

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 5 April 1605 and proved 9 May 1605, of Oxford's nephew, Henry Windsor (1562-1605), 5th Baron Windsor, the second son of Oxford's brother-in-law, Edward Windsor (1532?-1575), 3rd Baron Windsor, and Oxford's half-sister, Katherine de Vere (1538-1600).

FAMILY BACKGROUND

Testator's parents

For the will of the testator's father, Edward Windsor, 3rd Baron Windsor, see TNA PROB 11/57/332. For the will of the testator's mother, Oxford's half-sister, Katherine de Vere Windsor (1538-1600), see TNA PROB 11/95/237.

Testator's siblings

The testator had three brothers and two sisters:

-Frederick Windsor (1559-1585), 4th Baron Windsor, who died without issue. For his will, see TNA PROB 11/69/1. According to a letter dated 5 March 1579 from Gilbert Talbot (1552-1616), later 7th Earl of Shrewsbury, to his father, George Talbot (c.1522-1590), 6th Earl of Shrewsbury, Oxford and Frederick Windsor presented a 'device' before the Queen at Shrovetide 1579. See Talbot Papers, Vol. F., f. 295.

As well, Oxford and Frederick Windsor jousted together as defenders against Oxford's second cousin, Philip Howard (1557-1595), 13th Earl of Arundel, and his assistant, Sir William Drury (1550-1590), in the tournament held at Whitehall on 22 January 1581. See BL Lansdowne 99, ff. 259a-64b. For the speech spoken by Oxford's page at this tournament, in which Oxford took part as the Knight of the Tree of the Sun, see STC 19974.6.

See also a note by Oxford's father-in-law, Lord Burghley, CP, xiii, p. 199 (333):

the Iustes at Westminster where the Erl of Arundel was challenger asisted with Sir William Drury. Erl of Oxford Lord Wyndson and 14 more defended.

See also Segar, William, *The Book of Honor and Armes*, (New York: Scholars' Facsimiles & Reprints, 1975), pp. 95-6, pp. 195-6.

-Edward Windsor, living when his mother made her will on 14 February 1598. He may have been the Edward Windsor involved in the Babington plot of 1586, and appears to have married Elizabeth Ardington. His son, Edward Windsor, married, about 1586, Eleanor Wyborne (d. before 1611), the daughter of John Wyborne (c.1523-1591?) by

Jane Scott (living 1591), the daughter of Edward Scott (c.1478-1535?) and Alice Fogge. See the will of Alice Fogge's mother, Eleanor (nee Browne) Fogge Kempe, TNA PROB 11/43/638; the will of John Wyborne, TNA PROB 11/78/315; the will of Sir William Scott, TNA PROB 11/21/272; and the pedigree of Scott of Mote Iden, Sussex, in Scott, James Renat, *Memorials of the Family of Scott of Scot's-Hall in the County of Kent*, (London: J. R. Scott, 1876), p. 173 at:

<https://archive.org/stream/memorialsoffamil00scot#page/172/mode/2up>

By Eleanor Wyborne, Edward Windsor had three sons, John Windsor, Walter Windsor and William Windsor, and two daughters, Margaret Windsor and Mary Windsor. See Weyburn, S. Fletcher, *Weyburn-Wyborn Genealogy*, (New York: Frank Allaben Genealogical Company, 1911), pp. 167-70, 175-6 at:

<https://archive.org/stream/weyburnwyborngen00weyb#page/174/mode/2up>

See also the entry for Elizabeth Shirley at:

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

Elizabeth Shirley (c.1555-1624+) was the daughter of Francis Shirley of West Grinstead, Sussex (c.1524-March 20, 1577/8) and Barbara Blount (c.1538-February 28, 1563/4). They were a recusant family. Elizabeth's first husband, to whom she was married by 1582, was William Wyborne (Wyborn/Wybarn) of Hawkswell, Sussex (c.1540-c.1612). They do not appear to have had any children but took in the orphaned sons and daughters of his sister Ellen or Eleanor—John, Walter, William Margaret, and Mary Windsor.

-Andrew Windsor, living 14 February 1598.

-Margaret Windsor, living 14 February 1598. She appears to have married Sir John Talbot of Grafton (d.1612) after her mother's death.

-Katherine Windsor, who in 1597 married Robert Audley (d.1624) of Berechurch, Essex, eldest son and heir of Thomas Audley (d.1572) and Katherine Southwell, daughter of Sir Richard Southwell (1502/3-1564) of Woodrising, Norfolk. Thomas Audley (d.1572) was the eldest son and heir of Thomas Audley (d.1577/8), a brother of Sir Thomas Audley (1487/8-1544), Lord Chancellor of England. See the Lord Chancellor's will, TNA PROB 11/31/64, the will of Sir Richard Southwell (1502/3-1564), TNA PROB 11/47/231, and the will of John Audley (d.1588), TNA PROB 11/72/683. Katherine Windsor Audley died in 1641 at the age of 74. See the pedigree of Audley of Berechurch in *The History of Audley End*, (London: Samuel Bentley, 1836), p. 24 at:

<https://archive.org/stream/historyofaudleye00bray#page/24>

For a 1568 portrait in the Bute Collection at Mount Stuart said to be of Edward Windsor, 3rd Baron Windsor, his wife, Katherine de Vere, and four of his children, see the Wikipedia article at:

https://en.wikipedia.org/wiki/Edward_Windsor,_3rd_Baron_Windsor

MARRIAGE AND ISSUE

The testator married Anne Rivett (d. 27 November 1615), only child of Sir Thomas Rivett (d. 16 October 1582) by his second wife, Griselda Paget (d. 21 July 1600), the daughter of William Paget (1505/6–1563), 1st Baron Paget. For the will of Sir Thomas Rivett, see TNA PROB 11/65/107. See also:

<https://www.flickr.com/photos/52219527@N00/5660354779/>

After the death of Sir Thomas Rivett, Griselda Paget married Sir William Waldegrave (d. 21 August 1613), for whom see the History of Parliament entry at:

<http://www.histparl.ac.uk/volume/1558-1603/member/waldegrave-william-1540-1613>

Sir William Waldegrave's first wife was Elizabeth Mildmay (1541-1581), the daughter of Thomas Mildmay (c.1515 – 21 September 1566), an auditor of the Court of Augmentations and an elder brother of Sir Walter Mildmay (1520/21–1589), founder of Emmanuel College, Cambridge. See the will of Thomas Mildmay, TNA PROB 11/49/30; the *ODNB* entry for Sir Walter Mildmay; and the History of Parliament entry for Thomas Mildmay at:

www.historyofparliamentonline.org/volume/1509-1558/member/mildmay-thomas-1515-66

For the monument to Thomas Mildmay and his wife, Avis (d.1557) in Chelmsford cathedral, see 'Sepulchral Monuments of Essex', *The Builder*, (18 April 1891), pp. 304, 313 at:

<https://books.google.ca/books?id=VLUcAQAAMAAJ&pg=PA303>

For the inscription on the monument, see also:

https://s3-us-west-2.amazonaws.com/find-a-grave-prod/photos/2016/61/125551357_1456953478.jpg

See also Rye, Walter, ed., *The Visitation of Norfolk*, (London: Harleian Society, 1891), Vol. XXXII, p. 298 at:

<https://books.google.ca/books?id=HS8EAAAIAAJ&pg=PA298>

See also:

<https://www.flickr.com/photos/52219527@N00/4169038550>

See also Torlesse, Charles Martin, *Some Account of Stoke by Nayland, Suffolk*, (London: Harrison and Sons, 1877), p. 54 at:

<https://books.google.ca/books?id=Oyo6AQAAMAAJ&pg=PA55>

See also Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 266 at:

<https://books.google.ca/books?id=EycAAAAAQAAJ&pg=PA205>

By Anne Rivett, according to the will below, the testator had two sons and two daughters:

* **Thomas Windsor** (1591-1641), 6th Baron Windsor.

* **John Windsor** (d. 13 April 1588).

* **Elizabeth Windsor**, elder daughter, who married Dixie Hickman (baptized 1589), esquire, by whom she was the mother of Thomas Hickman Windsor (c.1627-1687), 1st Earl of Plymouth (see below). See Torlesse, *supra*, p. 55, and Edmondson, Joseph, *The Present Peerages*, (London: J. Dodsley, 1785), p. 52 at:

<https://books.google.ca/books?id=zzEwAAAAAYAAJ&pg=PA52>

* **Elizabeth Windsor**, younger daughter, who married firstly her cousin, Andrews Windsor, esquire, and secondly James Ware (1594-1666), the son of Sir James Ware (1568-1632) by Mary Briden (1566-1632), but died without issue. See Burke, John, *A Genealogical and Heraldic Dictionary of the Peerage and Baronetage of the British Empire*, 6th ed., (London: Henry Colburn, 1839), p. 833 at:

https://books.google.ca/books?id=h_U8AQAAIAAJ&pg=PA833

See also DiGidio, Wanda Ware, *Ware Family History*, (XLibris, 2003), p. 32 at:

<https://books.google.ca/books?id=ypsXmsOPvJQC&pg=PA32>

It is apparent from the terms of the will and the attached schedule of debts that the Windsor estates were heavily encumbered by the end of Queen Elizabeth's reign. The causes appear to have been lack of preferment by the Queen, perhaps due to the Catholic sympathies of some members of the family, and the toll taken on the family's finances by the wardship of Frederick Windsor, 4th Baron Windsor. A further sign of the Queen's

displeasure may perhaps be found in Lord Windsor's request that the children of his deceased brother Edward Windsor and his wife Elizabeth Ardington be restored in blood.

Henry Windsor died 6 April 1605 leaving an underage heir, Thomas Windsor (1591-1641), 6th Baron Windsor, who became a ward of Oxford's first cousin, Henry Howard (1540-1614), Earl of Northampton, one of the executors named in the will. The will was proved 9 May 1605, with five of the six executors accepting the onerous responsibilities outlined in the will, the exception being Sir John Talbot of Grafton (d.1612), whom Lord Windsor refers to as 'my brother', and who appears to have been the husband of Lord Windsor's sister, Margaret.

The testator's son and heir, Thomas Windsor, 6th Baron Windsor, died without issue on 6 December 1641, at which time the title fell into abeyance, and the testator's lands were inherited by his eldest nephew, Thomas Hickman, son of Dixie Hickman (see above). He assumed the surname Windsor, and was created Earl of Plymouth on 6 December 1682. See the *ODNB* entry.

The testator's son and heir, Thomas Windsor, was the patron of the epigrammatist Thomas Freeman. From the *ODNB*:

After moving to London Freeman published in 1614 a collection of 200 epigrams in two parts, dedicated to Thomas, Lord Windsor. . . .

For the title page of *Rubbe and a Great Cast* by Thomas Freeman, gentleman, see:

<http://www.shakespearedocumented.org/file/stc-11370-title-page>

For Freeman's epigram to Shakespeare, see:

http://luna.folger.edu/luna/servlet/detail/FOLGERCM1~6~6~1195439~191028?qvq=q%3Acd_title%3D%22Rubbe%2C%2Band%2Ba%2Bgreat%2Bcast.%2BEpigrams.%2BBy%2BThomas%2BFreeman%2C%2BGent.%22%3Blc%3AFOLGERCM1~6~6%2CBINDINGS~1~1&mi=7&trs=49

Epigram 92

To Master W: Shakespeare

*Shakespeare, that nimble Mercury thy braine,
Lulls many hundred Argus-eyes asleepe,
So fit, for all thou fashionest thy vaine,
At th' horse-foote fountaine thou hast drunk full deepe,
Vertues or vices theame to thee all one is:
Who loues chaste life, theres Lucrece for a Teacher:
Who list read lust theres Venus and Adonis,
True modell of a most lasciuious leatcher.
Besides in plaies thy wit windes like Meander:*

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<http://www.oxford-shakespeare.com/>

*When needy new-composers borrow more
Thence Terence doth from Plautus or Menander.
But to praise thee aright I want thy store:
Then let thine owne works thine owne worth vpraise,
And help t' adorne thee with deserved Baies.*

See also Freeman, Thomas, *Rubbe and a Great Cast* (1614) at:

<http://quod.lib.umich.edu/e/eebo/A01256.0001.001/1:4.48?rgn=div2;view=toc>

A possible literary reference in Lord Windsor's will is his debt to 'Mr Cheatle of Worcester', who may have been a relative of the writer Henry Chettle.

RM: T{estamentum} D{omi}ni Henrici Windsor

In the name of God, Amen. I, Henry, Lord Windsor, being (our Lord therefore be thanked) of good and perfect memory, yet calling to mind the uncertainty of life and the suddenness of death, do make and ordain this my last will and testament in manner and form following:

First, I do commend my soul unto my Saviour Jesus Christ, and do will that my body shall be interred by my executors with such decent and comely funerals, avoiding all extraordinary excess, as to my estate shall by them be thought meet;

Whereas I, the said Henry, Lord Windsor, am indebted and have mortgaged divers manors, lands, tenements and hereditaments, I, the said Lord Windsor, for the better securing and for the payment of the said debts, and for the redemption of the said mortgages, and for the raising of a certain portion and sum of money for the advancement and preferment of my daughters in marriage and for their education and maintenance of living, and for payment of such legacies as I shall devise, give and bequeath by this my last will, I, the said Henry, Lord Windsor, do devise, give and bequeath unto my trusty and well-beloved the right honourable Henry, Earl of Northampton, the Lord William Howard, John Talbot of Grafton in the county of Worcester, esquire, Richard Wakeman of Godlesforde in the county of Suffolk, Edward Cookes of Tardebigge in the county of Warwick, and Nicholas Barnsley of Hewell in the county of Worcester aforesaid, gentlemen, whom I make my executors of this my last will and testament, and to their heirs, upon confidence and trust for the performance of this my last will, all that messuage or farm with th' appurtenances lying and being in the parish of Hitchenden in the county of Buckingham now or late in the tenure of one Richard Lee or of his assigns, and all lands, tenements, profits, advantages and hereditaments whatsoever unto the said messuage belonging or appertaining or occupied with the same, situate, lying and being in the parish of Hitchenden in the said county of Buckingham;

And all that messuage or farm with the appurtenances lying in Bradenham in the said county of Buckingham now in the tenure of Julian Ford, and all lands, tenements, meadows, pastures, woods, profits, advantages and hereditaments whatsoever to the said messuage or farm belonging or appertaining and used or occupied with the same;

And all that messuage or farm with the appurtenances lying in the parish of Bledlow in the said county of Buckingham late in the tenure of one Hayley, and all lands, meadows, pastures, woods, profits, advantages and hereditaments to the said messuage or farm belonging or appertaining and used or occupied with the same;

And all other lands, tenements and hereditaments whatsoever of me, the said Lord Windsor, wherein I have any estate of inheritance in fee simple situate, lying and being in the foresaid towns or parishes of Bradenham, Hitchenden, Bledlow and West Wycombe or any of them, or within the precincts of them or any of them;

And also all that lordship or manor of Weston alias Weston Turville with the rights, members and the appurtenances in the said county of Buckingham, and the advowson and right of patronage of the church of Weston alias Weston Turville in the said county of Buckingham, and all messuages, lands, tenements, meadows, pastures, woods, rents, services, privileges, liberties, reversions, advantages and hereditaments to the said lordship or manor belonging or in any wise appertaining, and all other the lands, tenements and hereditaments of me, the said Lord Windsor, situate, lying and being within Weston alias Weston Turville aforesaid;

And all that the lordship or manor of South Mimms with the rights members and the appurtenances in the county of Middlesex, and all messuages, lands, tenements, meadows, pasture, woods, rents, services, privileges, liberties, profits, advantages and hereditaments whatsoever to the said manor or lordship belonging or reputed or taken as part or member thereof, and all other lands, tenements and hereditaments whatsoever of me, the said Lord Windsor, situate, lying and being in South Mimms aforesaid and Barnet or either of them in the said county of Middlesex;

And all that lordship or manor of Greatworth alias Greatworts alias Greekworts with their rights, members and appurtenances situate, lying and being in the county of Northampton, and all the messuages, lands, tenements, pastures, woods, liberties, privileges, profits, advantages and hereditaments whatsoever to the said lordship or manor belonging or appertaining or reputed or taken as part or member thereof, and all other the lands, tenements and hereditaments of me, the said Lord Windsor, situate, lying and being in the said county of Northampton;

To have and to hold all the aforesaid lordships, manors, messuages, lands, tenements, rents, services, advowsons and hereditaments and all other the aforesaid premises with their and every of their appurtenances and every part thereof unto the said Henry, Earl of Northampton, the Lord William Howard, John Talbot, Richard Wakeman, Edward Cookes and Nicholas Barnsley, my said executors, and to their heirs, upon confident trust for and towards the payment of my debts, legacies and performing of this my last will;

And first, as concerning my debts, which I will shall be first paid, I have caused as many of them as I can remember to be expressed in a schedule to this my last will and testament annexed, all which, together with all other debts which shall appear to be justly owing by me to any person or persons whatsoever, I do will and require shall be paid with all convenient speed by my said executors;

And where the King's Majesty by the laws and statutes of this realm ought to have a third part of all my manors, lands, tenements and hereditaments during the minority of my heir and for his Highness' primer seisin, I do hereby set out and appoint for his Majesty's full satisfaction of the said thirds for and during the minority of my said heir and until he shall sue his livery, all that the lordship or manor of Madeley alias Madeley Holme in the county of Stafford, being of the clear yearly value of £37, the manor & manors of Over Lemington and Nether Lemington in the county of Gloucester, being of the clear yearly value of £250, all those my manors, farms or tenements commonly called or known by the names of Hungry Bentley and le Spital situate, lying and being in the county of Derby, being of the clear yearly value of £18, and also all that my rectory or parsonage appropriate of Tardebigge alias Tardebeck in the counties of Worcester and Warwick, being of the clear yearly value of £50, which I do most humbly beseech his Majesty, in compassion of my poor estate much encumbered with my debts and legacies, to accept in full satisfaction of his Highness' said thirds, being in my estimation a full third part of all my manors, lands, tenements and hereditaments whereof his Majesty by the laws and statutes of this realm is to have his wardship and primer seisin, and I do heartily desire my very good lord, the Lord Cranborne, Master of his Highness' Court of Wards and Liveries, by his honourable mediation to further this my humble request, and I bequeath and give unto him one hundred angels;

And for testimony of the great love and affection which I bear to my dear wife, and in recompense and satisfaction as well of her dower as also of her jointure which was intended, I do give, will and bequeath to my said wife all her wearing apparel and all such jewels as she hath used or usually had the custody of, and also my best coach and a pair of my best coach-horses or geldings, all the beds with the furnitures, linens, napery, hangings and such silver and gilt plate as was her father's, and brass, pewter and all other utensils and implements of household whatsoever which shall be at the time of my decease in my house at Stoke in the county of Suffolk which I hold as in the right of my said wife, and all the corn, hay, and cattle which shall be in or upon the park and demesnes of the said manor of Stoke (horses, geldings and mares only excepted), saving that my will is my said wife shall have four of the geldings as my executors or the more part of them shall think fit for her use;

And further I do hereby devise, will and bequeath unto my foresaid wife for and during her natural life all those lordships or manors of Willisham, St Roger's and Tafton Hall situate, lying and being in the county of Suffolk with their and every of their several rights, members and appurtenances, and all messuages, lands, tenements, meadows, pastures, rents, services, woods, liberties, privileges, commons, profits, advantages and

hereditaments whatsoever to the said several manors belonging or appertaining or reputed and taken as part or parcel of them or any of them;

And also all that messuage or farm with th' appurtenances lying in Sproughton in the said county of Suffolk, and all lands, tenements and hereditaments to the same messuage or farm belonging or appertaining, now or late in the tenure or occupation of one John Clicklefelde(?);

And all that the lordship or manor of Nailsworth in the county of Gloucester with the rights, members and appurtenances, and all messuages, lands, tenements, meadows, pastures, woods, rents, services, liberties, privileges, advantages, profits and hereditaments whatsoever to the said lordship or manor belonging or appertaining;

And all that messuage or farm called New Grange with the appurtenances situate and lying in the parish of Tardebigge and county of Warwick, and all lands, meadows, leasows, pastures, woods, profits, advantages and hereditaments whatsoever to the said messuage or farm belonging or used or occupied to or with the same;

And also all that the lordship or manor of Bradenham with rights, members and appurtenances thereof, and my mansion-house of Bradenham situate, lying and being in the county of Buckingham, and all messuages, lands, tenements, rents, services, privileges, liberties, profits, advantages and hereditaments unto the said lordship or manor belonging or appertaining or used or occupied to and with the same;

And after the decease of my said wife, then my will is, and I do hereby will and devise, all the foresaid lordships, manors, messuages, lands, tenements and hereditaments and all other the premises with all and every their appurtenances before devised to my said wife unto my said executors Henry, Earl of Northampton, the Lord William Howard, John Talbot, Richard Wakeman, Edward Cookes and Nicholas Barnsley and their heirs, upon confidence and trust to give, grant, devise or otherwise convey the same for and towards the payment of my debts and legacies and performance of this my last will;

And further, I do devise and give unto my said wife during her life the use and occupation of all my beds with their furniture, hangings, napery, brass, pewter, implements of household and all other household stuff which shall be at the time of my decease within my said mansion-house of Bradenham, trusting my loving wife will keep the said house in good repair, and maintain and leave at the time of her decease the said furniture and household stuff in as good sort as she found the same;

And where I have mortgaged for divers great sums of money to divers persons all that my manor and dwelling-house with th' appurtenances commonly called Windsor House situate and being in Mugwell Street within the city of London, the lordships or manors of Baylham, Willisham Hall, [LM: and tenements called Cannons and divers other lands], certain lands and tenements and hereditaments lying and being in the said county of Suffolk, and also the lordship or manor of Towersey with his rights, members and appurtenances in the county of Buckingham, the times of redemption of all which are

already expired, I do will and appoint that my said executors and the survivors of them with as much speed as conveniently they may raise money, shall purchase all the aforesaid manor or dwelling-house and all other the lordships, manors, lands and tenements lastly recited to the use of my said wife for term of her life, and after her decease then to the use of my said executors and the survivors of them during their lives and life of the longest-liver of them for and towards the performance of this my will until the same shall be accomplished, and then to the use of Thomas Windsor, my son and heir apparent, and to the heirs males of his body lawfully begotten, and for want of such issue, then to the use of Edward Windsor, the eldest son of Edward Windsor, my late brother, and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of Frederick Windsor, one of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of Henry Windsor, one other of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue, then to the use of Edmund Windsor, one other of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of Francis Windsor, one other of the sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of my brother Andrew Windsor and to the heirs males of his body begotten and to be begotten, and for want of such issue then to the use of the right heirs of me, the said Henry, Lord Windsor, forever;

And I do very earnestly and heartily desire my said wife that she will hold herself contented and satisfied with the premises in lieu and recompense of her dower or jointure for the better continuance and increase of natural love and affection between her and my son, and the rather for that I am not able, as otherwise I would be most willing, to make her a more liberal assignment, the greatness of my debts and the portions set out for our daughters being duly considered, whereof it is my hope she will have a loving and respective care;

Provided always that if my said wife shall not be pleased to accept of the premises in full satisfaction of her said dowry or jointure (which I do not distrust), then all such legacies, bequests, assignments and devises whatsoever by me before by these presents made or appointed to her shall be utterly void, anything before mentioned to the contrary notwithstanding, leaving her for her dower to such course as she may take at and by the laws of the realm;

And where I do hold by force of a deed indented made between me, the said Lord Windsor, of the one party, and John Wakeman of Beckford in the county of Gloucester and one Richard Allen, gentleman, of the other party, for term of my life divers manors, lands, tenements and hereditaments in the counties of Gloucester, Worcester, Warwick, Stafford and Derby, the immediate remainder thereof to my first son and to the heirs males of his body lawfully begotten, with divers remainders over, as by the said deed indented it doth and may more plainly appear, now my will is that if my said son Thomas shall fortune to decease (as God forbid) before he accomplish the age of 21 years or without heirs males of his body lawfully begotten, then all the foresaid manors, lands,

tenements and hereditaments last recited in the counties of Gloucester, Worcester, Warwick, Stafford and Derby shall descend, come, remain and be to my said executors and their heirs and assigns to and for the performance of this my will, which being accomplished, then to such other use and uses as hereafter shall be expressed and declared, that is to say, for want of issue male of my said son Thomas, then to the use and behoof of Edward Windsor, the eldest son of Edward Windsor, my late brother, and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of Frederick Windsor, one of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to the use of Henry Windsor, one other of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue, then to the use of Edmund Windsor, one other of the younger sons of my said brother Edward, and for want of such issue then to the use of Francis Windsor, one other of the younger sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to such use and uses as in the foresaid deed indented is expressed, mentioned or declared;

I do will and require my son Thomas, being my first and eldest son, as he would be thought to be natural and kind to me and dutiful to respect my designs, that he shall permit and suffer my said executors, whom I assure myself he shall find as respective and careful of his good as they shall (I doubt not) show themselves faithful and trusty to me, to have the custody, rule and government of all the said lordships or manors and other the premises lately mentioned (except the rectory or parsonage appropriate of Tardebigge alias Tardebecke before assigned by me to make up the King's Majesty's thirds) until his full age of 21 years or marriage, whether of them shall first happen;

And that during that time they may also receive the rents, issues and profits of the said premises to the intent and upon trust and confidence that over and besides the King's Majesty's title to the wardship of my said son they will allow exhibition yearly for the better education of my said son, so much as in good frugality and without excess they shall think fit and decent, and that out of the said issues and profits they shall take so much as they shall think meet and necessary for the good education of my daughters until they shall accomplish the age of 21 years or marriage, and also that they will see that as well the mansion-houses within the said manors and premises, with reparations whereof no tenant is charged, to be from time to time maintained and kept in good reparations, [LM: as also that the park at Bordesley shall be sufficient[ly] maintained and kept, as] in paling, posting and railing(?), as also in preservation of my red and fallow deer within the same;

And that at the full age of my said son or his marriage, whether of them shall first happen, they and the survivor or survivors of them shall deliver up a true and perfect account of their and every of their receipts of the premises, and of the overplus shall make payment to my said son at his said full age or marriage, whether of them shall first happen, towards the better enabling of him in suing of his livery, discharge of wardship, and stocking of his grounds;

And if my said son shall happen to die before his full age of 21 years or marriage, then I will that all such overplus as aforesaid shall be paid and given to my daughters and to the survivor of them for the augmentation of their portions which I shall hereafter assign unto them;

And that my said son shall the rather regard the performing of this my request, I do will and bequeath to him all my jewels, plate, beds with their furniture, hangings, linens, napery, brass, pewter vessels, coaches, carts, wains, implements of husbandry, utensils and household stuff whatsoever within the realm of England not formerly bequeathed, and also all my armour, shot and great ordinance with all furniture thereto belonging whatsoever within the realm of England, and also all my horses, geldings, mares and colts with all saddles and furniture belonging to my said horses and geldings and stables, saving so much as I have formerly given to my said wife or shall hereafter particularly give or bequeath to any other;

Provided that if my said son shall not perform my aforesaid request, then my will is that the bequests aforesaid to him made shall be void, saving the armour, shot and great ordinance which I leave to my son, and the rest to come to my executors towards the education of my daughters and performance of this my will;

Also my will is if my eldest daughter Elizabeth do marry with the consent of my said executors or the more part of them, then I do will and appoint that my said executors and the survivors of them shall pay to my said daughter Elizabeth at the time of her marriage or at her age of 21 years if she be then unmarried, which shall first happen to come, two thousand pounds of lawful money of England;

Also my will is if my youngest daughter Elizabeth do marry with the consent of my said executors or the more part of them, then I do likewise will and appoint that my said executors and the survivors of them shall pay to my said youngest daughter Elizabeth at the time of her marriage or at her age of 21 years if she be then unmarried, which shall first happen to come, the sum of two thousand pounds of lawful money of England;

And if it shall fortune that either of my said daughters shall decease before they accomplish the age of 21 years or marriage, then my will is the portion before bequeathed to her so dying shall remain and come to the survivor of them to be paid in manner and form as above is expressed;

Also for the love and affection which I did bear to my brother Edward while he lived, and in discharge of the trust reposed in me, I do will and desire my executors to be a mean to the King's Majesty for the restoring of my said brother's children in blood;

And whereas their mother at the time of her decease left in the hands of Sir Ralph Grey one hundred and forty pounds which Sir William Ingleby doth desire may be allotted for the portion of one of my said brother's children, I am contented and pleased that it shall so be;

And for the maintenance and preferment of the other, I do will and bequeath to Edward Windsor, my brother's eldest son, two hundred pounds, and to every one of the rest one hundred and forty pounds, to be paid unto every one of them when they shall severally accomplish the age of one and twenty years, and for their maintenance in the mean space until they accomplish the said age, my will is to give unto Edward, my brother's eldest son, twenty pounds yearly, and all the rest unto whom before I have given portions twenty marks yearly, and if it happen that any of my said brother's children to decease before they come to the age of 21 years as aforesaid, then my will is that the portion before bequeathed to any one of them that shall so die shall come, remain and be equally to be divided among the rest that shall survive;

Also I will that my executors shall pay to every of the sons of my brother Andrew at their several full ages of 21 years ten pounds, and to every of the daughters of my said brother Andrew at the days of their several marriages twenty pounds;

Also in remembrance of my love to my Lord of Northampton, whom I have presumed to nominate without his consent to be one of my executors, I say, to show my love, having no other means to manifest the same, I do will and bequeath unto him my best horse;

And to my Lord William Howard, whom I use in the like case, my second horse;

Also I give unto my brother Talbot, being one of my executors, my best ambling gelding;

Also I give unto Richard Wakeman, being one other of my executors, one of my geldings;

Also I give unto Edward Cookes, one other of my executors, ten pounds;

And for my servant Barnsley, one other of my executors, I do request my son Thomas to suffer him to hold the lodge, the park and twenty kine, keeping in the old close during his life, in lieu of service done to me, and upon condition he shall not depart from the service of my said son without his leave first obtained, and if my said son shall not be willing to suffer him to hold the said lodge and twenty kine, keeping as is aforesaid, then my will is he shall have as much in value as the same shall be worth by the estimation of the more part of my executors or the survivors of them;

Also I will that my said executors shall pay yearly to Anne Wilkinson, my cousin, for her education until her marriage or full age of 21 years £6 13s 4d, and at her marriage or age of 21 years, whether of them shall first happen, the sum of fifty pounds;

Also my will further is to give unto every gentleman that shall attend upon me at the time of my death in my house four marks, and to every yeoman 40s;

Also my will is to give to such poor people as to my executors shall be thought fitting twenty pounds;

Also I give unto Walter Pauncefoot, my kinsman, ten pounds yearly during his life, and ten pounds in money;

Also I give to Thomas Leverland during his life four pounds yearly;

Also I give unto my servant Humphrey Mascoll during his life £6 13s and 4d upon condition that he convey the residue of his years which are to come in one part of Quarry field to my executors;

And my will further is that the charge of my housekeeping for my wife, children and all the rest of my family shall be maintained by my executors during the space of one month after my decease;

And further my will is that after my debts and legacies paid and discharged, that all the lordships, lands, tenements and hereditaments and all other the aforesaid premises by this my last will devised and given to my said executors and their heirs and not by them sold or otherwise disposed of for and towards the performance of this my last will, my said executors and their heirs and the survivors and survivor of them shall convey and assure the same unto Thomas Windsor, my said son, and to the heirs males of his body lawfully begotten, and for default of such issue, then to Edward Windsor, eldest son of my late brother, Edward Windsor, and to the heirs males of his body lawfully begotten, and for default of such issue then to Frederick Windsor, one of the youngest sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for default of such issue then to Henry Windsor, one other of the youngest sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for default of such issue, then to Edmund Windsor, one other of the sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for want of such issue then to Francis Windsor, one other of the sons of my said brother Edward and to the heirs males of his body lawfully begotten, and for default of such issue then to Andrew Windsor, my brother, and to the heirs males of his body begotten and to be begotten, and for default of such issue then to the right heirs of me, the said Henry, Lord Windsor, forever;

And for so much money as shall respectively come to the hands of my said executors or any of them by reason of the rents, issues or profits rising and coming of any of the lordships, manors, messuages, lands, tenements and hereditaments and other the aforesaid premises or any part thereof, or by reason of any bargain, sale or conveyance thereof to be made by my said executors or any of them, my said executors shall be accountable to my said son Thomas when he shall accomplish the age of 21 years;

And if it fortune my said son Thomas to die before he come to the age of 21 years, then my will is my said executors shall be accountable to my said daughters or to the survivor of them which shall be then living for so much overplus as shall remain in the hands of my said executors or the survivors of them, over and above the payment of my debts and legacies and performing of this my last will, and over and above all charges, expenses and sums of money which my said executors or any of them shall pay or disburse by

reason or means of this my last will and testament or about the execution and performing thereof;

In witness whereof I, the said Lord Windsor, have hereunto subscribed my name the fifth day of April in the years of the reign of our Sovereign Lord James by the grace of God King of England, France and Ireland the third, and of Scotland the eight and thirtieth, Defender of the Faith, etc. Henry Windsor

Memorandum: That the within-named, the Lord Windsor, did publish and declare this for his last will in the presence of Anthony Birch, Walter Pauncefoot, Henry Nethway and Henry Hunt T. H.

[CODICIL]

Be it known unto all men that whereas I, Henry, Lord Windsor, have made my last will and testament in writing bearing date the fifth day of April in the years of the reign of our Sovereign Lord James by the grace of God King of England, France and Ireland the third and of Scotland the eight and thirtieth, now calling to mind upon better advisement the power and authority which I have given unto my executors mentioned in my said will, and doubting whether all those whom I have nominated and appointed in my said will to be my executors will take upon them the execution thereof and be mine executors, and fearing that doubt thereupon in law may arise, for avoiding thereof and for the better performance of my said will according to my true intent and meaning, I do by this my present codicil, and my will and meaning is, that all gifts, devises and bequests mentioned or expressed in my said will unto those whom in the same I have nominated to be my executors shall be fully and absolutely invested and enure unto and in so many of them as shall take upon them the execution of my said will and be mine executors, and that all those taking upon them to be my executors shall have as full power and authority to give grant, devise or otherwise to convey all the lordships, manors, messuages, lands, tenements and hereditaments which are mentioned in my said will to be given, devised and bequeathed to those whom I have nominated therein to be my executors, shall be as good and effectual as if all those whom I have nominated in my said will to be my executors had joined in the same gifts, grants, devises or conveyances;

In witness whereof unto this present codicil I have subscribed my name in the presence of William Warmstry, Walter Paynsfoote, Henry Hunt, his mark. Windsor.

[SCHEDULE]

Debts due by the right honourable [] the last day of March, anno 1605.

Imprimis, due to Mr Talbot, seven hundred thirty-five pounds;

Item, due to Mr Audley, six hundred pounds;

Item, due to Henry Cookes, four hundred pounds;

Item, due to Mr Robert Winter, fourscore pounds;

Item, due to Humphrey Harper, one hundred and ten pounds;

Item, due to Sir George Huntley, five hundred and fifty pounds;

Item, due in London to several persons taken up by one Gibson, a scrivener, one thousand two hundred and threescore pounds;

Item, due in London to several persons taken up by one Bringborne, a broker, eight hundred and forty pounds;

Item, due to Sir Thomas Campbell, one hundred and five pounds;

Item, due to Mr Gurney, one hundred and five pounds;

Item, due to Mr Richard Cox, one hundred and five pounds;

Item, due to Mr Pargiter of Greatworth, one hundred and five pounds;

Item, due to Mr Pitchforde, fifty-two pounds and ten shillings;

Item, due to Sir Anthony Deynton, one hundred twelve pounds and ten shillings;

Item, due to Mr Tryon, one hundred and five pounds;

Item, due to Mr Norris, fifty pounds;

Item, due to Richard Wiy of Clent, fifty pounds;

Item, due to Mr Cheatle of Worcester, fifty-two pounds and ten shillings;

Item, due to widow Cheston, threescore and six pounds;

Item, due to Mr Ferris, one hundred and five pounds.

Probatum fuit huiusmodi testamentum vna cum Codicillo eidem tes{tamen}to annexo apud London coram d{omi}no Iohanne Bennet milite legu{m} d{o}c{t}ore surrogato ven{erabi}lis viri D{omi}ni Iohannis Gibson milit{is} legum etiam d{o}c{t}oris curie Prerogatiue Cant{uariensis} m{agist}ri Custodis sive Com{m}issarij l{egi}time constitut{o} nono die mensis Maij Anno Domini mill{es}imo sexcentesimo

quinto Iuramento p{re}nobilis viri d{omi}ni Henrici Comit{is} North{amp}ton honorandi viri d{omi}ni Will{elm}i Howarde Rich{ard}i Wakeman Ed{wa}r{d}i Cookes et Nich{ol}i Barnesley gener{osorum} executor{um} in h{uius}mo{d}i tes{tamen}to no{m}i{n}at{orum} Quibus com{m}issa fuit Administrac{i}o bonor{um} iuriu{m} et creditor{um} dicti defuncti de bene et fidel{ite}r administrando eadem Ad sancta dei Evangelia iurat{is} Reservata p{otes}tate similem Com{m}issionem faciend{i} Iohanni Talbott Armigero alter{i} executor{um} in h{uius}mo{d}i tes{tamen}to no{m}i{n}at{o} cum ven{er}it eam petitur{us} in debit{a} iuris forma admissur Ex{aminatus}

[=The same will together with the codicil annexed to the same will was proved at London before Sir John Bennet, knight, Doctor of the Laws, surrogate of the worshipful Sir John Gibson, knight, Doctor of the Laws also, Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted on the ninth day of the month of May in the year of the Lord one thousand six hundred five by the oath of the right honourable Lord Henry, Earl of Northampton, the honourable Lord William Howard, Richard Wakeman, Edward Cookes and Nicholas Barnsley, gentlemen, executors named in the same will, to whom administration was granted of the goods, rights, and credits of the said deceased, sworn on the sacred gospels to well and faithfully administer the same, with power reserved for a similar grant to be made to John Talbot, esquire, another of the executors named in the same will when he shall have come to petition in due form of law to be admitted. Examined]