

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 20 June 1573 and proved 22 June 1574, of Sir John Tyrrell, only son and heir of Sir Thomas Tyrrell (d.1551) and his first wife Margaret Willoughby, the daughter of Christopher Willoughby (d.1499), de jure 10th Lord Willoughby of Eresby, and grandson of Sir James Tyrrell (d.1502), alleged murderer of the two young sons of King Edward IV held in the Tower, and his wife Anne Arundel, the daughter of Sir John Arundel (d.1473) of Lanherne, Cornwall.

The testator's wife was Elizabeth Munday, the daughter of Sir John Munday or Mundy (d.1537), Lord Mayor of London. As indicated in the will, the testator and his wife had five sons, John, George, Vincent, Edmund and Thomas, and two daughters, Joan and Alice.

Two grants recited in the inquisition post mortem (see TNA C 142/136/12) of John de Vere (1516-1562), 16th Earl of Oxford, appear to refer to the testator:

And the foresaid jurors say that the foresaid late Earl by his deed sealed by his seal & subscribed as above and dated the 16th day of June in the 38th year [=16 June 1546] of the reign of the late King Henry the Eighth granted to John Tyrrell, knight, under the description of John Tyrrell, esquire, a certain yearly rent of ten pounds sterling issuing of his manor of Christian Malford in the county of Wiltshire, to have & enjoy the foresaid yearly rent to the forenamed John Tyrrell & his assigns during the whole term of the life of himself, John, to be paid yearly at the feasts of Saint Michael the Archangel & the Annunciation of Blessed Mary the Virgin by equal portions, with a clause of distraint for non-payment of the foresaid yearly rent, as by the same deed to the foresaid jurors upon the taking of this present inquisition in manifest evidences more fully appears.

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 16th day of June in the 38th year [=16 June 1546] of the reign of the late King Henry the Eighth granted to Charles Tyrrell, gentleman, the office of constable of his castle of Hedingham in the county of Essex, and appointed him, Charles, constable of the foresaid castle, to have & occupy the foresaid office by himself or by his sufficient deputy from the day of the making of the said deed during the whole term of the life of himself, Charles, remainder after his decease to John Tyrrell, esquire, son & heir apparent while he lived of Thomas Tyrrell, knight, for term of his life, to take yearly for the exercise of the foresaid office during the foresaid term four pounds sterling at the feasts of the Annunciation of Blessed Mary the Virgin & Saint Michael the Archangel by equal portions with all fees & profits whatsoever to the foresaid office appertaining, with a clause of distraint within the foresaid castle for non-payment of the foresaid rent, as by the foresaid deed to the foresaid jurors upon the taking of this present inquisition in manifest evidences more fully appears.

Further evidence that the testator and the John Tyrrell to whom the 16th Earl made these two grants are one and the same person is found in a receipt by Sir John Tyrrell and his

son, George, dated 12 February 1564 for the above-mentioned annuity (see TNA SP 12/33/14).

The will of the testator's father, Sir Thomas Tyrrell (d.1551) (see TNA PROB 11/34, ff. 172-4) contains these two bequests:

Also, I give, will and bequeath to my nephew and godson, Thomas Tyrrell, son to my brother, James, and now servant to my Lord Wentworth, twenty shillings to be paid within one year after my death;

Also I give, will & bequeath to my nephew and godson, Charles Tyrrell, a doublet cloth of black satin and four pounds in money, to be paid 40s a year by my executors or th' executors of them;

These two bequests suggest that Oxford's stepfather, Charles Tyrrell (d.1570) was the son of the testator's paternal uncle, James Tyrrell (d.1539), and that the testator and Charles Tyrrell (d.1570) were first cousins.

LM: Testamentum Iohannis Tirrell

RM: Drawing of Tyrrell coat of arms

In the name of God, amen. I, John Tyrrell of Gipping in the county of Suffolk, knight, being in health, and perfect of mind and good remembrance, lauds and thanks be given to God therefore, who of his infinite goodness hath created me and redeemed me with his most precious blood and bitter passion, considering the mortality of our birth and the life of man lasting not long, have this day, being the twenty day of June in the year of Our Lord God one thousand five hundred threescore and thirteen, and in the fifteenth year of the reign of our Sovereign Lady Elizabeth, by the grace of God of England, France and Ireland Queen, Defender of the Faith etc., have here constituted, ordained & made this my lat will and testament in manner and form following:

First, I bequeath my soul to God, who by the merits of his most bitter passion redeemed it, my body to be buried in the Church of Stone [sic] where my parents were laid, without any great pomp or charge, but according to my poor estate, at the which my burial I will there shall be dealt to the most needy and indigent persons 2d apiece so far as three pounds in money shall extend;

Item, I bequeath to the vicar of Stow [=Stowmarket] for my tithes forgotten 5s;

Item, I will there shall be said at my burial the common prayers with a sermon, for which I will there shall be given to the vicar of Stow 5s, and to the clerks 4d apiece;

Now to the declaration of mine intent and true meaning of this my last will and testament and for the disposing of my lands, goods, chattels, household stuff, plate and jewels, such as I have:

First, my full mind and will is that Elizabeth, my wife, shall quietly hold and have my house and the jointure which was made to her by mine and her parents, whereof estates were give to that intent for term of her life, that is, my manors of Gipping, Greenes and my manor of Gislingham, according to the effect and form of the said estates and covenants made;

Item, I give and bequeath to my said wife all my household stuff and other utensils (excepting the great bed in the great chamber and one featherbed which lieth on another bedstead in the same chamber, which said two beds with all things to them belonging I give to my son, John Tyrrell);

Item, I give to my said wife all my dairy neat as they now be, with all the vessels and other necessaries to the said dairy belonging, provided always that within three years next after my decease my wife shall deliver and give out of the same or of the increase thereof three milk neat unto my daughter, Joan, and also three other neat unto my daughter, Alice;

Item, I will that Elizabeth, my wife, shall have and enjoy all such cattle as she now grazeth and feedeth by my will and sufferance of her own stock;

Also I give unto her these parcels of my plate, that is, my best gilt salt and one other white silver salt, also one silver bowl which I bought, and one plain silver piece, and one little maudlin cup of silver with silver cover to the same, also one silver goblet parcel gilt and one silver cruse all gilt, and all my silver spoons, as well those which I caused to be made with the Tyrrell knot as others;

Also I will that my wife shall have and enjoy all such rings, chains and jewels as she now hath and usually wareth;

Item, I will that my said wife for the provision of her house shall have either of the corn & grain growing upon my demesne of Gipping or else being in my barn or upon my corn chambers fifteen coombs of wheat and thirteen coombs of barley;

Item, I will and bequeath all those purchased lands which my father and I had of Lopham with others, being these following by name: one tenement now in farm to John Alam [sic], one tenement now in farm to Thomas Launde, one tenement now in farm to Thomas Breckelles, one tenement at the end of Gipping Green now in farm to one Robert Cutting, one other tenement now in farm to one Bullen [=Boleyn], with all the lands, meadows, pastures and other hereditaments belonging or demised or letter together with the said tenements being freehold and copyhold lying in Gipping and Mendlesham, unto my son, John Tyrrell, upon conditions following, that is to say:

That he pay or cause to be paid yearly after my decease unto my son, George Tyrrell, during his natural life out of the said tenement and lands now in the occupation of Thomas Launde four pounds of lawful money at the two usual terms in the year of th' Annunciation of Our Lady and Saint Michael th' Archangel by even portions;

And also to pay yearly after my decease unto my son, Vincent Tyrrell, for term of his natural life four pounds out of the foresaid tenement and lands now in the occupation of John Allin at the said two usual terms in the year by even parts;

And also upon this further condition, that my said son, John, do not hereafter go about to alien and put away any part of th' inheritance of such manors, lands and tenements as he now hath by any conveyance or shall have from me by this my will or otherwise by descent from the heirs males of me, the said Sir John, without the goodwill and lawful assent of such heir male as shall be next of blood to him;

And if he shall go about to make any such alienation without the said assent, and shall thereupon do as much as in him lieth to put his said endeavour in effect, then I will that immediately after his first going so about, that the next heir male of my name being next in blood to my said son, John, shall have my said lands and tenements before bequeathed to my said son, John, to him and to his heirs males of his body lawfully begotten, paying the said annuities unto my said sons, George Tyrrell and Vincent Tyrrell, at my mansion house in Gipping, and for default of such issue, the same to remain to my next heirs forever;

Item, I will and my mind is that my son, Edmund Tyrrell, if he shall be willing and disposed there to abide and dwell, shall have to farm the said tenement and lands now in the hands and occupation of the said John Allinn for and during the natural life of the said Edmund, yielding and paying for the same £6 yearly at the said two usual terms in the year and keeping the houses in lawful order of reparations, of which said farm £4 to be paid as is aforesaid to my son, Vincent Tyrrell;

Item, I give and bequeath to my son, Thomas Tyrrell, and to the heirs males of his body lawfully begotten my tenement called Bresettes with Stone Bridge meadow and pasture as it is now letten to one Gildarsleve, with all the lands, meadows, pastures and other hereditaments belonging or demised and letten with the same and as appeareth by my deed of gift passed to him already for so much of the same as is freehold;

Also, I give and bequeath to my said son, Thomas, and to his heirs my tenement next Gipping Chapel called Lophins(?), with all the lands, both free and copy, belonging to the same, and which be now in farm or in the occupation of my said son, Thomas, yielding and paying for the same after my decease one hundred pounds for and towards the payment of the debts and legacies contained and after mentioned in this my will;

I will and bequeath my tenement in Newton called Markes on the Hill, now in the occupation of Robert Wright, with all the lands both free and copy thereto belonging, to be and remain in and to the use of mine executors during the term of 20 years for and

towards the performing of this my last will and testament, and after the 20 years ended, then I will the same tenement and lands unto my son, Thomas Tyrrell, and to his heirs forever, paying one hundred pounds in five years by even portions yearly, which hundred pounds I will to be equally divided and paid to my sons Edmund, George and Vincent;

Item, I will that my son, Edmund, shall be paid by mine executors yearly five pounds in money until the sum of 20 pounds be paid out which was given him by Sir John Munday;

Item, I give and bequeath unto my daughter, Joan Tyrrell, two hundred marks [=£133 6s 8d] in money, to be paid by mine executors at the day of her marriage £53 6s 8d, and yearly after £26 13s 4d until the said sum of two hundred marks be fully satisfied and paid, or else at the time and her age of 26 years to be paid then as is aforesaid, and if it shall happen her to depart this world before she be married or accomplish the age of 26 years, then my said gift and legacy given to her shall stand void;

And then I will one hundred marks [=£66 13s 4d] thereof to be paid by mine executors in manner following, that is to say, to Elizabeth Hourds, my grandchild, £30 at the day of her marriage or age of 21 years, and unto Elizabeth Tyrrell, the daughter of my son, Thomas Tyrrell, £10, and unto his daughter, Mary Tyrrell, other £10, and unto his daughter, Frances Tyrrell, £10, and unto his son, John Tyrrell, £6 13s 4d;

Item, I will that the rest of my goods, plate, chain and jewels, and also the rest of my corn and cattle unbequeathed shall remain to my executors for and towards the performing of this my testament and last will;

Nevertheless, if there shall be sufficient wherewith to discharge the debts, legacies and charges of this my will, then I will and bequeath my basin and ewer of silver unto my son, John Tyrrell, after the death of Elizabeth, my wife, whom I will to have the use of the same basin and ewer during her life;

Also I will my wife shall have the preferment to buy the rest of my said plate better cheap than another by 12d in every oz.;

Item, I give to my godson, Thomas Tyrrell, son of my said son, Thomas, one piece of ground in Mendlesham called Little Cattes, to give or sell as his own for the preferment and use of his education and schooling;

Item, I will if any of my said sons, as well heir as others, do refuse to perform such legacies as I have appointed by this my will, or do disturb for any the said lands, either those appointed to my wife's jointure or any the others given to the use of this my will, whether they be free or customary or leased, or do make any claim to any other legacies than is here appointed by my will, that then such gifts as I have given to him or them so disturbing shall be by this my will void, and then I will the same lands to remain to th' use and discretion of mine executors to do therewith as with their own, paying the said pensions and legacies;

Item, I give to my godson, John Brooke, the son of George Brooke, 40s to be paid by mine executors;

Item, I will that my servant, Francis Singleton, shall be paid yearly during his natural life 4 marks in money according to the effect of his letters patents given by me for the same;

And I give to my godson, John Singleton, 40s, and unto Thomas Singleton, sons of the said Francis, 40s, to be paid each of them by mine executors within two years after my decease, and also meat, drink and clothing for five years at the charges of mine executors unto the said Thomas if he will tarry and abide their ordering;

Item, I will that mine executors shall keep and bring up Peter Woodcocke, my servant, with meat, drink and clothing, if he will tarry and abide with them;

Item, I will that my servant, John Allvin, and Anne, his wife, shall have to farm my said tenement with the pasture ground and one acre of meadow as one Robert Cutting now occupieth the same, and yearly three loads of wood to the same, yielding and paying thirty shillings for the same if he and she will there dwell, to the longer liver of them both, keeping the houses in reparation with thatching and daubing;

Item, I will that my servant, Thomas Brekells, shall quietly hold and enjoy the tenement sometime Smith's which he now occupieth and the lands thereto belonging in his use for term of his natural life, yielding and paying for the same yearly thirty-three shillings and four pence at the two aforesaid usual terms and keeping the houses sufficiently repaired with thatching and daubing;

Item, I will that old Bullen, my servant, shall occupy and enjoy the house and ground which he now hath during this [sic?] natural life, and two loads of wood to the same, in consideration and recompense for his service;

Item, I give to my servants, Francis Singleton, Lawrence Thing, Thomas Pratt, Thomas Birde and Thomas Breckelles, each of them ten shillings to be paid by mine executors within one year after my decease;

Item, I will that all my household menservants shall have their quarter's wages paid to each of them after my decease although the same be not due, and also meat and drink one month after if they will tarry and take it;

Item, I give to my son, John Tyrrell, my trotting gelding which I had of one Crampton;

Item, I give and bequeath unto Elizabeth, my wife, all that my close called Coppinges lying in Gipping, to have and to hold the said close unto the said Elizabeth, my wife, her heirs and assigns, forever, upon condition that she, the said Elizabeth, her heirs and assigns, shall quietly permit and suffer Thomas Gildersleve and his assigns to have, hold, occupy and enjoy the two closes of pasture called Staples and Smythefelde for and during the term which he hath yet to come in the same of my grant without paying any farm or

rent for the said closes during the term aforesaid, and also upon condition that she shall likewise quietly permit and suffer John Maninge and his assigns to have, hold and peaceably to enjoy all that my tenement called Greenes, with all those lands, woods and meadows [+and] pastures which be now in his farm and occupation of my demise and grant for and during the term of years yet to come mentioned in one pair of indentures thereof made between him and me, paying therefore to my said wife such farm as is reserved in the said indenture, and also that my said wife, her heirs, executors and assigns, shall at all times acquit, discharge and save harmless mine executors and the heirs and executors of every of them against Thomas Gildersleve and John Maninge and the heirs, executors and assigns of every of them of all bonds and covenants and articles heretofore made between them and me;

Item, I give to Elizabeth, my wife, one pightle containing two acres more or less lying at the end of Gipping Green, to have and to hold the said pightle to my said wife and her assigns for and during the term of her natural life upon condition aforesaid, and after her decease I will the same pightle to remain to my son, John Tyrrell, and to the heirs males of his body lawfully begotten forever;

Now for the true execution of this my last will and testament and for the performing of the same I ordain and make my faithful executors Elizabeth, my wife, and Thomas Tyrrell, my son, and George Waller, gentleman, to do for me in this my will and to see the same fulfilled in all points as my trust is in them, and for their travail in this behalf I give to my said wife my five cart horse, and to my son, Thomas, my second best gelding, and to Mr George Waller 40s in money;

And I desire my trusty friends, Sir John Sulyard, knight, and James Ryvett, esquire, to be supervisors of this my will and to give their approved counsel unto my said executors that this my last will and testament may be performed according to the true intent and meaning, and I do give unto Sir John Sulyard my best white ambling gelding, and to Mr James Ryvett five pounds in money;

And all other wills & testaments made by me before this time shall stand void and of none effect;

Also I give to Alice, my daughter, one silver cruse with two cares(?) which I had of Thomas Nuttall;

In knowledge that this is my true will and last testament and my true intent and meaning, I have set to my hand & seal the day and year above-written. By me, John Tyrrell, James Ryvett, James Hallywell, clerk, Symonde Stayners.

Probatum fuit testamentum suprascriptum coram magistro Willelmo Drury legum doctore curie prerogatiue Cantuariensis commissario apud London vicesimo secundo die Iunij Anno Domini Millesimo quingentesimo septuagesimo quarto Iuramento Domine

Elizabethhe relicte et executricis in testamento huiusmodi nominate Cui comissa fuit administracio omnium et singulorum bonorum &c De bene &c Ad sancta Dei Evangelia Iurate Georgio Waller et Thoma Tirrell executoribus etiam in dicto testamento nominatis oneri execucionis dicti testamenti expresse renunciantibus

[=The above-written testament was proved before Master William Drury, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the twenty-second day of June in the year of the Lord the thousand five hundred seventy-fourth by the oath of the Lady Elizabeth, relict and executrix named in the same testament, to whom administration was granted of all and singular the goods etc., sworn on the Holy Gospels to well etc., George Waller and Thomas Tyrrell, executors also named in the said testament, expressly renouncing the burden of the execution of the said testament.]