

Original Documents.

WILL OF SIR JOHN STANLEY, OF HONFORD, CHESHIRE. DATED JUNE 20, A.D. 1527.

FROM THE MUNIMENTS OF THE DEAN AND CHAPTER OF WESTMINSTER.

Communicated by Mr. JOSEPH BURTT, one of the Assistant Keepers of the Public Records.

At the recent annual meeting of the Archæological Institute at Lancaster, a memoir was communicated to the Historical Section by Mr. Beamont, of Warrington, to whose friendly assistance we have on several occasions been indebted, in which certain particulars connected with the Lancashire branch of the noble house of Stanley were brought under our notice.

The discourse, so appropriate to the locality which on that occasion specially engaged our attention, related chiefly to Sir John Stanley, of Honford, a worthy honorably enrolled amongst the heroes of the field of Flodden, where it is believed that he won the distinction of knight-hood. His martial spirit and gallant prowess might have well-nigh availed to efface the stain of base birth by which unfortunately his escutcheon was marred.

It is hoped that Mr. Beamont may hereafter give us at length the interesting "Notes on the Lancashire Stanleys," the result of his recent investigation of some obscure passages in the annals of one of our most distinguished families.

Sir John Stanley, it is stated, was a natural son of James Stanley, elected Bishop of Ely in 1506, who was sixth son of the first Earl of Derby, Great Constable of England. The bishop was warden of the Collegiate Church of Manchester, to which he was a generous benefactor, and where on his death, in 1515, he was interred in the beautiful chapel built by him on the north side of the choir. In the foundation of that chantry, in 1513, Sir John appears, by an inscription there placed with his arms impaling those of Honford, to have taken part. Sir John Stanley was twice married, first to Elizabeth, heiress of Sir John Harrington, of Hornby Castle, by whom he had three daughters. By his second wife, Margaret, only daughter and heiress of William Honford, Esq., of Honford, now called Handforth, near Cheadle, Cheshire, he left a son, John Stanley, of the age of three years only at the date of the subjoined document, and who died in early age in the life of his mother.¹ The disposition made by Sir John Stanley, of his extensive property, and the provision for the education of his young son, under the care of the Abbess of Barking, until he should attain to the age of twelve years, and from that time, "under the custodye and guydinge" of the Abbot of West-

¹ Ormerod, Hist. Cheshire, vol. iii. p. 326.

minster, evince a remarkable degree of forethought and parental solicitude. Although designated his last Will and Testament, this instrument may more properly be described as a Settlement, and Declaration of Trusts. It was, moreover, executed under peculiar circumstances. About the year 1523 Sir John Stanley became involved in a dispute with his neighbours, the Leghs of Adlington; they found means to gain the favor of Cardinal Wolsey, and Sir John was in consequence imprisoned in the Fleet, until he was compelled to forego the ground of the quarrel.² This arbitrary act of power may have been the cause that embittered his peace of mind, and ultimately led him to withdraw from the vanities of the world and the trials of human life. A few months subsequently to the date of his will, here printed, he obtained from the Abbot and Convent of Westminster, a grant of fraternity in favor of himself, of Dame Margaret, his wife, their son and heir, and Anne Stanley their sister, with the customary privileges of participation in the prayers of that monastery, "in vita pariter et in morte," and in all other places of the order through England, and that their names should be enrolled in the Martyrology, "post obitum." The original grant, as stated by the historian of Cheshire, is preserved among the evidences of Lord de Tabley, at Tabley; it is beautifully enriched with heraldic bearings and illuminated decorations.³ It bears date January 5, 1527 (*i. e.* 1527-28).

So great, however, was the mortification sustained by Sir John Stanley through the oppressive act of Wolsey, that, as Lord Herbert relates, "upon displeasure taken in his heart he made himself monk in Westminster, and there died."⁴ Amongst the muniments of that great Benedictine house his will has been preserved, and was recently brought to light by Mr. Burt. We acknowledge, with gratification, the courtesy and kind permission of the Dean and Chapter, that have enabled us to place before our readers a document of considerable interest in connection with the history of the Stanleys. In the same repository has also been found a remarkable instrument relating to Sir John Stanley, that we hope on an early occasion to place before our readers. It is the record of the solemn act of separation between Sir John and Dame Margaret, his wife, with the mutual desire and intention "to make a lawfull vowe to summe approved religion," being doubtless an indispensable preliminary to the fulfilment of his determination to take the vows in the monastery at Westminster. This dissolution of the marriage bond was made with the greatest formality, in the sacristy of St. Paul's, London, before the Commissary of the Cardinal Legate, Wolsey, specially deputed for the occasion, and in the presence of numerous witnesses. The document bears date June 25, 1528, being somewhat less than six months subsequent to the Grant of Fraternity, made to Sir John Stanley by the Abbot and Convent of Westminster, as before mentioned.

We are indebted to the wonted kindness of Mr. Smirke for the subjoined abstract of the will of Sir John Stanley, and also for some observations on its form and structure.

A. W.

² Herbert, *Hist. of Henry VIII.*, p. 300, ed. 1672.

³ Ormerod, *ut supra*, vol. iii. p. 326, note.

⁴ In the Honford Pedigree, Ormerod, *ut supra*, p. 327, 1527 is given as the date

of the decease of Sir John Stanley, as shewn by *Inqu. post mortem*, 5 Edw. VI., 1547. This reference has been verified. There is a writ of extent, but no inquisition of this date.

Having carefully read the accompanying instrument, which our friend Mr. Burt has contributed to our "original documents," I think that some of our readers may be glad to accept the following as a condensed abstract of it :—

In substance, it contains the last will of Sir John Stanley, at the time when he and his wife were in contemplation of a retreat from civil life into separate religious houses by consent of both parties. Sir John Stanley, the testator, afterwards became a monk professed in the Abbey of Westminster. The act was accompanied with a formal species of divorce "*a mensâ et thoro*," which is recorded in the same repository as the will itself. This document which has there recently been found by Mr. Burt, is of unusual character, and we hope, by the courteous permission of the Dean and Chapter, to place it before our readers on a future occasion.

The instrument now under consideration begins by referring to a previous indenture or deed of covenant. The parties to this last deed were Sir John Stanley and his wife Margaret, Dame Kateryne Maynwairying, and Edmond Trafford. The son and heir in tail at this time is therein stated to be of the age of three years. The date of the recited deed is stated to be February 12, 17 Hen. VIII (1526). The covenants in it are not specified. The provisions of the will during the nonage of the heir, are the following :—

That the Warden, Vicars, and Reves of the College Church of Manchester, for the time being, during such nonage and after they have "received" the will, shall levy and receive all the rents of the premises, according to a rental annexed, to the uses following :

To deposit the same in a "sure coffer" with two locks, in the College, and distribute them thus :

1. To pay £4 yearly to Sir John Bryddocke, priest, for singing daily mass at the altar of the new chapel of St. John the Baptist, for the souls of James Stanley, late Bishop of Ely, of Sir John and his wife, and their heirs and ancestors, and of William Honford, Ellen, and Anne, and for all Christian souls.

Also £7 yearly, and every week on Friday, for alms to seven poor people, in penny doles in the same chapel.

Also 40s. on Good Friday yearly in Lent for alms for such poor people.

Also to pay a debt due to the king for "conduct" and "preste" money, £41 5s. 4d., and £23 12s. 6d. due to the Prior of St. Oswald's Hostel, Yorkshire, for a debt due from the late Bishop of Ely to him.

To lay up yearly £25 during nonage, until the savings shall amount to £250, for the purchase of lands of the clear yearly value of £10, within fifteen years after the receipt of the will, to these uses, viz. : to pay £5 to the priest for life for masses, as above, in lieu of £4 ; and after his death another chantry priest is to be named by his, Sir John Stanley's, heirs. Then follow further provisions for such chantry, and for payment of the Warden, vicars, deacons, choristers, clerks, and belmane, rateably for a yearly obit, and also a mass for the same souls as before-mentioned. The repair of the same "new chapel" is also provided for, as well as a payment to the Prior and Convent of Ely Cathedral, for purchase of lands, &c., and for an obit there, and mass annually for the same souls already mentioned. In default of performance of these directions by the Warden, &c.,

of Manchester College, the heirs of Stanley may enter and execute the uses of the will.

If the purchase of land, as directed, cannot be effected within fifteen years, the Warden, &c., are to invest the money in a yearly rent in fee to be bought of the merchants of the Staple of Calais, at the rate of thirty years' purchase, so as to make up the yearly value of £10.

The wardens are to pay, during nonage, the sum of £15 yearly to the Abbess and Convent of Barking, in pursuance of an agreement in writing between them and Sir John, and £10 yearly to the Abbot and Convent of Westminster, in pursuance of a like agreement with him and that convent. After the decease of Sir John and his wife, his heir is to be in the wardship and keeping of the Abbess of Barking till the age of twelve, and then in the custody and guidance of the Abbot of Westminster until his full age. The marriage of the heir before the age of twenty is not sanctioned by Sir John, but after that he is to choose his own wife, advising with the Abbot and Edmond Trafford, and to have the profit of the "marriage money" to his own use.

The will contains some further bequests to household servants, &c., to the churches of Manchester, Chedyll, and Ashton; outstanding farms are to be re-let without fine or other exaction, and it concludes by requesting the Bishop of London, the Earl of Derby, Lord Delaware, the Abbot of Westminster, Edmond Trafford, Sir Alexander Ratclyffe, Knt., and his own son and heir, to be supervisors for assisting in the execution of the will.

The will was both sealed and signed by Sir John, the maker of it. Date, 30 June, 1527.

This instrument differs from ordinary wills in this respect, namely, that its operation is not deferred till the death of the maker of it, but purports to take effect "immediately after the receipt of these presents by the Warden, &c., of the College Church of Manchester." The date of the will preceded the abolition of Uses by the Act of 27 Hen. VIII. c. 10, by means of which wills of land had been, in fact, often made long before the earliest statute (32 Hen. VIII. c. 1) for distinctly authorising such wills of land had been passed. We must therefore look at the will of Sir John Stanley as a declaration of *uses*, rather than a strict will in the present sense of the word.

Long before this date it was familiar law that a monk professed was, for civil purposes, dead, and that if he intended to protect himself or his family from the necessary consequences of such civil death, he must make some provision by will, or by an instrument operating *inter vivos*.

This was, no doubt, the object of the testator in the present case, and for this purpose a family settlement by indenture and covenants had shortly before been executed by himself and wife, and two other trustees. This last mentioned document is not forthcoming.

The main object of the will was to provide for the support and education of his son, then an infant of tender age, during his infancy and nonage. Provisions more immediately affecting the wife will probably be found in the antecedent deed of covenants already referred to. Another and very prominent object was to provide for the spiritual welfare of Sir John's putative father, the Bishop of Ely, and of the past, present, and future members of Sir John's family. Hence the large provision for

masses, obits, and charitable distributions among the poor in the New Chapel at Manchester, and in the Cathedral Church of Ely.

A few other observations occur to me on this will, as deserving notice.

In the event of the inability of the trustees to invest in the purchase of land, they are directed to purchase a commercial security from the merchants of the Staple of Calais; consols being in those days unknown, and railway debentures being the discovery of a future century.

We find mention of no fewer than four persons, learned in the law, to whom retainers had already been given in the form, familiar in our law books, of a pension or annuity "pro consilio impendendo," so that the son and heir might never be without legal help in case of need. I think it may be safely conjectured that, in the construction of so complex a will made by a moribund monk-designate, these salaries are not likely to have turned out to be sinecures.

The reservation of what is called "marriage money" to the son's sole use, refers to the feudal due of "maritagium," well known as incidental to certain old tenures then in full force.

The wardens and other officers of the College Church at Manchester, were, in effect, general executors and trustees of the will, and, in certain events and cases, Edmond Trafford was to be substituted; and no fewer than five others, specially named, are added as supervisors in the execution of the trust. A "supervisor" is a name still current in the Probate Courts, but rarely now appointed. It would be curious to know how the young gentleman, so carefully provided with so large a staff of legal and spiritual advisers, turned out when he attained his full age, if he ever did.

I should mention that this will is not the original one, but a notarial certificate. Practically, such a certificate may be relied upon as an authentic copy, whatever its legal effect may have been as judicial proof.

E. S.

IN Dei nomine, Amen. This is the laste Wylle of me, Sir John Stanley, of Honford, knyght, in this my writynge indented under my seale declared and specyfyed concernynge the disposicyon of all the manours, mesuages, burgages, landes, tenementes, rentes, commodites, revercyons, and services, with theyr appurtenaunces, in Honford, Bosden, Asheton, Sale, Altryngham, Badeley, Fadeley, Torkynton, Burlond, Bromley, Stoke, Yarton, Buglawton, Holmewalfeld and Hawkeslegh, within the Forest of Maxfeld, with thavouson of the Church of Ashton afforsayd, in the Countye of Chestur, off the wheche sayd manours, mesuayges, burgages, landes, tenementes and other the premysses, and of the rentes, proffites and revenues thereof commynge and growynge, and also of all other manours, landes and tenementes now beyng in revercyone to Dame Margaret, wyffe unto me the forsaid Sir John Stanley, I, the said Sir John Stanley, maye lawfullye therof and of all other the premysses make and declare my laste Wille, duryng the nonnaige of the heire apparant of me the said Sir John Stanley and of the said Dame Margaret my wiffe, of our bodies lawfully commynge, accordynge to the covenantes, grauntes, and agrementes made betwene me the said Sir John Stanley and the said Dame Margaret my wiffe, on the one and firste partie, and Dame Kateryne Maynwairyng, widowe, on the seconde partye, and Edmond Trafford of Trafford, Esquier, on the thyrde partye,

by Indentures tripertyte therof made betwyxte us, berynge date the xijth daye of February in the xvijth yere of the Reigne of Kynge Henry the viijth, in manour and forme as in the same Indentures more at large it is declared, specified and conteyned. Fyrste, I, the said Sir John Stanley, by this my Will declare and ordeigne, that the Warden, Vicaries, and Reves of the Colledge Church of Mainchestur in the Countye of Lancastur, and their successours for the tyme beyng, immediatly after they have recyvyd this present Wille, durynge the nonayge of John Stanley the yonger, sone and heyre of the bodyes of me the said Sir John Stanley and Dame Mergaret my wyffe lawfully begotten, beynge of thayge of thre yeres at the makynge of this present Wylle, shall have, take, levey and perceyve all rentes, proffites and revenues of the sayd manours, mesuages, burgages, landes, tenementes, and other the premysses, accordynge to the yerlye valew therof, which yerlye valewe therof is estemed to be as it apperethe in a Rentale to thys my Wylle annexed, to this use and intente that the same rentes, proffites and revenues by the said Warden, Vicaries and Reves soo receyvid shalbe saffely layde up in a sure coffer, havynge tooe lockys therunto, within the said Colledge, and the said Wardene and Wycaries to have one keye therof in thevr custodye, and the sayd Reves for the tyme beynge to have an other keye therof in ther custodye, and then aswell the said Wardene, Vycaries and theyr successours, as the said Reves and theyr successours, to dystribute and paye yerlye of the said rentes, proffittes and revenues in forme folowyng, that is to wete, Fyrste, To paye and delyver yerlye iiij^{li} of the said rentes, proffytes and revenues durynge the said nonayge unto Sir John Bryddoke, preiste, to thentent that he therfore shall synge masse daylye at the greate awlter within the newe Chapell of Sayntt John Baptiste uppon the North syde of the said Colledge Church of Mainchestur, and there to praye for the sowles of James Stanley, somtyme Bushope of Ely, of me the said Sir John Stanley, and Dame Mergaret my wyffe, oure heyres and auncestres, and for the sowles of William Honford, Elen and Anne, and for all Crysten sowles. Also I woll, that vij^d sterlyng of the said rentes, proffites and revenues shalbe every weke yerly uppon the Fryday, dystributed and gyven in almes by the said Warden, Vicaries and Reves to vij dyverse poore pepull in peny dole, within the said newe Chapell, durynge and by all the tyme of the said nonayge. Also I woll that xl^s of the said rentes, proffytes and revenues shalbe every Lent yerely uppon Good Fryday dystributed and gyven in almes by the said Warden, Vicaries and Reves to poore pepull in peny dole, within the said newe Chapell and Church, durynge and by all the tyme of the said nonayge. Also wheare as I am indettyd unto the Kynges Grace for conduyt and preste money in the somme of xlj^{li} v^s iiij^d, and to the Prior of Saintt Oswoldes Nostell, in Yorkshyre, in the somme of xxij^{li} xij^s vj^d, for a dett which James Stanley late Bishop of Ely owght to the said Pryour, I will that the said Warden, Vicaries and Reves shall trewly content and paye of the said rentes, proffittes and revenues, the said sommes unto the Kynges Grace and to the said Priour within a yere and a halffe nexte after the syght and receyvyng of this Wylle by the said Warden, Vicaries and Reves; and, when the said sommes be soo paid unto the Kynges Grace and to the said Pryour, then I woll that the said Warden, Vicaries and Reves shall from thensforth yerlye durynge the said nonayge ley up xxv^{li} of the said rentes, proffites and revenues by

it selfe in the said coffre within the said College, unto the tyme that the somme of ccl^{li} be saffely leyed in to the said coffre, with the which ccl^{li} I woll that the said Warden, Vicaries and Reves shall bye and pourchace landes and tenementes to the clere yerly valew of x^{li} over all charges, as shortly as they conveniently can fynd suche landes to be solde, soo that the said landes and tenementes of the clere yerly valew of x^{li} be boght and pourchassed wythin xv yeres next after the receyvynge of this Wylle by the said Warden, Vicaries and Reves, or theyr successours. And I woll that the said landes and tenementes of the clere yerly valew of x^{li} soo pourchassyd shalbe to thes uses and intentes, that is to saye, that v^{li} of the rentes and proffytes therof shalbe yerly to thuse and fyndynge of Sir John Bryddocke, preste, duryng his lyffe to synge masse as is abovesaid, and then the said payment of iiij^{li} to hym to be payd, as it is afforsaid, to ceysse and not to be payd, and after hys discease yerly for ever to thuse of an able chaunntre preste to synge masse dayly at the greате awlter within the sayd newe Chapell at Mainchestur afforsaid, and ther for ever to praye for the sowles above rehersed in this Will. And I woll that myn heyres of my bodye lawfully commynge shall alwaye have the nomynacyone of the said chaunntre preste soo to be fownded; and, for defaute of such heyres, I woll that the sayd Warden and hys successours, and the sayd Edmond Trafforde and hys heyres, shall joyntlye for ever have the nomynacyon of the said Chaunntre preste, onlye to thuses and intentes before rehersed. Also whear ther is one Chaunntre of iiij^{li} yerly stablyshed and fownded by me the said Sir John Stanley for ever to endure to a Chaunntre preste within the said newe Chapell, and for as moche as the said iiij^{li} yerly is verely littell for a Chaunntre preste to lyve theruppon, I woll therfor that landes of the clere yerly valewe of xx^s of the said landes of the yerly valewe of x^{li} soo to be pourchassyd, as is afforsaid, shall yerly for ever goo and be to thuse of the said Chaunntre and to the augmentacyone therof, to thentent that the Chaunntre preste therof shall yerly have and take a c^s with the said iiij^{li}. Also I woll that landes and tenementes of the clere yerly valewe of xxx^s of the said landes of the yerly valewe of x^{li} soo to be pourchassed shalbe to this use and intent, that the rentes, proffites and revenues therof shall yerlye for ever be dystributed and gyven amonges the sayd Warden, Vycaries, Decons, Querestours, Clerkes and Belmanne, officers of the said College Church, and theyr successours, to be ratyd and payd to theym indyfferently after theyr auntyent custume in suche case usyd, and they to kepe therefore yerly for ever a solempne Obyt within the said newe Chapell, the Mondaye next after the daye of the Concepcyon of our Lady Saynt Marye, and a solempne Masse on the morowe nexte folowyng, and theratte to praye for the sowles before rehersed. And if it happen the said Warden, or eny of the said Vicaries, Decons, Querestours, Clerkes or other officers of the said College Church, at eny time to be absent and not present at the said Obyte or Masse, then I woll that all suche sommes and perceles of money of the sayd landes and tenementes of the yerly valewe of xxx^s, soo pourchassed, as shuld be dystributed and gyven amonges theym soo beyng absent from the sayd Obyte or Masse, shalbe distributed and gyven to the tooe Chaunntre prestes within the said newe Chapell, as ofte and at every tyme as suche defawte in beyng absent is made by theym, as is afforsaid. Also I woll

that landes and tenementes of the clere yerly valewe of xxx^s of the sayd landes of the yerly valewe of x^{li} soo to be pourchassed, as is afforsaid, shalbe to this use and intent, that the rentes, proffytes and revenues theroffe shall by the said Warden, Vycaries, Reves and theyr successours yerely for ever be dystributyd and gyven in almes every Lent, on Good Fryday, to poore pepull in peny dolle within the sayd newe Chapell and Church, to pray for the sowles before rehersyd. Also I woll that landes and tenementes of the clere yerly valewe of xx^s of the said landes soo to be pourchassed, and the rentes, proffyttes and revenues therof, shall yerly goo and be to thentent and use that the said newe Chapell shalbe therwith for ever upholde and maynteyned and sufficiently repayred, and to fynd to the sayd Chapell ornamentes and all other thynges necessare, as nede shall requyre, alwayes hereafter, by the oversyght and appoyntment of myn heyres afforsaid and of the sayd Warden, Vycares and Church Reves and theyr successours. Also I woll that the sayd Warden, Vycaries, Reves and theyr successours shall delyver and paye of the said rentes, proffytes, and revenues of the forsaid manours, landes and tenementes in the prymes* of thys Wyll specyfyed, to the Pryor and Convent of the Cathedrall Church of Ely or to theyr successours Lⁱ sterlynge, within vij yeres next after the receyvynge of this Wyll by the said Warden, Vycaries, Reves or theyr successours, and the said Pryour and Convent or their successours with the sayd Lⁱ shall pourchace landes and tenementes to the clere yerly valewe of xl^s and the rentes, proffytes, and revenues therof shall yerly goo and be, and also made sure by the lawe to the sayd Pryour and Convent, and to their successours for ever, to be ratyd and dystributyd amonges theym yerly aftur theyr auneynt custume in suche case usyd, and they to kepe therfor yerly for ever a solempne Obyte in the said Cathedrall Church of Ely, the Monday next before the daye and Feeste of the Annuncyacyon of Our Ladye Sayncte Marye, or within three dayes therof, and a solempne Masse on the morowe nexte folowynge, and theratt to praye for the sowles before rehersyd, and for all Crysten sowles; and the sayd Pryour or hys successours to pourchase the same landes and tenementes within the space of vij yeres nexte after they have receyved the sayd Lⁱ. And yf it happen that the said landes and tenementes of the clere yerly valewe of xl^s can not be boght and pourchassyd within the sayd terme of vij yeres by the sayd Pryour or his successours, as is afforsaid, then I woll that the sayd somme of Lⁱ shalbe yerly payd and dystributed to the uses and intentes above specyfyed, in manour and forme as the rentes, proffytes and revenues of the same landes and tenementes of the sayd yerly valewe of xl^s shuld have bene dystributed, as longe as the said Lⁱ wyll endure and streche. And I woll that the sayd Warden, Vycaries and Reves, or their successours, at the delyvere of the said Lⁱ shall take a sure and sufficient bonde of the sayd Pryour and Convent, or of their successours, under their Convent seale in wrytynge, of the somme of a C^{li}, to performe and fullfyll the same in everye condicyon accordynge to the trew intent of thys Wyll. Also I woll that the said Warden, Vycaries and Reves, or their successours, shall endeavor theyme to see that the sayd landes and

* The phrase "prymes of this Wyll" occurring here, and repeatedly in the context, must be only the same as "premysses," as written in the earlier part of

the document; possibly only that word contracted. It is indeed so contracted by conveyancers at the present time.

tenementes of the said clere yerly valewe of x^{li} soo to be pourchassyd, as is afforsaid, be made sure in the tytyll therof by the lawe as lernyd Councell by theym appoynted shall devyse it to be made by Fyne, Feoffament, Release, Recoverye, or otherwyse, to the uses and intentes above rehersyd, accordynge to the trew intent of this Wyll, the costes and charges in the lawe of the same suertye to be made to ryse, growe and be of the forsayd rentes, proffytes and revenues of the sayd manours, landes and tenementes, in the pryemes of this Wyll specyfyed, in maner as hereafter it is declaryd and specyfyed. Also I woll, that yf the sayd Warden, Vycaries or theyr successours do not observe, kepe and performe all and every artycle and condicyon on theyre partye and behalffe, to be observyd and kepte in maner and forme, as it is before rehersyd concernynge the landes and tenementes of the sayd clere yerly valewe x^{li} soo to be pourchassed, and of the rentes, proffyttes and revenues therof commynge, that then, upon defawte therof made, it shalbe lawfull to the heyres of the bodye of me the sayd Sir John Stanley to entre in to the same landes and tenementes of the sayd yerly valewe of x^{li} soo pourchassed, and theym to possede and have, onely to thuses and intentes before rehersyd; or elles, yf it shall happen me the sayd Sir John Stanley to have none heyre ne heyres of my bodye lawfully begotten, that then upon suche defawte made in maner, as it is before rehersyd, by the sayd Warden, Vycaries or theyr successours, it shalbe lawfull to the forsayd Edmond Trafford and Sir Alexaunder Rattclyffe of Hordesall, knight, and theyr heyres, to enter in to the sayd landes and tenementes of the sayd yerly valewe of x^{li} soo pourchassed, and theym to possede and have for ever, onely to thuses and intentes beffore rehersyd. Also I woll that incontinent after all the landes and tenementes of the sayd yerly valewe of x^{li} be pourchassyd, establyshed and made sure by the lawe, as it is afforsaid, to the uses and intentes above rehersed, that then, within a moneth, nexte after suche suertye is therof made, the said Warden, Vicaries and Reves, or theyr successours, shall of the said rentes, proffytes and revenues of the forsayd manours, landes and tenementes in the pryemes of thys Wyll specyfyed, content and paye unto the forsayd Edmond Trafford xx^{li} sterlynge, for hys payne and laboure takyne to see this my Wyll fullfylled and observed in everye thyng, and to be assistant and helpynge at all tymes to the same. Also I woll that the sayd Warden, Vycares and Reves, or their successours, after all the said landes and tenementes of the sayd yerly valewe of x^{li} be soo pourchassed and made sure by the lawe, as it is afforsayd, to the uses and intentes above rehersyd, that then within the sayd space of a moneth next after suche suertye is therof made, shall of the sayd rentes, proffytes and revenues of the forsayd manours, landes and tenementes, in the primez of this Wyll specyfyed, take and receyve xx^{li} sterlynge to their owne uses, to be distrybuted emonges theym ratably after theyr behavyours, in resonnable maner, for theyr paynes and labours in this behalffe takyn, and to thentent to see this my Wyll observyd and fullfyllyd in every thyng. Also I woll, yf it fortune that landes and tenementes of the sayd yerly valewe of x^{li} can not be fully pourchassyd within the said space of xv yeres, that then the sayd Warden, Vycaries, and Reves or theyr successours shall with the resydewe of the sayd CCL^{li} and with more of the sayd rentes, proffyttes and revenues of the sayd manours, landes and tenementes in the primes of this Wyll specyfyed, as nede shall

requyre, pourchasse an yerly rent in fee of the Marchauntes of the Staple of Caleys, after xxx^{ti} yeres pourchase more or lesse, as it can be hade and opteyned, to make and fullfyll the sayd yerly valewe of x^{li} soo to be pourchassed, and the same yerly rent to be made sure by thadvice of lernyd Councell, onely to thuses and intentes above rehersyd ; and if it fortune that the sayd yerelye rent canne not be soo pourchassyd, ne opteyned of the sayd Marchuntes, ne landes and tenementes to the sayd clere yerly valewe of x^{li}, as is afforsayd, then I woll that the resydewe of the sayde CCL^{li} remeynyng at the sayd xv yeres ende, which shuld have goone to the pourchassynge and opteygnyng of the said landes or rentes of the said yerly valewe of x^{li} soo unpourchassid, shalbe yerly payd and distrybuted to the same uses and intentes above specyfyed, in maner and forme as the rentes, proffytes and revenues of the same landes and rentes of the sayd yerly valewe of x^{li} shuld have bene dystrybutyd, as longe as the resydewe of the sayd CCL^{li} soo remaynyng wyll endure and streche. Also I woll, that iij^{li} sterlyng of the rentes, proffittes and revenues of the manours, landes and tenementes in the primes of this Wyll specyfyed shall yerly be kepte and layde in a sure place within the sayd Colledge, as is afforsayd, to and for the costes and charges to be spent in the lawe to make the sayde landes and tenementes of the sayd yerly valewe of x^{li} soo to be pourchassyd, as it is aforesaid, sure and lawfull to the uses and intentes above rehersyd, and to and for the defence and other costes resonnable, aswell of and for the same landes and reparacyons of the same, as of and for the deffence and reparacyons and other costes resonnable of the sayd manours, landes and tenementes in the primez of this Will specyfyed, as nede shall requyre, at eny tyme hereafter, by the good oversyght of the said Edmond Trafford and his heyres. Also I woll, that the said Warden, Vycares and Reves, or their successours, shall content and paye of the rentes, proffites and revenues of the forsaid manours, landes and tenementes in the pryemes of this Wyll specyfyed xv^{li} sterlyng yerely duryng the sayd nonnayge at the Feestes of the Natyuite of Sayncte John Baptyste and Saynt Marten in Wynter, by evyn porcyons, to the Abbes and Convent of the Nonnere and Monasterye of Barckynge, or to theyr successours, for performance of suche couvenauntes and agrementes as be contayned in wrytyng made betwene the sayd Abbes and Convente, and me the sayd Sir John Stanley. Also I woll that the sayd Wardene, Vycaires and Reves, or theyr successours, shall content and paye of the rentes, proffyttes and revenues of the forsaid manours, landes and tenementes in the primez of this Wyll specyfyed x^{li} sterlyng yerly, duryng the sayd nonnayge, at the said Feestes of the Natyuite of Sayncte John Baptyste and Saynt Marten in Wynter, by evyn porcyons, to thabbot and Convent of the Monastere of Westmynster, or to their successours, for performance of such couvenauntes and agrementes as be conteyned in wrytyng made betwene the sayd Abbot and Convent, and me the sayd Sir John Stanley. Also I woll, that after the discease of me the said Sir John, and of Dame Mergaret my wyffe, the forsaid Edmonde Trafford shall receyve and take all the rentes, proffytes and revenues of the manour of Ashton uppon Mercey Banke, whych is estemed to be of the yerly valewe of xl^{li}, to the onely use and fyndyng of my said sonne and heyre apparaunte, tyll he comme and be of the full ayge of xxj^{ti} yeres ; and I woll that my sayd sonne and heyre shalbe in the custodye and kepyng of the said Abbes of Barckynge, tyll he accom-

plyshe and be of thayge of xij yerres, and after the sayd ayge of xij yerres, I woll that he shalbe in the custodye and guydyng of the sayd Abbot of Westmynster, tyll he come and be of hys full ayge of xxjⁱⁱ yerres. Also I woll that the sayd Edmond Trafford, or hys heyres, after the discease of me the sayd Sir John and Dame Mergaret my wyffe, shall content and paye of the rentes, proffytes and revenues of the sayd Maner of Ashton xxⁱⁱ yerly, duryng the sayd nonayge, at the said Feestes of the Natyvite of Saynct John Baptyste, and Saynct Marten in Wynter, by evyn porcyons, to the sayd Abbes of Barckynge, and to the sayd Abbot of Westmynstur, or to theyr successours, to fynde my sayd sonne and heyre and hys servauntes meyte, drynke and wayges convenient, and all other thynges necessare un to theym, duryng and by all the tyme that he shalbe in the rule and guydyng of the sayd Abbess and of the sayd Abbot, as it is afforsayd. And I woll that in the meane seasson, immediately after the forsayd sommes be payd unto the Kynges Grace, and to the sayd Pryour of Sayncte Oswoldes, as is afforsayd, the sayd Warden, Vycaryes and Reves shall content and paye of the rentes, proffytes and revenues of the sayd manor of Ashtone xxⁱⁱ yerly at the sayd Feestes, by evyn porcyons, unto the sayd Abbess and Abbot for the fyndyng of my sayd sonne and heyre and his servauntes, as is afforsaid. Also I woll, that all the resydewe of the rentes, proffytes and revenues of the sayd manour of Ashton, over and besydes the charges above rehersyd remeynyng after the discease of me the said Sir John and Dame Mergaret my wyffe, shalbe delyveryd and payd by the sayd Edmond Trafford or his heyres unto my sayd sonne and heyre when he shall come and be at his full ayge of xxjⁱⁱ yerres, to have to hys owne propre use. And I woll that my sayd sonne and heyre shall not be maryed tyll he comme and be of the ayge of xxⁱⁱ yerres, and then, yf he be mynded to marye, I woll that he shall chose his wyffe hymselfe, by the good advyce and counsell of the sayd Abbot of Westmynstur and of the sayd Edmond Trafford, and I woll that he shall have all the proffyte of his maryage money to hys owne use, to be to hym delyveryd at hys full ayge of xxjⁱⁱ yerres. And wheare as the sayd Edmond Trafford hathe an yerly fee or pencyone of xl^s goynge owte of the landes and tenementes in Honford afforsayd, to thentent to see this my Wyll fullfyllid and kepte in every thyng, I woll that he soo dooyng shall have and enjoye the sayd yerly pencoyne of xl^s, accordyng to hys patent thereof made. Also I woll that the sayd Warden, Vicaries and Reves yerlye, duryng the said nonayge, shall trewly content and paye of the rentes, proffytes and revenues of the forsayd manours, landes and tenementes, in the prymes of this Wyll specyfyed, unto Kyrstoner Ashley xxvj^s viij^d, to Thomas Hunnte xx^s, to Roberte Delahaye xiiij^s iiij^d, to Roger Cooke xiiij^s iiij^d, to Gyles Halywall xiiij^s iiij^d, somme tyme my howsholde servauntes. Also, wheare as Thomas Sneyd, lernyd in the lawe, and Roger Leegh have ether of theym an yerly fee or pencyone of me, the sayd Sir John Stanley, of xxvj^s viij^d, and wheare also George Kegn of Mainchestur hath an yerly fee or pencyone of xx^s, and also wheare as Geffraye Brownne hath an yerly fee of vj^s viij^d, I woll that they and every of theym be trewly content and payd the sayd yerly fee or pencyone, duryng the nonayge of my sayd sonne and heyre, soo and upon condicyon that they and every of theym be aydyng, helpyng and assistyng with

theyr best counsell, labour and advice at any time when they or eny of theym shalbe resonnably requyred by the sayd Warden, Vycares or Reves, or by the sayd Edmond Trafford, to and for the performynge and fullfyllynge of this my Wyll, accordynge to the trewe intent therof. Also I woll that the sayd Warden, Vicares and Reves shall paye yerly, durynge the sayd nonnayge, to Alexander Marten xx^s, to Anne Stanley syster unto me the sayd Sir John, or to her assignes, xx^s, to Mode Peers x^s, to Agnes Davye wydowe, xij^s iiij^d, to Ales Byrome xij^s iiij^d. Providet allwayes that the sayd Warden, Vicares and Reves shall yerlye paye the forsaid some of xv^{li} unto the sayd Dame Margaret Stanley, my wyffe, or to her assignes, durynge her lyffe, and also shall paye the forsaid somme of x^{li}, and the said somme of xx^{li}, of the rentes of Ashton afforsaid, unto me the said Sir John Stanley, or to myn assignes, durynge my lyffe, at the Feestes afforsayd, and, after our disceasses, then the sayd sommes to be payd in maner and forme, as it is above specyfied, unto the sayd Abbesse and to the sayd Abbot accordynge to the trewe intent of thys Wyll. And I woll that all and every the paymentes above rehersyd, excepte the payment of L^{li} above specyfied to the forsaid Pryour of Ely, shall begynne to be payd and dellyvered immediatly after the receyvving of this Wyll by the said Warden, Vycares and Reves, or theyr successours, and the sayd paymentes from thensforthe to contynewe and be payd yerlye at the Feestes afforsayd, by evyn porcyons, durynge the said nonnayge, accordynge to the trewe menyng and intent of thys Wyll, as it is above specyfied. Also I woll that after all and every of the premysse be observyd, kepte and performyd accordynge to this Wyll in maner beffore rehersyd, that then the resydewe and overplus of the rentes, proffytes and revenues of the sayd manours, landes, and tenementes specyfied in the prymes of this Wyll remeynyng, shalbe by the sayd Warden, Vicares, and Reves, or by theyr successours, devyded in to iiij parties, and one parte therof to goo and be yerely to thuse of the sayd College Church and Newe Chapell of Mainchestur, and the second parte therof to be yerly to thuse of the Church of Chedyll in the Countye of Chestur, and the thyrd parte therof to goo and be yerlye to thuse of the Church of Ashton afforsaid, and the fowrhte parte therof to be distrybuted yerly by the said Warden, Vycares and Reves every Lent on Goode Frydaye to poore pepull in peny dole, durynge the said nonnaige, within the said thre Churches, and they to praye for the sowles above rehersyd. And as to the reversyone of the forsaid manoures, landes and tenementes in the prymes of this Wyll specyfied, which shall comme and be to theires of me the said Sir John Stanley and Dame Margaret my wyffe lawfully comynge, after the dethe of Sybill Warren and Margery Holford, I woll that after the discease of the said Sibill and Margere, or eyther of theym, the rentes, proffytes and revenues of the same manours, landes and tenementes soo beyng in revercyone, excepte the landes and tenementes percell of the said maner of Ashton, shalbe yerly devyded by the said Warden, Vicares and Reves, or theire successours, in to fowre partyes, wherof one parte shalbe by theym distrybuted yerly to the uses of the said thre Churches, and the seconde parte therof yerly to be by the sayd Warden, Vycaryes and Reves distrybuted in almes to poore pepull every Lente on Good Frydaye, in peny dole, within the sayd thre Churches, and the thyrde parte therof yerly to be by the sayd Warden, Vycares and Reves gyven to

poore wydowes indifferently to be delyvered to theym by evyn porcyons, and the fowrhte parte therof yerly to be dystributed and gyffen by theym to poore maydens within the said thre Parysshes, durynge the sayd nonnayge egallye, soo that one of theym have noo more therof then a nother. Also I woll that all tenanntes and fermours that now be in possessyone or revercyone of the forsayd maners, landes and tenementes in the prymes of this Wyll specyfyed, which have taken eny howse or lande to ferme of me, the said Sir John Stanley, by lease, promyse or otherwyse duely proved, that they, and every of theym, shall have, holde, occupye and enjoye such landes and tenementes soo taken in ferme durynge theyr leases and grauntes withoute paynge of eny fyne or income. And I woll that the said Edmond Trafford after the dethe of every tenaunte or tenanntes of the said manours, landes and tenementes in the primez of this Wyll expressyd, shall appoynte newe tenanntes without takynge of theym eny fyne or income. And I woll that the Reverende Fadere in God, Cuthberte Tunstall, Bushoppe of London, and Edwarde, Erle of Derbye, and Thomas, Lord la Ware, and John, Abbot of Westmynster, and the forsaid Edmond Trafford, Sir Alexander Ratclyffe, Knight, and my sayd sonne and heyre apparaunnte, and their heyres and successours, to be supervysours, ayders, helpers and assystentes, to and for the observynge, performance and executynge of this my last Wyll, accordynge to the trewe intente theroffe, in maner and forme as it is beffore declared and specyfyed, whom I require, and in the waye of charite desyre, to see that this my Wyll be performed and fullfyllyd in every behalfe. In Witness of the premysse to cyther partye of this wrytynge indentyd, I the said Sir John Stanley have putt to my Seale. Yevin at Westmynstur, the xxxth daye of June, the Yere of oure Lord God, A. MCCCCCXVIJth.

[Signed] JOHN STANLEY, K. ✠

Endorsed. The last Wyll and Testament of Sir John Stanley of Honforde in the County of Chester, Knight.