

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 7 September 1543 and proved 19 October 1543, of John Waldegrave (c.1494 – 6 October 1543), esquire, whose son married the stepdaughter of Oxford's uncle, Henry Golding.

### ***FAMILY BACKGROUND***

For earlier generations of the Waldegrave family, see the will, dated 26 January 1525 and 6 July 1525 and proved 6 March 1528, TNA PROB 11/22/294, of the testator's uncle, Sir William Waldegrave (c.1465 - 30 June 1527), one of the executors of John de Vere (1442-1513), 13<sup>th</sup> Earl of Oxford. For the will of the 13<sup>th</sup> Earl, see TNA PROB 11/17/379.

### ***Testator's parents***

The testator was the only child of Edward Waldegrave (d.1545?) by his first wife, Isabel Cheney (c.1472-c.1507). For the will of the testator's father, Edward Waldegrave (d.1545?), see TNA PROB 11/30/620.

Several manors descended to the testator through his mother, Isabel Cheney, including the manor of Spaxton mentioned in the will below. For Isabel Cheney, see the will of Sir William Waldegrave, *supra*; the will of her grandson, Sir Edward Waldegrave (d. 1 September 1561), TNA PROB 11/44/318; the inquisition post mortem, TNA C 142/21/43, taken after her death in which the testator, her son and heir, was stated to be thirteen years of age in 1507; and the inquisition post mortem taken after the death of Sir William Say (c.1452 – 4 December 1529), TNA C 142/51/35, in which the testator was stated to be thirty years of age and more at the date of Sir William Say's death. See also Doyle, Anthony I., 'Borley and the Waldegraves in the Sixteenth Century', *Transactions of the Essex Archaeological Society*, Vol. XXIV, New Series, (Colchester: Essex Archaeological Society, 1951), pp. 17-31, available online at;

[esah1852.org.uk/images/pdf/new-series/T2240000.pdf](http://esah1852.org.uk/images/pdf/new-series/T2240000.pdf)

After the death of Isabel Cheney, the testator's father married secondly Grissel Writtle (d.1547), the widow successively of John Rochester (d.1506) and Thomas West (d. August 1508). The testator had four stepbrothers and a stepsister by his stepmother's first and second marriages, for whom see her will, TNA PROB 11/31/550.

By his father's second marriage, the testator also had two half sisters:

**-Grissel Waldegrave** (d.1572?) who married Thomas Eden (c.1502-1568), esquire, Clerk of the Star Chamber. For Thomas Eden's family background, and for their children, see his will dated 1 October 1565 and proved 2 December 1568, TNA PROB

11/50/383. For the will of the testator's half sister, Grissel Waldegrave Eden (d.1572?), see TNA PROB 11/55/72.

-**Margery Waldegrave**, who married, as his second wife, Robert Ryce (before 1487 – 10 August 1544), esquire, of Preston, Essex. For the will of Robert Ryce, dated 10 August 1544 and proved 2 September 1544, see TNA PROB 11/30/192. After the death of Robert Ryce, Margery Waldegrave married secondly John Gray, gentleman. See Harlow, C.G., 'Robert Ryece of Preston, 1555-1638', *Proceedings of the Suffolk Institute of Archaeology and History*, Vol. XXXII, Part 1 (1970), pp. 44-70 at p. 53, available as a pdf file online at:

<http://www.suffolk institute.org.uk/proceedings-of-the-suffolk-institute-for-archaeology-history-online>

### **MARRIAGE AND ISSUE**

Before 1518 the testator married his stepsister, Lora Rochester, the daughter of his stepmother's first marriage to John Rochester (d.1506?), by whom he had three (or four?) sons and two daughters:

\* **Thomas Waldegrave**, who predeceased his father?

\* **Sir Edward Waldegrave** (d. 1 September 1561) of Borley, said (perhaps erroneously?) to have been the second son. See the *DNB* entry:

*Waldegrave, Sir Edward (1517?–1561), politician, born in 1516 or 1517, was the second son of John Waldegrave (d. 1543) of Borley in Essex, by his wife, Lora, daughter of Sir [sic] John Rochester of Essex, and sister of Sir Robert Rochester [q. v.] He was a descendant of Sir Richard Waldegrave [q. v.], speaker of the House of Commons. On the death of his father, on 6 Oct. 1543, Edward entered into possession of his estates at Borley. In 1 Edward VI (1547–8) he received a grant of the manor and rectory of West Haddon in Northamptonshire. He was attached to the Princess Mary's household, and on 29 Aug. 1551 was committed to the Fleet, with his uncle Sir Robert Rochester and Sir Francis Englefield [q. v.], for refusing to enforce the order of the privy council by preventing the celebration of mass at Mary's residence at Copt Hall, near Epping.*

Sir Edward Waldegrave was a Privy Councillor under Queen Mary, and died a prisoner in the Tower early in the reign of Queen Elizabeth. For his will, dated 14 September 1559 and proved 23 September 1561, see TNA PROB 11/44/318.

\* **Robert Waldegrave**, under 21 years of age in 1543. For his unfortunate marriage to Mary Forster, stepdaughter of Oxford's uncle, Henry Golding (d.1576x7), see the latter's will, TNA PROB 11/59/98. The marriage was brought about by his elder brother, Sir Edward Waldegrave. See his will, *supra*:

*And whereas I have to my charges provided and bought a marriage for my brother, Robert Waldegrave, that is to say, one of the daughters and heirs of George Forster, esquire, deceased, by whom he shall have some inheritance for term of his life if he have issue by her, the which as yet he hath not, and for want thereof, or of other assurance to him to be made by her of her said inheritance, he should by her death be nothing advanced, therefore my mind and will is that if it shall fortune my said brother's wife to die, living my brother, without issue by him, or having not of her lands, tenements or hereditaments to the yearly value of £20 assured to him for term of his life, then I will and give unto him one annuity or yearly rent of £4 by year out of my manor of Chewton in the county of Somerset . . . .*

According to *The Calendar of Patent Rolls, 1558-60*, p. 360, Mary (Forster) Waldegrave and her sister, Joan (Forster) Peryent, were wards of the Crown who were licensed to enter upon their lands on 2 December 1559, by which time both were already married:

*The like [+licence] for Robert Walgrave and Mary his wife and Henry Peryent and Joan his wife, as in right of the said Mary and Joan, daughters and co-heirs of George Forster; issues from the time when Mary and attained their full age. By bill of the Court of Wards.*

Robert Waldegrave was bequeathed, inter alia, an annuity of £10 from Doddinghurst park in the will of his uncle, Sir Robert Rochester (d. 28 November 1557), TNA PROB 11/42A/105.

\* **John Waldegrave**, under 21 years of age in 1543. He was bequeathed an annuity of £5 in the will, dated 14 September 1559, of his brother, Sir Edward Waldegrave (1517?-1561), TNA PROB 11/44/318. He later sold the annuity to his brother-in-law, John Abell (d.1575), whose will he witnessed. See the will of John Abell, TNA PROB 11/57/520.

John Waldegrave was bequeathed a gelding and a silver and gilt cup in the will of his uncle, Sir Robert Rochester, *supra*.

\* **Mary Waldegrave**, under 21 years of age when her grandfather, Edward Waldegrave (d.1545?), made his will in 1544. See his will, TNA PROB 11/30/620. According to Bridges, she married a husband surnamed Abbot of Coggeshall, Essex. See Brydges, Egerton, *Collins's Peerage of England*, Vol. IV, (London: F.C. and J. Rivington, 1812), p. 237 at:

<https://books.google.ca/books?id=j4kUAAAAYAAJ&pg=PA237>

However Brydges is in error. In the 1559 will of her brother, Sir Edward Waldegrave, she is described as 'my sister Abell', and it is clear from the will, dated 26 June 1575 and proved 11 November 1575, of John Abell (d.1575) of West Bergholt that he was her husband. In his will, John Abell mentions 'one annuity of five pounds by the year which I bought of my brother-in-law, John Waldegrave, gentleman' (who also witnessed the will), and leaves bequests to 'my nephew, Charles Waldegrave, esquire', and 'my dear

friend, William Waldegrave of Smallbridge, esquire', whom he appoints as executors. See TNA PROB 11/57/520. According to the will, Mary Waldegrave had two sons and three daughters by John Abell (Waldegrave Abell, John Abell, William Abell, Dorothy Abell and Mary Abell) as well, perhaps, as a child born after her husband's death.

According to the will of Sir Robert Rochester, *supra*, John Abell was Rochester's servant.

\* **Anne Waldegrave**, under 21 years of age when her grandfather, Edward Waldegrave (d.1545?), made his will in 1544. See his will, TNA PROB 11/30/620. She was still unmarried when her brother, Sir Edward Waldegrave, made his will on 14 September 1559.

For the inquisition post mortem taken after the testator's death, see TNA C 142/68/54.

See also the inscription on his tomb at All Saints', Sudbury, discussed by Doyle, *supra*, p. 20:

*The confusion in histories of the family . . . has been increased by Weever's misreading of the date (now illegible) on John's tomb in All Saints', Sudbury:*

*Hic iacet Johannes Waldegraue Ar. filius & heres Edwardi Waldegraue & Isabelle vxoris sue qui quidem Johannes ob. 6 October . . . 1514 . . . .*

*No doubt xliij was taken as xiiij.*

LM: Test{amentu}m Io{hannis} Walgrave

In the name of God, Amen. The 7<sup>th</sup> day of September in the 35 year of the reign of our Sovereign Lord King Henry the Eight, I, John Waldegrave, esquire, being of whole mind and perfect of remembrance, doth make this my last will and testament, and all other wills and draughts of wills before this day made to be frustrate and void, and this to stand as my last will and deed;

First I bequeath my soul unto Almighty God, and to our Blessed Lady Saint Mary, and unto all the holy company of heaven;

I give and bequeath unto the high altar of the same church for my tithes negligently forgotten 20d;

Also I will that my body shall be buried in the said church of All Saints, and one bell to be tolled without any ringing, and also at my dirge and Mass the great bell to be tolled without any ringing;

Also I will that four of my servants shall bear me to the church and to have for their pains 4s;

Also I will and bequeath unto the poor people of Saint Gregory's and Saint Peter's 13s 4d;

And as concerning my 7<sup>th</sup> day and 30<sup>th</sup>, I put it unto the discretion of mine executors;

And also I will and bequeath unto Robert Waldegrave and John, my sons, each of them four pounds of a yearly annuity out of my manor of Spaxton during their lives to be paid by my executors or their assigns at two terms in the year, that is to say, at the Annunciation of Our Lady and at the feast of Saint Michael th' Archangel or within four weeks after any of the said feasts to be paid to them or to their assigns in manner and form abovesaid;

And if it shall happen that their said annuities or any part of them be not half yearly paid them or to their assigns in manner and form abovesaid, that then I will that they or their assigns into the said manor of Spaxton to enter and distrain, and the distresses or distress so taken and had to lead, drive, bear and carry away, and that to impark, pound and prise, detain and withhold until such time that they or either of them of their said yearly annuities be fully satisfied, contented and paid with their arrearages, costs and charges in that behalf so sustained and had by reason of any suit or occasion to the same;

And also I will that my executors shall keep my said sons honestly until that they come unto the age of 21 years, and then they to have their said annuities paid to them in manner and form abovesaid;

Also I will and bequeath unto Mary Waldegrave and Anne, my daughters, [f. 201r] each of them one hundred marks sterling to be paid unto them by th' hands of my executors at the day of their marriages so that they be ruled and married honestly by the assent and agreement of my executors, and if they will not be advertised by my said executors, that then I will that they to have nothing of my said bequest but at the discretion of my executors;

Also furthermore I bequeath unto Francis and John, my servants, each of them their whole year's wages to be paid them at my 30<sup>th</sup> day by the hands of mine executors, that is to say, Francis 40s and John 26s 8d;

Also I do forgive James Lowe and Richard Leiffe(?) all such money that they do owe me;

The residue of all my goods unbequeathed I give it unto mine executors to bestow it for my soul as they think most convenient, whom I make mine executors my wife and my son, Edward Waldegrave;

And my father, Edward Waldegrave, supervisor;

Witness hereof Sir Thomas Elys, priest, James Love, Francis Wilde and other mo [=more].

Probatum fuit testamentum suprascripti defuncti habentis xix die mensis Octobris Anno domini Millesimo quingentesimo xliiio Coram domino apud London auctoritate domini nostri Regis & iuramento Lore Relicti In persona Georgij Cotton litoris procuratoris in hac parte et Edwardi Waldgrave personally present executorum in huiusmodi testamentorum no[m]inat[orum] Ac approbatum & insinuatum Commissa que fuit admistracio omnium & singulorum bonorum Iurium et creditorum dici defuncti prefatis executoribus De bene & fideliter admistrandis Ac de pleno et fidei Inuentario secundo die post festum sancti Blasij Episcopi proximum futurum exhibendo necnon de plano et vero compoto reddendo Ad sancta dei Evangelia in debita iuris forma Iuratis

[The testament of the above-written deceased having [+&c?] was proved on the 19<sup>th</sup> day of the month of October in the year of the Lord the thousand five hundred 43<sup>rd</sup> before the Lord at London by the authority of our Lord the King etc. by the oath of Lore [=Lora], relict, in the person of George Cotton, learned, [+her?] proctor in that behalf, and Edward Waldegrave, personally present, executors named in the same testament, and probated & entered, and administration was granted of all & singular the goods, rights and credits of the said deceased to the forenamed executors, sworn on the Holy Gospels in due form of law to well & faithfully administer, and to exhibit a full and faithful inventory on the second day after the feast of St Blaise, bishop, next to come, and also to render a plain and true account.]