

SUMMARY: The document below is the will, dated 25 November 1555, of Robert Forster [Foster] of Little Birch, Essex, whose daughter-in-law, Alice (nee Covell) Forster (d.1587) married Oxford's maternal uncle, Henry Golding (d.1576), and whose granddaughter, Mary Waldegrave, contracted a bigamous marriage with one of Oxford's servants, William Sankey (d.1577), who was slain by another of Oxford's servants, William Weekes. Another of Oxford's maternal uncles, the translator Arthur Golding (1535/6-1606), was financially ruined by lawsuits over the manor of Little Birch with the testator's granddaughters, Mary Waldegrave, and Joan Peryent, and their husbands. For a detailed discussion of the lawsuits, see Golding, Louis Thorn, *An Elizabethan Puritan*, (New York: R.R. Smith, 1937), pp. 77-81, 90-111. For the slaying of William Sankey, see TNA PROB 11/60, f. 124.

In the 1561 visitation of Suffolk, the arms and pedigree of the testator are given as follows:

Forster of Syleham

Arms: Quarterly, 1 and 4, Azure a lion rampant argent guttee or (Forster) 2 and 3, Azure a fess between two chevrons argent (Tendring) an annulet for difference.

Robert Forster of Birch, county Essex, gentleman, married Margaret, daughter and one of the heirs of (blank) Tendring, county Essex, and by her had issue George, son and heir; Thomas, second son; Robert, third son; Michael, fourth son; William, fifth son; Margaret, first married to Gregory Bassett, after, to Eustace Sulyard of Runwell, county Essex, esquire; Bridget, married to George Christmas of Colchester, county Essex, esquire; Elizabeth, married to John Southwell of Barham, county Suffolk, esquire; Jane, married Thomas Tyrrell of Rettendon, county Essex, gentleman; Katherine, married to (blank) Phyloll (Filioll).

See Metcalfe, Walter, ed., *The Visitations of Suffolk made by Hervey, Clarenceux, 1561, Cooke, Clarenceux, 1577, and Raven, Richmond Herald, 1612* (Exeter: William Pollard, 1882), pp. 29-30.

Although the first name of the testator's father-in-law is not given in the 1561 visitation, it seems clear from the history of the ownership of the manor of Little Birch that the testator's wife, Margaret, was the daughter of William Tendring (d.1500):

The manor of Little Birch was held in 1066 by Ulwin, and in 1086 of Robert Gernon by Robert de Verley. Robert Gernon's fief escheated to the Crown, and Henry I granted it to William de Munfitchet. On Richard Munfitchet's death without issue in 1267, the overlordship passed to Evelyn (d. 1274), daughter of William de Forz count of Aumale, and wife of Edmund earl of Lancaster, who also died without issue, and from whom, presumably, the overlordship came to the de Vere family, earls of Oxford, as part of the honor of Castle Hedingham. The overlordship continued in the de Vere family and was last recorded in the 18th century.

The undertenancy was held in 1276 by Robert Verley, and from 1325 or earlier by the Tendring family. William Tendring (1435-90) was M.P. for Maldon in 1478. William Tendring (d. c. 1500) had two daughters, Margaret and Dorothy: Margaret's husband Robert Forster (d. 1545) acquired three quarters of the manor and in 1514 bought the remaining quarter from Dorothy, then Dorothy Southwell. Robert's heir was his son George Forster (d. 1556). Little Birch descended with Great Birch and Easthorpe manors until 1598 when Arthur Golding sold it to John Petre, Lord Petre.

See 'Birch: Manors', *A History of the County of Essex: Volume 10: Lexden Hundred (Part) including Dedham, Earls Colne and Wivenhoe* (2001), pp. 44-46. URL: <http://www.british-history.ac.uk/report.aspx?compid=15146>.

Oxford's friend, Francis Southwell, who was involved with Charles Arundel and Lord Henry Howard (1540-1614) in allegations against Oxford in 1581 (see TNA SP 12/151/57, ff. 118-19), was the grandson of Dorothy Tendering. As indicated in the foregoing paragraph, the testator's sister-in-law, Dorothy Tendring, married Francis Southwell (d.1512), an auditor of the Exchequer, and was the mother of Sir Robert Southwell (c.1506–1559), the father of Oxford's friend, Francis Southwell. See the will of Sir Robert Southwell (c.1506–1559), TNA PROB 11/43, ff. 407-10, and the entry for him in the online edition of *The Dictionary of National Biography*.

The excerpt quoted above states that the testator died in 1545, and in support of that date it should be noted that in the will below the testator refers to his son-in-law, Eustace Sulyard, who died in 1547, as still living (see also the will of Eustace Sulyard, TNA PROB 11/31, ff. 271-4). However the Prerogative Court of Canterbury copy of the will, transcribed below, states that it was made 'the xxvto day of November in the yere of our lord god a Thousaunde five hunderth lv', i.e. 1555. It may be that the scribe copied the date incorrectly, perhaps influenced by the fact that the will was not probated until 1557. According to the probatum clause, the testator's eldest son and heir, George Forster (d.1556?) survived the testator, but died before he could take on the administration of the testator's will, which was granted on 10 April 1557 to one of the testator's younger sons, Robert Forster.

As noted above, the testator's eldest son and heir, George Forster (d.1556?) had married Alice Covell (d.1587), and by her had two daughters, Mary and Joan. As also noted above, after George Forster's death circa 1556, his widow, Alice (d.1587), married Oxford's maternal uncle, Henry Golding (d.1576).

George Forster (d.1556?) inherited the manor of Easthorpe in Essex which he and his father had purchased from Sir Thomas Audley in 1542 (see 'Easthorpe: Manors and other estates', *A History of the County of Essex: Volume 10: Lexden Hundred (Part) including Dedham, Earls Colne and Wivenhoe* (2001), pp. 200-202. URL: <http://www.british-history.ac.uk/report.aspx?compid=15234>. After the deaths of the testator and his son, George (d.1556?), the manor of Easthorpe was inherited by George's two daughters and co-heirs, Mary and Joan.

Joan Forster married Henry Peryent. For his pedigree, see Metcalfe, Walter C., *The Visitations of Hertfordshire* (London, 1886), pp. 156-7, available online.

Mary Forster married Robert Waldegrave, and during his lifetime contracted two bigamous marriages, first with William Sankey (d.1577), and then with Robert Crispe (d.1588?).

Mary Forster's marriage to Robert Waldegrave is mentioned in the will, dated 14 September 1559, of Robert Waldegrave's brother, Sir Edward Waldegrave (1517-1561) of Borley (see TNA PROB 11/44, ff. 232-5), a Privy Councillor under Queen Mary who died a prisoner in the Tower under Queen Elizabeth for his Catholic beliefs:

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

The marriage of Margaret Tendring's granddaughter, Mary Forster, and Robert Waldegrave may have come about because Sir Edward Waldegrave's wife was a first cousin of the wife of Dorothy Tendring's son, Sir Robert Southwell (c.1506–1559), mentioned above. Sir Edward Waldegrave's wife, Frances Neville (1518/19–1599), was the daughter of Sir Edward Neville (b. in or before 1482, d. 1538), of Addington Park, Kent, one of the younger sons of George Neville (1436-1492), 2nd Baron Bergavenny, while Sir Robert Southwell's wife, Margaret Neville (d.1575), was the daughter and heir apparent of Sir Thomas Neville (b. in or before 1484, d. 1542), another of the younger sons of George Neville (1436-1492), 2nd Baron Bergavenny. See the entries for Sir Edward Waldegrave (1516/17–1561) and Sir Edward Neville (b. in or before 1482, d. 1538), in the online edition of *The Dictionary of National Biography*.

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 Joan attained their full age. By bill of the Court of Wards.

In 1564, after his marriage to Alice (nee Clovell) Forster (d.1587), Henry Golding (d.1576) purchased from Mary and Robert Waldegrave a moiety of the manors of Easthorpe and Great Birch (see Fitch, Marc and Frederick Emmison, eds., *Feet of Fines for Essex*, vol. V, 1547-1580 (Oxford: Leopard's Head Press, 1991) p. 110). In his will dated 20 March 1576, Henry Golding left his 'moiety of the manor of Easthorpe' to his brother, the translator Arthur Golding (1535/6–1606), and made reference to a debt of £160 which he owed to Mary Waldegrave, presumably in connection with this purchase. Henry Golding also mentions in his will £400 owing by Nicholas Mynne to Mary Waldegrave. According to a lawsuit brought by Mary Waldegrave in 1579, she had lent £400 to Nicholas Mynne, who was Henry Golding's kinsman, as well as Oxford's servant (see Golding, Louis Thorn, *An Elizabethan Puritan*, (New York: R.R. Smith, 1937), p. 78.) For the will of Henry Golding (d.1576), see TNA PROB 11/59, ff. 57-8. For the will of his wife, Alice (nee Clovell) Forster Golding (d.1587), see TNA PROB 11/70, ff. 154-7.

LM Roberti ffoster

In the name of God, Amen. The 25th day of November in the year of Our Lord God a thousand five hundred 55, I, Robert Forster of Little Birch in the county of Essex, esquire, being in good mind and perfect remembrance, make this my last will and testament in manner and form as followeth:

First, I bequeath my soul to Almighty God, my Maker and Redeemer, and my body to be buried in the parish church of Little Birch aforesaid;

Item, I will that a gravestone be bought and laid over me in a place where they use to set the sepulchre, and that it might serve instead of a sepulchre;

Item, I will that the revenues and profits of my manor of Easthorpe shall come to the performance of this my last will and testament for the space of ten years after my decease according unto such covenants as is made between my son, George Forster, with others, and me;

Item, I will and bequeath unto my daughter, Bridget, two hundred marks, whereof one hundred marks remaineth in the hands of my son-in-law, Eustace Sulyard, as appeareth by a bill of his hand, to be paid at the day of her marriage;

Item, I bequeath to my daughter, Jane, one hundred marks, to be paid also at the day of her marriage;

Item, I bequeath to my daughter, Katherine, also one hundred marks, to be paid in like manner at the day of her marriage, unless my son, George, can give a longer day or agree with them when they shall chance to marry;

Item, I will and bequeath the overplus of the revenues of my manor of Easthorpe and other my goods and chattels, my said daughters being discharged and paid, to be evenly divided among my sons;

Item, I will and bequeath my tenement which one Simon Firton now farmeth, being of the yearly value of £4, and also a piece of ground called Coxslan, being of the yearly value of 40s, which my son, George, now occupieth, to my sons Robert, Michael and William, to every of them 40s yearly during their naturals [sic?] lives, which the said Robert Forster have resigned freely unto myself to be distributed according unto my will and pleasure;

Item, that you(?) shall be good unto your younger brother, William, in any wise;

Item, I bequeath unto Frost, my servant, my gelding, boots, spurs, saddle and bridle, boot hosen and my hosen that I lie in;

Also I bequeath to Frost, my servant, my old coat;

Item, I will and bequeath to poor Michael, my son, my furred gown, jacket and doublet;

Item, I will and bequeath to William Forster, my son, my coat guarded with velvet;

And of the performance of this my last will and testament, I ordain and make my son, George Forster, my whole executor, the day and year above-written, these being witnesses: Henry Barrington, Michael Forster, Thomas Brande, priest, Thomas Collett, with others.

Decimo die mensis Aprilis Anno domini millesimo quingentesimo lvijo emanavit commissa Roberto fforster filio naturali et legitimo prefati defuncti ad administrandum bona ipsius defuncti per viam intestati decedentis pro eo quod Georgius fforster executor vnicus in huiusmodi testamento nominatus mortem obiit antequam onus execucionis dicti Testamenti in se acceptavit De bene &c ad sancta dei Euangelia Iurato

[=On the tenth day of the month of April in the year of the Lord the thousand five hundred 57th a commission issued to Robert Forster, natural and legitimate son of the forenamed deceased, to administer the goods of the same deceased by way of an intestacy [=as if he had died intestate] for that George Forster, sole executor named in the same testament, died before he could take upon himself the burden of the execution of the said testament, sworn on the Holy Gospels to well etc.]