years then remaining unto the said Arthur if he shall live until the same lease be expired;

And if the said Arthur do depart this world before the said lease expired, then I will that the same lease and residue of years of the same [+be] unto th' executors, administrators and assigns of the said Charles during all the years contained and then remaining in the same;

Item, I give, will and bequeath unto Thomas Smyth of Blackmore in the county of Essex, gentleman, and to Margaret, his wife, my daughter, all that my lease, title, part, purpart, term of years and interest which I have of and in the Castle of Camps & the demesnes and late parks to the same belonging holden of the right honourable the Earl of Oxenford, set, builded, lying and being in the county of Cambridge and in the parishes of Castle Camps, Shudy Camps, Bartlow and Ashton in the said counties of Cambridge and Essex upon this condition following, viz.:

That the said Thomas and Margaret, their executors & assigns, shall discharge, acquit or save harmless my executors, administrators and assigns as well against the Queen's Majesty, her heirs and successors, as against the said Earl of Oxenford, his heirs, executors, administrators and assigns, of, for and from all and all manner of covenants, grants, promises, payments and articles which I stand bound to do and perform by virtue of the foresaid lease or otherwise, and also shall yearly bestow and expend upon the education and bringing up in learning of Charles Smyth & Thomas Smyth, sons of the said Thomas and Margaret, the sum of forty marks of lawful money of England yearly during the term of twelve years next ensuing after my decease if the said Charles and Thomas or either of them do so long live, and this to be done by the discretion and appointment of their said father and mother if they or either of them do so long live, and after their decease, then I will it shall be bestowed at the discretion of my said wife, my brother-in-law, William Fisher, and my cousin, Richard Lambert of Colchester, merchant, or any two of them;

Item, I give, will and bequeath unto the said Christian, my said wife, all that my lease, title, interest and term of years that I have of and in the manor of Lamarsh Hall in the said county of Essex, with all the rents, profits and commodities thereof coming, rising, growing & increasing with all and singular their appurtenances for and during the term of twelve years next ensuing after my decease and fully to be complete and ended, for the payment of my debts and the performance of the legacies by me in this my present testament given, willed & bequeathed and hereafter willed and bequeathed, the said Christian yielding, paying, doing & observing all such covenants, payments and articles as in the same lease are contained and on my part to be observed during the same twelve years;

And after the said twelve years expired, then I will, give and bequeath my said lease, title, interest and term of years then remaining unto the said Charles Smyth, Thomas Smyth and John Smyth and Arthur Smyth, brothers of the said Charles, to their executors, administrators and assigns, upon this condition following, that is to say, that the said Charles, Thomas, John and Arthur, or any of them, their executors, administrators or assigns, shall well and truly content and pay or cause to be contented and paid unto the said Christian, my wife, or to her assigns, the sum of twenty marks of lawful money of England yearly during all the term of years then remaining in the said lease if the said Christian do so long live, the same twenty marks to be paid at two usual terms in the year, and also do perform, hold and keep all and singular such covenants, grants, payments and articles as on my behalf, my executors and assigns, are to be observed, performed and are contained in the said lease;

But if the said Charles, Thomas, John and Arthur and every of them, their executors, administrators or assigns, do make default in any of the premises and do not perform the same in every point according to the true intent and meaning of this my testament and last will, then I will the same lease, title & interest for term of years then remaining after such default made unto the said Christian, my wife, to her executors, administrators and assigns, the same to use and dispose of at her and their will and pleasure to the benefit of my daughter's children according to my said wife's discretion;

And if it fortune my said wife to depart this world before the said 12 years to her given out of the said lease of Lamarsh Hall be expired, then I will, give and bequeath the residue of the same 12 years then remaining and not expired unto my son-in-law, Thomas Smyth, gentleman, and Margaret, his wife, my daughter, to my brother-in-law, William Fisher, to my cousin, Richard Lambert, and to my friend, John Cockerell, upon condition following, that is to say, that they, their executors, administrators or assigns, shall perform, fulfil and pay all such legacies and debts as I have given in this my testament and then remain unpaid;

And further, as my trust is in them to deliver and pay the benefit and commodity that shall remain of my said lease (my said legacies and will performed) unto my said daughter's children equally to be divided amongst them, the receipt of the rent of the said manor of Lamarsh and all other profits of the same I will and my mind is shall be gathered and received by the hands of the said Thomas Smyth, gentleman, and Margaret, my daughter, during their lives, and after their decease then to be gathered by the hands of the said William Fisher, and shall be paid and distributed equally amongst my said daughter's children yearly during the said term of 12 years by the said Thomas Smyth and Margaret, William Fisher, Richard Lambert and John Cockerell, or any two of them, whereof the said William Fisher to be one during his life;

Item, I give unto Margaret Smyth, my daughter's daughter, three hundred marks of lawful money of England, to be paid to her at the day of her marriage or at her age of twenty and one years, which of them shall first happen, and if it shall fortune the said Margaret to die before such time as her said legacy shall be due, I will then the said three hundred marks shall be distributed and given amongst the residue of my said daughter's children then living at the discretion and appointment of my said wife if she be then living, and after the decease of my said wife, then at the discretion and appointment of the said Thomas Smyth, gentleman, and Margaret, his wife, my daughter, William Fisher, Richard Lambert and John Cockerell, or the longer liver of them;

Item, I give unto Abigail Smyth, one other of the daughters of the said Margaret, two hundred marks of lawful money of England, to be paid unto her at the day of her marriage or when she shall accomplish her age of 21 years, whether of them shall first chance, and if it fortune the said Abigail to depart this world before her said legacy shall be due unto her, then I will the said two hundred marks shall be distributed amongst the residue of my said daughter's children then living at the discretion and appointment of the persons aforementioned in manner and form as is aforesaid;

Item, I give and bequeath to Thomas Smyth, John Smyth and Arthur Smyth, sons of my said daughter, to every of them forty pounds of lawful money of England, to be paid when they shall accomplish their several ages of 21 years;

Item, I give to the right honourable the Earl of Oxenford, in that he shall be good to my wife and such poor friends as I leave behind me, forty pounds of lawful money of England, to be paid unto him within two years after my decease if my executrix may conveniently pay the same so soon, and if the said Earl shall depart this world before the said forty pounds be due and paid to him, I will that the said forty pounds shall be paid unto my Lady, his wife, within two years after my decease if she be then living;

Item, I give unto my son-in-law, Mr Thomas Smyth, after my decease six milk kine, to be delivered to him at the discretion of my wife;

Item, I give unto my daughter Smyth twelve of my silver spoons and one of my bowls of silver, one of my beer pots of silver and one of my tankards of silver, and also one of my new featherbeds with bolster, covering, blankets and two pair of sheets thereunto belonging, to be delivered to her immediately after my decease;

Item, I give unto the said Thomas Smyth, son of the said Thomas Smyth, gentleman, my son-in-law, my tenement at Wakes Colne church(?) wherein Robert Swaine now dwelleth, to have and to hold to him and to his heirs and assigns forever;

Item, I give unto Roger Loueney [=Loveney?], my servant, six pounds thirteen shillings and four pence of lawful money of England, to be paid unto him within such convenient time as my executrix may pay the same;

Item, I give to Thomas Turner, my servant, 40s of lawful money of England, to be paid unto him within one half year next after my decease;

Item, I give unto Rachell Lyvinge(?) three pounds six shillings and eight pence, to be paid to her at her age of 21 years or in the day of her marriage, which shall first happen;

Item, I give to Christian Turner, my servant, six pounds thirteen shillings four pence, to be paid to her within one year next after my decease;

Item, I give unto John Keble, my servant, forty shillings of lawful money of England, to be paid to him within such time as my executrix may conveniently pay the same;

And to every other of my servants which are in covenant(?) with me at the time of my death 26s 8d, to be paid to them within one year next after my decease;

And further I desire my said wife to give unto the said Charles Smyth such portion of other stuff for the furnishing of his house as she shall think best, and at such time as she shall think well of, either by her life or after her decease;

Item, I give unto my sister Baker and my sister Symond, to either of them 20s, to be paid unto them within one half year next after my decease;

Item, I give to William Turner, my brother, three pounds six shillings eight pence of lawful money of England, to be paid unto him within such time as my said executrix may conveniently pay the same;

Item, I give unto every of my brothers' and sisters' children unto whom no legacy is heretofore in this my present testament bequeathed, to every of them twenty shillings, to be paid unto them within two years next after my decease, and sooner if my executrix conveniently may;

Item, I give unto John Fisher forty shillings, to be paid to him within two years next after my decease if my executrix may conveniently pay the same within that time, my riding-cloak and one of my doublets;

Item, I give unto my sister Byrd forty shillings of lawful money of England, to be paid to her within two years next after my decease if my executrix may conveniently pay the same within that time;

Item, I give to every of my wife's other sisters, to Joyce Lambert and Elizabeth Tottie, to every of them twenty shillings, to be paid to them within one year next after my decease;

Item, I give unto George Golding, esquire, three pound six shillings and eight pence, to be paid to him within one year next after my decease, desiring him to be aiding and friend to my said wife as he hath been heretofore to me;

Item, I give unto Rose Byrd, my sister's daughter, three pounds six shillings eight pence, to be paid to her at the day of her marriage or at her age of 21 years, which of them shall first happen, so that she do attend and serve my said wife during the said time if my said wife do so long live and like to keep her;

Item, I give to William Fisher's wife twenty shillings, to be paid her within one year next after my decease;

Item, I give to every of her children and to every of the children of John Fisher twenty shillings, to be paid to them at their several days of their marriages or else when they shall come to their several ages of 21 years;

Item, I give to my cousin Richard Byrd forty shillings, to be paid to him within two years next after my decease, and sooner if my wife conveniently may, and to William Byrd 20s, to be paid to him within two years next after my decease;

Item, I give to Alice, the wife of Richard Barrett, one half seam of wheat and two ewe sheep, to be delivered to her immediately after my decease;

Item, I give to my sister, Elizabeth Addams, one seam of wheat;

Item, I give towards the reparations of the church of Wakes Colne four pounds, to be paid to the churchwardens of the same church within three years next after my decease, or sooner if the said churchwardens do go about to repair the same church;

Item, I give to Phillipp Bloyse, Martha Knappe and to John Berye, my godson, to every of them ten shillings, to be paid to them within one year next after my decease;

The residue of all my goods and chattels whatsoever, movable as unmovable, jewels, plate, ready money, household stuff and implements of household before not bequeathed, my debts and my funerals discharged and this my will performed, I give unto the said Christian, my wife, whom I make and ordain sole executrix of this my last will and testament, desiring the said Christian according to her promise made unto me to see this my will performed and to be beneficial to my daughter's children as she conveniently may and shall think it good;

And I make & ordain overseers and supervisors of this my last will and testament the said Thomas Smyth, gentleman, my son-in-law, Thomas Waldegrave, gentleman, William Fisher, my brother-in-law, my cousin Richard Lambert, and the said John Cockerell, and I give to every of them to be aiding and assisting to my said wife in the execution of this my testament and last will five pounds of lawful money of England besides their reasonable costs and charges when they shall have occasion to ride or go about any business for my said wife or to do anything for her, which sum of five pounds I will shall be paid unto every of them as soon as my said wife conveniently may;

And forasmuch as my meaning is not to charge any other thing with the payment of my legacies (my debts excepted) than the said lease of the said manor of Lamarsh Hall, therefore my full meaning, will, intent and purpose is that if the clear yearly rents, issues, revenues and profits coming, rising, growing and increasing of, in and upon the same manor of Lamarsh Hall during the said term of twelve years shall be found not sufficient (over, above and besides the said twenty marks given to my said wife as is aforesaid, and the yearly rents going out of the same) for the performance of the legacies and bequests in this my present testament willed and bequeathed, and also for the discharge of such suit, trouble or encumbrance as shall happen to arise in law against my executrix or against any other person named in my will whom my executrix ought by law to defend concerning this my said last will and testament and that by the judgment of the said William Fisher, Richard Lambert and John Cockerell or any two of them, whereof the said William Fisher to be one, then I will, give and bequeath to the said Christian, my wife, such further term and interest in the said lease of the manor of Lamarsh Hall for the full satisfaction of my said legacies in this my said testament given & bequeathed, as by the said William Fisher, Richard Lambert and John Cockerell or two of them, whereof the said William Fisher to be one, shall be thought expedient, any gift, legacy or bequest thereof heretofore in this my present testament made to the contrary notwithstanding;

Provided always that if the said Christian, my wife, do at any time hereafter marry again with any man, then my full mind, will, intent and purpose is that all and singular my said legacies, gifts and bequests to her in this my present testament given, willed and bequeathed shall be utterly void, frustrate and of none effect to all intents, constructions and purposes;

And then I will that all and singular the said legacies, gifts and bequests to my said wife given as is aforesaid shall come, remain and be to the said Thomas, my son-in-law, and to Margaret, his wife, my daughter, paying yearly unto my said wife during her natural life one hundred marks of lawful money of England, and holding, keeping, performing, fulfilling, doing and paying all and every such thing and things, gifts, legacies and bequests whatsoever in this my present testament contained;

Provided also and my true meaning and will is that if any question, doubt, ambiguity or scruple shall happen to be or arise in or upon any word, sentence or clause contained within this my last will and testament, that then the said word, sentence or clause shall be resolved, determined and made plain by my right worshipful good friends Sir William Cordell, knight, Master of the Rolls, to whom I give, in token of his great friendship to me showed always, six pounds thirteen shillings four pence, or by Mr Justice Aylofffe, to whom I give for his pains to be taken for me herein forty shillings, and the same resolution, determination and making plain shall stand and be as my full will and testament, anything in this same my last will contained in any wise notwithstanding;

Further I will that Margaret Smyth, my daughter's daughter, shall have one hundred marks of lawful money of England over and besides the legacy to her before in this will given and bequeathed, to be paid unto her within such time as my executrix may conveniently pay the same, and out of such rents and revenues as the legacies aforesaid are to be paid and not otherwise;

These being witnesses. John Turner. Sealed and delivered by the said John Turner as his last will and testament the day and year above-written in the presence of us whose names be hereunto subscribed. Alexander Mathew, John Langbroke, Bartholomew Church, James Langbroke and William Vigorus.

Probatum fuit h{uius}mo{d}i Testamentum coram mag{ist}ro Will{el}mo Mowse, Legum doctore Surrogato ven{er}abilis viri mag{ist}ri Will{el}mi Drury legum etiam Doctoris curie Prerogatiue Cant{uariensis} Mag{ist}ri Custodi siue Com{m}issarij l{egi}time constituti Apud London Vicesimo Primo die mens{is} Augusti Anno d{omi}ni Mill{es}imo quingen{tesim}o septuagesimo Nono Iuramento mag{ist}ri ffrancisci Clerck procur{atoris} Christiane Relicte et executric{is} in h{uius}mo{d}i testamento no{m}i{n}ate De bene et fidel{ite}r Administrand{o} eadem Ac de pleno et fidei Inuentario om{n}iu{m} et singulor{um} bonor{um} iuriu{m} et creditor{um} h{uius}mo{d}i conficiend{o} Necnon de plano et vero Computo reddend{o} Ad sancta dei Eu{a}ngelia Iurat{i}

[=The same will was proved before Master William Mowse, Doctor of the Laws, Surrogate of the worshipful Master William Drury, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, at London on the twenty-first day of the month of August in the year of the Lord the thousand five hundred seventy-ninth by the oath of Master Francis Clerk, proctor of Christian, relict and executrix named in the same testament, sworn on the Holy Gospels to well and faithfully administer the same, and to prepare a full and faithful inventory of all and singular the goods, rights and credits of the same, and also to render a plain and true account.]