

SUMMARY: The document below is the will, dated 11 January 1540 and proved 27 January 1540, of John Berners, esquire, of the manor of Peches in Finchingfield, Essex, whose eldest son, Francis Berners, was the first husband of Barbara (nee Cornwall) Vere, who later married Oxford's paternal uncle, Robert de Vere (d.1598). For Robert de Vere, see his will, TNA PROB 11/91/403, and TNA C 3/251/104.

FAMILY BACKGROUND

For the testator's family, see the Berners pedigree in Chauncy, Henry, *The Historical Antiquities of Hertfordshire*, (London: J.M. Mullinger, 1836), Vol. I, p. 317 at:

<https://archive.org/stream/historicalantiq03chaugoog#page/n383/mode/2up>

MARRIAGES AND ISSUE

The testator married, firstly, Elizabeth Wiseman (d. 26 January 1524?), the daughter of Simon Wiseman of Brantham, Suffolk, and secondly, Eleanor Palmer, the eldest daughter of Sir Edward Palmer of Angmering, Sussex, who survived him, and married William Bendlowes (d. 19 November 1584) of Brent Hall in Finchingfield, who was interred in the chancel of the church at Great Bardfield, where a monument was erected in his memory. See Wright, Thomas, *The History and Topography of the County of Essex*, (London: George Virtue, 1836), Vol. I, pp. 656, 661 and 666 at:

<https://books.google.ca/books?id=SgQVAAAAQAAJ&pg=PA656>

See also the description of the altar tomb of John Berners and his first wife, Elizabeth Wiseman, in the church of St John the Baptist in Finchingfield in Wright, *supra*, p. 666. See also the *ODNB* entry for William Bendlowes (1516-1584), his will, TNA PROB 11/68/114, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/bendlowes-william-151415-84>

In the will below the testator mentions his second wife, Eleanor Palmer, and two sons and six daughters. The testator's eldest son and heir was:

* **Francis Berners**, who married Barbara Cornwall, daughter of Thomas Cornwall and his wife, Jane. Barbara Cornwall's eldest brother, John Cornwall, married Elizabeth Hart, widow of Thomas Brooke (d.1529), 8th Baron Cobham. See the Cornwall and Berners pedigrees in Foljambe, Cecil George Savile and Compton Reade, *The House of Cornwall* (Hereford: Jakeman and Carver, 1908), pp. 164-5 at:

<https://archive.org/stream/houseofcornwall00live#page/n207/mode/2up>

For Elizabeth Hart, see also McKeen, David, *A Memory of Honour: The Life of William Brooke, Lord Cobham*, (Salzburg: Institut Fur Anglistik Und Amerikanistik, 1986), p. 701. See also the entry for Elizabeth Hart at:

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

Elizabeth Hart (d. March 1552) was the daughter of John Hart of Westmill, Hertfordshire (c.1450-1507) and Elizabeth Peche (1452-July 15, 1544). She became the third wife of Thomas Brooke, 8th baron Cobham (d. July 19, 1539) in about 1518. She had a jointure worth 100 marks a year and his will left her Cobham Hall for life, together with all his moveable goods. Her second husband was a widower, John Cornewall. Elizabeth was still living when her stepson, George Brooke, 9th baron, wrote a will dated March 31, 1551/2.

For the will, dated 9 September 1560 and proved 23 January 1561, of Francis Berners, see ERO D/ABR 2/69, and 'A Digest of Essex Wills', *The New York Genealogical and Biographical Record*, Vol. XL, No. 2, (New York: New York Genealogical and Biographical Society, April 1909), p. 109 at:

<https://archive.org/stream/newyorkgenealogi1909gree#page/n237/mode/2up>

15. Barnes, Francis, of Finchingfield, Essex, 9 Sept., 2 Eliz. To be buried in chapel of St. John the Baptist in parish church of Finchingfield. To church for tithes forgotten 20d. To poor at burial £4. To poor of Much Barfelde, Wetherfelde and Toppfelde, 10/- each parish. To eldest son Francis my chain of gold and plate, &c., he to pay his three brothers Arthur, John and William, £20 each at 21. To Francis, aforesaid, my manor of Dyves and Pctches and my manor of Justice situate in Wethersfelde Toppsfeld Maplestead and Hawstead in tail male. Res.: wife Barbara. She to remain at manor of Petches. Ex: wife and son Francis. Supervisor Humfrie Cornewell, Esq., he to have 20/- and a grey colte. Wit: William Eterell, Thomas Walford, Henry Hyslette, Richarde Spenser and Richard Emerie. Pr. 23 Jan., 1560. (Com. Essex & Herts. Westwood.)

After the death of Francis Berners, Barbara Cornwall married Oxford's paternal uncle, Robert de Vere (d.1598), for whose will see TNA PROB 11/91/503.

According to the will below, the testator's remaining children were:

- * **Thomas Berners.**
- * **Elizabeth Berners** the elder.
- * **Cecily Berners.**
- * **Jane Berners.**

* **Mary Berners.**

* **Elizabeth Berners** the younger.

* **Marget [=Margaret?] Berners.**

LM: T{estamentum} Iohannis Berners

[f. 10v] In the name of God, Amen. The 11th day of January the year of Our Lord God a thousand five hundred 39, and the year of the most excellent Prince, Henry the 8th, by the grace of God King of England and of France, Defender of the Faith, Lord of Ireland, and Supreme Head in earth immediately under Christ of the Church of England the 31st, I, John Berners, esquire, of Finchingfield in the diocese of London, whole of mind and in good memory, make this my present testament and last will in manner and form following:

First, above all things I give and bequeath my soul to Almighty God, my Maker, and to Jesus Christ, my Redeemer and Saviour, and to all the holy company of heaven, my body to be buried in my chapel of Saint John the Baptist in Finchingfield aforesaid before Saint John the Evangelist against the window of Mary Magdalen;

Item, I give to the high [f. 11r] altar of the same church, for my tithes and offerings negligently forgotten or withholden, 3s 4d;

Also, I give and bequeath to an honest priest to sing for me five years next and immediately following after [-after] my decease £10 of good and lawful money of England, which priest I will that he shall sing part in my said chapel and part at home in my place and chapel of Peches, and the said priest to have his meat and drink there;

Item, I give and bequeath to keep an obit yearly in the parish church of Finchingfield during the term of 20 years £10, that is to say, every year during the said term of 20 years 10s, always to be kept the dirge on the eve of the conversion of Saint Paul and the Mass upon the day;

Item, I give and bequeath for my burial and my month-day £10;

Item, I give and bequeath to six of my daughters, that is to say, Elizabeth th' elder, Cecily, Jane, Mary, Elizabeth the youngest, and Marget six score pounds [=£120], whereof £60 is in gold, which I will that the said Mary, Elizabeth and Marget, my youngest daughters, shall have, and £60 which is in plate I will that the said Elizabeth th' elder, Cecily and Jane shall have, which gold and plate I will that it shall remain in the hands and keeping of my cousin, John Wentworth, squire, till they come to lawful age, and every one of them have their portions, provided always that if Francis, my son, can agree with his sistern Elizabeth th' elder, Cecily and Jane for their portions of the said

plate within five years next after my burial, then I will that the said Francis have the said plate to his own proper use;

Moreover, if any of my said daughters depart & die before they have their said portion of the foresaid gold and plate, then I will that the 3 eldest of my said daughters to be other's heir of the said plate to be equally divided, and so in like manner the 3 youngest of my said daughters to be other's heir of the said gold;

Furthermore, if all my said daughters depart and die before they have their said portion of the said gold and plate, then I will that the foresaid gold and plate to remain to the right heirs of my body lawfully begotten;

Item, I give and bequeath to the making of the highway between Justice Hill and Castle Cross £10;

Item, I give and bequeath to 4 towns £4 to be given among poor folk, that is to say, to Toppsfield 20s, to Wethersfield 20s, to Much Bardfield 20s, and to Finchingfield 20s;

Item, I give and bequeath to Francis, my son, all my stuff and implements within my manor of Peches to him and his heirs forever, except these bequests and other parcels hereafter following, that is to say:

I give and bequeath to Eleanor, my wife, all the bedding, hangings and all other stuff, as the table, forms, chairs & stools, the cupboard and the hutch, being now as they be in the little parlor next unto the kitchen within my said manor of Peches, and also 2 featherbeds with the bedsteads and all that longeth to them, being and standing in the nether end of the hall within my said manor of Peches;

Item, I give and bequeath to the same Eleanor 6 pair of sheets of linen, 3 pair fine and 3 pair of coarse, 6 board cloths, 3 fine & 3 coarse, a diaper cloth, a diaper towel, 6 diaper napkins, a basin with an ewer, half a garnish of the new pewter, two brass pots, one great & another lesser, a brass pan, 2 kettles & 2 spits, one great & another lesser, with 2 cobberds [=cupboards?];

Item, I give and bequeath to the same Eleanor 6 milk beasts & 2 horses, my gown of black satin and my gown of tawny taffeta;

Item, I give and bequeath to Francis, my son, my gown of black taffeta furred with foynes, my black doublet of satin, and my coat of black satin;

Item, I give and bequeath to Thomas Berners, my son, my gown of tawny damask, my doublet of tawny satin, and my coat of black damask;

Item, I give my gown of black velvet to my chapel of Saint John the Baptist to make a cope therewith, and 40s of money to the making of the said cope;

Item, I will that John Lawrence, my servant, shall have my tenement of Stowes otherwise called Syles and a garden with a croft thereto belonging during his life, which tenement and other the premises I have resurrendered into the hands of John Freeman and Thomas Lynewood of Finchingfield aforesaid, my tenants, to th' only use and behoof of the said John Lawrence for the term of his life, and after his decease I will that the said tenement & other the premises to remain again to my right heirs of my body lawfully begotten forever;

And also I will that the said John Lawrence shall have my lodge in the park with such fuel as he may take lawfully without strip or waste doing;

The residue of all my goods not bequeathed, and these my legacies fulfilled, I refer them to the discretion of mine executors, whom I ordain & make Eleanor, my said wife, Francis Berners and Thomas Berners, my sons, [f. 11v] that they shall see this my present testament and last will to be truly performed, fulfilled & kept in all things beforesaid, and I give and bequeath to each of them 20s;

These being witnesses: Thomas Yeldham th' elder, William Warner, John Rande(?) th' elder, Thomas Lynewood of Finchingfield, and John Symond, with other.

Probatum fuit suprascriptum testamentum coram Domino apud London xxvij Die mensis Ianuarij Anno Domini Millesimo quingentesimo xxxixno Iuramento proferendo Bendlose procuratoris Relicte et executricis in huiusmodi testamentum notariate approbatum et insinuatum &c Et commissa fuit administratio bonorum defuncti executrici predictae De bene &c Ac de pleno et fideli Inventario conficiendo et secundo die post festum nunciandi proximo futurum exhibendo Necnon de plano et vero computo &c reddendo ad sancta dei Evangelia iurata pretestate alijs &c

[=The above-written testament was proved before the Lord at London on the 27th day of the month of January in the year of the Lord the thousand five hundred 39th by the oath of Christopher Bendlowes, proctor of the relicit and executrix named in the same testament, and probated and entered etc., and administration was granted of all the goods of the said deceased to the executrix aforesaid, sworn on the Holy Gospels to well etc., and to prepare a full and faithful inventory and to exhibit [+it] on the second day after the feast of the [] of the Lord next to come, and also to render a plain and true account etc., with power reserved to the others etc.]