

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the nuncupative last will and testament, dated 20 June 1584 and proved 23 June 1584, of Ambrose Smith, mercer of London, whose granddaughter, Alice Barnham, married Sir Francis Bacon (1561-1626), first cousin of Oxford's wife, Anne Cecil (d.1588). See the entries for Sir Francis Bacon and Benedict Barnham in the *Oxford Dictionary of National Biography*:

Bacon, Francis, Viscount St Alban (1561–1626) As early as 1603 Bacon had mentioned that he had 'found out an alderman's daughter, an handsome maiden, to my liking' (Works, 10.80). Almost three years later, on 10 May 1606, he married her at Marylebone chapel. She was Alice (1592–1650), a daughter of Benedict Barnham, a wealthy London alderman. Bacon was forty-five, she was barely fourteen.

Barnham, Benedict (bap. 1559, d. 1598), merchant and benefactor On 28 April 1583 Barnham married Dorothy (d. 1639), daughter of Ambrose Smith of Cheapside, silkman to the queen, at St Clement, Eastcheap. A son and three daughters died in infancy. Four daughters survived to marry: Elizabeth married Mervin Touchet, second earl of Castlehaven; Alice, 'a little violent lady' (Spedding, 3.290), became the wife of Sir Francis Bacon in 1606.

The testator was the son of John Smith (d.1545?) of Withcote, Leicestershire, and Dorothy (nee Cave) Smith Poole, the daughter of Richard Cave (d.1538) and his second wife, Margaret Saxby. For the will of John Smith (d.1545?), dated 23 October 1543 and proved 13 November 1545, see TNA PROB 11/30, ff. 327-8. For the will of Dorothy (nee Cave) Smith Poole, dated 10 June 1588 and proved 28 March 1593, see TNA PROB 11/81, ff. 158-9.

After the death of her first husband, John Smith (d.1545?), Dorothy (nee Cave) Smith married Henry Poole (d. 3 February 1559), esquire, of Kirk Langley, Derbyshire. For his will, dated 18 April 1558 and proved 17 February 1559, see TNA PROB 11/42A, ff. 303-5.

Dorothy (nee Cave) Smith Poole was related by marriage to Oxford's father-in-law, William Cecil (1520/1), Lord Burghley, through the two marriages of Lord Burghley's sister, Margaret Cecil, whose first husband was Dorothy (nee Cave) Smith Poole's nephew, Roger Cave (for his will see TNA PROB 11/69, ff. 347-50), and whose second husband was Dorothy (nee Cave) Smith Poole's son, Erasmus Smith.

The testator, Ambrose Smith (d.1584), is not named in the 1588 will of his mother, whom he predeceased, nor in the 1558 will of his stepfather, Henry Poole (unless 'Anthony' in the latter's will is a scribal error for 'Ambrose'). However Ambrose Smith's will below establishes that he was the son of Dorothy (nee Cave) Smith Poole, and the brother of Roger, Francis, Clement, Erasmus, Robert and George Smith.

For the testator's background see also Nichols, John, *The History and Antiquities of the County of Leicester*, Vol. II, Pt. I, (London, 1795), pp. 388-9, available online, where Ambrose Smith is stated to have been the fourth son, and to have 'gained a fortune by trade in Cheapside, London, where he was silk-man to Queen Elizabeth'. Nichols states further that the testator purchased Withcote from his brother, Roger Smith, about 1575.

Nichols also states that Ambrose Smith left three sons, Henry, Francis, and Sir William Smith, and four daughters, of whom Margaret Smith married Sir Thomas Wilkes (c.1545-1598) of Rickmansworth, Hertfordshire, by whom she had an only child, Margaret Wilkes. The testator's daughter, Margaret (nee Smith) Wilkes died 14 May 1596, the chief mourner at her funeral being her mother, Joan Smith, widow, and one of the four assistants being her sister, Elizabeth Calthorpe. For the will of the testator's widow, Joan (nee Coe) Smith (d.1601), which mentions her children by Ambrose Smith, and their spouses, see TNA PROB 11/97, ff. 216-17. For the testator's son-in-law, Sir Thomas Wilkes (c.1545-1598), see the entry in the *Oxford Dictionary of National Biography*:

Bar a further mission to the Netherlands in 1582, Wilkes spent the next seven years in England. During these years he established his fortunes and started a family. About 1578 he had married Margaret (c.1562–1596), daughter of Ambrose Smith, a London mercer, and his wife, Joan, of Coggeshall, Essex.

As noted above, the testator's daughter, Dorothy Smith, married firstly, Benedict Barnham (1559-1598). After his death, she married one of Queen Elizabeth's favourite courtiers, Sir John Pakington (1549-1625).

For the Smith family, see also Reade, Compton, *The Smith Family*, (London: Elliot Stock, 1904), pp. 16, 98-100, available online.

For the Cave family, see Waters, Robert Edmond Chester, *Genealogical Memoirs of the Extinct Family of Chester of Chicheley*, Vol. I, (London: Robson and Sons, 1878), pp. 73-8; and Kimber, E. and R. Johnson, *The Baronetage of England*, Vol. I, (London: G. Woodfall, 1771), pp. 355-65, available online at:

http://books.google.ca/books?id=EvQfAAAAMAAJ&pg=PA363&lpg=PA363&dq=%22sir+thomas+cave%22&source=bl&ots=kqhp25MXDg&sig=tubvT8-9TbAKLf8_8oFsIMe201g&hl=en&sa=X&ei=aQgjUJv4E6HoiwLW5oDwBA&ved=0CEkQ6AEwBDgo#v=onepage&q=%22sir%20thomas%20cave%22&f=false

RM: T{estamentum} Ambrosij Smith

In the name of God, Amen. Memorandum: That Ambrose Smith, late of London, mercer, being sick in body but of perfect mind and memory, the twentieth day of June in the year

of Our Lord God one thousand five hundred eighty-four made and declared his last will and testament nuncupative in manner and form or in effect following:

First he commended his soul unto God, and his body he willed to be buried in Christian burial;

Item, he gave and bequeathed his manor of Withcock [=Withcote] in the county of Leicester with th' appurtenances thereunto belonging to Henry Smith, his son;

Item, he further willed and bequeathed unto the said Henry Smith, his son, all those his lands and tenements with th' appurtenances which he last bought of his brother, Roger Smith, and fully concluded and agreed upon betwixt him and the said Roger, to the foresaid Henry Smith, his son;

Item, he gave and bequeathed to his daughter, [f. 108v] Margaret Wilkes such part and portion of his goods and movables as is due unto her by the custom of the City of London;

Item, he gave and bequeathed to Sibill Smith, his daughter, one thousand pounds of lawful English money, or else such part and portion of his goods as is due unto her by the aforesaid custom of the City of London;

Item, he gave and bequeathed unto William Smith, his son, one thousand pounds [+of?] lawful English money, or else such part and portion as is due unto him by the custom of the City of London;

Item, he gave and bequeathed to the aforesaid Henry Smith, his son, one thousand pounds [+of?] lawful English money in full satisfaction of all such part and portion as is or may be due unto him in the goods aforesaid by the custom of the City of London or otherwise;

Item, he gave, willed and bequeathed unto Joan, his wife, one equal third part of all his goods and movables according to the custom of the City of London;

Item, he gave and bequeathed unto James Rokins, his servant, twenty pounds;

Item, to every of the menservants and maidservants dwelling at his house of Withcote aforesaid twenty shillings apiece;

Item, to the poor of the said parish forty shillings;

Item, he gave and bequeathed to Dorothy Poole, his mother, a pair of bracelets of eight pounds' price with four death's-heads in each of them;

Item, he gave to Roger Smith, Francis, Clement, Erasmus, Robert and George, his brethren, to every of them a ring of gold of forty shillings' price;

Item, he willed and his mind was that Francis Smith, his executor, should lend unto Francis Smith and George Smith, brethren of the said Ambrose Smith, to either of them forty pounds for two years, they putting in good security for the repayment of the same;

The rest and residue of all his goods, chattels, credits and movables whatsoever he gave and bequeathed to Francis Smith, his son, whom he named and appointed to be his sole executor;

Item, the said testator, being asked what he would give to his daughter Calthorpe and his daughter Barnham, he answered and said as followeth or like in effect, viz., I will give them nothing;

Finally he, the said testator, revoked, annulled, made void and annihilated all former wills and testaments by him heretofore made, and willed that this should only stand for his last will and treatment and none other, then and there being present Erasmus Smith, Robert Smith, George Smith, James Roekell, and Richard Harris, minister.

Probatum fuit suprascriptum testamentum nuncupatiuum apud London Coram venerabili viro magistro Willmo Drury legum Doctore curie prerogatiue Cantuariensis commissario etc Vicesimo tertio die mensis Iunii Anno Domini millesimo quingentesimo octogesimo quarto Iuramento francisci Smithe executoris etc Cui commissa fuit administratio bonorum etc De bene etc Iurati

[=The above-written nuncupative 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 twenty-third day of the month of June in the year of the Lord the thousand five hundred eighty-fourth by the oath of Francis Smith, executor etc., to whom administration of the goods etc., sworn to well etc.]