

SUMMARY: The document below is the last will and testament, dated 24 May 1581 and proved 14 February 1583, of Thomas Howard (c.1520 - 28 January 1582), 1<sup>st</sup> Viscount Bindon, brother of Oxford's uncle, Henry Howard, Earl of Surrey, who appointed as one of his executors Oxford's friend, Bartholomew Clerke, to whose Latin translation of *The Courtier* Oxford contributed a Latin epistle.

### ***FAMILY BACKGROUND***

The testator, a first cousin of Anne Boleyn and thus a first cousin once removed of Queen Elizabeth, was one of three surviving children of Thomas Howard (1473-1554), 3<sup>rd</sup> Duke of Norfolk, and his second wife, Elizabeth Stafford (1497-1558). The other two were Oxford's uncle, Henry Howard (1516/17-1547), Earl of Surrey, and Mary (nee Howard) Fitzroy (c.1519-1555?), Duchess of Richmond, the wife of Henry VIII's illegitimate son, Henry Fitzroy (1519-1536), Duke of Richmond and Somerset.

For the testator's family background, see Cokayne, George Edward, *The Complete Peerage*, (London: The St Catherine Press, 1926), Vol. VI, pp. 583-5; Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. II, pp. 275-6; and Burke, Bernard, *A Genealogical History of the Dormant, Abeyant, Forfeited and Extinct Peerages of the British Empire*, (London: Harrison, 1866), pp. 284-5 at:

<https://books.google.ca/books?id=K3MaAAAAYAAJ&pg=PA285>

According to the *ODNB*, Mary Howard's intended husband had been Oxford's father, John de Vere (1516-1562), the future 16<sup>th</sup> Earl of Oxford:

*Arrangements for a marriage with Lord Bulbeck, heir of the earl of Oxford, were abandoned when in December 1529 Henry VIII proposed one of Norfolk's daughters should marry his illegitimate son, Henry Fitzroy, Duke of Richmond and Somerset (1519-1536).*

### ***MARRIAGES AND ISSUE***

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

The testator married firstly, between 1526 and 1542, Elizabeth Marney (born c.1517), the daughter and heir of John Marney (d. 27 April 1525), 2<sup>nd</sup> Baron Marney, and his first wife, Christian Newburgh (d. 6 August 1517), daughter and heir of Sir Roger Newburgh (d.1515?) of East Lulworth, Dorset (for whose will see TNA PROB 11/18/218). For John Marney, 2<sup>nd</sup> Baron Marney, see his will, TNA PROB 11/21/540; Cokayne, George Edward, *The Complete Peerage*, (London: The St Catherine Press, 1932), Vol. VIII, pp. 523-4; and the History of Parliament entry at:

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

By his first wife, Elizabeth Marney, the testator had two sons, Henry Howard (c.1540 - 16 January 1591), 2<sup>nd</sup> Viscount Bindon, and Thomas Howard (died c.1610), 3<sup>rd</sup> Viscount Bindon. The testator's eldest son, Henry Howard, 2<sup>nd</sup> Viscount Bindon married, on 16 February 1566, one of Queen Elizabeth's Maids of Honour, Frances Meautys, sister of Hercules Meautys (who married Lord Burghley's niece, Philippa Cooke). See the will of Hercules Meautys, TNA PROB 11/73/110; and Armytage, George J., ed., *Allegations for Marriage Licenses Issued by the Bishop of London 1520 to 1610*, (London, 1887), Vol. I, p. 32 at:

<https://archive.org/stream/allegationsforma01ches#page/62/mode/2up>.

By Frances Meautys, the testator's eldest son and heir, Henry Howard, 2<sup>nd</sup> Viscount Bindon, had one child, a daughter, Douglas Howard (1571 - 11 August 1590), who married Sir Arthur Gorges (1557 - 28 September 1625). After the death of the testator's granddaughter, Douglas Howard, Sir Arthur Gorges married Elizabeth Clinton, the daughter of Henry Clinton (1539-1616), 2<sup>nd</sup> Earl of Lincoln. See the History of Parliament entry for Sir Arthur Gorges at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/gorges-arthur-1557-1625>

After the death of Henry Howard, 2<sup>nd</sup> Viscount Bindon, Frances Meautys married secondly Edmund Stansfield (or Stanfield), second son of Edward Stansfield (d.1598?) of Stansfield Hall (in Todmorden?) by Margery Taylor, daughter of Edward Taylor of Horsseidge. See TNA C 142/279/361; Cokayne, *supra*, p. 585; and Stansfeld, John, *History of the Family of Stansfeld of Stansfield in the Parish of Halifax*, (Leeds: Goodall and Suddick, 1885), pp. 312, 323, 325-6 at:

<https://archive.org/stream/historyoffamilyo00stan#page/312/mode/2up>.

See also:

<http://www.sp12.hull.ac.uk/stac5/stac5alphas/Stansfield.htm>.

See also the *ODNB* entry for Sir Arthur Gorges, whose mother was a first cousin of Sir Walter Raleigh:

*Gorges, Sir Arthur (d. 1625), poet and translator, was the third son of Sir William Gorges (d. 1585), seafarer. His father was a younger son of Sir Edward Gorges of Wraxall. His mother was Winifred Budockshed or Butshead (d. 1599/1600) of St Budeaux near Plymouth, a first cousin to Sir Walter Raleigh . . .*

*Gorges married Douglas (1571–1590), the daughter of Henry Howard, second Viscount Bindon, on 14 October 1584, with the approval of Douglas's mother, Francis Howard, née Meautys, but against the wishes of her irascible father. Protracted legal action followed. When a daughter, Ambrosia, was born (25 December 1588) Thomas Howard (third Viscount Bindon after he inherited his brother's title in 1590) claimed that she was a changeling. Douglas died on 13 August 1590 leaving Gorges embroiled in litigation over his daughter's legitimacy and inheritance. Ambrosia died in October 1600, before Gorges had enjoyed any financial benefit from her inheritance. His efforts to do so were energetic: on Easter day 1600 he was accused of having tried forcibly to evict Edmund Stansfield, the second husband of Douglas's mother, from Lullworth House, which Gorges claimed was the property of Ambrosia. His correspondence with Robert Cecil in this period (preserved in the Hatfield manuscripts) is punctuated with complaints about his poverty.*

*Gorges' second marriage, early in 1597, to Lady Elizabeth, daughter to Henry Clinton, earl of Lincoln, produced four children who predeceased him, and seven others: Arthur, Timoleon, Egremont, Carew, Henry, Dudley (a daughter), and Elizabeth. It also resulted in more legal troubles. In 1597 Gorges was imprisoned in the Fleet, probably for having married without royal approval. He had extensive disputes with his second father-in-law over his rights to property in Chelsea (including the former house of Sir Thomas More).*

For documents concerning Henry Clinton (1539-1616), 2<sup>nd</sup> Earl of Lincoln, and Oxford, see CP 79/48; CP 79/86; CP 251/83; TNA SP 14/3/77, ff. 134-5; TNA SP 14/4/14, ff. 27-9.

According to Cokayne, *supra*, pp. 584-5, the testator's eldest son and heir, Henry Howard, 2<sup>nd</sup> Viscount Bindon, was undutiful to his father, associated with pirates, and abused his wife, Frances Meautys:

*On 11 July 1580 the Sheriff of Dorset complained to [Henry Howard's] father of his misbehaviour, and of the outrageous treatment and abuse which he had received from him. On 4 Oct. following the Justices of Dorset reported his undutiful speeches to his father when warned by him in Court to appear before the Council, and on the 10<sup>th</sup> his father himself complained to the Council of his son's undutiful and irreverend conduct in open Court, and begged that his son's poor wife might be "protected from the practices of him, and of the naughty quean he keeps, she having been already beaten most pitifully, and in many ways else misused." On the 24th the wretched wife made "her pitiful moan" in person to the Council, being "in fear of her life by her husband's illtreatment." For these gross acts Mr. Henry Howard was committed to the Marshalsea on the 31<sup>st</sup> of that month, and remained there till 22 Dec., when he was released on acknowledgement of his fault. His unseemly conduct towards his father, and his association with pirates and other ill company, are mentioned on 7. Apr. 1581.*

Henry Howard, 2<sup>nd</sup> Viscount Bindon, died without male issue, and was succeeded by his brother, the testator's second son, Thomas Howard, 3<sup>rd</sup> Viscount Bindon, who married,

before 10 January 1580, Grace Duffield (died c.1596), the daughter of Bernard Duffield, but died without issue c.1610, at which time the title became extinct.

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

The testator married secondly, after 1565, Gertrude Lyte, the daughter of William Lyte of Lillesdon, Somerset, and Dorothy Kelloway, the daughter of Sir John Kelloway of Rockbourne, Wiltshire, by whom he had two sons, Charles Lyte alias Howard, and Giles Howard. Charles Lyte alias Howard married Roberta Webb, daughter of William Webb, by whom he had two daughters, Catherine Howard, who married, c.1612, Sir Thomas Thynne (c.1577 - 1 Aug. 1639), son of Lord Burghley's friend, Sir John Thynne (1512/13–1580), builder of Longleat, and Elizabeth Howard, who married Sir James Murray.

For Sir Thomas Thynne, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/thynne-thomas-15778-1639>

See also the Lyte pedigree in Crisp, Frederick Arthur, ed., *Visitation of England and Wales*, 1906, Vol. 6, p. 61 at:

<https://archive.org/stream/visitationengla02unkngoog#page/n103/mode/2up>

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

The testator married thirdly, on 7 June 1576, at Carshalton, Surrey, Mabel Burton (1540-1580), the daughter of Nicholas Burton, by whom he had a daughter, Frances Howard (27 July 1578 – 8 October 1639), who married firstly, Henry Prannell (d. 10 November 1599), gentleman, of the Middle Temple, eldest son and heir of the London alderman and vintner, Henry Prannell (d. 22 October 1589). According to the *ODNB*, 'the couple's marriage was celebrated by Jo. M. with a tract called *Phillipes Venus* (1591)'. See:

<http://quod.lib.umich.edu/e/eebo2/A06687.0001.001?view=toc>

Although her relationship to the Queen was such that Frances Howard's marriage to Henry Prannell constituted disparagement, in a letter to Lord Burghley endorsed 8 February 1592 Prannell excused himself on the grounds that the marriage had been encouraged by Frances' friends, and would benefit her financially since she had no other means of support and he would assure her a large jointure, including Oxford's former manor of Newsells. See Ellis, Henry, *Original Letters, Illustrative of English History*, 3<sup>rd</sup> series, (London: Richard Bentley, 1846), Vol. IV, pp. 91-5:

<https://archive.org/stream/originallettersn3s04elliuft#page/90/mode/2up>

For the will of Henry Prannell, see TNA PROB 11/94/506.

For Henry Prannell (d.1589), see also:

<https://www.genealogieonline.nl/en/west-europese-adel/I1073985114.php>

For Oxford's sale of the manor of Newsells to Henry Prannell (d.1589), see also Page, William, ed., *The Victoria County History of the County of Hertford*, (London: Constable and Company Limited, 1914), Vol. 4, pp. 28-9 at:

<https://archive.org/stream/cu31924088434463#page/n65/mode/2up>

For the final concord between Oxford and Henry Prannell concerning the manor of Newsells, see Brigg, William, ed., *The Herts Genealogist and Antiquary*, (Harpenden: William Brigg, 1897), Vol. II, p. 255 at:

<https://archive.org/stream/hertsgenealogist02brig#page/n515/mode/2up>

For Henry Prannell's grant of Oxford's former manor of Newsells to his wife, Frances Howard, see his will, *supra*.

See also the pedigree of Prannell in Metcalfe, Walter C., ed., *The Visitations of Hertfordshire*, (London: Harleian Society, 1886), Vol. XXII, p. 159 at:

<https://archive.org/stream/visitationsofher222732cook#page/n175/mode/2up>

In his will below, the testator entrusts his daughter, Frances Howard, to the custody of his sister-in-law, Mary Fowle, or alternatively, his brother-in-law, Richard Burton. He bequeaths her a dowry of £2000, entrusted to Lord Burghley, and requests that she be preferred to the Queen's service, and that her marriage be at the Queen's disposal. None of these provisions appears to have taken effect. Frances Howard is said to have been made a ward of her first cousin once removed, Thomas Howard (1561-1626), Earl of Suffolk, grandson of Henry Howard, Earl of Surrey (see above), and her dowry was not paid at the time of her first marriage to Henry Prannell in early 1592. See Foster, *infra*, pp. 74-5; TNA SP 46/15/131; TNA SP 46/18/194; TNA SP 46/38/fo199; and the entries at:

<http://archiver.rootsweb.ancestry.com/th/read/GEN-MEDIEVAL/2004-12/1102546107>

A document in the Calendar of Patent Rolls dated 10 December 1590 states that 'not one penny' of Frances Howard's dowry had by that date been forwarded to Lord Burghley as stipulated by the testator in the will below. The document also reveals that the testator had another daughter, Anne Howard, for whom he had not made provision in his will. See:

<http://archiver.rootsweb.ancestry.com/th/read/GEN-MEDIEVAL/2005-10/1129668058>

For Anne Howard's marriage to Sir William Thornhurst (d. 24 July 1606), see Buchanan, J.R., *Memorials of Herne, Kent*, 2<sup>nd</sup> ed., (London: Elliot Stock, 1887), p. 31 at:

<https://books.google.ca/books?id=EfQVAAAAYAAJ&pg=PA31>

According to the *ODNB*, during her husband's lifetime Frances Howard was enamoured of Henry Wriothesley (1573-1624), 3<sup>rd</sup> Earl of Southampton, to whom Shakespeare dedicated *Venus and Adonis* and *The Rape of Lucrece*:

From the *ODNB*:

*Beginning in May 1597 Mrs Prannell regularly visited Dr Simon Forman, a London physician and astrologer of mixed fame, to learn whether her husband would return from sea, and if not, whether she might marry her 'love', Henry Wriothesley, the earl of Southampton; also, to learn by giving water (in July and August) whether she were pregnant. Forman predicted that Frances would 'change her estat 3 times', and found that the stars shone favourably on her desired match, despite her 'woman enimie', Elizabeth Vernon (Bodl. Oxf., MS Ashmole 226). Upon returning home, Henry Prannell was honoured with Leon Battista Alberti's *Hecatonphila: the Arte of Love* (1598, registered 20 December 1597) in an anonymous translation by Anthony Munday. In Munday's treatment, dedicated to Henry, Frances is transparently figured as 'Hecatonphila', the mistress of one hundred loves, yet an affectionate and faithful wife during her husband's absence, Penelope-like.*

For *Hecatonphila*, published with commendatory verses by Francis Meres (1565/6–1647), author of *Palladis Tamia*, see Tomita, Soko, *A Bibliographical Catalogue of Italian Books Printed in England 1558-1603*, (Farnham, Surrey: Ashgate Publishing Company, 2009), p. 412 at:

<https://books.google.ca/books?id=DoblLc9iPUsC&pg=PA412>

For the text of *Hecatonphila*, see:

<http://quod.lib.umich.edu/e/eebo/A15427.0001.001?view=toc>

For William Leake, publisher of *Hecatonphila* in 1598 and Shakespeare's *Venus and Adonis* in 1599, see also Erne, Lucas, *Shakespeare and the Book Trade*, (Cambridge: Cambridge University Press, 2013), p. 149 at:

<https://books.google.ca/books?id=vi8WBQAAQBAJ&pg=PA149>

For *Hecatonphila*, dedicated to Henry Prannell, see also Scott, Mary Augusta, *English Translations from the Italian*, (Boston: Houghton Mifflin Company, 1916), p. 473 at:

<https://archive.org/stream/elizabethantrans00scotiala#page/472/mode/2up>

The testator's daughter, Frances Howard, married secondly, on 27 May 1601, as his third wife, Edward Seymour (1539? – 6 April 1621), 1<sup>st</sup> Earl of Hertford, whose first wife was Queen Elizabeth's first cousin once removed, Lady Katherine Grey (1540?-1568), heir to the throne under Henry VIII's will, and whose second wife was Frances Howard (d. 14 May 1598), one of the Queen's Maids of Honour, and the daughter of William Howard (c.1510-1573), 1<sup>st</sup> Baron Howard of Effingham. Frances Howard (d. 14 May 1598) was another of the Queen's cousins once removed, but of the half blood. See the *ODNB* entry for Edward Seymour, and the Wikipedia article on Thomas Howard, 2<sup>nd</sup> Duke of Norfolk, edited by the author of this website at:

[https://en.wikipedia.org/wiki/Thomas\\_Howard,\\_2nd\\_Duke\\_of\\_Norfolk](https://en.wikipedia.org/wiki/Thomas_Howard,_2nd_Duke_of_Norfolk).

The testator's daughter, Frances Howard, married thirdly, on 16 June 1621, as his third wife, Ludovick Stuart (1574 - 16 February 1624), 2<sup>nd</sup> Duke of Lennox and Duke of Richmond.

For the testator's daughter, Frances Howard, see the *ODNB* entry; and Foster, Donald W., ' "Against the perjured falsehood of your tongues": Frances Howard on the Course of Love', *English Literary Renaissance*, 24 (1994), pp. 72-103, available online at:

[people.usm.maine.edu/rabrams/FrancesHoward.pdf](http://people.usm.maine.edu/rabrams/FrancesHoward.pdf)

As noted earlier, in the will below the testator entrusted the care of his daughter, Frances Howard, to her aunt, Mary (nee Burton), wife of Robert Fowle, and, alternatively, to her uncle, Richard Burton, for whom see 'Burton and Fowle' at:

<https://mprobb.wordpress.com/2015/11/16/burton-and-fowle/>

*According to the records of the heraldic visitations of Surrey, made in 1530, 1572 and 1623, Nicholas Burton of Carshalton had three sons and two daughters. It's not clear how many of these children, if any, were the product of Nicholas' marriage to Eleanor Fowle, or indeed whether he had been married before.*

*. . . Nicholas Burton's eldest son Richard married Anne Hampton, daughter of Barnard Hampton, who was Clerk of the Council under Edward VI, Queen Mary, and Elizabeth I. Richard and Anne Hampton had four surviving children. Their eldest son Henry Burton was made a Knight of the Bath; he married firstly Winifred Lodbrooke, daughter of London merchant Jonas Lodbrooke, and secondly Judith, daughter of Sir Martin Calthorp of Hickling, Norfolk, and Lord Mayor of London, and widow of Sir Martin Barnham, Sheriff of Kent. A second son, Barnard Burton of Croydon, was 'one of the Privy Chamber to King James'; he married Martha, daughter of John Bray of Surrey and widow of John Guilpen. A third son was Charles Burton, about whom there is no further information. Richard and Anne Burton also had a daughter Anne who married Richard Fenton of Madingley.*

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<http://www.oxford-shakespeare.com/>

*The other two sons of Nicholas Burton were Nicholas the younger and William, a 'doctor of phissick', who married the daughter of a man named Ball of Cambridge, who was a Justice of the Peace. Nicholas' daughter Mabel married Thomas Howard, the first Viscount Bindon. His other daughter, Maria or Mary, married Robert Fowle.*

As noted above, the testator's brother-in-law, Richard Burton, married Anne Hampton, the sole daughter and heir of Barnard Hampton (d.1572), Clerk of the Council. See G.S.S., 'Epitaphs, Pennons, and Arms, Formerly in Carshalton Church, Surrey', *Collectanea Topographica et Genealogica*, (London: John Bowyer Nichols and Son, 1836), Vol. III, pp. 327-239 [sic] at:

<https://books.google.ca/books?id=TCsEAAAIAAJ&pg=PA329>

See also Rhodes, Dennis E., 'Barnard Hampton and his Books', *The Library*, Vol. 15, Issue 3, pp. 343-6 at:

<http://library.oxfordjournals.org/content/15/3/343.short>

For the testator's brother-in-law, Richard Burton, esquire, see also his will, proved 20 November 1589, TNA PROB 11/74/460; and:

'Parishes: Carshalton', in *A History of the County of Surrey: Volume 4*, ed. H E Malden (London, 1912), pp. 178-188. *British History Online* <http://www.british-history.ac.uk/vch/surrey/vol4/pp178-188> [accessed 18 March 2016]

See also the Burton pedigree in Bannerman, W. Bruce, ed., *The Visitations of the County of Surrey*, (London: Harleian Society, 1899), Vol. XLIII, p. 98 at:

<https://archive.org/stream/visitationsofcou43beno#page/98/mode/2up>

See also the Fowle pedigree in Bannerman, W. Bruce, ed., *The Visitations of the County of Sussex*, (London: Harleian Society, 1905), Vol. LIII, pp. 114-15 at:

<https://archive.org/stream/visitationsofcou5354beno#page/n131/mode/2up>

For the Fowle family, see also the will of Thomas Fowle of Lamberhurst, Kent, proved 4 November 1525, TNA PROB 11/21/611, and 'The Fowles and the Pattendens' at:

<https://mprobb.wordpress.com/2015/02/09/the-fowles-and-the-pattendens/>

See also the will of William Fowle, yeoman, of Mitcham, Surrey, proved 2 December 1547, TNA PROB 11/31/693, and:

<https://mprobb.wordpress.com/>

The testator married fourthly Margaret Manning (buried 14 December 1633), the daughter of Henry Manning of Greenwich, Marshall of the Household to Henry VIII, Edward VI, Mary I and Elizabeth I, by Katherine Kerkener, the daughter and coheir of Erasmus Kerkener. For the wills of Erasmus Kirkner of East Greenwich, Kent, armourer, proved 2 June 1567, and Katherine Kirkner Manning, proved 26 January 1597, see TNA PROB 11/49/168; TNA PROB 11/89/54; and *The New-England Historical and Genealogical Register 1897*, Vol. LI, pp. 391 and 396 at:

[https://books.google.ca/books?id=zNxsv5U1\\_9wC&pg=PA392](https://books.google.ca/books?id=zNxsv5U1_9wC&pg=PA392)

As noted above, on 10 December 1590 Henry Manning, the testator's father-in-law and only surviving executor, was called before the Privy Council to explain the non-payment of the £2000 dowry of the testator's daughter, Frances Howard.

After the testator's death, Margaret Manning married secondly Sir Edmund Ludlow (c.1542-1624) of Hill Deverell, Wiltshire, the son of George Ludlow and Edith Windsor, daughter of Andrew Windsor (1467 - 30 March 1543), 1<sup>st</sup> Lord Windsor, the grandfather of Edward Windsor (1532?-1575), 3<sup>rd</sup> Lord Windsor, husband of Oxford's half-sister, Katherine de Vere (1538-1600). See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/ludlow-sir-edmund-1542-1624>

For reasons not now known, the majority of the executors appointed by the testator failed to take upon themselves the execution of the will.

For the testator's executor, Oxford's father-in-law, William Cecil (1520/21–1598), Lord Burghley, see the *ODNB* entry.

For the testator's executor, Thomas Radcliffe (1526/7–1583), 3<sup>rd</sup> Earl of Sussex, see the *ODNB* entry. His mother was the testator's aunt, Elizabeth Howard (d.1534), daughter of Thomas Howard (1443-1524), 2<sup>nd</sup> Duke of Norfolk. See the Wikipedia article edited by the author of this website, *supra*.

For the testator's executor, Sir Christopher Hatton (c.1540-1591), see the *ODNB* entry.

For the testator's executor, Sir Edward Horsey (d.1583), see the *ODNB* entry.

For the testator's executor, Bartholomew Clerke (c.1537-1590), translator of Castiglione's *The Courtier* (*Balthazaris Castilionis Comitis De Curiali siue Aulico*), to which Oxford contributed a commendatory Latin epistle dated 3 January 1572, see STC 4782; the Wikipedia article edited by the author of this website; the wills of Bartholomew Clerke and his father, John Clerke (d.1573), TNA PROB 11/75/199 and TNA PROB 11/55/11; and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/clerke->

bartholomew-1537-90

For the testator's executor, Francis Clerke, brother of Bartholomew, and author of a treatise on practice in the ecclesiastical courts as well as a treatise on practice in the Court of Admiralty, see TNA HCA 30/1039; and Baker, J.H., *Monuments of Endlesse Labours: English Canonists and Their Work, 1300-1900*, (London: The Hambledon Press, 1998), p. 72 at:

<https://books.google.ca/books?id=SjoiMNpqSG4C&pg=PA72>

The testator's executor, Francis Clerke, had a son, John Clerke of London and Hurtmore, Surrey, who married Mary Prannell, sister of Henry Prannell (d. 10 November 1599), first husband of the testator's daughter, Frances Howard. See the History of Parliament entry for the testator's nephew, John Clerke, at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/clarke-john>

In his will, Henry Prannell, first husband of the testator's daughter, Frances Howard, leaves bequests to his sister, 'Marie Clerke, the wife of John Clerke of Lincoln's Inn, gentleman', and to their children Francis Clerke, Bartholomew Clerke, John Clerke and Henry Clerke.

LM: T{estamentum} D{omi}ni Howard vicecomit{is} Howarde de Bindon

[f. 99v] In the name of God, Amen. The 24<sup>th</sup> day of May in the three and twentieth 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, Thomas, Lord Howard, Viscount Howard of Bindon, being both sound of body and perfect of remembrance, thanked be God, knowing that the state of man's life is uncertain, and careful to foresee that at what time it shall please God to call me out of this transitory life to leave a certain and perfect stay in disposing such things as his goodness hath blessed me with, do here ordain and make my last will and testament in manner and form following, renouncing all former wills and testaments heretofore by me made:

First I will and bequeath my soul unto the hands of my Saviour and Redeemer, Jesus Christ, by whose passion and precious bloodshedding I have a firm hope to be saved, my body to be buried at Marnhull in the county of Dorset;

And where I, the said Viscount Howard of Bindon, am the very true owner of certain stocks and store of sheep being now in the several possessions and occupations of my several farmers of Walterston, Powlston, Asheton, Clandon, West Chaldon, Northdowne, Iurdayes and West Burton in the said county of Dorset, the which said several stocks and store within a certain time after my decease are to be given up and delivered unto mine

executors, or else a certain sum of money for the same stocks and store, as by the several obligations of my said several farmers doth and may appear;

And whereas also I am lawfully possessed of certain stocks and store of sheep going and being at Chaldon grange and Winfrith, I do will, ordain and appoint that after my decease all the said stocks and store of sheep aforesaid remaining [f. 100r] in mine own occupation shall be sold by mine executors;

And my will and intent is that the said several stocks and store being now in the occupation of my said farmers or the sums of money by them to be paid for the said several stocks shall likewise be sold by my said executors hereafter named, or the money so to be received and had of the said farmers, shall be to the purposes as is hereafter mentioned;

And my will is that of the same stocks and money so sold and received there be levied and made by my said executors for the better preferment and advancement of Frances Howard, my daughter, the sum of two thousand pounds of lawful English money, to be paid unto my said daughter in manner and form hereafter expressed at the day of her marriage, if she live until she be preferred in marriage;

And if she die before, then the same sum shall be paid to such as shall be hereafter named in this my last will and testament in such manner and form as shall be hereafter set down and declared;

And to th' intent that my said daughter may be the better brought up in virtue, godliness and learning and in such good and commendable qualities fit for a gentlewoman of her calling, I will and ordain that my loving sister-in-law, Mary Fowle, wife unto Robert Fowle, gentleman, have the government and education of my said daughter until the time of her said marriage if the said Mary so long shall live and still continue within the realm of England;

If she shall happen to die or depart out of the said realm, then I will the government and education of my said daughter unto my loving brother-in-law, Richard Burton of Carshalton in the [+county?] of Surrey, esquire, or of mine executors hereafter named until the time of her marriage unless she be preferred to her Majesty in service;

Also I will and bequeath that my said executors hereafter to be named shall pay and deliver and consent to be paid and delivered unto the right honourable William, Lord Burghley, Lord High Treasurer of England, one of mine executors hereafter named, the said two thousand pounds so to be raised, levied and gathered as aforesaid of the said several stocks and money as aforesaid;

And my request and desire is that his Lordship use and employ yearly the commodity and benefit to be raised of the said sum according to his Lordship's honourable discretion towards the finding of my said daughter, and the commodity so to be raised by his Lordship yearly to be delivered unto the said Mary Fowle, and if she die or depart out of

this realm, to the said Richard Burton towards the charge of the education and countenance of the said Frances until the said Frances be preferred in marriage, if God send her life hereunto;

And if it happen the said Lord Treasurer to die before my said daughter shall be married, then I will and appoint that the right honourable th' Earl of Sussex, one other of mine executors hereafter named, shall have the said two thousand pounds to be used in like manner with the like employment of the said sum of two thousand pounds as aforesaid and with request to make delivery thereof unto the said Mary Fowle and Richard Burton as aforesaid towards the education and maintenance of the said Frances as aforesaid;

And if it happen the said Earl of Sussex to die before my said daughter shall be married, then I will and appoint the right honourable Sir Christopher Hatton, knight, her Majesty's Vice-Chamberlain, another of mine executors hereafter named, shall have the said two thousand pounds to be used in like manner in every respect as aforesaid with like employment and delivery as aforesaid of the [-of the] commodity and benefit of such employment to the said Mary Fowle, and after her decease or going out of England to the said Richard Burton towards the education and maintenance of my said daughter, Frances, as aforesaid;

And my will & humble request is that the said right honourable personages, namely my Lord Treasurer, th' Earl of Sussex and Sir Christopher Hatton, commend and prefer my said daughter, Frances, unto the Queen's most excellent Majesty, and I wholly reserve her advancement in marriage unto her Majesty;

And I am most humbly to pray these honourable personages to make report unto her Majesty upon such preferment of the portion by me given unto the said Frances, and the consideration of her relief towards her better maintenance in her Majesty's service;

And my further will and intent is that if it fortune my said daughter to die before she shall be married, then I will and bequeath that the said two thousand pounds be ordered and bestowed in manner and form following, that is to say:

One thousand pounds of the said two thousand pounds I will and bequeath unto my said wife, to be paid unto her within one quarter of a year after the decease of my said daughter if my said wife be then living;

And if my said wife be dead before my said daughter, and after my said daughter die before marriage, then the said one thousand pounds shall be paid unto Charles Lyte alias Howard, my son, [f. 100v] at his full age;

And if the said Charles die before he accomplish the age of one and twentieth years, then to Giles Howard, one other of my sons;

And I will and [sic?] the other thousand pounds of the said two thousand pounds unto the said Charles Lyte alias Howard, my son, to be paid unto him at such time as he shall

accomplish and be of the full age of one and twenty years or after, if the said Frances die before she shall be married;

And in the meantime after the death of my said daughter until my son shall come to the said age of one & twenty years, I will and bequeath the benefit and commodity of the said sums or so much as by this my last will and testament shall be payable unto the said Charles to be to the use and behoof of him, my said son;

And my will and request is that mine executors hereafter named convert the same to such benefit as to them shall be thought good towards the maintenance and education of the said Charles until his full age;

And if it shall happen the said Charles Lyte alias Howard, my son, to die before he shall come to the said age of one and twenty years, my said daughter being also dead, then I will and bequeath the said thousand pounds so given to the said Charles after the death of my said daughter to be paid by the said Lord Treasurer or such of my said executors as then shall have it in possession to the said Lady Margaret, if she be then living, and if she be then dead, then to the said Giles Howard;

And whereas I have always during my life found true, approved and most honourable friendship in the said noblemen by reason whereof I am persuaded that after my decease they will [-they will] also have care of such as I leave behind me, amongst which the said Charles Lyte alias Howard, my son, is one of whom I have greatest care, I will and ordain and earnestly request my said very good Lord, the Lord Treasurer, to take and have the education and bringing up of my said son, and also the overseeing and ordering of the said money if it fortune to come into his hands;

And if it shall happen the said Lord Treasurer to die before my said son shall come to the full age of one and twenty years, which God forbid, then I will and ordain and earnestly desire the right honourable the Lord of Sussex to take and have the bringing up and education of my said son and also the overseeing and ordering and employing of the said money towards his better education, maintenance and nurture;

And if it happen the said Lord of Sussex to die before my said son shall come to the said full age of one and twentieth years, then I will and bequeath and also earnestly desire the said Sir Christopher Hatton to take and have the bringing up of my said son together with the overseeing, ordering and employing of the said money towards his better education, maintenance and nurture;

And my will and intent is that one tomb be made at Marnhull in the county of Dorset, whereas I have appointed by God's permission, my burial, for me, Gertrude and Mabel, my late wives, and the Lady Margaret, my now wife, with such [-with such] charge as it shall be thought fit by mine executors hereafter named;

And my will and intent is that if the said Charles Lyte alias Howard shall make any woodsale, lease or alienation in any of the manors, lands or hereditaments which shall

come or be unto the said Charles by any conveyance heretofore or hereafter to be made by me before he shall accomplish the full age of twenty-four years, that then five hundred pounds of the legacies by this my last will and testament before given unto the said Charles shall be in the discretion and appointment of mine executors and the survivor of them to give and dispose unto Giles Howard, my son, or in deeds of charity or otherwise to moderate according to their honourable discretions and wisdoms;

Further I will and bequeath after the payment of my debts to my creditors and after the raising and levying of the said sum of two thousand pounds to be employed towards the advancement in marriage of the [+said?] Frances, my daughter, that then all the rest of my goods and chattels, plate, jewels, household stuff and implements of household whatsoever shall remain unto the use and behoof of the said Margaret, my wife, except such legacies as hereafter are named and appointed;

Furthermore, for the better execution of this my last will and testament and to th' intent to prevent frauds oftentimes used in delaying of the payments of legacies and performance of wills, I do ordain and make the said honourable personages, that is to say, my Lord Treasurer, th' Earl of Sussex, Sir Christopher Hatton, Sir Edward Horsey, knight, Captain of the Isle of Wight, Richard Burton of Carshalton in the county of Surrey, esquire, Bartholomew Clerke, Dean [f. 101r] of the Arches, Henry Manning of Greenwich, and Francis Clerke, brother to the said Bartholomew Clerk, executors of this my said last will and testament, humbly praying these honourable personages to take under their honourable protections and defence my true and loving wife, Lady Margaret, and my said daughter, that their weakness by their honourable strength may be aided, protected & defended from wrongs and injuries as my special trust is;

And I give as a token of my goodwill unto the said Lord Treasurer two of my best horses, two of my best geldings, and two of my best mares which I have at the hour of my death;

And to the said Earl of Sussex two the best horses next them, and four the best mares next them;

And to the said Sir Christopher Hatton two of my best horses next them, and two of my best mares next them;

And to the said Sir Edward Horsey two geldings and two mares;

And to the said Richard Burton two geldings and two mares;

And to the said Bartholomew Clerke two geldings and two mares;

And to the said Henry Manning two geldings and two mares;

And to the said Francis Clerke two geldings and two mares;

In witness whereof I, the said Viscount Howard of Bindon, to this my present last will and testament have set my seal of arms and subscribed my name the day and year first above-written. Thomas Howard.

Subscribed and sealed in the presence of John Horsey, Thomas Martin, Robert Frampton, Ambrose Couper, Edward Marshe, John Bannister.

Probatum fuit suprascriptum testamentum apud London coram venerabili viro magistro Willmo Drury Legum doctore curie prerogative cantuariensis commissario etc Decimo quarto die mensis februarii Anno Domini iuxta cursum et computacionem anglicane millimo quingentesimo octogesimo secundo Iuramento Richardi Burton et Henrico Manninge executorum etc Quibus(?) commissaria fuit administracio etc De bene etc Iurat Reseruata potestate similem Commissionem faciendam preclaris ac honorandis viris Domino Thesaurario Anglie Domino Comiti Sussex Domino xpofero Hatton et Domino Edwardo Horsey militibus executoribus in huiusmodi testamento etiam nominatim etc cum venerint etc admissuris Venerabili viro magistro Bartholomeo Clerk Doctore ac Francisco Clerk executoribus in eodem Testamento etiam nominatim ex certis causis etc oneri executionis Dicti Testamenti expresse renunciantibus

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary etc. of the Prerogative Court of Canterbury, on the fourteenth day of the month of February in the year of the Lord according to the course and reckoning of the England church the thousand five hundred eighty-second by the oath of Richard Burton and Henry Manning, executors etc., to whom administration was granted etc., sworn to well etc., with power reserved for a similar grant to be made to the most noble and honourable the Lord Treasurer of England, the Lord the Earl of Sussex, Sir Christopher Hatton and Sir Edward Horsey, knights, executors also named in the same testament etc. when they shall have come etc. to be admitted, the worshipful Master Bartholomew Clerke, Doctor, and Francis Clerke, executors also named in the same testament, for certain causes etc. expressly renouncing the burden of the execution of the said testament.]