

TNA PROB 11/169/189

Probate (Prerogative Court of Canterbury) of the will (1 July 1635) of Robert Vesey of Chimney [in Bampton], Oxfordshire; 22 October 1635

[Folio 59]

In the name of God amen; the first day of July in the year of our lord god one thousand, six hundred five and thirty and in the eleventh year of the reign of our sovereign Lord Charles by the grace of God king of England, Scotland, France and Ireland, defender of the faith etc, I Robert Vesey the elder of Chimney in the county of Oxford, gentleman, being sick and weak in body but of sound and perfect memory, thanks be unto God, do make and ordain this my last will and testament in manner and form following.

First I commend and bequeath my soul into the hands of almighty God my creator and unto Jesus Christ his only son and my alone saviour and redeemer, by whose most precious passion and bloodshedding I believe and look for redemption and remission of all my sins and everlasting life, and my body to the earth from whence it came, to be buried in the church or chancel of the chapel of Shifford in the parish of Bampton, near unto my deceased father, at the discretion of mine executors and overseers hereafter named.

And as touching my worldly goods and estate wherewith God of his infinite favour hath blessed and endowed me with, I do order, settle and dispose in manner and form following, that is to say:

First I do hereby revoke and disannul all former wills by me made whatsoever, and do hereby publish and declare this my present will to be my last will and testament.

Item I do give unto the chapel of Shifford aforesaid the sum of 10 shillings and to the poor of Chimney and Shifford 10 shillings.

Item I give unto the parish church of Taynton ten shillings and to the poor of the same parish twenty shillings.

Item I give to the poor of Bighthampton [in Bampton] ten shillings.

Item I give to the poor of Coate ten shillings.

Item I do give and bequeath unto my kinswoman Alice Vesey of Hardwick

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forty shillings a year during her natural life, yearly to be paid her by mine executors hereafter named, the first payment to commence and begin on the first of the two most usual feasts of the year, that is St Michael the Archangel and the Annunciation of the Blessed Virgin Mary next after my decease.

Item I give to Deans [Denise] Grindy, widow, my new erected cottage with the close thereunto adjoining, and common of pasture whatsoever thereunto belonging, situate, lying and being in Standlake in the county of Oxford, to have and to hold to her and her assigns for and during her natural life, she keeping the same messuage tenantable during the said term.

Item I likewise give unto her ten shillings a year during her natural life, to be paid her in all points as her sister Alice Vesey afore named her money is paid.

Item I give unto Anne Vesey the younger sister of the said Alice and Deans twenty shillings to buy her a ring within six months next after my decease.

Item I do give and bequeath unto all my servants which shall happen to dwell with me at the time of my deceased five shillings apiece.

Item I given and bequeath unto my brother Atkinson twenty shillings to buy him a ring.

Item I give unto my sister Anne Atkinson twenty shillings to buy her a ring, and also I give and bequeath unto her ten pounds a year during her natural life, to be paid unto her by mine executors hereafter named half yearly at the two most usual feasts of the year, St Michael the Archangel and the Annunciation of the Blessed Virgin Mary by even and equal portions, the first payment thereof to begin on the first of the two said feasts next after my decease; and my will and meaning is that the said legacies by me so given shall be to her own proper use and benefit, provided always and my will is that if my said sister shall at any time hereafter during her natural life let or sell her estate and interest in that mansion house which I gave to her and her heirs, lying and being in Burford in the street commonly called the High Street there, or any part thereof, that then and from thenceforth the said legacy of ten pounds a year shall cease, determine and be utterly void and of none effect; and my desire is the said estate by me so given may be and remain unto her five daughters and their heirs forever.

Item I given bequeath unto Mary Osbaldston my niece three score pounds to be paid her within six months next after my decease or on her day of marriage which shall first happen.

Item I give and bequeath unto Frances Osbaldston my niece and God-daughter three score pounds to be paid her so soon as she shall accomplish the full age of eighteen years or else be married, which shall first happen; and I do also bequeath unto her five pounds more, to be paid her at her day of marriage or within six months next after my decease.

Item I give and bequeath unto Judith Osbaldston my niece, lately married, fifty pounds of lawful money of England, the one half(that is to say five and twenty pounds) to be paid her within one year next after my decease, and the other twenty and five pounds, being the residue, within two years next after my decease; which said several legacies by me above given to Mary Osbaldston, Frances Osbaldston and Judith Osbaldston, are to be paid by mine executors out of two writings obligatory of two hundred and twenty and odd pounds, which my brother Atkinson doth and long hath owed me, except fifty pounds which I gave and he lately paid to Anne Cleeter my niece.

Item I give and bequeath unto my sister Joan Faulkes ten pounds of lawful English money, yearly and every year during her natural life to be paid unto her or unto Robert Vesey, master in arts, William Vesey of Burford, Richard Vesey of the same and John Vesey of Witney or unto some of them, to her own proper use and behoof at the two

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most usual feasts in the year, that is to say Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary by equal portions, the first payment to begin on the feast day that shall happen next after my decease.

Item I give unto her likewise twenty shillings to buy her a ring to wear for my sake.

Item I give and bequeath unto Robert Westmicott and Susan his wife, <my niece>, twenty shillings apiece to buy either of them a ring to wear for my sake.

Item I do give unto Robert Westmicott their son, my nephew and Godson, ten pounds to be delivered to mine overseers within two years next after my decease, to be set forth and employed for his benefit until he shall accomplish the age of one and twenty years or else be married, and then to be paid him with all the profit thereof.

Item I give and bequeath to every other of their six children, that is to say Katherine, Margaret, Joan Richard, Grace and Mary, five pounds apiece, to be delivered to mine overseers within two years and six months next after my decease, to be by them set forth and employed to the best use and benefit of the said children until they shall accomplish their several ages of one and twenty years, or else be married, which shall first happen; and if any of the said last mentioned children shall happen to decease before they shall accomplish the age of one and twenty years and unmarried, my will and mind is that the legacies of him or her so first deceasing shall be and remain wholly unto their sister Margaret Westmicott if she be then living; and if it shall fortune that any more of the said legatees to decease and depart this life before they accomplish the age of one and twenty years and be unmarried, then my will is that every of <his or> her legacy and legacies so deceasing shall be divided into three equal parts, whereof two parts to the children surviving, and the third part to the said Susan their mother.

Item I give and bequeath unto my brother Walter Vesey ten pounds a year, yearly and every year during his natural life; and after his decease I give unto Elizabeth his now wife (if she be then living) five pounds a year, yearly and every year during the natural life of her the said Elizabeth; and my will is that as well the said five pounds yearly by me given unto the said Elizabeth, as the ten pounds a year and a yearly by me given unto my said brother Walter, be truly paid unto them quarterly, the first payment thereof due unto my said brother to be paid at and upon the next usual feast day of Saint Michael, Saint Thomas the Apostle, the Annunciation of the Blessed Virgin Mary and Saint John the Baptist after my decease by even and equal portions, and the first payment due to the said Elizabeth to begin the next quarter feast day after the decease of her said husband.

Item I do give and bequeath likewise unto my said brother and sister twenty shillings apiece to buy either of them a ring to wear for my sake.

Item I do further give unto my said brother Walter my son's best gown and one of my best silver bowls.

Item I do give and bequeath unto James Brayne and Elizabeth his now wife ten pounds, to be paid them within two months next after my decease.

Item I give unto Robert Brayne my Godson ten pounds, and to every of his brothers and sisters five pounds apiece, to be delivered unto mine overseers within one year next after my decease, to be employed to and for their best use and benefit until they shall accomplish their several ages of one and twenty years or else be married; and if any of my said legatees fortune to decease before the said age and unmarried (my Godson then living), then my will is that the legacy of him or her so deceased shall remain and come unto my said Godson, to be employed to and for his benefit as abovesaid, the profit, use and benefit thereof unto the time of such his or her decease to be paid unto

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their father and mother or either of them then surviving; and if it shall happen that a second legatee to decease and depart this life before he or she shall accomplish the age of one and twenty years aforesaid, my will and meaning is that the legacy of he or she so deceasing shall be and remain unto Margaret Brayne their sister, she then living, to be employed by mine overseers as abovesaid; and if in any case a third or fourth legatee shall happen to depart this life before they do attain to the age aforesaid, then my further will is that the legacy or legacies of the said deceased be divided into two equal parts, the one part to be <equally> divided between the rest that shall survive, and the other part to Elizabeth their mother; but the profit and increase thereof to the parents howsoever.

Item I do give and bequeath unto my brother Simon Vesey ten pounds a year, yearly and every year during his natural life, to be paid unto him half yearly on the feast of Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary by even and equal portions, the first payment to commence and begin on the second of the said feast days next after my decease.

Item I give unto my sister-in-law his wife the sum of five pounds a year, yearly and every year during her natural life, to be paid unto her in manner and form as her said husband's, the first payment to begin on the said feast day next unto the decease of her said husband.

Item I give unto my said brother one of my best silver bowls, my best gown and a silk wrought nightcap.

Item I give him and my sister-in-law twenty shillings apiece to buy either of them a ring to wear for my sake.

Item I give unto Henry Minchin and his wife my niece twenty shillings apiece to buy either of them a ring to wear for my sake.

Item I give and bequeath unto Anne Minchin their daughter six pounds thirteen shillings and four pence to be paid unto her when she shall accomplish the age of one and twenty years; and my will is that the said legacy to be delivered unto mine overseers within one year next after my decease, to be by them put forth and employed to and for her best use and benefit.

Item I give and bequeath unto all the rest of their daughters five pounds apiece, to be put forth for their best benefit by mine overseers within three years next after my decease until such time as they shall accomplish their several ages of one and twenty years or else be married.

Item I give unto John Minchin their son four pounds to be likewise put forth by mine overseers within three years next after my decease to and for his best benefit until he accomplish the age of one and twenty years or else be married.

Item I give and bequeath unto my two nephews Robert Vesey son of Simon Vesey and Richard Vesey one of the sons of my brother Walter ten pounds of lawful money of England, only in trust and confidence and to the use and benefit of my niece Susan Tomlyn in such manner and sort as is herein declared and set forth, that is to say that they the said Robert and Richard shall disburse and lay out the same upon such household stuff or what other commodity she shall require to be by her used and from time to time employed, but still the same to remain as the goods of them the said Robert and Richard; and after her decease then the said ten pounds or such other commodities therewith purchased to be as she shall think fit equally divided amongst her children, provided always and nevertheless my will and meaning is that if in any case her husband Michael Tomlyn shall at any time decease and depart this life and she become a widow, than the said ten pounds or such other commodities as shall be therewith purchased shall be and remain to her the said Susan forever.

Item I give unto my Godson and kinsman Robert Tomlins ten pounds.

Item I give unto Thomas Tomlins his brother six pounds thirteen shillings and four pence.

Item I give unto Susan Tomlyns their sister five pounds.

Item I give unto Anne Tomlyns, the fourth child of Michael Tomlins and Susan his wife, five pounds; all which said several legacies given to the children of the said Michael and Susan my will is shall be delivered unto mine overseers within two years next after my deceased, to be by them set forth to the best use and benefit of my said legatees until such time as they shall accomplish their several ages of

one and twenty years or else be married; and if it shall happen that the said legatees or any of them to decease and

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depart this life before their legacies or any of them shall grow due, my will and mind is that the legacy of her so deceasing shall come and accrue unto my Godson Robert Tomlins, he then living; the increase thereof I give to Susan his mother; and if it shall happen that if any two of them to decease before they accomplish the said age of one and twenty years, my will in mind is that the legacy of the last deceased shall come and accrue unto the two sisters Susan and Anne or to the survivor of them, the one half of the increase thereof to be and remain to their mother.

Item I give and bequeath unto Robert Collyer of Taynton in the county of Oxford, clothworker, and Joan his now wife, forty shillings a year, yearly and every year during the natural lives of them [the] said Robert and Joan and the longest liver of them, to be paid unto them or either of them half yearly in the two usual feasts of Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary by even and equal portions, the first payment to commence and begin on the second of the two said feasts next after my decease.

Item I will and bequeath unto my well-beloved cousin Mistress Rebecca Waverly twenty shillings to buy her a ring.

Item I give unto my cousin her husband twenty shillings to buy him a ring, and unto my cousin John their son twenty shillings to buy him a ring to wear in remembrance of me and for my sake.

Item I give unto John Jordan the son of William Jorden late of Burford, fifty pounds to be paid him within two years next after my decease.

Item I give and bequeath unto Anne Minchin wife of Henry Minchin all the issues and profits of the messuage and appurtenances thereunto belonging in which the said Henry Minchin doth inhabit, during all the term of years I have in the same estate after the end and term of his estate granted heretofore by John Southcott and Thomas Deane unto Thomas Minchin, great-grandfather unto the said Henry Minchin that now is.

Item I give and bequeath unto John Palmer of the parish of Bampton, gentleman, two hundred pounds, which said some I have heretofore given security for unto the said John Palmer in behalf of Anne the now wife of my cousin Robert Vesey, to the intent and purpose and upon special hope, trust and confidence that he the said John Palmer shall and will with all convenient speed take and purchase one estate therewith to and for the natural life of her the said Anne in lieu of the same sum, according to the trust formerly reposed in him.

Item I devise, will and bequeath unto Sir Thomas Hord, knight, John Berrow, esquire and Robert Vesey, son of Walter Vesey, gentleman, the full sum of five hundred pounds of lawful money of England, nevertheless upon trust, hope and confidence that they the said Sir Thomas Hord, John Berrow and Robert Vesey shall and will forthwith after my decease, by their good discretions, purchase with the same money an estate for three lives, that is to say for [the lives of] my kinsman Robert Vesey, son of Simon Vesey, Robert Vesey and William Vesey, sons of William Vesey, to hold successively; and my will and mind is that the said Robert Vesey, son of the said Simon Vesey, shall have and receive yearly the use of the said sum of five hundred pounds after six in the hundred [at 6%] till some estate be settled as aforesaid.

Item I give and bequeath to and for a free school to be founded and erected in Bampton the full sum of one hundred pounds for and towards the building thereof with ashlar work, and I give two hundred pounds more to be disposed of as mine executor, Mr William Hodges, Mr John Palmer and three other

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of the sufficientest men in Bampton shall think fit concerning the same school, with some portraiture at the upper end of the same.

Item I give and bequeath unto William Jorden, the son of William Jorden late of Burford, one hundred pounds to be paid him within half a year's warning thereof given to mine executor.

Item I give unto Anne Jorden his sister the full sum of four score pounds of lawful money of England to be paid her at her day of marriage or within half a year's warning thereof given to mine executor.

Item I give and bequeath unto Robert Vesey the son of Robert Vesey of Chimney, and my Godson, ten pounds of lawful money of England and to his sister Anne Vesey, five pounds of lawful money of England.

Item I do devise, give and bequeath unto John Hicks of Barrington in the county of Gloucester, clerk, John Palmer of the parish of Bampton in the county of Oxford, gentleman and Richard Vesey of Burford in the county of Oxford aforesaid, innholder, the sum of five hundred pounds of lawful money of England, nevertheless upon hope, trust and confidence that they the said John Hicks, John Palmer and Richard Vesey shall and will within half a year next after my decease purchase with the said monies an estate for three lives, that is to say for [the lives of] Margaret Vesey wife of Walter Vesey in lieu of her jointure, William Vesey and Harrington Vesey the sons of William Vesey.

Item I do give and bequeath unto Robert Jorden, son of Robert Jorden my godson, ten pounds and to his brothers Richard and William five pounds apiece; and my will and mind is that these three last legacies by me above given be delivered to mine overseers within two years next after my decease, to be by them put forth for the best benefit and advantage until they shall accomplish their several ages of one and twenty years or else be married; and if it shall happen that either of them shall depart this life before they accomplish the age of one and twenty years and unmarried, then the legacy of him so departing shall come unto Robert my Godson if he be then living.

Item my will and mind is that mine executor do well and truly pay unto my cousin William Batsor of Burford the full sum of one hundred and fifty pounds, which I promised him for a marriage portion; and I much desire it may be distributed among his children.

Item I give and bequeath unto Robert Batsor, son of the said William Batsor, ten pounds of lawful money of England, to be paid within two years next after my decease.

Item I do hereby make, nominate and appoint my nephew William Vesey of Burford in the county of Oxford, clothier, my full and whole executor of this my last will and testament, only in hope, trust and confidence for the true payment of my debts and legacies, and to be accountable thereof unto mine overseers monthly; and for the better performance thereof, my will is that mine executor shall give bond of three thousand pounds to my overseers to perform the same accordingly, and that he shall not meddle with any bonds or other writings but monthly, and in the presence of mine overseers, not to put any bond or writing in suit except it be first allowed under their hand.

Item my will further is that the overplus of all and singular mine estate, goods and chattels which shall remain after my debts and legacies paid, and my funeral expenses discharged, shall be and remain unto my nephew Robert Vesey, the son of William Vesey my executor,

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and his assigns forever.

Item I do hereby request, nominate and appoint my loving nephew William Batson of Burford, gentleman, John Jorden, Robert Cleeter and Richard Vesey to be my overseers, desiring them to assist my said executors with their best advice and furtherance for the better performance of this my last will and testament; and I give them forty shillings apiece for their pains therein.

Item I give and bequeath unto my Godson Robert Brookes of Lyneham, ten pounds to be paid him within three years next after my decease.

Item I give and bequeath to Simon Vesey, son of Walter Vesey, fifty pounds or else five marks [£3 6s 8d] a year, yearly during his natural life at the choice and election of mine overseers.

Item I give to all the brothers and sisters of the said Robert Brookes twenty shillings apiece.

Item I do give and bequeath unto the borough of Whitney [*blank*], to be employed in such sort as mine executors and overseers shall in their best discretions think fit.

Item I give and bequeath unto Henry Batson of Whitney, gentleman, and to his wife twenty shillings apiece to buy either of them a ring.

Item I do will devise and bequeath unto Robert Vesey of Burford, son of William Vesey, all that my indenture of lease I lately purchased of John Tomson of Breadwell in the county of Oxford, gentleman, for sixty years, bearing date the six and twenty day of August anno domini one thousand six hundred and twelve, and one other indenture of lease which I purchased of the said John Tomson for ninety-nine years bearing date the eight of September anno domini one thousand six hundred and eighteen, and also one other indenture of lease of three cottages I lately purchased from Queen's College in the University of Oxford, and also one other indenture of lease of a messuage or tenement in Holywell within the suburbs of the city of Oxford I purchased of Merton College in the said University of Oxford, and all and singular the lands, messuages, tenements, issues, profits and commodities whatsoever mentioned and contained in the said several indentures of lease or in any one of them, and all that my right, title, interest, claim and demand of and in the said indentures of lease in all or any of them, to have and to hold to him the said Robert Vesey, his executors and assigns from the feast of Saint Michael the archangel anno domini one thousand six hundred thirty five until the full end and term of twenty years then next following, nevertheless upon hope, trust and confidence that he the said Robert Vesey employ it to such use and uses as I shall limit and appoint.

In witness whereof I said Robert Vesey have hereunto set my hand and seal, dated the year first above written. Robert Vesey his mark.

Acknowledged, signed, sealed and delivered in the presence of us Robert Vesey the younger, Thomas Napkin, Edward Bush.

[*Latin*]

The above-written will was proved at London before the venerable man Sir Henry Marten, knight, doctor of laws, master, keeper or commissary of the Prerogative Court of Canterbury lawfully constituted, on the twenty-second day of the month of October in the year of our Lord one thousand six hundred [and] thirty-five, on the oath of William Veysey, the executor named in such will, to whom was committed administration of all and singular the goods, rights and credits of the said deceased, to well and faithfully administer the same, sworn on the holy gospels of God. <examined>.

TNA PROB 11/169/421 (This is the sentence of the court, in a case brought against the executor by many of the beneficiaries)

Sentence of the Prerogative Court of Canterbury for the confirmation of the will of Robert Vesey, 2 December 1635

In the name of God amen. Having been heard, seen understood and fully and maturely discussed by us Henry Marten, knight, master, keeper or commissary of the Prerogative Court of Canterbury lawfully constituted, the merits and circumstances of a certain testamentary cause or the probate or approval of the testament or last will of Robert Vesey the elder, while he lived of Chimney in the parish of Bampton in the county of Oxford and province of Canterbury, deceased, having while he lived and at the time of his death goods, rights or credits in various dioceses or peculiar jurisdictions within the province of Canterbury, which before us in judgement between William Vesey, the executor named in the testament or last will of the said deceased, promoting such cause on the one part, and Simon Vesey and Walter Vesey, natural and lawful brothers of the said deceased, Joan Faulkes and Ann Atkinson, natural and lawful sisters of the said deceased, and also William Batson, Robert Jourden, Richard Jourden and William Jourden, natural and lawful nephews on the sister's side of the said deceased, and Elizabeth Brookes niece on the sister's side of the said Robert Vesey the elder, deceased, in particular, and all and singular the others having or pretending to have a right, title and interest in the testament and last will, or in the goods, rights and credits of the same deceased, in general, the parties against whom this cause is moved on the other side, which has for some time been judicially in progress and pended and is still in progress and pending undecided duly and lawfully;

The said William Vesey by his proctor sufficiently and lawfully appearing before us in judgement, and the other parties in particular [named] and in general, having been on another occasion been lawfully and peremptorily cited, notified, publicly warned and for long and sufficiently awaited in no way appearing, but contumaciously absenting themselves, and the whole and entire process had and made in the said cause having been formerly diligently considered by us, and we being ready to give our final and definitive decree, we have proceeded in the manner which follows:

Finding that William Vesey has proved his case and that nothing has been advanced by the other side to disprove or weaken it, we Henry Marten adjudge that Robert Vesey the elder, deceased, being while he lived of sound mind and his sane memory, made, established and declared his testament, containing in it his last will, exhibited in this cause as aforesaid and remaining with the registrar of this court, and named, ordained, made and constituted the aforesaid William Vesey his executor, and did, willed, gave, bequeathed, left and disposed in all things and by all things as in the said testament or last will aforesaid exhibited (as is aforesaid) is contained, according to lawful proofs before us in the said cause judicially had and made we do pronounce, decree and declare, and also we approve, ratify and confirm the probate, approbation and filing of the aforesaid testament elsewhere in common form made by the tenor of these presents by this our definitive sentence or this our final decree, which we make and promulgate in these writings:

This definitive sentence was read, carried and promulgated by the said Henry Marten, knight, doctor of laws, the master, keeper or commissary of the Prerogative Court of Canterbury lawfully constituted, on the second juridical day after the feast or day of Saint Andrew the Apostle, that is to say on Wednesday the second day of the month of December in the year of our Lord a thousand six hundred and thirty-five, judicially sitting in the consistory place within the cathedral church of St Paul, London, as a tribunal, at the petition of John Fish, notary public, the proctor of the said William Vesey, for a penalty against the other parties [named] in particular and in general not appearing but contumaciously absenting themselves, whereupon the said [John] Fish requested me, Robert Erswell,

notary public, then present, to make for him one or more public instruments, and the witnesses then and there present, Masters Arthur Ducke, Basil Wood, Robert Aylett, William Merricke, respectively doctors of laws, Henry Iremonger, George Cole, Thomas Geeres and Anthony Marshall, notaries public of the said court.

The eldest to be payed within thre monethes next after my said wyfes decease of the
 thalbe then of the age of one and twenty years. And for successively to every of them as
 they shall accomplish the full age of one and twenty years. My said generall sommo
 respectively by me given to be payed as aforesaid, but if it shall happen my said wyf Julia
 shall to dye or marry before all or any of them shall accomplish the age of one and
 twenty years. Then my will and mynde is that my sonne Morris Kellitt shall take care
 for the education bringing up and providing of dyest apparell for my said wyf
 younger children untill they shall severally accomplish the age of one and twenty
 years and have the same payed from me. And I do hereby will devise and appoint
 that the said legacies by me given to my said younger children as aforesaid
 shall be payed unto them out of all my said freehold lands and tenements in Barkingsted
 and Northeyntre aforesaid, and out of my said several leases in Barkingsted
 Northeyntre and in the county of London aforesaid. In witness whereof I have to
 done in case of this my last will and Testament put my hand and seal the day
 and year aforesaid Edw. Kellitt. Signed sealed and published in the presence
 of Sam. Daynall. John Scarce

Probaturum fuit Testamentum superscriptum apud London coram venerabili
 viro vno homine Marton milite legum doctore. Curio prerogative Cantuar.
 magistro custode sine commissario et tunc constituto. Idem septimo die mensis Octobris.
 Anno dñi Millesimo septentesimo tertio quinto. Juramento Juliana Kellitt volente
 dicti defuncti et executoris in eodem testamento nominat. Qui comissa fuit administratio
 omnium et singulorum bonorum Jurum et Creditorum dicti defuncti. De bone et fideliter.
 administrando eadem Ad sancta dei Evangeliorum Roma Roman et lito vigord
 Commissionis in ea parte. etc. omnia. Jurat. etc.

In the name of God Amen. The first Day of
 July in the year of our Lord God one thousand six hundred forty and
 tenth and in the eleventh year of the reign of our Sovereign Lord Charles
 by the grace of God King of England Scotland France and Ireland Defender
 of the faith etc. I Robert Walsey Esq. of Whimney in the County of Devon gent.
 being sick and weak in body but of sound and perfect memory thanks be unto God
 doe make and ordaine this my last will and Testament in manner and forme following.
 First I commend and bequeath my soule into the hands of Almighty God my Creator.
 And unto Jesus Christ his only sonne and my alone Saviour and Redeemer by
 whose most precious passion and bloodshedding I believe and look for redemption
 and remission of all my sinnes and everlasting life. And my body to the church from
 whence it came to be buried in the church or churchyard of St. Agapell of Whifford
 in the parisse of Hampton nere unto my deceased estate at the discretion of
 myne executors and overseers hereafter named. And as touchyng my worldly
 goods and estate wherewith God of his infinite favour hath blessed and in
 dued me I doe order settle and dispose in manner and forme following.
 That is to saye first I doe hereby revoke and disannul all former wills by me
 made or devised. And doe hereby publish and declare this my present will to be
 my last will and Testament. Item I doe give unto the church of Whifford
 aforesaid the sum of ten shillings And to the poor of Whimney and Whifford
 ten shillings. Item I give unto the parisse church of Carneton ten shillings and
 to the poor of the same parisse twenty shillings. Item I give to the poor of
 the parisse of Hampton ten shillings. Item I give to the poor of the parisse of
 Whifford ten shillings. Item I doe give and bequeath unto my kinswoman Alice Walsey of
 Hardwicke etc.

Robert Walsey

fourty shillinge a yere during her naturall life yearly to be payed her by myne
executors hereafter named The first payment to comen and begin on the first of
the two most shalle foaste of the yere the first is St. Michael Garrengell and the
anniverson of the blessed Virgyn Mary next after my decease Item I give to Joane
Prinny widow my new erected cottage with the close therunto adjoining and
comon of pasture with the over the same belonging situate by my and being in Stunlaka
in the countie of Devon to have and to hold to her and her assigns for and during
her naturall life. The second of the same messuages demantable during the said
Termes Item I likewise give unto her ten shillinge a yere during her naturall life
to be paid her in all points as her sister Alice Worsley before named her money is paid
Item I give unto Anne Worsley the younger sister of the said Alice and Joane
twenty shillinge to buy her a ring with in six monethes next after my decease Item
I doo give and bequeate unto all my servants who shall happen to dwell with me
at the tyme of my decease fyve shillinge a yere Item I give and bequeate
unto my brother Atkinson twenty shillinge to buy her a ring And also I give and
bequeate unto her ten pounds a yere during her naturall life to be payed
unto her by myne executors hereafter named the first yearly at the two most
shalle foaste of the yere St. Michael Garrengell and the anniverson of the
blessed Virgyn Mary by even and equall portions The first payment to begin
on the first of the two said foaste next after my decease And my will & meaning
is that the said legacies by me soe given shalbe to her owne proper use and
benefitt provided alwaies and my will is that of my said sister shall at any
tyme hereafter during her naturall life lett or sell her estate and interest in
the mansion house which I gave to her and her heirs by my and being in Burford
in the street commonly called the High street there or any part thereof the
same and from thence the said legacies of ten pounds yearly shall waite
dormant and be utterly void and of none effect And my desire is the said
estate by me soe given may be and remaine unto her the daughter and her
heires forever Item I give and bequeate unto Mary Esbalston my neere and
cousin ten pounds to be paid her with in six monethes next after my decease
or on the day of marriage which shall first happen Item I give and bequeate
unto Francis Esbalston my neere and Goddaughter ten pounds to
be payed her soe soon as she shall be full age of sixteen
yeres or els be married which shall first happen I doo also bequeate unto
her fyve pounds more to be payed her at the day of marriage or with in six
monethes next after my decease Item I give and bequeate unto Judeth
Esbalston my neere lately married fyve pounds of lawfull money of England
The one half (viz) fyve and twenty pounds to be payed her with in one yere or
next after my decease and the other twenty and fyve pounds being the
residue with in two yeres next after my decease the said severall legacies by
me above given to Mary Esbalston Francis Esbalston and Judeth Esbalston
are to be payed by myne executors out of two writtings obligatory of two
hundred twenty and odd pounds which my brother Atkinson doth and long since
owed me except fyve pounds which I gave and he lately payed to Anne
Worsley my neere Item I give and bequeate unto my sister Joane Faulkes
ten pounds of lawfull English money yearly and every yere during her
naturall life to be payed unto her or unto Robert Worsley in Arle
William Worsley of Burford the younger Worsley of the same and John Worsley of
Witney or unto some of them to her owne proper use and behoofe at the two

most small parte in the year with. At Michaelmas year and the annuall of the
 blessed Virgin Mary by equal portions the first payment to be made on the first day
 that shall happen next after my decease. Item I give unto the said Robert Westmire
 twenty shillings a year to buy for a ring to wear for my sake. Item I give and bequeath unto
 the said Robert Westmire and Susan his wife twenty shillings a year to buy either of a
 ring to wear for my sake. Item I do give unto the said Robert Westmire the
 sum of ten pounds and Godsome ten pounds to be delivered to mine Executors within
 two years next after my decease to be set free and employed for his benefit until
 he shall accomplish the age of one and twenty years or else be married. And I give
 to be paid him with all the profit thereof. Item I give and bequeath to every
 one of the said children videlicet Katherine Margaret Anne and Edward
 Mary five pounds a year to be delivered to mine Executors within two years
 and six months next after my decease to be by them set free and employed to
 the best use and benefit of the said children until they shall accomplish their
 full age of one and twenty years or else be married with all first
 expenses. And if any of the said last mentioned children shall happen to decease
 before they shall accomplish the age of one and twenty years and be unmarried
 my will and mind is that the legacies of him or her so deceased shall
 be and remain wholly unto the said sister Margaret Westmire if she be long
 living. And if it shall fortune that my more of the said legacies to decease and
 depart his life before they shall accomplish the age of one and twenty years and be
 unmarried. Then my will is that every of the said legacies so
 deceased shall be divided into three equal parts viz into two parts to the
 children surviving and the third part to the said Susan his wife. Item I
 give and bequeath unto my brother Walter Mosby ten pounds a year yearly
 and every year during his natural life. And after his decease I give unto
 Elizabeth his now wife six pounds a year yearly
 and every year during the natural life of the said Elizabeth. And my
 will is that the said six pounds yearly by me given unto the said
 Elizabeth as the ten pounds a year yearly by me given unto my said
 brother Walter be truly paid unto them quarterly the first payment thereof
 due unto my said brother to be paid at and upon the next usual feast day
 of St Michael St Thomas the Apostle the annuall of the blessed Virgin Mary
 and St John the Baptist after my decease by even and equal portions. And
 the first payment due unto the said Elizabeth to begin the next quarter past day
 after the decease of the said Susan his wife. Item I do give and bequeath likewise
 unto my said brother and sister twenty shillings a year to buy either of the
 said ring to wear for my sake. Item I do give unto my said brother
 Walter my somer best Cow and one of my best silver Bolles. Item I do
 give and bequeath unto James Brayne and Elizabeth his now wife ten pounds
 to be paid them within two months next after my decease. Item I give
 unto the said Robert Brayne my Godsome ten pounds. And to every of his brothers
 and sisters five pounds a year to be delivered unto mine Executors within
 one year next after my decease to be employed to and for their best use
 and benefit until they shall accomplish their full age of one and twenty
 years or else be married. And of any of my said legacies fortune to decease
 before they shall be married (my Godsome ten living) then my will is
 that the legacies of him or her so deceased shall remain and come unto
 my said Godsome to be employed to and for his benefit as above said. The profit
 use and benefit thereof unto the same of such as or her decease to be paid unto.

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their father and mother or either of them then surviving And if it shall happen that a
second legatee to decess and depart this life before he or she shall accomplish the age of
one and twenty years aforesaid my will and meaning is that the legacies of the said legatee
be decessing shall be and remain unto Margaret Brynne her sister the said legatee
to be employed by myne Overseers as aforesaid And if in any case a third or fourth
legatee shall happen to depart this life before the said age aforesaid then my
said legatee will is that the legacies or legacies of the said decessed to be divided into two equal
parts the one part to be divided betwixt the two next best shall survive And the other part
to Elizabeth her mother but the profit and increase thereof to the parents Overseers
Item I do give and bequeath unto my brother Simon Walsley ten pounds a year yearly
and every year during his natural life to be payed unto him half yearly on the feast
of Michaelmas and the feast of St. Martin in May by one
and equal portions The first payment to comence and begin on the feast of the said
feast daies next after my decess Item I give unto my sister in law his wife the sum
of five pounds a year yearly and every year during her natural life to be paid
unto her in manner and forme as the said husband is The first payment to begin on the
said feast day next unto the decess of the said husband Item I give unto my said brother
one of my best silver bolles my best Gowne and a silke wrappe of Crizel Gapp Item I
give unto my sister in law his wife twenty shillings a year to buy either of them a
king to wear for my sake Item I give unto Henry Minem and Anne his wife my
twenty shillings a year to buy either of them a king to wear for my sake Item I
give and bequeath unto Anne Minem her daughter six pounds ten shillings
and four pence to be payed unto her when she shall accomplish the age of one
and twenty years And my will is that the said legacies be delivered unto myne
Overseers or to him one year next after my decess to be by them putt forth
employed to and for the best use and benefit Item I give and bequeath unto all the
next of kin daughters five pounds a year to be putt forth for their best benefit by
myne Overseers when they are years next after my decess untill such tyme as they
shall accomplish their severall ages of one and twenty years or els be married
Item I give unto John Walsley ten shillings a year to be likewise putt forth by
myne Overseers when they are years next after my decess to and for his best
benefit untill he accomplish the age of one and twenty years or els be married
Item I give and bequeath unto my two nephewes Robert Walsley some of Simon
Walsley and his wife Walsley one of the sumes of my brother Walter ten pounds of
lawfull money of England only in trust and confidence and to the use and benefit
of my niece Susan Comlyn in such manner and sort as is herein declared and sett
forth that is to say that the said Robert and Richard shall disburse and lay out
the same upon such goodly furniture or what other commodity they shall require to be
for used and from tyme to tyme employed But still the same to remaine as the gift
of them the said Robert and Richard And after the decess of them the said sumes
poundes or such other commodities herowtly purchased to be as they shall thinke fit
equally divided amongst the children provided always and never to be my will
and meaning is that if in any case the said husband Michael Comlyn shall in any tyme decess
and depart this life and she become a widow then the said ten poundes or such other
comodities as shall be herowtly purchased shall be and remaine to the said Susan
for ever Item I give unto my nephew and his man Robert Comlyn ten poundes Item I
give unto Thomas Comlyn his brother six poundes thirtie shillings and four pence Item
I give unto Susan Comlyn her sister five poundes Item I give unto Anne Comlyn
the four shillings of Michael Comlyn and Susan his wife five poundes All the said shall
legacies given unto the children of the said Michael and Susan my will is that they
be delivered unto myne Overseers when they are years next after my decess to be by them
putt forth to the best use and benefit of my said legatees untill such tyme as they
shall accomplish their severall ages of one and twenty years or els be married
And if it shall happen that the said legatees or any of them to decess and

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depart this life before legat' or any of them shall grow due my will and
 minde is that legat' of her so deceasing shall come and bring unto my Godson
 Robert Tom linc' by legat' living legat' morose legat' to Susan his mother And
 if it shall happen that any two of legat' to decease before legat' morose legat' said age of
 one and twenty years My will and minde is that legat' of legat' last deceased
 shall come and arrive unto legat' two sisters Susan and Anne or to legat' survivor of
 legat' If any of legat' morose legat' to be and remaine to legat' morose legat'
 from legat' and bequate unto Robert Collyer legat' of Dighton in legat' County
 of Devon shire for and for his new wife for his full age a year yearly and
 every year during legat' naturall tyer of legat' said Robert and Anne and legat'
 longest liver of legat' To be payed unto legat' or other of legat' half yearly in legat'
 two small feaste of St Michael feast day and legat' annivarsary of legat' blessed
 Virgin mary by even and equall portions legat' first payment to com' due and
 begin on legat' second of legat' two said feastes after my decease from legat' will
 and bequate unto my wellbelov'd John in his Robert by twenty in
 shillings to buy for a ring from legat' give unto my Godson legat' and twenty
 shillings to buy for a ring And unto my Godson John legat' some twenty in
 shillings to buy for a ring to wear in remembrance of me and for my sake
 from legat' give unto John Jordan legat' some of William Jordan late of Buryport
 fifty pounds to be payed legat' when two years next after my decease legat'
 legat' give unto Anne Minchin wife of Henry Minchin all legat' yssues and profits of
 legat' messuages and appurtenances legat' to belonging in w't legat' said Henry
 Minchin doth inhabit during all legat' termes of years legat' in legat' same
 estate after legat' end and term of legat' estate granted legat' to legat' by John
 Conteroff and Thomas Deane unto Thomas Minchin great Grandfather unto
 legat' said Henry Minchin legat' now is from legat' give and bequate unto John in
 Palmer of legat' parish of Bampton gent two hundred pounds w't said some legat'
 have heretofore given heretofore for unto legat' said John Palmer in bequest of legat'
 legat' now wife of my Godson Robert A Doyse legat' legat' intent and purpose and
 upon speciall legat' trust and confidence legat' legat' said John Palmer shall
 and will not full contentment speed take and purchase one estate legat' to
 and for legat' naturall life of legat' legat' said Anne in liw' of legat' same some
 according to legat' trust formerly reposed in legat' from legat' doyle will and bequate
 unto legat' Thomas Doyse legat' John Borrow legat' and Robert A Doyse some
 of Walter A Doyse gent legat' full some of legat' hundred pounds of lawfull
 money of England Robert legat' upon trust legat' and confidence legat' legat'
 legat' said legat' Thomas Doyse legat' John Borrow and Robert A Doyse shall and
 will for legat' will after my decease by legat' good discretions purchase w't
 legat' some money in estate for legat' tyer legat' is to say for legat' his man
 Robert A Doyse some of legat' Emmon A Doyse Robert A Doyse and William A Doyse some
 of William A Doyse to equald successively And my will and minde is that legat'
 said Robert A Doyse some of legat' said Emmon A Doyse shall have and receive
 yearly legat' use of legat' said some of legat' hundred pounds after legat' legat'
 hundred till some estate be settled as hereof from legat' give and bequate
 to and for a free school to be founded and erected in Bampton legat' full
 some of one hundred pounds for and towards legat' building legat' w't
 pleasure w't legat' give two hundred pounds more to be disposed of
 as money executor or William Hodges w't legat' Palmer and legat' other

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of the sufficient men in Banbury shall be made first concerning the same things
1. I will some contrailure at the year end of the said year and bequeath
unto William Jordan the sum of William Jordan late of Banbury one hundred
pounds to be paid him within half a year's warning. Item I give and bequeath
unto Robert Dwyer the sum of Robert Dwyer of Banbury one hundred
pounds of lawfull money of England to be paid him at the day of marriage or within
10. half a year's warning hereof given to my executor. Item I give and bequeath
unto Robert Dwyer the sum of Robert Dwyer of Banbury one hundred
pounds of lawfull money of England, and to his sister Anne Dwyer
10. * pounds of lawfull money of England. Item I do devise give and bequeath
unto John Hyde of Banbury in the County of Gloucester John Palmer
11. * of the parish of Banbury in the County of Oxon gentleman and Richard
11. * Dwyer of Banbury in the County of Oxon my brother-in-law the sum of
of five hundred pounds of lawfull money of England. nevertheless upon my
trust and confidence that they the said John Hyde, John Palmer and Richard
Dwyer shall and will within half a year next after my decease pay
12. * the said money in estate for the lives of Sir John Dwyer
wife of Walter Dwyer in Lewis of the reigns of Edward VI, William Dwyer and
12. * Harrington Dwyer the sum of William Dwyer of Banbury. Item I do
give and bequeath unto Robert Jordan some of Robert Jordan my Godson
ten pounds and to his brother Richard and William five pounds a piece.
And my will and mynd is that this ten pounds by me above
given be delivered to myne Executors within two years next after my
decease to be by them put forth for the best benefit and advantage until
they shall marry or be married or until they shall depart this life
before they accomplish the age of one and twenty years and unmarried
the legacies of this departing shall come unto Robert my Godson
if he be living. Item I will and mynd is that myne Executors do
well and truly pay unto my son William Bates of Banbury the
full sum of one hundred and fifty pounds which he promised me for
marriage yore. And I much desire that the same be distributed among
children. Item I give and bequeath unto Robert Bates some of the
said William Bates ten pounds of lawfull money of England to be
paid within two years next after my decease. Item I do devise make
2. I nominate and appoint my kinsman William Dwyer of Banbury in the
County of Oxon executor of my will and myne executor of all this my last
will and Testament only in my trust and confidence for the true
payment of my debts and legacies. And to be uncomtable hereof unto
myne Executors monethly. And for the better performance thereof my
will is that myne executor shall give bond of five hundred pounds to myne
Executors to perform the same accordingly. And that he shall not meddle with
any bonds or other writings but monethly and in the presence of myne Executors
nor to put any bond or writing in suite except it be first allowed under
the hand of them. Item my will further is that the surplus of all and singular
myne estate goods and chattels shall remain after my debts and
legacies paid and my funeral expenses discharged. I will and mynd
is that my kinsman Robert Dwyer the sum of William Dwyer my executor

and his assigns forever. Item I doe hereby request nominate and appoint
 my loving counsel William Butson of Burford gent. John Jordan Robert
 Alator and Richard Weyse to be my Executors desiring them to assist my
 said executor w^{ch} he in best advice and judgement for the better performance
 of this my last will and Testament. And I doe give them forty Shillings a
 piece for their paynes hereof. Item I give and bequeath unto my Godson
 Robert Brookes of Dynam ten pounds to be payed him w^{ch} in three years
 next after my decease. Item I give and bequeath unto Simon Weyse a
 summe of Walter Weyse five pounds or els fyve marks a year yearly
 during his naturall life. at the request and election of myne Executors
 Item I give to all the brothers and sisters of the said Robert Brookes twentie
 Shillings a piece. Item I doe give and bequeath unto the Burroughes of
 Mortue
 To be employed in such sort as myne Executors and
 Executors shall in their best discretions shall thinke fit. Item I give
 and bequeath unto Henry Butson of Mortue gent and to his wife
 twentie Shillings a year to buy silke of the said King. Item I doe will
 devise and bequeath unto Robert Weyse of Burford some of William
 Weyse all that my Indenture of lease of land lately purchased of John
 Tomson of Broadwell in the County of Exon gent for sixtie years
 bearing date the six and twentie day of August Anno Dni. one thousand six
 hundred and twelve, and one other Indenture of lease w^{ch} purchased
 of the said John Tomson for my wife myne years bearing date the eight of
 September Anno Dni. one thousand six hundred and eighte. And also one
 other Indenture of lease of tenne messuages lately purchased from
 Thomas Colledge in the County of Exon. And also one other Indenture
 of lease of a messuage or tenement in Hollisell w^{ch} in the County of Exon
 lately purchased of Morton Colledge in the said County
 of Exon. And all and singular the lands messuages tenements profits
 and commodities whatsoever mentioned and contayned in the said severall
 Indentures of lease or in any or one of them. And all that my right tytle
 interest claime and demand of and in the said Indentures of lease in all or in
 any of them. To have and to hold to him the said Robert Weyse his Executors
 and assigns from the past of St Michael the feast of our Lord one thousand
 six hundred forty fyve unto the full end and terme of twentie years
 to come next following wherby he upon hope trust and confidence that the
 said Robert Weyse employ it to such use and use as he shall thinke and
 appoint. In witness whereof the said Robert Weyse gave his own hand
 my hand and seale dated the day and year first above written Robert
 Weyse his mark acknowledged signed sealed and delivered in the presence
 of us Robert Weyse and Thomas Weyse Edward Busse

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Probatum fuit Testamentum sup^{ra} scriptum apud London coram vno
 viro Dno Henrico Marton milite legum Docto Curie prerogative Cant.
 vno Custode suo Commissario l^omo constituto. vicesimo secundo die mensis
 Octobris Anno Dni millesimo sexcentesimo tricesimo quinto. Juramento Willm
 Weyse executoris in huiusmodi Testamento nominat. Qui comissa fuit in
 administratio omni et singulorum bonorum Jurum et creditorum dei defuncti de
 bone et fideliter administrando eadem. Ad sancta dei Evangelia Jurat. 23