

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 1 and 10 February 1589 and proved 15 March 1589, of Sir William Winter (d. 20 February 1589), whose granddaughter married Sir William Throckmorton, a first cousin of Mary (nee Tracy) Hoby Vere (18 May 1581 - 25 December 1671), wife of Oxford's first cousin, Horatio Vere (1565-1635), Baron Vere of Tilbury.

For the testator's career, see the *ODNB* entry.

FAMILY BACKGROUND

The testator was the second son of John Winter (d.1545) of Bristol and Deptford, a merchant and sea captain, by Alice Tirrey, the daughter and heir of William Tirrey of Cork. See the pedigree of Winter in Maclean, John and W.C. Heane, eds., *The Visitation of the County of Gloucester Taken in the Year 1623*, Vol. XXI, (London: Harleian Society, 1885), p. 273 at:

<https://archive.org/stream/visitationofcoun00inchit#page/272/mode/2up>

See also:

<http://freepages.genealogy.rootsweb.ancestry.com/~pillagoda/ch11-01.htm>

According to the Winter pedigree, the testator had four brothers and two sisters:

-Arthur Winter.

-George Winter, who married Anne Brayne, the daughter of Henry Brayne of Bristol, for whose will, proved 28 April 1567, see TNA PROB 11/49/135.

-Ralph Winter.

-William Winter.

-Mary Winter.

-Agnes Winter (d.1574), who married firstly William Brooke, and secondly Thomas Wilson (1523/4–1581), one of the two Principal Secretaries to Queen Elizabeth, by whom she had a son, Nicholas Wilson, and two daughters, Lucrece Wilson, and Mary Wilson, who married firstly Robert Burdet (d.1601), and secondly Sir Christopher Lowther of Cumberland. For Thomas Wilson, see the *ODNB* entry. For Mary Wilson, see Fetherston, John, ed., *The Visitation of the County of Leicester in the Year 1619*, Vol. II, (London: Harleian Society, 1870), p. 24 at:

<https://archive.org/details/visitationcount09britgoog/page/n43>

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<http://www.oxford-shakespeare.com/>

MARRIAGE AND ISSUE

The testator married Mary Langton (d. 4 November 1573), the daughter of Thomas Langton (d.1551?) by Mary Matthew (d. 15 January 1602), the daughter and heir of Thomas Matthew, esquire, of Colchester, Essex. The testator's mother-in-law, Mary Matthew, married firstly a husband surnamed Wolley, secondly Thomas Langton (d.1551), thirdly Sir Andrew Judde (d.1558), Lord Mayor of London, and fourthly James Altham (d.1583?). In 1558 Mary Matthew was granted a coat of arms. See Fox-Davies, Arthur Charles, *A Complete Guide to Heraldry*, (New York: Gramercy Books, 1993), pp. 574-5 at:

<http://www7b.biglobe.ne.jp/~bprince/hr/foxdavies/fdguide35.htm>

For Mary Matthew, see also her will, dated 20 February 1597 and proved 19 February 1602, TNA PROB 11/99/135, and the entry at:

http://www.tudorwomen.com/?page_id=695

For the will of Thomas Langton, in which he appoints as overseer Thomas Bacon (c.1505 – 1573 or after), brother of Lord Burghley's brother-in-law, Sir Nicholas Bacon, see TNA PROB 11/34/79. For the will of Sir Andrew Judde, see TNA PROB 11/42A/493. For the will of James Altham, see TNA PROB 11/65/172.

For the testator's wife, Mary Langton, see:

<https://gw.geneanet.org/lard?lang=en&n=winter&oc=0&p=edward>

His wife Mary (daughter of Thomas and Catherine [sic] Langton) died on 4.11.1573 at Seething Lane; her funeral was held at Barking Parish Church and the death certificate stated that they had 4 sons, Edward, Nicholas, James and William and 4 daughters, Mary, Elizabeth, Eleanor and Jane.

As noted above, by Mary Langton the testator had four sons and four daughters:

* **Sir Edward Winter** (d. 3 March 1619), eldest son and heir, mentioned in the will below, and in the will, *supra*, of his grandmother, Dame Mary Judde, TNA PROB 11/99/135. He married, on 11 August 1595, Anne Somerset, daughter of Edward Somerset (c.1550–1628), 4th Earl of Worcester, by whom he had seven sons and three daughters. In 1585 he played a prominent role in the capture of Cartagena during Sir Francis Drake's voyage to the West Indies. He also served in the sea battle against the Spanish Armada. He later spent four years in captivity:

In December 1588, just before he succeeded his father, he was elected to one of the Gloucestershire county seats. Next, he set off 'to pass into France to see the manner of

service there', but fell into the hands of the wife of the governor of Eu and Tréport who, 'coming aboard in ye haven, took me away', an obscure episode which cost Wynter four years of captivity, for her husband sold him to Mendoza, the Spanish ambassador in France.⁵ Wynter wrote to Walsingham from Amiens in October 1589, reporting that he had been well treated, but he pressed for the Queen to arrange his release.

See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/wynter-edward-1560-1619>

* **William Winter** (living 1598), mentioned in the will below and in the will, *supra*, of his grandmother, Dame Mary Judde. He is said to have fought in the sea battle against the Armada in 1588.

* **Nicholas Winter**. He is not mentioned in the will below, and is said to have died in 1585 during Drake's attack on Cartagena, although Hakluyt fails to mention him.

* **James Winter**. He is not mentioned in the will below, and appears to have predeceased the testator. He may have been the person referred to when his eldest brother, Edward Winter, wrote to Sir Francis Walsingham that 'one of his young brothers still needed supervision'.

* **Mary Winter**, mentioned in the will below. She married Thomas Baynham (d. 2 October 1611), esquire, of Clearwell, Gloucester, by whom she had two daughters:

-**Joan Baynham**, who married John Vaughan.

-**Cecilia Baynham**, mentioned in the will below. As noted above, she married Sir William Throckmorton (1579-1628), second son of Sir Thomas Throckmorton (1539-1607), and grandson of Sir Thomas Throckmorton (d.1568). Sir William Throckmorton was a first cousin of Mary Tracy (1581-1671), youngest daughter of Sir John Tracy (d.1591) of Toddington, Gloucestershire, by Anne Throckmorton (d. 21 May 1581), daughter of Sir Thomas Throckmorton (d.1568). Mary Tracy married firstly William Hoby the younger (d. 19 March 1603), and secondly Oxford's first cousin, Horatio Vere (1565-1635), Baron Vere of Tilbury. See the will of William Hoby the elder (1500-1603), TNA PROB 11/105/300.

For the will of Thomas Baynham (d. 2 October 1611), see TNA PROB 11/119/664.

For Mary (nee Tracy) Hoby Vere, see the *ODNB* entry, her will, TNA PROB 11/338/214, and the entry at:

http://www.tudorwomen.com/?page_id=709

* **Eleanor Winter** (living 1597) mentioned in the will below, and in the will of her grandmother, Dame Mary Judde, *supra*, as ‘my daughter Huntley’. She married Sir George Huntley of Woodchester, Gloucestershire, the son of John Huntley by Jane Carne. See the will of Sir George Huntley’s grandfather, George Huntley (by 1512 – 31 December 1580), proved 27 January 1581, TNA PROB 11/63/31, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/huntley-george-1512-80>

See also the Huntley pedigree in Maclean, John and W.C. Heane, eds., *The Visitation of the County of Gloucester Taken in the Year 1623*, Vol. XXI, (London: Harleian Society, 1885), p. 93 at:

<https://archive.org/stream/visitationofcoun00inchit#page/92/mode/2up>

See also the Huntley pedigree in Burke, John, *A Genealogical and Heraldic History of the Commoners of Great Britain and Ireland*, Vol. II, (London: Henry Colburn, 1935), p. 469 at:

<https://books.google.ca/books?id=jFIAQAAMAAJ&pg=PA469>

* **Elizabeth Winter** (living 1597). She is referred to as ‘Elizabeth Winter’ in the will below, and therefore appears to have been unmarried as late as 1589. This is difficult to reconcile with sources which state that she married, in 1583, as the first of his two wives, Sir William Morgan (b.1560, d.1653, aged 93) of Tredegar, eldest son of Sir Thomas Morgan (d.1603?) of Machen and Tredegar, and had a daughter by him, Elizabeth Winter, born in 1583. See Williams, W.R., *The Parliamentary History of the Principality of Wales*, (Brecknock: Edwin Davies and Bell, 1895), pp. 121-2 at:

<https://archive.org/stream/cu31924030498939#page/n142/mode/1up>

See also ‘Morgan Family of Tredegar Park, Monmouth’ at:

<https://biography.wales/article/s-MORG-TRE-1384>

See also:

<http://ritaren.tripod.com/morgan.html>

The difficulty could perhaps be resolved by hypothesizing that Sir William Morgan (b.1560, d.1653, aged 93) married an unidentified first wife in 1583, by whom he had a daughter, Elizabeth Morgan, born in 1583, and that Elizabeth Winter was his second wife.

In the will of her grandmother, Dame Mary Judde, *supra*, she is referred to as ‘my daughter Morgan’.

* **Jane Winter**, mentioned in the will below. She may have married a husband surnamed Welshe. See the will of Dame Mary Judde, *supra*:

Item, I give unto my daughter [=granddaughter?] Welshe three gilt bowls with a cover chased, and my arms in them.

LM: T{estamentum} D{omi}ni Will{el}mi Wynter milit{is}

[f. 254v] In the name of God, Amen. The first day of February Anno Domini one thousand five hundred four score and eight, I, Sir William Winter of Lydney in the county of Gloucester, knight, being, thanks be to God, in good memory, [f. 255r] do hereby renounce and make void all former wills by me made, and do make and ordain this to be my last will and testament in manner and form following:

First I beseech Almighty God to have mercy upon my soul;

And as touching my body, I require that my overseers which hereafter I do name, that they do cause the same to be buried in my chapel which I lately made in Lydney’s church in such convenient sort as they shall think it meet;

And as concerning the disposition of my goods and chattels, I do give and bequeath as followeth:

I give to my son, William Winter, the one half of my household stuff which is in my house at London that belongeth to the same, being equally divided, wherein I do not mean my plate shall be accounted;

Item, I give to my said son, William, two hundred and fifty ounces of silver plate such as my overseers shall think fittest for him to be taken out of my plate;

Also I give to him one bull, eight kine, six oxen, with a wain, a plough, yokes, strings of iron and other needful things incident to the same;

Item, twelve breeding cattle;

Item, one hundred and twenty sheep such as my overseers shall think meet for the storing of his grounds;

Also I give him two geldings, a breeding mare and her colt, my best saddle with the furniture for a servant;

Item, I give him a boar, two sows and four stores of swine;

Item, I give him, my Milan corslet and four other ordinary corslets and a black corslet gilt of proof;

Item, seven targets, six pikes, six halberds, six bows, twelve sheaves of arrows, a firelock piece and a snaphance that I did use to shoot in myself, six other calivers with walnut-tree stocks and having cocks of my own device and other furnitures;

Item, two cross-bows with their gastes;

Item, two starbows with four dozen of arrows;

Item, two swords and their furniture;

Item, thone half of all my apparel such as shall be thought meetest for his wearing by my overseers;

Item, I give to my daughter, Elizabeth Winter, twelve hundred pounds of lawful money of England the which I have placed in an iron chest together with one thousand pounds more that my intent and meaning is to give by this my testament under certain conditions unto my daughter, Jane Winter, and have delivered the same chest and money with my own hands in my lifetime to my said daughter, Elizabeth, and the keeping of the keys thereof to my servant, Roger Monoxe, who I require shall within [+one?] month after my decease open the said chest and to permit the said Elizabeth to receive the said portion;

And for the other thousand pounds, my will and intent is that the same shall be by my son-in-law, Thomas Baynham, and my said servant put forth to sufficient men upon good assurance for the use and behoof of my said daughter, Jane, and the commodity thereof growing shall be delivered to the said Jane towards her maintenance and education, which thousand pounds with the commodity thereof growing I give and bequeath to my said daughter, Jane, to be paid at the day of her marriage or [sic for 'on?'] sufficient bonds for the same so as she do bestow herself in marriage with the consent and good liking of the said Thomas Baynham and of my said son, Edward Winter, as also George Huntley, my son-in-law, my nephew, John Winter, my kinsman, George Wirrall, my kinsman, John Morgan, my friend, Charles Jones, and my servant, Roger Monoxe, or the most part of them, whereof the said Thomas Baynham and Edward Winter shall be two, and if any of the said two persons shall not be then living, then Roger Monoxe shall be in his place for that purpose;

And if it happen that the said Jane shall match herself in marriage without the consent aforesaid, then my will and meaning is that she shall have for her portion of the said thousand pounds but four hundred pounds, and the residue shall be equally divided between her brethren and sisters then living;

Item, I give and bequeath unto my niece [=grand-daughter] and god-daughter, Cecily Baynham, my said son-in-law Thomas Baynham's daughter, fifty pounds, and to all the rest of the children of my daughters Mary and Eleanor which shall be living at my decease thirty pounds apiece, to be paid within two years next after my decease;

To my good friend, Christopher Baker, I give to him my short gown of damask furred with martens, my best sword, dagger and girdle;

Item, I do give to Roger Monoxe, my servant, fifty pounds, and ten pounds during his life, which annuity of ten pounds my will is should be paid unto him once every year by my heir, Edward Winter, my son, his heirs or executors, the beginning of which payment shall be made at the feast of Midsummer next after my decease, and so orderly during the said Roger Monoxe his life, and for default of payment, if it be lawfully asked at my house at Lydney by the said Roger Monoxe or his lawful deputy, he shall distrain or his said deputy my lands and tenements in my manor of Wyeke [=Wyche?] in the county of Gloucester, as well for the annuity which shall be due at any of the feasts as also for twenty shillings every month making default;

My son [=son-in-law] Baynham I [f.255v] do forgive the debt he oweth me at the day of this present;

And to my daughter, his wife, I do give a chain of pearl with a jewel of emeralds in the manner of a mermaid fastened to the said chain;

To my daughter, Elizabeth, I do give my jewel of diamonds which she hath in her keeping;

To Jane, my daughter, I do give a jewel made in the manner of a flower-de-luce;

And because I have before this time bestowed a jewel upon my daughter, Eleanor, I do give to her a ring with a stone in him called an amethyst;

To Mrs Jones, the wife of Charles Jones, I do give a tablet of gold which sometimes was my wife's;

And to her husband I give my gromgram cloak furred with coney;

To Francis Fitz, my will is he shall have a copyhold in Newent or Ailberton, the next that shall fall if the same exceed not thirty-three pounds six shillings eight pence for the fine of it;

I do give and bequeath to my servant, Thomas Mason, one copyhold tenement within my manor of Pirton late in the tenure of one Edward Johnson, deceased, for term of his natural life, the which I require my son, Edward Winter, to grant by copy of court roll according to the custom of the said manor;

Also my will is that all my household servants, the said Mason excepted, may be paid two years' wages a man after my decease, and William Lucas six pounds thirteen shillings four pence;

Item, I do make Edward Winter, my eldest son, my sole executor;

And I do also appoint Thomas Baynham, esquire, and Roger Monoxe, my servant, the overseers of this my last will and testament, to whom I do give twenty pounds apiece for their pains in that behalf;

In witness whereof I have hereunto put my hand and seal the tenth of February a thousand five hundred eighty-eight;

Also my will is that if my said overseers shall be at any extraordinary charges in seeing of this my will performed, that then the said charges shall be allowed by my said executor out of my goods.

Probatum fuit Testamentum suprascriptum apud London cora{m} venerabili viro m{agist}ro Will{el}mo Drury Legum Doctore Curie Prerogatiue Cant{uariensis} Mag{ist}ro Custode siue Comissario etc Decimo quinto die mens{is} Martij Anno D{omi}ni Mill{es}imo Quingentesimo Octogesimo Octavo iuxta computac{i}o{n}em eccl{es}ie Anglicane Iuramento Thome Warde notarij publici procu{rator}ris Edwardi Winter Armigeri filij naturalis et L{egi}timi dict{i} def{uncti} executoris in h{uius}mo{d}i testamento nominat{i} Cui com{m}issa fuit administrac{i}o &c De bene et fidel{ite}r administrand{o} etc Iurat{o}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Master, Keeper or Commissary etc. of the Prerogative Court of Canterbury, on the fifteenth day of the month of March in the year of the Lord the thousand five hundred eighty-eighth according to the reckoning of the English church by the oath of Thomas Warde, notary public, proctor of Edward Winter, esquire, natural and legitimate son of the said deceased, executor named in the same testament, to whom administration was granted etc., sworn to well and faithfully administer etc.]