

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 28 October 1557 and proved 10 February 1558, of John Tyrrell of Columbine Hall, half brother of Oxford's stepfather, Charles Tyrrell (d.1570). For the will of Charles Tyrrell, see TNA PROB 11/52/187.

FAMILY BACKGROUND

Testator's great-grandparents

The testator was the great-grandson of Sir William Tyrrell (d.1462) of Gipping and his wife, Margaret Darcy, daughter of Sir Robert Darcy of Maldon, Essex. Sir William Tyrrell of Gipping was beheaded at Tower Hill on 23 February 1462 with John de Vere (1408-1462), 12th Earl of Oxford, and the Earl's eldest son and heir, Aubrey de Vere. See Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, pp. 184-5; and the pedigree of Tyrrell of Gipping in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 74 at:

<https://archive.org/stream/visitationsofsuf00harvuoft#page/74>

Testator's grandparents

The testator was the grandson of Sir James Tyrrell (executed 6 May 1502) of Gipping, Suffolk, alleged murderer of the two young sons of King Edward IV imprisoned in the Tower, and his wife, Anne Arundel, the daughter of Sir John Arundel (d. 12 November 1473) of Lanherne, Cornwall. See the entry for Sir James Tyrrell (c.1455-1502) in the *ODNB*.

Testator's parents

The testator was the son of James Tyrrell (1475?-1538), and his first wife, Anne Hotoft, who brought the manor of Columbine Hall alias Thorney Columbers near Stowupland, Suffolk, into the Tyrrell family. See:

<http://www.columbinehall.co.uk/about/history>

For the will of the testator's father, see TNA PROB 11/26/266.

After the death of the testator's mother, the testator's father married secondly, by 1528, Margery (nee Kelly) Carew, the widow of John Carew (d. 1 March 1524). John Carew was the son and heir of Sir William Carew (d.1501), and the grandson of Joan Courtenay (died c.1465), who married, as her second husband, Sir Robert Vere (died c.1461). Joan Courtenay and Sir Robert Vere were Oxford's great-great-grandparents. For the will of

Sir William Carew (d.1501), see TNA PROB 11/12/390. See also the pedigree of Carew of Bury St Edmunds in *The Visitations of Suffolk*, p. 187 (in which 'Celley Delond' may be a mistranscription of 'Kelly of London') at:

<http://archive.org/stream/visitationsofsuf00harvuoft#page/186/mode/2up>

For the testator's mother's two marriages, see also a judgment dated 1528, Somerset Heritage Centre DD/TB/36/16/1-4, in the National Archives online catalogue:

The judgement of John Fitzjames and Robert Brudenell, two of the King's Justices, in the dispute between John Calwoodleigh, gent and Alice Coryton, widow, James Tyrell and Margery his wife (formerly Margery Carew) concerning lands in East and West Stoodleigh, Mere and Cove.

See also the entry for the testator's mother at:

http://www.tudorwomen.com/?page_id=691

Margaret (or Margery) Kelly (d.1551+) was the daughter and coheir of William Kelly of Stoodleigh and Camerton, Devon (and Southwick, Sussex?). Her first husband was John Carew of Crowcombe, Devon (d. March 1, 1524). They had one son, George (1511-1538), and possibly two daughters, Anne and Margaret. The inquisition post mortem for John is dated September 30, 1524. The manor of Sapston was settled on Margaret for life. Margaret married James Tyrrell of Columbine Hall (c.1475-1538). His will was written April 8, 1533 and proved October 17, 1539. They had at least one son, Charles Tyrrell (d.1570). Margaret is mentioned in the will of Elizabeth Chedworth, Lady Audley (d.1542), who refers to her as her niece. Lady Audley was the sister of John Carew's mother, Margaret Chedworth. A quitclaim dated 1551 refers to Margery Tyrrell, widow, of Pentlowe, Essex and her grandsons John and Thomas Carew and Charles Tyrrell, placing her death at some point after that.

In the will below the testator mentions his brothers, Thomas Tyrrell and James Tyrrell.

OTHER PERSONS MENTIONED IN THE WILL

In the will below the testator mentions his cousin, Sir John Tyrrell (d.1574) of Gipping (only son and heir of Sir Thomas Tyrrell (d.1551) of Gipping), who married Elizabeth Munday, the daughter of Sir John Munday or Mundy (d.1537), Lord Mayor of London. For the will of Sir John Tyrrell (d.1574), see TNA PROB 11/56/322. For the will of Sir John Munday (d.1537), see TNA PROB 11/27/118. For the will of Sir Thomas Tyrrell (d.1551), see TNA PROB 11/34/309.

MARRIAGES AND ISSUE

The name of the testator's first wife is unknown. In the will below the testator refers to his second wife as 'Ele, my wife that now is'. According to the probate clause Ele had previously been married to a husband surnamed Mackwilliam by whom she had a son, Edward Mackwilliam, who was granted administration of the testator's estate during the minority of the testator's four children:

* **Thomas Tyrrell.**

* **John Tyrrell.**

* **Elizabeth Tyrrell.**

* **Prudence Tyrrell.**

It thus appears that Ele's first husband was Henry Mackwilliam (d.1539), who had himself previously been married to Anne Spelman, daughter of the judge and law reporter, Sir John Spelman (c.1480-1586). For the will of Henry Mackwilliam, dated 6 June 1539 but not proved until 27 January 1558, see TNA PROB 11/40/37. See also *Transactions of the Essex Archaeological Society*, Vol. II, New Series, (Colchester: W. Wiles, 1884), pp. 108-10 at:

<https://books.google.ca/books?id=Uhc5AQAAMAAJ&pg=PA108>

The testator's second wife, Ele, is said to have been the daughter and heiress of John Leye of Leyes, by Anne Lucy, the daughter of Sir Thomas Lucy. See *Transactions*, *supra*.

Ele's maternal grandfather would thus appear to have been Sir Thomas Lucy of Charlecote, in whose will, dated 31 July 1525 and proved 24 July 1527, provision is made for the marriages of his three daughters, including his eldest daughter, Anne. See TNA PROB 11/23/4. For the Lucy pedigree, see also Dugdale's *Antiquities of Warwickshire* at p. 399:

<https://archive.org/stream/antiquitiesofwar00dugd#page/n9/mode/2up>

As noted above, administration of the testator's estate was granted to Ele's son by her first marriage, Edward Mackwilliam, who appears to have been a gentleman retainer of Oxford's father, John de Vere, and was bequeathed £10 in his will. For the will of John de Vere, 16th Earl of Oxford, see TNA PROB 11/46/247.

TESTATOR'S LANDS

At his father's death on 7 September 1538, Columbine Hall passed to the testator, who mortgaged it. See Copinger, W.A., *The Manors of Suffolk; Notes on Their History and*

Devolution: The Hundreds of Samford, Stow, and Thedwestry, Vol. 6 (Manchester: Taylor, 1910), pp. 231-2 at:

<https://archive.org/stream/cu31924092579592#page/n241/mode/2up>

The exact date and circumstances under which the family parted with Columbine Hall by 1559 are unknown, but it was eventually acquired by John Gardiner, who died childless and bequeathed it to members of the Carey family in tail. After a lawsuit circa 1593 it came into the possession of Sir Robert Carey (1560-1639), the youngest son of the Queen's first cousin, Henry Carey, 1st Baron Hunsdon. See Powell, G. H., ed., *Memoirs of Robert Carey, Earl of Monmouth*, (London: Alexander Moring Limited, 1905), pp. 30-2 at:

<https://archive.org/stream/memoirsofrobertc00monmiala#page/30/mode/2up>

For the testator's manor of Columbine Hall or Thorney Columbers, see also :

<http://www.gatehouse-gazetteer.info/English%20sites/3384.html>

The following article on Columbine Hall can be downloaded at the above-mentioned site:

Martin, E., Easton, T. and Aitkins, P., 1993, 'Excursions - More moats in the landscape: Columbyne Hall', *Proceedings of the Suffolk Institute of Archaeology and History*, Vol. p. 107-9 (plan)

RM: T{estamentum} Ioannis Tyrrell

In the name of God, Amen. Written the 28th day of the month of October Anno Domini 1557 and in the 4th and 5 years of the reign of our Sovereign Lord and Lady Philip and Mary by the grace of God King and Queen of England, France, Spain and both Sicilies, Jerusalem and Ireland, Defenders of the Faith etc., I, John Tyrrell of Columburye [=Columbine Hall] in Thorney, hamlet unto Stowmarket, being whole of mind and of good and perfect remembrance, praise be unto Almighty God, ordain and make this my present testament concerning my last will:

First and principally I commend and bequeath my soul unto Almighty God and to all the company of heaven, and my body to be buried within the church of Saint Peter's in Stowmarket by my friends, and for the breaking of the ground there I give 5s;

Item, to the high altar there for my tithes negligently forgotten and not paid 20d;

Item, I will that Ele, my wife that now is, shall have my house called Columbers with all my lands thereto belonging and all other lands and tenements lying within Stow or elsewhere with all commodities and profits to them belonging as I had them the time and

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<http://www.oxford-shakespeare.com/>

term of her life natural, bringing up my two sons and my two daughters with meat, drink, clothing and learning honestly;

And after my said wife's decease I will that Thomas Tyrrell, my son, shall have all those my said lands and tenements before recited to him and to his heirs upon this condition following:

First I will that my son, John Tyrrell, shall have 40s a year out of my said lands term of his life, and to each of my two daughters, Elizabeth and Prudence, to each of them 40 marks apiece to be paid to them within three years after my said son, Thomas, have enjoyed his lands if my said daughters be then married, or else at their day of marriage to be paid £5 to each of them at a pay [sic?] yearly till the said sum to them before given be paid;

Item, I charge my son, Thomas Tyrrell, of my blessing that he shall not vex nor trouble his mother term of her life, but that she shall hold and enjoy all my said lands and tenements before to her given;

Item, I will and charge my said son also that he trouble none of those persons that I have bargained and sold any of my lands to, and to them stand bounden unto for the performance of the same;

Item, I give and bequeath to Ele, my wife, all my stuff of household and implements and all other my goods and chattels, jewels, plate and all my apparel, paying my debts that I do owe by good specialty, and see me honestly brought to th' earth;

Item, I will that Bartholomew, my servant, be paid 10s that he laid out for me at London, and 30s for his wages due, and all the rest of my servants to be truly paid their wages, and to remain 14 days after my burial in my house with meat, drink and lodging, and then peaceably to depart;

Whom [sic?] I ordain and make Ele, my wife, my sole executrix of this my last will for to do for me according to the true intent and meaning of the same;

In witness that this is my true testament and last will and my full mind and intent I have set to my seal the day & year above-written in the presence of my cousin, Sir John Tyrrell, knight, and John Fleg, my servant, with other;

Item, I will that my brother, Thomas Tyrrell, and my brother, James Tyrrell, shall be paid their yearly annuities out of my manor of Columbers. By me, John Flegge.

Decimo die mensis february Anno Domini Millesimo Quingentesimo quinquagesimo septimo Emanavit commissio Edwardo Mackwill generoso fratri vterino naturali et legitimo Thome Iohannis Elizabeth et Prudencie Tyrell liberorum

pred{i}c{t}i defuncti ad admi{ni}strand{um} bona iura et credita ip{s}ius def{unct}i ad
viam intestat{i} deceden{tis} eo q{uo}d Ela Rel{i}c{t}a et executrix vnica
no{m}i{n}ata in test{ament}o predict{o} ant{e}q{uam} on{er}is &c ab hac luce
migravit De bene &c durante minor{e} etate d{i}c{t}or{um} liberor{um} &c ad
s{an}c{t}a dei Eu{a}ng{elia} iurat{o}

[=On the tenth day of February in the year of the Lord the thousand five hundred seventh
a grant issued to Edward Mackwilliam, gentleman, natural and legitimate uterine brother
of Thomas, John, Elizabeth and Prudence Tyrrell, children of the foresaid deceased, to
administer the goods, rights and credits of the same deceased by way of an intestacy, by
reason that Ele, relict and sole executrix named in the testament aforesaid, died before
[+assuming] the burden [+of the execution of the said testament], sworn on the Holy
Gospels to well etc., during the minority of the said children.]