

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 19 April 1568 and proved 26 October 1573, of Oxford's tenant, Steven Cardinall of East Bergholt, Suffolk.

From the Queen's grant to Leicester on 22 October 1563 of Oxford's lands during Oxford's minority (see TNA WARD 8/13, Part 25):

The rents of assize of the tenants of the manor of East Bergholt in the county of Suffolk, by year £28 20-1/2d. The rent of assize & farm belonging to the late preceptory there, by year £13 16s 1/2d. The demesnes of the said manor of East Bergholt now in the tenure of Stephen Cardinal, by year £26 13s 4d.

See also Copinger, W.A., *The Manors of Suffolk*, Vol. 6, (Manchester: Gaylor, Garnett, Evans, & Co., Ltd., 1910). p. 18 at:

<https://archive.org/stream/cu31924092579592#page/n27>

In 1565 the manor was in the hands of Sir Robert Dudley, K.G., during the minority of Edward, Earl of Oxford. . . . Edward de Vere, Earl of Oxford, sold the manor in 1579 to Thomas Walton and Robert Derehaugh, who 12th April, 1580, held their first court.

A little later, probably the following year, Robert Derehaugh granted the manor to William Cardinall, who held his first court in 1582. He or a son levied a fine of the manor in 1588 against Hugh de Vere. From William it passed to his son and heir, William Cardinall. He married Anne, one of the daughters and coheirs of James Derehaugh, of Gedgrave, near Orford and was slain at the Battle of Edgehill . . . in 1642

FAMILY BACKGROUND

For the Cardinall pedigrees, see Metcalfe, Walter C., ed., *The Visitations of Essex, Part I*, (London: Harleian Society, 1878), Vol. XIII, p. 33 at:

<https://archive.org/stream/visitationsofess13metc#page/32>

and p. 172 at:

<https://archive.org/stream/visitationsofess13metc#page/172>

See also Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), pp. 121-2 at:

<https://archive.org/stream/visitationsofsuf00harvuoft#page/120>

See also 'Essex and Suffolk Surnames' at:

<http://essexandsuffolksurnames.co.uk/history/the-cardinall-family/william-cardinall-of-great-wenham-1551/>

According to the pedigrees taken in Suffolk in 1612, the testator was the second son of Stephen Cardinall of Wenham, Suffolk, by 'the daughter of (blank) Amis of Suffolk'. See *The Visitations of Suffolk, supra*, p. 121. For a discussion of the testator's family background, see the will of William Cardinall (d.1551?), TNA PROB 11/34/475.

MARRIAGES AND ISSUE

The testator married firstly Anne Grythe, the daughter of Thomas Grythe, by whom, according to the pedigree of Cardinall of Wenham, he had five sons and three daughters: William, Adam, Stephen, Robert, John, Judith, Anne, and Jane.

The testator married secondly Mary Fisher, whose father is said to have been from Lincolnshire. At the time of the marriage she was the widow of William Spencer (d. 18 May 1557), of Essex. See the inquisition post mortem taken 10 December 1576, TNA C 142/178/42, at:

'Inquisitions: 1577', in *Abstracts of Inquisitiones Post Mortem For the City of London: Part 3*, ed. E A Fry (London, 1908), pp. 1-5. *British History Online* <http://www.british-history.ac.uk/inquis-post-mortem/abstract/no3/pp1-5> [accessed 4 August 2018].

According to the pedigree in *The Visitations of Suffolk, supra*, pp. 121-2, by Mary Fisher the testator had two sons and two daughters: Humphrey, Philip, Mary and Margaret.

In the will below, the testator mentions five sons and four daughters:

* **William Cardinall**, who married Jane Maynard, the daughter and coheir of John Maynard of Colchester, Essex, by whom he had four sons and four daughters:

- (1) **William Cardinall**, eldest son and heir.
- (2) **Stephen Cardinall**, second son, who died without issue.
- (3) **Edward Cardinall**, third son.
- (4) **John Cardinall**, fourth son.
- (5) **Elizabeth Cardinall**, who married John Pearce of Parham, Suffolk.
- (6) **Thomasine Cardinall**, who married Henry Walker of Bury St. Edmunds.
- (7) **Rose Cardinall**.

(8) Mary Cardinall.

* **Steven Cardinall.**

* **Robert Cardinall.**

* **Humphrey Cardinall.**

* **Philip Cardinall.**

* **Anne Cardinall**, who married Christopher Burrough of East Bergholt.

* **Judith Cardinall**, who married firstly John Branston of East Bergholt, and secondly George Cockerell of Coggeshall, Essex.

* **Elizabeth Cardinall.**

* **Mary Cardinall**, who married Miles Orme of Lincolnshire.

TESTATOR'S LANDS

Much of the will is concerned with lands which had come to the testator via the will of Thomas Grythe, father of the testator's first wife, Anne. For the will of Thomas Grythe, see TNA PROB 11/29/69.

In 1563, the testator was the tenant of Oxford's manor of East Bergholt, as indicated in the Queen's grant of Oxford's lands to Leicester quoted above.

The testator's eldest son and heir, William Cardinall, eventually purchased Oxford's manor of East Bergholt through his steward, Thomas Walton, and Robert Derehaugh, whose elder brother, William Derehaugh, is said to have been the husband of Faith Cardinall (see *New England Historical and Genealogical Register* 155(2001):383-385, 387-390).

On 20 December 1578, Oxford had licence to alienate the manor of 'Seynt Johns' alias 'Le Commandre' and lands in East Bergholt to Walton and Derehaugh, and on 5 May 1580 Oxford received pardon of alienation for the sale of the advowson of Brantham with East Bergholt to Walton and Derehaugh (see TNA C 66/1179, mm. 22-3 and TNA C 66/1194, m. 5). On 1 December 1581 Derehaugh had licence to alienate 'the manor of East Bergholt, Suffolk, late of the preceptory of Battsford, late parcel of the possessions of the hospital of St John of Jerusalem, and the advowson of Brantham with the chapel of East Bergholt, to William Cardinall and his son, William the younger' (see TNA C 66/1218, m. 13). William Cardinall held his first manor court in 1582 (see Copinger, *supra*).

For lawsuits filed against William Cardinall by his tenants of East Bergholt, see TNA C 2/Eliz/C22/42 and TNA C 2/Eliz/M7/54.

At some time between 1558 and 1561, Oxford's father, the 16th Earl, made the testator's kinsman, William Cardinall (c.1509 – 7 or 8 August 1568), receiver of the profits of his office of Lord Great Chamberlain of England, as indicated in the 16th Earl's inquisition post mortem (see TNA C 142/136/12):

And the foresaid jurors say that the foresaid late Earl by a certain deed of his sealed by his seal at arms & subscribed by his own hand dated the twentieth day of November in the [] year [=20 November 1558-61] of the reign of the Lady Elizabeth now Queen granted to William Cardinall the office of receiver of all issues, profits & sums of money arising of his office of Great Chamberlain of England and the reckoning of the same office, to have & occupy the foresaid office by himself or his sufficient deputy for term of the life of himself, William, and by the foresaid deed the foresaid Earl gave to the same William, so for the exercise of the foresaid office as for the expenses of himself, William, sustained with regard to the care of such businesses & causes which in law he might have happened to have, a certain yearly rent of forty pounds of lawful money of England issuing of the profits & issues of the same office, as by the said deed to the foresaid jurors upon the taking of this present inquisition in manifest evidences more fully appears.

See also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/cardinall-william-150910-68>

LM: T{estamentum} Stephani Cardinall

In the name of God, Amen. The 19th day of April in the tenth year [=19 April 1568] of the reign of our Sovereign Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith etc., I, Steven Cardinall of East Bergholt in the county of Suffolk, gentleman, remembering that I must needs die and depart out of this transitory life and know not when nor where, being willing to prepare for the same in time of perfect memory, do ordain and make my last will and testament in manner and form following, that is to say:

Principally, I bequeath my soul into the hands of Almighty God, my Creator and Redeemer, trusting through the merits of his passion to be saved, and my body I will to be buried at the discretion of my executors;

Item, I will that my executors shall distribute after my decease amongst the poor people of East Bergholt aforesaid twenty pounds;

Item, whereas I stand bounden to George Fisher & other in the sum of four hundred pounds by my bond obligatory to leave unto Mary, now my wife, after my decease lands & tenements to the clear yearly value of twenty pounds for term of her life natural in recompense of her dower, and also to give unto William Spencer, her son, the sum of one hundred marks if he shall live to accomplish the full age of twenty-one years, in performance of which bond and in recompense of the dowry of the said Mary, I will and bequeath to the said Mary all and singular my lands & tenements, as well freehold and copyhold, set, lying and being in or near the salt valley in East Bergholt aforesaid late in the occupying of John Fynner and Thomas Bragge, and one messuage with th' appurtenances wherein Thomas Smith lately inhabited in East Bergholt aforesaid, with all the lands of the backside thereof, as well free as copy, which I bought of Thomas Abbott, and one meadow called the town meadow in East Bergholt aforesaid, late Phillip Bretton's, to have and to hold to her, the said Mary, for term of her natural life;

And further I will and bequeath to my said wife for her better preferment the sum of threescore pounds of lawful money of England, and as much of my household stuff as shall be worth forty pounds;

And in farther performance of the said bond, I will and bequeath to the said William Spencer the sum of one hundred marks, to be paid to him at his age of twenty & one years;

Item, I will and bequeath unto William, my son, all my lands, tenements and hereditaments, as well free as bond, not before bequeathed to Mary, my said wife, set, lying and being in East Bergholt aforesaid and in Lawford in the county of Essex, together with the reversion of all the said lands and tenements, as well free as bond, before given to my said wife, to have and to hold to the said William, my son, his heirs and assigns, forever, upon condition that he, the said William, my son, within two months next after my decease by sufficient bond obligatory shall become bounden to my supervisor in the sum of one thousand marks for the true payment of all my debts and all the legacies declared in this my last will and testament;

Item, I will and bequeath to Steven, my son, one hundred pounds, to be paid to him, the said Steven, when he shall accomplish the age of twenty-two years;

Item, I will and bequeath to Robert, my son, one hundred pounds, to be paid to him, the said Robert, when he shall accomplish the age of twenty-two years;

Item, I will and bequeath to Humphrey, my son, one hundred pounds, to be paid to him, the said Humphrey, when he shall accomplish the age of twenty-two years;

Item, I will and bequeath to Philip, my son, one hundred pounds, to be paid to him, the said Philip, when he shall accomplish the age of twenty-two years;

Item, I will and bequeath to Anne, my daughter, one hundred pounds, to be paid to her at her age of twenty years;

Item, I will and bequeath to Judith, my daughter, forty pounds, to be paid to her within one year after my decease;

Item, I will and bequeath to Elizabeth, my daughter, one hundred pounds, to be paid to her at her age of twenty years;

Item, I will & bequeath to Mary, my daughter, one hundred pounds, to be paid to her at her age of twenty years;

Item, whereas I lately had in the right of Anne, my late wife, divers lands and tenements sometime Thomas Grithe's, of late bargained and sold by me unto Christopher Luse [=Lewes?] of East Bergholt aforesaid, and divers other lands and tenements now in mine own occupying, set, lying and being in East Bergholt aforesaid, whereof part been holden of the manor of Old Hall in East Bergholt aforesaid, and the rest of the manor of Tadingston [=Tattingstone?] by copy of court roll, the inheritance whereof by the custom of the said manors doth and of right ought to belong to John, my son, as youngest son and next heir by the custom of the said manors to the said Anne, my late wife;

In performance of which bargain, and to th' intent that my said son, William, and his heirs may quietly enjoy all such lands and tenements as before by this my will I have given to the said William, I will and bequeath unto the said John all my lands, tenements and hereditaments in Blakenham, Bramford and other towns near adjoining in the said county of Suffolk now in the occupancy of Thomas Byall or his assigns, to have and to hold all the said lands, tenements and hereditaments to the said John, my son, and to his heirs and assigns forever, upon condition that he, the said John, within one year next after he shall accomplish the age of twenty and one years, shall lawfully and perfectly, according to the custom of the said manors, assure all and singular the said copyhold lands and tenements which sometime were the said Thomas Grithe's to such uses and intents as hereafter followeth, that is to say, as much of the said lands and tenements as I lately sold to the said Christopher Luce [=Lewes?], at the costs and charges of the said Christopher Luce, his heirs or assigns, shall assure to the use of him, the said Christopher, his heirs and assigns, forever, and the residue of the said lands and tenements, at the costs and charges of the said William Cardinall, his heirs or assigns, shall assure to the use of the said William Cardinall, his heirs and assigns, forever, discharged or saved harmless of all forfeitures and other encumbrances had, made, done or suffered by the said John, and also upon condition that the said John, my son, his heirs and assigns, in the meantime shall permit and suffer the said Christopher Luce and William Cardinall and either of them, and the heirs and assigns of either of them, quietly and peaceably to have, hold, occupy and enjoy the said copyhold lands and tenements in East Bergholt aforesaid;

Provided always that if it shall fortune that the said John, my son, shall depart this life before he shall have assured the said copyhold lands and tenements in East Bergholt aforesaid in manner and form aforesaid, then I will that such other of my said sons as shall live to the age of twenty and two years to whom the said copyhold lands and tenements which sometime were the said Thomas Grithe's in East Bergholt aforesaid by

the custom of the said manor after the death of the said John shall descend and come, shall have all my said lands and tenements before bequeathed to the said John, to have and to hold to such my said son, his heirs and assigns, forever, upon condition that the same such other of my sons before his said age of twenty-two years shall lawfully and perfectly, according to the custom of the said manor, assure all and singular the said copyhold lands and tenements in East Bergholt aforesaid, at such costs and charges as is aforesaid, to such uses and intents as before is declared, discharged and saved harmless of all forfeitures and other encumbrances had, made, done or suffered by such my said son, and also upon condition that such my said son, his heirs and assigns, in the meantime shall permit and suffer the said Christopher Lewes and William Cardinall, and either of them, and the heirs & assigns of either of them, quietly and peaceably to have, hold, occupy and enjoy the said copyhold lands and tenements in East Bergholt aforesaid;

And if it shall fortune any of my said sons to whom the said copyhold lands and tenements after the death of the said John shall descend shall accomplish the said age of twenty-two years, and shall not then have surrendered the said copyhold lands and tenements in manner and form aforesaid, then I will that the said William, my son, shall have the said lands and tenements before bequeathed to the said John, my son, to have and to hold to the said William, his heirs and assigns, forever, upon condition that he shall procure or cause such person or persons as shall have right to the said copyhold lands & tenements by the custom of the said manor, within one year next after that the same person or persons shall accomplish the age of twenty-one years, to make a good and perfect assurance of the said copyhold lands and tenements now in the occupying of the said Christopher, his heirs [+or assigns], at the costs and charges of the said Christopher, his heirs and assigns, to the use and behoof of the said Christopher, his heirs and assigns, forever, and also upon condition that he, the said Christopher, his heirs & assigns, shall or may in the meantime quietly and peaceably have, hold, occupy and enjoy the said copyhold lands and tenements without lawful eviction, vexation or interruption of any person or persons having right to the said copyhold lands and tenements by the custom of the said manor from the said Anne, my said late wife;

And if it shall fortune that the said William, my son, his heirs or assigns, shall not procure or cause the said copyhold lands and tenements now in the occupying of the said Christopher to be lawfully assured to the said Christopher, his heirs or assigns, within one year next after that such person or persons as shall have right to the said copyhold lands and tenements by the custom of the said manor shall accomplish the age of twenty-one years, then I will that the said Christopher shall have all my said lands and tenements before bequeathed to the said John, my son, to have and to hold to the said Christopher, his heirs and assigns, forever;

Provided also and nevertheless my mind and will is that if any of my said sons, Steven, Robert and John, after that he shall accomplish the age of twenty and one years, after reasonable and lawful request of the heirs or assigns of one Robert Smith, late of Thorpe in the county of Essex, deceased, at the costs and charges of the heirs or assigns of the said Robert Smith, shall refuse to make such assurance of the copyhold lands and tenements which I late sold to the said Robert Smith in Thorpe aforesaid according to the

custom of the manor of the Soke in the said county of Essex as shall be devised by the counsel learned of the heirs or assigns of the said Robert Smith, then I will that all such of my said sons as so shall refuse shall lose the benefit of all legacies, bequests and gifts in this my will, anything herein contained in any wise notwithstanding;

Provided always and my will & mind is that if Mary, my wife, will have the government and bringing up of my three youngest children, Humphrey, Philip and Mary, then I will that my executors shall yearly pay to Mary, my wife, for their well bringing up the sum of twenty pounds a year till every of them accomplish their age of sixteen years, if they all live so long, and if any of them fortune to die before the age of 16 years, that then to rebate for every of them that shall so decease six pounds thirteen shillings four pence for every of the said years then remaining;

The residue of all my goods and chattels, as well movables as unmovables, unbequeathed, I commit to the discretion of my executor, whom I ordain and make William Cardinall, my son, and I ordain and make Ralph Gruvener(?) of Ipswich, gentleman, my supervisor, and I give and bequeath to the said Ralph for his pains the sum of five pounds;

And I utterly revoke all and every other former wills, legacies and bequests by me before this time made, will and bequeathed. Steven Cardinall. These witnesses: Robert Willis [=Willis?] the elder, Adam Cardinall, Robert Wylis Iunior.

Probatu{m} fuit h{uius}mo{d}i Testamentum Coram D{omi}no Cant{uariensis} Archiep{iscop}o apud London xxvjto die mens{is} octobris Anno D{omi}ni Mill{es}imo quingen{tesi}mo Septuagesimo tertio Iura{men}to xpoferi Robinson no{ta}rij pu{bli}ci p{ro}cur{atoris} Will{el}mi Cardinall ex{ecutoris} Cui com{m}issa erat administracio om{n}i{um} et sing{u}lor{um} bonor{um} Iuriu{m} et creditor{um} &c De bene &c Ad S{an}c{t}a Dei Eu{a}ngelia Iurat{i} &c

[=The same testament was proved before the Lord Archbishop of Canterbury at London on the 26th day of October in the year of the Lord the thousand five hundred seventy-third by the oath of Christopher Robinson, notary public, proctor of William Cardinall, executor, to whom administration was granted of all and singular the goods, rights and credits etc., sworn on the Holy Gospels to well etc.]