

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 17 October 1596 and 10 September 1597, and proved 2 September 1600, of Richard Southwell, whose sister, Dorothy Southwell, married Oxford's first cousin, John Wentworth.

FAMILY BACKGROUND

For the Southwell pedigree, see Dashwood, G.H., ed., *The Visitation of Norfolk in the Year 1563*, (Norwich: Miller & Leavins, 1878), p. 126 at:

<https://books.google.ca/books?id=qkpFAAAAYAAJ&pg=RA4-PP14>

The testator was the illegitimate son of Sir Richard Southwell (1502/3-1564). From the *ODNB*:

Southwell, Sir Richard (1502/3–1564), administrator, came of a family which originated in Suffolk and had recently prospered in government service. He was the eldest son of Francis Southwell (d. 1512), an auditor of the exchequer, and his wife, Dorothy, daughter of William Tendring of Little Birch, Essex. The lawyer Sir Robert Southwell was one of his younger brothers. Richard became heir not only to his father, but also to his uncle Sir Robert Southwell, chief butler to Henry VII, who died in 1514 leaving an estate based on the manor of Woodrising, Norfolk. In 1515 Richard became the ward of Sir Robert's widow and William Wootton. Four years later the wardship was acquired by Sir Thomas Wyndham, who married Richard to his stepdaughter Thomasin, the sister of Sir Thomas Darcy.

The testator's mother was Mary Darcy, the daughter of Oxford's paternal uncle, Thomas Darcy (1506 – 28 June 1558), 1st Baron Darcy of Chiche. In his youth, Thomas Darcy was the ward of Sir John Raynsford, who by 1521 had married him to his daughter, Audrey Raynsford. For the will of Sir John Raynsford, dated 12 September 1521, see TNA PROB 11/20/79. According to some sources there were no issue of the marriage. However it seems that in fact Thomas Darcy and Audrey Raynsford had a daughter, Mary Darcy, who became the mistress and eventually the second wife of Sir Richard Southwell (1502/3-1564). After the death of Audrey Raynsford, Thomas Darcy married secondly Oxford's aunt, Elizabeth de Vere (d. 26 December 1565), the eldest daughter of John de Vere (1482-1540), 15th Earl of Oxford. For the will of Thomas Darcy, 1st Baron Darcy of Chiche, see TNA PROB 11/44/115.

For the testator's parents, see also the will of his father, Sir Richard Southwell, TNA PROB 11/47/231.

The testator's sister, Dorothy Southwell (living 1609), married, as his second wife, Oxford's first cousin, John Wentworth, esquire. For his will, dated 27 January 1588 and proved 29 January 1589, see TNA PROB 11/73/245.

Dorothy is referred to in the will of her father, Sir Richard Southwell (1502/3-1564), as 'Dorothy Southwell alias Darcy, daughter to the said Dame Mary Southwell, my late wife', and in a codicil dated 11 January 1564 she and her sister are bequeathed certain jewels:

Item, I, the said Sir Richard Southwell do by these presents give, will and bequeath unto my daughters Mary Paston and Dorothy Southwell alias Darcy all such my chains and other jewels of gold and stones as remaineth in the keeping of Dame Elizabeth Lovell, wife to Sir Thomas Lovell, knight, to be equally divided between the same Mary and Dorothy and either of them.

See the will of Sir Richard Southwell, *supra*. See also the inscription formerly at Little Horkesley in Rutton, William Loftie, 'Wentworth of Gosfield', *Transactions of the Essex Archaeological Society*, Vol. III, New Series, (Colchester: Wiles & Son, 1889), at p. 224:

<https://books.google.ca/books?id=WbC5AQAAMAAJ&pg=PA224>:

Daughter to Sir Richard Southwell of Rising. Here lieth Dame Dorothy, first the wife of Thomas Higgins of Norfolk, esquire, and after the wife of John Wentworth of Gosfield, esquire, and lastly the wife and widow of Sir Edward Moore of Mellefont in Ireland, and knight, who lived a long age and died much lamented.

It seems likely that Thomas Higgins of Norfolk was a member of the family of Hogan or Huggins of East Bradenham, Norfolk. See the History of Parliament entry for Thomas Hogan at:

[https://www.historyofparliamentonline.org/volume/1509-1558/member/hogan-\(huggen-huggins\)-thomas-1521-86](https://www.historyofparliamentonline.org/volume/1509-1558/member/hogan-(huggen-huggins)-thomas-1521-86)

For the testator's sister, Mary Southwell, see Emerson at:

http://www.tudorwomen.com/?page_id=707

Mary Southwell (c.1550-1622) was the illegitimate daughter of Sir Richard Southwell of Woodrising, Norfolk (c.1502/3-January 11, 1564) and his longtime mistress and later wife, Mary Darcy (d. by July 1561). She married Henry Paston (d. before 1570). Some records give his name as Sir Thomas Paston (his father) and give them a son, Edward, but since Edward was born in 1577, this is obviously incorrect. Her second husband was William Drury of Brettshall in the parish of Tendring, Essex (d. May 7, 1589). Drury was a judge. He was buried in St. Mary Magdalen, Old Fish Street, London. His inquisition post mortem is dated December 14, 1589. Their children were John (1573-December 18, 1619), Bridget (b.1575), Elizabeth (b.1577), George (b.1580), William (b. 1584), and

Robert (1586-November 5, 1623), a Jesuit. The Records of the English province of the Society of Jesus . . . in the sixteenth century (1877) by Henry Foley states that Mary was a Catholic early in her life but then fell into a schism but was reconciled to the Church in the early 1600s. All of her children except Elizabeth were Catholics. On April 3, 1592, she married Robert Forth (d. October 3, 1595). After 1595, she became the third wife of Thomas Gresley of Drakelow, Derbyshire (May 3, 1552-September 5, 1610). In his will, he named his daughter Dorothy as executor and left her most of his goods, plate, and jewelry.

For the testator's siblings see also Spelman, Henry, *The History and Fate of Sacrilege*, (London: John Hartley, 1698), pp. 252-3 at:

<https://books.google.ca/books?id=ofZiAAAACAAJ&pg=PA252>

MARRIAGES AND ISSUE

Testator's first marriage

The testator married firstly, Bridget Copley, for whom see Emerson at:

http://www.tudorwomen.com/?page_id=667

Bridget Copley (c.1534-1583+) was the daughter of Sir Roger Copley of Gatton, Surrey (c.1473-September 10, 1549) and Elizabeth Shelley (1510-December 24,1560). According to the granddaughters of her brother, Thomas Copley (1532-1584), she was "a very learned lady and Latin instructress to Queen Elizabeth." This seems unlikely, especially since she was a) younger than Elizabeth and b) from a Catholic family, but her entry in Carole Levin, et al, editors, A Biographical Encyclopedia of Early Modern Englishwomen identifies her as a student at St. Mary's Abbey in Winchester in 1536 and goes on to say she was appointed as the "bookish servant " of Princess Elizabeth and later referred to as "her Majesty's old servant of near forty years continuance." She had charge of her nephew, Anthony Copley, when he was a child. The entry also mentions that her sister Margaret was sentenced to death along with her husband, John Gage, but was pardoned on the scaffold. This is in error. That Margaret was her niece. By December 1555 she had married Richard Southwell, alias Darcy, of Horsham St. Faith, Norfolk (d.1600), illegitimate son of Sir Richard Southwell of London and Wood Rising, Norfolk by Mary, daughter of Thomas Darcy of Danbury, Essex (later his second wife). Bridget and Richard had three sons, Richard, Thomas, and Robert the Jesuit (1561-x. February 22, 1595), and four daughters, Mary (d.1622), Anne, Catherine (1566-1618) and (possibly) Frances (d.1643). Southwell's entry in the History of Parliament says that Bridget died in 1583 or later, and implies that her death may have occurred not long before Southwell remarried, in "indecent haste," around October 1589. This same source calls Bridget "the bookish servant of Princess Elizabeth" and also says that she remained in the service of Elizabeth after her marriage, right up until her own death in the 1580s. Neither Bridget Copley nor Bridget Southwell, however, appears on any of the

lists I have seen of Elizabeth's ladies, either as princess or as queen. Whatever the truth of her service at court, after her brother fled abroad in 1569, Bridget and her husband made their home at Gatton until Sir William Cecil ordered them off the property. Afterward Southwell continued to manage affairs for his exiled brother-in-law.

The testator is said to have had three sons and five daughters by his first marriage:

* **Richard Southwell**, who married Alice Cornwallis (d. 2 October 1636), youngest daughter of Sir Thomas Cornwallis (1518/19 – 24 December 1604) of Brome, by whom he had three sons, Sir Thomas Southwell (d. 12 June 1626), Robert Southwell and Anthony Southwell (d.1623). He predeceased his father. See Lodge, John, *The Peerage of Ireland*, Vol. VI, (Dublin: James Moore, 1789), pp. 6-7 at:

<https://archive.org/stream/peerageofireland06lodg#page/6>

* **Thomas Southwell**, second son. He is mentioned in the will of his grandfather, Sir Richard Southwell. He is said to have married a wife surnamed Cutts, but died without issue. See Dashwood, *supra*, p. 127.

* **Robert Southwell** (1561 – 22 February 1595), Jesuit, for whom see the *ODNB* entry.

* **Elizabeth Southwell**, eldest daughter, who married firstly Michael Lyster, son of Richard Lyster (b. 23 November 1532, d. 1558?) and Mary Wriothsley (buried 13 December 1561), daughter of Thomas Wriothsley (21 December 1505 – 30 July 1550), 1st Earl of Southampton, and secondly Giles Nanfan of Morton, Worcestershire. See Dashwood, *supra*, p. 127. See also the will of the 1st Earl of Southampton, TNA PROB 11/34/154; the will, dated 10 July 1551 and proved 20 October 1551, of Sir Michael Lyster (d. 1 August 1551), TNA PROB 11/34/405; and TNA C 2/Eliz/N3/36.

* **Mary Southwell** (d.1622), who married Edward Banister, esquire, of Idsworth, Hampshire. See Dashwood, *supra*, p. 127.

* **Anne Southwell**, who is said to have married firstly a husband surnamed Baskerville of Erdesley Castle, Wales, secondly a husband surnamed Davies, and thirdly a husband surnamed Wallin.

* **Katherine Southwell** (1566-1618), who married Leonard Mapes (d. 4 February 1619) of Norwich. See Lodge, *supra*, p. 6, and Dashwood, *supra*, p. 127.

* **Frances Southwell** (d.1643), who is said to have married firstly William Lenthall, esquire, and secondly a husband surnamed Hooper. See Dashwood, *supra*, p. 127.

Testator's second marriage

The testator married secondly Margaret Styles, the daughter of John Styles of Ellingham, Norfolk, by whom he had two sons and three daughters. See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/southwell-richard-1531-1600>

b. by 1531, 1st illegit. s. of (Sir) Richard Southwell of London, and Wood Rising, Norf. by Mary, da. of Thomas Darcy of Danbury, Essex. educ. Corpus Camb. matric. 1545; L. Inn, adm. 4 Feb. 1547. m. (1) by Dec. 1555, Bridget (d.1583 or later), da. of Sir Roger Copley of Gatton, 3s. 4da.; (2) by Oct. 1589, Margaret, da. of John Styles of Ellingham, Norf., 2s. 3da.1

According to Dashwood, *supra*, p. 127, the testator's children by his second marriage were:

* **Sir Henry Southwell.**

* **Denzany Southwell** (d. 29 May 1636), who married Mary Southwell, the daughter of Thomas Southwell of Biskton, Shropshire.

* **Anne Southwell.**

* **other daughters.**

RM: T{estamentum} Richardi Southwell Armiger

In the name of God, Amen. The seventeen day of October in the year of Our Lord one thousand five hundred ninety and six and in the eight and thirty year of the reign of our Sovereign Lady Queen Elizabeth, I, Richard Southwell th' elder of Horsham St Faith in the county of Norfolk, esquire, being of good and perfect memory, God be praised, do ordain and make this my present testament and last will in manner and form following, that is to say:

First and before all things I commend my soul into the hands of Almighty God, the Father, the Son and the Holy Ghost, three Persons and one God, believing by and through the merits of the death and passion of my Saviour, Christ Jesus, to have remission of all my sins and to be an inheritor of the eternal kingdom of heaven;

And my body I will to be buried in the parish church where it shall please God I shall die;

I will, give, limit and appoint unto Margaret, my wife, one annuity or yearly rent of four score pounds of good and lawful money of England issuing and going out of the manor of Horsham St Faith in the county of Norfolk to be paid to the said Margaret at the feasts of th' Annunciation of the Blessed Virgin Mary and St Michael th' Archangel yearly and

every year by even & equal portions during all the term of the natural life of the said Margaret, to have, hold and perceive the said annuity or yearly rent of four score pounds to the said Margaret from and after the decease of me, the said Richard, during all the term of the natural life of the said Margaret, whereof the first payment to begin at the feast of the same two feasts which first and next shall happen from and after the decease of me, the said Richard, for the jointure of the said Margaret;

And further I will, devise, limit and appoint that if it shall happen the said annuity or yearly rent of four score pounds to be behind and unpaid in part or in all at any feast of the feasts aforesaid in any year or years in which the same ought to be paid and by the space of twelve weeks next ensuing after either of the same feasts, that then and so often there shall be forfeit unto the said Margaret twenty pounds of good English money, *nomine pene*, for every such default of payment making;

And that if default shall be made of or in the payment of the said annuity or yearly rent of four score pounds or any part thereof at any feast of the feasts aforesaid and by the space of twelve weeks next after either of the said feasts wherein the same is mentioned or appointed to be paid as is before specified, that then and so often it shall and may be lawful to and for the said Margaret into the said manor of Horsham St Faith and every part and parcel thereof to enter and distrain and the distress and distresses there so found and taken to lead, drive, bear, chase and carry away and the same to detain, withhold and keep until the said annuity or yearly rent so being behind and unpaid together with th' arrearages thereof, if any shall be, together also with the said twenty pounds so forfeit *nomine pene*, shall be unto the said Margaret fully contented and paid;

And further I, the said Richard Southwell, will, devise, limit and appoint to the said Margaret for her jointure so much of the manors of Weasenham and Brancaster in the county of Norfolk and of the messuages, lands, tenements and hereditaments belonging to the said manors as do extend to the full & whole yearly value of four score pounds by year, to have and to hold the same to the said Margaret during all the term of the natural life of the said Margaret;

Provided always and my will and mind is that if the said annuity or yearly rent of four score pounds by the laws of this realm shall be and remain always from the time of my [f. 137v] decease during all the term of the natural life of the said Margaret good, sure and recoverable to the said Margaret or her assigns, and justly and lawfully leviabie by distress upon the said manor of Horsham St Faith, and that the said manor of Horsham St Faith shall be during all the said term by law chargeable to the payment of the said annuity or yearly rent as is aforesaid, that then for and during so long time as the said annuity or yearly rent shall so remain good, sure and recoverable and so leviabie by distress, and during so long time as the said manor of Horsham St Faith shall be so by law chargeable to the payment of the said annuity or yearly rent as abovesaid, the same Margaret shall not have nor enjoy the said manors of Weasenham and Brancaster nor any of the said messuages, lands, tenements or hereditaments belonging to the said manors of Weasenham & Brancaster or any part or parcel thereof, anything before remembered to the contrary in any wise notwithstanding;

Item, I give to be bestowed upon the poor people which shall be inhabiting in the town of Horsham St Faith at my burial day ten pounds of good English money to be bestowed by my executor within three years after my burial day at the discretion and devotion of my executor;

And I ordain and make the said Margaret, my wife, to be my sole executor of this my testament and last will. Richard Southwell.

Witnesses to this testament and last [+will?] contained in two sheets of paper the words following first interlined, viz., in one place these words 'lands, tenements or hereditaments belonging to the said manors of Weasenham and Brancaster', and in another place these words 'within three years after my', and in the third place these words, viz., 'at the discretion and devotion of my executor'. Edmund Stile, Gabriell Morsden, Lancelot Boswell, Richard Wihall, Robert Bensleye, and me, Peter Barker.

Memorandum that the nineteenth day of March Anno Domini iuxta curs{um} &c 1599 the within-named Richard Southwell the elder acknowledged this his last will and the codicil thereto annexed to be his last will and testament in the presence of us, Robert Hutton, William Shatswell, John Smith, Hugoe Holland, Da. Windesor.

A codicil to be annexed to the testament and last will of me, Richard Southwell th' elder of Horsham St Faith in the county of Norfolk, esquire, as part and parcel of the same testament and last will, made the tenth day of September Anno Domini 1597 as followeth:

Inprimis I do give and bequeath unto Margaret, my wife, all my right, title, interest, estate and term of years which I have in and to the manor of Spixworth alias Spixforth in the county of Norfolk and in and to all other lands, tenements and hereditaments in Spixworth alias Spixforth aforesaid, to have and to hold the same to the said Margaret, her executors and assigns, forever. Richard Southwell.

Item, I do give and bequeath to the said Margaret, my wife, all my tithes and right, title and interest of tithes and portion of tithes of corn and grain growing, remaining or coming of the lands lying and being in the towns, parishes, hamlets and fields of Burnham in the county of Norfolk, and also the rents and yearly profits of the same tithes and every parcel thereof of whatsoever demises or grants of the premises or any parcel thereof made or reserved, and all arrearages of the same, and all recompenses and advantages which be to be made unto me for the said tithes or for wrongful taking or converting of the said tithes or any parcel thereof or of any arrearages of the same, to have and to hold the same to the said Margaret, her heirs and assigns, forever;

In witness whereof hereunto I have set my hand and seal the day and year abovesaid. Richard Southwell.

Teste nobis Petro Barker, Edmund Stile, Thomas Fayerwether.

Probatum fuit testamentu{m} infrascriptum vnacum codicillo eidem annexo secundo die mensis Septembris Anno Domini Millesimo Sexcentesimo Coram venerabili viro M{agist}ro Ioh{ann}e Hone Legum Doctore Surrogato venerabilis viri Mag{ist}ri Iohannis Gibson legum etiam doctoris Curie Prerogatiue Cantuar{iensis} Mag{ist}ri Custodis siue Com{m}issarij l{egi}time constituti Iuramento Iohannis Smith notarij publici procuratoris Margarete rel{i}c{t}e et executric{is} in d{i}c{t}o Testamento no{m}i{n}at{e} Cui commissa fuit administrac{i}o omniu{m} et singulor{um} bonor{um} Iurium et creditor{um} eiusdem defu{n}cti De bene et fideliter administrand{o} eadem Ad Sancta dei Euangelia Iurat{i}

[=The within-written testament was proved, together with the codicil annexed, on the second day of the month of September in the year of the Lord the thousand six hundredth before the worshipful Master John Hone, Doctor of the Laws, Surrogate of the worshipful Master John Gibson, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, by the oath of John Smith, notary public, proctor of Margaret, relict and executrix named in the said testament, to whom administration was granted of all and singular the goods, rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer the same.]