

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 30 April 1602, together with a codicil dated 5 February 1603, proved 16 April 1603, of Lord Burghley's brother-in-law, Sir Henry Killigrew (1525x8–1603), whose nephew, Sir Maurice Berkeley (c.1577-1617), was the half brother of Thomas Russell (1570-1634), overseer of the will of William Shakespeare of Stratford upon Avon.

For a letter written by the testator from Edinburgh on 18 July 1574 reporting 'That my Lord of Oxford and my Lord Seymour were fled out of England & passed by Bruges to Brussels', see TNA SP 15/26/1, f. 73.

### ***FAMILY BACKGROUND***

The testator was the fourth son of John Killigrew of Arwenack (in Falmouth), Cornwall, and Elizabeth Trewinard, daughter of James Trewinard. See the *ODNB* entry for the testator, and the Killigrew pedigree in Vivian, J.L., ed., *The Visitations of Cornwall*, (Exeter: William Pollard, 1887), p. 268 at:

<https://ukga.org/england/Cornwall/visitations/p268.html>

See also the Killigrew pedigrees in *Journal of the Royal Institution of Cornwall*, Vol. IX, 1886-1889, (Truro: Lake and Lake, 1889), p. 179 at:

<https://books.google.ca/books?id=3OAKAwAAQBAJ&pg=PA181>

See also Tregellas, Walter H., *Cornish Worthies*, Vol. II, (London: Elliot Stock, 1884), p. 119 at:

<https://books.google.ca/books?id=XfQKAAAAYAAJ&pg=PA119>

### ***Testator's siblings***

According to the Killigrew pedigree, the testator had four brothers and five sisters:

**-Sir John Killigrew** (d. 28 February 1584) of Arwenack, eldest son and heir to his father, who married Mary Wolverston, the daughter of Philip Wolverston [=Wolfreston?], esquire, of Wolverstone Hall, Suffolk. See the memorial inscription in Oliver, S. Pasfield, *Pendennis & St. Mawes*, (Truro: W. Lake, 1875), p. 10 at:

<https://books.google.ca/books?id=9cwHAAAAQAAJ&pg=PA10>

See also the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/killigrew-john-i-1584>

*1st s. of John Killigrew, and bro. of Henry and William. m. Mary, da. of Philip Wolverston of Wolverstone Hall, Suff., wid. of Henry Knyvet, 3s. inc. John II 2da. suc. fa. c.1568. Kntd. 25 Dec. 1576.*

See also the indenture of sale dated 2 July 1573, TNA WARD 2/2/7A/2, by which Philip Wolverston alias Wolfreston of London and Frances, his wife, sold the manor of Wolveson alias Wolfreston Hall in Suffolk.

According to the History of Parliament and the Knyvet pedigree in Vivian, *supra*, p. 272, Sir John Killigrew's wife was the widow of Henry Knyvet, whose identity is unclear. According to Vivian he was the nephew of Sir Thomas Knyvet (c.1485–1512), who married Muriel Howard, and was either (1) the son of Sir Thomas Knyvet of Ashwellthorpe, Norfolk, or (2) of the son of Edmund Knyvet (1490 – 1 May 1539), esquire, of Ashwellthorpe, Sergeant Porter to Henry VIII, by Jane Bouchier, daughter and heir of John Bouchier (d. 19 March 1533), Lord Berners, by Katherine Howard (d. 12 March 1536), daughter of John Howard, Duke of Norfolk. However according to Richardson, Edmund Knyvet and Jane Bouchier did not have a son named Henry. See Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, pp. 361-2, Vol. II; p. 190.

According to Emerson, Sir John Killigrew's wife was the widow of *Thomas* Knyvet (died c.1553), by whom she had a *son*, Henry Knyvet. See:

[http://www.tudorwomen.com/?page\\_id=715](http://www.tudorwomen.com/?page_id=715)

*Mary Wolverston (d. before 1617) was the daughter of Philip Wolverston of Wolverstone Hall, Suffolk, a "gentleman pirate." She married Thomas Knyvett (d.c.1553), by whom she had a son, Henry.*

**-Peter Killigrew**, second son, who married Ellen Higgins of Worcestershire.

**-Thomas Killigrew** (d. before 1558), third son, who died without issue.

**-Sir William Killigrew** (d. 23 November 1622), fifth son, who married Margery Saunders. For his will, dated 18 March 1618 and proved 30 November 1622, see TNA PROB 11/140/505. For Margery Saunders, see her will, dated 22 May 1623 and proved 14 June 1625, TNA PROB 11/146/44, and:

[http://www.tudorwomen.com/?page\\_id=707](http://www.tudorwomen.com/?page_id=707)

*Margery or Margaret Saunders (1545-June 1625) was the daughter of Thomas Saunders of Uxbridge, Middlesex and Elizabeth Wolman. On June 25, 1563, she married Robert Wolman or Woolman (1538-1571), a London mercer. In 1572, she married John Leigh of*

*Coldrey in Froyle, Hampshire (1534-January 19, 1576). They had a son, John Leigh (April 1575-January 6, 1612). In 1576, Margaret enclosed the cemetery in Windsor Street Green in Uxbridge. In 1577, she married Sir William Killigrew of Lothbury, London and Hanworth, Middlesex (1545-November 23, 1622), gentleman pensioner and later vice chamberlain to Elizabeth Tudor. Their children were Robert (1578/9-May 1633), Catherine (1579-1641), and Elizabeth (1580-May 1626). The Killigrews were always in debt but they kept a large house in Lothbury.*

See also the wills of her father, Thomas Saunders (d.1565) of Uxbridge, TNA PROB 11/48/283, and her brother, Nicholas Saunders (19 July 1552 - 7 April 1605), esquire, TNA PROB 11/105/567.

As noted above, Sir William Killigrew's son-in-law, Sir Maurice Berkeley, was the half brother of Thomas Russell (1570-1634), overseer of the will of William Shakespeare of Stratford upon Avon. Thomas Russell was the son of Sir Thomas Russell (d. 9 April 1574) of Strensham and his second wife, Margaret Lygon (d.1617), the daughter of William Lygon (d. 29 September 1567) by Eleanor Dennis, the daughter of Sir William Dennis of Dirham, Gloucestershire. After the death of Sir Thomas Russell, Margaret Lygon married Sir Henry Berkeley (d.1601), by whom she was the mother of Sir Maurice Berkeley. See Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. II, p. 407, and Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. III, p. 23. See also the will of Sir Thomas Russell (d. 9 April 1574) of Strensham, TNA PROB 11/57/83; the will of Margaret (nee Lygon) Russell Berkeley (d.1617), TNA PROB 11/129/781; and the will of Thomas Russell (1570-1634), TNA PROB 11/165/424. See also Hotson, Leslie, *I, William Shakespeare, Do Appoint Thomas Russell, Esquire*, (London: Jonathan Cape, 1937), pp. 21-6, 29, 112-13, 124-7, 203, 210, 260 and pedigree chart.

**-Alice Killigrew**, who married Richard Bonython of Carclew, Cornwall.

**-Jane Killigrew**, who married John Michell.

**-Margaret Killigrew**, who on 24 June 1552 married Sir Francis Godolphin (c.1534-1608), for whom see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/godolphin-sir-francis-1534-1608>

**-Grace Killigrew**, who married John Tretherffe [=Trefry?]. See the Killigrew pedigree in Vivian, *supra*, p. 268. In the Trefry pedigree, however, her Christian name is Elizabeth, and she is said to have married *Thomas* Trefry, nephew of William Trefry (d.1504?). See Vivian, *supra*, p. 459 at:

<https://ukga.org/england/Cornwall/visitations/p459.html>

See also Gilbert, C.S., *An Historical Survey of the County of Cornwall*, Vol. II, (London: Longman, Hurst, 1820), p. 278 at:

<https://books.google.ca/books?id=Ers4AQAAMAAJ&pg=PA278>

**-Amy Killigrew.**

## ***MARRIAGES AND ISSUE***

### ***Testator's first marriage***

The testator married firstly Katherine Cooke (c.1542 – 27 December 1583), sister of Mildred (nee Cooke) Cecil (24 August 1526 – 4 April 1589), Lady Burghley. See the entry for Katherine Cooke at:

[http://www.tudorwomen.com/?page\\_id=667](http://www.tudorwomen.com/?page_id=667)

*On November 4, 1565 she married Henry Killigrew (c.1528-1603) in the church of St. Peter le Poor, London. . . . They had four daughters, Anne (d. 1632), Elizabeth (d.1626), Mary (d. before 1592), and Dorothy (d.1643) and lived primarily at Killigrew's estate at Hendon and his house in St. Paul's Churchyard in London. . . . A stillborn son was born December 21, 1583 and she died six days later.*

See also Ballard, George, *Memoirs of Several Ladies of Great Britain*, (Oxford: W. Jackson, 1752), p. 202 at:

<https://books.google.ca/books?id=GnxBAAAAYAAJ&pg=PA202>

By Katherine Cooke, the testator had four daughters (all of whom were first cousins of Oxford's first wife, Anne Cecil):

\* **Anne Killigrew** (d.1632), who married firstly Sir Henry Neville (1561/2-1615), and secondly George Carleton (1557/8-1628), Bishop of Chichester, for whom see the *ODNB* entries.

\* **Elizabeth Killigrew** (buried 10 June 1638?), who married firstly Sir Jonathan Trelawny (1568-1604), secondly Sir Thomas Reynell of Oghwell, and thirdly Sir Nicholas Lower (d. 17 May 1655). See the Trelawny pedigree in Vivian, *supra*, p. 476, the Killigrew pedigree p. 268, and the Lower pedigree, p. 300 at:

<https://books.google.ca/books?id=t0U7AQAAlAAJ&pg=PA300>

\* **Mary Killigrew** (d. before 1592), who married, as his first wife, Sir Reginald Mohun (d.1639). See the Mohun pedigree in Vivian, *supra*, p. 325 at:

<https://ukga.org/england/Cornwall/visitations/index.html>

\* **Dorothy Killigrew** (d.1643), who married Sir Edward Seymour (c.1580-1659) of Berry Pomeroy, Devonshire. Dorothy Killigrew's husband, Sir Edward Seymour, was the eldest son of Edward Seymour (c.1563-1613), eldest son of Lord Edward Seymour (1529-1593), second son of Edward Seymour (c.1500-1552), 1<sup>st</sup> Duke of Somerset. See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/seymour-edward-ii-1580-1659>

*b. c.1580, 1st s. of Edward Seymour I. educ. M. Temple 1598. m. 15 Dec. 1600, Dorothy (d.1643), da. of (Sir) Henry Killigrew by his 1st w. Catherine, da. of Sir Anthony Cooke of Gidea Hall, Essex, 6s. 6da. Kntd. 1603; suc. fa. as 2nd Bt. 1613.*

See also the pedigree of Seymour of Berry Pomeroy in Vivian, J.L., *The Visitations of the County of Devon*, (Exeter: Henry S. Eland, 1895), pp. 702-3 at:

<https://babel.hathitrust.org/cgi/pt?id=yale.39002002213917;view=1up;seq=716>

See also the Seymour pedigree in Colby, Frederic Thomas, ed., *The Visitation of the County of Devon in the Year 1620*, (London: Harleian Society, 1872), Vol. VI, p. 256 at:

<https://archive.org/details/visitationcount02camdgoog/page/n275>

### ***Testator's second marriage***

The testator married secondly, on 7 November 1590, Jaell de Peigne (or de Pergne), said to have been a Huguenot. For the testator's second wife, see the entry at:

[http://www.tudorwomen.com/?page\\_id=701](http://www.tudorwomen.com/?page_id=701)

By Jael de Peigne, the testator had three sons and a daughter:

\* **Sir Joseph Killigrew** (d. 19 April 1616), eldest son and heir to his father, for whom see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1604-1629/member/killigrew-sir-joseph-1593-1616>

\* **Sir Henry Killigrew** (d. 29 September 1646), second son. According to a case decided in the Court of King's Bench on 6 November 1688, he had an illegitimate son, Henry Killigrew alias Hill, and left the manor of Landrake to his cousin, Jane Berkeley. See Leach, Thomas, *Reports of Cases Adjudged in the Court of King's Bench*, 2<sup>nd</sup> ed., Vol. I, (London: W. Clarke and Son, 1794), p. 519 at:

<https://books.google.ca/books?id=ZfwvAAAIAAJ&pg=PA519>

\* **Robert Killigrew**, third son.

\* **Jaell Kiligrew**.

On 22 April 1617 the testator's widow married, as his second wife, George Downham (d.1634), Bishop of Derry, elder son of William Downham (1510/11-1577), Bishop of Chester, who was chaplain to Queen Elizabeth in 1559. See the *ODNB* entries for George Downham and William Downham, and TNA C 2/JasI/D4/57.

For the testator see also the *ODNB* entry, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/killigrew-henry-152530-1603>

*b. 1525/30, 4th s. of John Killigrew of Arwennack, by Elizabeth, da. of James Trewynnard of St. Erth, Cornw.; bro. of John<sup>†</sup> and William<sup>†</sup>. educ. ?Camb. m. (1) 4 Nov. 1565, Catherine (d.1583), da. of Sir Anthony Cooke of Gidea Hall, Essex, 4da.; (2) 7 Nov. 1590, Jael de Peigne, 3s. Ida. Kntd. 20 Nov. 1591.2*

#### ***OTHER PERSONS MENTIONED IN THE WILL***

For the testator's friend, the antiquary Richard Carew (1555-1620) of Antony, Cornwall, see the *ODNB* entry.

For the testator's friend, William Charke (d.1617), whom he appoints as an overseer of his will, see the *ODNB* entry and:

<https://blogs.bodleian.ox.ac.uk/theconveyor/2013/10/29/david-pearson-patterns-of-book-ownership-in-17th-century-england/>

*William Chark, graduate and fellow of Peterhouse in the 1560s; has a short entry in DNB as a religious controversialist. We know of ca.140 printed books scattered in libraries around the world and he also owned some significant manuscripts, including a Greek codex of the NT and several manuscripts subsequently in the Cotton Library.*

*Nearly all the books have a distinctive code in the back — perhaps a bookseller's code, connected with the way the library was dispersed after his death in 1617. There is some extant correspondence of his with Abraham Ortelius in the Netherlands, with references to obtaining and swapping books. His was clearly a significant private library of its time but not one that has ever been documented or investigated.*

See also:

<https://trinitycollegelibrarycambridge.wordpress.com/tag/william-chark/>

For William Charke's epitaph on the testator's wife, Katherine (nee Cooke) Killigrew, see Ballard, *supra*, p. 208 at:

<https://books.google.ca/books?id=GnxBAAAAYAAJ&pg=PA208>

For the testator's servant, Walter Bligh, see the Bligh pedigree in Vivian, *supra*, p. 39 at:

<https://books.google.ca/books?id=t0U7AQAIAAJ&pg=PA39>

For William Onslowe, witness to the testator's will, see the will of the testator's sister-in-law, Margery (nee Saunders) Wolman Leigh Killigrew, TNA PROB 11/146/44. See also the will of William Onslowe, dated 19 January 1609, TNA PROB 11/121/9, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/onslow-william-1612>

### ***TESTATOR'S MANORS***

For the testator's manor of Landrake, see Bond, Chris, *An Index to the Historical Place Names of Cornwall, Vol 2 – L-Z*, (Cornwall: The Cornovia Press, n.d.), pp. 8, 15 at:

<https://books.google.ca/books?id=7hGkBAAAQBAJ&pg=PA8>

For the testator's manor of Botelet in Lanreath, see Bond, Chris, *An Index to the Historical Place Names of Cornwall, Vol 1 – A to K*, (Cornwall: The Cornovia Press, n.d.), p. 132 at:

<https://books.google.ca/books?id=fxGkBAAAQBAJ&pg=PA132>

RM: T{estamentum} Henrici Killigrew Mil {it is}

In the name of God, Amen. The last day of April in the year of Our Lord God one thousand six hundred and two in the four and fortieth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defendress of the Faith etc., I, Henry Killigrew of London, knight, being whole and perfect in mind and in good health of body, laud and praise be unto God for the same, considering how certain death is to all men, and how uncertain the hour and time thereof is to all flesh, and being now desirous to determine how and in what manner all the lands, tenements and hereditaments whereof I, the said Henry Killigrew, am seised or possessed or whereof any other person or persons stand and are seised or hereafter shall stand & be seised to my use or upon confidence and trust, and to the intent that thereof & therein this my last

will and testament should be performed, revoking all former wills & making them utterly void, do make and ordain this my last will and testament in manner and form following:

First I am desirous to leave it witnessed to the world that I rejoice and praise God heartily that it hath pleased him to call me to the knowledge & profession of the Gospel, and to have kept me in the faith of Jesus Christ, in which faith I desire and pray heartily unto God I may according to my duty both live & die, and to that end I recommend my body and soul unto the most merciful protection and hands of God to be preserved in his continual fear and faithful service;

First therefore concerning my lands and tenements, whereas I, the said Henry Killigrew, by my deed indented enrolled or hereafter to be enrolled have bargained and sold my manors of Landrake and Botelet with their appurtenances and sundry other manors, [f. 208r] lands, tenements and hereditaments in the said indenture of bargain and sale mentioned situate and being in the county of Cornwall unto my loving brother-in-law, Sir Francis Godolphin of Godolphin in the county of Cornwall, knight, to my dear brother, William Killigrew of the Queen's Majesty's Privy Chamber, to my loving friend, Richard Carew of Antony, and to my loving cousin, William Trefry, esquires, and to my servant, Richard Giddy, and to their heirs, and yet in confidence and in trust, and it is meant and intended that they shall use, order and dispose the same and the issues and profits thereof to the benefit and commodity of me, the said Sir Henry Killigrew, during my life, and after to the performance of my last will and testament or to such other uses, intents or purposes as I should think good, limit and appoint:

First therefore I do will and devise that my said bargainees and the survivor of them and his heirs out of the issues & profits of my said lands shall yearly pay unto the Lady Jaell, my well-beloved wife, during her life or unto her attorney or assignee the sum of one hundred pounds by two several payments of fifty pounds at each payment, the same payments to be made at the usual place of payments within the Royal Exchange in the city of London or at any other place my said wife shall think fit and signify to the said bargainees or the survivor of them and his heirs, and at the two principal feasts of the year, that is to say, at the Annunciation of Our Blessed Lady the Virgin and Saint Michael the Archangel, the first payment to begin at any of the said feasts which shall first happen after my decease;

And for the more certain payment thereof I will and devise and my intent and meaning is that my said bargainees or the survivors or survivor of them and his heirs shall grant unto my said wife or to such person as she shall appoint during her life, upon request by her made, one annuity or rentcharge of one hundred pounds per annum with clause of distress in and upon both my said manors of Landrake and Botelet in such sort and to such effect as by her counsel learned shall be devised;

And for the better advancement and maintenance of my said wife and the more better to enable her to bring up my children by her begotten virtuously and in learning, after my debts of record and upon specialties satisfied and paid by my said bargainees or the survivor of them and his heirs with the issues and profits which, besides the said sum of



one hundred pounds yearly payable to my wife, shall be raised upon my said manors and lands to them bargained and sold, then my will and pleasure is that the said bargainees, the survivors or survivor of them and his heirs, shall make and execute unto the said Jaell, my wife, a good and sufficient estate in the law during her life of the manor of Botelet with th' appurtenances and of the reversion and reversions thereof such as by her counsel learned in the law shall be reasonably devised without reservation of any rent, and the same to be in lieu and full satisfaction of her dower of any of my other lands and tenements, immediately upon which estate executed my said wife shall release and discharge the said annuity of one hundred pounds formerly limited to her during her life and cancel the deed thereof;

And to the intent that my said bargainees nor the survivor of them nor his heirs may not defer the executing and perfecting of the said estate of the said manor of Botelet before devised to be estated unto her, it shall and may be lawful for my said wife at any time or times to call my said bargainees or the survivor of them and his heirs to account before the Lord Chancellor or Lord Keeper of the Great Seal for the time being, in which suit notwithstanding my said bargainees and the survivor or survivors of them and his heirs shall be allowed all their expenses, travel and charge laid forth and disbursed about the execution [f. 208v] and performance of this my last will and testament out of the issues and profits of my said lands to them bargained and sold or to be bargained and sold;

And if it shall appear of record and upon specialties my said debts and legacy of a hundred pounds by year limited to my said wife to have been according to the meaning of this my last will and testament paid and discharged, then I hope the said Lord Chancellor or Lord Keeper of the Great Seal for the time being will be honourably pleased and my humble desire is they will order my said bargainees or the survivor of them and his heirs to execute the state in the law in the said manor of Botelet to my said wife or her assignee according to this my will and confidence;

Also my will and meaning is and I do hereby devise that my said bargainees and the survivor of them and his heirs, after such debts paid and such estate executed to my said wife, shall receive the issues and profits of all the rest of my manors, lands, tenements and hereditaments so bargained and sold unto them until my son, Joseph Killigrew, shall accomplish the age of one and twenty years;

And if my son, Joseph, do fortune to decease before he accomplish the age of one and twenty years, then until Henry Killigrew, my son, shall accomplish the age of one and twenty years;

And if my said son, Henry, decease within the said age, then until my son, Robert Killigrew, shall accomplish the age of one and twenty years, with which issues and profits my will and pleasure is that my said bargainees and the survivor of them and his heirs shall pay my debts and legacies either expressed in this my will or in a schedule hereunto annexed;

And after my debts and legacies paid, then my will and meaning is that my said bargainees and the survivor of them and his heirs shall make account and satisfaction to my said beloved wife of the surplusage of the said issues and profits;

But if my said wife shall not be then living, then the said accounts with satisfaction to be made to my next heir male, and for want of such issue, to my right heirs;

And for the better enabling of my said bargainees and the survivor or survivors of them and his heirs to raise sums of money for the payment of my debts [+and?] legacies and for raising the greater profit of my lands, I do hereby will and devise and my meaning is and I do give them and the survivor or survivors of them and his heirs power and authority to make any lease or leases for one, two or three lives either in possession, remainder or in reversion or for any number of years determinable upon one, two or three lives of any tenement parcel of the said manor of Landrake during such minority as before is mentioned or of any tenement of the said manor of Botelet until such debts and legacies shall be paid as aforesaid, and during that time to make any usual woodsale of any wood growing or hereafter to grow within the said manors, on which leases so to be made the old and accustomed rents and services shall be reserved;

Also my will and pleasure is that my said bargainees and the survivor and survivors of them and his heirs shall convey and assure unto my son, Henry Killigrew, within six months after my son, Joseph, shall accomplish the age of one and twenty years, my manors, lands and tenements of Trencreek, Pallawin and Penryn with th' appurtenances within the county of Cornwall, to have and to hold to him and the heirs of his body, the remainder to my right heirs;

And also shall assure unto him the like estate of and in one annuity of twelve pounds by the year issuing out of my other lands or some part thereof with clause of distress, excepting the said manor of Botelet, which said annuity or rentcharge my will and meaning is shall continue payable and be paid unto him until my said bargainees or the survivor of them and his heirs shall convey and assure unto him some tenement within the said manor of Landrake worth twenty pounds yearly, to have and to hold to him, his executors and assigns, for four score years, if he or any wife he shall happen to marry shall so long live;

And also my will and meaning is that my [f. 209r] [-my] said bargainees and the survivor of them and his heirs shall convey and assure unto my son, Robert, within six months after my son, Joseph, shall accomplish the age of one and twenty years, and if he decease before the said age, then within six months after my son, Henry, shall accomplish the age of one and twenty year, all the lands, tenements and hereditaments called the Friaries of Trewrowe [=Truro?] in the said county of Cornwall, to have and to hold to him and the heirs of his body, the remainder to my right heirs;

And also shall assure unto him the like estate of and in one annuity of twelve pounds yearly issuing out of my other lands or some part thereof, except my said manor of Botelet before appointed for my wife's jointure, the same to continue payable and to be

paid unto him until my said bargainees or the survivor of them and his heirs do convey and assure unto him some one tenement within my said manor of Landrake worth twenty pounds yearly or thereabouts, to have and to hold to him, his executors and assigns, for the term of four score years if he or any wife he shall happen to marry do so long live;

Also my will is and I do repose most especial confidence and trust in my said bargainees that within six months after my son, Joseph, shall accomplish the age of one and twenty years, that my said bargainees and the survivor of them and his heirs shall and do convey and assure unto my said son, Joseph, and to the heirs of his body all my said manor of Botelet and the reversion and reversions thereof and all my other manors, lands, tenements, rents, services and hereditaments unto them bargained and sold and the reversion and reversions thereof not before by them estated to my younger sons, to have and to hold to him and to the heirs of his body, and for default of such issue to the heirs males of my body, and for default of such issue to my right heirs;

And if my son, Joseph, do decease before he accomplish the age of one and twenty years, then the like estate to be made of the said premises to my son, Henry, with such remainder as aforesaid;

And if my son, Henry, decease before the said age of one and twenty years, then the like estate to be executed to my son, Robert, with such remainder over as aforesaid;

And if it shall not happen that so many of my tenants do decease whereby my said bargainees or the survivor of them and his heirs may by making leases of the same according to my intent before mentioned during the minority of mine heir male raise such portions and sums of money as may fully and clearly satisfy and pay my debts and legacies and the said intended advancement to my younger children, then I will that my said son, Joseph, at his full age and before the premises be by my bargainees or the survivor of them or his heirs estated unto him as aforesaid, do enter into bond in the sum of three hundred pounds to my said bargainees or the survivor of them or his heirs to make and execute such estate and estates of some such tenement or tenements as shall be of that yearly value aforesaid when the same shall happen to fall and be void to my said younger sons or such of them as shall not formerly have the same conveyed to them or him by my said bargainees or the survivor of them and his heirs of such estate and to such effect as is formerly expressed & mentioned in this my will and testament;

And because I have wholly appointed my manor of Botelet to my wife during her life after my debts of record or upon specialties paid as aforesaid, yet being desirous to advance one of my younger sons with one tenement of the value aforesaid out of the said manor, I therefore request my said wife to join with my said bargainees or the survivor or the survivors of them or with my heir male in such an estate as is aforesaid if my said will and bequest therein cannot otherwise be performed, which if my said wife shall refuse to do, then I will and devise that my said wife shall satisfy and pay unto my said younger son that shall be so unprovided of a tenement to the value aforesaid the sum of one hundred pounds to be paid at the day of [f. 209v] his marriage;

Also my will is that my said bargainees and the survivor of them & his heirs shall pay yearly to my said wife towards the maintenance of my daughter, Jaell, the sum of twenty marks in money until she be twenty years of age or married;

Item, I give and bequeath unto my said daughter, Jaell Killigrew, if she lives until the age of twenty years or be married with the consent of her mother and my overseers or the most part to them, the sum of one thousand pounds, which said sum of one thousand pounds my will is shall be raised out of the issues, profits, woodsales and fines of leases of any of my said manors, lands or tenements bargained or sold as aforesaid;

Also my will is and I do hereby heartily entreat my overseers in this my will to be named to see my sons, Joseph, Henry and Robert, and my daughter, Jaell, to be virtuously brought up in learning, whom I will shall remain and continue under the government and discretion of my wife, their mother;

And for the better enabling her to bring them up in the fear of God, learning, and good manners, I do will & devise and my meaning is that my said bargainees and the survivor of them and his heirs shall pay yearly unto my said wife towards the maintenance and education of my said sons during their several minorities these sums hereafter expressed, that is to say, towards the maintenance of my son, Joseph, the sum of thirty pounds yearly, for and towards the maintenance of my son, Henry, the sum of twenty pounds yearly, and for and towards the maintenance of my son, Robert, the like sum of twenty pounds yearly, with such further portions out of the premises as they or the most part of them for that purpose shall think fit;

And whereas divers tenants within the manors of Landrake, Botelet and elsewhere within the county of Cornwall have compounded with me for their tenements, and some have paid their whole fines and others part of their fines but have not their leases made unto them through their own negligence, my will is that my said bargainees do execute and make such estate and estates unto them under the old and accustomed rent and services and such other reservations, covenants and conditions as my other tenants there generally having their leases;

Item, I give to the French Church in London ten pounds;

Also I will that there be distributed among the poor of the town and parish of Landrake forty shillings;

And of the town & parish (blank) of Saint Jirmyns [=St Germans?] forty shillings;

Of the parish of Landreth [=Lanreath?] forty shillings;

Of the town of Pearin [=Peryn?] thirty shillings;

Of the parish of Budyock [=Budock?] twenty shillings;

Item, I do give to every one of my servants that hath served me two years before my death two years' wages;

And to my old maidservant, Margery, twenty nobles;

Item, I give and bequeath to my son, Joseph, my best suit of hangings;

Item, I give and bequeath unto my beloved wife, Jaell, the two thousand crowns her mother promised me in marriage with her which yet remain in her mother's hand unpaid me;

Item, all my jewels, plate, household stuff, goods and chattels I do freely & absolutely give unto Jaell, my wife;

And I do ordain and make her my full and whole executrix;

And whereas I have divers sums of money due and owing unto me, and whereas I am likewise indebted to the Queen's most excellent Majesty and to sundry other, my will and meaning is that those debts which are due & owing unto me and such sums of money as I shall either by sale of my office or otherwise die possessed of shall be with all convenient speed employed by my said executrix in the payment of such debts, wherein I most heartily request the overseers of this my last will and testament to assist and aid my said executrix so as my will and meaning is my said wife shall retain to her own use, not subject to the payment of any debts or legacies, my said jewels, plate, household stuff, goods and [f. 210r] chattels and one hundred pounds in money besides that two thousand crowns aforesaid;

But if my debts or such money as I die possessed of amount not to pay my debts, my meaning is that the same be levied and paid by my said bargainees and the survivor of them and his heirs out of the profits of my land aforesaid, as likewise the said legacy of one thousand pounds to my daughter, Jaell, and my wife to have the said jewels, plate, household stuff, goods and chattels absolutely to her own use;

Item, I appoint and desire to be overseers of this my last will and testament my loving brother-in-law, Sir Francis Godolphin, knight, my dear and most loving brother, William Killigrew, Mr Richard Carew of Antony, my cousin, William Trefry, my loving friend, Master William Charke, preacher of God's word, and my servant, Richard Giddy, in whom I repose my trust to see this my testament performed;

And if the said bargain and sale by me intended to be made of all and singular the manors of Landrake and Botelet and all other my lands, tenements and hereditaments within the county of Cornwall be not performed or executed, then I do hereby will and devise all my manors, lands, tenements and hereditaments situate in the said county of Cornwall unto the said Sir Francis Godolphin, knight, William Killigrew, Richard Carew of Antony, William Trefry and Richard Giddy and to their heirs;

And then my will and desire is that they in all things do, make such estates, raise such portions and pay such debts and legacies as before in this my last will and testament I have devised, authorized and requested and trusted them to do;

In witness whereof I, the said Sir Henry Killigrew, knight, have set my hand and seal the day and year first above-written. H. Killigrew.

An addition of a further part of my will:

Provided now in this schedule that whereas in the former part of this my will my manor of Botelet is to be assured by my bargainees within-named unto my wife during her life, my meaning and my very will is and I do ordain that the said assurance unto my wife thereof shall be made unto her within six months next after my death, and the same then with and upon this condition, that if my said wife shall marry again, then my said bargainees or the survivor of them or his heirs shall re-enter and the said assurance made thereof unto her shall be utterly void;

And from thenceforth my said wife to have only the first annuity of one hundred pounds yearly during her life chargeable upon both my said manors of Botelet and Landrake;

And after the annuity made her, my bargainees to assure over the said manor of Botelet to my heirs as my manor of Landrake is appointed by this my said will;

Also my further will is and I do further give unto Katherine Jackson, my wife's chambermaid, in regard of her long pains and care in attending my children, the sum of ten pounds current money;

Also I further give unto John Hogge, my servant, in recompense of his pains with me in my late sickness five pounds;

And unto every other of my men and women servants that shall have served me full four years next before my death two years' wages;

Also I further give and do entreat my said bargainees or my wife, when it cometh to her, to assure and grant unto my servant, Walter Bligh, the reversion of my tenement called Cattapitt in Boconnoc, parcel of my manor of Botelet, for two names by him to be nominated after the death of Roger Collins' wife who now holdeth the same for term of her life, paying the accustomed rent and services and paying threescore pounds' fine for the same within one year after Collins' wife's death;

And also I do give further, over and above any portion to them before given, to my sons, Henry and Robin Killigrew, the sum of five hundred pounds in money to be paid and converted by my said wife and bargainees to their best profit as the same shall be received of the sale of my woods called Heryerd and Killigerick woods being there lately sold by my [f. 210v] [-my] servant, Richard Geddy, by my commandment, the said sum

of five hundred pounds with the profit thereof in the meantime to be delivered them by equal portions at their full age of twenty and one years;

And in case one die before, the whole to be delivered to the other surviving. H. Killigrew.

This will was published by the within-named Sir Henry Killigrew, knight, the day and year first within-named and acknowledged by him to be his last will and treatment in the presence of us whose names are hereunder written. William Killigrew, William Onslowe, Thomas Trefry.

The schedule or codicil annexed to this will was published, declared and subscribed in the presence of us Quinto ffebruarij one thousand six hundred and two. Francis Godolphin, William Killigrew, William Charke, Richard Geddy, Walter Bligh.

Probatum fuit Testamentum suprascriptum vnacu{m} Codicillo pred{icto} apud London coram dilecto nostro m{agist}ro Richardo Hudson Legum doctore Surrogato venerabilis viri magistri Iohannis Gibson Legum etiam doctoris Curie Prerogatiue Cantuariensis magistri Custodis siue Com{m}issarij l{egi}time constitut{i} decimo Sexto die mensis April{is} Anno domini millesimo Sexcentesimo Tertio Iuramento Thome Browne notarij publici Procuratoris d{omi}ne Iaell Relicte d{i}c{t}i defuncti et Executricis in huiusmodi Test{ament}o nominat{e} Cui comissa fuit Administratio bonoru{m} Iuriu{m} et creditor{um} eiusdem def{uncti} de bene et fideliter administrand{o} &c Ad sancta Dei Evangelia Iurat{i}

[=The above-written testament, together with the codicil aforesaid, was proved at London before our beloved Master Richard Hudson, 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, on the sixteenth day of the month of April in the year of the Lord the thousand six hundred third by the oath of Thomas Browne, notary public, proctor of Dame Jaell, relict of the said deceased and executrix named in the same testament, to whom administration was granted of the goods, rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer etc.]