

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 31 December 1507 and proved 18 February 1508, of Sir Robert Tyrrell. The testator was in the service of John de Vere, 13th Earl of Oxford, as was his son, Robert Tyrrell (d. 16 October 1555). See Ross, James, *John de Vere, Thirteenth Earl of Oxford (1442-1513)*, (Woodbridge, Suffolk: The Boydell Press, 2011), pp. 198-9.

FAMILY BACKGROUND

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

MARRIAGES AND CHILDREN

The testator's first wife was Christian Hartshorn (buried 1505), widow of Edward Mackwilliam (d.1495) of Stambourne, Essex, by whom she was the mother of Henry Mackwilliam (for his will, see TNA PROB 11/40/37). See Hayward, C.F., 'Annual General Meeting of the Essex Archaeological Society at Steeple Bumpstead, 9th of August, 1878', *Transactions of the Essex Archaeological Society*, Vol. II, New Series, (Colchester: W. Wiles, 1884), pp. 102-112 at p. 108:

<https://books.google.ca/books?id=Uhc5AQAAMAAJ&pg=PA108>

See also:

<http://www.stambourne.com/StambourneParishHistory/Chapter3.html>

The testator married secondly a wife named Elizabeth, by whom he had no issue. She is referred to in his inquisition post mortem as Elizabeth Heigham. See *Calendar of Inquisitions Post Mortem*, Vol..III, (London: Her Majesty's Stationery Office, 1955), pp. 314-15 at:

<https://archive.org/stream/calendarofinquis03great#page/314/mode/2up>

It should be noted that there is an inconsistency between the date of death given for Sir Robert Tyrrell in his inquisition post mortem, 1 July 1508, and the date of probate of his will, 18 February 1508. Given that Sir Robert Tyrrell made his will on 31 December 1507, it is possible that 'July' in the inquisition post mortem is an error for 'January', and that Sir Robert Tyrrell died on 1 January 1508.

In his will below the testator mentions his eldest son and heir by his first marriage, Thomas Tyrrell, a cleric; another son, Robert Tyrrell (d. 16 October 1555); and a daughter, Margery Tyrrell, who married Hugh Bryce, grandson and heir of Sir Hugh Bryce (d. 22 September 1496), Lord Mayor of London in 1485-6 (for whose will, proved

October 1496, see TNA PROB 11/11/62). Margery Tyrrell's husband, Hugh Bryce, was living at the time the testator made his will, and had not yet made Margery a jointure. For Margery Tyrrell's marriage to Hugh Bryce, see also:

C 1/463/61. Robert Amadas. v. Margery, daughter of Robert Tyrell, knight, and late the wife of Hugh, grandson and heir of Hugh Bryce of London, knight.: The manor of Jenkyns and messuages and land in Barking, Dagenham, and London. Subpoena and injunction.: Essex, London. 1518-1529.

For Hugh Bryce, see also Waters, Robert Edmond Chester, *Genealogical Memoirs of the Extinct Family of Chester of Chicheley*, Vol. I, (London: Robson and Sons, 1878), pp. 17-22 at:

<http://archive.org/stream/genealogicalmem01wategoog#page/n54/mode/2up/>

It should be noted that the pedigree in *The Visitations of Essex* erroneously lists the testator's children by Christian Hartshorn as Sir John Tyrrell, a priest, Robert Tyrrell, and Joyce Tyrrell. See Metcalfe, Walter C., ed., *The Visitations of Essex*, Vol. XIII, (London: Harleian Society, 1878), pp. 114-15 at:

<https://archive.org/stream/visitationsofess13metc#page/114/mode/2up>

For an earlier transcript of the testator's will, see King, H.W., 'Ancient Wills', *Transactions of the Essex Archaeological Society*, Vol. III, (Colchester: Essex and West Suffolk Gazette, 1865), pp. 167-97 at pp. 175-7 at:

<https://books.google.ca/books?id=mlsQAAAAYAAJ&pg=PA175>

OTHER PERSONS MENTIONED IN THE WILL

Robert Rochester (1450 - 15 May 1508), esquire, who witnessed the testator's will, was comptroller of the household of John de Vere, 13th Earl of Oxford. See Ross, James, *John de Vere, Thirteenth Earl of Oxford (1442-1513)*, (Woodbridge, Suffolk: The Boydell Press, 2011), p. 235:

Rochester was controller of the earl's household from c. 1495 until his death in 1508, at the fee f £10 a year: ERO, D/DPr 124, 131, 135A; Longleat, Misc. xi, fol. 2. He was a business associate of the earl in 1502 and 1507. Rochester had estates in Essex worth £60 p.a. at his death: CIPM Henry VII, iii, 316-17.

For the inquisition post mortem taken 20 March 1509 after the death of Robert Rochester see *Calendar of Inquisitions Post Mortem*, Vol. III, (London: Her Majesty's Stationery Office, 1955), pp. 316-17 at:

<https://archive.org/stream/calendarofinquis03great#page/316/mode/2up>

RM: Test{amentum} Rob{er}ti Teryll milit{is}

In the name of God, Amen. The last day of the month of December in the year of Our Lord God 1507, I, Sir Robert Tyrrell, knight, whole of my mind and in my good memory being, laud and praising be unto Almighty God, ordain and make this my present testament and last will in manner and form ensuing, that is to say:

First I give and commend my soul to Almighty God, to Our Lady Saint Mary the Virgin, and to all the holy company in heaven, and my body to be buried within the church of the Greyfriars of Colchester by Dame Christian, my wife;

Also I bequeath to the high altar of the church of Wivenhoe for my tithes & offerings negligently forgotten and not paid, in discharging of my conscience, 6s 8d;

Item, I give and bequeath unto 4 parish churches about to Downham, to either of them 6s 8d, summa 16s 8d, my soul amongst the parishens to be prayed for;

Also I will that the said friars shall have paid by th' hands of mine executors by their executors or assigns by the space of twenty years of my lands 5 marks yearly sterlings conditionally that the warden or his successors shall appoint a friar, a brother of the same convent, to sing for my soul and my said late wife['s] soul, and for those souls that I am most bound to do for by the space of the said 20 year, that is to say, 4 marks for the priest singing and 13s 4d yearly for mine obit and my said wife's keeping;

Item, I will that mine executors shall make an arch of freestone in the wall within Our Lady's Chapel thereas I and my last wife shall lie, and also I will have a stone of marble to be laid on me and my wife in the said place over our grave, and a remembrance of my name and hers [f. 261v] in the said marble stone;

And I will that Dame Elizabeth, now my wife, fro 2 years next after my decease be fully past, shall have during her life natural such lands as she is now enfeoffed in of mine, and these 2 years next after my decease I will that mine executors shall receive the profits of the said lands that my said wife is enfeoffed in to the performance of this my testament and last will;

Also I will that my said executors shall after my decease deliver unto Dame Elizabeth, my said wife, all her apparel to her own body belonging;

Also I will that my said wife shall have all such plate as she had of her own at her meeting and mine, so that my said wife make deliverance unto mine executors of all such jewels, plate and bedding, gowns with other stuff she hath of mine in keeping;

And if my said wife at any time hereafter repining say or do anything against this my present testament and last will, and do not perform everything comprehended in this my testament & last will, then I will that the bequest I have made to Elizabeth, my said wife, shall stand void, & mine executors to have all her plate and mine both to pay my debts with and to the performance of this my testament and last will, and all such movable goods as she and I both have to be disposed for the health of my soul except the raiment to her body belonging;

Provided alway and if she keep well and truly my will comprehended in this my testament, then I will that mine executors shall suffer Elizabeth, my said wife, to occupy and have all such plate and goods as she had the day of our first meeting, and if she do not, then I will mine executors occupy all the whole plate and goods that was hers and mine at the day of my departing out of this world;

Also I will all my lands and tenements which I have here in this world, that mine executors shall have th' occupation of them to perform this my present testament and last will to pay my debts with;

And also I will, as soon as my debts be fully contented and paid and this my testament and last will fulfilled, then I will that Robert, my son, shall have all my lands and tenements and to his heirs of his body lawfully begotten forever more;

And if my said son, Robert, die without issue of his body lawfully begotten, that then my daughter, Margery Bryce, shall have my said lands and tenements to her & to her heirs lawfully begotten, except 10 marks by year that shall be sold by mine executors and disposed for the health of my soul and all their souls that I am bounden to do for;

Also I will that Thomas Tyrrell, mine eldest son, shall have an annuity yearly during his life of 10 marks out of my said lands & tenements to his exhibition at Cambridge, Oxenford or in any other place wheresoever it shall please him to the time he shall be preferred to a benefice of £20 by year, and after that my said son, Thomas, be so beneficed, I will that the said yearly rent or annuity shall remain and return to Robert, my said son, and to his [-his] heirs of his body lawfully begotten forever more;

And also I will that Margery, my daughter, shall have 20 marks sterlings to be paid by mine executors at such time as her said husband shall make her a sufficient jointure in the law in lands and tenements to the yearly value of 40 marks sterlings;

And I ordain and make mine executors William Alove [=Ayloff], learned man in the law, John Danyell, Robert Tyrrell, my said son, and Walter Wingfield, and William Cooke, Doctor, to be my supervisor of this my testament and last will, and I will that every of them shall have for their labours 40s sterlings, and their costs to be borne in their labours making and doing for me and the utility of this my last will of my goods and tenements after the discretion of mine executors, these honest persons witnesses and records: Master Fabian, parson of the church of Wivenhoe aforesaid, Sir James, parish

priest there, Robert Rochester, esquire, Davy Lewys(?), Vincent Bryvt(?) [=Baytt?] and other mo. Given the day and year above-written.

Probatum fuit suprascriptum testamentum coram domino apud Lambeth xvij die februaris Anno domini Millesimo quingentesimo septimo Iuramento Roberti Tyrrell Iunioris & Walteri Wyngfeld executorum in huiusmodi testamento notum in actorum Ac approbatum & insinuatum Et commissum fuit administratione omnium bonorum & debitorum defuncti prefatis executoribus de bene & fideliter ac sub vna nima consensu et assensu administrationis Ac de pleno & fideliter Inuentario citra festum Annunciationis dmce(?) proximum futurum exhibendum Necnon de plano & vero comperto reddendum ad satisfactionem dei euangelia in debita iuris forma Iuratorum Reseruata potestate si mihi commissum faciendum Willielmo Alove & Iohanni Danyell executoribus & in huiusmodi testamento notum in actis cum venient &c

[=The above-written testament was proved before the Lord at Lambeth on the 18th day of February in the year of the Lord the thousand five hundred seventh by the oath of Robert Tyrrell the younger & Walter Wingfield, executors named in the same testament, and probated & entered, and administration was granted of all the goods & debts of the said deceased to the forenamed executors, sworn on the Holy Gospels in due form of law to well & faithfully and with unanimous consent and assent administer [+the same], and to exhibit a full & faithful inventory before the feast of the Annunciation of the Lord(?) next to come, and also to render a plain & true account, with power reserved for a similar grant to be made to William Aylofffe & John Daniel, executors & named in the same testament when they shall have come etc.]