

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 10 December 1505 (will of lands) and 17 February 1506 (will of goods), proved 14 October 1507, of Humphrey Tyrrell, esquire, of East Thornton, Essex.

The testator was the son of Sir Thomas Tyrrell (d. 28 March 1477) and Anne Marney. See Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., Vol. I, (Salt Lake City, 2011), p. 14, at:

<http://books.google.ca/books?id=8JcbV309c5UC&pg=PA14&lpg=PA14>.

The testator married firstly Isabel Helion, and secondly Elizabeth Walwin, daughter of John Walwin, esquire, of Longford, Hertfordshire.

In the will below the testator mentions four sons and four daughters:

- *Sir John Tyrrell (d.1541) of Little Warley, Essex, his eldest son and heir.
- *Thomas Tyrrell.
- *John Tyrrell the younger.
- *Humphrey Tyrrell.
- *Anne Tyrrell (d.1534), who married Sir Roger Wentworth (d. 9 August 1539) of Codham Hall in Wethersfield, Essex (for whom see Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., (Salt Lake City, 2011), Vol. I, pp. 14-15, Vol II, p. 463).
- *Elizabeth Tyrrell, unmarried at the time the testator made his will.
- *Anne Tyrrell, unmarried at the time the testator made his will.
- *Maud Tyrrell, unmarried at the time the testator made his will.

The pedigree in *The Visitations of Essex* thus appears to be partly in error. It names only two sons, Sir John Tyrrell of Warley, who married Anne Norris, the daughter of Edward Norris, and Humphrey Tyrrell, who married Alice Glemham, the daughter and heir of Thomas Glemham, both said to be the issue of the testator's second marriage, but names five daughters, all said to be the issue of the testator's second marriage: Anne, who married Roger Wentworth; Elizabeth, who married William Alington, esquire; Margaret, who married Sir William Waldegrave; Margery, who married firstly Sir William Ashfield and secondly Edward Wingfield; and Mary, who married firstly a husband surnamed Paulet, secondly a husband surnamed Harvey, and thirdly Thomas Timperley. See Metcalfe, Walter C., ed., *The Visitations of Essex*, Vol. XIII, (London: Harleian Society, 1878), pp. 114-15.

For the will, dated 20 February 1541 and proved 19 March 1541, of the testator's eldest son and heir, Sir John Tyrrell of Little Warley, Essex, see TNA PROB 11/28, ff. 196-7.

LM: Test{amentum} Humfridi Tyrell Armig{eri}

In the name of Almighty God, Father, Son and Holy Ghost, and of Our Blessed Lady Saint Mary the Virgin and of all the saints of heaven, I, Humphrey Tyrrell of East Thornton in the county of Essex, esquire, being whole of mind the 17 day of the month of February the year of Our Lord God 1500 and five and the 21 year of the reign of our Liege Lord King Henry the 7th after the Conquest make my testament and last will in articles as hereafter followeth, beseeching Almighty God of pardon and forgiveness of all my sins done unto him to whom I have offended, and also beseeching Our Lord Jesus Christ to give his grace to mine executors that they truly execute my will in as much as to them belongeth to the pleasure of his pitiful mercy and grace:

First and principally I bequeath and recommend my soul to Almighty God and Our Lady Saint Mary and all saints of heaven, and my body to be buried at the Priory of Lees or afore the south altar in East Thornton church under a stone convenient for my degree;

Also I will and charge mine executors to see my debts well and truly content and paid of my movable goods if they will amount unto it, or else of th' issues and profits of my lands that stand and remain in feoffees' hands to the same intent;

Also [+if?] I have wronged any person or persons in anything, and that duly proved, I will that mine executors recompense them of my said goods and chattels;

Also I will that every house whereof I am brother and have lease(?) of, that all those lease[s](?) immediately after my decease be delivered to the house or houses that I had them of, and that they may specially pray for my soul and all Christian souls, and every house so praying have for their labour 3s 4d;

Item, I bequeath to the high altar of the said church of East Thornton for my tithes and oblations forgotten 13s 4d;

Also I bequeath to the reparations of the said church 13s 4d;

Item, I bequeath to every of the parishes and churches hereafter following, that is to wit, Dunton, West Thornton, South Ockendon, Fobbing, Laynedon [=Langdon?], Hutton and Little Warley, to every piece(?) of them 6s 8d, that is to wit, to the reparations of every of the said churches 3s 4d, and to every parson or parish priest of every of the said parishes to say dirge and Mass for my soul 12d, and amongst the poor people and parishens of every of the same parishes 2s 4d by the good discretions of mine executors hereunder named;

Also I bequeath to the five house of Friars within the City of London and to the Friars of Chelmsford, to every of their houses to pray for my soul 3s 4d;

Also I will that every man and child that will take alms have one penny in money, every piece of them, at the day of my burying, and every priest saying dirge and Mass 8d;

Also I will that mine executors in all goodly haste after my decease find an honest priest to sing and pray for my soul, my father and mother and all Christian souls, within the church of East Thornton aforesaid by one whole year, and to have for his salary with meat and drink (blank), and without meat and drink (blank);

Also I will that Elizabeth, my wife, have £40 of my movable goods and chattels, such as she will choose, or £40 of lawfully [sic] money at her liberty, and also that the said Elizabeth shall have all the stuff and vensilies [=utensils?] of my house as it standeth except my plate;

Also I will that every of my daughters now unmarried have at the time of their marriage, or at the age of 21 years if they so long live unmarried, fifty marks sterlings, and if any of them die unmarried, I will then that she or they that overliveth unto they be able to be married have the sum or sums of money of the said sisters or sister so dead and unmarried if my debts be content and paid, provided alway if any of the said daughters be not disposed to be married, but to become a religious woman or live sole, I will that then she or they shall have fifty marks towards her profession or living sole as well as her other sisters have to their marriages;

Item, I bequeath to my daughter, Lady Wentworth, a cup plain silver and gilt with a cover to the same;

Also I bequeath to Henry Smyth, my servant, the tenement that he now dwelleth in, to have and to hold to him during his life natural, he paying the rent to the lord and keep[ing] all manner of reparations;

Also I will that the residue of my movable goods and chattels above not bequeathed, my debts, funerals and legacies content, fulfilled and paid as is above specified, I will that mine executors or the most part of them divide it in 3 parts, that is to say, one part thereof to be disposed for my soul, my father's and mother's and all Christian souls, the 2nd part thereof to help my daughters which have but fifty marks [f. 211r] apiece bequeathed to every of them as is above specified, and the third part thereof to my eldest son, John;

Also I will that mine executors have my farm of East Thornton which I now dwell in as I have it under th' Abbot and convent seal of Waltham Holy Cross from the day of my death unto Michaelmas twelve months then next after, and then I will and bequeath the residue of the years of the said farm to Elizabeth, my wife, together with 40 kine, three hundred sheep, whereof half to be hoggerels, and the other half shear-sheep, 7 of my best plough horses, one cart, one plough with all harness belonging to the same if she then be on live, or else that it go to th' execution and will of my testament;

And if she hap to die or my said years be determined, then I will and bequeath after her decease to John, mine eldest son, the said farm with the remnant of the years so remaining;

Also I will that if John, mine eldest son, will give 300 or 400 marks if need shall require, or else find sufficient surety for the same to th' execution and performance of this my last will and testament toward the payments of my debts, that then I will my feoffees make to him estate immediately after my decease of lands and tenements to the yearly value of £40, and that also I will that after the decease of Elizabeth, my wife, the said John, mine eldest son, to have of those lands and tenements to [+the?] yearly value of £40, so that all the whole of his lands in any wise be of the very value of £80 by year, and that £40 of the said lands and tenements be entailed, parcel of the said £80, according as is expressed in my will, and the residue in fee simple;

Provided alway that if the said John, mine eldest son, pay the said 300 or 400 marks or find surety for the same as need shall require, and that if the said 300 or 400 marks together with all my movable goods and chattels be not sufficient ne cannot pay all my debts and perform this my last will and testament but that some of my lands must of necessity be sold for the performance of the same, that then I will mine executors shall make sale of those lands and tenements which my younger sons should have, and the lands that shall be left to be equall[y] divided amongst them, and none of those lands tofore assigned unto mine eldest son, John, to be sold but if greater need require;

And of this my present testament I make and ordain my executors Elizabeth, my wife, Thomas Bonam [=Bonham?], John Tyrrell, mine eldest son, Robert Lathum and Thomas Glantham, and I will that every of them be rewarded and have for their labours herein to be had as shall seem according to conscience and by the good discretion of the most part of my said executors.

This is the last will of me, Humphrey Tyrrell, esquire, made the 10th day of December the 21 year of the reign of King Henry the 7th as touching all my lands and tenements, as well freehold as copyhold, that any man is or stands seised of to mine use:

First I will that immediately after my decease Elizabeth, my wife, shall have, occupy and enjoy manors, lands and tenements which I or any other person or persons stand or be seised of to my use to the yearly value of £44 by year above all charges as they now be let to farm or after a reasonable extent by year for term of her life, such as the said Elizabeth, after my decease, shall choose, elect, appoint and name of all my manors, lands and tenements in the county of Essex or elsewhere, in full recompense of all such jointure and dowry as the said Elizabeth is or shall be entitled unto after my decease to have in any of my manors, lands and tenements by reason of any former will, feoffment, grant, devise or otherwise by me or any other person or persons of any of my said manors, lands and tenements before the date of this my present last will to her had or made;

And that all and every of my feoffees of trust so standing seised to my use to make to the said Elizabeth, my wife, a sufficient and lawful estate by deed indented for term of her life of and in all the said manors, lands and tenements to the said yearly value of £44 such

as the said Elizabeth then shall elect, appoint, choose or name at her free liberty and will of and in all my said manors, lands and tenements by reason of this my last will as is before expressed;

Provided alway that if the said Elizabeth, my wife, claim, retain or keep any part or parcel of any manors, lands and tenements which she is jointly seised of with me or with any other by me in fee simple or for term of her life, that then the same parcel or parcels of the said jointure so by her retained to be accounted as parcel of the said manors, lands and tenements of the said yearly value of £44 by year;

Also I will furthermore that immediately after the decease of the said Elizabeth, my wife, lands and tenements to the yearly value of £20 sterling, parcel of the said lands and tenements which I have given and assigned heretofore by this my present will unto my said wife for term of her life, remain to John Tyrrell, my eldest son, such as he will choose, and to the heirs males of his body lawfully begotten, and for lack of such issue male to remain to the heirs males of my body lawfully begotten, and for lack of such issue female to remain to the heirs females of my body lawfully begotten, and for lack of such issue male to remain to the heirs males of my father's body lawfully begotten, and for lack of such issue male to remain to the right heirs of me, the said Humphrey, for evermore;

Also I will that all such lands and tenements as my father, Sir Thomas Tyrrell, did assign and give unto me, the said Humphrey, in the tail shall likewise remain still according to the said entail, and the other lands and tenements to the yearly value of £24, residue of the said lands and tenements to the yearly value of £44 which [f. 211v] I have given to my wife, that after her decease my feoffees to stand still seised thereof, and the profits thereof to go to the execution of my will and testament according as mine other lands do;

Also I will that immediately after my decease my feoffees do make estate of other lands and tenements to the yearly value of £20 sterling to the said John Tyrrell, mine eldest son, and to his heirs males of his body lawfully begotten, with like remainder as is tofore expressed of such lands and tenements as he will choose amongst all my lands and tenements not tofore give;

Also I will that my said feoffees stand still seised of and in all my other lands and tenements, rents, reversions and services, as well freehold as copyhold, to th' execution and performance of this my last will and testament and paying of my debts, together with all my movable goods and chattels except such goods and chattels as I have assigned unto my wife and mine eldest son by my testament;

And they so standing seised to suffer mine executors to take and perceive all the revenues, issues and profits of all my said lands and tenements unto such time as all my debts be fully paid, all my daughters' marriage money had and perceived, that is to say, Elizabeth, Anne and Maud if they fortune to live able to be married after such form as is comprised in my testament, mine other legacies and bequests had and perceived and all my children found during their nonage and my will wholly performed, that then I will my feoffees do make several estates unto Thomas, John, my younger son, and Humphrey, my

sons, at either of their ages of 21 years if my will then be wholly performed, and they or any of them being of full age and living, every of them so living lands and tenements to the yearly value of 10 mark to them and to their heirs males of their bodies lawfully begotten, and for default of such issue male to remain to the foresaid John, mine eldest son, and to his heirs and assigns for evermore;

Provided always that if any of the said Thomas, John or Humphrey, my sons, decease afore the age of 21 years, or if it fortune any of them to be a priest after that age of 21 years, then I will that his or their part or parts above to them limited so dying afore the age of 21 years, this my present will and testament fully performed and executed, shall remain to John, mine eldest son, in fee simple, and if any of them fortune to be priest as is aforesaid, then I will that after he or they have a reasonable promotion of a benefice or benefices or other spuell(?) promotion, that then the said John, mine eldest son, shall have and enjoy his or their part so being priest and promoted, my will and testament in all other things performed, to him and to his heirs forever;

Provided always that if mine executors be vexed, troubled or sued for any of my debts or for anything concerning the performance of this my last will and testament, and can get no days of payment, having no goods ne chattels sufficient of mine in their hands for the payment and contenting of the same debt or debts or any other thing so demanded, that then I will and give full power and authority to mine executors or to the more part of them to make bargain and sale of such lands and tenements as my said executors or the more part of them shall think most convenient for the performance and payment of the same debt or debts so demanded;

And further will & charge all and every of my singular feoffees to make estate thereof according, and when that my debts be paid, my daughters' marriage money had and perceived, and my will and testament wholly performed, then I will and charge all and every of my singular feoffees to make estate in fee simple and to surrender unto John, mine eldest son, and to his heirs forever of all the residue of my lands and tenements, rents, reversions and farms not before given, as they will answer before God.

Probatum fuit suprascriptum testamentum Coram domino apud Lamethith xiii^o Die Mensis Octobris Anno D^{omi}ni Mill^{es}imo quingentesimo septimo Iurament^o Iohannis Tyrell executoris in h^{uius}mo^di test^{ament}o no^miⁿatⁱ Ac approbat^{um} & insinuat^{um} Et com^missa fuit admiⁿⁱstracio o^{mn}i^{um} bonor^{um} et debit^{orum} dⁱc^ti defuncti p^{re}fat^o executori De b^en^e & fidel^{ite}r Administrand^o Ac de pleno In^{uent}ario citra festum s^{an}c^ti Martini prox^{imum} futur^{um} exhibend^o Necnon de plano & vero compoto reddend^o Ad s^{an}c^ta dei eu^ang^{elia} Iuratⁱ Reseruat^a potestate simile^m co^mmissione^m faciend^o alijs executor^{ibus} in h^{uius}mo^di test^{ament}o no^miⁿat^{is} cum ven^{er}unt

[=The above-written testament was proved before the Lord at Lambeth on the 14th day of the month of October in the year of the Lord the thousand five hundred seventh by the oath of John Tyrrell, executor named in the same testament, and probated & entered, and administration was granted of all the goods and debts of the said deceased to the forenamed executor, sworn on the Holy Gospels to well & faithfully administer, and to exhibit a full inventory before the feast of Saint Martin next to come, and also to render a plain & true account, with power reserved for a similar grant to be made to the other executors named in the same testament when they shall have come.]