

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 5 March 1484 and proved 16 June 1486, of Thomas Darcy, esquire, son and heir of Sir Robert Darcy (c.1420 - 2 November 1469) of Maldon, Essex, and Elizabeth Tyrrell, the daughter of Sir Thomas Tyrrell (d. 28 March 1477) of Heron in East Horndon by Anne Marney, the daughter of Sir William Marney (d. 21 or 24 August 1414) and his wife, Elizabeth Sergeaux, a descendant of Robert de Vere (d. before 1221), 3rd Earl of Oxford, and his wife, Isabel de Bolebec (d.1245). See Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., (Salt Lake City, 2011), Vol. I, p. 14, and Vol. III, pp. 216-17.

The testator is said to have been an esquire of the body to Henry VI and Edward IV. See Copinger, W.A., *The Manors of Suffolk, Notes on Their History and Devolution; The Hundreds of Babergh and Blackbourn*, (London: T. Fisher Unwin, 1905), pp. 263-4 at:

<http://archive.org/stream/manorsofsuffolk01copiuoft#page/262/mode/2up>.

The testator married Margaret Harleston (d.1489). She and her sister, Alice Harleston, wife of Sir Richard FitzLewis, were the heirs of John Harleston and his wife Margaret Bardwell, only daughter of Sir William Bardwell and his wife Elizabeth Hethe. See Copinger, supra. See also:

<http://www.bardwellvillage.info/content/view/194/94/>.

See also Rokewode, John Gage, *The History and Antiquities of Suffolk, Thingoe Hundred*, (London: Samuel Bentley, 1838), pp. 129-30 at:

<http://books.google.ca/books?id=knVPAAAAYAAJ&pg=PA129&lpg=PA129&dq=%22thomas+Darcy%22+%22margaret+Harleston%22+%22roger+darcy%22&source=bl&ots=0ZScditlJ&sig=V7Zs8E86WQPp0WNZtCaY1d4iJyg&hl=en&sa=X&ei=Go70UeTQD46GiQLej4HYCg&ved=0CDIQ6AEwAQ#v=onepage&q=%22thomas%20Darcy%22%20%22margaret%20Harleston%22%20%22roger%20darcy%22&f=false>

According to the will of his widow (see TNA PROB 11/8/289), the testator had two sons, Roger and Thomas, and two daughters, Elizabeth and Anne.

The testator's eldest son and heir was Roger Darcy, whose inscription in the church of All Saints, Maldon, Weever recorded as:

*Hic jacet Rogerus Darcy Ar. filius et heres Tho. Darcy Ar. pro corpore illustrissimi Principis Henrici septimi Regis Anglie, et Elizabetha uxor ejus, filia Henrici Wentworth, militis, qui obiit ultimo die Septemb. 1508.*

[=Here lies Roger Darcy, esquire, son and heir of Thomas Darcy, esquire of the body to the most illustrious Prince, Henry the Seventh, King of England, and Elizabeth, his wife, daughter of Henry Wentworth, knight, who died the last day of September 1508.]

See King, H.W., 'Ancient Wills', *Transactions of the Essex Archaeological Society*, Vol. IV, (Colchester: Essex and West Suffolk Gazette, 1869), pp. 1-24 at pp. 2-11, at:

[http://books.google.ca/books?id=aDQGAAAQAAJ&pg=PA1&lpg=PA1&dq=%22ancient+wills%22+%22D%27Arcy%22&source=bl&ots=hd2ra\\_DT1K&sig=50\\_POt4VZ1DJqzPmeQoHlCFQAlw&hl=en&sa=X&ei=WzfxUYvWHYqNigK1vYHQBA&ved=0CCoQ6AEwAA#v=onepage&q=%22ancient%20wills%22%20%22D%27Arcy%22&f=false](http://books.google.ca/books?id=aDQGAAAQAAJ&pg=PA1&lpg=PA1&dq=%22ancient+wills%22+%22D%27Arcy%22&source=bl&ots=hd2ra_DT1K&sig=50_POt4VZ1DJqzPmeQoHlCFQAlw&hl=en&sa=X&ei=WzfxUYvWHYqNigK1vYHQBA&ved=0CCoQ6AEwAA#v=onepage&q=%22ancient%20wills%22%20%22D%27Arcy%22&f=false).

The testator's eldest son and heir, Roger Darcy (d. 30 September 1508), married Elizabeth Wentworth, the daughter of Sir Henry Wentworth of Nettlestead, Suffolk, by his first wife, Anne Say, by whom he had an only son and heir, Thomas Darcy (1506 – 28 June 1558), 1<sup>st</sup> Lord Darcy of Chiche, who married Elizabeth Vere, sister of John de Vere 16<sup>th</sup> Earl of Oxford. See Richardson, Douglas, *Magna Carta Ancestry*, Vol. III, (Salt Lake City, 2011), pp. 237-8, and Vol. IV, p. 389; and Cokayne, G.E., *The Complete Peerage*, Vol. IV, (London: St. Catherine Press, 1916), p. 78. See also:

<http://homepages.rootsweb.ancestry.com/~clopton/>

Alice Clopton + John Harleston  
John Harleston + Margaret Berdewell  
Margaret Harleston + Thomas Darcy  
Roger Darcy + Elizabeth Wentworth  
Thomas Darcy + Elizabeth de Vere

In the will below the testator mentions a number of relatives, including his mother, his stepfather, Richard Haute, his brother, Robert Darcy, his married sisters, his uncles, John Darcy and John Clopton, and his aunt Anne Montgomery.

The Sir James Tyrrell named by the executor as one of his supervisors would appear to be the Sir James Tyrrell (executed 6 May 1502), alleged to have murdered the two young sons of Edward IV in the Tower of London. The Bishop of London named as a supervisor was Thomas Kempe (d. 28 March 1489), while another supervisor was John Dynham, 1<sup>st</sup> Lord Dynham (d. 28 January 1501).

For the testator's manor of Pudsey, see Benton, Philip, *The History of Rochford Hundred*, (Rochford: A. Harrington, 1867), pp. 92, 99 at:

<http://archive.org/stream/historyrochford00bentgoog#page/n94/mode/2up>.

For an earlier transcript of the testator's will, see King, *supra*, pp. 2-5.

LM: Testamentum Thome Darcy militis

In the name of God, Amen. The 5<sup>th</sup> day of the month of March in the year of Our Lord God 1483, I, Thomas Darcy, squire, son and heir of Sir Robert Darcy, knight, being in my good and whole mind, thanked by Almighty God, make, ordain, declare and dispose this my present testament of my goods and chattels movables in manner and form hereafter following, that is to wit:

First I bequeath and recommend my soul unto Almighty God, my Maker and Redeemer, to Our Blessed Lady Saint Mary, and all saints, and my body to be buried, if it may be conveniently, in the aisle where the bodies of my grandfather and my said father lie buried in the parish church of All-Hallows of Maldon in the diocese of London;

And that mine interment and month's mind be kept honestly according to my degree, laying apart the making of any great dinner or common dole at the same for the pomp or pride of the world, but I will that mine executors underwritten spend of my goods in rewarding of priests, clerks and children helping to do divine service at the said interment and month[']s mind, to poor people praying for my soul at the same, and in wax, ringing of bells and other costs accustomed to such interment and month's mind 10 pounds sterlings;

And I will that my said executors within a month next ensuing after my decease cause 1000 Masses and 1000 times placebo and dirge to be sung or said for my soul;

And also pay and content all debts that I owe of right to any person or persons as soon as they conveniently may after my decease, of the which debts together with the names of my creditors to whom they be due I have written a bill with my proper hand;

Item, I bequeath to the high altar of the said parish church in recompense for my tithes and offerings forgotten or negligently withholden 20s;

Item, I will that my executors, of my best chain of fine gold weighing about 30 ounces of troy weight, and of my cup of gold that sometime was my said father's, do to be made another cup of gold with a covering also of gold with the arms of me, my wife, and my ancestors that my livelihood moved(?) most by graven in the bottom and covering of the same cup, and that cup with the covering so made to be delivered unto mine heir male of my body lawfully begotten as soon as he shall come to his age of 21 years, and afterwards to remain and be delivered in manner and form following, that is to say, to his heirs male of his body lawfully begotten when he cometh to th' age of 21 years, and for default of such issue unto the heirs males of my body lawfully begotten, and for default of such issue to Robert Darcy, my brother, and to the heirs males of his body lawfully begotten, and for default of such issue unto mine uncle, John Darcy, and to the heirs males of his body lawfully begotten, and for default of such issue the said cup with covering so of new to be made to be sold by my said executors to the most profit of me, and the money coming of the same sale to be distributed and disposed by them by the good advice of the supervisors under-named for the health of my soul and of the souls of mine ancestors in Masses to be sung, finding of poor scholars to school to the universities of Oxenford and Cambridge, in marriages of poor honest people dwelling in the county

of Essex, amending of foul and noyous ways and bridges in the same county, and in other works of pity and charity;

Also whereas I, the said Thomas Darcy, have borrowed certain sums of money of my said creditors for the marriages of my sisters, whereof I have not yet made unto them repayment, but for their more surety of payment to be made unto them of the said sums I have delivered unto them my plate in pledge, I will that my said executors levy, gather, perceive and have all th' issues, revenues and profits coming of my manors, lands, tenements, rents, reversions and services in manner and form as by God's grace I purpose to declare more plainly in my last will that I intend to make touching the disposition of my said manors, lands and tenements, and I will that of the same issues and profits they quit out all the said plate, and take it unto their own keeping, there to remain till my said [+heir?] male come to his said age, and then to deliver it with all my beddings and hangings unto him;

And if my said heir male die without issue male of his body lawfully begotten before he come to his said age, then I will that all my said bedding and hanging and also all the said plate except the foresaid cup of gold with covering be sold by my said executor[s] at the dearest(?) price they can, and that the money coming of the same sale be distributed by them by th' advice aforesaid in manner and form above rehearsed;

Also I will that of the said issues and profits and of my goods, chattels and debts due unto me all my said other debts that I owe and all my legates and bequests be well and truly contented and paid, and that done, all the surplusage then remaining undisposed of the said issues and profits of my said manors, lands and tenements to be divided, paid, delivered and disposed by my said executors in manner and form as by God's grace I purpose to declare in my said last will;

Also I will that my said executors yearly between the feasts of Saint Matthew and All-Hallows after my decease make and [f. 184r] yield a true account to my said supervisors or to two of them of all th' issues and profits of the said manors, lands and tenements by them received in the year then past, and of their payments, costs and charges had, borne and paid in the same year to this intent, that the remnant of the said issues and profits remaining over and beside the same payments, costs and charges may be known to my said supervisors and afterwards disposed according to my said last will;

And I will that the same accounts so made alway remain in the keeping of some indifferent person to be named by my said supervisors, and that he or they of my said executors that will take the charge and occupation to gather the said issues and profits and make the said payments and accounts(?) yearly upon the said account be rewarded for his or their labour in that behalf after the discretions of my said supervisors;

The residue of all my goods, chattels, jewels and debts in this my testament not bequeathed I give and bequeath to be disposed by my said executors by th' advice of the said supervisors for the souls above rehearsed in works of pity and charity abovesaid;

And of this my testament I make, ordain and name mine executors Sir Nicholas Saxton, Sir John Sholdewell, Sir Robert Broke, clerks, and Henry Tey, squire, to execute all the premises in manner and form afore declared and specified;

Also I make, ordain and name my right especial good Lords Thomas, by the grace of God Bishop of London, and John Lord Denham, Sir James Tyrrell, knight, my father Richard Haute, and mine uncle, John Clopton, esquires, supervisors of this my present testament, desiring them at the reverence of God to take the pain and labour to oversee that my said executors duly execute the premises according to my said will and intent, and to be good lords and friends unto my wife and children, and I bequeath to every of the said supervisors for his labour and attendance in that behalf 5 mark, and to every of my said executors for his labour in this party to be had, so that he take upon him the charge of th' execution of this my testament, 5 mark;

In witness whereof to this my present testament subscribed with my proper hand I have set my seal, given the day and year abovesaid.

This is the last will of me, Thomas Darcy, squire, son and heir of Sir Robert Darcy, knight, being in my good and whole memory, thanked be Almighty God, to the disposition of all my manors, lands, tenements, rents, reversions and services with their appurtenances in the county of Essex and elsewhere in the realm of England in which I and other persons stand enfeoffed to mine use made and by me declared the 6<sup>th</sup> day of the month of March in the year of Our Lord God 1483, that is to wit:

First I will that my said co-feoffees and feoffees suffer Margaret, my wife, to have and occupy my manor, lands and tenements with their appurtenances in Maldon in the said county, my lands and tenements called Selyhous(?) lying beside Maldon aforesaid, and my manors of Pudsey and Northpitt with th' appurtenances in the same county, and th' issues and profits coming of all the said manors, lands and tenements to receive and have during the natural life of the same Margaret, so that she in that meantime find unto all my daughters meat, drink, clothing and all other necessaries according to their degrees till they be married, and keep reparations of the houses and buildings of the said manors, lands and tenements;

Also I will that if it happen my said wife to decease before that my daughters of my body lawfully begotten be married, that then they have sufficient finding in all things according to their degrees of th' issues and profits coming of the same manors, lands and tenements by me afore devised to my said wife till they be married;

Also I will that my said feoffees suffer mine executors named in my testament of my goods movables to levy, perceive and have all th' issues, revenues and profits coming of all my other manors, lands and tenements, rents, reversions and services with their appurtenances from the day of my decease till my son and heir be of the age of 21 years, and that my said executors of the same issues and profits repair the housings and buildings of the same manors, lands and tenements, and well and truly content and pay all

the debts that I of right owe to any person or persons, and find unto every of my sons of my body lawfully begotten meat, drink, clothing, learning and all other necessities according to his degree till he come to the age of 21 years, and also pay all my bequests contained in my said testament;

Also that the same mine executors of the said issues and profits so be [=by] them to be perceived pay unto every of my said daughters to her marriage three hundred marks sterlings if she be married by the good advices of my mother, my wife, my aunt Anne Montgomery, my sisters, my supervisors of my said testament and of my said executors or of the more part of them, and also if any issue male of my body lawfully begotten be then on live, and if any of my said daughters refuse to be married by the said advice or else die before that she or they be so married, that I will that all the said money to her or them by me afore devised be distributed and disposed by my said executors by th' advice of my said supervisors for my soul and for the souls of my ancestors in Masses to be sung, finding to poor scholars to school at the universities of Oxenford and Cambridge, in marriages of poor honest people dwelling in the said county, amending of foul and noyous ways and bridges in the same county, and in other works of pity and charity;

And if all my said daughters decease before that they be married by the said advice, or if my heir male die without issue male of his body lawfully begotten before that my said daughters be so married, then I will that all they [=the] money by me to them afore devised be distributed and disposed by my said executors by th' advice of the said supervisors for the souls abovesaid in works of pity and charity above rehearsed;

Also I will that all the residue, if any be, of the said issues, revenues and profits remaining over and beside the said payments for my sons' finding, contentation of my said debts and bequests and of the marriage money afore rehearsed, be divided by my said executors by the oversight of the said supervisors into three egall parties, whereof I will that two parts be delivered to my said heir male when he cometh to his said age, and the third part thereof shall equally [f. 184v] be divided amongst his brethren by even portions, every of them to have his part thereof when he cometh to the age of 21 years;

Also I will that if the said Margaret, my wife, decease before that my said heir male come to his said age, that then all the issues and profits coming of all the said manor, lands and tenements called Selyhous and manors of Pudsey ant [sic?] Northpitte over the reparations of the same and the foresaid finding of my said daughters be taken up and received by my said executors and remain in their hands till my said heir male be at his said age, and then I will that the same issues and profits be divided, departed and delivered in like manner and form as before I have devised the said residue of the foresaid issues and revenues of my said other manors, lands, tenements, rents, reversions and services to be divided, departed and delivered;

And if my said heir male have no brother on live when he cometh to his said age, then I will that the same mine heir male have to his proper use all the said revenues and profits that before I have willed to be divided;

And if mine heir male die without issue male of his body lawfully begotten before that he come to his said age, then I will that all the same issues and profits be distributed and disposed by my said executors by th' advice of my said supervisors in works of pity and charity in manner and form above rehearsed;

Also I will that if the child with which my said wife is now great be a son, that then my said feoffees, as soon as the same child cometh to his age of 21 years, shall make unto the same child a lawful estate by deed indented of an[d] in such lands and tenements of the fee simple lands that my father, whose soul God assoil, left to me as my said supervisors and executors shall assign by their discretions to the yearly value of £20 above all charges, to have unto him and to the heirs males of his body lawfully begotten, and for default of such issue the remainder thereof to the issue male of my body lawfully begotten, and for default of such issue the remainder thereof to my brother, Robert Darcy, and to his heirs males of his body lawfully begotten, [INTERLINED: [ ] and for default of such issue the remainder thereof to my uncle, John Darcy, and to the heirs males of his body lawfully begotten], and for default of such issue the remainder thereof to the heirs of my body lawfully begotten, and for default of such issue the remainder thereof to the heirs of the body of my said father lawfully begotten, and for default of such issue the remainder thereof to my right heirs in fee;

Also I will that as soon as my said heir male cometh to his said age of 21 years my said feoffees make unto him by deed indented an estate tail of an[d] in all mine other manors, lands and tenements according to the very true intent of my father's last will thereof made except the residue of the said fee simple lands over and beside the said £20 worth land by year, which residue of my said fee simple lands I will be given by my said feoffees unto my said heir male when he cometh to his said age if my said executors have then in their hands money sufficient wherewith to content and pay my said debts and bequests and the foresaid marriage money, to have unto him and to the heirs males of his body lawfully begotten with other remainders further in manner and form as before I have devised to be made of the said £20 worth land by year;

And if it happen that my said executors have not then money sufficient in their hands wherewith to pay my said debts, bequests and the foresaid marriage money, then I will that the making of the same estate of and in the said residue of my said fee simple lands be deferred till sufficient money therefore be levied of the issues and profits of the same lands;

In witness whereof to this my present writing of my last will I, the said Thomas Darcy, have set to my seal, given under my signet manual the day and year abovesaid.

Probatum fuit sup<sup>ra</sup>sc<sup>ri</sup>ptum test<sup>amentu</sup>m ap<sup>u</sup>d London manu p<sup>ro</sup>p<sup>ri</sup>a defunct<sup>i</sup> subsc<sup>ri</sup>pt<sup>um</sup> coram Mag<sup>ist</sup>ro Daudid Will<sup>ia</sup>m decretor<sup>um</sup> doctor<sup>e</sup> Custod<sup>e</sup> p<sup>re</sup>rogatiue eccl<sup>es</sup>ie xpi Cant<sup>uariensis</sup> ac Prioris &(?) capit<sup>u</sup>li eiusd<sup>em</sup> Ad quos &c diuesert<sup>ur</sup>(?) p<sup>ro</sup>amer(?) Com<sup>m</sup>iss<sup>a</sup> in hac

p{ar}te gen{er}ali xvjto die mens{is} Iunij Anno d{omi}ni Mcccclxxxvjto ac approbat{um} &c Et com{m}issa fuit Admi{ni}stra{ci}o bonor{um} &c Henr{ico} Tey execut{ori} in d{i}c{t}o test{ament}o no{m}i{n}a{to} de bene &c ac de pleno Inuentar{io} bonor{um} &c cit{ra} f{estu}m s{an}c{t}i Petri q{uo}d dicit{ur} ad vinc{u}la p{ro}x{imum} &c ad [sic?] de plano &c Res{er}uat{a} p{otes}tate &c d{omi}nis Nich{ola}o Saxton Ioh{ann}i Shodewell & Rob{er}to Brok cap{ella}nis executor{ibus} &c cum ea{m} &c

[=The above-written testament, written in the deceased's own hand, was proved before David William, Doctor of the Decretals [=Doctor of the Canon Law?], Keeper of the Prerogative [+Court?] of the Church of Christ of Canterbury and Prior and Chapter(?) of the same, to whom etc. [ ] was granted in that respect(?) [ ] on the 16<sup>th</sup> day of the month of June in the 1486<sup>th</sup> year of the Lord, and probated etc., and administration was granted of the goods etc. to Henry Tey, executor named in the said testament, [+sworn] to well etc., and a full inventory of the goods etc. before the feast of Saint Peter ad Vincula, as it is called, next etc., and(?) a plain etc., with power reserved etc. to Sirs Nicholas Saxton, John Shodewell & Robert Broke, chaplains, executors etc. when [+they shall have come to be admitted ] the same.]