

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 8 April 1533 and proved 17 October 1539, of James Tyrrell (1475?-1538) of Columbine Hall, father of Charles Tyrrell (d.1570), second husband of Oxford's mother, Margery Golding.

FAMILY BACKGROUND

For the testator's family background, see the Tyrrell pedigree in Bright, J.B., *The Brights of Suffolk, England*, (Boston: John Wilson, 1858), p. 228 at:

<https://archive.org/stream/brightsofsuffolk00brig#page/n537/mode/2up>

Testator's grandparents

The testator was the grandson of Sir William Tyrrell (d.1462) of Gipping, Suffolk, and Margaret Darcy, daughter of Robert Darcy (d. 3 September 1448). Sir William Tyrrell of Gipping was beheaded at Tower Hill on 23 February 1462 with John de Vere (1408-1462), 12th Earl of Oxford, and the Earl's eldest son and heir, Aubrey de Vere. See Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 184-5; the will, TNA PROB 11/6/417, of Sir Thomas Tyrrell (d. 28 March 1477) of Heron in East Horndon; and the pedigree of Tyrrell of Gipping in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 74 at:

<https://archive.org/stream/visitationsofsuf00harvuoft#page/74>

Testator's parents

The testator was the son of Sir James Tyrrell (executed 6 May 1502) of Gipping, alleged murderer of the two young sons of Edward IV imprisoned in the Tower, and Anne Arundel, the daughter of Sir John Arundel (d. 12 November 1473) of Lanherne, Cornwall. See the *ODNB* entry for Sir James Tyrrell (c.1455-1502).

The testator had two brothers and a sister:

-Sir Thomas Tyrrell (1472?-1551) of Gipping, the testator's elder brother. For his will, see TNA PROB 11/34/309.

-William Tyrrell.

-Anne Tyrrell, who married Sir Richard Wentworth (c.1480 - 17 October 1528), de jure fifth Baron Despenser, by whom she was the mother of Thomas Wentworth (1501-1551), 1st Baron Wentworth. See the will of Sir Richard Wentworth, TNA PROB 11/22/654; the

ODNB entry for Thomas Wentworth, 1st Baron Wentworth; and Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 237-8. According to the Wentworth pedigree, they had three sons and five daughters. See Rutton, William Loftie, *Three Branches of the Family of Wentworth*, (London, 1891), pp. 138-9 at:

<https://books.google.ca/books?id=YhY5AQAAMAAJ&pg=PA138>

MARRIAGES AND ISSUE

First marriage

The testator married firstly Anne Hotoft, who brought him the manor of Columbine Hall alias Thorney Columbers near Stowupland, Suffolk. See:

<http://www.columbinehall.co.uk/about/history>

Second marriage

The testator married secondly, by 1528, Margery (nee Kelly), the widow of John Carew (d. 1 March 1524) of Bury St Edmunds, eldest son and heir of Sir William Carew (d.1501), and grandson of Joan (nee Courtenay) Carew (b. 1411-1414, d. before 3 August 1465), who married, as her second husband, Sir Robert Vere (d.1461). Joan Courtenay and Sir Robert Vere were the great-great-grandparents of Edward de Vere (1550-1604), 17th Earl of Oxford. For the will of Sir William Carew, see TNA PROB 11/12/390.

For the marriage of Margery (nee Kelly) Carew and James Tyrrell, see TNA C 1/609/4, a Chancery suit in which the defendants were ‘James Tyrell, esquire, and Margery, his wife, late the wife of John Carewe’.

Reference: C 1/609/4

Short title: Bonefaunte v Tyrell.

Plaintiffs: Thomas Bonefaunte.

Defendants: James Tyrell, esquire, and Margery, his wife, late the wife of John Carewe, and Alice, late the wife of Richard Coryngton.

Description: *Subject: Bonds given on behalf of the said John and Richard, for securing payment of the fine due to the King for livery of seisin to the said Margery and Alice, as heirs of Edith Calwodeley, of the manors of Cheriton Fitzpain, Alampton and St Neot, and a moiety of the manor of Camerton.*

Devon, Cornwall, Somerset.

5 documents

Date: 1529-1532

For the marriage of Margery (nee Kelly) Carew and James Tyrrell, see also:

Reference: DD/TB/36/16/1-4

Description: *The judgement of John Fitzjames and Robert Brudenell, two of the King's Justices, in the dispute between John Calwoodleigh, gent and Alice Coryton, widow, James Tyrell and Margery his wife (formerly Margery Carew) concerning lands in East and West Stoodleigh, Mere and Cove.*

Date: 1528

Held by: Somerset Heritage Centre (South West Heritage Trust), not available at The National Archives

See also the pedigree of Carew of Bury St Edmunds in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 187 (in which 'Celley Delond' appears to be a mistranscription of 'Kelly of London', and 'Gervis' a mistranscription of 'Garneys') at:

<http://archive.org/stream/visitationsofsuf00harvuoft#page/186/mode/2up>

See also the entry for Margery (nee Kelly) Carew Tyrrell at:

http://www.tudorwomen.com/?page_id=691

Margaret (or Margery) Kelly (d.1551+) was the daughter and coheir of William Kelly of Stoodleigh and Camerton, Devon (and Southwick, Sussex?). Her first husband was John Carew of Crowcombe, Devon (d. March 1, 1524). They had one son, George (1511-1538), and possibly two daughters, Anne and Margaret. The inquisition post mortem for John is dated September 30, 1524. The manor of Sapston was settled on Margaret for life. Margaret married James Tyrrell of Columbine Hall (c.1475-1538). His will was written April 8, 1533 and proved October 17, 1539. They had at least one son, Charles Tyrrell (d.1570). Margaret is mentioned in the will of Elizabeth Chedworth, Lady Audley (d.1542), who refers to her as her niece. Lady Audley was the sister of John Carew's mother, Margaret Chedworth. A quitclaim dated 1551 refers to Margery Tyrrell, widow, of Pentlowe, Essex and her grandsons John and Thomas Carew and Charles Tyrrell, placing her death at some point after that.

For the 1551 quitclaim referred to above, see Somerset Heritage Centre, DD/TB/36/29.

For Margery (nee Kelly) Carew's son, George Carew (1511-1538), see also the will of Francis Saunders (d. 20 June 1585), TNA PROB 11/68/442, who married, as his first wife, George Carew's daughter, Elizabeth Carew.

In the will below the testator mentions four sons and three daughters.

* **John Tyrrell** (d.1558?) of Columbine Hall, eldest son and heir. For his will, dated 28 October 1557 and proved 10 February 1558, see TNA PROB 11/40/73.

* **Thomas Tyrrell.** He is mentioned in the will of his elder brother, John Tyrrell (d.1558?).

* **Philip Tyrrell.** He is mentioned in the will, TNA PROB 11/52/187, of his brother, Charles Tyrrell (d.1570), second husband of Oxford's mother, Margery Golding (see below).

* **James Tyrrell.** He is mentioned in the will of his elder brother, John Tyrrell (d.1558?).

* **-Margaret [Tyrrell?].** Although she is referred to by the testator as his 'daughter', she may have been his stepdaughter, i.e. the daughter of his second wife, Margery (nee Kelly), by her first husband, John Carew (d. 1 March 1524).

* **Margery Tyrrell** (living 1590). She married Richard Garneys (d. 3 January 1586) of Mendlesham, Suffolk, and Boyland Hall, Norfolk, son and heir of John Garneys (d. 18 December 1553) and Ursula Berney, daughter of Thomas Berney of Reedham, Norfolk. There were no issue of the marriage, and Richard Garneys was succeeded by his kinsman, Nicholas Garneys, esquire, of Kenton Hall. Margery Tyrrell and her husband are likely the 'brother and sister Garnisshe' mentioned in the will of Oxford's stepfather, Charles Tyrrell (d.1570).

See the inquisitions taken in Norfolk and Suffolk after the death of Richard Garneys, TNA C 142/210/70 and TNA C 142/210/72, and the Garneys pedigree in Burke, Bernard, *A Genealogical and Heraldic Dictionary of the Landed Gentry*, Vol. I, (London: Colburn and Co., 1852), p. 634 at:

<https://books.google.ca/books?id=9mNHAAAAYAAJ&pg=PA634>

See also the pedigree of Garneys of Kenton in Muskett, Joseph, James, *Suffolk Manorial Families*, Vol. I, (Exeter: William Pollard, 1900), pp. 190-1 at:

https://archive.org/stream/bub_gb_ZxANnBnHKBQC#page/n197

See also the pedigree of Garneys of Mendlesham in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 33 at:

<http://archive.org/stream/visitationsofsuf00harvuoft#page/32/mode/2up>

For Margery Tyrrell, see also Copinger, W.A., *The Manors of Suffolk*, Vol. 3, (Manchester: Taylor, Garnett, Evans & Co. Ltd., 1909), pp. 281-2 at:

<https://archive.org/stream/cu31924092579568#page/n295/mode/2up>

The statement in the Carew pedigree that Margery Tyrrell had been married to a husband surnamed Tyrrell before she married Richard Garneys may be an error. See the Carew pedigree in Metcalfe, *supra*, p. 187 at:

<http://archive.org/stream/visitationsofsuf00harvuoft#page/186/mode/2up>

* **Anne [Tyrrell?]**. Although she is referred to by the testator as his ‘daughter’, she may have been his stepdaughter, i.e. the daughter of his second wife, Margery (nee Kelly), by her first husband, John Carew (d. 1 March 1524).

By his second wife, Margery (nee Kelly), the testator also had a son not mentioned in the will below:

* **Charles Tyrrell** (d.1570), who married Oxford’s mother, Margery Golding (d.1568) as her second husband. For Margery Kelly as the mother of Charles Tyrrell, see the National Archives online catalogue for Somerset Archive and Record Service DD/TB/36/26, a final concord dated 1549 concerning the manor of East Stoodleigh between John Carew and Charles Tyrell, on the one part, and Margery Tyrell, widow, their mother, at:

<http://archive.li/z1PY>

In the Carew pedigree in Metcalfe, *supra*, p. 187, only one child, ‘Charles Terrell’ is shown as issue of the marriage of ‘Celley Delond’ [=Kelly of London?] and ‘Terrell’, and it would appear that this was Oxford’s stepfather, Charles Tyrrell.

In his will, Charles Tyrrell leaves a substantial bequest to his brother, Philip Tyrrell, and appoints him sole executor:

Item, I do give unto my brother, Philip Tyrrell, and my friend, Master Kelton of Colne, all that my lease and term of years yet to come which I have of the said house, manor and priory of Colne

Item, I do make my brother, Philip Tyrrell, my sole executor of all other my goods and chattels yet ungiven upon condition he do pay all such debts and duties as may lawfully be demanded of me

In his will, Charles Tyrrell mentions three sisters, identified only as ‘my sister Church’, ‘my brother and sister Garnisshe’, and ‘my sister Felton’. For further details, see the will of Charles Tyrrell, TNA PROB 11/52/187.

OTHER PERSONS MENTIONED IN THE WILL

The testator mentions an agreement between himself and Philip Barnard:

Also I will that all such covenants as I stand bounden unto Master Ley and Master Philip Barnard be performed according as is specified in a pair of indentures made between us.

For Philip Barnard, see the will of Dame Elizabeth Robsart (d. 20 November 1535), grandmother of Amy Robsart, first wife of Queen Elizabeth's favourite, Robert Dudley, Earl of Leicester, TNA PROB 11/26/48. Dame Elizabeth Robsart's eldest son, William Robsart (1486 – 14 November 1503) was a ward of Sir William Carew (d.1501), and married Sir William's Carew's daughter, Anne Carew.

An inquisition post mortem for a William Robsart was taken in Norfolk in 1515/16 (see TNA C 142/30/84 and TNA E 150/618/6), and this may be the same William Robsart, despite the 12-year delay in the taking of the IPM. After the death of William Robsart (1486 – 14 November 1503), Anne Carew married secondly Philip Barnard, the son of William Barnard of Rous Hall, Akenham, Suffolk. See Copinger, W. A., *The Manors of Suffolk*, Vol. 2, p. 230 at:

<https://archive.org/stream/cu31924092579550#page/n241/mode/2up>

William Barnard married Elizabeth Weller, of Ramsholt, and had three sons and two daughters. On his death the manor passed to his son and heir Philip Barnard, who married 1st Anne Robsert, daughter of Sir William Carew, of Bury St. Edmunds, Knt., and 2ndly Alice, daughter of Richard Bishop, of Yarmouth.

TESTATOR'S LANDS

For the testator's manor of Columbine Hall or Thorney Columbers, see:

<http://www.gatehouse-gazetteer.info/English%20sites/3384.html>

The following article on Columbine Hall can be downloaded at the above-mentioned site:

Martin, E., Easton, T. and Aitkins, P., 1993, 'Excursions - More moats in the landscape: Columbyne Hall', *Proceedings of the Suffolk Institute of Archaeology and History*, Vol. p. 107-9 (plan)

In the name of God, Amen. I, James Tyrrell, make my last will and testament in the year of Our Lord God a thousand five hundred 33 under this manner and form following:

First, I bequeath my soul to Almighty God, my body to be buried where it shall please him;

Item, I give to the high altar in Stow [=Stowmarket] for my tithes negligently forgotten 3s 4d;

Also I will that all such covenants as I stand bounden unto Master Ley and Master Philip Barnard be performed according as is specified in a pair of indentures made between us;

Also, I will my son, John Tyrrell, have the gilt cup and 2 featherbeds with that belong to them, and if he die, I will Thomas, his brother, have it;

Item, I give my wife all my stuff of household and plate except the cup aforesaid;

Item, I will my wife have my house in Needham during her life, and after her decease, I will Margaret Tyrrell, my daughter, have it if she be then alive; if she die, then I will Margery, my daughter, have it; and if they both die, I will it be sold by my wife's executors and mine, and the money thereof to go to the performance of my will;

Item, I give to Anne Tyrrell, my daughter, twenty pounds and 6 pounds of lawful money of England;

Item, I give to Thomas Tyrrell, 6 pounds 13s 4d if his brother, John, be then alive;

Item, I will all my cattle be sold by mine executors, and the money thereof to go to the performance of my will;

Also, I will Philip, my son, have £6 13s 4d if it will be borne;

The residue of my goods not bequeathed, I put to the discretion of mine executrix, whom I name my wife;

Written the 8th day of April in the 26th [sic?] year of the reign of our Sovereign Lord King Henry the 8th with the hand of me, James Tyrrell;

Item, I will James Tyrrell have £7 13s 4d if it will be borne.

Witness, my brother, Sir Thomas Tyrrell, knight, and John Waulker [=Walker], clerk.

Probatum fuit suprascriptum Testamentum coram prefato Magistro Willmo Peter legum doctor Comissario antedicto Apud London xvij die mensis Octobris Anno domini Millesimo quingentesimo Tricesimo Nono Iuramento Iohannis Thorp lictoratoris Relicti et executricis in huiusmodi testamenti notariis Ac approbati et insinuat Comissaque fuit admistratio omnium et singulorum bonorum iurium et creditorum dicti defuncti Relicti et executrici in huiusmodi testamenti notariis De bene etc Ac de pleno et fidei Inventario omnium et singulorum bonorum et debitorum huiusmodi conficiendo Necnon de plano et vero compoto reddendo Ad sanctam dei Evangelia In persona dicti pcuratoris Iurat

[=The above-written will was proved before the forenamed Master William Peter, Doctor of the Laws, Commissary aforesaid, at London on the 17th day of the month of October in the year of the Lord the thousand five hundred thirty-ninth by the oath of the learned John Thorp, proctor of the relict and executrix named in the same testament, and probated and entered, and administration was granted of all and singular the goods, rights and credits of the said deceased to the relict and executrix named in the same testament, sworn on the Holy Gospels, in the person of the said proctor, to well etc., and to prepare a full and faithful inventory of all and singular the goods and debts of the same, and also to render a plain and true account.]