

SUMMARY: The document below is the will, dated 13 May 1566, of Richard Tyrrell of Ashdon, Warden of the Fleet prison. The will makes mention, in an entail, of the marriage of Charles Tyrrell (d.1570) and Oxford's mother, Margery Golding (d.1568), whose first husband, John de Vere, 16th Earl of Oxford, had died in 1562. According to the entail, for lack of male issue of the testator or his brothers, certain manors would come to Charles Tyrrell. The entail makes it clear that the Charles Tyrrell who married the Countess of Oxford was not a brother of the testator; however his inclusion in the entail suggests that he was a close relative, perhaps a first cousin. There are further connections between the testator and the Earls of Oxford in the list of 103 knights' fees held by John de Vere, 16th Earl of Oxford, at his death in 1562 (see SP 12/26/49, ff. 105-11). Richard Tyrrell, esquire, is listed as holding a half knight's fee in Ashdon, while Robert Paris is listed as holding a knight's fee in Hildersham near Linton. As indicated in his will, by 1566 Richard Tyrrell had purchased the wardship of Robert Paris' underage son and heir, intending him as a husband for his daughter, Philippa Tyrrell. The testator's wife is not mentioned in the will, and appears to have predeceased him. Several Yorkshire fines give her name as Grace. As the will indicates, the testator had a brother who had predeceased him, and three other brothers still living, Henry, Robert and Eustace. It is stated in the will that the brother who predeceased the testator had a son, Thomas, and a daughter, Anne, and it seems possible that he was Thomas Tyrrell of Birdbrook, Essex, who made his will in 1555 and left a son, Thomas, and a daughter, Anne (see PROB 11/38, ff. 178-9).

RM: Testamentum Richardi Tirrell

In the name of God, Amen, the thirteenth day of Maij anno domini a thousand five hundred threescore and six and in the eighth year of the reign of our Sovereign Lady Queen Elizabeth etc., I, Richard Tyrrell of Ashdon in the county of Essex, esquire and Warden of the Fleet, being in perfect memory, do make and ordain this my last will and testament, revoking and annulling all other wills heretofore by me made, written and spoken:

First, I bequeath my soul to the hands of the holy and blessed Trinity, whom in the person of the Son hath redeemed the same with his most precious death, fully trusting that by the means thereof to have forgiveness of all my sins;

As touching the burial of my body, I leave the same and the charges thereof to the discretion of mine executors;

Item, I will and devise that all my manors, lands and tenements with their appurtenances shall be equally divided into three several parts, whereof the rent and yearly value of my manor called the Fleet situate, lying and being within the parish of Saint Bride's within the suburbs of London, being in the tenure and occupation of my brother Henry Tyrrell, being of the clear yearly value of fourscore pounds by the year, shall descend and come

unto my son for a full third part of all my lands and tenements for the Queen's Majesty's wardship, livery and primer seisin [RM: Confirmatur per Curiam diff 2 Andree 1566 lat], and all such lands being the other two parts of my lands, I will and appoint to mine executors for and towards the performance of this my last will and testament;

I will that whereas my brother-in-law, Brian Annesley, doth owe unto me the sum of fourscore pounds of lawful money now due to be paid, that the said Brian shall keep in his own custody the said sum of fourscore pounds as my gift without any suit or action to be had or commenced for the same by mine executors or the executors of mine executors against the said Brian, his heirs, executors or administrators, to the intent that the said Brian, his executors or administrators, shall pay and deliver unto Brian, his son, at his accomplishment of twenty and one years, the sum of forty pounds, parcel of the said sum of fourscore pounds, and to pay to Grace, his daughter, other forty pounds, the residue of the said sum of fourscore pounds, at what time she shall be married, and not before;

Also I further will that whereas it is agreed between my said brother-in-law, Brian Annesley, and Audrey, his wife, my sister, and me, that in consideration they shall deliver into the hands of mine executors one deed of grant of annuity to be cancelled which she hath for term of her life of fifty pounds by the year, made and assured unto her by her late husband, Ambrose Willie [=Willey?] in the name of her dowry issuing and going out of all the lands and tenements of the said Ambrose within the county of York, as by the same deed appeareth, in consideration whereof I do will, give and bequeath unto the said Brian and Audrey during the life of the said Audrey forty pounds by the year of good and lawful money of England issuing and going out of my manor of Backenho within the county of Bedford at four usual terms at the years [sic?], that is to say, at the Nativity of Our Lord God, the Annunciation of Our Lady, the feast of Saint John Baptist and Saint Michael the Archangel by even portions;

And further, I will that if it happen the said yearly rent of forty pounds or any part or parcel thereof to be behind unpaid in part or in all at any of the feasts aforesaid, that then it shall be lawful to the said Brian and Audrey and the assigns of the said Audrey to enter into the said manor of Backenho with the appurtenances and into all other my manors, lands & tenements and hereditaments with their appurtenances wheresoever within the realm of England and to distrain, and the same distress so taken to drive, carry and lead away, and the same to detain until the said Brian and Audrey and the assigns of the said Audrey be fully satisfied, contented and paid of the said annuity or yearly rent of forty pounds and of the arrearages of the same with the costs and charges that the said Brian and Audrey, his wife, or the assigns of the said Audrey shall sustain and bear for the withholding of the said annuity or of the arrearages of the same;

Item, I will and bequeath unto Edward, my son, all my lands and tenements with their appurtenances to him and to his heirs males of his body lawfully begotten, and for default of such issue that all my said manors, lands, tenements & hereditaments with their appurtenances except the manor of Sundon shall remain and be unto Thomas Tyrrell, my eldest brother's son, and to his heirs males of his body lawfully begotten, and for default

of such issue the remainder thereof to Henry Tyrrell, my second brother, and to the heirs males of his body lawfully begotten, and for default of such issue the remainder thereof unto Robert Tyrrell, my brother, and to his heirs males of his body lawfully begotten, and for default of such issue, the remainder thereof unto Eustace Tyrrell, my brother, and his heirs males of his body lawfully begotten, and for default of such issue the remainder thereof unto Charles Tyrrell that married the Countess of Oxford and his heirs males lawfully begotten, and for default of such issue the remainder thereof to Charles Tyrrell, servant to the Lord Rich, and to his heirs males lawfully begotten, and for default of such issue the remainder thereof unto the right heirs of me, the said Richard Tyrrell, forever;

And as for the manor of Sundon before recited, I will and bequeath that if my said son, Edward Tyrrell, do die without issue males of his body lawfully begotten, that then the same manor of Sundon before said shall remain and be unto Mary and Philipp, my two daughters, and to their heirs of their two bodies lawfully begotten, and for default of such issue, the remainder thereof unto the foresaid Thomas Tyrrell and to the heirs males of his body lawfully begotten, and for default of such issue the remainder thereof unto the foresaid Henry Tyrrell and his heirs males lawfully begotten, and for default of such issue the remainder thereof unto the said Robert Tyrrell and his heirs males lawfully begotten, and for default of such issue the remainder thereof to the said Eustace Tyrrell and the heirs males of his body lawfully begotten, and for default of such issue the remainder thereof unto the foresaid Charles Tyrrell that married the Countess of Oxford and his heirs males of his body lawfully begotten, and for default of such issue the remainder thereof to Charles Tyrrell, servant to the Lord Rich, and to the heirs males of his body lawfully begotten, and for default of such issue the remainder thereof to the right heirs of me, the said Richard Tyrrell, forever;

Item, I will and bequeath unto Mary Tyrrell, my eldest daughter, as her legacy five hundred pounds of lawful money to be paid at the day of the marriage of the said Mary, and whereas I have bought the wardship of Robert Paris, son and heir of Robert Parry [=Paris], late of Linton within the county of Cambridge, esquire, for Philipp Tyrrell, my youngest daughter, and already paid for him two hundred marks, being two hundred marks more behind as appeareth by writings touching the bargain of the same, I will and devise that if it happen my said daughter Philipp and the said Robert Paris to break off and not marry, that then the said Robert Paris to be valued at the discretion of my said executors towards the performance of this my will, and further I will and devise that whether my said daughter Philipp do marry the said Robert Paris or any other, that mine executors shall pay unto her at what time she shall be married four hundred marks of lawful money of England;

Also I further will that the yearly rent of the manor of Burbroke [=Birdbrook?] shall equally be divided between my three brethren, that is to say, Henry, Robert and and [sic] Eustace, by even portions so that they enter into bands to mine executors in the sum of three hundred pounds by their writing obligatory endorsed with condition to pay unto Anne Tyrrell, my eldest brother's daughter, one hundred pounds of lawful money of England at the day of her marriage, and further to be endorsed that the said Anne be kept till she come to be married in good and virtuous bringing up;

Also I further will and devise that all my lands, tenements and hereditaments with their appurtenances within the county of York whatsoever shall be by mine executors or by the executors of mine executors sold towards the payment of my debts and performance of this my last will;

Item, I will and bequeath unto Thomas Raye, my servant, one annuity or yearly rent of the sum of forty shillings for term of his life out of all my manors, lands and tenements with their appurtenances within the realm of England, to be paid at two usual terms in the year, that is to say at the feast of the Annunciation of Our Lady and Saint Michael the Archangel by even portions, and if it happen the said yearly rent of forty shillings to be behind unpaid at any of the said feasts wherein it ought to be paid in part or in all, that then it shall be lawful unto the said Thomas Raye or his assigns to distrain, and the same distresses so taken to lead, drive and carry away, and the same to detain and hold till the said Thomas Raye be fully satisfied, contented and paid of the said annuity of forty shillings by year or of any part or parcel thereof.

Item, I will and bequeath to John Pechie, my servant, one annuity or yearly rent of three and thirty shillings and four pence going out of all my manors, lands, tenements and hereditaments within the realm of England, to be paid at two several terms in the year, that is to say, at the feasts of the Annunciation of Our Lady and Saint Michael the Archangel by even portions, and if it happen the said yearly rent of thirty-three shillings four pence to be behind and not paid at any of the said feasts wherein it ought to be paid in part or in all, that then it shall be lawful unto the said John Pechie or his assigns to distrain, and the same distresses so taken to lead, drive & carry away, and the same to detain and hold till the said John Pechie be fully satisfied, contented and paid of the said annuity of thirty-three shillings and four pence by the year or of any part or parcel thereof;

Item, I will unto Christopher Gawdy, my servant, one annuity or yearly rent of twenty-six shillings and eight pence out of all my manors, lands, tenements and hereditaments within the realm of England, to be paid at two usual terms in the year, that is to say, at the feasts of the Annunciation of Our Lady and Saint Michael the Archangel by even portions, and if it happen the said yearly rent of twenty-six shillings and eight pence to [+be] behind and not paid at any of the said feasts wherein it ought to be paid in part or in all, that then it shall be lawful unto the said Christopher Gawdy or his assigns to distrain, and the same distresses so taken to lead, drive and carry away, and the same to detain and hold till the same Christopher be fully satisfied, contented and paid of the said annuity of twenty-six shillings and eight pence by the year or any part or parcel thereof;

Item, I will and bequeath unto Ralph Page, my servant, the tenement wherein he now dwelleth with such ground as doth belong unto the same for term of his life, paying therefore by the year twenty shillings at two several terms, that is to say, at the feasts of the Annunciation of Our Lady and Saint Michael the Archangel by even portions to begin at any of those two feasts which shall next ensue after the decease of me, the said Richard Tyrrell;

Item, I bequeath to Anne Bery, wife of Robert Bery, my servant, in consideration of her painstaking with me in my sickness, four pounds of lawful money, and to Katherine Page, wife unto Ralph Page, my servant, in consideration aforesaid five marks of lawful money of England;

Also I will and bequeath to my priest and steward, Sir Thomas Moody, parson of Molton in Suffolk, as his legacy twenty marks of lawful money of England;

Item, I will and bequeath all my plate, linen and household stuff unto my said son, Edward Tyrrell, at what time he shall accomplish his full age of twenty and one years, provided always that if my said executors shall want sufficient money for the discharge of my debts and legacies that then [+they] shall sell or cause to be sold the one half of all my plate to the use aforesaid, and if they have no such want that then and in the meantime the said plate, linen and household stuff to be by inventory taken and safely kept by the discretion of mine executors, provided that my brother, Henry Tyrrell, shall have for the furnishing of the Fleet during his lease for term of years which he hath by my grant all such plate, linen and household stuff as is now usually used for the necessary use of the same, and the same to deliver unto Edward, my said son, at what time his years shall expire;

Also I will that all such armour and other instruments for war that now remaineth in the Fleet or elsewhere shall be by inventory taken safely kept and delivered unto my said son at what time he shall accomplish his age of twenty and one years;

Item, I will and bequeath unto Robert Tyrrell, my brother, the sum of forty pounds of lawful money of England, to be paid unto the said Robert at what time it shall be thought meet by mine executors;

Item, I further will and bequeath unto Avis Chibberne the sum of twenty pounds, to be paid unto her at what time my executors shall think it meet;

Also I will and appoint for mine executors Rooke Greene, Brian Annesley and Henry Tyrrell, esquires, and supervisor Sir William Cordell, knight, Master of the Rolls, unto whom I commit my great trust for the oversight of this my last will;

Item, I give and bequeath unto the said Sir William Cordell in respect of his pains to be taken herein one cup all gilt to be made for him by mine executors of the value of ten pounds. Richard Tyrrell. Witnesses: William Butler, William Bosom, Thomas Moody, priest, Robert Baker, Christopher Gawdy.

Item, I, the aforesaid Richard Tyrrell, doth will and bequeath unto my brother, Eustace, for his legacy twenty pounds of lawful money of England, to be paid unto him at the time my executors shall think it meet, with one cap of aglets;

Item, I will and bequeath unto my sister, Audrey, wife unto Brian Annesley, esquire, twenty marks of lawful money, to be paid at the time my executors shall think it meet;

Item, I bequeath unto Robert Baker, Christopher Bankes, Edmund Downton, John Greniedishe, William Mynattes, John Assheton four pounds apiece, to be paid unto them at what time my executors shall think it meet;

Item, I will and bequeath one house in Ashdon sometime belonging to the church there, that the same shall be given unto the parish;

Item, I will unto every of my executors five pounds apiece.

Probatum fuit Testamentum suprascriptum coram Magistro Waltero Haddon Legum Doctore Curie Prerogatiue Cantuariensis Commissario apud London vicesimo octauo Die mensis Novembris Anno domini Millesimo Quingentesimo Sexagesimo sexto Iuramento Brian Annesley personaliter presentis et Georgij Harrison Notarij publici Procuratoris Henrici Tirrell Executorum in testamento huiusmodi nominatorum Quibus commissa fuit Administratio omnium et singulorum Bonorum &c de bene &c ad sancta dei Evangelia Iuratorum (Roco Grene altero Executorum oneri Executionis eiusdem testamenti expresse renuntiante).

[=The above-written testament was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the twenty-eighth day of the month of November in the year of the Lord the thousand five hundred sixty-sixth by the oath of Brian Annesley, personally present, and George Harrison, notary public, proctor of Henry Tyrrell, executors named in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc. (Rooke Greene, another of the executors, expressly renouncing the burden of the execution of the same testament.)]