

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 8 August 1568 and proved 13 May 1571, of Humphrey Hales, whose eldest son, Sir James Hales (d.1589), married Alice Kempe (d.1592), to whom Robert Greene dedicated *Menaphon* in 1589. See the will of Sir James Hales, TNA PROB 11/75/265.

The testator's stepmother, Margaret (nee Wood) Mantell Haute Hales, initiated the lawsuit *Hales v. Petit*, alluded to in the gravedigger's speech in Shakespeare's *Hamlet*.

FAMILY BACKGROUND

Testator's grandparents

The testator was the grandson of John Hales (by 1470 – 1540), Baron of the Exchequer, of The Dungeon, Canterbury, and Isabel Harry, daughter and co-heiress of Stephen Harry (or Harris) and Isabel Brooker, daughter and heiress of William Brooker. See the *ODNB* entry. See the History of Parliament entry for John Hales at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/hales-john-i-1480-1540>

b. by 1480, s. of John Hales of Tenterden. educ. G. Inn. m. by 1509, Isabel, da. of Stephen or Thomas Harry, 5s. inc. Thomas 1da.3

John Hales and Isabel Harry are said to have had five sons and a daughter, including:

-**Sir James Hales**, the testator's father (see below).

-**Thomas Hales** of Thanington, Kent, for whom see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/hales-thomas-1515-85-or-later>

-**Edward Hales** of Tenterden, Kent, who married Margaret Honywood, the daughter of John Honywood of Sene near Hythe, Kent.

-**William Hales** of Nackington, Kent.

-**Mildred Hales**, who married John Honywood (d.1558), esquire, of Sene near Hythe, Kent, son and heir of John Honywood (c.1466-c.1534) by his first wife, Agnes Martyn, daughter and heir of Henry Martyn, esquire. See the History of Parliament entry for John Honywood (c.1466-c.1534) at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/honywood-john-1466-1534-or-later>

b. by 1466, s. of Thomas Honywood of Hythe and Honywood in Postling by Thomasin Lovelace of Kingsdown. m. (1) Agnes, da. and coh. of Henry or John Martin of Graveney, 1s. 1da., 14 other ch.; (2) Alice, da. and coh. of William Barnes of Wye, wid. of Richard Woodward, 1s. 1 or 2da.3

By John Honywood (d.1558), Mildred Hales had three sons, Thomas Honywood (d. 2 May 1580), John Honywood, and Christopher Honywood (d.1599). See *The English Baronetage*, Vol. III, Part I, (London: Thomas Wotton, 1741), pp. 106-7 at:

<https://books.google.ca/books?id=2GQUAAAAYAAJ&pg=PA107>

For the marriage of Mildred Hales and John Honywood (d.1558), see also *The English Baronetage*, Vol. I, (London: Thomas Wotton, 1741), p. 220 at:

<https://archive.org/details/englishbaroneta00unkngoog/page/n252>

For Mildred Hales' eldest son, Thomas Honywood (d. 2 May 1580), see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/honywood-thomas-1580>

1st s. of John Honywood of Sene and bro. of Christopher. educ. ?Pembroke, Camb. 1546; G. Inn 1547. m. Margaret, da. of William Bedingfield of Brabourne, 1da. suc. fa. 1558.2

For Thomas Honywood's friendship with his cousin, the poet and translator, Barnabe Googe, see Eccles, Mark, 'Barnabe Googe in England, Spain, and Ireland', *English Literary Renaissance*, Vol. 15, No. 3, (Autumn 1985), pp. 353-370 at p. 357.

Testator's parents

The testator was the only son of Sir James Hales (d.1554), by his first wife, Mary Hales, daughter of Thomas Hales (died c.1520) of Abingdon and Henley, Merchant of the Staple. See 'Henley Manors and Estates II', *VCH Oxfordshire: Online Texts in Progress: Henley*, (November 2006), p. 6, available online. See also the *ODNB* entry for the testator's father, and the Wikipedia entry for the testator's father created by the author of this website.

Testator's siblings

The testator is said to have had four sisters:

-Mary Hales, who married William Ryther (d. 4 February 1563), esquire, of Harewood, Yorkshire. See the History of Parliament entry for their only child, James Ryther (1536-1595), at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/ryther-james-1536-95>

See also Jones, John, *The History and Antiquities of Harewood*, (London: Simpkin, Marshall, & Co., 1859), p. 49 at:

<https://archive.org/details/historyantiquiti00joneiala/page/48>

For the brief will of William Ryther, dated 5 January 1559 and proved 11 July 1565, in which he leaves all his goods to his son, James Ryther, see TNA PROB 11/48/214.

See also Craig, W.J., 'James Ryther of Harewood and his Letters to William Cecil, Lord Burghley', *The Yorkshire Archaeological Journal*, Vol. 56, 1984, pp. 95-8, and Vol. 57, 1985, pp. 125-32, and 'Butler, R.M., 'Further Information on James Ryther of Harewood', Vol. 59, 1987, pp. 179-82.

According to Craig, *supra*, p. 96, William Ryther's wife was *Mildred Hales*. However this appears to be an error. For Mildred Hales (d.1596), who married Thomas Docwra (d.1604), see the pedigree of Docwra of Putteridge in Metcalfe, Walter C., ed., *The Visitations of Hertfordshire*, (London: Harleian Society, 1886), Vol. XXII, p. 48 at:

<https://archive.org/details/visitationsofher22metc/page/48>

-Frances Hales. The *ODNB* erroneously identifies her husband as Walter Herley (b.1532). She married Walter Hendley (b. 15 April 1532), the nephew of Sir Walter Hendley of Cranbrook, Kent, solicitor of the Court of Augmentations, for whose will, proved 31 December 1550, see TNA PROB 11/33/459:

Also I bequeath my messuage or house in Holborn in the suburbs of London called Bangor Place to Walter Hendle, son of Thomas Hendle, my brother, as along as the said Walter and the said Thomas, his father, do both together live

For the will of Sir Walter Hendley, see also:

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Bk49+50/page%20080.htm>

For the marriage of Frances Hales and Walter Hendley, see also excerpts from a diary kept by Walter Hendley's father, Thomas Hendley, at:

<http://www-personal.umich.edu/~bobwolfe/gen/pn/p23740.htm>

1532 "Walter Hendle. Son of the above named Thomas & Eliza was born on St Oswald's Day between one & two in the morning Anno Dom 1532, being Hop Monday the 15th day of April . . . and he was married to Frances Hales, younger daughter of James Hales Knight, and Justice of the Common Bench, at Westminster, 23rd day of January, being Monday in the 6th year King Edward 6th (1553) aged 21 on the first day of Hilary Term, in London, in the Paris of St Lawrence."

1554 "Memoir. That the 23rd day of January, in the 6th year of King Edward the 6th (1553/4), Walter Hendle my son was married at London in St Lawrences Church, being the first day of Hilery term to Frances Hales, youngest daughter of Sir James Hales Knight and one of the Justices of Comon Pleas at Westminster A.D. 1553 and the said Sir James did give with his daughter to her and to Walter Hendle and the longest liver of them both, the Manor of Dane Court in Bowiston under the Blean. At [sic?] sometime Sir John Fogg's Kent and 10 pound by year of annuity out of his lands during her life, and 100 marks of money. And I give to the said Walter and Frances all my lands in Tenterden and Berstedd at Melyott and to the heirs of the said Walter yearly 20 pound, and more clear and 10 pound in money. 20 pound a year and 10 pound in pennies."

For the Hendley family, see also Philipott, Thomas, *Villare Cantianum*, 2nd ed., (Lynn: W. Whittingham, 1876), p. 99 at:

<https://books.google.ca/books?id=WXhbAAAQAAJ&pg=PA99>

For Lady Margaret Hendley's remarriage to Thomas Roberts after the death of Sir Walter Hendley, see Paravicini, Frances de, *The Early History of Balliol College*, (London: Kegan Paul, 1891), p. 221 at:

<https://books.google.ca/books?id=gxxMAAAAMAAJ&pg=PA221>

-Jane Hales, who married firstly Walter Mantell (executed 1554), whom the History of Parliament erroneously refers to as Sir Walter Mantell. See the History of Parliament entry for her eldest son, Matthew Mantell (before 1550-1589):

<http://www.historyofparliamentonline.org/volume/1558-1603/member/mantell-matthew-1550-89>

b. bef. 1550, 1st s. of Sir Walter Mantell (exec. 1554), of Horton, by Mary or Jane, da. of Sir James Hales of Canterbury. educ. I. Temple 1568 or 9. m. Lucrecia, da. of John Wake of Hartwell, Northants., 2s.1

The testator's will below clarifies that Matthew Mantell was the son of Walter Mantell, *gentleman*:

I will that my executor shall pay, as soon as the same may conveniently be levied, threescore nineteen pounds of lawful money (whereof forty pounds is already paid, as it appeareth by my acquittances) to Matthew Mantell, Mark Mantell, Luke Mantell and

John Mantell, sons to Walter Mantell, gentleman, deceased, taking of them a sufficient acquittance thereof, for which sum of £79 I stood bound in a greater sum to Dame Margaret Hale[s], widow, to save her harmless.

See also the will, dated 31 August 1523 and proved 4 August 1529, of Sir Walter Mantell, TNA PROB 11/23/158.

After the death of Walter Mantell, Jane Hales married Christopher Carleill (c.1519 – 2 August 1588), by whom she had two sons, James Carleill and Jonathan Carleill (c.1561-1599), and two daughters, Anne Carleill and Jane Carleill.

For Jane Hales' marriage to Christopher Carleill, see *Collections for a History of the Ancient Family of Carlisle*, (London, 1822), pp. 54-6 at:

<https://babel.hathitrust.org/cgi/pt?id=njp.32101063057127;view=1up;seq=76>

See also the entry for Jane Hales in 'A Who's Who of Tudor Women' at:

http://www.tudorwomen.com/?page_id=685

-Elizabeth Hales, who is said to have married John Gayson.

For the testator's sisters and their marriages, see also 'Sir James Hales – Justice of the Common Pleas', *The Hales Newsletter*, May 1970, Vol. 1, No. 1, pp. 3-5, available online.

After the death of the testator's mother, the testator's father married secondly the twice-widowed Margaret Wood (d. 18 September 1567), the daughter and coheir of Oliver Wood (d.1523?). She is referred to in the will below as 'Dame Margaret Hales'. For the will of Margaret Wood's first husband, Sir Walter Mantell (d.1529), see TNA PROB 11/23/158. For the will of Margaret Wood's second husband, Sir William Haute (d.1539), see TNA PROB 11/26/240.

It was the testator's stepmother, Margaret (nee Wood) Mantell Haute Hales, who commenced the lawsuit *Hales v Petit* alluded to in *Hamlet*. See the entry for her at:

http://www.tudorwomen.com/?page_id=715

According to the inquisition post mortem, TNA C 142/165/132, taken at Northampton on 18 March 1568, the testator's stepmother, Margaret Wood, died 18 September 1567. However the testator appears to have been unaware of her death when he made the will below on 8 August 1568 ('if it shall fortune Dame Margaret Hales to die').

Brayley describes Margaret Wood's monument in St Mildred's Church, Canterbury:

On the south aisle is a neat mural monument for the Lady Margaret Hales, daughter and heiress of Oliver Wood, Esq. She died in 1577, having been married in succession to three Knights; viz. Sir William Mantel, Sir William Haute, and Sir James Hales. At the bottom is a genealogical tree, bearing her shield of arms, with impalements. The slabs in the pavement, which covered the remains of the Atwoods, have been long deprived of their brasses: the whole Chapel, indeed, is in a ruinous state.

See Brayley, Edward Wedlake, *The Beauties of England and Wales*, Vol. VIII, (London: Thomas Maiden, 1808), p. 907 at:

<http://archive.org/stream/beautiesengland17braygoog#page/n317/mode/2up>

It appears that the date '1577' in Brayley's description is a typographical error for '1567'.

Margaret (nee Wood) Mantell Haute Hales is said to have left a will in which she mentions her son, Thomas Mantell. See *The Hales Newsletter*, *supra*.

MARRIAGE AND ISSUE

The testator married Joyce Atwater, one of the two daughters and coheirs of Robert Atwater of Royton manor in Lenham, Kent, whose will was proved 5 May 1565. See:

<http://freepages.rootsweb.com/~mrawson/genealogy/extr9.html#atwater>

For Royton manor, see:

<https://britishlistedbuildings.co.uk/101060984-royton-manor-lenham>

Confusion concerning the identity of the testator's wife has arisen from the family's use of the variant surnames At Water, Atwater and Waters. For the Atwater family, see Hasted, Edward, *The History and Topographical Survey of the County of Kent*, Vol. V, (Canterbury: W. Bristow, 1798), pp. 424-5 at:

<https://books.google.ca/books?id=-2ueWAEPAYYC&pg=PA425>

Robert Atwater . . . who leaving two daughters and coheirs, Mary, the youngest of them, carried it, with other estates at Charing and elsewhere in this neighbourhood, to Robert Honywood, esq. of Henewood, in Postling, eldest son of John Honywood, esq. by his second wife, daughter of Barnes, of Wye.

He afterwards resided at Pett in Charing, part of his wife's inheritance, and dying in 1576, was buried in Lenham church, bearing for his arms those of Honywood, with a crescent, gules, for difference. He left a numerous issue by his wife, who survived him near forty-four years, and dying in 1620, in the ninety-third year of her age, was buried near him, though a monument is erected to her memory at Markshall, in Essex. She had,

as has been said, at her decease, lawfully descended from her 367 children, 16 of her own body, 114 grand-children, 228 in the third generation, and nine in the fourth. Their eldest son Robert Honywood, of Charing, and afterwards of Markshall, in Essex, was twice married; first to Dorothy, daughter of John Crook, LL.D. by whom he had one son, Sir Robert Honywood, of Charing, and a daughter Dorothy, married to Henry Thomson, gent. His second wife was Elizabeth, daughter of Sir Thomas Brown, of Beechworth-castle, in Surry, by whom he had several sons and daughters; the eldest of whom, Thomas, was of Markshall, in Essex, esq. and father of John Le Mott Honywood, esq. of that place.

It appears from the foregoing passage that the testator's wife, Joyce Atwater or Joyce Waters, was the sister of Mary Atwater (1527 - 11 May 1620), who in February 1543 married Robert Honywood (1525-1576). See Mary Atwater's epitaph in *The English Baronetage*, Vol. III, Part I, (London: Thomas Wotton, 1741), p. 106 at:

<https://books.google.ca/books?id=2GQUAAAAYAAJ&pg=PA106>

See also the entry for her as 'Mary Waters' in 'A Who's Who of Tudor Women' at:

http://www.tudorwomen.com/?page_id=715

See also the Wikipedia entry for her as 'Mary Waters' at:

https://en.wikipedia.org/wiki/Mary_Honywood

See also 'Honywood Evidences' in Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. II, (London: John Bowyer Nichols and Sons, 1853), p. 169 at:

<https://books.google.ca/books?id=EKhWAAAIAAJ&pg=PA169>

For a manuscript compiled by Mary Atwater's son, Robert Honywood (1545-1627), see *The Topographer and Genealogist*, Vol. I, p. 568 at:

<https://archive.org/details/topographergenea00nich/page/568>

For the children of Robert Honywood (1545-1627), see 'Honywood Evidences', Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. II, (London: John Bowyer Nichols and Sons, 1853), pp. 169-85 at:

<https://archive.org/details/topographergenea02nich/page/168>

It should be noted that on 23 May 1584 Oxford acknowledged a bond of £3000 to 'Honywood', likely Mary Waters' son, Robert Honywood (1545-1627). See TNA PRO 30/34/14.

By Joyce Atwater the testator had five sons and five daughters named in the will below:

* **Sir James Hales** (d.1589), eldest son, for whose will see TNA PROB 11/75/265. As noted above, he married Alice Kempe (d.1592), the dedicatee of Greene's *Menaphon*.

* **Samuel Hales.**

* **Humphrey Hales** (d. 16 June 1591). He was Bluemantle Pursuivant at the funeral of Sir Philip Sidney, carrying Sidney's gauntlets, and was later York Herald. See Goldring, Elizabeth, ed., *John Nichols's The Progresses and Public Processions of Queen Elizabeth I*, Vol. III, (Oxford: Oxford University Press, 2014), p. 330 at:

https://books.google.ca/books?id=_VacAQAAQBAJ&pg=PA330

He may also have been the Humphrey Hales who was admitted to Gray's Inn in 1573. See Foster, Joseph, *The Register of Admissions to Gray's Inn, 1521-1889*, (London: Hansard Publishing Union, Limited, 1889), p. 45 at:

<https://archive.org/details/cu31924029785452/page/n47>

* **John Hales.**

* **Robert Hales.**

* **Abigail Hales.**

* **Margaret Hales.**

* **Susan Hales.**

* **Mary Hales.**

* **Elizabeth or Remyge Hales.**

After the testator's death, his widow, Joan Atwater, appears to have married a husband surnamed Clarke. A Chancery suit in 1592 (C 2/Eliz/C7/5) concerning the validity of the will of her son, Sir James Hales (d.1589), appears to have been brought by her as Lady Joyce Clarke against Thomas Kempe, the half brother of her former daughter-in-law, Alice (Kempe) Hales (d.1592).

OTHER PERSONS MENTIONED IN THE WILL

For John Venor or Venner, warden of Henley, see 'Henley Manors and Estates II', *VCH Oxfordshire: Online Texts in Progress: Henley*, (November 2006), p. 6, available online.

RM: T{estamentum} Humfridi Hales

In the name of God, Amen. I, Humphrey Hale[s] of the Dungeon besides the walls of Canterbury, esquire, of whole and entire mind, praised be God therefore, calling to my remembrance the final dissolution of my body and the uncertainty of the time thereof, and to th' intent that, my mind being discharged of worldly cares and business, I might be the readier to addict and give over myself wholly to God his will and pleasure whensoever it shall please him of his mercy to call me hence, and that things set in order I depart this life with more quietness, do make and ordain this my last will and testament:

First, I commend my soul into the hands of Almighty God, from whose justice I do appeal to his mercy, knowing that if he should enter into judgment with his servants there should no creature living be justified in his sight; nevertheless, seeing God's mercy is (as the prophet David saith) over and above all his works, though my sins be never so many and great, yet because his mercy is greater, I will not despair, but will surely trust to be forgiven by asking forgiveness of God the Father with a repentant heart through the blood, wounds and passion of our alone and only Saviour, his son Jesus Christ, who (as Saint John saith) obtaineth grace not by our sins only but also for the sins of all the world, so that for the only merits of Jesus Christ I hope and most steadfastly do trust to be in the number of them whose unrighteousness is forgiven and to whom the Lord will not impute sin, and because I would both live and die in perfect love and charity towards all men, I do forgive them which have offended me, even from the bottom of my heart, as I would God to forgive me, desiring all them likewise whom I have offended any manner of ways to forgive me, even as they themselves hope of forgiveness at God his judgment-seat at the latter day, and if any person can prove truly that I have done to him wrong, or that I owe to him anything, I will that that person which shall be named to be my executor and will take upon him or her th' administration of my goods by force of this my testament shall pay and recompense the same debt or wrong as far as my goods then remaining in my executor's hands will stretch or extend, though the rigour of the law will not enforce my executor thereto;

And as for my body, I will that it be laid in the grave without any pomp, believing assuredly with holy Job that where or howsoever it be laid, or by what means soever it cometh to his end, that yet this body shall notwithstanding rise again at the latter day, and that in this my flesh I shall see God my Saviour who hath redeemed me;

And I ordain and make by this my testament my wife, Joyce Hales, my sole & only executrix so long as she keepeth herself sole and unmarried, and if she shall hereafter marry, then I will that she shall before her marriage stand bound to Mr Sergeant Manwood and to Mr George Maye in one thousand pounds to perform this my will, which bond if she shall refuse to make, then I do ordain James, my eldest son, to be my executor, so that he make the like bond to them for to perform this my will, which if he refuse, then I do desire them to be my executors and to take upon them the charge of the performance of this my will as far as my goods and chattels at the time of [f. 157v] my death and the yearly revenues of my lands which I may devise will extend unto;

And as touching my lands and tenements, first I will to my said executrice or to such as shall take on them to be my executors, all my lands and tenements in the county of Oxon now in the occupying of (blank) Foster, esquire, by force of a demise made by Sir James Hales, my father, and me, to John Venor for the clear yearly rent of forty-eight pounds nine shillings & four pence;

And all my houses in and beside Old Fish Street in London, of the clear yearly value of four pounds thirteen shillings four pence;

Item, my moiety of the manor of Northcourse in Netherhardes [=Netherhards?], being about the clear value of four pounds by the year;

Item, seven acres of land in Wynehope field with a little barn, stable and garden-room impaled, lying near the churchyard of Saint Mary Castle, demised by the heirs of Sir Christopher Hales among other lands to one Samuel Browne, of the clear yearly value of 40s;

Item, three acres of land bought of Brodnax, lying in the entry of my close of 26 acres in Saint Mary Church and being parcel thereof, of the clear yearly value of 20s by year;

Item, one messuage with a garden-plot enclosed with pale bought of Streter the younger, baker, which I have now joined to another house and have letten the same, being made but one dwelling, to Robert Bynge, that messuage about the clear yearly value of 13s 4d by the year;

Item, three acres of land joining to other twenty acres of mine in Eleham [=Elham?], with three acres I purchased of one Hogven of Eleham aforesaid, of the yearly value of 6s 8d;

Item, I will to my said executrix, or to such other as shall hereafter take on them to be my executors, my manor of Danecote [=Danecourt?] with th' appurtenances in Boughton, Blean, Hernhill and Sollinge, the freehold whereof I bought of Walter Henley, gentleman, and of Frances, his wife, being my sister, who had the same of the gift of Sir James Hales, my father, for term of their lives, the remainder thereof after my death to James Hales, my eldest son, being of the clear yearly value of sixteen pounds, besides ten seams of wheat yearly and ten seams of barley which I account most years to be worth both ten pounds, of the which manor of Dane courte [=Danecourt?] with th' appurtenances I will that my executrice shall take the profits during the life of the said Walter Henley of whom I bought it;

And of all the lands and tenements abovesaid I will that my executrix shall take the profits to the use of the performance of this my will until the same be performed;

With the issues and revenues rising of the said lands and with the ready money I shall leave at the time of my death, my debts, funerals and legacies to other than to my children discharged and my children found, first, I will that my executor shall pay, as

soon as the same may conveniently be levied, threescore nineteen pounds of lawful money (whereof forty pounds is already paid, as it appeareth by my acquittances) to Matthew Mantell, Mark Mantell, Luke Mantell and John Mantell, sons to Walter Mantell, gentleman, deceased, taking of them a sufficient acquittance thereof, for which sum of £79 I stood bound in a greater sum to Dame Margaret Hale[s], widow, to save her harmless;

Item, I will that my executrix shall pay ten score pounds of lawful money, which sum of two hundred pounds was delivered to me by Robert Atwater, esquire, my wife's father, deceased, to the use of my children, whereof I will that my executrix shall pay to James, my eldest son, when he shall accomplish the age of 21 years, or if he shall accomplish the said age at the time of my death, then I will those £20 to be paid to him immediately after my death;

Item, I will that my executrix shall pay those nine score pounds residue to Samuel, my son; to Abignoll [=Abigail], my daughter; to Humphrey, my son; to Margaret, my daughter; to John, my son; to Susan, my daughter; to Mary, my daughter; to Robert, my son; to Remyge [sic?], my youngest daughter, to each of my said children twenty pounds apiece when they shall severally accomplish the said age of 21 years; if any of them die before their said age, then I will that their portion that so die shall be delivered among them which do survive;

Item, I will that my executrix shall pay to each of my said daughters before-named over and beside those £20 apiece given to them by my said wife's father, nine score pounds apiece to make up two hundred pounds apiece when they shall severally accomplish th' age of 24 years, if it will so soon arise;

Item, I will to Elizabeth, my youngest daughter, other two hundred pounds when she shall accomplish the said age of 24 years, if it will arise of the revenues of my lands before devised;

And if it shall fortune any of them to die before their said age, then I will that their portion so dying shall be delivered among them which survive and accomplish the said age;

Item, I will that my executrix shall pay to the child my wife now goeth withal two hundred pounds if it shall fortune to be a daughter, and shall live to accomplish the said age of 24 years;

And if all my before-named daughters do die before they have received their said portions above limited, then I will that their portions, those ten hundred pounds, shall be equally divided between John, Robert, and the child my wife goeth withal, if it shall fortune to be a son, when they shall severally accomplish the said age, or to such of them as shall live to accomplish the said age;

And if it shall fortune the said John, Robert, my sons, & the child whom my wife goeth withal, being a son, all to die before they shall accomplish the said age, then I will the said thousand pounds to James, Samuel and Humphrey, my sons, to be divided equally at their several ages of 24 years, if the said sum may be so soon levied.

I will to James, my son, my lands in the parish of Ivychurch now in my occupying and in the occupying of Nicholas Salkyn, being of the value of ten pounds by year; my lands in Sellinge next Estinghanger [=Ostinghanger?] park, of the value of five pounds [f. 158r] by the year; my lands in Chislet in the occupying of John Helde, of the value of £7 by year; my manor of Maxte beside Dover with th' appurtenances, now in the occupying of William Hamyngton, gentleman, of the value of five pounds by year and the rent thereof about 30s by year; item, my lands, parcel once of the parish of Saint Jacob's, containing fifty acres or thereabouts, being about the value of five pounds by the year, and one acre and one yard of land lying in Winehope field now in the occupying of William Broke [=Brooke?] of the value of 6s 5d by the year; item, twenty acres of land or thereabouts lying at Eleham now in the occupying of (blank) Wylson of Eleham, of the yearly value of 26s 8d, to the said James, to have and enjoy immediately after my death;

Item, I will my manor of Danecourt with th' appurtenances to the said James after the death of Walter Henley according to the conveyance made by Sir James Hales, my father, as well of the said manor as also of the lands before given to James, my son; nevertheless, if it shall fortune Dame Margaret Hales to die, and after the said Walter Henley to die before this my will be accomplished and performed, then do I require the said James, my son, for that he shall be sufficiently advanced by the death of the same Dame Margaret Hales, that he will suffer my executrix to take the profits of Danecourt with th' appurtenances until this my will be performed;

I will to the said James, my son, my messuage called Stopinten within the liberties of the city of Canterbury after the decease of Joyce, my wife, according to the conveyance made thereof unto him by the foresaid Robert Atwater, my wife's father, requiring my said son James further that if the said Joyce, my wife, his mother, do not marry and shall be disposed to dwell at my now mansion house, the Dungeon, after the death of the said Dame Margaret Hales, that then he would suffer and quietly permit his said mother to dwell in the said house called the Dungeon with him;

Item, I will those lands and tenements above to my executrix willed to perform my will, after this my will performed and accomplished, to the said James, my eldest son, to have and to hold to him and to his heirs upon condition that he shall pay to John and Robert, my sons, and to the child my wife goeth withal, being a son, three hundred pounds, that is, to each of them one hundred pounds when they shall accomplish their said age of 24 years, if the same may conveniently so soon be levied, and if any of them shall die before they shall accomplish ye said age, then I will that they of them which overlive shall enjoy the other's portion;

Item, I will to Samuel, my second son, immediately after my decease, my manor of Jaokye Court and Mydley [=Midley?] with th' appurtenances, lying in Hede and Mydley,

now demised to John Sterynger [=Stringer?] & John Mar by several leases, which said manors are so assured to the said Samuel, my son, by conveyance from Sir James Hales, my father, being almost of the yearly value of £40;

Item, I will to Humphrey Hales, my third son, according to the conveyance made by my said father, after the death of Joyce, my wife, my messuage and tenement in Plomsted [=Plumstead?] in the county of Kent, being of the yearly value of £26, the which Humphrey with John, my son, Robert, my son, and the child my wife now goeth withal, if it shall fortune to be a son, I will they shall every of them be kept at school until they shall be meet to be bound to be apprentices in London or shall be set to other trade to get their living according to the discretion of my executrix;

And likewise I will all my daughters before-named and the child my wife goeth withal, being a daughter, be kept in household with my said executrix until their said several age of 24 years, if they shall not fortune to marry before or to be put forth into convenient service to gentlewomen by the discretion of my executrix;

And for this consideration, that my executrix should find meet and drink at her own charge to all my said children except James and Samuel until their said several ages of 24 years, being not put forth as apprentices or to other meet service or married before their said ages, I will to Joyce, my wife, my executrix, one nest of gilded bowls with their cover, two little gilded salts, 12 of the biggest silver spoons of one fashion, 3 gilded hanse-pots, one cruse with a gilded lid given to me by her father, all my geldings, mares and horse-beasts (except my best gelding, which I will to my very friend, Mr Thomas Wotton, at his election, which he shall choose), with all my saddles and trappings, cattle, woods, corn and (blank?), as well sown in the ground as on the lofts or floors in any of my houses being mine at the time of my death, and all her apparel & jewels;

Item, I will to James Hales, my eldest son, all my other leases not before expressed, and also one basin and one ewer of silver, and one great standing cup with a cover, the said cup & cover all gilded, which basin, ewer and cup were John Hales', my grandfather, and given to me by Sir James Hales, my father; item, two fair gilded salts, 10 gilt spoons with maidens' heads, and my signet or seal of arms, to be delivered to him by my executrix when he shall accomplish the said age of 24 years;

Item, I will all the rest of my goods and chattels not before bequeathed, whereof I will an inventory to be made by my executrix immediately after my death or [sic for 'so'?] that the certainty thereof may be known, to the said James, my eldest son, to be delivered to him by my said executrix, at such time whenas after he shall accomplish the said age of 24 years, he shall pay to my said executrix, his mother, to her own use one hundred pounds of lawful money of England, or otherwise I will they shall [f. 158v] remain to my said executrix to her own use forever;

And if my wife shall fortune to die before the performance of this my will, then I will James, my son, to be executor, so that he will enter in bond as is aforesaid, which if he shall refuse or shall fortune to die before the performance of this my will, then I desire

the said Mr Sergeant Manwood and the said Mr George Maye to take upon them the charge of this my will and to be mine executors, whom in the meantime I do make supervisors of this my will and testament, willing to the said Master Manwood £6 13s 8d in money, and to the said Mr Maye four pounds in money, desiring them as much as shall lie in them to see and cause my executrix to perform this my will, and further, to take and hear yearly once every year the account of the profits of my lands taken by my said executrix, and therewith to see my debts and legacies paid as soon as it may be conveniently gathered, for the which their pains, if they will be content to take and hear the said account yearly, I will to them yearly forty shillings, that is 20s apiece, to be paid unto them by my said executrix yearly immediately after their hearing of the said account;

Item, I will that if all my sons shall happen hereafter to die, leaving no issue male behind them, then I will all my lands in the county of Oxon, with all other of my lands and tenements which I have purchased and wherein I have an estate of inheritance at the time of my death, to my uncle, William Hales, to him and to his heirs forever, to whom also I will a hoop-ring of gold of the value of 20s or more, to be delivered unto him immediately after my decease;

Item, I will to my cousin, Roose [=Rous?] Herman, a little ring with a death's-head, to be delivered to him immediately after my death;

Item, I will to the poor of Saint Mary Brednexe(?) [=Bredin(?)] parish, where I will my body to be buried at the time of my burial, forty shillings to be distributed among them by the discretion of my executrix;

Item, I will to Mary Skynner, my maid, besides her wages due at the time of my death, 10s;

Item, I will to John Powes, my servant, 10s;

In witness of all the premises, and that this is my very will and testament, I have set to my seal and subscribed my name, dated the 8th day of August in the 10th year of the reign of our Sovereign Lady Elizabeth, by ye grace of God Queen of England, France and Ireland, Defender of the faith &c, 1568, by me, Humphrey Hales.

Probatum fuit huiusmodi testamentum Coram Domino Cantuariensis Archiepiscopo apud London xiiijno die Mensis Maij Anno Domini 1571 Iuramento Pauli Whitehorni procuratoris Iacobi Hales Executoris in huiusmodi testamento nominatus &c Cui commissaria fuit administratio &c de bene &c Iuratus &c.

[=The same will was proved before the Lord Archbishop of Canterbury at London on the 13th day of May in the year of the Lord 1571 by the oath of Paul Whitehorne, proctor of James Hales, executor named in the same testament etc., to whom administration was granted etc., sworn to well etc.]