

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 24 August 1594 and proved 23 December 1594, of Richard Branthwayte (d.1594), serjeant at law, to whom Oxford transferred his manor of Fingrith by a fine on 30 May 1580, and whom Oxford appointed as one of his officers on 17 September 1580, (see TNA CP 29/2/131/1678/22ELIZITRIN, Item 20, and ERO D/DRg 2/27).

FAMILY BACKGROUND

Testator's grandparents

According to Blomefield, the testator's grandparents were John Branthwayte of Sebber or Sedber [=Sedbergh?], Yorkshire, and a daughter of the Clere family of Stokesby, Norfolk. See Blomefield, Francis, *An Essay Towards A Topographical History of the County of Norfolk*, Vol. V, (London: William Miller, 1806), p. 110 at:

<http://books.google.ca/books?id=uwUVAAAAQAAJ&pg=PA110>

See also *History and Antiquities of the County of Norfolk*, Vol. VII, (Norwich: J. Crouse, 1781), p. 42 at:

<https://books.google.ca/books?id=22dBAQAAMAAJ&pg=RA3-PA42>

According to the webpage below, John Branthwayte's wife was Elizabeth Clere, daughter of Simon Clere (eldest son of Edmund Clere (d. 5 November 1488) and Elizabeth Charles) and his wife, Joan:

<http://gillywoodfamily.blogspot.com/2012/12/descendant-register-of-william-clere.html>

Testator's parents

It has not been widely noticed until now that the will of the testator's father is extant, perhaps because the surname is spelled 'Branthutt'.

In his will, dated 12 April 1576 and proved 15 August 1576, TNA PRO 11/58/315, the testator's father, John Branthwayte, mentions his wife, Mary, his mother-in-law, Elizabeth Turnor, and five sons and three unmarried daughters:

-Richard Branthwayte (d. 1594), eldest son, the testator in the will below.

-John Branthwayte, second son, appointed sole executor of his father's will.

-Henry Branthwayte (d.1617), third son, under 21 years of age in 1576. According to Blomefield he was feodary for Norfolk in 1603, and married 'Mrs Davy of Elingham,

grandmother to the old Lady Potts', but died without issue. See Blomefield, *supra*, p. 111. See also:

http://womenwriters.digitalscholarship.emory.edu/earlymodern/content.php?level=div&id=hughey_500&document=hughey

-**Miles Branthwayte** (1557? - 5 August 1612), fourth son, under 21 years of age in 1576. On 2 December 1594 he married Mary Southwell, daughter of John Southwell of Barham, Suffolk, by whom he had a son, Arthur Branthwayte, and two daughters, Margaret Branthwayte, who married Sir Robert Leigh of Chigwell, Essex, and Elizabeth Branthwayte (d. 1 May 1621). See Blomefield, *supra*, pp. 111-12. For the marriage of Miles Branthwayte and Mary Southwell, see White, C.H. Evelyn, ed., *The East Anglian*, New Series, Vol. IV, (Ipswich: Pawey and Hayes, 1891-2), p. 315 at:

<https://books.google.ca/books?id=Uc9CAAAAYAAJ&pg=PA315>

-**William Branthwayte** (d. 15 February 1618), fifth son, under 21 years of age in 1576, who died unmarried. He was Master of Caius College, Cambridge. See Blomefield, *supra*, p. 112, and Venn, John, *Biographical History of Gonville and Caius College 1349-1897*, Vol. I, (Cambridge: Cambridge University Press, 1897), pp. 198, 200 at:

<https://books.google.ca/books?id=3e48AAAIAAJ&pg=PA198>

-**Mary Branthwayte**, eldest daughter, who married Henry Gilling, gentleman, of Yorkshire.

-**Margaret Branthwayte**, second daughter, who is said to have married Robert Marsham of Norfolk. Her husband is referred to as deceased in the will below.

-**Elizabeth Branthwayte**, third daughter, who married William Webbe, esquire, of Motcombe, Dorset, by whom she had a son, William Webbe (d. 27 June 1613). See Venn, *supra*, p. 200. See also Norris, Hugh, ed., *Notes & Queries for Somerset and Dorset*, Vol. I, (Sherborne: J.C. Sawtell, 1890), p. 108 at:

<https://books.google.ca/books?id=IOvgAAAAMAAJ&pg=PA108>

For the Webbe family of Motcombe, see also the will, dated 8 July 1584, of William Webbe, TNA PROB 11/68/446, and the History of Parliament entry for William Webbe (d.1585) at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/webbe-william-1585>

It should be noted that Blomefield, *supra*, erroneously refers to Henry Gilling, Robert Marsham and William Webbe as the testator's sons-in-law, whereas in the will below the testator refers to them as his brothers-in-law:

Item, I do give unto my brother-in-law, William Webbe of Motcombe in the county of Dorset, esquire, and to my good sister, his wife, and to my brothers Henry and Miles Branthwayte, and to my brother-in-law, Henry Gilling, gentleman, and my sister, his wife, and to my sister Marsham, widow, and to my brother-in-law, Mr Oliver Style, and to every of them gold rings of four marks apiece with an inscription, in them to be devised by my executors, for a remembrance of my love to them.

MARRIAGE AND ISSUE

The testator married Margaret Bull (28 December 1563 - 1 January 1625).

Research by the author of this website indicates that she was the daughter of John Bull (buried 14 January 1570), grocer, of the parish of St Stephen's Walbrook, and his wife, Joan Lockyn. For the will of John Bull, dated 1 December 1569 and proved 26 January 1570, in which he mentions a brother, John Bull; a sister, Alice Bull, wife of William Stanley; his wife, Joan; a son, Matthew Bull; a daughter, Susan Bull; other unnamed children; his friend, John Kirkby; and William Povey, see TNA PROB 11/52/32.

For the births of the children of John Bull and his wife, Joan, see Bannerman, W. Bruce, and W. Bruce Bannerman, eds., *The Registers of St. Stephen's, Walbrook, and of St. Benet Sherehog, London, Part I*, (London: Harleian Society, 1919), Vol. XLIX, pp. 2-3 at:

<https://archive.org/details/registerstofstste49stst/page/2>

Joan Lockyn married secondly her husband's friend, John Kirkby (d.1578), grocer, on 17 April 1570. See Bannerman, *supra*, p. 52 at:

<https://archive.org/details/registerstofstste49stst/page/52>

John Kirkby was buried 17 July 1578. See Bannerman, *supra*, p. 81 at:

<https://archive.org/details/registerstofstste49stst/page/80>

For the will of John Kirkby, dated 16 July 1578 and proved 10 September 1578, in which he mentions his wife, Joan; her brother, Thomas Lockyn; her children, Samuel Bull, Edward Bull, Matthew Bull, Mark Bull, Elizabeth Bull and Margaret Bull; his 'loving friend, John Harte, grocer'; as well as Oliver Style and Hugh Spencer, see TNA PROB 11/60/445.

For John Kirkby, see also:

'Bethnal Green: Estates ', in *A History of the County of Middlesex: Volume 11, Stepney, Bethnal Green*, ed. T F T Baker (London, 1998), pp. 155-168. *British History Online* <http://www.british-history.ac.uk/vch/middx/vol11/pp155-168> [accessed 21 June 2019].

The copyhold estate called KIRBY'S CASTLE was built up by John Kirby or Kirkby (d. 1578). Its core was a house and 3½ a. held by Sir John Gresham, the most highly assessed person in Bethnal Green in 1545-6. . . .

As 'Johanne Kirbye, widow, of St Bennet Sherehogg', Joan Lockyn married thirdly John Harte (d.1604), then of St Bartholomew near the Stock, by licence dated 10 December 1578. See Armytage, George J., ed., *Allegations for Marriage Licences Issued by the Bishop of London 1520 to 1610*, Vol. I, (London: Harleian Society, 1887), Vol. XXV, p. 83 at:

<https://archive.org/details/allegationsforma01ches/page/164>

See also Foster, Joseph, ed., *London Marriage Licences 1521-1869*, (London: Bernard Quaritch, 1887), p. 637 at:

<https://babel.hathitrust.org/cgi/pt?id=gri.ark:/13960/t3rv3t64r&view=1up&seq=349>

Joan Lockyn's third husband, Sir John Harte, is referred to by the testator in the will below as 'my good father-in-law':

Item, I do give unto my good father-in-law, Sir John Harte, for a token of remembrance of my love to him, a piece of plate of ten pounds, with his arms and mine to be engraven in it.

For the will, dated 3 January 1604 and proved 23 January 1604, of Sir John Harte, see TNA PROB 11/103/59.

According to the will of John Kirkby and Bannerman, *supra*, the testator's wife, Margaret Bull, had four brothers and four sisters:

-**Samuel Bull**, under 21 years of age in 1578. Mentioned in the will of his stepfather, John Kirkby.

-**Edward Bull** (b. 8 June 1559), referred to by the testator in the will below as 'my brother-in-law, Edward Bull'. Also mentioned in the wills of his stepfathers, John Kirkby and Sir John Harte.

-**Matthew Bull** (b. 14 April 1565), mentioned in the will of his father, John Bull, and in the wills of his stepfathers, John Kirkby and Sir John Harte.

-**Mark Bull** (b. 4 November 1566). Mentioned in the will of his stepfather, John Kirkby.

-**Mary Bull** (d.1608?) who on 31 January 1574 married William Povey (buried 17 December 1593). See Bannerman, *supra*, pp. 53, 84. For the will of William Povey, dated 13 December 1593 and proved 4 January 1594, see TNA PROB 11/83/7.

-**Elizabeth Bull** (b. 5 September 1560), mentioned in the wills of her stepfathers, John Kirkby and Sir John Harte, in the latter as the wife of John Taylor, mercer. For the licence issued 10 April 1583 for the marriage of Elizabeth Bull, spinster, of St Swithin's and John Taylor of St Michael Bassishaw, see Armytage, *supra*, p. 117 at:

<https://books.google.ca/books?id=i6wKAAAAYAAJ&pg=PA117>

-**Joan Bull** (b. 13 December 1562, buried 15 June 1573?).

-**Susan Bull**, mentioned in the will of her father, John Bull. She married firstly Hugh Spencer, grocer. See Bannerman, *supra*, p. 52 at:

<https://archive.org/details/registerstofstste49stst/page/52>

For Hugh Spencer's burial on 19 July 1576, see Bannerman, *supra*, p. 81 at:

<https://archive.org/details/registerstofstste49stst/page/80>

For the will of Hugh Spencer, dated 14 July 1576 and proved 13 August 1576, in which he mentions his wife, Susan, see TNA PROB 11/58/314.

Susan Bull married secondly Oliver Style (1543 – 4 March 1622). She is not mentioned by the testator in the will below, although her second husband is referred to by the testator as 'my brother-in-law, Mr Oliver Style'.

For Susan Bull's second husband, Oliver Style, see his will, proved 6 June 1622, TNA PROB 11/139/576, and Cokayne, George Edward, *Some Account of the Lord Mayors and Sheriffs of the City of London 1601 to 1625*, (London: Phillimore and Co., 1897), p. 25 at:

<https://archive.org/details/someaccountoflor00coka/page/24>

Oliver Style was the grandson of the London mercer, John Style (d.1505), and Elizabeth Wolston (d.1548), the daughter and coheir of Sir Guy Wolston, and the son of Sir Humphrey Style (d.1557) of Langley, one of the esquires of the body to Henry VIII, who by his first wife, Bridget Baldrey, daughter of Sir Thomas Baldrey, had four sons:

(1) **Edmund Style** (born 1538) of Langley, esquire, eldest son, who married Mary Berney, the daughter of John Berney of Reedham, Norfolk.

(2) **John Style**, who died without issue.

(3) **Oliver Style**, esquire, sheriff of London during the reign of James I, who married Susanna Bull, the daughter of John Bull, esquire, by whom he was the father of Sir Thomas Style of Watringbury.

(4) **Sir Nicholas Style** (d. 16 November 1615), esquire, alderman and sheriff of London.

For the Style family, see the will of Edmund Style (d.1564), nephew of John Style (d.1505) and first cousin of Sir Humphrey Style (d.1557).

See also the Style pedigree in Sutton, Anne F., 'London Mercers From Suffolk c. 1200 to 1570', Part II, *Proceedings of the Suffolk Institute of Archaeology and History*, Vol. XLII, (2010), pp. 162-84, available online at:

<http://suffolk institute.pdfsrv.co.uk/>

See also *The English Baronetage*, Vol. II, (London: Thomas Wotton, 1741), pp. 22-3 at:

<https://books.google.ca/books?id=nC45AQAAMAAJ&pg=PA22>

For Sir Guy Wolston (born c.1435, d. by 22 August 1504) of Apethorpe, Northamptonshire, Esquire of the Body to Edward IV in 1482, see the will, dated 9 July 1517 and proved 4 June 1519, TNA PROB 11/19/251, of John Broughton (d. 24 January 1518), esquire, whose mother, Katherine de Vere, is said to have been an illegitimate daughter of John de Vere, 13th Earl of Oxford. See also the will, dated 20 June 1504 and proved 10 July 1507, TNA PROB 11/15/535, of Sir Robert Broughton (d. 10, 17 or 28 August 1506), a close associate of John de Vere (1442-1513), 13th Earl of Oxford.

See also TNA C 1/226/8, a Chancery suit dating from 1493-1500 brought by John Style and Elizabeth, his wife, daughter of Sir Guy Wolston, knight, and of Margaret, late his wife, against Sir Guy Wolston, knight, and Margaret, his second wife, and Robert Wytteburgy.

Testator's children

By Margaret Bull (d. 1 January 1625), the testator had four sons and three daughters:

* **Thomas Branthwayte**, eldest son, under 21 years of age in 1594.

* **Richard Branthwayte**, second son, for whom see Venn, *supra*, pp. 198-9. According to Venn:

His father is doubtless the man who took part, with Topcliffe, in the torture of seminary priests in the Tower (v. Jessopp's One Generation, p. 266; and Jardine On Torture, p. 92).

For a Privy Council order dated 25 October 1591 directing Richard Topcliffe, the testator, and two others to examine Eustace Whyte, a seminary priest, see Jessopp, Augustus, *One Generation of a Norfolk House*, (Norwich: Miller and Leavins, 1878), p. 241 at:

<https://books.google.ca/books?id=uWMBAAAAQAAJ&pg=PA241>

See also Jardine, David, *A Reading on the Use of Torture in the Criminal Law of England Previously to the Commonwealth*, (London: Baldwin and Cradock, 1837), pp. 92-3 at:

<https://archive.org/details/areadingonuseto01jardgoog/page/n110>

* **John Branthwayte**, third son.

* **Ralph Branthwayte**, fourth son.

* **Joan Branthwayte**, under 18 years of age in 1594.

* **Margaret Branthwayte** (d.1655), who married firstly, by 1607, Thomas Spencer (c.1586-1622), eldest son of Sir William Spencer of Yarnton by Margaret Bowyer, daughter of Francis Bowyer. See the History of Parliament entry for Thomas Spencer at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/spencer-thomas-1586-1622>

Sir William Spencer of Yarnton was the son of Sir John Spencer (d.1586), and the brother of the testator's executors, Thomas Spencer of Claredon and Richard Spencer of Offley. See Gage, John, *The History and Antiquities of Hengrave in Suffolk*, (London: James Carpenter, 1822), p. 109 at:

<https://books.google.ca/books?id=xMpcAAAACAAJ&pg=PA109>

After the death of Thomas Spencer (c.1586-1622), his widow, Margaret (nee Branthwayte) Spencer (d.1655) married Richard Butler (1578-1651), 3rd Viscount Mountgarret. See Healy, William, *History and Antiquities of Kilkenny*, Vol. I, (Kilkenny: P.M. Egan, 1893), p. 348 at:

<https://books.google.ca/books?id=vWoNAAAAYAAJ&pg=PA348>

See also the Wikipedia entry at:

https://en.wikipedia.org/wiki/Richard_Butler,_3rd_Viscount_Mountgarret

* **Elizabeth Branthwayte**.

After the testator's death, his widow, Margaret (nee Bull) Branthwayte (d. 1 January 1625), married, by licence dated 7 June 1595, Edward Jones (c.1560-1609). See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/jones-edward-1560-1609>

b. c.1560, s. of one Jones of Flints. educ. Brasenose, Oxf. 1579, aged 19;1 G. Inn 1588;2 embassy (France) 1591, 1593.3 m. lic. 7 June 1595,4 Margaret (d. 1 Jan. 1625),5 da. of John Bull of London, wid. of Richard Branthwaite (d. 1594), sjt.-at-law, of Paternoster Row, London, s.p.6 d. 18 Oct. 1609.7

See also a decree dated 10 June 1597 in a Chancery suit, TNA C 78/89/13, brought by the testator's widow and her second husband, Edward Jones, against the testator's executors.

TESTATOR'S EXECUTORS

The testator's executors, Thomas Spencer of Claredon, Warwickshire, and Richard Spencer of Offley, Hertfordshire, were the sons of Sir John Spencer (d.1586) and Katherine Kitson (d. by 10 December 1561), the daughter of Sir Thomas Kitson (1485 - 11 September 1540) of Hengrave, Suffolk, and were thus the brothers of Alice Spencer and Elizabeth Spencer, who married Ferdinando Stanley, 5th Earl of Derby, and George Hunsdon, 2nd Baron Hunsdon, respectively. Another sister, Anne Spencer, married Robert Sackville, the son and heir of Thomas, Lord Buckhurst, to whom the testator leaves a cup in his will. All three Spencer daughters were acclaimed by the poet Edmund Spenser.

See the will of Sir Thomas Kitson, TNA PROB 11/29/2, and Gage, *supra*, p. 109 at:

<https://books.google.ca/books?id=xMpcAAAACAAJ&pg=PA109>

For the testator's executor, Nicholas Fuller (1543-1620), see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1604-1629/member/fuller-nicholas-1544-1620>

For the testator's executor, Robert Bromley (d. 20 October 1624), see Bromley, Ian, *Bromley: A Midlands Family History*, 2007, p. 90. at:

<https://books.google.ca/books?id=AFXitTEI3DoC&pg=PA90>

The testator and his executor, Roger Bromley (d. 20 October 1624), esquire, were at one time solicitors in the employ of Henry Hastings, 3rd Earl of Huntingdon.

OTHER PERSONS MENTIONED IN THE WILL

For Sir John Puckering (1544-1596), see the *ODNB* entry.

For Henry Hastings (1536?-1595), 3rd Earl of Huntingdon, and his wife, Katherine Dudley, see the *ODNB* entry.

For Thomas Sackville (c.1536-1608), 1st Baron Buckhurst and 1st Earl of Dorset, see the *ODNB* entry.

RM: T{estamentum} Richarde Branthwayte

In the name of God, Amen. I, Richard Branthwayte, sergeant at the law, being at this present sick in body but of good and perfect remembrance, the Lord God be therefore praised, but not knowing how long I shall so continue, for as nothing is more frail and uncertain than the life of man, so is nothing more certain and sure than his death, the certain time whereof is only known to the Lord God, who doth call whom and when it pleaseth his heavenly Majesty, and infinitely happy are they whom he doth call to his mercy, I have therefore thought it fit and convenient for me while I have time and perfect memory, to set and dispose that which the Lord of his great goodness hath given me;

First, therefore I do most willingly render and give again into the hands of my most merciful Lord God my soul which he of his fatherly goodness hath given me, most humbly and heartily praying and beseeching him for the most bitter death and passion of my Lord and Saviour Christ Jesus, whereby only I trust to be saved, and for the most tender love that he hath always borne to mankind, that it would please his most heavenly Majesty to forgive me all my sins and to receive my soul into his glory, and place it in the company of his heavenly angels and blessed saints;

My body I desire to be buried in Christian burial in such decent and comely sort as shall be thought fit and convenient by my executors, without any vain or unnecessary charge or expense, most assuredly believing that at the great day of the general resurrection, when we shall all appear before the judgment-seat of my Saviour Christ Jesus, I shall receive it again by the mighty power of God wherewith he is able to subdue all things unto himself, not a corruptible, weak and vile body as it is now, but an incorruptible, [f. 336v] immortal, strong and perfect body like unto the most glorious body of my Lord and Saviour Christ Jesus. Oh what a comfort is this, how infinitely are we bound to our most merciful God!

Now as touching the disposition of my lands, goods and chattels which it hath pleased the Lord God of his great goodness to give me, first I do give and bequeath unto my most faithful, virtuous, loving and kind wife, Margaret Branthwayte (to whom and to my poor children I wish the Lord God will be a husband and a father and protector), my dwelling-

house at the nether end of Pater Noster Row in London, with all and singular th' appurtenances for and during the term of forty-six years next after my decease (if she shall so long live);

The residue of the said term of years that shall be then to come of the same, I do give and bequeath unto my executors of this my last will and testament, to th' intent and purpose that they shall sell the same for the most and best advantage that they can within convenient time after my decease, and the money thereof coming and growing employ to the performance of this my last will and testament;

Item, I do give unto my said most loving wife four thousand pounds in money, three thousand pounds whereof I do will shall be paid unto her at th' end of one year next after my decease if she be then living, the other one thousand pounds I will shall be paid unto her as soon as it may be received of the sale of my lands, provided always, and my mind is, that the aforesaid legacy of four thousand pounds shall cease if my said wife shall have the manor of Ringwood assured unto her as I have appointed the same in one writing bearing the date hereof containing a declaration of my mind how the said manor of Ringwood and other lands shall be disposed for the performance of my last will, and then I do will and bequeath to my most loving wife five hundred pounds in money together with the said manor in lieu of the said four thousand pounds;

Also, I do give unto her all her own money, my meaning is such money as I have accounted always to be hers, which I take to be three hundred and fifty pounds;

I do also give unto her all her chains, jewels, linens and apparel;

Also I do give unto her all my plate, saving such as I shall by this my last will devise otherwise, and saving the great cup that my honourable good Lord, the Lord Buckhurst, did give unto me, willing me to keep it for me and mine for a remembrance of his love to us, which said cup I do give unto such of my sons as shall be first of the age of one and twenty years next after my decease, and to be delivered unto him at that age and not before;

Item, I do give unto my most loving wife all my household stuff as beds, bedding, linen, pewter, brass, tables, chests, pictures, hangings and all other my household stuff and implements of household whatsoever (excepting the wainscot fixed to my said dwelling-house), not doubting but as she hath been hitherto a most careful, loving and natural mother unto my children, so she will continue the same motherly care, and bring them up in the knowledge and fear of God and in all good learning and education as shall be fit for their calling, and I do most heartily and humbly desire my Lord God for his great mercy' sake to bless, preserve and keep her and them, and to be to them a father and protector;

Also I do give unto my son, Thomas Branthwayte, six thousand pounds to be paid unto him at the age of one and twenty years in money if land be not purchased therewith in the meantime for him according as hereafter is declared, which six thousand pounds and such increase as may by godly, honest and lawful means arise thereby, I do desire should be

bestowed in land according to the discretion of my executors or the survivors or survivor of them, and according to the trust that I do repose in them, and the said land to be conveyed to my son Thomas and to the heirs males of his body begotten, and the remainder over for default of such issue to my son Richard and to the heirs males of his body, and for default of such issue to my son John and to the heirs males of his body, and for default of such issue to my son Ralph and to the heirs males of his body, and for default of such issue to my right heirs forever;

Marry, my mind is that the said six thousand pounds nor any part thereof shall be delivered nor they nor any of them shall receive the rents and profits of the same lands until his or their full age of one and twenty years, in which time my will & mind is that my executors shall receive and take the profits of the said lands until my said son shall come to the age of one and twenty years to and for the use and behoof of my said son, giving him in the meantime sufficient maintenance [f. 337r] according to the discretion of my said wife so long as she shall live, and after her decease at the discretion of my said executors or of the survivors or survivor of them;

And if my said son Thomas shall not be living when the said land shall be so conveyed as is aforesaid, my desire is that the same may be conveyed in like sort to such one of my sons as shall be then living and eldest at the time of the conveying of the same land, and if none of my sons shall be then living, then to my daughters and to their heirs or to the survivor of them and her heirs, and in default thereof to such person and persons and to his or their heirs as shall be then my next heir;

Item I do give unto every one of my sons and daughters, namely Richard Branthwayte, John Branthwayte, Ralph Branthwayte, Joan Branthwayte, Margaret Branthwayte and Elizabeth Branthwayte, one thousand marks [=£666 13s 4d] apiece, to be paid unto my said sons as they shall severally come to the age of one and twenty years, and to my said daughters at their several ages of eighteen years or days of marriage, which shall first happen;

Item, I give unto my daughter Joan five hundred marks more in augmentation of her portion, to be paid her at her age of eighteen years or day of marriage, which shall first happen;

And my will is that the portion of any of them deceasing before the same be delivered unto him and her shall be equally distributed among the residue of them to whom I have given a legacy of one thousand marks, to be paid unto them as their several legacies of a thousand marks ought to be;

Also, my will is that if my son Thomas shall die before his age of one and twenty years, then I will that the portion of money to him before bequeathed, if it be not before bestowed in land as is aforesaid, to such of my said sons as at the time of the decease of my son Thomas shall be then eldest, and so from son to son according to my intent and meaning which appeareth in this clause;

And I do most heartily pray and beseech my said executors, because my children be very young, that they would use their portions as they may with the fear of God and a good conscience to the profit and behoof of my said children;

My desire also is that every of my children shall be maintained, kept and brought up with part of the profit of their several portions, and I do desire that they may be and remain with their most loving mother, and to be ordered and disposed by her good love and discretion, to whom my mind is that so long as they or any of them shall be with her or at her disposition and appointment, that my executors or the survivors or survivor of them shall allow to my said wife for such of them such allowance as she will require, and in default thereof to be found and allowed by the discretion of my executors or of the survivors or survivor of them;

Item, I do give twenty pounds to be bestowed amongst the poor prisons of Newgate, Ludgate and other prisons in London and Southwark at the discretion of my loving wife;

Item, I will that thirty pounds shall be bestowed in their several cups which I desire may be presented from me to my singular good lords the right honourable Sir John Puckering, knight, Lord Keeper of the Great Seal of England, the right honourable the Earl of Huntingdon, the right honourable the Lord Buckhurst, and other piece of plate of ten pounds to the right honourable my singular good lady, the Countess of Huntingdon, most humbly praying and beseeching them to vouchsafe to accept the same in good part as a poor token of the dutiful love and entire affection that I have always borne unto them, and that as they have been my most honourable friends, so they would vouchsafe to help to protect my poor wife and fatherless children, if occasion shall so require, in their good and just causes, and I do most humbly desire the Lord God to reward them for it;

Item, I do give unto my brother, William Branthwayte, twenty pounds in money and one bill that I have of Mr Washington, esquire, the Register of the Chancery, for the payment of eight pounds per annum during his life for the maintenance of a scholar, and all sums of money that shall rise due by the same bill, and also all the arrearages;

Also, I do give unto my most dear and loving friend, Mr Roger Bromley, esquire, for a remembrance of the honest and true love that hath been betwixt us, one of my best cups, to be chosen by my wife, whereupon I would have his arms and mine to be engraven in it;

Item, I do give unto my most faithful and loving friend, Mr Thomas Spencer of Claredon in the county of Warwick, esquire, my best standing cup, praying him to accept the same as a token and for a remembrance of our old faithful and true love almost from our infancies, and I would have his arms and mine to be [f. 337v] [-to be] engraven in it, and my most hearty desire, and the last that ever I shall make to him, is that now I am taken from him, he would bestow his good love and care upon my poor wife and children, for next unto God, I must leave them unto the good love and care of him and such other as I shall make my executors of this my last will and testament;

Item, I do give unto my very loving and good friend, Mr Richard Spencer of Offley in the count of Hertford, esquire, a piece of plate of the value of ten pounds;

Item, I do give unto my good friend, Mr Nicholas Fuller, esquire, a piece of plate of the value of ten pounds;

Item, I do give unto my good father-in-law, Sir John Harte, for a token of remembrance of my love to him, a piece of plate of ten pounds, with his arms and mine to be engraven in it;

Item, I do give unto my brother-in-law, William Webbe of Motcombe in the county of Dorset, esquire, and to my good sister, his wife, and to my brothers Henry and Miles Branthwayte, and to my brother-in-law, Henry Gilling, gentleman, and my sister, his wife, and to my sister Marsham, widow, and to my brother-in-law, Mr Oliver Style, and to every of them gold rings of four marks apiece with an inscription, in them to be devised by my executors, for a remembrance of my love to them;

Also I do give unto my old acquaintance, Mr Rowland Barker, fifty pounds;

Item, I do give unto my old servant, Margery Slater, twenty pounds if my wife shall so think it fit, and to every other servant to whom I do give either wages or liveries four marks apiece;

Now for the better performance of this my last will and testament, and how and in what sort the same shall be performed, I have for some respects forborne to set down in this my last will and testament, and have put it down in writing in another paper, which course I desire that my said good friend, Mr Thomas Spencer, and my executors of this my last will and testament should follow;

And I do constitute and ordain my said friends Mr Thomas Spencer, Mr Nicholas Fuller, Mr Richard Spencer and Mr Roger Bromley (if he will be troubled therewith, which thing I most heartily desire of him if his health will give him leave) my executors of this my last will and testament, most heartily praying them that they will take upon them th' execution thereof for the help and comfort of my poor widow and fatherless infants;

Item, my debts being paid, which is but three hundred and fifty pounds, which I have in my house and more, I do give the overplus of all such money as will arise of the sale of such lands and by other things as in the aforesaid note I have put down to my son, Thomas Branthwayte, in such sort, manner and form as I have given unto him the aforesaid legacy of six thousand pounds, which I trust will be a good increase of his former portion, and I do desire the same may be also bestowed in land and conveyed in such sort as is before appointed of his other portion;

Item, my mind is that if there be any want to perform this my last will, which I think cannot so fall out, for if Ringwood be sold to that value that I might have had for it, there will be a very great portion for my son more than in particular I have bequeathed unto

him, but if it shall fall out otherwise, I will all those defects to be taken out of my son Thomas his legacy in money;

Item, I do give to Mr Morris, the apothecary, five pounds;

I do will also that if my loving wife shall think it fit, that then my brother-in-law, Edward Bull, shall have the three hundred pounds that I had of him for the which I have covenanted to pay thirty pounds yearly during his life, he delivering again the assurance that he hath for his said annuity, or otherwise to continue the payment unto him of the said annuity, which said sum of three hundred pounds, or the thirty pounds per annum, my mind is shall be discharged or paid out of my eldest son's portion;

Item, I do give unto the said Edward Bull one ring of the value of five marks;

In witness whereof to this my last will and testament containing four sheets of paper I have put my hand and seal the four and twentieth day of August in the six and thirtieth year [=24 August 1594] of the reign of our Sovereign Lady Elizabeth, by the grace of God of England, France and Ireland Queen, Defender of the Faith etc. Richard Branthwayte.

Subscribed by the abovenamed Richard Branthwayte in the presence of me, William Branthwayte, Thomas Newman.

Probatum fuit Testamentum suprascriptum apud London coram venerabili viro Magistro Willmo Lewin legum doctore Curie prerogative Cantuariensis Magistro Custode siue Commissario vicesimo tertio die mensis Decembris Anno Domini millesimo quingentesimo nonagesimo quarto Iuramento Francisci Clerke Notarij publici procuratoris Thome Spencer Nicholai Fuller Richardi Spencer et Rogeri Bromley executorum in huiusmodi testamento nominatum Quibus commissa fuit Administratio bonorum Iurium et creditorum dicti Defuncti de bene et fideliter Administrando &c ad sancta dei Evangelia Iurat.

[=The above-written testament was proved at London before the worshipful Master William Lewin, Doctor of the laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the twenty-third day of the month of December in the year of the Lord the one thousand five hundred ninety-fourth by the oath of Francis Clerke, notary public and proctor of Thomas Spencer, Nicholas Fuller, Richard Spencer and Roger Bromley, executors named in the same testament, to whom administration was granted of the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc.]