

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 12 June 1551 and proved 25 August 1551, of Sir Thomas Tyrrell (1472?-1551) of Gipping, Suffolk, who appears to have been the paternal uncle of Charles Tyrrell (d.1570), the second husband of Oxford's mother, Margery Golding (d.1568).

FAMILY BACKGROUND

The testator was the eldest son of Sir James Tyrrell (d. 6 May 1502), alleged murderer of the two young sons of King Edward IV held in the Tower, and his wife Anne Arundel, the daughter of Sir John Arundel (d.1473) of Lanherne, Cornwall.

The testator's younger brother was James Tyrrell (1475?-1538) of Columbine Hall in Stowupland, Suffolk. For his will, see TNA PROB 11/26/266.

The testator's sister, Anne, and her husband Sir Richard Wentworth (d. 17 October 1528), *de jure* fifth Baron Despenser, were the parents of Thomas (1501-1551), 1st Baron Wentworth.

The will below contains these two bequests:

Also, I give, will and bequeath to my nephew and godson, Thomas Tyrrell, son to my brother, James, and now servant to my Lord Wentworth, twenty shillings to be paid within one year after my death;

Also I give, will & bequeath to my nephew and godson, Charles Tyrrell, a doublet cloth of black satin and four pounds in money, to be paid 40s a year by my executors or th' executors of them;

These two bequests suggest that the testator was the paternal uncle of Charles Tyrrell (d.1570), the second husband of Oxford's mother, Margery Golding (d.1568). The first bequest states that Thomas Tyrrell is the testator's nephew, the son of the testator's brother, James, and it seems reasonable to suppose that Charles Tyrrell is also the testator's nephew and the son of the testator's brother, James. If so, both Thomas and Charles were the sons of James Tyrrell (d.1539), for whose will see TNA PROB 11/26/266. In his will, James Tyrrell (d.1539) mentions three sons: John, Thomas, and Philip. He does not mention a son, Charles. However, although James Tyrrell made his will on 8 April 1533, it was not proved until six years later, on 17 October 1539, and Charles could therefore have been born between 1533 and 1539. James Tyrrell (d.1539) also mentions three daughters in his will: Margaret, Margery and Anne. These family members correspond to those mentioned in the will of Charles Tyrrell (d.1570). Charles makes his brother, Philip, his executor, and names three married sisters: 'my sister Church', 'my brother and sister Garnisshe [=Garneys]' and 'my sister Felton' (see TNA PROB 11/52/187). A Richard Garneys, esquire, of Boyland Hall in Morningthorpe, Norfolk married Margery, the daughter of James Tyrrell, esquire, of Columbine Hall near

Stowmarket, Suffolk. Richard Garneys died without issue on 3 January 1586, and was succeeded by his kinsman, Nicholas Garneys, esquire, of Kenton Hall (see *Burke's Genealogical and Heraldic History of the Landed Gentry*, Vol. I, p.634). It thus seems very likely that Margery, the daughter of James Tyrrell (d.1539) is the same person as 'my sister Garnisshe' mentioned by Charles Tyrrell (d.1570) in his will. If so, Charles Tyrrell (d.1570), the second husband of Oxford's mother, Margery Golding (d.1568), was the grandson of Sir James Tyrrell (d. 6 May 1502), the alleged murderer of the two sons of King Edward IV.

MARRIAGES AND ISSUE

The testator married firstly Margaret Willoughby, the daughter of Sir Christopher Willoughby (b. about 1453, d. 1498/9) and Margaret Jenney (d.1515/16). See the will of Sir Christopher Willoughby (b. about 1453, d. 1498/9), TNA PROB 11/11/675, and the Jenney pedigree in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 45 at:

<https://books.google.ca/books?id=EycAAAAAQAAJ&pg=PA45>

The testator married secondly a wife named Joan, mentioned in the will below, about whom nothing further is known.

By Margaret Willoughby, the testator had a son and daughter:

* **Sir John Tyrrell** (d.1573?), who married Elizabeth Munday, the daughter of Sir John Munday (d.1537), Lord Mayor of London. For the will of Sir John Tyrrell, see TNA PROB 11/56/322. For the will of Sir John Munday, see TNA PROB 11/27/118.

* **Anne Tyrrell**, who married Sir John Clere (c.1511-1557) of Ormesby in Norfolk, the son of Sir Robert Clere (c.1452 - 10 August 1529) of Ormesby and his second wife, Alice Boleyn (d. 1 November 1538), the aunt of Queen Anne Boleyn. For the will of Sir John Clere (d.1557), see TNA PROB 11/39/381.

TESTATOR'S CONNECTION TO THE EARLS OF OXFORD

Two grants recited in the inquisition post mortem (see TNA C 142/136/12) of John de Vere (1516-1562), 16th Earl of Oxford, appear to refer to the testator's son and heir, Sir John Tyrrell:

And the foresaid jurors say that the foresaid late Earl by his deed sealed by his seal & subscribed as above and dated the 16th day of June in the 38th year [=16 June 1546] of the reign of the late King Henry the Eighth granted to John Tyrrell, knight, under the description of John Tyrrell, esquire, a certain yearly rent of ten pounds sterling issuing of his manor of Christian Malford in the county of Wiltshire, to have & enjoy the foresaid

yearly rent to the forenamed John Tyrrell & his assigns during the whole term of the life of himself, John, to be paid yearly at the feasts of Saint Michael the Archangel & the Annunciation of Blessed Mary the Virgin by equal portions, with a clause of distraint for non-payment of the foresaid yearly rent, as by the same deed to the foresaid jurors upon the taking of this present inquisition in manifest evidences more fully appears.

And the foresaid jurors say that the foresaid late Earl by a certain deed of his sealed by his seal at arms & subscribed by his own hand dated the 16th day of June in the 38th year [=16 June 1546] of the reign of the late King Henry the Eighth granted to Charles Tyrrell, gentleman, the office of constable of his castle of Hedingham in the county of Essex, and appointed him, Charles, constable of the foresaid castle, to have & occupy the foresaid office by himself or by his sufficient deputy from the day of the making of the said deed during the whole term of the life of himself, Charles, remainder after his decease to John Tyrrell, esquire, son & heir apparent while he lived of Thomas Tyrrell, knight, for term of his life, to take yearly for the exercise of the foresaid office during the foresaid term four pounds sterling at the feasts of the Annunciation of Blessed Mary the Virgin & Saint Michael the Archangel by equal portions with all fees & profits whatsoever to the foresaid office appertaining, with a clause of distraint within the foresaid castle for non-payment of the foresaid rent, as by the foresaid deed to the foresaid jurors upon the taking of this present inquisition in manifest evidences more fully appears.

Further evidence that the testator's son and heir, Sir John Tyrrell and the John Tyrrell to whom the 16th Earl made these two grants are one and the same person is found in a receipt by Sir John Tyrrell and his son, George, dated 12 February 1564 for the above-mentioned annuity (see TNA SP 12/33/14).

Information on the testator's manors in Banham can be found in Armstrong, Mostyn John, *History and Antiquities of the Count of Norfolk, Vol. VI, Containing the Hundreds of North Greenhoe, South Greenhoe, Grimshoe, and Guiltcross* (Norwich: J. Crouse, 1781), pp. 6-12, available online, where it is stated that in 1558 the testator's son and heir, Sir John Tyrrell (d.1574) granted all his rights in his manor of Marshalls in Banham to Oxford's first cousin, Thomas Howard (1538-1572), 4th Duke of Norfolk. Other properties mentioned by the testator, i.e. Gipping, Newton, Cotton and Bacton, are all within a few miles of Stowmarket. For photographs of the chapel at Gipping and the church at Stowmarket where the Tyrrells were buried see:

<http://www.suffolkchurches.co.uk>

LM: Thome Tyrrell mi{li}t{is}

In dei nomine Amen. I, Thomas Tyrrell of Gipping in the county of Suffolk, knight, whole of body and in health, and perfect of mind & of good remembrance, lauds and praises with thanks be to God Almighty therefore, who of his infinite goodness hath

created me and made me, and besides that redeemed me with his most precious blood & most bitter passion, considering the mortality of our birth and the life of man lasteth not long, have this day, being the 12th day of June in the year of Our Lord God a thousand five hundred fifty and one, and the fifth year of the reign of our Sovereign Lord King Edward the Sixth of that name, who is King of England, France and Ireland, Defender of the Faith, and in earth Supreme Head of the Church of England and Ireland, have constituted, ordained & made my testament and last will of my lands, chattels & goods both real and personal in manner and form following:

First, I bequeath my soul to him who by the merits of his most bitter passion hath redeemed it, and was born of the most pure Virgin Mary, his mother most glorious, whose merciful Son died for our salvation and souls' health, and my vile carcass to the earth from whence it came, and to be buried where it shall please God and as mine executors shall think most expedient, without pomp, and as little ado outwardly as may be;

And the alms to be given to the most indigent and needy people within the hundred and without where it shall be thought most need to be given, two pence apiece to the number of 700 persons and no more to be given at my burying, if there be so many persons; if not, the rest to be given at my month's mind;

And on the wall where my body shall be interred or buried, I will have a remembrance written in brass in great letters 7 foot from the ground expressing my name & my wife Margaret's name, whose soul God pardon, desiring all good Christian people to pray of their charity for our souls;

And first as to the declaration of mine intent and true meaning concerning the devise and will of my lands, be it known to all men that I declare and will that Joan, my wife that now is, shall have, hold and enjoy my manors of Greys in Banham and also Overhaugh and Mekyllhaugh(?) [=Micklehaugh?] with Banham Haugh, now letten by copy for 12d the acre, parcel of my manor of Banham Marshalls in Norfolk, as by good deeds and estates thereof made by th' advice of my friends and given accordingly more plainly it doth appear, to have and to hold to the said Joan, my wife, and to her assigns for term of her natural life;

And also I declare and will that Joan, my wife, shall have, hold and enjoy my house I bought of th' heirs of James Lopham which now Robert Panlante [=Pallant?] alias Laund hath in farm, with all the lands, free and copy, that now are in th' occupation of the said Robert or any other to his use, to have and to hold to the said Joan, my wife, and to her assigns for term of her natural life;

And also I will and give unto my said wife a wood called Packes wood holden by copy of the manor of Netherhall, to have and to hold to the said Joan, my wife, and to her assigns for term of her natural lie;

And also I declare and will that Joan, my wife, shall have a close that I bought of th' heirs of James Lopham called Coppynge which now is in mine own occupancy, to have and to hold to the said Joan, my wife, and to her assigns for term of her natural life;

And to the rest of my said manor of Marshalls, I will that the whole profits thereof shall be levied & gathered and taken by Sir Thomas Cornwallis, knight, John Sulyard, esquire, Robert Keene, gentleman, and William Thrower to th' use of this my last will and testament and performance of the same by the term of twenty years after my death at their discretions as the laws of this realm will give leave, meaning no defraud to the King's Majesty in no wise;

And also I declare and will that all other my lands and tenements in Gipping, Newton, Cotton and Bacton except my purchased lands and lands not comprised within the covenants of marriage between my brother, Sir John Munday, and me, shall also be levied, taken and gathered by Sir Thomas Cornwallis, knight, John Sulyard, esquire, Robert Keene, gentleman, and William Thrower to th' use of this my last will and testament;

And also I declare and will as concerning all my purchased lands which I purchased of th' heirs of James Lopham, Smyth and Bageler, and Joan, his wife, lying in Gipping, Old Newton, Bacton and Cotton and Stow, shall go to the use and intent hereafter following, and that is that Joan, my wife, shall have the house and the lands, woods and close afore rehearsed during her natural life, and also if my son, John Tyrrell, now mine heir apparent, his heirs, executors or assigns or any of them, or any other in their name or names, do trouble, vex or disquiet my said wife, Joan, by any kind of way or ways or means in manner of lands and tenements that I have given her, or take from her or cause to be taken from her any kind of movable goods which I have given her or shall give unto her by writing or word, of if they or any of them do vex or trouble her or her assigns for any of the said lands that I have given her or movable goods or any parcel thereof at any time or times hereafter to her trouble or disquieting of her or any of hers, then I will that the said Joan, my wife, shall have, hold and enjoy all my said purchased lands and tenements, woods, meadows, pastures and feedings, with all profits and commodities in any wise belonging to the foresaid purchased lands and tenements with their appurtenances, as well copy as free, to have, hold and enjoy to her and to her heirs, to give and to sell at her will and pleasure;

And if my said son, John, nor his heirs nor any other in their name do no thing nor things contrary to this my will and mind afore declared or hereafter shall be declared, then I will my said son, John Tyrrell, shall have all my said purchased lands after the death of my wife, yielding and paying therefore an hundred pounds of good and lawful money of England to th' hands of my executors or the executors of them within one year after my death to th' use and performing of this my testament and last will, and then he to have it to him and his heirs forever, or else not;

And if he is not so content, then my executors and th' executors of them to sell the said purchased lands to pay my debts and to perform my legacies, provided always that Joan,

my wife, shall have and enjoy as much of my said purchased lands and tenements as I have given her for term of her natural life, anything in this will and testament written or meant to the contrary notwithstanding;

And also further I will and declare that if my said wife be troubled, vexed or disquieted by my said son or of his heirs, executors or assigns, that then, where now I have given unto my said wife the said parcel of land in Banham in full recompense of her jointure and dower, and she well content with the same, then I will she shall be entitled to the thirds of all my lands as the laws and custom of this realm will amitt [=admit] her, any pact, covenant, contract or bond made heretofore to the contrary in any wise notwithstanding;

And further I declare and will that mine executors and th' executors and th' assigns of them shall have, perceive and take all issues and profits of my manors of Banham Marshalls and Beckhall to the disposition of this my testament and last will, and specially to the payment of my debts, except that I have assigned for my wife's jointure, as is above rehearsed, as well debts as shall be due by good specialty duly proved as also debts in conscience with reason to be paid, except and forprised always all such writings as were delivered to one Doctor Warner in custody, he being then parson of Wyntertown, which writings be made in form of obligations signed and sealed, but delivered as scrowns(?) by Edward Whytte, gentleman, then student at the law, until such time as covenants of marriage had been performed by my brother, Sir Robert Clere of Ormesby, knight, which was never done nor performed, as the said Doctor Warner knew right well, and if he were as true a man of his promise to me, the said writings be all cancelled, as of truth they ought to be;

The truth is they should have been bonds for the payment of my daughter, Anne Clere, her marriage money, if covenants had been performed and kept, as they never were;

Therefore in discharge of my conscience and in discharging of mine executors thus I have, and shall, declared the truth: I paid the day of the marriage of my said daughter one hundred marks of ready money over & besides the apparel of my said daughter, and also I kept my son-in-law, Sir John Clere that now is, and his wife, my daughter, and all his at my proper costs and charges by the space of 7 years and more, and found them not only meat and drink, but also all that ever longed to them and theirs besides;

And so all things duly considered, with the miserable estate that he hath brought my daughter, his wife, unto, my conscience is discharged, for I owe Sir John Clere never a penny, but rather he me, for I bare the great part and most part of the marriage dinner and feast which continued by days, and my brother Clere and my Lady should have borne the charges & not I;

Also I will and declare that mine executors and th' executors of them shall perceive and take th' issues and profits of the said manor of Marshalls and Beckhall until the time as they have discharged, performed and paid as well my debts as also my legacies and bequests comprised within this my testament and last will, and after all debts paid and

discharged and my legacies performed and paid during the twenty years afore rehearsed, then I will my son, John Tyrrell, mine heir apparent, and his heirs males shall have the said manors, lands and tenements in Banham called Marshalls and Beckhall [+as?] according to the deeds of entail made and enrolled more plainly it may appear, provided always that Joan, my wife, shall have and enjoy her jointure [+for] term of her life as is above rehearsed;

And as to the bequests, disposition and gift of my chattels personal and goods movable, and to the declaration and true meaning of the same, as well thereof as of other things ensuing them, know you that I give and bequeath to Joan, my wife, the indenture of the lease that I have of the Duke of Suffolk for Newton field with the years that I have by the said indenture now, or hereafter may have, by lease or otherwise, to have, hold and enjoy for term of her life natural;

Also I give and bequeath to my said wife all my stuff of household, bedding, featherbeds, coverlets, fustians, blankets of linsey-woolsey, with all other blankets, with all testers of silk, cloth of gold, velvet, and all curtains of silk, and all other testers and beds of say, buckram & other kind of stuff, whatsoever it be;

And also give and bequeath to my said wife all kind of stuff of household which I now have in Gipping, with all implements of household, whatsoever they be, and all my kitchen stuff, pots, pans, spits, frying-pans, gridirons, kettles, posnets, spits(?) and chafing-dishes, with all kind of stuff belonging to a kitchen, whatsoever they be, and all new brewing vessels, of what kind soever they be (except the brass kettles), to have and to hold to her own use (except a great counterpoint of silk with birds of gold, and the tester belonging to the same, which now hangeth in the great chamber, and except also one bed of down that is in the chamber where my Lady Darcy lay, over the old parlour, and the great featherbed in the great chamber, which portion I give unto my son, John Tyrrell, my son and heir apparent, to have to his use);

All other kind of stuff of household that I have in Gipping and Thrandeston I give unto Joan, my wife, with all other things movable, and also all the wood and timber in Gipping now ready felled and not sold at the time of my death;

And also I give, will and bequeath to Joan, my wife, all the milk neat that I have within Gipping, to be delivered to her by my executors or by th' executors of them immediately after my death, with all other calves and yearlings and two years' yearlings and bulls that she and I have brought up together;

And also I give, will and bequeath to my said wife all things belonging to my dairy, as cheese presses, bowls, pans, tubs & pails, with all kind of things that belongeth to my dairy;

I also give, will and bequeath to Joan, m wife, all kind of corn and grain that I have in Gipping, as well in the barn and sollars as also in the field;

Also, I give, will and bequeath to Joan, my wife, forty pounds in money, to be paid by my executors or th' executors of them immediately after my death, and if I have not so much money when I die, then I will that a portion of my purchased lands be sold by mine executors or th' executors of them to as much value as will make ready money to pay the £40 incontinent after my death unto my said wife;

Also I give, will and bequeath to my said wife a gilt salt with a cover, and a salt of silver with a cover ungilt which she herself caused to be made, a goblet with a cover of silver parcel gilt, and a flat piece of silver which is daily occupied in my chamber, and all my silver spoons, and a plain standing cup with a cover all gilt with an image of Our Lady in the bottom of the cup, to have and to hold unto her own use as long as she keep herself sole and be unmarried;

And if she marry, then I will the said parcels of plate be delivered to th' hands of mine executors or th' executors of them, & they to deliver the same to him that shall be heir of Gipping, and he to pay to my grandchild and godson, Thomas Tyrrell, at the delivery of the same as much money as the said parcels of plate shall then be worth; if the said Thomas be then dead, to remain to him that then shall be heir of Gipping Hall;

The residue of all my silver plate not bequeathed I will shall be sold by my executors or th' executors of them, and my son, John Tyrrell, shall buy it before any man, paying as another man will, and to have it 40s better cheap in the whole sum;

Also, I give, will and bequeath to my nephew and godson, Thomas Tyrrell, son to my brother, James, and now servant to my Lord Wentworth, twenty shillings to be paid within one year after my death;

Also I give, will & bequeath to my nephew and godson, Charles Tyrrell, a doublet cloth of black satin and four pounds in money, to be paid 40s a year by my executors or th' executors of them;

All the residue of my chattels personal and goods movable not bequeathed (except my apparel which I give to my wife to dispose at her will) shall go to the performance of this my last will and testament;

My mind is that William Thrower, my bailiff, shall have a gown coat furred and bordered with black velvet;

And also I will and charge my son, John Tyrrell, upon my blessing not to interrupt any part of this my will and testament, and if he do any thing or things to disappoint my wife her jointure or disappoint my legacies or payments comprised in this my testament and last will, then I will mine executors or th' executors of them shall immediately enter and sell all my purchased lands except that I have given my wife, and after her death to sell that also, and the money thereof coming to deliver unto my wife dued(?) so she and my executors or th' executors of them to see right may take pace, and to see all things

performed and done according to the true meaning and intent of this my last will and testament;

And also I will and declare that if any word or words, contents or sentences be by me omitted or left comprised or put in contrary to the true lawful meaning of the premises and contrary to the form of law for lack of knowledge of the same, I desire my loving friends Mr Gosnold, now Solicitor of the King his Majesty's Court of th' Augmentations, and Mr John Blennerhasset, esquire, to amend, reform and redress and put in the same in form of law according to the true meaning of this my testament and last will, and I commit, refer and authorize my said two loving friends, both or one of them, to do the same as they think may stand with the law, and this my testament and last will so by them perfected & made in form of law according to the true meaning of the same to stand as my last will and testament, and I give and bequeath to either of them for their pains to be taken in that behalf 40s apiece, to be paid by my executors immediately after my death;

And to the intent that mine executors in whom I put my trust for the true execution of this my testament and last will may know my debts, I have written a bill with mine own hand and shall annex the same to this my testament and last will which shall declare how much I do owe and to whom;

And I do will, ordain and constitute Sir Thomas Cornwallis of Brome, knight, John Sulyard of Wetherden, esquire, Robert Keene of Thrandeston, gentleman, and William Thrower of Bye and my bailiff of Banham to be mine executors, most heartily desiring and requiring them as my trusty friends of their charity to accomplish this my testament as my very trust is in them;

And I most humbly beseech and pray my Saviour and Redeemer, Jesus Christ, God and man, of his infinite mercy & goodness to be supervisor of this my testament and last will, and so to infuse his grace into the minds of mine executors that they may accomplish his will and also mine before declared, amen;

In witness whereof and also that this is my true testament and last will, I have written the same with mine own hand, and set to my seal the day and year above-written, and declare that all those testaments and last wills afore this written shall be clearly void & of none effect, and this to be taken for good and effectual till God otherwise dispose.

By me, old Thomas Tyrrell. Die et anno supradict{is}. Teste me Will{el}imo Parker, Rectore de Tastoke. Teste Thoma Symond{es} Rector{e} de Stoke Asshe. Teste Joh{an}ne Remchinge notario publico. N. Bacon. Ioh{an}n{e} Longworth prieste.

Probatum fuit testamentu{m} coram d{omi}no Cant{uariensis} Archiep{iscop}o Apud London xxvto Die Mens{is} Augusti Anno d{omi}ni Mill{es}imo quingentesimo qui{n}quagesimo primo Iuramento Will{el}mi Stephenson procur{atoris} executoru{m} in h{uius}mo{d}i testamento no{m}i{n}ator{um} Ac approbatu{m} et insinuatu{m}

Comissa q{ue} fuit admi{ni}strac{i}o om{n}i{um} bonor{um} &c d{i}c{t}i def{uncti}
De bene et fidel{ite}r admi{ni}strand{o} eadem Ac de pleno in{uenta}rio &c
exhibend{o} Ad s{an}c{t}a dei Eu{a}ngelia in Debita Iuris forma Iurat{i}

[=The testament was proved before the Lord Archbishop of Canterbury at London on the 25th day of the month of August in the year of the Lord the thousand five hundred fifty-first by the oath of William Stephenson, proctor of the executors named in the same testament, and probated and entered, and administration was granted of all the goods etc. of the said deceased, sworn on the Holy Gospels in due form of law to well and faithfully administer the same, and to exhibit a full inventory etc.]