

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 6 and 7 August 1599 and proved 12 September 1601, of Oxford's brother-in-law, Peregrine Bertie (1555, d. 26 June 1601), Lord Willoughby de Eresby.

FAMILY BACKGROUND

The testator was the only son of Richard Bertie (1517–1582) and his wife, Katherine (nee Willoughby) Brandon Bertie (1519–1580), Duchess of Suffolk, daughter of William Willoughby (d. 19 October 1526), 11th Baron Willoughby de Eresby, and his wife, Maria de Salinas. The testator's mother was twelfth Baron Willoughby de Eresby in her own right, and the widow of Charles Brandon (c.1484–1545), 1st Duke of Suffolk. See the *ODNB* entries for Charles Brandon, 1st Duke of Suffolk; Katherine, Duchess of Suffolk; and Richard Bertie.

The testator's only sister, Susan Bertie (b.1554), married firstly, Reynold [Reginald] Grey (d. 17 March 1572/3), 8th Earl of Kent, and secondly, on 30 September 1581 at Stenigot, Lincolnshire, without the Queen's permission, Sir John Wingfield (d. 21 June 1596), son of Richard Wingfield (1529–1591) by Mary Hardwick, sister of Bess of Hardwick. See the *ODNB* entries for Sir John Wingfield and

After Sir John Wingfield's death at Cadiz, the testator's sister, Susan (nee Bertie) Grey Wingfield, was left in straightened financial circumstances. From the *ODNB*:

Wingfield left no will and numerous debts. His widow renounced the administration of his estate to William Browne of London, a creditor, and in September 1596 told Sir Robert Cecil, principal secretary, that she had been living on credit for seven years, had sold all her jewels and plate, owed tradesmen more than £900, had only an annuity of £70 during her lifetime for herself and her son, and that upon receiving news of Wingfield's death 'had not one penny in my house ... to buy meat either for myself and my child, till her Majesty, most like a gracious princess, hearing of my misery, sent me xl pound' (Salisbury MSS, 6.365–6). On 9 July 1597 she was granted an annuity of £100 for herself and her son; she was still alive in 1611.

It appears that before the making of his will, the testator had give his sister a life estate in Willoughby Rents in his London mansion in the Barbican. In his will he also bequeaths an annuity of £20 to her son, Peregrine Wingfield:

And further I give to [my son], Peregrine Bertie, all my messuages, lands, tenements and hereditaments with their appurtenances called or known by the name of Willoughby Rents situate and being in Barbican and Golding Lane near London or in either of them, to have & enjoy the same after the death of my sister, the Lady Susan, Countess of Kent, to him, the said Peregrine Bertie, and the heirs males of his body lawfully begotten, the remainder to the right heirs of me, the said Lord Willoughby, forever.

Item, I give unto my nephew, Peregrine Wingfield, one annual rent of twenty pounds . . .

MARRIAGE AND ISSUE

The testator married Oxford's sister, Mary de Vere (d.1624), by whom he had five sons and a daughter. She is not mentioned in the will below, it appears that they had separated before 20 April 1600 (see the entry for Willoughby in *The Complete Peerage*, p. 678).

The testator was succeeded by his eldest son, Robert Bertie (b. 16 December 1582, d. 23 October 1642). The testator's daughter, Katherine Bertie (d. 15 February 1610/11), married Sir Lewis Watson (bap. 1584, d. 1653), Lord Rockingham, who erected a monument to the testator in 1612 in Spilsby church.

OTHER PERSONS MENTIONED IN THE WILL

The testator's executors were Edward Zouche (b. 6 June 1556, d. 18 August 1625), 11th Baron Zouche of Harringworth, Northamptonshire; Robert Rich (1559?–1619), 1st Earl of Warwick; Sir Dru Drury (1531/2–1617); and Sir John Peyton (1544–1630).

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

RM: T{estamentum} Peregrim Bertye milit{is} D{omi}ni Willoughbie

In the name of the Blessed Divine Trinity in Persons and of Omnipotent Unity in Godhead, who created, redeemed and sanctified me, whom I steadfastly believe will glorify this sinful, corruptible & fleshly body with eternal happiness by a joyful resurrection at the general judgment, when by his incomprehensible justice and mercy, having satisfied for my sinful soul and stored it up in his heavenly treasure, his almighty voice shall call all flesh to be joined together with the soul, to everlasting comfort or discomfort, in that holy name, I, Peregrine Bertie, knight, Lord Willoughby of Willoughby, Becke and Eresby, in perfect health and remembrance, and considering the frailty of man and the uncertainty how short and evil his days be, and intending to establish and dispose these worldly benefits that God hath lent me to the comfort and advantage of such children as God hath b[less]ed me withal, hoping that they, my said children, will nourish and maintain all brotherly kindness, love and affection between themselves, considering the misery division bringeth in all estates of this hateful world, still to the worse declining, now I, the said Lord Willoughby, do make and declare this my last will and testament as followeth, and hereby do revoke and disannul all other wills heretofore by me made whatsoever, commending my soul to God and my body to the earth, to be buried decently in the parish church of Spilsby in the county of Lincoln by the good discretion of my executor hereafter named, observing Christian conveniency and avoiding superfluous charge:

I will and appoint that all such debts as any manner of ways shall be owing by me at the time of my decease, if the same may well appear unto mine executor, shall be well and truly paid and satisfied by him out of the rents and profits of such lands and in such sort as hereafter shall be limited and declared;

And as touching the disposition of my lands and tenements, my will and intent is as followeth:

First I give and bequeath the manor of Wheatacre Burgh in the counties of Norfolk and Suffolk or in either of them, and all the lands, tenements, services, rents and other hereditaments with the appurtenances being part or reputed to be part or belonging of or to the same unto my son, Peregrine Bertie, and to the heirs males of his body lawfully begotten, and for default of such issue, the remainder to the right heirs of me, the said Lord Willoughby, forever;

And further I give to the said Peregrine Bertie all my messuages, lands, tenements and hereditaments with their appurtenances called or known by the name of Willoughby Rents situate and being in Barbican and Golding Lane near London or in either of them, to have & enjoy the same after the death of my sister, the Lady Susan, Countess of Kent, to him, the said Peregrine Bertie, and the heirs males of his body lawfully begotten, the remainder to the right heirs of me, the said Lord Willoughby, forever;

Furthermore I give and devise unto my son, Henry Bertie, the manors of Fulstow Bek & Arsyke in the county of Lincoln with all the lands, tenements, services, rents, hereditaments, profits and commodities whatsoever with their appurtenances being part or reputed to be part of them or any of them or any wise belonging to the same for the term of two years next ensuing after my decease;

And further my will & intent is that if Robert Bertie, my son and heir, and every other person and persons whatsoever which shall from time to time have any inheritance, interest, title or estate whatsoever either by descent, purchase, wardship or otherwise howsoever of and in the manor of Withcall in the said county of Lincoln or any part thereof, do not by all the said two years permit and suffer my said son, Henry, quietly to have, hold, possess & enjoy the said manor of Withcall or lands thereunto belonging, and all other profits and commodities whatsoever with their appurtenances being part or reputed to be part of the said manor or otherwise in any sort belonging to the same without any manner of contradiction, limitation or other profit or account to be limited, reserved, paid or made in, for or concerning the same, and likewise do not presently after th' end and expiration of the said two years permit and suffer the said Henry and his assigns so to continue in all respects as aforesaid the quiet possessing and enjoying of the said manor of Withcall with all and singular other the premises as is last aforesaid during the life of the said Henry, and after his decease do not permit and suffer such wife as he shall have at the time of his decease during her life, and after her decease during the several lives of so many children males as God shall send him and happen to be living at the time of his decease, not exceeding the number of three successively one after another,

to enjoy the same accordingly as is before limited to my son, Henry, without any manner of impediment or interruption whatsoever by the said Robert or such other person or persons as shall have any interest or estate therein as aforesaid or by their or any of their means or procurement according to the true intent of this my will, yielding and paying yearly for the same one peppercorn if it be demanded, at the feast of Easter, then I will that presently upon any and every such not suffering or disturbance or not enjoying as aforesaid, he, the said Henry, and after him such wife as he shall have at the time of his decease, and after her decease every such child male as aforesaid, shall have and enjoy the said manors of Fulstow Bek and Arsyke with all the lands and other the premises being part or belonging of or to them or either of them as aforesaid in such succession and sort as I willed and intended the manor of Withcall unto every of them for life;

Also I give unto my said son, Henry, the manor of Hanby in the said county of Lincoln with all the lands, tenements, services, rents, hereditaments, profits and commodities whatsoever with their appurtenances being part or reputed to be part of the said manor of Hanby or any ways belonging to the same for the term of threescore years, the same to being immediately after th' expiration, surrender or other determination howsoever of all and every such lease and leases as shall be in being at the time of my decease of the said manor or any part thereof according likewise to the true intent thereof;

Also I give unto my said son, Henry, Willoughby parsonage with the profits and commodities thereunto belonging for and during his natural life, yielding and paying for the said manor and the premises thereunto belonging as is aforesaid yearly during the said term of threescore years unto my heirs and their assigns the ancient & accustomed rents now reserved for the said manor to be paid at the accustomed days of payment;

Item, I give and bequeath unto my son, Verus Bertie, certain enclosures of pasture called South Leasows otherwise Southeleas near unto my red deer park, and the stock thereupon going at the time of my decease, and also all my lands and tenements with the appurtenances called Sloothby marsh lying in Sloothby, Willoughby, and part of the manor of Welton demised unto Captain Foulkes for certain years, to have and to hold all and every the said premises to the said Verus Bertie and his assigns for and during his natural life without impeachment of waste, yielding and paying for Sloothby marsh the yearly rent of thirty-one pounds four shillings unto my heir yearly at the accustomed days of payment, provided that he shall not make any absolute sale of his right and interest in any of the premises to him demised without the consent of my heir then living;

Item, I give unto my son, Verus, three [-three] hundred pounds in money, to be levied as hereafter shall be mentioned and paid at th' age of twenty-one years or marriage, which shall first happen;

Item, I give unto Roger, my youngest son, so much of my demesnes of my manor of Gosberton as now are in the tenure and occupation of Henry Valentine or his assigns by lease, and so much of my demesnes and lands in Toynton as lately were in the tenure and occupation of Giles Helmebridge, deceased, or his assigns, and also all those grounds &

tenements granted likewise by lease unto John Jenny lying and being in Fishtoft, yielding and paying the rents now reserved unto my heirs;

And I do further give unto the said Roger three hundred pounds in money, to be levied as hereafter shall be mentioned and paid to him at his age of twenty-one years or marriage, which shall first happen;

Item, whereas there is communication between me and the Lord Sheffield concerning a marriage between Charles Sheffield, esquire, son and heir apparent, and my daughter, Katherine Bertie, and whereas I have lent unto the said Lord Sheffield and by bonds I am to perform payment unto him and for him of four thousand pounds, which sum is intended for the portion in marriage of the said Katherine, my daughter, if the said marriage be solemnized and other purposes and agreements performed, and whereas in non-accomplishment of them the said Lord Sheffield standeth bound by recognizance acknowledged before Sir William Webbe, knight, Mayor of the Staple, & (blank) Crooke, Recorder of London, in the nature of a statute staple unto me, with defeasance for repayment thereof, I will and appoint that if the said marriage be not betwixt the said Charles and the said Katherine solemnized, that the said four thousand pounds shall be unto the said Katherine to be paid unto her at her age of seventeen years or day of marriage, which shall first happen, so as in her said marriage and choice of her husband she be directed and guided by such as I do appoint by this my will to be assistant to mine executor about the execution thereof during her nonage, or by the most of them, or by such of them as shall survive the others;

And if it shall happen the said Katherine to depart this life before she shall accomplish the age of seventeen years being then unmarried, or after her age of seventeen years, the portion being then unpaid unto her, I will that my four younger sons, Peregrine, Henry, Verus and Roger Bertie, and the survivor and survivors of them shall have the said four thousand pounds or so much thereof as shall be then unpaid to be equally divided amongst them, the part of every of them to be paid at their several ages of twenty-one years;

Item, I give unto my nephew, Peregrine Wingfield, one annual rent of twenty pounds yearly payable at the feasts of Saint Michael the Archangel and th' Annunciation of Our Blessed Virgin Mary by equal portions, the first payment to begin at the first of those feasts which shall next happen after my decease, and if the same rent or any part thereof happen to be behind unpaid at any the days of payment, that then it shall be lawful to the said Peregrine Wingfield and his assigns to distrain in any the manors or hereditaments which shall descend or come unto my son, Robert, in possession according to the true meaning of this my will;

Moreover I give and bequeath unto Edward, Lord Zouche, Robert, Lord Rich, Sir Dru Drury, and Sir John Peyton of Beaupre Hall, knights, all those manors, lands, tenements & hereditaments hereafter ensuing, that is to say, the manor of Grimsthorpe with the demesne lands let to divers persons together with the park, Young woods, Crossewong, Gatefeylde, le Roodes, with the orchard and garden; the manor of Toynton together with

the park and a certain close next to the park; the manor of Stickford; the manor of Alford with the royalties thereof lately bought of Mr Hanbye; the manor of Well together with the woods belonging to it and the woods next adjoining called Willoughby woods; the manor of Eresby with the east park and west park; the manor of Spilsby; the manor of Skidbrooke with Saltfleet haven; the manor of Friskney; certain lands in Eresby, Hundleby and Raithby; the lastage of Skirbeck{es}; two parts of the demesne lands of Valdye alias Vaudey together with the woods, warren of coneys and certain lands enclosed; the new park of Grimsthorpe together with two parts in the red deer close called Conduitt(?) close late in the hands of one John Trey, and two parts of the arable lands in the hands of the lord with two parts of lands in Edenham, Scottlethorpe, Witham, Swinstead, Little Bytham and Creeton; two tenements in Swaby and Gosberton; and two parts of the rectory of Fulstow situate & being in the said county of Lincoln, and the third part of my great mansion house called Willoughby House in Barbican, and all other my lands, tenements & hereditaments not before devised, and the reversions of those my several lands which I have before entailed, devised and appointed to my sons;

To have and to hold all and singular the said manors, lands, tenements and other the premises with their appurtenances to the said Edward, Lord Zouche, Robert, Lord Rich, Sir Dru Drury and Sir John Peyton and to their executors during the minority of my said son, Robert Bertie, and if he, the said Robert, die before the age of twenty-one years and without issue of his body lawfully begotten, then during the minority of my son, Peregrine Bertie, and if my son Peregrine Bertie die before th' accomplishment of his age of twenty-one years and without issue of his body lawfully begotten, then during the minority of my said son, Henry Bertie, and if the said Henry die before the accomplishment of the said age of twenty-one years and without issue of his body lawfully begotten, then during the minority of my said son, Verus Bertie, and if the said Verus die within age and without issue of his body, then during the minority of my son, Roger, to these intents and purposes following, that is to say:

That out of the rents, issues and profits thereout or thereof growing, rising or renewing, my debts shall be first paid;

Item, I will that after my said debts levied, that the two several sums of three hundred pounds given to my said sons, Verus and Roger, shall likewise by them and the survivor of them be levied out of my manors, lands, tenements and hereditaments, which sums likewise shall be paid unto Robert, Lord Rich, as they shall arise, so as before payment thereof he become bound with sureties to such as I shall name assistants to my executors and the survivor of them for the repayment of the said sums unto my sons according to the true intent of my will, which sums shall be paid to the several legataries of them accordingly as I have before appointed them by this my will by the said Lord Zouche, Lord Rich, Sir Dru Drury and Sir John Peyton and the survivors or survivor of them according to my trust in them reposed, they to pay or cause to be paid the same into the Chamber of London yearly as the sums shall arise to be levied forth of my said lordships and hereditaments, and to be repaid by the officers of the City of their said Chamber of London to my said sons accordingly as I have devised in this my will;

And I will that the sum of two hundred pounds by year, parcel of the said rents, issues and other profits, shall & may be detained in the hands of the said Lord Zouche, Lord Rich, Sir Dru Drury and Sir John Peyton and the survivors or survivor of them until my said son, Robert, shall accomplish the age of eighteen years (if he live so long) towards his good education, instruction and finding according to the good discretion of them and the survivor of them, and after the age of eighteen years accomplished, that then the said sum of two hundred pounds shall be yearly given, paid and allowed by them & the survivors of them and by the executors of the survivor of them to him, the said Robert Bertie, and into his own hands until he shall have accomplished his said age of one and twenty years;

And also I do appoint that they and the survivor of them and the executors of the survivor of them as aforesaid shall within three months next after the said Robert shall have accomplished his said age of one and twenty years make true account and payment unto the said Robert of all other the said rents, profits and commodities whatsoever rising, growing or renewing from the time of my death until the said Robert's accomplishment of his said age of one and twenty years, the several legacies before bequeathed and their several and reasonable charges and expenses deducted;

Provided nevertheless that if the said Robert shall happen to depart this life before he hath fulfilled his said age of one and twenty years having no issue of his body lawfully begotten, then my will is that from such death of the said Robert the said sum of two hundred pounds yearly to be detained by the said Lord Zouche, Lord Rich, Sir Dru Drury and Sir John Peyton, knights, and the survivors or survivor of them shall be towards the education of my son, Peregrine Bertie, according likewise to their good discretion until he shall have accomplished the age of eighteen years, and yearly afterwards shall be given and paid unto the said Peregrine himself until he shall come unto the age of one and twenty years, and also that the same or like true account & payment of all the said other rents and profits as aforesaid shall be made, performed and executed unto the said Peregrine Bertie in every such like degree and quality as before for Robert Bertie is mentioned and expressed, and so successively to every of my sons, viz., Henry, Verus and Roger, in the like sort and manner as is before expressed as every of them shall happen to be heir, both payment and account to be made unto them as I have limited for the education of my son, Robert, and payment and account to be made to every of them;

Moreover I do in most humble and dutiful manner desire her most gracious Majesty that in some respect of my loyal and ready heart always to do her all faithful service, but chiefly in respect of her commiseration and pity towards the distressed estate of my comfortless children, that it would please her Majesty of her ample and royal bounty to vouchsafe these gracious favours and comforts as to grant to such as I commit the education of my son and heir his warship of body to his use, and one lease of her Majesty's third part of my lands during his nonage, whereby the purpose of this my will may be the more speedily performed in the payment of my debts and other things executed, whereby her Majesty shall most royally respect my long and affectionate service towards her;

And for a small token or remembrance of that loyalty and duty which always I have observed towards her Majesty, I do give her and in all duty do remember her with a cup of gold to the value of a hundred pounds, either else I will that the said sum of one hundred pounds shall be bestowed by mine executor upon some jewel or other thing to be presented to her Majesty such as may best content her and best represent the loyalty of my heart, dying as it always lived towards her, which simple and small remembrance I do most humbly desire to allow and accept of, and to pardon my presumption, and to grant my petition touching the wardship of my child, desiring instantly the said Edward, Lord Zouche, Robert, Lord Rich, and the two knights to have care of the education and placing of my children till they attain to their limited age or marriage day;

Item, I give to the said Edward, Lord Zouche, Robert, Lord Rich, and the two knights, to every of them a great horse, a gelding or a mare at their own choice, and a cup of twenty pounds' price;

Further I constitute, make and ordain my said son, Robert Bertie, to be sole executor of this my last will and testament, most earnestly desiring him and straightly charging him truly to perform and execute the same according to my good meaning and according to my especial trust and confidence reposed in him;

And I do appoint my said honourable good Lords the Lord Zouche and the Lord Rich, and my trusty and loving friends, Sir Dru Drury and Sir John Peyton, knights, and the survivors or survivor of them to be assisting to my said son, Robert, and to administer in his behalf until his such age as by the ecclesiastical laws he may take upon him to deal as my executor;

And of this my last will and testament I do ordain and desire the right honourable Sir Robert Cecil, knight, to be the only supervisor, to whom I give two of my best horses at his election and choice.

Berwick, the seventh of August, 1599. P. Willoughby. Signed, sealed and delivered and the four-and-fiftieth line razed before the ensealing and delivery hereof in the presence of Daniel Wyghte, Henry Valentyne.

LM: In paper annexed to my will written all with his own hand in Roman letters.

Having by the goodness of God disposed in my will above-written of my state to such behoofs as I conceived best, I have thought to annex this schedule to the same will for the direction of bestowing of such part of my goods as I leave not to my heir:

First, therefore, I give to my son, Peregrine, seventeen pieces of hangings I brought out of the Low Countries with me now at Berwick, a carnation cloth of silver, bed, chair, stool and long cushion belonging to it;

Item, I give him a watchet damask canopy with six cushions and a chair, and a fair watchet quilt, the inside yellow;

Item, I give him a yellow velvet bed with the counterpoint of the same, but the chair old, of the same stuff;

Item, I give him a watchet field-bed embroidered with hair-coloured velvet, and a coverlet to the same with all the appurtenances;

The rest of my hangings and stuff at Berwick brought from London and Eresby to be safely sent back to the same places for the behoof of my eldest son, and all such plate and silver vessel as I have, I leave to my said eldest son, Robert, but the ring with the diamond which the French King gave me when I served him in France I bequeath to my son, Peregrine, with a charge upon my blessing to keep it to him and his heirs;

Likewise I leave my son, Robert, for a token my chain of gold with the Palgrave's modallio to it set with diamonds which he gave me;

Item, I give to my son, Roger, four hundred twenty-four pounds due by my Lord Evers [=Eure] upon bond, which sum I would entreat the assistants to my executor for, and hereby charge my executor, may be put to the Chamber of London for the child's best advantage, and he to receive the same at two and twenty years of age;

Item, forasmuch as by will I have left my son, Roger, meanliest provided for, I do by this order that my son, Robert, shall have my two ships, to give unto his brother, Roger, for them seven hundred pounds when he cometh to one and twenty years of age, which shall be paid to the said Roger by my son, Robert, or his heirs at Grimsthorpe House whensoever he shall attain the years aforesaid;

In the mean season, I desire in all fatherly affection his said eldest brother to be tender and good unto him, as well for his education as otherwise, since the rest of his brethren shall not have so much cause to be burdensome unto him;

Item, I give my son, Peregrine, all the books I have at Berwick and Eresby, and half my library at London, but my whole library at Grimsthorpe, the other half of that at London, as all my goods not bequeathed, I give my son, Robert;

Item, I give to them wait on me in my chamber twenty pounds apiece to three of them, to my page, twenty pounds, and to the boy forty shillings;

Item, I give to every gentleman at that time in my service in my house five pounds, and to every woman five marks, to be paid by my executor;

Thus acknowledging myself most bound unto God, that neither made me abound with worldly trash not yet suppressed with poverty, expecting riches and joys that never fail in his highest kingdom, whereunto through his mercy I have by the scale(?) of faith set forward one foot, and apparently discerned the difference between heaven and earth, and so apprehended steadfastly the joys of the one by that I have temporally here observed,

for I am sure my Redeemer liveth, and he shall stand the last upon the earth, and though after me my skin [sic?] worms destroy this body, yet shall I see God in my flesh, whom I myself shall see and mine eyes shall behold and no other for me, though my reins are consumed within me, so to his mercy I commend you(?) all beloved race(?) and friends.

Berwick, the sixth of August one thousand five hundred ninety-nine. P. Willoughby.

Probatum fuit Testamentum vnacu{m} Codicillo suprascript{um} apud London coram magistro Iohanne Amye legum D{o}c{t}ore Surrogato venerabilis viri magistri Iohannis Gibson legum etia{m} Doctoris Curie Prerogatiue Cantuariensis magistri Custodis siue Comissarij l{egi}time constituti duodecimo die mensis Septembris Anno Domini millesimo Sexcentesimo primo Iuramento Gallfridi Clarcke notarij public{i} Procuratoris honorandi viri D{om}ini Roberti Bertye D{omi}ni Willughbie de Willughbie Beeke et Earesbie filij natural{is} et legitimi d{i}c{t}i defuncti et Executoris in huiusmodi Testamento nominat{i} Cui com{m}issa fuit Administratio bonoru{m} Iuriu{m} et Creditoru{m} eiusdem defuncti de bene et fideliter administrand{o} &c Ad sancta Dei Evangelia Iurat{o}

[=The above-written testament together with the codicil was proved at London before Master John Amye, Doctor of the Laws, Surrogate of the worshipful Master John Gibson, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the twelfth day of the month of September in the year of the Lord the thousand six hundred first by the oath of Geoffrey Clarke, notary public, proctor of the honourable Robert Bertie, Lord Willoughby of Willoughby, Beeke and Eresby, natural and legitimate son of the said deceased and executor named in the same testament, to whom administration was granted of the goods, rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer etc.]