

*The Last Will and Testament of
Geoffray Daniell
of Preshute
Will proved 4th February 1561*



Probate Court of Malmesbury
Original reference PROB 11/44

Testator:	Daniell	Geoffray	
Executors:			
Ernelye	John		
Franklin	Richard		
Franklyn	Bridget	Daughter of Richard	
Franklyn	William	Brother of Richard	
Kingsmill	Richard		

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
			Preshute Parish Church Cathedral Church of Sarum
	Joan	Yeoman servant	
Axleford	Stephen	Witness to will	
Baker	Ellyn	Sister	
Baker	John	Nephew	
Baker	Robert	Brother in law	
Blunt	Robert	Overseer to will	
Cross	Thomas	Yeoman servant	
Daniell	Geoffray	Wife	
Ernley	Master John	Oversee to will	
Fisher	Thomas	Servant	
Franklyn	Daniell		
Hassolt	Robert		Yeoman
Jenning	Elizabeth	Yeoman servant	also Wesoe also Franklyn
Jones	Thomas	Servant	
Keretor	Eleanor	Servant	
Leed	John		
Lycetor	Thomas	Yeoman servant	
Mead	Hugh	Yeoman servant	
Stanley	Margery	Sister	
Watts	William	Yeoman servant	
Witnesses			
Axleford	Stephen		
Disutis	Christopher		
Etheridge	George		
Kingsmill	Richard		

Other Names			
Hutchins			Tenant
Leyson	Nicholas		Tenant
Piers	Peter		Tenant
Smythe	Ambrose		Tenant
True	John		Tenant
Turley	Edward		Tenant

In dei nomine Amen The ninth day of July anno domini 1558 and the fourth and fifth years of the reigns of our Sovereign Lord and Lady King Phillip and Queen Mary, I Geoffray Daniellⁱ of Saint Margaret'sⁱⁱ nigh unto Marlborough within the parish of Preshute in the county of Wiltshire, do make and ordain this my present testament and last will in manner and form following first I bequeath my soul to Almighty God, to our Lady Saint Mary and to all the holy company of heaven and my body to be buried in the parish churchⁱⁱⁱ of Preshute aforesaid and I do utterly revoke renounce and annihilate all and every other former testaments wills legacies bequests executors and overseers by me in any wise before this time made named willed and bequeathed: Item I give and bequeath unto the Cathedral Church of Sarum 5s. Item I do bequeath to my loving wife Margaret over and besides her jointure of such lands whereof she is joint purchaser with me for term of her life one hundred pounds of good current money to be paid to her executors or assigns within one year next after my decease Also I bequeath to her four hundred sheep which her son Thomas Franklin of Poulton hath of mine now going and feeding at Poulton, for the which four hundred sheep the said Thomas payeth to me yearly £20. Also I will and bequeath and my very mind is that Margaret my said wife during her natural life shall have the sole and occupation of such goods and other household stuffs without any waste or destruction in the same as shall remain in my dwelling house called Saint Margaret's and shall be contained in one bill inventory indented subscribed with my proper hand and bearing date of this present will. And after her death or decease the same goods and household stuffs wholly to remain and go to my executors hereafter named to their performance of this my present last will and testament; I give and bequeath and will more to my said wife to give her pleasure two featherbeds which she now occupys in her own chamber and one other bed that her maids lie upon with such apparel and furniture as doth now belong unto the same beds and chamber. Item I give and will unto Bridget Franklin daughter unto Richard Franklin at Overton in the county of Wilts all that my estate right title and interest for years which in any wise I have or of right may claim to and in the manors of Goldcliff, Nash and Colereye or in any of them in the county of Monmouthshire^{iv} together with my lease thereof which I have from the Kings College of Eaton within the County of Buckinghamshire and all my rents returned to me by my lease or leases out of the same lease to have and to hold for the said Bridget immediately from and after one year next following after the marriage of the said Bridget for and during all the whole years then to come to and in the same manors and lands in Monmouthshire and every of them to her own purpose and in the mean time and until the said Bridget shall be married my very^v will and mind is that the said Richard Franklin father to the said Bridget shall have occupy and enjoy the whole rents profits and commodities^{vi} of the said lands and manors of Goldcliff, Nash and Colereye if the said Richard Franklin shall live so long the said profits and commodities aforesaid to be returned by his life time as is aforesaid onto the manors and lands in Monmouthshire aforesaid to be and enter to such intent and purposes in this my last will and testament hereafter expressed that is to say the rents profits and commodities of the said manors in Monmouthshire aforesaid and of every of them for and by the peace of 4 years next after my decease to be and to ensure to the payment of my debts and after those four years determined than then the next year after the 4 years the whole profits and commodities of the said manors and the rents thereof wholly for that next year to ensure and to be to the sole and singular commodity of the said Richard Franklin as of my proper gift and bequest to him and the rents and profits and commodities of all the lands and manors in Monmouthshire aforesaid and every of them after the said five expired and ended then the profits rents and commodities of the residue of the said years which shall then to run afore the marriage of the said Bridget Franklin the same profits and commodities thereof out of the said manors and every of them so to be retained after the said 5 years determined and afore the marriage of the said Bridget to be paid by the said Richard Franklin father to the said Bridget unto the said Bridget within one year next after the marriage of the said Bridget provided always that the said Bridget shall not marry without the consent or good will of the said Richard Franklin father to the said Bridget or John Ernelye of Canning in the said county of Wiltshire esquire and Richard Kingsmill of Overton in the county of Wiltshire, gent or two of them or if all of them decease afore the marriage except one of them by the advice of the same out of them so surviving the rest. Also my will and my mind is that if Richard Franklin aforesaid should decease or die within four years next after my decease then so much of the profits as the said Richard Franklin in his life time hath retained of the said manors and lands in Monmouthshire or of any of them that the executors or administrators of the said Richard Franklin do make one sure and full account to the said John Ernely Richard Kingsmill

and William Franklin brother to the said Richard and uncle to the said Bridget and for further sums of money as the said Richard Franklin shall then have paid to any person or persons for any due debt in the lifetime of the said Richard the same and some other wholly to be allowed to the executors and administrators of the said Richard upon their said account to be made within six weeks after the decease of the said Richard Franklin and the residue of the money which the said Richard shall have retained on and above for the sums of money as he hath paid in his life time as is aforesaid for my debts that full payment to be made thereof within six weeks next after the decease of the said Richard Franklin by his executors and administrators to the said John Ernely Richard Kingsmill and William Franklin or any of them surviving others and the same surplus over and above the debts aforesaid with all the profits of the whole years then for .. after the decease of the said Richard Franklin after the debts paid as the aforesaid whole year to use and ensure to the said Bridget Franklin to be paid to her by the said John Ernely Richard Kingsmill and the said William Franklin or any of them surviving others at such time and under such condition as is afore limited and appointed as if the said Richard Franklin had lived until one year after the marriage of the said Bridget and furthermore I do will that of the means permitting of the said lease and manors in Monmouthshire which shall arise of the same afore her marriage and after the 5 years aforesaid appointed to Richard Franklin for payment of my debts and for his own owings one years profits that after these years accomplished that the said Bridget to have £10 a year during the same time towards the funding and upon the education of the said Bridget and the said Richard Franklin John Ernely and Richard Kingsmill and William Franklin and every of them to be allowed thereof his or their account not withstanding any thing afore remembered and I ordain and make executors of this my present last will and testament Richard Franklin Bridget Franklin and the said Richard Franklin to have the sole administration of this my present last will and testament until the one year after the marriage of the said Bridget Franklin if the said Richard Franklin shall so long live and if he shall decease before the said marriage then my true mind and will is that the said John Ernely Richard Kingsmill and William Franklin until one year next after the marriage of the said Bridget shall have the sole administration of all the said lands and manors in Monmouthshire as other my goods afore in any way appointed to the said Bridget. And after one year ended after the said Bridget shall be married then the whole residue of years of the said manors and lands in Monmouthshire to ensure and go to her solely as she shall be advised in her said marriage as aforesaid. And more on my very will and mind is that if it happens the said Bridget to decease or die before the time she be married as is aforesaid that then I will that one hundred pounds of money of the mean profits of the said manors and lands in Monmouthshire appointed and limited as aforesaid to the said Bridget as she had lived then in default of the said Bridget within one year after the decease of the said Bridget shall be paid and bestowed to my sister Ellyn Baker as is my gift and bequest to her if she shall then be living and if she be dead before the time of the payment appointed to her the same hundred pounds to be equally divided among the children by the oversight of Robert Baker their father and in like wise in default of the said Bridget if the should die afore her said marriage then after the said legacies performed and paid to my sister Ellyn or her children as is aforesaid within one year more after that in likewise of and out of the said mean profits and commodities of the said lands and manors in Monmouthshire then also to pay and deliver forty pounds for the daughter of my sister Margery late wife of William Starkey of Budworth in the county of Chester if she shall be then also living. The same sundry legacy last aforesaid to be paid by the said Richard Franklin or in default of him then by John Ernely, Richard Kingsmill and William Franklin according as I have disposed the said lease and manors in Monmouthshire as the said Bridget had still lived until she had married. And further my will is that if by fortune the said Bridget Franklin to decease before her said marriage that then the whole profits of the lands and manors in Monmouthshire aforesaid willed and bequeathed to the said Bridget except for the allowance aforesaid of £10 by the year to be bestowed in her lifetime upon her education and other legacy and bequests aforesaid to my said sisters and their children with all the whole profits commodities and residue of the whole years in Monmouthshire shall entire and wholly go and be to the said Richard Franklin to his proper use profit and commodity for evermore during the residue of the said years which shall remain unexpired after the decease of the said Bridget saving that my will and very mind is and I do charge the said Richard Franklin that if his fortune the said Bridget to decease afore her marriage by the advice aforesaid that then within 2 years next after the decease of the said Bridget Franklin he the said Richard Franklin his every executor or assigns bestow one hundred pounds of money in alms among the poor folk within seven miles of this town of Marlborough by the advice of the said John Ernely Richard Kingsmill and William Franklin and furthermore I give and bequeath to Robert Hassolt the trotting gelding which I bought of him and every one of my yeomen servants both men and women viz Thomas Leyceter, William Watts, Thomas Cross, Hugh Mead, Elizabeth Jennings also Wesoe also Franklin and Joan to every of them 20shillings the per[son] and to every servant at husbandry 10 shillings the per[son]. Item I give and bequeath unto Mr Robert Blunt gentleman one of my overseers hereafter named a beer cup of silver gilt Item I give and bequeath to Master John Ernely one of my overseers £5 Item I give to John Leed 20 shillings also I give to Thomas Leyceter my servant the house that Nicholas Leyson dwelleth in with the appurtenances to have and to hold to him for term of his life. The remainder thereof after his decease to Richard Franklin to his heirs to his and their purpose use and commodity for evermore. Item I give and bequeath to William Watt my servant the house or tenement with appurtenances that Edward Turley dwelleth in to have and to hold to him for term of his life. The remainder hereof after his decease to the said Richard Franklin and to his heirs for evermore. Item I give and bequeath to Thomas Jones my servant all the lands and tenements with their appurtenances in Marlborough that John now holdeth or occupies by any devise or lease thereof made from me to

him to have and to hold to him for term of his life; the remainder thereof after his decease to the said Richard Franklin and to his heirs forevermore. Item I give and bequeath to Robert Hassolt yeoman the house in which Hutchins dwelleth in situated lying and being in Marlborough with the appurtenances to have and to hold to him for term of his life; the remainder thereof after his decease to Richard Franklin and to his heirs for evermore. Item I give and bequeath to my nephew John Baker the house with the appurtenances which Peter Piers now dwelleth in situated lying and being in Marlborough aforesaid to have and to hold to him the said John and to the heirs of his body lawfully begotten and for default of such issue of his body to remain to his heirs in fee simple. Item I give and bequeath to Daniell Franklin a close lying near Marlborough now in the occupation of Ambrose Smythe and one quit rent going onto of a house or tenement now in the occupation of John True to have and to hold to the said Daniell and to the heirs of his body lawfully begotten and for default of such issue then to be and remain unto Thomas Franklin father to the said Daniell and to his heirs forever. Item I give and bequeath to Eleanor Keretor my maid servant 25 shillings 8 pence. Item I will all my servants be kept in the house one month next after my decease. Item I will that my wife shall have the sorting of 10 bullocks to go at pasture and feed in the Lease at Bynall from Holy Rood day in May unto Holly rood day the next after and the nourishing of my bullocks in the same lease during the natural life of my said wife if my years of the said lease do so long continue Item I give and bequeath to Thomas Fisher my servant 20 shillings and further my very will and intent is that if any ambiguity or doubt should hereafter grow or arise concerning this my testament and last will that then the same to be advised and determined by the same John Ernely and Richard Kingsmill. Item I give and bequeath to Mr Richard Kingsmill one of my overseers a gilt bowl. Item I give and bequeath to Steven Axleford a silver bowl. These being witness Richard Kingsmill, George Etheridge, Christopher Disutis and Stephen Axleford.

Proved at London on 4th February 1561, Richard Franklin executor - Bridget Franklin came with him.

Transcribers Notes – see separate page following

ⁱ Geoffray Daniell was a JP and gentleman of Marlborough in the service of both Ann of Cleves and Catherine Parr as surveyor. He sat as MP for Devizes which was in the Queen's gift. He was a native of Cheshire but is living and paying tax in Marlborough in 1543 when he leased lands formerly belonging to Jane Seymour. He was of the Inner Temple in London and obviously in and around the Court in London. By 1537 he was married to Margaret widow of one Godwin of Chippenham and of Richard Hitchcock.

ⁱⁱ St Margaret is now part of Marlborough but was then in the parish of Preshute. It is the name of a manor which took its name from the priory of St Margaret. The Manor passed to the Crown at the Dissolution. From 1539 the site of the priory was held in dower by the queens of Henry VIII, (fn. 232) but in 1544 the king granted it to Geoffrey Daniell with tenements in Marlborough and Newbury Street. (fn. 233) Geoffrey died c. 1561 and in 1604 his nephew William Daniell, M.P. for Marlborough in 1558 and 1559, died seized of the manor, (fn. 234) which passed in the direct male line to William (d. 1621), William, Geoffrey (d. 1681), M.P. for Marlborough in 1660 and 1661, (fn. 235) and William Daniell (d.s.p. 1698), M.P. for Marlborough 1695–8.

The manor house, called St. Margaret's Farm or the Old Monastery, stood at the junction of the Marlborough-Salisbury road and Isbury Road until demolished c. 1930. It was of stone rubble and flint, with stone dressings and roofed with stone tiles, five bays wide with an extension. (fn. 241) The lower courses of a priory building and fragments of the house occupied by the Daniells, including the date 1680 on a south wall, are said to have been part of the house in the early 20th century when some medieval woodwork apparently survived in it. (fn. 242) Robert Cecil, earl of Salisbury, may have died there in 1612. (fn. 243) From: 'Parishes: Preshute', A History of the County of Wiltshire: Volume 12: Ramsbury and Selkley hundreds; the borough of Marlborough (1983), pp. 160-184. URL: <http://www.british-history.ac.uk>

ⁱⁱⁱ Parish Church was St George, Preshute

^{iv} Goldcliff and Nash are in Monmouthshire and are parishes within Newport

^v Very in this context means 'true'

^{vi} Commodities in this context means conveniences, advantages or profits