

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 22 December 1556 and proved 12 February 1558, of Robert Goche (d. 5 May 1557), esquire, father of the poet Barnabe Goche, and son-in-law of Margaret (nee Wood) Mantell Haute Hales (d. 18 September 1567), who commenced the lawsuit *Hales v Petit*, alluded to in the gravedigger's speech in Shakespeare's *Hamlet*.

FAMILY BACKGROUND

For the testator's family background, see the pedigree in Metcalfe, Walter C., ed., *The Visitation of the County of Lincoln in 1562-4*, (London: George Bell & Sons, 1881), p. 52 at:

<https://archive.org/details/visitationofcoun00cook/page/n113>

See also Eccles, Mark, 'Barnabe Googe in England, Spain, and Ireland', *English Literary Renaissance*, Vol. 15, No. 3, (Autumn 1985), pp. 353-370 at:

<https://www.jstor.org/stable/43447166>

According to the will below, the testator had a brother, Richard Goche.

MARRIAGES AND ISSUE

The testator married firstly Margaret Mantell (d.1540), the daughter of Sir Walter Mantell (d.1529) and his first wife, Margaret Wood (d. 18 September 1567). For the will of Sir Walter Mantell, see TNA PROB 11/23/158.

After the death of Sir Walter Mantell, the testator's mother-in-law, Margaret Wood, married secondly Sir William Haute (d.1539), and thirdly the judge, Sir James Hales (d.1554). For the will of Sir William Haute see TNA PROB 11/26/240. For the testator's mother-in-law, Margaret (nee Wood) Mantell Haute Hales, see also the will of her stepson, Humphrey Hales, TNA PROB 11/53/261.

By Margaret Mantell, the testator had one son:

* **Barnabe Googe** (1540-1594). From the *ODNB*:

Googe, Barnabe (1540–1594), poet and translator, was born on 11 June 1540, probably in Kent, the son of Robert Goche (d. 1557) of Lincoln and Margaret (d. 1540), daughter of Sir Walter Mantell. His mother died when he was six weeks old, and he was probably brought up in Kent by his grandmother Lady Hales.

Barnabe Googe was Lord Burghley's kinsman (likely through the testator), and one of Lord Burghley's servants:

During the Queen's visit to Theobalds in 1572, [Googe] was 'placed high on the list of servants and referred to as the first server for the first meal. In 1581 he was on hand for the feasting of the French Commissioners when he was assigned as a server in the great chamber, along with Walter Cope, another Cecil relation. He again appeared among the servants on the occasion of the Queen's visit to Theobalds in 1591, though in this case the list does not include assignments.

In 1563 Barnabe Googe was appointed one of the Queen's Gentleman Pensioners. See the *ODNB* entry, and Barnett, Richard, *Place, Profit and Power: A Study of the Servants of William Cecil, Elizabethan Statesman*, (Chapel Hill: University of North Carolina Press, 1969), pp. 65-7.

The testator married secondly, in 1552, Eleanor or Ellen Gadbury, the widow of a husband surnamed Parris. From the *ODNB*:

Googe came to dislike his stepmother intensely, and subsequently he spent a great deal of time at the Hales family manor Dunjeon (Dane John).

By Eleanor Gadbury, the testator had a son:

*** Robert Goche.**

After the testator's death, his widow married William Burnell, esquire, one of the executors named by the testator in the will below. See :

<http://www.flickr.com/photos/52219527@N00/514704684/>

For an earlier transcript of the testator's will, see *North Country Wills*, Surtees Society, Vol. CXVI, (London: Bernard Quaritch, 1908), pp. 238-40 at:

<https://archive.org/details/northcountrywill00surtuoft/page/238>

LM: T{estamentum} Roberti Goche

In the name of God, Amen. The 22nd day of December in the year of Our Lord God a thousand five hundred fifty and six, I, Robert Goche of Chilwell in the county of Nottingham, esquire, being of whole mind and good memory, thanks be therefore given to Almighty God, and considering that death unto every living creature is certain and that the time and hour thereof is uncertain but unto God alone, willing therefore vigilantly to see and dispose that as well all my manors, lands, meses, tenements and other my hereditaments as also all my goods, jewels, plate and chattels might be disposed, ordered and employed to th' honour and pleasure of God, wealth of my soul and profit and

commodity of my wife and children, make this my last will and testament in manner and form following:

First I bequeath my soul unto God Almighty, my Maker and Redeemer, and to Our Lady Saint Mary and to all th' holy company of heaven;

And my body to be buried in such Christian burial where it shall please God that I shall depart out of this present world by the good discretion of my executors and supervisors or the more part of them;

Item, I will, give and bequeath to, for and in the name of my mortuary after th' order of the King and Queen's Highness' laws;

Item, I will that at my burial the funerals to be made and distribute by th' advice and discretion of my executors and supervisors or the more part of them;

Item, I will that in any wise my debts be paid of and upon all my goods, chattels, corn, implements of my household and of my lease of my farm in Chilwell in the said county of Nottingham by my executors, the goods, chattels and such other stuff as came to me by Eleanor, my wife, according to one indenture thereof made more plainly appeareth at large, and all my plate and my jewels that came from Master Smyth only except, which I give and will to my entirely beloved wife, Eleanor Gouche, by this my last will and testament, anything above declared to the contrary in any wise notwithstanding;

Item, I give and bequeath and I will that my son, Barnabe Gouche, shall have my manor of Horkstow and all my lands, tenements, rents, reversions and services with th' appurtenances in Horkstow, to have and to hold the said manor and all the premises with th' appurtenances to the same Barnabe at such time as he shall come and be of the age of 22 years to him and to his heirs males lawfully begotten forever;

And if it fortune the said Barnabe to die without issue male of his body lawfully begotten, as God forbid, then that the said manor of Horkstow and all other the premises with the appurtenances wholly shall remain and come to my son, Robert Gouche, and to his heirs males of his body lawfully begotten forever;

And if it fortune the said Robert Gouche to die without issue male of his body lawfully begotten, then I will that the said manor of Horkstow and all other the premises with th' appurtenances shall wholly revert, remain and come to my brother, Richard Gouche, and to his heirs males of his body lawfully begotten forever;

And for default of such issue, then I will that my said manor of Horkstow and all other the premises with th' appurtenances shall be divided by the discretion of my executors egally into three parts;

Whereof one part of the said three parts I will the said persons shall allot, name, assign [f. 54r] and appoint to the whole university of Cambridge forever to the finding of poor scholars there that shall proceed and endeavour themselves to study divinity;

And I will that the second part of the said 3 parts shall be to the poor scholars of the university of Oxford for their finding forever that shall likewise proceed and endeavour themselves to study divinity in the said university to be appointed and given by my executors;

And the other third part I will shall be forever to th' hospital lately founded for the poor in London sometime called the Little Saint Bartholomew's in Smithfield so that the poor may there be relieved by the same third part so long as the foresaid house shall so continue for the relieving of the poor;

And if it shall fortune that the said house of Little Saint Bartholomew or hospital to be dissolved by Act of Parliament or otherwise by the law of the land or by any other means so the poor cannot be relieved as now it is, then I will and bequeath the said part of my said lands, tenements and hereditaments with th' appurtenances in Horkstow shall revert, remain and come to the Company of the Mercers in London forever to th' intent that the same Company shall deliver yearly the said rent of the said third part to one poor young man to set him up withal that hath nother [=neither] father nor mother, finding them sufficient sureties to repay the same again at five years' end;

And the same young man to pay for every of the said 5 years four marks to th' hands of the Wardens of the said Company of Mercers, and they therewith yearly to make a dinner, and after the dinner be done, the said Wardens to say, 'Christ have mercy on Robert Gouche's soul';

And after the said 5 years be ended, then I will the said Company shall have the said rent and deliver the same to another young man forever in manner and form above rehearsed;

Item, I give and bequeath and also I will that Robert Gouche, my son, shall have the reversion of my parsonage or rectory of Houghton in the said county of Lincoln with all the tithes, emoluments, commodities and advantages and profits whatsoever they be, to have and to hold the said parsonage or rectory and all other the premises with th' appurtenances immediately after the death of Eleanor, my wife, with all her lands, tenements and hereditaments with th' appurtenances in Paddington in the county of Middlesex to the said Robert Gouche and to th' heirs males of his body lawfully begotten forever;

And if it fortune the said Robert Gouche die without issue male of his body lawfully begotten, then I will that the parsonage or rectory & other the premises and the said lands, tenements and other the premises with th' appurtenances shall remain and come to th' heirs of the body of the said Robert lawfully begotten forever;

And for default of heirs of the body of the said Robert lawfully begotten, I will that the said parsonage or rectory of Houghton and other the premises and the said lands, tenements and other the premises in Paddington shall revert, remain and come to my son, Barnabe Gouche, and to the heirs males of his body lawfully begotten forever;

And in default of such issue male of the body of the said Barnabe lawful [=lawfully begotten?], I will that the said parsonage of Houghton and the said lands & tenements in Paddington shall remain and come to th' heirs of the body of the said Barnabe lawfully begotten forever;

And for lack of such issue of the body of the said Barnabe lawfully begotten, then I will that the said parsonage of Houghton and the said lands, tenements and other the premises with th' appurtenances shall remain and come to my brother, Richard Gouche, and to th' heirs males of his body lawfully begotten forever;

And for lack of heir male of the said Richard lawfully begotten, then I will that the said parsonage and lands and tenements in Paddington and other the premises with th' appurtenances shall remain and come to th' heirs of the body of the said Richard lawfully begotten forever;

And for lack of issue of the body of the said Richard lawfully begotten, that then I will the said parsonage or rectory with th' appurtenances in Houghton and the said lands, tenements and other the premises with th' appurtenances shall remain, come and be to the uses and intents above mentioned and declared forever in manner and form before declared of [-of] my manor of Horkstow with th' appurtenances;

Item, I give and bequeath to the said Eleanor, my wife, my parsonage of Houghton in the county of Lincoln, to have and to hold the said parsonage with the glebe lands, meadows, feedings, tithe corn and hay, wool, lamb and all other emoluments, commodities, tithes and profits to the said parsonage appertaining or in any wise belonging to the said Eleanor and to her assigns during her life natural, and all her own lands, tenements & hereditaments with th' appurtenances in Paddington in the county of Middlesex and her house in London with the lease of the same house;

And [+I?] also give and bequeath to the said Eleanor, my wife all her household [f. 54v] stuff that she brought with her according to an inventory thereof made, and a bill of debt of William Colle of (blank) of fifteen pounds that is parcel of the same stuff;

Also I give and bequeath unto the said Eleanor, my wife, one annuity or annual rent of sixteen pounds of good and lawful money of England going out of my manor of Alvingham in the county of Lincoln, to have and to hold the said annuity or annual rent of £16 to the said Eleanor, my wife, during her life natural if she so long keep herself sole and unmarried;

And for default of non-payment of the said £16 at two several days there used to pay their rents it shall be lawful for the said Eleanor and her assignees to distrain on my said manor

of Alvingham with th' appurtenances, and the distress there so taken to lead, drive & carry away and the same to retain unto [=until] they be of the said rent with th' arrearages of the same, if any such be, be fully contented, satisfied and paid;

Provided alway and I will that if my said wife do marry or die, then I will that after such marriage or death that the said annuity or annual rent of £16 shall cease and determine, and that then and from thenceforth the same shall revert, remain and come to my said son Barnarde [sic] and to his heirs males of his body lawfully begotten in manner and form as is above declared;

Item, I give and bequeath and I will that my son, Robert Gouche, shall have, hold and enjoy to him and to his assignees one annuity or annual rent of five pounds yearly going out of my said manor of Alvingham unto such time as he come and be of th' age of 21 years to the finding of him to the school and learning during the said years, and that Eleanor, my said wife, shall receive yearly the said five pounds and have the custody, rule and order of the said Robert, her son, and money during the said twenty-one years so that she do find him at the school and learning;

And also I will that if the said Robert Goche, my son, fortune to die before he come to the said age of 21 years, as God forbid, or if the said Robert Gouche live unto he come and be of the said full age of 21, then I will the said annuity or annual rent of £5 yearly shall cease and determine and no lenger payment thereof to be had and paid, anything in this my last will and testament to the contrary notwithstanding;

And that then and from thenceforth the said annual rent of £5 shall revert and remain and come to my said son, Barnabe Goche, and to his heirs males of his body lawfully begotten, and with the remainder in manner and form above declared;

Item, I give and bequeath to my brother, Richard Gouche, to have to him and to his assignees during his life natural one annuity or annual rent of twenty-four pounds going out of my said manor of Alvingham, to have and to hold the said annuity or annual rent of £24 to the said Richard Gouche and to his assignees during his life natural at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions, and if it fortune the said annuity or annual rent of £24 to be behind and unpaid in part or in all after any of the said feasts at the which it ought to be paid by the space of 40 days, if it be lawfully asked, then it shall be lawful for the said Richard Gouche and his assignees into the said manor of Alvingham and every parcel thereof to enter and distrain and the distress there so taken to lead, drive and carry away and the same [+to retain?] unto they be of the said rent with th' arrearages of the same, if any such be, be fully contented, satisfied and paid;

Provided alway and I will that if the said Richard Gouche, his executors or assignees, do at any time after my death claim of my executors or administrators any child's part due to him by the death of my father, whose soul God pardon, and be not contented to deliver to my said executors or administrators such reasonable acquittance or acquittances or other discharge as shall be devised by my said executors or administrators or by their counsel

learned for the discharge of the said child's part, then I will the said annuity or annual rent of £24 shall cease and determine, and that then and from thenceforth it shall be lawful for my heir, executors and administrators to retain and withhold the said annuity or annual rent and no longer to pay the same to the said Richard or to his assignees, this gift or anything contained in this my said last will and testament to the contrary in any wise notwithstanding;

And then I will that my said executors or administrators shall pay to him his said child's part by the law as he can find to be due to him, which is by my estimation the sum of thirty and nine pounds, and then I give to him my child's part, which is as much, and so then my executors or administrators shall pay unto my said brother, Richard, or to his assigns the sum of three score eighteen pounds, whereof he oweth me £28 and a great deal more, but I forgive him the rest, and so remaineth due to him fifty pounds, which I will my executors or administrators shall pay unto him if he refuse to give my executors or administrators an [f. 55r] sufficient discharge of his said child's part of my said father's goods and at all time and times hereafter and to save them harmless for the same;

Provided also and I will that if the said Richard Gouche, my brother, be contented to take this my annuity and to discharge my executors or administrators of his said child's part of my said father's goods in manner and form above declared, that my said brother, Richard, shall not sell, give, grant, exchange nor by no manner of ways mortgage or wadset his said annuity or annual rent of £24 to any manner of person or persons during his said life natural;

And if he do, then I will that after such gift, marriage [sic], grant, exchange or wadsetting it shall be lawful for my said son, Barnabe, to enter into the same, and the same to have, hold and enjoy to him and to his heirs males of his body lawfully begotten, if he then be at his full age of 22 years, or else I will that my said executors to enter to the same and to th' use of my said son, Barnabe, unto such time as he come and be of the said age, and thereof to yield him a true accounts [sic] at such time as he shall come and be of the said full age of 22 years;

Provided always & I will that John Thorolde, late vicar of Houghton, shall have, hold and enjoy to him and to his assign[s] during his life natural one annuity or annual rent of £7 of good and lawful money of England going out of all my lands and tenements in Horkstow in the said county of Lincoln to be perceived & received at the feasts of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions;

And for default of non-payment of the said annuity or annual rent of £7 or any part thereof after any of the said feasts by the space of forty days, then it shall be lawful for the said John Thoralde and his assignees into the said manor of Horkstow and all other the premises with th' appurtenances to enter and distrain, and the distress so taken to lead, drive and carry away, and the same to retain unto they be of the said annuity or annual rent of £7 and every parcel thereof fully contented, satisfied and paid;

And after the death of the said John Thorold I will the said annuity or annual rent of £7 shall revert, remain and come to my said son, Barnabe Gouche, and to his heirs males of his body lawfully begotten forever in manner and form above declared;

Also I will that when my said son, Barnabe, shall come and be of th' age of 22 years, that also he have and enjoy my house in Distaff Lane in the city of London, to have and to hold the said house in Distaff Lane in the said city of London to him and to his heirs males of his body lawfully begotten forever in manner before declared of my other lands;

Also I give and bequeath unto Richard More, my servant, twenty pounds of good and lawful money of England upon condition that he at all time and times after my decease endeavour himself to the best of his power to help my executors through for the making of my account with the King and the Queen's Highness and their officers concerning my said account, and the rather I would there should be discretion used therein because he never had any penny wages of me;

Item, I give and bequeath and I will that John Dunbye, my servant, shall have, hold and enjoy to him and to his assignees during his life natural one annuity or annual rent of 40s going out of my manor of Alvingham yearly to be paid at the feasts of the Annunciation of Our Lady and Saint Michael th' Archangel by even portions;

And for default of non-payment of the said annuity or annual rent of 40s or any part thereof at the feasts above-written, that then it shall be lawful for the said John Dunbye and his assignees into the said manor of Alvingham and all other the premises with th' appurtenances to enter and distrain, and the distress so taken to lead, drive and carry away and the same to retain unto they be of the said annuity or annual rent of 40s and every parcel thereof fully contented, satisfied and paid;

And after the death of the said John Dunby I will that the said annuity or annual rent of 40s shall revert, remain and come to my said son, Barnabe Gouche, and to his heirs males of his body lawfully begotten forever in manner and form above declared;

Item, I will that the residue of all my lands, tenements, rents, reversions, services and all other my hereditaments with th' appurtenances in Alvingham and the members of the same not bequeathed nor given shall be received and laid up by my executors to th' use of Barnabe Gouche, my said son, to be paid unto him when he shall come and be of th' age of 22 years if parcel or all thereof be not bestowed about the buying of his wardship, which I will that my executors shall earnestly travail to buy the same if my goods, my debts, bequests and legacies paid and given will thereunto amount to the payment thereof with so much yearly rent as is reserved of [f. 55v] Alvingham unbequeathed;

Then, his wardship being bought out, I will he be set to the Inns of Court, there to study and apply his learning in the law unto such time as by his said learning he attain and come to be made Sergeant of the Coif;

Item, I will that when he hath followed his learning and study at the law so that he is by learning made Sergeant of the Coif in manner and form as I have devised, then I will and also charge and command my said son, Barnabe Gouche, on my blessing, that he never take penny or any manner of reward for his counsel, but to give the same to all men in general without taking anything and specially those persons that dwell in Lincolnshire;

And if he do otherwise than I have appointed him by this my last will and testament, then I will that the said Barnabe, my son, shall have no more of my manors, lands, tenements and hereditaments with th' appurtenances before to him given and bequeathed, nother in possession nor in reversion, but only the manor of Horkstow with th' appurtenances, and that then and from thenceforth I will that all the rest of my manors, lands, tenements, rents, reversions, services and my hereditaments with th' appurtenances in the said county of Lincoln given and bequeathed to the said Barnabe Goche, my son, immediately after such taking of money for his counsel shall revert, remain and come to my son, Robert Gouch, and to his heirs males of his body lawfully begotten in manner and form above declared;

And I make and ordain William Riggess and William Burnell, esquires, Richard Kynesmersh, gentleman, and my dearly beloved wife, Ellen Gouche, my executors, and the right honourable my Lord of Pembroke my supervisor, to whom for his pains therein I forgive him one hundred pounds he owed me;

And by this my last will and testament I revoke all other wills and testaments made before the day of the date of this my last will and testament;

And if any ambiguity, variance, doubt, question or repugnancy be founden or arisen in the meaning of this my last will and testament, then I will the same be interpreted, declared and judged by the Justices of Assizes in the county of Nottingham or Lincoln;

In witness whereof I have to this my said last will and testament put to my hand and seal, these being witnesses, the day and year above-written. John Hatcher, witness of this testament. Robert Cressy, clerk. Per me Richardum Moore. Per me Iohannem Button. Per me Willelmum Eton. R. Goche.

Probatum fuit suprascriptum test{amentu}m coram d{omi}no apud London xijmo die mens{is} ffebruarij An{n}o d{omi}ni Mill{es}imo quingen{tesimo} Lvijmo Iuramento Elene Rel{i}c{t}e et executric{is} in h{uius}mo{d}i test{ament}o no{m}i{n}at{e} Ac approbatum &c Com{m}issaq{ue} fuit admi{n}istracio &c pred{i}c{t}e executrici &c De bene &c iurat{e} Res{er}uata p{otes}tate &c Will{el}mo Rigg{es} armig{er}o executor{i} etiam &c cum ven{er}it &c Will{el}mo Burnell armigero et Rich{ard}o Kynnesmersh executor{ibus} renu{n}cian{tibus} &c Deinde xvto die mens{is} ffeb{ruarij} anno d{omi}ni Mill{es}i{m}o vCmo Lvijmo predict{us} Will{el}mus Rigg{es} executor antedict{us} ex certis causis animu{m} suu{m} moven{tibus} onus executionis d{i}c{t}i test{ament}i &c renu{n}ciant{e}

[=The above-written testament was proved before the Lord at London on the 12th day of the month of February in the year of the Lord the thousand five hundred 57th by the oath of Ellen, relict and executrix named in the same testament, and probated etc., and administration was granted etc. to the foresaid executrix etc., sworn to well etc., with power reserved etc. to William Rigges, esquire, executor also etc. when he shall have come etc., William Burnell, esquire, and Richard Kynnesmersh, executors, renouncing etc. Later on the 15th day of the month of February in the year of the Lord the thousand 500 58th the foresaid William Rigges, executor abovesaid, for certain causes him moving, renounced the burden of execution of the said testament etc.]