

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 28 March 1555 and proved 14 November 1559, of William Willington, whose daughters married into families related to Oxford, Lord Burghley, and Thomas Russell, overseer of the will of William Shakespeare of Stratford.

The testator married firstly, likely about 1506, Anne Middlemore, the daughter of Margery Throckmorton and Richard Middlemore (d.1502x3) of Egbaston, Warwickshire. Margery is said to have been the sister of Sir Robert Throckmorton (c.1451-1518), for whose will see TNA PROB 11/20/25. After the death of Richard Middlemore, she is said to have taken a vow of perpetual chastity. See the will of Richard Middlemore dated 28 November 1502, TNA PROB 11/13/436, which was proved 14 March 1503 with 'Master William Throckmorton' acting as proctor for Margery. In her own will, TNA PROB 11/24/14, dated 14 August 1530 and proved 6 February 1531, the scribe has written her name as 'Marie' in the margin and interlineated it as 'Marie' in the will, but the testatrix' appointment of 'my brother, Doctor Throckmorton' as supervisor establishes that the testatrix was Margery (nee Throckmorton) Middlemore, the daughter of Sir Thomas Throckmorton (c.1412-1472) and Margaret Olney, and sister of Sir Robert Throckmorton (c.1451-1518). See also Erler, Mary C., *Women, Reading, and Piety in Late Medieval England*, (Cambridge University Press, 2002), p. 113; and the pedigree of Middlemore, in Fetherston, John, ed., *The Visitation of the County of Warwick in the Year 1619*, (London: Harleian Society, 1877), Vol. XII, pp. 332-3 at:

<https://archive.org/stream/visitationcount01britgoog#page/n364/mode/2up>.

For the family of the testator's first wife, see also:

<http://www.halhed.com/t4r/getperson.php?personID=I4775&tree=tree1>.

In 1529 the testator and his first wife joined the Guild of the Holy Cross in Stratford-upon-Avon. The testator's first wife, Anne Middlemore, died about 1537.

About 1545 the testator remarried. His second wife was Anne Littleton, the daughter of Richard Littleton (d.1517/18) of Pillaton Hall (second son of Sir Thomas Littleton, author of *Littleton's Tenures*), and widow of Thomas Middlemore of Studley, brother of the testator's first wife. See Anne Littleton's will, proved 13 November 1559, TNA PROB 11/42B/641; Turner, Hilary L., 'William Willington c.1480-1555', available as a pdf file online; and *The English Baronetage*, (London: Thomas Wotton, 1741), Vol. II, pp. 65-6 at:

<https://books.google.ca/books?id=nC45AQAAMAAJ&pg=PA62&lpg=PA62&dq=%22John+Littleton%22+%22Pillaton%22&source=bl&ots=tzTEa3UvX6&sig=A6JiP1E4bUNN1B10MB50yWKNP3c&hl=en&sa=X&ved=0ahUKEwjvqZPFpqLJAhUS2WMKHRQ1AeM4ChDoAQghMAE#v=onepage&q=%22John%20Littleton%22%20%22Pillaton%22&f=false>.

In the will below the testator leaves bequests to six ‘cousins’, all of whom appear to have been his second wife’s children by her first marriage to Thomas Middlemore (see her will, *supra*):

*Item, I bequeath to my cousins, Robert Middlemore, Richard Middlemore, priest, Godith Bulstrod, Eleanor Agard, Winifred Standley and Alice Barnes, to every of them £20.*

Eleanor Agard was the mother of the antiquary Arthur Agard (1535/6–1615), for whom see the *ODNB* article.

By his first wife the testator had seven married daughters mentioned in the will below:

\* Mary Willington, the testator’s eldest surviving daughter, married William Sheldon of Beoley, whose granddaughters married, respectively, Oxford’s brother-in-law, Francis Trentham, and Sir John Russell, brother of Thomas Russell, overseer of the will of William Shakespeare of Stratford. For the will of William Sheldon, see TNA PROB 11/53/79. For the pedigree of Sheldon, see Fetherston, *supra*, p. 8 at:

<https://archive.org/stream/visitationcount01britgoog#page/n26/mode/2up>.

\* Margery Willington married firstly Thomas Holte of Aston, and secondly Sir Ambrose Cave, for whose will see TNA PROB 11/54/122. Sir Ambrose Cave’s two nephews, Roger Cave (d.1586), and Erasmus Smith, were successively the brothers-in-law of Oxford’s father-in-law, William Cecil (1520/1-1598), Lord Burghley.

\* Godith Willington married Basil Fielding of Newnham Paddox, Warwickshire. For the pedigree of Fielding, see Fetherston, *supra*, p. 10 at:

<https://archive.org/stream/visitationcount01britgoog#page/n34/mode/2up>.

\* Elizabeth Willington married Edward Boughton (d.1547/8) of Brownsover and Little Lawford, Warwickshire. See Warwickshire County Record Office CR162/470; and:

<http://archiver.rootsweb.ancestry.com/th/read/GEN-MEDIEVAL/2005-07/1122696662>.

\* Margaret Willington married Sir Edward Greville of Milcote, grandfather of Sir Edward Greville (1565-c.1628), lord of the manor of Stratford. For the will of Sir Edward Greville of Milcote, see TNA PROB 11/44/282.

\* Anne Willington married Francis Mountford.

\* Katherine Willington (d.1593) married firstly Richard Kempe, by whom she had two sons. She married secondly, by settlement dated November 1543, William Catesby of Ashby Legers and Chastleton, the son of Sir Richard Catesby (d.1553), by whom she was the mother of William Catesby (1547-1598), who married Anne Throckmorton, the daughter of Sir Robert Throckmorton (d.1581) (for the latter’s will see TNA PROB

11/63/176). For the conspirator, Robert Catesby (c.1572-1605), the son of William Catesby (1547-1598) and Anne Throckmorton, see the *ODNB* article. Katherine Willington married thirdly, Anthony Throckmorton (d.1587), by whom she had five sons and four or five daughters. For Anthony Throckmorton, see the will of his father, Sir George Throckmorton (d.1552), TNA PROB 11/36/298, and Rosen, Adrienne, *Two Monuments at Little Rollright, Oxfordshire*, (Oxoniensia, 2005), p. 52, available online. For William Catesby (1547-1598), see the Catesby pedigree in Fetherston, *supra*, p. 126 at:

<https://archive.org/stream/visitationcount01britgoog#page/n152/mode/2up>.

The testator appoints as executors his ‘cousin’, William Barnes, one of the chief beneficiaries of the will, and four of his sons-in-law, Sir Ambrose Cave, Sir Edward Greville, Basil Fielding and William Sheldon.

The testator’s executor, William Barnes, gentleman, was the son-in-law of the testator’s second wife, Anne (nee Littleton) Middlemore Willington. For William Barnes, see his will, dated 21 March 1561 and proved 22 April 1564, TNA PROB 11/47/152, in which he names as executrix his wife, Alice Middlemore Barnes (i.e. the ‘Alice Barnes’ referred to above), and as overseers, ‘John Throckmorton, esquire, the Queen’s Majesty’s Justice in the Marches of Wales, my said cousin, John Littleton, esquire, my said brother-in-law, Robert Middlemore, esquire, and Thomas Underhill, esquire’. The will was witnessed by Thomas Underhill, John Underhill, and Humphrey Underhill, among others.

For the pedigree of Barnes, see Phillimore, W.P.W., ed., *The Visitation of the County of Worcester Made in the Year 1569*, (London: Harleian Society, 1888), Vol. XXVII, p. 15 at:

<https://books.google.ca/books?id=ECoeEAAAIAAJ&pg=PA15&lpg=PA15&dq=%22William+Barnes%22+%22Willington%22&source=bl&ots=s2O1xBgojX&sig=jXOHLaY7akdV7uYUul4dJGeX4kM&hl=en&sa=X&ved=0ahUKEwjR4ay0haLJAhULwmMKHZQ6DeMQ6AEIMDAF#v=onepage&q=%22William%20Barnes%22%20%22Willington%22&f=false>.

For William Barnes see also:

<http://www.genuki.org.uk/big/eng/GLS/CliffordChambers/ManorAdvowson.html>.

For another transcript of the testator’s will, see:

[http://webarchive.nationalarchives.gov.uk/+http://yourarchives.nationalarchives.gov.uk/index.php?title=William\\_willington](http://webarchive.nationalarchives.gov.uk/+http://yourarchives.nationalarchives.gov.uk/index.php?title=William_willington).

RM: T{estamentum} Will{el}mi Willington

[f. 435r] In the name of God, Amen. The 28<sup>th</sup> day of March Anno xpi a thousand five hundred fifty and five and in the first and second years of the reigns of our Sovereign Lord Philip and our Sovereign Lady Mary by the grace of God of England, France, Naples, Jerusalem and Ireland King and Queen, Defenders of the Faith, Princes of Spain and Sicily, Archdukes of Austria, Dukes of Milan, Burgundy and Brabant, Earls of Hapsburg, Flanders and Tyrol, I, William Willington of Barcheston in the county of Warwick, esquire, and Merchant of the Staple, being whole of mind and in good and perfect remembrance, laud and praise be unto Almighty God, do make and ordain this my present testament and last will in manner and form following, that is to say:

First and principally I commend my soul unto Almighty God, Jesus Christ, my Maker and most merciful Redeemer, by the merits of whose blessed passion I have full hope and trust to be saved and to be partaker of his celestial and eternal glory, and my body to be buried in the chapel within the church of Barston [=Barcheston], or else where it shall please God I shall depart this world within Christian burial;

And where it shall please Almighty God I shall be buried, I give unto the church there unto the maintenances of those implements where most need is £3;

Item, I bequeath to the parson of Barcheston for tithes forgotten, if any be, 20s;

Item, I bequeath to [f. 435v] the church of Barcheston a pair of vestments, price £7;

Item, I give to the mending of Shipston [=Shipston-on-Stour] bridge and to the mending of the causeway unto Wellett{es}dore £7, to be done by the oversight of four of the most honest men within the town of Shipston;

Item, I bequeath to the poor people of Shipston, to be given to them that have most need, £3;

Item, I bequeath likewise to the poor people of Tredington, Dorscote [=Darlinscott?], Blackwell, Armscote and Newbold, to be given unto them that have most need, £3, to some 12d, 20d and 2s, as their poverty is;

Item, to the poor people of Brailes parish where most need is, truly to be dealt, to some 12d, 20d and 2s, as their poverty is, £4;

Item, to the poor people of Todenham where most need is, 20s;

Item, to the poor people of Burmington, Wollamyngton [=Willington?] and Tidmington where most need is, to every of the said towns 6s 8d, summa 20s;

Item, to the poor people of Honington and Fitton, to every of the said towns 13s 4d;

Item, to the poor people of Stourton and Cherington in like wise to be dealt to every of the same towns, 10s;

Item, to the poor people of Tysoe in like wise to be dealt unto them that have most need, 20s;

Item, to the poor people of Whatcote, Ielycote [=Idlicote?], Oxhill and Stretton, to every of the said towns in like wise to be dealt 6s 8d, summa 26s 8d;

Item, to the poor people of Ilmington parish in like wise to be dealt to them that have most need, 13s 4d;

Item, to the poor people of Halford in like wise to be dealt, 5s;

Item, to the poor people of Wolford parish in like wise to be dealt, 13s 4d;

Item, I will that all the bequests to the poor people of the towns and parishes afore-named to be truly and indifferently given and dealt to the poor people of the same by the oversight of four or else six of the most honest men of every of the said townships without favour [+or?] malice of or to any of them;

Item, I give and bequeath to an hundred poor maids to their marriages which shall be of honest name and fame one hundred marks to be paid by my executors;

Item, I bequeath to my sister, Alice Bishop, five pounds to buy her a gown;

Item, I bequeath to the children which Agnes Boosbye had by John Bosbye, evenly to be divided amongst them, ten marks;

Item, to the children of Alice Bolters, evenly to be divided amongst them, ten marks;

Item, to the children of Dorothy Kightley's, if she have any alive, five marks;

Item, to the children of Anne Blamorde, to be evenly divided amongst them, ten marks;

Item, to the children of Margaret Hawton, ten marks evenly to be divided amongst them;

And all these to have their portions at their age of 18 years, and if any of these children fortune to die, their part and portion to remain to their brothers and sisters that overliveth;

Item, I bequeath to the children of Nicholas Toley [=Tooley?], first to my godson £4, and to the rest of his other children, evenly to be divided amongst them, five pounds, to be paid as is abovesaid, and if any of them fortune to die, their portion to remain to the longest livers evenly to be divided amongst them;

Item, to Alice Hodgekyns' children ten marks, evenly divided, to be paid as is abovesaid, and if any of them die, their part and portion to remain to the longest livers, evenly to be divided amongst them;

Item, to William Freeman that dwelled with me, ten marks;

Item, to John Freeman his brother's children, five pounds evenly to be divided;

Item, to his sister's children that dwelt at Quinton, £4, evenly to be divided amongst them; if any of them die, their portion to remain to the longest livers of them, evenly to be divided;

Item, to Robert Hopper's children, except Thomas Hopper and Margery, which be already paid and discharged, ten pounds, evenly to be divided;

Item, to Thomas Warrant's children, ten pounds, to be evenly divided, except to Richard Warren, which is paid;

Item, to Sounde(?) wife's children, ten pounds, to be evenly divided;

Item, to Mawde Ricar's children, £10, to be evenly divided;

Item, to my cousin William Barnes' children, ten pounds, to be evenly divided;

Item, to William Hopper's children, £10, evenly to be divided;

And if any of these children die, their portion to remain to the longest livers of the same;

Item, to Thomas Bishop's children, ten pounds, evenly to be divided;

Item, to George Bishop's children, ten marks;

Item, to Anne Warde's children, ten marks;

Item, to the children of John Bishop, deceased, ten marks, evenly to be divided;

Item, to my godson William Bishop, son of John Bishop the younger, five pounds;

Item, to Elizabeth Brok{es} children, £5, evenly to be divided;

Item, I give and bequeath unto my cousin, William Barnes, all my lands and tenements with th' appurtenances in Brailes and Chelmyscote, to have and to hold the same to him and to his [+heirs?] forever upon this condition, that the said William Barnes, his heirs and assigns, do yearly pay and distribute after my decease forever to the [f. 436r] poor people of Brailes 33s 4d, to the poor people of Shipston other 33s 4d, and to the poor people of the three towns of Tysoe 40s, to be paid to them yearly within seven days

before the feasts of Easter and Christmas by even portions, as by my several deeds thereof made unto the said William Barnes more at large it may appear;

Item, I give and bequeath all my lands and tenements with th' appurtenances lying in Chipping Norton in the county of Oxford after the decease of me to William Willington, the son of Thomas Willington, and to William Hopper, my godsons, to have and to hold to them and to the survivors of them lawfully begotten, and to the survivors of their heirs jointly, part of which lands and tenements I purchased and bought of late of Richard Lee alias Tyrewoode of the city of Coventry, mercer, and the rest of the same lands and tenements, that is to say, one messuage and 2 yard land with their appurtenances be now in the tenure of one William Medd;

Also I bequeath to the residue of the said Thomas Willington's children (the said William, my godson, excepted) the sum of threescore pounds to be evenly divided amongst them at their marriage or at their age of eighteen years, and if any of them die, their part to remain to the longest liver of them;

Item, I bequeath to Thomas Bradwaye's sister's children that Richard Smyth of Campden married, ten marks;

Item, to John Sallaway(?) four pounds;

Item, to Ralph Page four pounds;

Item, to John Bate forty shillings;

Item, to Profett, my servant, twenty shillings;

Item, to Robert Kington 13s 4d;

Item, to John Rose five marks;

Item, to all other my servants in my house, men and women, not before remembered in this my will, to every one of them 20 shillings clearly besides their wages;

Item, I bequeath to Robert More's children of Ditchford, my servant, five pounds, to the youngest sort that hath most need to be evenly divided amongst them by their father's counsel indifferently, and if any of them die, their portion to remain to the longest liver evenly to be divided;

Item, to William Moore's children of Wincot 40s, evenly to be divided;

Item, to every one of my godchildren not before remembered in this my testament ten shillings;

Item, I bequeath to the mending of the highway in Ditchford lane where most need is £13 6s 8d;

Item, to Budde, my servant at Weston, 20s;

Item, I bequeath to the children of Robert George of Brailes, except his eldest son, £20, to be paid them at their marriage or at their age of 18 years, and if any of them die, their part to remain to the longest liver, evenly to be divided;

Item, I give and bequeath all my lands in Egynton to the said Robert George which I purchased of his father, John George, and to the sons of his body lawfully begotten, except his eldest son, to have and to hold to them and to the heirs of their bodies lawfully begotten;

Item, I bequeath to the mending of Halford bridge £10 by the oversight in the bestowing thereof of the parishioners there;

Item, I bequeath all my lands in Calais to George Bradwey, brother to the said William, and to the heirs of his body lawfully begotten, the which is a wool-house and two fishers' houses belonging to the same in the parish of Our Lady near unto the wall there, and the evidences thereof be in my counting-house at London in a box upon the shelf;

Item, I give unto my cousin, William Barnes, all the rest of my state and term of years which I shall have to come in Wincot pastures, and all my sheep and lease which I shall fortune to have at the time of my decease within the same pastures;

And where I have afore by this my will given certain lands and tenements to Robert George, William Willington, the son of Thomas Willington, and William Hopper, my godsons, and to George Bradwey lying in Egynton in the county of Worcester and in Chipping Norton purchased of one Mr Lee of Coventry, mercer, and other mese with th' appurtenances now in the tenure of one William Medd, and also in Calais, if any of my son-in-laws or any of their wives or their heirs will not be contented to agree to this my will and testament, then they to have no part of my legacies by this my will given them, but their part and portion to be given and divided to the other part of my sons-in-law and to their wives and children that will agree to this my will and testament;

And where I have given, as is above-written, to divers of my kinsfolk and to their children and to divers other persons certain sums of money at certain age or else at their marriage, I will it be contented unto them within [f. 436v] the space of one year next after my decease, anything herein before expressed to the contrary in any wise notwithstanding, and such as have children within the age of 18 years, if their fathers or other of their friends, being sufficient, will be bound to my executors that they shall have it truly paid them according to this my will and testament, then I will that they shall have the custody and keeping of their said bequests;



Item, I bequeath to my cousins, Robert Middlemore, Richard Middlemore, priest, Godith Bulstrode, Eleanor Agard, Winifred Standley and Alice Barnes, to every of them £20;

Also I do give and bequeath after my decease and my wife's all my plate to my seven daughters to their only several uses, that is to wit, to Margery Cave, Godith Fielding, Elizabeth Boughton, Mary Sheldon, Margaret Greville, Anne Mountford [=Montfort?] and to Katherine Throckmorton, the same plate to be truly weighed and then evenly to be divided amongst them, to every one of them like weight and goodness;

And also to every one of my said 7 daughters above-named after the decease of me and my wife 7 of my best featherbeds with their hangings, bolsters, pillow-beres, sheets, blankets and coverings even as they be now used, except only the best bed with the hangings and all the best stuff thereunto belonging which I give unto my well-beloved wife, and the other seven the next the best with all the hangings and other stuff to them belonging to be delivered to my said daughters at the discretion of my executors;

Also I will that my wife shall have all the household stuff that was hers at the time of our marriage that is in any place, and all my sheep at Chelmscote, and all the cattle of all manner of sorts being at Studley, with all the household and other stuff there;

And I bequeath unto my said wife six hundred marks ready money;

And all other my household and household stuff not otherwise before expressed, with my whole stock of sheep, beasts and all manner of other cattle and corn being in and about the manor of Barcheston and all other the premises, I give and bequeath unto my said well-beloved wife, the same to remain to her during her life, and after her decease to remain to my cousin, William Barnes;

This is the last will of me, the said William Willington of Barcheston, as concerning all my manors, lands, tenements and hereditaments with their appurtenances within the realm of England, that is to wit:

First I devise and bequeath my manor of Barcheston with th' appurtenances in the county of Warwick with all my lands, tenements, rents, services and hereditaments in Barcheston after the decease of me and my wife to remain and come to my cousin, William Barnes, and to the heirs males of his body lawfully begotten with such stock of sheep and beasts as shall be then going upon the said manor of Barcheston and other the premises with their appurtenances, paying yearly after the decease of me and my said wife to my daughter, Anne Mountford, and to the heirs of her body lawfully begotten an yearly rent of £20, which yearly rent of £20 I will shall be bestowed by the counsel of mine executors for the recovery of his(?) inheritance, and which yearly rent I bequeath out of the premises to my said daughter, Anne Mountford, and to her said heirs, the first payment thereof to begin at the feast of Saint Michael th' Archangel next after our decease and the next payment at the feast of the Annunciation of Our Lady next after

that, and so yearly at the said feasts or within one month next after every of the said feasts by even portions;

And I will that Francis Mountford, her husband, in no wise shall have to do therewith, and that it shall be lawful to my said daughter and to her said heirs to distrain for the said rent of £20 in the said manor of Barcheston as often as the same or any part thereof shall be behind unpaid by the space of one month next after any of the said feasts, if it be lawfully asked, and the distresses there so taken to retain until the said rent with th' arrearages, if any be, be fully satisfied and paid;

But I will that my executors and the survivors of them or their executors shall receive the said annual rent of £20 during the life of the said Francis Mountford, and to pay it or to bestow it upon the said Anne Mountford, and for lack of sufficient distresses in the said manor of Barcheston and other the premises with their appurtenances, then I will the said manor of Barcheston shall revert, remain and come to my said daughter, Anne Mountford, and to the heirs of her [f. 437r] body lawfully begotten, and for default of such heirs to my right heirs forever;

Also I will that immediately after my decease the manor of Codbarrow Hall with the appurtenances in Tanworth [=Tanworth in Arden] in the county of Warwick and all my lands, tenements and hereditaments whatsoever they be with their appurtenances in Tanworth aforesaid, Nuthurst and Studley in the said county of Warwick and elsewhere which I purchased and lately had together with one Ralph Sheldon and which we purchased and bought of Sir John Norris, knight, and also all such lands and tenements which I purchased of the King's Majesty as appeareth by the letters patents for the same which were lately belonging to the chantries in Tanworth aforesaid and Lapworth shall revert, remain and come to my said daughter, Anne Mountford, and to the heirs of her body lawfully begotten, and for default of such issue to my right heirs forever;

But I will not that the said Francis Mountford shall meddle with no part nor parcel of the same, but my executors to receive the profits thereof and to pay it to her and to her said heirs during his life, and after the same lands to remain to her and to her said heirs;

And I will that the rest of my said daughters and their husbands shall after my decease release and ensure against them and their heirs the said manor [+of?] Codbarrow Hall with all other lands, tenements and other the premises with their appurtenances in Tanworth, Nuthurst and Studley aforesaid to the said Anne Mountford and to her said heirs according to the intent of this my said will with such remainders over thereof as is above declared for the same as shall be devised by the learned counsel of the said Anne Mountford or of her said heirs at the costs and charges of the said Anne and her said heirs;

And I will that the heir male apparent of the said Anne Mountford after my decease and at the age of 21 years shall have out of the said manors of Codbarrow Hall and out of all my lands in Tanworth, Nuthurst and Studley aforesaid an yearly rent of £20 by year at the feast of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions,

which rents I bequeath to him out of the same by this my will, with like clause of distresses for non-payment thereof as is aforesaid of other rents;

And I will and devise my manor or lordship of Ditchford Frary with their appurtenances in Ditchford Frary aforesaid, with the perpetual donation and patronage of the parsonage there, immediately after my decease to remain and come to my said cousin, William Barnes, with all the stock of sheep, beasts and stud of mares, geldings and colts then remaining upon the premises in Ditchford Frary aforesaid and to the heirs males of his body lawfully begotten, and for lack of such issue then I will the said manor of Ditchford Frary with their appurtenance shall remain to my daughters Godith Fielding and Elizabeth Boughton, and to the heirs of their bodies lawfully begotten, and for lack of such issue to the heirs of my body lawfully begotten, and for lack of such issue to my right heirs forever;

And I will that my said cousin, William Barnes, and his said heirs males shall pay yearly to my said daughters, Godith Fielding and Elizabeth Boughton, and to the heirs of their bodies lawfully begotten and to every of them an yearly rent of thirty pounds, that is to wit, in the whole threescore pounds, out of the said lordship of Ditchford Frary with their appurtenances, which rents I bequeath severally to my said daughters and their said heirs out of the same premises to be paid yearly at the feasts of Saint Michael th' Archangel and the Annunciation of Our Lady by even portions, the first payment thereof to begin at the feast of Saint Michael th' Archangel happening after my decease or within one month next after, with like clause of distress to be taken in the same premises for non-payment of the said several rents as is abovesaid to every of them and to their said heirs so often as the same or any part or parcel thereof shall be unpaid by the space of one month after any of the said feasts, if their said rents be lawfully asked, and for lack of sufficient distress to be found upon the said manor or lordship of Ditchford Frary and the premises there, then I will that the said lordship of Ditchford Frary and [f. 437v] their appurtenances shall remain and come to the said Godith Fielding and Elizabeth Boughton and to their heirs of their bodies lawfully begotten, and for default of such issue I will the same shall remain to the heirs of my body lawfully begotten evenly to be divided, and for default of such issue to my right heirs forever, and the said William Barnes then to expel & clearly to put forth of the same, anything herein contained to the contrary notwithstanding;

Also I will that the heir male apparent of my said daughter, Godith Fielding, and the heir male apparent of my said daughter, Elizabeth Boughton, that is to say, every of them, after they shall severally come to their full age of 21 years and after the decease of me shall severally have yearly out of their said mothers' portions which their said mothers shall have out of the said lordship of Ditchford Frary aforesaid £20 apiece to be paid at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions, which I then give and bequeath to them severally by this my will out of the same premises with their appurtenances, with like clause of distress for non-payment thereof from time to time as is aforesaid, and so much of their said mothers' portions I will to cease from every of their said mothers, and their said mothers then to have but the residue;

Also I will that immediately after my decease the parsonage of Tysoe with the perpetual advowson and patronage of the vicarage there and all manner of tithings, oblations and offerings thereunto belonging within the said parish of Tysoe and my lands and tenements with their appurtenances being within the said parish of Tysoe purchased of one John Bachelor of Honington within the said county of Warwick and of one William Garrarde, haberdasher of London, shall remain unto my well-beloved wife, Anne Willington, during her life, and after her decease to my cousin, William Barnes, and to the heirs of his body lawfully begotten, paying yearly out of the same to my daughter[s], Godith Fielding and Elizabeth Boughton, and to the heirs of their bodies lawfully begotten an yearly rent of £20, that is to wit, in the whole £40, at the feasts of Saint Michael th' Archangel and th' Annunciation of Our Blessed Lady by even portions, the first payment to begin at the feast of Saint Michael th' Archangel next after our decease and the next at the feast of th' Annunciation of Our Lady then next following, which rents I bequeath out of the same premises to my said daughters, Godith Fielding and Elizabeth Boughton, and to their said heirs payable at the said feasts or within one month next after the said feasts by even portions, with like clause of distress for non-payment of the said rents as is aforesaid of other rents to be taken within the manor of Barcheston or lordship of the same within the said county of Warwick;

And further I will that if I fortune to decease without issue male of my body lawfully begotten, then I will and bequeath to my daughter, Margery Cave, and to the heirs of her body between Thomas Holte and her lawfully begotten all those my lands, tenements and hereditaments with their appurtenances within the towns, villages and fields of Aston next Birmingham and Witton within the county of Warwick, Melton Mowbray within the county of Leicester [+and?] Handsworth in the county of Stafford which did of late belong unto the dissolved chantry of Aston aforesaid, and also the priory or free chapel of Birmingham with all those lands and tenements to the said priory or free chapel belonging within Birmingham aforesaid and the lordship or manor of the same within the lordship of Duddeston together with certain lands and tenements lying within the lordship of Nechells and Saltley within the said parish of Aston sometime belonging to the late-dissolved guild of Deritend within the said county of Warwick, which lands and tenements I lately had and purchased of one Thomas Hawkyns otherwise called Fisher, as by his deed thereof made more at large it doth appear, to have and to hold the premises with their appurtenances to my said daughter in form aforesaid, and for default of such issue the premises to remain to the issue between Sir Ambrose Cave and my said daughter lawfully begotten, and also all my lands, tenements and hereditaments with their appurtenances in the towns and parishes of Horborne [=Harborne?], Halesowen, Norfylde [=Northfield?] and Smythewicke [=Smethwick?] within the counties of Worcester, Salop and Stafford, to have and to hold the same to my said daughter, Margery Cave, and to the heirs of her body lawfully begotten between her and the said [f. 438r] Sir Ambrose Cave, and for default of such heirs I will that all my said lands, tenements and hereditaments with their appurtenances in Aston, Witton, Birmingham, Duddeston, Nechells, Melton, Handsworth, Horborne [=Harborne?], Halesowen and Norfildre [=Northfield?] aforesaid shall remain and come to the heirs of the said Margery lawfully begotten by Thomas Holte, her late husband, and for default of such issue to my right heirs forever;

And I will that the residue of my said daughters and heirs and their husbands shall after my decease release and assure against them and their heirs the said lands and tenements and other the premises in Aston, Witton, Birmingham, Duddeston, Nechells, Saltley, Melton, Handsworth, Horborne [=Harborne?], Halesowen, Norfelde [=Northfield?] and Smythwicke [=Smethwick?] with their appurtenances to the said Margery Cave and to her said heirs according to the intent of this my will with such remainders over thereof and in like manner and form as is above declared of the same as shall be devised by the said Margery and her said heirs at the costs and charges of the said Margery and of her heirs;

And I will that the heir male apparent of the said Margery Cave after my decease at his full age of 21 years shall have out of the same manor, lands [+and?] tenements bequeathed to the said Margery an yearly rent of £20 to be paid him at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions, which rent I bequeath to him out of the same by this my will, with like clause of distress for non-payment thereof as is afore of other rents;

Also I will and bequeath all my lands and tenements and hereditaments whatsoever they be with their appurtenances in Welford [=Welford-on-Avon?] in the county of Gloucester which I late had and purchased of the King's Majesty, as appeareth by the King's letters patents for the same, immediately after my decease shall revert, remain and come to my daughter, Margaret Greville, and to the heirs of the body of the said Margaret lawfully begotten;

Also I will that the heir male apparent of the said Margaret at his full age of 21 years and after the decease of me shall have out of the same lands and tenements before bequeathed in Welford unto his said mother an yearly rent of £20 to be paid him at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions, which rent I bequeath to him out of the same by this my last will, with like clause of distress for non-payment of the same as is before expressed of other rents;

Also I will, devise and bequeath all my lands and tenements in Wellesbourne and Newbolde Pavye [=Newbold Pacey?] after my decease shall revert, remain and come to William Greville, my godson, and if he fortune to die without issue, then to the younger son or sons of my said daughter Greville and to her heirs forever, paying out of the same to my old servant, Robert Moore of Ditchford, an annuity or annual rent of forty shillings during his life, which annuity I give to mine old servant, Robert More, out of the premises as by his patent appeareth;

Also I will, devise and bequeath the manor or lordship of Combe Baskerville with their appurtenances which my son Sheldon late had and purchased of one Sir James Baskerville, knight, and towards the same purchase he had of me £800, and was contented to [word missing?] and release all such lands as I had before appointed unto his heirs by my will, as appeareth by indentures betwixt us, shall revert, remain and come unto the heirs of my daughter, Mary Sheldon, or at the least so much of the said lands as

shall clearly amount unto the sum of £40 yearly above all reprises and charges, and the same I will shall be known unto her said heirs as my gift;

And I will that the heir male apparent of my said daughter, Mary Sheldon, at his full age of 21 years shall have out of the same lordship of Combe Baskerville an yearly rent of £20 to be paid to him at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions, which rent I bequeath unto him out of the same by this my will, with like clause of distress for non-payment thereof as is before expressed of other rents;

Also I will that if I fortune to decease without issue male of my body lawfully begotten, then I devise, will and bequeath all my lands, tenements and hereditaments whatsoever they be with their appurtenances in Halford, Wollamington [=Willington?], Burmington and Honington in the said county of Warwick and all my lands, tenements and hereditaments with their appurtenances in Codycote [=Codicote?], Adderbury and Balscote in the [f. 438v] county of Oxford, and my lands, tenements and hereditaments whatsoever they be with their appurtenances in Tredington, Newbold and Tidmington in the county of Worcester, and all my lands tenements and hereditaments with their appurtenances in Todenham and Newyngton with the stock of sheep going upon the same ground in the county of Gloucester to Anthony Throckmorton and to my daughter, Katherine Throckmorton, his wife, and to the heirs of the body of the said Katherine lawfully begotten by the said Anthony Throckmorton, and for default of such issue I will that the same premises with their appurtenances last before rehearsed shall remain to the heirs of her body lawfully begotten by William Catesby, and for default of such issue to my right heirs forever;

And I will that the residue of my said daughters and their husbands shall after my decease release and assure against them and their heirs the said lands, tenements and other the premises with their appurtenances so devised to the said Katherine as is aforesaid to the said Katherine and to her said heirs in manner and form as is above thereof declared according to the true intent of this my will and at the costs and charges of the said Katherine and her said heirs as shall be devised by the said Katherine and her said heirs;

Also I will that the heir male apparent of the said Katherine of her body had by Anthony Throckmorton at his full age of 21 years and after the decease of me shall have out of the same lands and tenements before bequeathed to his said mother an yearly rent of £20 to be paid him at the feasts of th' Annunciation of Our Lady and Saint Michael the Archangel by even portions, which rents [sic?] I bequeath to him out of the same by this my will, with like clause of distress for the non-payment of the same as is afore expressed of other rents;

Furthermore I devise, will and bequeath immediately after my decease to Anthony Throckmorton and to my daughter, Katherine Throckmorton, my manor or lordship of Grene [=Barnt Green] with th' appurtenances within the parish of Alvechurch which I lately purchased of Edward Boughton and Stephen Agard, squires, and all my lands and tenements with th' appurtenances in King's Norton within the county of Worcester, to

have and to hold the same to the said Anthony and to my said daughter, Katherine Throckmorton, and to the heirs of her body lawfully begotten by William Catesby, son of Sir Richard Catesby, knight, paying yearly out of the same to Nicholas Kington, Humphrey Warner, Thomas Perkins, John Carter, William Totill, to every of them an annuity of annual rent of 26s 8d, and to Roger Bonson(?) an annual rent of 20s, which annuities or annual rents I give to my said servants out of the premises during their lives with like clause of distress for non-payment thereof as by their patents will appear, and for default of such issue of him, then to remain to the heirs of her body lawfully begotten by Anthony Throckmorton, one of the sons of Sir George Throckmorton, knight, and for default of such issue then to remain to the heirs of my body lawfully begotten, and for default of such issue then to remain to my right heirs forever;

And further I will that if any of my sons-in-law and their wives or any of them or their heirs deliberately with good and plain deliberation privily and apparently will go about to break any part of this my will, or else will disagree and not be contented with such lands or tenements as to them and every of them by this my last will is before appointed, whereupon any suit or contention in the law shall arise or grow amongst them or any of them, then my very last will and mind is that all the profits of lands, rents and goods appointed to such as shall so hereafter disagree shall be evenly divided amongst such other of my said daughters and their heirs and children which will be contented and agreeing with this my last will and testament, and the other so refusing and breaking this my said will or any part thereof to have no part nor parcel of those lands, rents or goods to them or any of them within this my present will appointed;

Provided by these presents and also my will is that if I fortune to have issue male living at the time of my decease, that then and from thenceforth this my present will shall not in this manner and form take any manner of effect, unless my issue male fortune to decease without issue male; then I will that this my resent will shall stand in his strength, force and effect;

Also I give [f. 439r] and bequeath to every of the children of my six daughters, that is to say, Margery Cave, Godith Fielding, Elizabeth Boughton, Mary Sheldon, Margaret Greville and Anne Mountford, being alive at the time of my decease and not afore with this my will remembered, to their fathers and other friends for the preferment of their marriages forty pounds apiece, and to every of the said children after they shall be married to begin their household withal and to buy other necessaries other £40 apiece;

And to my daughter, Katherine, for her two sons which she had by Richard Kempe, one hundred pounds to be evenly divided, and if any die, the survivor to have the whole;

Also my very last will and mind is that all those persons to whom I have made any grant or lease by indenture or any other writings of my manor[s], lands or tenements, that they and every of them shall enjoy the same according to their said covenants before made contained in their said indentures or any other covenants or grants to any of them by words of my mouth and proved by good witnesses;

Provided alway and this is my last will, that any devises, gifts and bequests of all the said lands, tenements and rents given to my said daughters shall be in use severally unto them and to their heirs by this my last will and testament only upon all these conditions and intents hereafter following and no[t] otherwise, notwithstanding anything before declared, that is to say, that if any of my said daughters and her or their husbands during their lives and during the espousals between them and their husbands now being or such as they or any of them hereafter shall happen to be married unto by the default of any such husband do not live and continue together honestly as a man and wife ought to do, or that the husband of any of them do not use, order and keep his wife, my daughter, like as a gentlewoman ought to be used, ordered and kept, or that it shall happen, as God defend, that any separation, variance or discord, cause or matter shall hereafter happen to arise between any of my said daughters and such as be or then shall be their husbands or otherwise by the default of any such husband whereby they or any of them thereby shall live and continue asunder by the space of 20 weeks or to be otherwise used, ordered and kept than is before declared;

That then and from thenceforth all the legacies, devises and bequests heretofore made to such daughter shall be void, and then as now and now as then I will and devise the same legacies and bequests to Sir Robert Broke, knight, Chief Justice of the Common Pleas at Westminster, Sir Robert Throckmorton, knight, Robert Middlemore, esquire, and William Barnes during the life of any such daughter to th' intent that the said Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes and their executors shall have and perceive during the natural life of such my said daughter as shall be so misused by her husband the rents and profits of all her and their parts and portions of the said lands and goods to such daughter by this my will given and bequeathed to these intents further following, that is to say, that the same Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes and their executors and the executors of the survivors of them shall with the clear yearly profits of the said lands and tenements of all their parts and portions appointed to such of my said daughters and their husbands as shall so happen to disagree or to be otherwise used, ordered and kept than is abovesaid, find my said daughter that shall so fortune to live asunder from her or [+their?] said husbands by the default of such husband;

And also the said Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes and their executors and the executors of the survivors of them shall permit and suffer all the said part and portion of the said lands so bequeathed unto any of my said daughters as shall so disagree and live asunder from her husband by such default, or a sufficient portion thereof, to remain and be in the custody and keeping of such of my said daughter[s] for her aid and comfort to live thereupon, and so shall cause the same so wholly to be delivered unto her within two months next after the decease of her husband if she happen to overlive her husband being so faulty;

And if she shall fortune to die, living her husband, that then the said Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes shall deliver all the [f. 439v] same parts and portions of the said lands or rents unto the children of such of my said daughters as shall so fortune to be from her husband, to be equally divided between



them and to be paid unto them at such time as the same children shall come to their full age whereby they may make a lawful acquittance or other discharges for the receipt thereof;

And after the decease of any such husband so misordering any of my said daughters, I will that their part and portion of all my lands, rents and tenements bequeathed to any such my daughter shall then and not before remain to my said daughter and to her said heirs before declared in such form as is above herein specified;

Provided alway that if any of my said daughters that shall so happen to disagree with her husband or any of them to be the chief occasion of the same disagreement, that then I will by this my last will and testament that such or so many of my said daughters that shall so happen to disagree shall have no more of my said lands, rents and goods during the life of her or them than shall be thought meet and convenient by the said Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes and by their executors, and that the residue of their parts aforesaid and portions of the said lands, rents and goods which they shall so detain in their hands shall be distributed by them unto the children of the same my said daughters so being faulty, to be equally divided amongst them and to be paid to them in manner and form before declared;

And also I do give and bequeath unto the said Sir Robert Broke, Sir Robert Throckmorton, Robert Middlemore and William Barnes for their pains to be taken in the premises ten pounds apiece;

The residue of all my goods, chattels and debts, after my debts paid and my funeral expenses performed and all my legacies and bequests contained within this my present will fulfilled, performed and paid, and also the charges and expenses of my executors sustained and borne, and such good deeds of charity best to be done by my executors for the wealth of my soul, I give and bequeath to the preferment of my six daughters' children, and also to the children of my daughter, Katherine, had by William Catesby and Anthony Throckmorton, to every of my said seven daughters' children like portions evenly to be divided by the discretion of my executors, whom I ordain, constitute and make Sir Ambrose Cave, knight, Edward Greville, knight, Basil Fielding and William Sheldon, my sons-in-law, and William Barnes my executors, and I bequeath to every one of them for their labours in that behalf £20;

And I utterly revoke and annul all and every other former testament, wills, legacies, bequests and executors in any wise before this time made, and I will that this my present testament and last will shall stand, remain and abide for my very testament and last will together with all the legacies, bequests and executors by me herein made;

Also I will that if any person or persons after my decease find them grieved with any wrong committed unto them or any of them by me, or can show any reasonable cause in conscience that I ought to make any recompense to them or to any of them, that then the same manifestly appearing to my executors or to the more part of them to be true by any kind of good and reasonable proof or testimony by writing or otherwise, that then my

executors or the more part of them and the survivors of them shall, as they will answer to God, from time to time see recompense made in discharge of my conscience;

And also I will that if any person or persons that are indebted unto me and be not able to pay their debts without the great hurt and undoing of them, their wives and family, that then my executors or the more part of them and the survivor of them may from time to time remit and forgive the said debt or parcel thereof or stall convenient days of payment as to them shall be thought meet in like form as I myself in conscience, being alive, ought or might forgive the same, as I would God should forgive my offences;

In witness whereof I, the said William Willington, to this my present testament and last will have set to my seal the day and year above-written. Ambrose Cave. William Sheldon. William Lane, clerk. Basil Fielding.

Probatum fuit suprascriptu{m} testamentu{m} coram Custode Curie prerogatiue cantuarien{sis} quartodecimo die mensis Nouembris Anno d{omi}ni Mill{es}imo quingentesimo quinquagesimo nono [f. 440r] Iuramento Basilij feildinge executoris in h{uius}mo{d}i testamento no{m}i{n}ati Ac approbatu{m} et insinuat{m} Com{m}issaq{ue} fuit administratio o{mn}iu{m} et sing{u}lor{um} bonor{um} Iuriu{m} &c pefat{o} executori de bene &c Ac de pleno et fideli Inventario Necnon de vero et plano compot{o} reddend{o} &c Iurat{o} Res{er}uat{a} p{otes}tate similem com{m}issionem faciend{i} ceteris executoribus in h{uius}mo{d}i testamento no{m}i{n}atis etiam cu{m} venerint &c

[=The above-written testament was proved before the Keeper of the Prerogative Court of Canterbury on the fourteenth day of the month of November in the year of the Lord the thousand five hundred fifty-ninth by the oath of Basil Fielding, executor named in the same testament, and probated and entered, and administration was granted of all and singular the goods, rights etc. to the forenamed executor, sworn to well etc., and [+to exhibit] a full and faithful inventory, and also to render a true and plain account etc., with power reserved for a similar grant to be made to the other executors also named in the same testament when they shall have come etc.]