

SUMMARY: The document below is the will, dated 16 March 1601, of Oxford's onetime receiver-general, Edward Hubberd. For a document in which Hubberd is mentioned as Oxford's receiver-general, see SP 12/144/6, f. 186. Hubberd's first wife was Jane Southall. His second wife's surname is not known, but from his mention of his 'brother John Wilshe' in the will, it can be deduced that her name was Eleanor Wilshe. Edward Hubberd's sister, Joan, married Oxford's uncle, Robert Vere. For a lawsuit brought by Robert and Joan Vere against Edward Hubberd, see C 3/251/104.

LM: Testamentum Edwardi Hubard

In the name of God, Amen. I, Edward Hubberd of the parish of Stansted Mountfitchet in the county of Essex, esquire, being in reasonable good health and perfect memory, this sixteenth day of March in the year of our Lord God one thousand six hundred [=1601] and in the three and fortieth year of our Sovereign Lady Queen Elizabeth etc., do ordain and make this my last will and testament written with my own hand in manner and form following:

First, because my soul is my most special jewel, and to live ever made unto the likeness of Almighty God my Creator, and to Jesus Christ my Redeemer, and to the Holy Ghost my Sanctifier in some measure and portion of his divinity, I do therefore in all humility and meekness of heart and spirit commend the same to be saved by the merits, death and passion of my only Saviour, Jesus Christ, hoping by his mercy in my redemption to be received in the fellowship and blessed company of heaven, for which herein in this my last will and testament I ask in the form of prayer taught by Christ Jesus and said by him to God the Father as followeth: Our Father, which art in heaven, hallowed be thy name. Thy kingdom come; thy will be done here in earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive them the trespasses committed against us, and suffer us not to be led into temptation but deliver us from all evil, for thine is the kingdom, thy power and thy glory for ever and ever, Amen;

And so I commend my spirit into thy hands because thou hast redeemed me, Lord God of truth;

And for my body, I do appoint the same to be buried in my chapel in Stansted Mountfitchet church by my executors or by any one of them, whom I do appoint to bestow upon a tomb or monument for me and my late wife, Jane, departed, the sum of thirty pounds with the repairing of the said chapel within two years next after my decease if I shall not do it myself whilst I live, and if he or they refuse to do or do not perform in that time, then I do most humbly request the Right Reverend Father in God my Lord Archbishop of Canterbury and the Bishop of London for the time being, or any one of them, to cause the same to be done and performed within one year after, and for that cause to require the said thirty pound of my executors or executor;

Item, I do give to twelve poor folk of the parishes of Stansted, Farnham, Mallendine and Birchanger, whereof nine to be of Stansted parish and one apiece in those other three towns, twelve black frieze coats to be at my burial, and to George Dalton, Steven Skinner and Bartholomew Simons black cloaks, and to John Newman a black cloak, so they be all at my burial, and to every manservant that I have black coats, being at my burial, and such mourning gowns as my executors or executor shall think fit;

I do also appoint ten pounds in money to be distributed to the poor people the day of my burial, out of which forty of the poor at Stansted to have twelve pence apiece or more if it may be spared from the other poor, to be distributed in quantity as my executors or executor shall think fit, requesting him that shall preach for me that he would take some portion of this my preamble set down in this my will as to him shall be thought fit;

Item, I do give to every of my household servants ten shillings apiece, and to husbandmen six shillings eight pence apiece, and to every of my maidservants ten shillings apiece, to be paid within one year after my decease, and also their due wages;

Whereas I have heretofore given for certain causes to certain feoffees of the said parish of Stansted one yearly rent-charge of forty shillings forever going out of certain of my lands in the said parish to be bestowed in the reparations of the church and to other good uses, I do hereby ratify and confirm the same forever, requiring that as most of these feoffees now in being shall depart the world, that any of them living shall make [+as] many new feoffees whereby the same may be continued forever in the same use;

Also, whereas Thomas Chapmen, deceased, held of me ten acres of copyhold land called the Gage wood in the said parish of Stansted which he had forfeited by committing of waste, and so presented, yet because he was my bailiff and my servant, at his request, although I had made a seizure of the same, I was contented that he should enjoy it during his life, and further gave my consent at his request that twenty-six shillings and eight pence should forever go out of the same lands to such good use or uses as I should appoint, and also five pounds in ready money besides given by the said Thomas Chapman, now this my will doth declare that I have bestowed the said five pounds in money towards the buying of the fee-simple of a house in Stansted aforesaid standing near unto Stansted chapel wherein one Ficcas in his lifetime did dwell, for which house myself had good title before to have it from the said Fycas, yet I was contented because he was a poor man to give him for the said house ten pounds in money and twenty shillings a year during his life and his dwelling in a part of the said house, towards which payment I have appointed and delivered the said five pounds given by the said Thomas Chapman in respect I do appoint the said house, orchard and backside to go forever to good uses as in this my will is particularly set down, that is from the time I bought it I have freely suffered ten poor people to dwell there rent-free, and now I do appoint [-appoint] that old Father Elliott and his son who are now in possession of part of the same house and his said son's wife shall have the use and possession during their lives and the longer liver of them, and old Mother Bennett to have that part of the house and backside of so much as she now enjoyeth during her natural life without paying any rent for the same to any person or persons, and that for the ease of the parishioners of

Stansted after my decease I do by this my will declare and appoint the twenty-six shillings eight pence going out of the said Gage wood forever to be bestowed in manner and form following:

First, that the said old Elliott, the father, shall have during his life after my decease ten shillings yearly out of the said twenty-six shillings eight pence, and ten shillings yearly to be paid to Mother Bennett during her life, and six shillings eight pence yearly to be paid after my decease to the same old Elliott before appointed and to his wife during their lives and to the longer liver of them, and after the deceases of the said old Elliott and his son and his wife and of Mother Bennett, the said yearly rent of twenty-six shillings eight pence as they shall fall due before ever be bestowed upon three poor folk that shall be assigned to dwell in the said house as an alms-house forever, for which cause I do by this my will appoint the said house and backside to have three poor aged persons to dwell in rent-free forever, and two of them that are poorest shall have yearly paid ten shillings apiece out of the said twenty-six shillings eight pence and the third six shillings eight pence yearly during their several lives, and because the said twenty-six shillings eight pence cannot bind me, the said Edward Hubberd, nor my heirs to pay the same, nor the said house to go forever to three poor folks as an alms-house, I do therefore require my heirs for the time being to make any further reasonable assurance that shall be devised as well for the said house as also for the said twenty-six shillings eight pence forever to be employed as aforesaid, provided always and my will is that one of the poor folks that shall be appointed to dwell in the said house shall be forever appointed by my lawful heir or heirs of the manor of Stansted for the time being with the allowance yearly of ten shillings as aforesaid, which poor body shall be always taken in the said parish of Stansted, and the other two poor folks always to be appointed by the vicar and subsidy men of the said parish of Stansted or by the greater number of them to be chosen out of the poor of Stansted and Benfield, and if anything in this my will be too short to bind mine heirs or the parishioners for the time being, I do most humbly request the Lord Chancellor or Lord Keeper of the Great Seal of England for the time being to cause the true meaning of this my will to be performed with the help of the decree of the Chancery Court if need be;

Item, whereas I have an honest and dutiful wife, Eleanor, whom if my ability would serve I would deal much more liberally with her in this my will than now I can do, my estate considered, which I hope she will take in good part whatsoever I shall do concerning her benefit in the same, the rather in respect she hath a very good jointure out of my small living, which first of all, touching the same her jointure, I do by this my will give, grant, ratify and confirm to her for term of her life all such manors, lands, tenements and hereditaments as is limited and specified in certain writings made concerning the same her said jointure to be to her according to the same without fraud, guile or deceit;

Item, I do appoint my said wife shall have my two best coach-horses and coach, she paying to my executors or executor for the same the next half year after my decease fifty pounds, to be at her choice whether she will have them or not;

Item I do further give unto her two fair chains whereof one is gold and pearl and the other is gold, and the bracelets that are mine, and all her jewels saving such rings of gold as I have left, which I desire my wife to see them delivered by my executor to every child that I have, as well married as unmarried one, to remember me and their own mother, and in respect I have dealt so liberally with her of my poor estate, I do earnestly request her, as I have always found her to have a good conscience, that she would not hide or keep anything of mine from my executors, but according to the true meaning of this my will she do take that which of right appertaineth to her and no more, and therefore I do by this my will appoint her to have all such coin of gold as I now have in my possession, and all such gilt plate as she brought unto me;

Item, I do by this my will appoint that my executors or executor shall let my wife have so much of my dwelling-house as she shall think convenient for her to use, with one hundred acres of land, meadow and pasture as shall lie fit for the same, with orchards and gardens and convenient outhousing and backside, for and during such time as she shall keep herself a widow and no longer, she paying a yearly rent for the same to my executors or executor for the same ten pounds a year better cheap than the same is worth;

Item, whereas I do receive certain rents as in the right of Richard Hubberd, my youngest son, of houses in London and Middlesex bequeathed unto him by his grandfather Southall, deceased, my will and meaning is that my executors or executor shall likewise have and receive them during his minority, and out of that to defray and lay out the needful expenses for the maintenance of the said Richard Hubberd at learning, and further, whereas I have purchased certain ground and lights of Mr Alford very convenient for the house of the said Richard Hubberd's standing over London Bridge, I do by this my will freely give the inheritance of the same to the said Richard Hubberd and to his heirs forever upon condition that he shall suffer and allow of the lease I have made of his said house to one (blank) Skinner for and during such term of years as I have leased the same for the rent mentioned in the same lease, or else my heir to have to him and to his heirs the full benefit from the said Richard of so much as I bought of Mr Alford, which I will shall be done within three months after the said Richard shall accomplish his full age;

Item, I do give and appoint all that my farm called Digby's with all the lands that I have in the parish of Birchanger and the grove of wood that I bought of Robert Thoroughgood to my son John Hubberd for term of his life, and to his issue male of his body lawfully begotten, and to his or their heirs males, and for default of such issue the remainder thereof to be to my son Francis Hubberd and to his heirs males, with such further limitations and uses in remainder as is limited hereafter for my other lands in this my will, provided that my meaning is that no part of Stansted park shall go to my son John, and that my executors or executor shall receive all the profits of the said farm and lands in Birchanger until my son John shall accomplish his full age of twenty-one years, paying and bearing the charges of my son John at his book in the meantime;

Provided notwithstanding that if my said son John Hubberd shall deny or refuse at my son Francis Hubberd's reasonable request to seal and deliver a good and sufficient release of all his rights whatsoever of the lands in Luton parish in the county of Bedford which I

know to be nothing worth in law to one (blank) Crawley, to [sic for 'his?'] heirs and assigns, who purchased the same of me if the said Crawley, his heirs or assigns, shall so require the same, that then all these my houses, lands, woods and grounds in the said parish of Birchanger whatsoever before in this my will given to the said John Hubberd shall be utterly void and remain to Francis Hubberd and to his heirs males, with such further limitations and remainder as in this my will is appointed for my other lands, and because my son John may the better be persuaded to do the same, I do in this my will declare the truth and state of the cause, viz., that where I purchased the farm in Luton aforesaid wherein one Bigge dwelt as farmer, and after I sold the same to John Southall, father to my then wife, for four hundred pounds by indenture of covenants whereof my wife paid privately one hundred pound and the said John Southall paid but three hundred pound with this agreement by indenture between us, that if the said John Southall should have cause to sell it again that I should have it at all times, paying his said money disbursed, if not, that then it should descend to me and to my then wife and to our heirs after the decease of him and his wife, at which time I was offered for it seven hundred pounds of another man bona fide, which indenture of bargain and sale made to the said John Southall was never enrolled, nor any deed of feoffment with livery or fine levied thereof to make good the same assurance, so as there passed nothing in law from the said Edward Hubbard, whereby the will of the said John Southall for that farm is merely void, and no cause to have it contrary to his own agreement made in writing with me, the said Edward Hubberd, at the time of his bargain;

Item, I do appoint my executors or executor or such other person as shall be my heir at the common law to pay one yearly annuity of twenty pounds a year quarterly as the same shall grow due during the life of Jane, now the wife of Edward Elliott, sometime the wife of Edward Pulliver, and one other yearly annuity or rent-charge of forty-four pounds a year quarterly as the same shall grow due during the life of Godfrey French, gentleman, and one other annuity of twenty pound a year for certain years yet to come to one John Skelton, payable half yearly according to a pair of indentures thereof made between myself and the said Skelton;

Item, I do give unto my daughter, Elizabeth, five hundred pounds, to be made up so with such legacy as is given her by the will of John Southall or by any ways or means whatsoever, so that my meaning is she shall have but five hundred pound for my legacy and for all other her rights, to be paid her after my debts paid, and in the meantime my executors or executor shall pay her four and twenty pounds a year towards her maintenance in meat, drink and apparel;

Item, I do give to Thomasine, my daughter, if she live to be married, three hundred pounds to be made so much with the legacy given to her by Master Southall's will and by all other rights that is due to her by any ways or means, and in the meantime I do appoint my executors or executor to pay her yearly towards her maintenance in meat, drink and apparel sixteen pound at two terms in the year by even portions;

Provided that if any of my said daughters happen to die before they shall marry, then my meaning is that the benefit thereof shall be to the use of my son Francis and of his heirs

males, so that my meaning is that the benefit thereof [+of the] said legacies given to my said two daughters shall cease and be void if they or either of them shall not marry;

Item, whereas my debts are great, and speedier payment will be required than I shall have to discharge it, I do therefore appoint my executor or executors to sell the reversion of the fee-simple of the manor of Pakenhall in Mallendine in the county of Essex to any that will buy it with the most advantage that conveniently may be, and further to sell the copyhold tenements and lands late Whelpstone's and John Smith's, whereof George Dalton and John Newman have the same to them and to their heirs by copy in trust to any use, to be sold in fee-simple for the more speedier payment of my debts;

Item, I devise, will and give all others my manors, lands, tenements and hereditaments, as well in possession as reversion, upon the conditions hereafter following, unto Francis Hubberd and to his heirs males of his body lawfully begotten if the said Francis Hubberd shall well and truly satisfy, content or pay all my debts mentioned in a book bearing date the fourteenth of January last, written with my own hand, either at such days as they shall grow due or otherwise take order to pay the same as he and my creditors can agree, whereby they shall have no cause to exclaim against me for the same, and if he shall fail in paying them or otherwise satisfying them and every of them in some reasonable manner without any clamour against me for the same, then all my manors lands, tenements, rights, reversions and hereditaments shall go and be forever to Edward Hubberd, the eldest son of Francis Hubberd, and to his heirs males at his full age of one and twenty years, and in the meantime that such other executor as shall be joined & named with my son Francis shall have and receive all the profits, rents and revenues of all my manors, lands, tenements, rights, reversions and hereditaments whatsoever for and until the said Edward Hubberd shall accomplish his full age of twenty and one years, provided nevertheless my intent and meaning is that if my son Francis shall enter into sufficient and reasonable bond by obligation unto my brother John Wilshe for the discharging and payment of all my debts, then my full meaning is that Francis Hubberd shall be my sole executor of this my last will and testament, and to have and enjoy all my plate, goods and chattels, and as well corn and hay as all other my quick cattle whatsoever, but if he shall refuse or do not enter and make, seal and deliver such a sufficient bond to my said brother Wilshe for the payment of my debts and legacies bequeathed in this my will within one month after my decease, then my full meaning is that John Wilshe shall be my full and sole executor for the true performance of the said debts and legacies aforesaid with all his reasonable charges in and about the same to be defalked from time to time, and such use or interest as he shall defray to be allowed him also, to whom I do give for his honest pains herein to be taken ten pound and no more, and for all the residue to be employed for the payment of my debts and legacies, and if there shall fall out any overplus, the same to be accounted to my son Francis Hubberd and to his heirs males;

Also I do request my right worshipful good friends Mr Brograve, her Majesty's Attorney of her Duchy Court, Mr (blank) Golding of the Inner Temple, and my cousin Miles Hubberd, Citizen and Cloth-worker of London, to be my overseers of this my last will and to cause the true meaning of the same to be performed, and if any doubt, question or controversy shall arise or grow any ways in true exposition or good meaning of this my

will, that then I do give full power and authority for my said overseers to expound and direct the same according to their honest conscience and my good meaning, which shall bind my executor or executors to perform in all things as a full judgment without any further suit or trouble touching the same;

And I do give to every of my said overseers a ring of gold of the value of twenty shillings to have a death's-head in it;

In witness whereof I have to this my will put to my hand and seal the day and year abovesaid. Edward Hubberd.

Memorandum: That I stand bound in sundry obligations for my son Francis Hubberd's debts with him which I have not put down in my book of debts because they are his debts, and not to be reckoned in the meaning of my will to be my debts touching the speedier performance of the same. Edward Hubberd.

Probatum fuit huiusmodi Testamentum apud London coram venerabili viro magistro Iohanne Gibson Legum Doctore Curie Prerogatiue Cantuariensis magistro Custode sive Commissario Legitime constituto Decimo quarto die Mensis Maij Anno Domini millesimo sexcentesimo secundo Iuramento magistri Anthonij Dalton notarij publici procuratoris ffrancisci Hubert filij dicti defuncti executoris &c Cui &c De bene &c Iurato Examinatus

[=The same testament was proved at London before the worshipful Master John Gibson, Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the fourteenth day of the month of May in the year of the Lord the thousand six hundred second by the oath of Master Anthony Dalton, notary public, proctor of Francis Hubberd, son of the said deceased, executor etc., to whom etc., sworn to well etc. Examined.]