

SUMMARY: The document below is the will, dated 1 September 1586 and proved 17 November 1586, of Thomas Darcy (1538?-1586), the son of Thomas Darcy (1511?-1557) of Tolleshunt Darcy and his wife Anne (nee Munday), the daughter of the goldsmith and Lord Mayor of London, Sir John Munday (d.1537). For the will of Sir John Munday (d.1537), see TNA PROB 11/27, ff. 72-3.

The testator married Margaret Sulyard, the daughter of Eustace Sulyard (d.1547) and Margaret (nee Forster) Sulyard Aylofffe (d.1587). For the will of Eustace Sulyard (d.1547), see TNA PROB 11/31, ff. 271-4. For the will of Margaret (nee Forster) Sulyard Aylofffe (d. 1587), see TNA PROB 11/72, ff. 163-6. See these two wills for the family's connections to Oxford.

As indicated in the will below, the testator and his wife had three sons, Thomas (d. 1593), John and Eustace, and four daughters, Margaret, Anne, Bridget and Dorothy.

The testator appoints as supervisors of his will his brothers-in-law, Sir Edward Sulyard (d.1610) and Anthony Maxey (d.1591). For the will of Sir Edward Sulyard (d.1610), see TNA PROB 11/116. For the will of Anthony Maxey (d.1591), see TNA PROB 11/78, ff. 279-80.

William Webbe dedicated *A Discourse of English Poetry* to the testator's brother-in-law, Sir Edward Sulyard (d.1610), and was tutor to Sir Edward Sulyard's sons, Edward and Thomas. For Webbe's dedication to Sir Edward Sulyard, see Arber, Edward, ed., *A Discourse of English Poetry 1586* by William Webbe (London, 1870), pp. 5, 13-16, at <http://www.archive.org/stream/discourseofengli00webbuoft#page/n5/mode/2up>

Oxford is singled out for praise in Webbe's *Discourse* at p. 33:

*I may not omit the deserved commendations of many honourable and noble lords and gentlemen in her Majesty's court which in the rare devises of poetry have been and yet are most excellent skilful, among whom the right honourable Earl of Oxford may challenge to himself the title of the most excellent among the rest.*

RM: Testamentum Thome Darcy armiger

In the name of God, Amen. The first day of September in the year of Our Lord God a thousand five hundred fourscore and six and in the 28<sup>th</sup> year of the reign of our Sovereign Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith, etc., I, Thomas Darcy of Tolleshunt Darcy in the county of Essex, esquire, being sick of body but of good and perfect remembrance, thanks be unto Almighty God, do ordain this my present testament containing in it my last will in manner and form following, that is to say:

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First and principally I bequeath my body and soul to the tuition of the Almighty God, the Creator and Governor of all things, and to the great mercies by him prepared in his dearly beloved Son, Jesus Christ, the righteous, for me and for all other that faithfully believeth in him, through his merits to be excepted amongst the number that shall be saved, to rest in his eternal glory for his only merits in his great mercies, Amen;

And my body to be buried in the chancel of the parish church of Tolleshunt aforesaid in the usual place where my ancestors have been buried, with a convenient remembrance such as mine executrix shall think meet;

Item, I will and bequeath to a learned preacher, for a sermon by him to be made at my funerals, ten shillings;

Item, further I will and bequeath unto the poor of the parish of Tolleshunt Darcy aforesaid forty shillings, to be paid by my executrix within one month next after my decease;

First, for and concerning all such manors, lands, tenements and hereditaments free or customary whatsoever as I am now seised of within the county of Essex or elsewhere I will shall be to th' use of this my last will in manner and form following:

Item, I will and bequeath unto John Darcy, my son, to him and to his heirs forever, my tenement called Brigges in the parish of Tolleshunt Darcy aforesaid, or by whatsoever other name or names it be commonly called or known by, with all the lands, meadows, pastures & feedings whatsoever occupied or manured with the same as they are now in the tenure and occupation of Nicholas Stanton, gentleman, or of his assigns;

And also I will and bequeath unto the said John Darcy, my son, to him and to his heirs forever, one tenement or farm now commonly known or called by the name of Pannell's farm in Tolleshunt Darcy aforesaid, with all the lands, meadows, pastures and feedings to the same tenement occupied or manured, or by what name or names soever the same be called or known, as it is now in the tenure and occupation of Robert Pannell and his assigns;

Moreover I will and bequeath to the said John Darcy, my son, to him and to his heirs forever, all such customary or copyhold lands or tenements which I have in the parish of Tollesbury in the said county of Essex as they are now in the tenure and occupation of Sibly Stare, widow, which customary lands are holden of the Queen's Majesty's manor of Tollesbury and of her Highness' rectory or parsonage of Tollesbury aforesaid;

Item, I will and bequeath unto Estras [sic?] Darcy, my son, to him and to his heirs forever, all my lands and tenements lying and being in the several parishes of Tollesbury and in Tolleshunt Darcy aforesaid, as well customary or copyhold and freehold lands,

called or known by the names of both the hides in the said several parishes, in the tenure and occupation of Thomas Marche or of his assigns;

Item, I will and bequeath that mine executrix during the minority of John Darcy and Estras Darcy, my sons, shall take and receive all the revenues and profits of all the lands, tenements and hereditaments whatsoever which I have to them and either of them severally bequeathed, for the maintenance and virtuous bringing up of my said sons as shall seem best to mine executrix with the good advice of my supervisors of this my last will, for their best preferment and profit, and the rest of all the profits and commodities of all the said lands, tenements and hereditaments as is to them severally devised, more than shall be yearly bestowed upon their said several bringing up, shall be truly and faithfully paid to either of them as they shall accomplish their several ages of one and twenty years;

Item, I will and bequeath unto Margaret, my wife, during her natural life one parcel of land called Gerandes(?) containing by estimation twenty acres, which said lands be now in mine own tenure and occupation and abutteth upon my wood now known or called the Hearneseves Wood, which wood is parcel of my manor and farm called Skynners Wycke, which foresaid wood called Hearneseves Wood I do likewise will and bequeath unto Margaret, my wife, during her natural life with all the profits and commodities of all the fowls that shall be breeding or growing there whatsoever, in such ample manner and form as I myself now hath or may take and use the same, provided alway that my said wife nor her assigns shall not do any wilful waste in any of the said woods to the hindrance of the breeding of any of the fowls of heronsews and shovellers that shall or may breed there;

Moreover I will and bequeath unto Margaret, my wife, my manor or farm called Skynners Wicke in Tolleshunt Darcy aforesaid, with all the profits thereunto appertaining or belonging, for the term of four years from the feast of St Michael th' Archangel next ensuing, if it shall please God afore that time to call me out of this present life, yielding and paying unto Thomas Darcy, my son and heir, and unto Camilla, his wife, according to my covenant and agreement to them made, threescore pounds and ten pounds yearly during the said four years;

Item, I will and bequeath unto Thomas Darcy, my son and heir, all the residue of my manors, lands, tenements and hereditaments which I have not by this my last will and testament already bequeathed to him and to his heirs forever upon this condition, notwithstanding that the said Thomas Darcy, my son, shall make one sufficient release or any other conveyance from him and his heirs to John Darcy and Estrace Darcy, my sons, to them and to their heirs, in all the lands, tenements and hereditaments, as well free as copy, as is to them by this my last will bequeathed as shall be by mine executrix and her learned counsel in the law best devised within one year next after my decease, being thereunto lawfully required if my said executrix and her learned counsel shall think it needful and requisite for the better assurance of my said sons in the lands and tenements aforesaid;

And if the said Thomas Darcy shall refuse after such request made to make any such assurance to any my said sons aforesaid, that then I will that mine executrix shall enter in and upon all the said manors, lands, tenements and hereditaments which I have before to him bequeathed, and to take and receive all the profits and commodities of all the said manors, lands, tenements and hereditaments until the said Thomas Darcy, my son, hath made such perfect assurance unto his foresaid brothers in manner and form as is abovesaid;

And further my will and mind is that after the said Thomas Darcy, my son, shall make such assurance according to the true meaning of this my last will unto his said brothers, that then my full mind and will is that Margaret, my wife, shall deliver or cause to be delivered all such evidences, writings, escripts and all other conveyances that shall concern any of the said manors, lands, tenements or hereditaments that is or shall be the said Thomas Darcy's except only all such deeds and conveyances and other writings as shall concern such lands as the said Margaret hath or shall have during her natural life for the preservation and descent of her estate only;

Item, I will and bequeath unto Estras Darcy, my son, my chain of gold, to be delivered unto him at his full age of one and twenty years, but if Thomas Darcy, my son and heir, will enter into bond unto my executrix to pay unto Estras Darcy, his brother, when he shall accomplish his full age of one and twenty years, so much money for the said chain as the goldsmith will value the same then to be worth, that then I will the same chain of gold shall be delivered unto the said Thomas Darcy presently after he hath sealed and delivered the said bond obligatory as he did unto my executrix as aforesaid, and if the said Estras Darcy depart this present life before he shall accomplish his full age of one and twenty years, then I will that the said Thomas Darcy, my son, shall have the said chain of gold without any consideration for the same by him to be paid;

Item, I will and bequeath unto Margaret Darcy, my daughter, five hundred pounds of good and lawful money of England, to be paid unto her at her day or time of her marriage or when she shall accomplish her full age of five and twenty years, which of them shall first happen;

Item, I will and bequeath unto Anne Darcy, Bridget Darcy and Dorothy Darcy, my daughters, to either of them four hundred pounds apiece of good and lawful money of England, to be paid unto them and either of them by mine executrix at their several marriages or at their full age or ages of five and twenty years, which of them shall first happen;

Provided always that if any of my said daughters shall depart this present life before they or any of them shall accomplish their several age or ages of twenty-five years or be married as is abovesaid, that then I will and bequeath that her part or portion that shall so depart his present life shall be equally divided between the survivor or survivors of either of them;

And further my whole will and intent is that if my said daughters or any of them shall marry or contract themselves in marriage afore they shall accomplish their several age or ages of twenty-five years without the assent or consent of mine executrix or at the least with the consent or goodwill of one of my supervisors of this my last will and testament, that then I will that the said daughter or daughters that shall so contract her or themselves in marriage as aforesaid shall lose or forfeit one hundred pounds of her part and portion or portions which I have to them bequeathed, and that they and every of them from thenceforth shall have and receive at their several marriage or marriages only but three hundred pounds, and the money that she or any of them shall so forfeit or lose by such oversight in their marriage or marriages without the consents as is aforesaid shall be equally divided between my said daughters that shall marry or be married with consent within their several ages of twenty-five years as is aforesaid;

Further I will and bequeath that Margaret, my said wife, shall pay or cause to be paid unto every of my said daughters yearly thirteen pounds six shillings eight pence for their maintenance and bringing up until they or every of them shall be married or accomplish their several age or ages of twenty-five years, to be ordered and bestowed upon them by the discretion of my said wife;

Item, I will and bequeath unto Margaret, my said wife, during her natural life the occupation of all my plate, of what quality or kind soever they be or are, and the like occupation of all my beds, bedsteads, bolsters and pillows and my principal coverlets and blankets, with th' occupation of all my brass and pewter whatsoever, and the like occupation of all my principal standing cupboards, livery cupboards, with all my tables, forms and trestles whatsoever during her natural life, which I will shall be put into inventory indented between her and Thomas, my son, and after her decease to Thomas Darcy, my son, forever, upon this condition notwithstanding, that my said wife shall enter into bond by her deed obligatory in a convenient and reasonable sum within one quarter of a year next after my decease unto Thomas Darcy, my son, that my said wife, neither by her or her assigns, shall willfully pull down, deface or destroy any of the wainscot ceilings or glass as is now in my manor house or dwelling-place now called Tolleshunt Darcy Hall, but to leave them in decent and convenient sort as she conveniently may perform and do;

Item, I will and bequeath unto my serving-men of my daily household twenty shillings apiece, and unto my husbandmen servants and maidservants ten shillings apiece, to be paid unto them and every of them within one quarter of a year next after my decease;

And I do further will and bequeath, for the good consideration for the performance of this my last will, unto Margaret, my well-beloved wife, whom I constitute, ordain and appoint my sole executrix of this my last will and testament, all my moveable goods not yet bequeathed, with all my other goods, as well real as personal, with all bonds, specialties or other writings or without writings that shall concern any of my debts to me owing by any of my creditors whatsoever, paying my debts, performing my will, and my funerals perform in decent and orderly manner as shall be thought meet by my executrix;

Item, that where John Fylde [=Field?], my Lord Dacre's farmer, did [-to me] mortgage to me and to my heirs certain lands and tenements in the town and parish of West Mersey [=Mersea?], as by the same conveyance thereof made doth or may more plainly appear, for the sum of one hundred threescore eight pounds, which said sum at the days and times limited in the said conveyances he, the said John Filde, did not perform and pay, whereby the said lands is now fully in me and my heirs, if the said John Filde and his heirs shall or will pay or cause to be paid unto my said wife the said sum of a hundred threescore eight pounds within one half year next after my decease, then I will the same lands and tenements unto the same John Filde and to his heirs forever in as ample manner and form as myself had it from him and his heirs, which said lands and tenements, if the said John Filde do not pay or cause to be paid the foresaid sum of a hundred threescore eight pounds within one half year next after my decease unto my executrix as is aforesaid, that then I will and bequeath the same lands and tenements unto Margaret, my wife, to her and to her heirs forever, to this intent, that my said wife shall sell the same for the better performing of my legacies unto my said daughters by this my last will and testament unto them devised;

And further I ordain, constitute and appoint my trusty and well-beloved brethren, Edward Sulyard and Anthony Maxey, esquires, to be my supervisors of this my last will and testament, desiring them as my trust is in them to be helping and assisting my said wife with their friendly and brotherly counsel for the furtherance of the performing of this my last will and testament according unto the true meaning thereof, as I would have done or may do if it had or shall please God to lend me life to do for them and theirs in the like case;

Thus making an end of this my last will and testament, I commit my spirit unto the bosom of the great mercies in the merits of the eternal God who created all in all, amen;

As a schedule hereunto annexed, I will and bequeath unto Margaret, my wife, my copyhold or customary land lying within the Hall ground and occupied with the same, holden of the manor of Bowersers Hall, to her during her life;

These being witnesses at the sealing and delivering of the said will: Edward Sulyard, Anthony Maxey, Richard Wiseman, and William Tyterell.

Probatum fuit testamentum suprascriptum vnacum Codicillo apud London coram venerabili viro magistro Willelmo Drury Legum Doctore Curie Prerogatiue Cantuariensis Magistro Custode siue Commissario &c decimo septimo Die mensis Novembris Anno Domini Millesimo Quingentesimo Octogesimo Sexto Iuramento Edwardi Orwell Notarij publici procuratoris Margarete Darcy Relicte dicti defuncti executricis in huiusmodi testamento nominate Cui commissa fuit administracio &c De bene &c Iurati Examinatur

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[=The above-written testament was proved, together with the codicil, at London before the worshipful Master William Drury, Doctor of the Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury etc., on the seventeenth day of the month of November in the year of the Lord the thousand five hundred eighty-sixth by the oath of Edward Orwell, notary public, proctor of Margaret Darcy, relict of the said deceased, executrix named in the same testament, to whom administration was granted etc., sworn to well etc. Examined.]