

SUMMARY: The document below is the will, dated 26 July 1596, of Henry Jerningham (d. 15 June 1619), who in 1596 sold his mansion in the Blackfriars to George Carey (1548–1603), 2<sup>nd</sup> Baron Hunsdon.

The testator lived many years after the making of the will below. He made a further will on 7 May 1607, and according to the funeral certificate of the College of Herald, died 15 June 1619 and was buried at St Margaret's, Westminster. See NRO JER 247 55X1, and Historical Manuscripts Commission, Tenth Report, Appendix, Part IV, *The Manuscripts of the Earl of Westmorland, Captain Stewart, Lord Stafford, Lord Muncaster, and Others*, (London: Eyre and Spottiswoode, 1885), p. 162 at:

<https://books.google.ca/books?id=BJARAQAAMAAJ&pg=PA162&lpg=PA162&dq=%22Jernegan%22+%227+May+1607%22&source=bl&ots=FAffJaTrZw&sig=miYnFp4rUNhbGhjyMETmYp2-djs&hl=en&sa=X&ei=iKZcVbmRG4KqogSgsIDAAG&ved=0CB0Q6AEwAA#v=onepage&q&f=false>.

See also Betham, William, *The Baronetage of England*, (Ipswich: Burrell and Bransby, 1801), Vol. I, p. 229 at:

[https://books.google.ca/books?id=LIQOAAAQAAMAAJ&pg=PA227&lpg=PA227&dq=%22Henry+Jernegan%22+%22Oxburgh%22&source=bl&ots=D5oob5zK0d&sig=IEyAzMoiIznQZ609VTQzbr7MBFE&hl=en&sa=X&ei=EOFMVe\\_BDczxoASlp4G4DA&ved=0CDoQ6AEwCQ#v=onepage&q=%22Henry%20Jernegan%22%20%22Oxburgh%22&f=false](https://books.google.ca/books?id=LIQOAAAQAAMAAJ&pg=PA227&lpg=PA227&dq=%22Henry+Jernegan%22+%22Oxburgh%22&source=bl&ots=D5oob5zK0d&sig=IEyAzMoiIznQZ609VTQzbr7MBFE&hl=en&sa=X&ei=EOFMVe_BDczxoASlp4G4DA&ved=0CDoQ6AEwCQ#v=onepage&q=%22Henry%20Jernegan%22%20%22Oxburgh%22&f=false).

See also Burke, Arthur Meredyth, *Memorials of St Margaret's Church, Westminster: The Parish Registers 1539-1660*, (London: Eyre & Spottiswoode, 1914), p. 515 at:

<https://archive.org/stream/memorialsfstmar00westrich#page/514/mode/2up>.

See also Druery, John Henry, *Historical Notices of Great Yarmouth in Norfolk and the Half Hundred of Lothingland in Suffolk*, (London: Nichols & Son, 1826), p. 179 at:

[https://books.google.ca/books?id=DUIjAAAAMAAJ&pg=PA176&lpg=PA176&dq=%22Henry+Jernegan%22+%22Oxburgh%22&source=bl&ots=TFs7XOt-XD&sig=QzeZVHPrkgd46MIYlho2VNQ8XCk&hl=en&sa=X&ei=EOFMVe\\_BDczxoASlp4G4DA&ved=0CCYQ6AEwAg#v=onepage&q=%22Henry%20Jernegan%22%20%22Oxburgh%22&f=false](https://books.google.ca/books?id=DUIjAAAAMAAJ&pg=PA176&lpg=PA176&dq=%22Henry+Jernegan%22+%22Oxburgh%22&source=bl&ots=TFs7XOt-XD&sig=QzeZVHPrkgd46MIYlho2VNQ8XCk&hl=en&sa=X&ei=EOFMVe_BDczxoASlp4G4DA&ved=0CCYQ6AEwAg#v=onepage&q=%22Henry%20Jernegan%22%20%22Oxburgh%22&f=false).

The testator was the son of Sir Henry Jerningham (d. 6 September 1572), for whose will see TNA PROB 11/55/240, and Frances Baynham Jerningham, for whose will see TNA PROB 11/66/340. The testator had two brothers, Philip and William, and a sister Mary, all of whom predeceased him, and another sister, Jeromine, who married Sir Charles

Waldegrave and is left a bequest in the will below as ‘my sister Waldegrave’. For further details concerning the testator’s brothers and sisters, see the will of his mother, *supra*.

The testator married firstly Eleanor Dacre, the daughter of William Dacre (29 April 1500 – 18 November 1563), 3<sup>rd</sup> Baron Dacre of Gillesland, and Elizabeth Talbot (died c.1559), fifth daughter of George Talbot, 4<sup>th</sup> Earl of Shrewbury, by Anne Hastings, daughter of William Hastings (c.1430-1483), 1<sup>st</sup> Baron Hastings, Chamberlain to Edward IV. Eleanor Dacre was the sister of Magdalen Dacre (1528-1608), who in 1556 married, as his second wife, Anthony Browne (1526-1592), 1<sup>st</sup> Viscount Montagu, grandfather of Shakespeare’s dedicatee, Henry Wriothesley, 3<sup>rd</sup> Earl of Southampton. See the *ODNB* articles for William Hastings (c.1430-1483), 1<sup>st</sup> Baron Hastings; William Dacre (29 April 1500 – 18 November 1563), 3<sup>rd</sup> Baron Dacre of Gillesland; Anthony Browne (1526-1592), 1<sup>st</sup> Viscount Montagu; Magdalen Dacre Browne (1538–1608), Viscountess Montagu; and the entry for Dacre in Cokayne, George Edward, *The Complete Peerage*, (London: St Catherine Press, 1916), Vol. IV, pp. 21-3.

By his first wife the testator is said to have had five sons and a daughter:

\* Henry Jerningham (d. 1 September 1646), created baronet in 1621, who married Eleanor Throckmorton, the daughter of Sir Thomas Throckmorton (d. 13 March 1614), only surviving son of Sir Robert Throckmorton (d.1581). Eleanor Throckmorton’s mother was Margaret Whorwood, the daughter of William Whorwood, Attorney General to Henry VIII. See the will of Sir Robert Throckmorton, TNA PROB 11/63/176; Druery, *supra*, p. 179; and the pre-nuptial settlement in 1592 for the marriage of Henry Jerningham and Eleanor Throckmorton, D641/3/B/1/1a-b at:

<http://discovery.nationalarchives.gov.uk/details/rd/6cb48801-da79-47f8-a7f9-9523a92f7107>.

See also:

<https://groups.google.com/forum/#!topic/soc.genealogy.medieval/H1LiuR7vsyY>.

For Henry Jerningham’s marriage to Eleanor Throckmorton, see also Betham, *supra*, pp. 492-3 at:

[https://books.google.ca/books?id=LIQOAAAAQAAJ&pg=PA488&lpg=PA488&dq=%22Betham%22+%22Thomas+Throckmorton%22&source=bl&ots=D5oobdFHWc&sig=P BbgS6vMA\\_bpNSER4OlSyVGeSLQ&hl=en&sa=X&ei=IzBOVbQGjrWiBPeqgPAH&ved=0CCwQ6AEwAw#v=onepage&q=%22Betham%22%20%22Thomas%20Throckmorton%22&f=false](https://books.google.ca/books?id=LIQOAAAAQAAJ&pg=PA488&lpg=PA488&dq=%22Betham%22+%22Thomas+Throckmorton%22&source=bl&ots=D5oobdFHWc&sig=P BbgS6vMA_bpNSER4OlSyVGeSLQ&hl=en&sa=X&ei=IzBOVbQGjrWiBPeqgPAH&ved=0CCwQ6AEwAw#v=onepage&q=%22Betham%22%20%22Thomas%20Throckmorton%22&f=false).

\* Thomas Jerningham, who married the widow of a citizen of Norwich.

\* William Jerningham, who died unmarried.

\* George Jerningham, who married Eleanor Philpot, the daughter of Sir George Philpot of Hampshire.

\* Edward Jerningham.

\* Anne Jerningham, who in 1587 married John Arundel, the son of Sir John Arundel of Lanherne (d.1590) by Anne Stanley, daughter of Edward Stanley (1509-1572), 3<sup>rd</sup> Earl of Derby, and Dorothy Howard. On 20 June 1571 Sir John Arundel (d.1590) was appointed surveyor of Oxford's lands in Devon and Cornwall, and in 1575 purchased all Oxford's manors in Cornwall. See the *ODNB* entry for Edward Stanley, 3<sup>rd</sup> Earl of Derby; the will of Sir John Arundel (d.1590), TNA PROB 11/76/403; and CRO, AR/19/50–52 at:

<http://discovery.nationalarchives.gov.uk/details/rd/f0455778-7607-48e2-9365-48afb8688038>.

See also:

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2629148/>.

The testator married secondly his second cousin, Frances Jerningham, one of the four daughters and co-heirs of John Jerningham of Somerleyton by his wife, Catherine Brooke (1544-1617?), the daughter of George Brooke (c.1497-1558), 9<sup>th</sup> Baron Cobham, and sister of William Brooke (1527-1597), 10<sup>th</sup> Baron Cobham. For her family, see the will of her first husband, Thomas Bedingfield (d. 19 April 1590), TNA PROB 11/76/276.

At the time of her marriage to the testator, Frances was the widow of Thomas Bedingfield (d. 19 April 1590), by whom she had two sons, Sir Henry Bedingfield (21 May 1586 – 22 November 1657) and William Bedingfield. The testator mentions in the will below that he was granted his stepson's wardship. For the testator's stepson and ward, Sir Henry Bedingfield, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1604-1629/member/bedingfield-sir-henry-1586-1657>.

By his second wife, Frances, the testator is said to have had a son, Francis, and a daughter, Anne, as well as two other daughters who were buried at Costessey on 24 February 1615. See Betham, *supra*, p. 229. The testator's son by his second marriage, Francis Jerningham, would appear to be the Francis Jerningham mentioned as her nephew in the will of the testator's sister-in-law, Catherine Jerningham Crane Carey (d.1614), TNA PROB 11/123/225.

In the will below the testator mentions his daughter, Ellen:

*Item, I do give unto my daughter, Ellen Jerningham, and to my brother & sister Throckmorton, to every of them one ring of gold of the value of 40s.*

Ellen Jerningham may have been the testator's daughter by his second wife, Frances. Alternatively, since the testator's bequest to her is combined with a bequest to 'my brother & sister Throckmorton', she may have been the testator's daughter-in-law, Eleanor Throckmorton.

The testator also had a son, Ferdinando Jerningham, baptized at Oxburgh on 21 August 1597. See the Oxburgh parish register ('fferdinando ye sonne of Henry Jarnigan Esquier & ffra{u}ncis his wife was bapt the xxj of August in oratorio proprio'), and Bedingfield, Katherine, *The Bedingfields of Oxburgh*, 1912, pp. 52-6 at:

<https://archive.org/stream/bedingfeldsofoxb00bedi#page/54/mode/2up>.

It should be noted that Bedingfield, *supra*, is in error in stating that the testator's second wife, Frances, died in 1598. She was buried at Costessey on 24 February 1616 [New Style]. See the Costessey parish register ('ffraunces Iernengan the wyfe of Henry Iernengan Esquire buried the xxiiijto of february'), and Ryan, Patrick, 'Diocesan Returns of Recusants for England and Wales 1577', *Catholic Record Society, Miscellanea XII*, (London: M. Whitehead & Son Ltd., 1921), p. 58 at:

<https://archive.org/stream/miscellaneaxii22unknuoft#page/58/mode/2up>.

The will below reveals that the testator was heavily in debt, and it was perhaps for that reason that he sold his mansion in the Blackfriars in 1596 to George Carey (1548–1603), 2<sup>nd</sup> Baron Hunsdon. See SRO D641/3/A/8/1.

In the 1596 will below, the testator allocates the revenues from the lands of his ward and stepson towards the payment of his debts. It seems likely that the later will made by the testator on 7 May 1607 was occasioned by the coming of age of his ward and stepson in that year, since the revenues from his ward's lands were from that time on no longer available for the payment of the testator's debts.

'Lady Paulet', to whom the testator leaves a bequest in the will below, may have been Anne (nee Whalley), the widow of Giles Paulet (d.1580), fourth son of Sir William Paulet, Marquess of Winchester. See Ryan, *supra*, p. 59, and Erler, Mary C., *Reading and Writing During the Dissolution*, (Cambridge: Cambridge University Press, 2013), p. 60 at:

[https://books.google.ca/books?id=C-AuC3ERluYC&pg=PA60&lpg=PA60&dq=%22Giles+Paulet%22&source=bl&ots=0xfkMHJMcp&sig=lm-W\\_Pb4AFiLFjv4sVwekYniPJk&hl=en&sa=X&ei=TGZRVfDXHs38oQS3p4CwCA&ved=0CFAQ6AEwDg#v=onepage&q=%22Giles%20Paulet%22&f=false](https://books.google.ca/books?id=C-AuC3ERluYC&pg=PA60&lpg=PA60&dq=%22Giles+Paulet%22&source=bl&ots=0xfkMHJMcp&sig=lm-W_Pb4AFiLFjv4sVwekYniPJk&hl=en&sa=X&ei=TGZRVfDXHs38oQS3p4CwCA&ved=0CFAQ6AEwDg#v=onepage&q=%22Giles%20Paulet%22&f=false).

Alternatively, 'Lady Paulet' may have been Frances (nee Neville) Waldegrave Paulet (d.1599), who married firstly, Sir Edward Waldegrave (1516/17-1561), by whom she was the mother of the testator's son-in-law, Sir Charles Waldegrave, and secondly, Chidiock

Paulet (1521?-1574), second son of William Paulet (1474/5?-1572), 1st Marquess of Winchester. See Jones, Edward Alexander and Alexandra Walsham, eds., *Syon Abbey and its Books*, (Woodbridge: Boydell Press, 2010), p. 218, and the *ODNB* entry for William Paulet (1474/5?-1572), 1st Marquess of Winchester. Although Chidioc Paulet refers to himself as 'esquire', in his will, indicating that he was never knighted, he also terms himself 'Lord Chidioc Paulet', and it thus seems possible that his wife, Frances Neville Waldegrave Paulet, may have been known as 'Lady Paulet'. See the will of Chidioc Paulet, dated 15 August 1574 and proved 14 March 1575, TNA PROB 11/57/143.

In dei nomine Amen. The 26<sup>th</sup> day of July Anno Domini 1596 & Anno Regni Regine Elizabeth xxxvijno, I, Henry Jerningham of Oxburgh in the county of Norfolk, esquire, being at this present in reasonable health of body & of good & perfect remembrance, praised be Our Lord, do ordain & make this my last will & testament in manner & form following:

First I commend my soul into the hands of Almighty God, trusting assuredly to be saved by & through the merits of Jesus Christ, mine only Saviour & Redeemer, and my body to be buried in the parish church of Costessey where the bodies of my late parents were buried;

Also I will that upon the day of my burial there shall be distributed in alms upon such of the poorest people as shall be there present the sum of six pounds thirteen shillings & four pence;

And for the relief of the poorest prisoners in Norwich three pounds six shillings eight pence;

And 24 gowns either of black coarse cloth or frieze, according to the time of the year, to be worn by 24 poor men & women to be chosen in Costessey or other towns adjoining upon the day of my burial;

And whereas by the last will of my father, Sir Henry Jerningham, knight, deceased, I am charged with the maintenance of an hospital or almshouse at St Olave's in Suffolk, in the execution of the which will in manner & form therein declared I have been someways slack & negligent, notwithstanding that I have received the yearly revenues of the lands wherewith the charges of the maintenance of the said hospital were to be defrayed, in consideration therefore thereof I have left the said lands to descend unto my son & heir, that after my decease he have due care & regard for th' accomplishment of his grandfather's mind & will in all things concerning the maintenance of the said almshouse, and do also as soon as he may conveniently out of the revenues of the said lands after my decease make an orderly supply of such things concerning the same as have been by me omitted;

And whereas also by the last will of the Lady Frances Jerningham, my mother, deceased, to whom I was executor, certain money to the sum of four hundred marks was to be employed to certain uses in the said will expressed, her will wherein as yet is unaccomplished, for the discharge of mine own conscience I do require mine executor of this my last will to pay the same money to such uses as in the said will are appointed, and also to deliver, satisfy & pay all other due legacies in the same will bequeathed & not yet discharged;

Also whereas I am indebted to divers & sundry persons in great sums of money for the repayment whereof I stand bound with divers of my very good friends, which debts if they shall not be in due time [f. 2] discharged may tend to the great loss & prejudice as well of my principal creditors as of those which stand bound with me, my special request & desire is that my executor shall immediately after my decease take such order for the discharging of all my debts as neither creditor nor any surety of mine may be damnified or put to loss thereby, towards the performance whereof I do will & give unto Frances, my wife, the wardship of the body of her son, Henry Bedingfield, and also the lease of his lands the which I do hold of the Queen's Majesty during the minority of the said Henry Bedingfield upon this condition, that my said wife shall take upon her the execution of this my will & also the discharge of all my due debts;

Item, I do give unto my said wife all my goods and household stuff at Oxburgh House which I bought of the executor of her late husband, Thomas Bedingfield, esquire, deceased;

Item, I do give unto her, my said wife, all my plate except such as is before disposed to my children & others by my father & mother in their last wills, as by the same do & may severally appear, and what hath been thereof by me sold, the same to be supplied;

Item, I do give unto my said wife all my stoned horses, geldings & nags, and also all my sheep & other cattle, & all sums of money due unto me by any manner of means, & all other my goods whatsoever remaining at Oxburgh or elsewhere;

Item, I do give unto my said wife all my stuff & furniture of household both at Costessey & Wingfield, saving such as is disposed by either my father & mother in their wills before;

Item, I do give unto Henry Jerningham, my son, all my armory with all the furniture thereof;

And whereas by the last will of my father certain plate was given unto me, viz., one great gilt basin & ewer, two great gilt livery pots, one small goblet of gold with a cover, & one great goblet all gilt with a cover called the Monk's Hood, with this charge expressed in the said will, that I should neither sell nor put away any of the parcels aforesaid, but that the same to remain to the use of myself & to my heirs males forever, and whereas also by the last will & testament of my late mother certain plate was give to my children, viz., to my said son, Henry Jerningham, one basin & ewer of silver, the verge of the basin

embossed & fair gilt, & one pair of great livery pots parcel gilt, in like sort as before to remain to his heirs, in accomplishment & performance of the said several wills of my said parents I will that within forty days after my decease mine executor [f. 3] shall deliver unto my said son, Henry, all those parcels of plate before recited which I will he shall have with like charge as they were left unto me, which is that he shall never sell them, but keep them to the use of himself & of his heirs males forever;

Item, I do give unto him his grandfather's gown of satin furred with lucerns, & my best velvet cloak;

Item, I do give unto my daughter, Ellen Jerningham, and to my brother & sister Throckmorton, to every of them one ring of gold of the value of 40s;

And to my Lady Paulet, my sister Waldegrave, & my daughter Arundel, to every of them a jewel of the value of 100s for a remembrance of my goodwill;

Item, I do confirm by this my last will unto my four sons, Thomas, William, George & Edward, the grant of their several annuities which I have sealed & delivered to their uses & remain in the custody of Mr Dereham;

And I do require my wife to give unto every of them, my said four sons, one bedstead & featherbed full furnished, & two pair of sheets & also hangings of arras or tapestry to furnish every of them a chamber;

And further to give unto my son, Thomas, one of my geldings which I do use to ride upon, with one of my velvet saddles & other furniture thereto belonging;

Item, I will that the plate given unto him & to his other said brothers by their grandmother's will be delivered unto them within three months after my decease, with their christening plate, if any there be;

And of my special gift & legacy I do give to every of my said four sons so many ounces of my plate as shall be worth ten pounds, or else ten pounds of money to every of them to buy plate at the election of mine executor;

Item, I do give to Richard Bodney, my servant, one annuity of £15 by year during his natural life upon condition that he shall serve my son, Henry, if my said son will accept of his service, & add to this my gift 100s by year;

Item, I do give to John Clerke one annuity of £10 by year during his natural life, to John Messenger 100s by year during his life, to Robert Harman 100s by year during his life, to Thomas Harman 60s by year during his life, upon condition that they shall not refuse to serve my said son if he shall require them to serve him, & shall give unto every of them such entertainment & wages over & besides their said annuities as they had of me in my lifetime;

Item, I do give unto all the residue of my servants one whole year's wages & their meat & drink in my house for one month next after my decease;

The residue of my goods & [f. 4] [-&] chattel[s] whatsoever & wheresoever, if any be not before given & bequeathed in this my last will, I do give & bequeath unto my well-beloved wife, Frances Jerningham, whom I do make, ordain & appoint to be sole executor of this my last will & testament, & do most earnestly require her to have special care for the discharge of all my debts;

The burden whereof, if she shall think too great to take upon her, & by advice of her friends shall refuse to execute this my last will, then for the avoiding of all inconveniences which may happen thereby, as well in danger to my soul['s] health, which I am principally to look unto, as also in the saving of my creditors harmless & such as are bound for me in sundry obligations upon great penalties, I do revoke all my legacies before set down in this my will, the annuities to my sons & servants & my other servants' wages for one whole year & the alms at my burial excepted, and do desire my brother Waldegrave to take upon him to be mine executor, and then for & towards the discharge & payment of all my said debts I give & bequeath unto him all mine interest, title & right that I have to the wardship & custody of the body of Henry Bedingfield aforesaid & to all the lands which I have in lease of the Queen's Majesty during the minority of the said ward;

Of both which, if it shall happen by the decease of the said ward (which God forbid) or otherwise that there cannot be such sufficient sums of money raised & provided as therewith my debts may not be fully satisfied & discharged, then for supply of that which wanteth for the payment of my said debts I do further give unto my said brother Waldegrave all my plate except such as is given & appointed by the wills & testaments of my father & mother, & all my household stuff, & all my other goods & chattels whatsoever, & all sums of money to me by any manner of means due, of all which the whole revenues, profits, prices & sums of money being to the best & uttermost proof & value made & by my said executor received & had, I will & my mind is that first my debts be fully discharged, and after that a true & perfect account by him be made unto my said wife, as well of all his whole receipts [f. 5] as of his payments, and lastly, out of the surplusage & remainder of money thereof coming & being, I do give unto my said executor £40 for his travail & pains in th' execution of this my last will, so as the residue of that money which then shall remain be by him paid unto my said wife towards the maintenance & preferment of my daughter, Frances Jerningham, to whose use I do give the same, & will that it be presently paid as aforesaid upon the determination of the said account or within such convenient time after as to my said wife shall be thought reasonable;

Provided always nevertheless & my meaning & desire is that my said wife shall have the preferment of any the plate, household stuff, cattle or any other goods that shall be sold at such price as shall be rated & valued by indifferent pricers;

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Provided also always and my intent & meaning is that so long as my said executor shall & may lawfully enjoy the said lease lands of Henry Bedingfield aforesaid, no sale be made of my foresaid plate, household stuff, cattle or other goods, but all to remain & be to such uses as above before in the first part of this my will expressed & set down;

Supervisors of this my last will I do make Mr Dereham & (blank), & I do give to either of them for their pains to be taken the sum of (blank) apiece;

In witness & testimony that this is my last will I have subscribed my name to every leaf of the same the day & above-written.