

SUMMARY: The document below is the Prerogatory Court of Canturbury copy of the undated will of Charles Tyrrell, second husband of Oxford's mother, Margery Golding, and one of the Queen's Gentlemen-Pensioners. The testator was buried 7 March 1570 at Kingston-upon-Thames. His will was proved 4 May 1570.

### ***FAMILY BACKGROUND***

It is stated in *The Complete Peerage* that the testator was the sixth son of Sir Thomas Tyrrell of East Horndon and Constance Blount, daughter of John Blount, 3<sup>rd</sup> Lord Mountjoy. However in his will the testator makes no mention of this branch of the Tyrrell family, and names only one brother, Philip Tyrrell. One of the sources relied upon by *The Complete Peerage* is a letter from Richard, Lord Rich, to Sir William Petre dated 22 January 1554. According to the summary of the letter in *CSPD, 1547-80*, p.56, Lord Rich 'hears that certain of the pensioners are to be removed, and others appointed; recommends Charles Tyrrell, brother to Sir Henry Tyrrell, to one of the vacancies'. There was thus a Charles Tyrrell who was the son of Sir Thomas Tyrrell and Constance Blount, and a brother to Sir Henry Tyrrell, but this must have been the Charles Tyrrell who is mentioned in the will of Richard Tyrrell (d.1566) as 'Charles Tyrrell, servant to the Lord Rich' (see TNA PROB 11/48/637). It is clear from Richard Tyrrell's will that the Charles Tyrrell who married the Countess of Oxford was a different person from the Charles Tyrrell who was a servant to Lord Rich. It is also suggested in *The Complete Peerage* that the Charles Tyrrell who married the Countess of Oxford had earlier married one Agnes Chetwood, and that the marriage had been annulled. This error is based on a misreading of a suit instigated in 1556 by a Charles Tyrrell for the annulment of the marriage of Agnes Woodhall and Richard Chetwood (see Bray, Gerald, ed., *Documents of the English Reformation, 1526-1701*, (Cambridge: James Clarke & Co., 1994), pp. 327-8). Not only was Charles Tyrrell not a party to the marriage, it is likely that the Charles Tyrrell who instigated the suit was the Charles Tyrrell who was servant to the Lord Rich rather than the Charles Tyrrell who married the Countess of Oxford.

### ***PERSONS MENTIONED IN THE WILL***

In his will Charles Tyrrell leaves bequests, inter alia, to his stepchildren Oxford and Mary, to his three sisters (designated only by their husbands' surnames of Church, Garneys, and Felton) and to his brother Philip, whom he makes his executor. In particular, he leaves to his brother, Philip Tyrrell, and to his friend, Richard Kelton (d.1578), his interest in a lease of Colne priory which the 16<sup>th</sup> Earl had given to John Booth and Thomas Coe, which they in turn had assigned to Margery Golding in her widowhood, and which Charles Tyrrell had inherited on Margery Golding's death in 1568. It is perhaps partly as a result of this bequest that Oxford granted his then receiver-general, Richard Kelton, a further lease of Colne priory in 1578 which was shortly thereafter inherited by Kelton's widow, Jane, and through her remarriage in 1579/80 passed into the hands of Roger Harlakenden, with far-reaching consequences for Oxford.

The testator leaves bequests to several women who may have been personal friends of Oxford's mother, including the Countess of Warwick, the Countess of Somerset, Frances Wingfield, and Mrs Waldegrave (perhaps Judith, wife of William Waldegrave and daughter of Sir Robert Jermyn).

The testator also leaves bequests to a Mr More, Clerk of the Cheque of the band of Gentlemen-Pensioners, and to two fellow Gentlemen-Pensioners, Edward Hungerford and John Seymour.

As noted above, the testator's three sisters are identified only by the surnames of their husbands, and nothing further is known of them.

However Richard Garneys (d.1586), esquire, of Mendlesham, Suffolk, and Boyland Hall in Morningthorpe, Norfolk, son and heir of John Garneys by Ursula Berney, married Margery Tyrrell, the daughter of James Tyrrell (1475?-1538), esquire, of Columbine Hall near Stowmarket, Suffolk. See the will, dated 8 April 1533 and proved 17 October 1539, of Margery Tyrrell's father, James Tyrrell (1475?-1538) of Columbine Hall, TNA PROB 11/26/266. See also the pedigree of Garneys of Kenton in Muskett, Joseph, James, *Suffolk Manorial Families*, Vol. I, (Exeter: William Pollard, 1900), pp. 190-1 at:

[https://archive.org/stream/bub\\_gb\\_ZxANnBnHKBQC#page/n197](https://archive.org/stream/bub_gb_ZxANnBnHKBQC#page/n197)

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

<https://archive.org/stream/cu31924092579568#page/n293/mode/2up>.

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

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

See also the pedigree of Carew of Bury St Edmunds in *The Visitations of Suffolk*, p. 187 (in which 'Gervis of Boyland' may be a mistranscription of 'Garneys of Boyland') at:

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

It seems likely that Richard Garneys (d. 3 January 1586) and Margery Tyrrell were the testator's 'brother and sister Garnisshe', and that Charles Tyrrell was thus a descendant of the Sir James Tyrrell (d.1502) popularly supposed to have been responsible for the murder of the two princes in the Tower.

The fact that there is no mention in the will of either of the testator's Church and Felton brothers-in-law suggests that they had predeceased him, and that his two sisters were widowed. On p.158 of Emmison's *Feet of Fines for Essex*, Vol. V, a fine is recorded in Easter term in 1571 between Philip Tyrrell, gentleman, and John Felton, gentleman, for 20 acres of land in Pentlow. It is possible that this Philip Tyrrell was the testator's brother, and that the land transfer in question was the result of a family relationship.

RM: T{estamentum} Caroli Tirrell Armigeri

In the name of God, Amen. I, Charles Tyrrell, esquire, and one of the Queen's Majesty's Gentlemen-Pensioners, being sick in body but of good remembrance, do make this my last will and testament:

First I bequeath my soul into th' hands of my Saviour and Redeemer Jesu Christ, and my body to the Christian burial;

Secondarily, I give and bequeath unto the Lady Mary, sister to th' Earl of Oxford, one kirtle of black velvet embroidered all over with gold and pearl;

Item, I will that the same Lady Mary have the carcanet of rubies and pearl so as she will pay £40 for the same;

Item, I give unto Mr [sic] Waldegrave, wife unto Mr William Waldegrave of Smallbridge in the county of Suffolk, one partlet and ruffs sleeves, being the whole suit of the fairest that is amongst the partlets and ruffs;

Item, I give unto Frances Wingfield a black cloak and safe-guard of black cloth guarded with velvet which lieth in my press at home, and all other apparel that was my wife's within that press; more, 3 pair of sheets, one pair of them fine; more, 2 tablecloths of diaper, 3 towels of diaper, and three other towels, plain; more, one of the rich partlets and sleeves; more, a jewel-coffer which is in my chamber at London, with all other handkerchiefs and other linen in the same coffer, and one white partlet;

Item, I give unto the said Frances Wingfield a ring with a pointed diamond;

Item, I do give unto th' Earl of Oxford one great horse that his Lordship gave me;

Item, I give unto the Countess of Warwick the best kirtle that was my late wife's except that given to the Lady Mary, and to be chosen by Mistress Gardiner, one of her gentlewomen;

Item, I give unto the same Mrs Gardiner one cushion-cloth wrought at the four corners with black silk and silver, and one napkin wrought at both ends with black silk and gold;

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Item, I give unto my sister Church three pair of sheets, and one gown of black cloth that was the Lady Mary's which is in the great chest;

Item, I give unto my brother and sister Garnisshe [=Garneys] my field-bed of crimson velvet with the bedstead of walnut-tree which standeth in the little parlour;

Item, I give unto my sister Felton one feather-bed furnished;

Item, I will that the train of a kirtle of tawny velvet that was my wife's be given unto the Lady Worcester which my late wife gave unto her;

Item, I give unto Cooke, my man, a black cloak and a coat, and a gelding called Grey Cockerel;

Item, I give unto my man, Christopher, a black pair of hose lined with mockado, and one white fustian doublet, and a black velvet hat, and 20s in money;

Item, I give unto Maynes, my man, a cloak of sheep's colour, and a pair of black hose lined with sarsenet, and a black leather jerkin, and the gelding that was Mr Hadnowle's [=Hadnell's?];

Item, I do give unto my fellow, Mr Edward Hungerford, all my harness that hangeth in my chamber at London;

Item, I give unto Mr More, clerk of our band, for a remembrance 2 pair of fine sheets for to serve him at the court;

Item, I do give unto my fellow, Master John Seymour, a black gown of cloth furred, a night-gown, and also my poleaxe;

Item, I do give unto my brother, Philip Tyrrell, and my friend, Master Kelton of Colne, all that my lease and term of years yet to come which I have of the said house, manor and priory of Colne with th' appurtenances by any means or ways, as well by force of one indenture made by the late Earl, deceased, to John Booth and Thomas Coe, which said John and Thomas have, by their deed signed and sealed, released over their interest to my late wife, the Countess of Oxford, in her widowhood, as by all other means and ways whereby any right or title of the same might or may accrue or grow to me;

Item, I do make my brother, Philip Tyrrell, my sole executor of all other my goods and chattels yet ungiven upon condition he do pay all such debts and duties as may lawfully be demanded of me and shall justly be proved as above-written to be my debts, these being witnesses hereof, Master John Seymour, esquire, one of the Queen's Majesty's Gentlemen-Pensioners, and Mr Richard Kelton, gentleman.

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Probatum fuit testamentum suprascriptum coram mag{ist}ro Waltero Haddon legum doctore curie p{re}rogatiue cantuarien{sis} com{m}issario apud London quinto die Maij Anno domini Mill{es}imo quingen{tesimo} septuagesimo Iuramento Phillippi Tirrell executor in h{uius}mo{d}i tes{tamen}to nominat{i} Cui com{m}issa fuit administrac{i}o om{ni}u{m} et sing{u}lor{um} bonor{um} &c De bene &c Ad sancta dei Evangelia Iurat{i}

[=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 fifth day of May in the year of the Lord the thousand five hundred seventieth by the oath of Philip Tyrrell, executor 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.]