

Extracts

FROM

THE WILL OF MARTIN HASTINGS, ESQ.,

1574.

COMMUNICATED BY

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IN my Notes on the Hastings Pedigree, I have briefly noticed Martin Hastings, who was the only brother of the last Sir Hugh Hastings of Elsing, and, at the death of John Hastings (1542), was the heir male of the family. Subsequently, I met with this gentleman's Will in the Registry of the Archdeacon of Norwich, from which I made some extracts, which I think will be acceptable as a pendant to my original paper. It is a good specimen of a country gentleman's will of the sixteenth century, containing some useful genealogical information, and some clauses curious in themselves, and illustrative of the then prevailing feudal customs.

In the name of God. Amen. I, Martyn Hastings, of Hindringham in the Countie of Norff., Esquier, thankes be given to God, beinge hole of mynde and of perfect remembrance, do make my last will and testament this iij^d daie of

August, A° Dñi 1574, and in the xvj yeare of o^r souereign Lady Elizabeth, Quene, &c., in manner and fourme followinge. Fyrst, I comend my soule to the excedinge great and loving mercie of Allmightie God the father, declared to me and to all mankinde by the peiouse death vpon the crosse of his deare sonne, o^r lord Jesus Christ, by y^e w^{ch} deathe I do most stedfastlye beleve y^t the synnes of so many as do earnestlye repent them of ther synnes and beleve on him to be clearelye forgiven & taken awaye. Also my bodye to be beried eyther in Elsinge churche, by my first wife, Anne Hastings, or in the chancell or soughe parte of the churche at Hindringhā, if god will so provide the same, or els wher it shall seame best to my Exec^s. Itm. I wyll that my funerall charges be only convenient & not sumptious. Item, my desire is that either before or after my funerall beinge past, that Thomas Bullware of Wood Dawlinge, John May of Binham, and William Moonie the sonne of Robt. Monye, Francis Kenette, and John Parker of Norwiche, sometyme my trustie servaunts, and now my very fryndes, should be especiallie required by my Executors to come and to wright and make a true and proper Inventorye of all my corne, goodes, and catalles, that I shalbe possessed of at the daye of my deathe, as well of stuffe and plate as of catalles, goodes, bills, obligacons, and debtes, as they may or can have true knowledge therof, and by ther good discretions & conscience to vue, rate, and prise the same indifferentlie, as the same may be presently solde for redy mony, neither to highe nor to few vnder; and for ther paines therein to be taken, I give to every one of them that shall so prise the same, one yarde & a halfe of blacke clothe for ther mourninge robes, or els xx^s in monye at ther elections, willinge and requiringe them to indentir the said Inventories, and to seale and subscribe the one ptie, and to deliver the same to my Execut^s, and the other partie to be likewise sealed and subscribed be myne Executours, and to remayne

in the custodye & kepinge of one of them. Item, I will that all my howss and lands in fildawlinge, called monks or savenys,¹ be solde be my Execut^s, or so much thereof as they lawes of this realme will permite and suffer, for the better pformance of this my last will, jf I do not otherwise devise and dispose of the same before my death. Item, I give to my wife² all her owne apparrell, thre naggs, sadles, and brydels, & twentye pounds in mony, and her meate and drinke for her selfe & her maide and two servauntes, for one monethe after my departure, if she so like of.

[If his wife, within three months after his death, should enter into a bond to his executors, in £100, not to claim any further title or interest in his lands and leases at Hindringham, or elsewhere in Norfolk, but be contented with £40 a year settled on her,] and also yf she my said wife Mary Hastyns do nor shall after my discease cherishe, mayntayne, nor marye Henrye Beningfield,³ brother to Edmude Beningfilde of Hindringham, neyther shall cherishe, mayn-

¹ From Blomefield's account it would seem that Martin Hastings had the *Manor* of "Savenys, otherwise Mountgrace," (so called from having belonged, first, to the Abbey of Savigny in Normandy, and afterwards to the Priory of Mountgrace in Yorkshire) in Field Dalling. This is probably incorrect. His will mentions only the manor-house and demesne lands. The Lady Anne Heydon, relict of Sir William Heydon, Knight, held her first court for this manor, and also the principal manor of Field Dalling, on the 2nd July, 36 Eliz.

² This lady, his second wife, was Mary, daughter of Thomas Stuteville, of Dalham in Suffolk, Esq., and relict of James Brigg, of Salle, Esq.

³ This is the provincial way of pronouncing the name even now. Edmund Bedingfeld, of Hindringham, was eldest son and heir of Francis Bedingfeld, of Thorndon, Suffolk, of the Oxburgh family. Henry was the third son, and was of Hindolveston. There is one apparent reason for the interdiction as to Bedingfeld. The pious exordium to the will shews the testator to have been a member of the reformed church, while the Bedingfelds remained attached to the ancient faith. Henry Bedingfeld appears to have died unmarried in 1624 or 1625. Francis Novell, or Nowell, may have been obnoxious to the same objection, but I can find no account of him. He was, perhaps, a connection of Dean Nowell, who was of a Yorkshire family.

tayne, neyther marye wth one Fraunc^s Novell, brother to John Novell in Yorkshere, [she was then to have £80 more in goods or money; but if she refused so to become bound, then testator willed that his executors] shall, in convenient tyme, pvide a convenient matche for my daughter & ward Marie Brigge,⁴ for so muche monye as they can get for, and if so be that my wief shall have a myslikinge of her marriage & matche, then I will y^t my wyfe (yf she will) shall have her mariage, paying twentie pounds lesse in monye then shalbe offered for her, and the moneye y^t shalbe taken for her mariage, to be imployed to the pformance of this my last will.

[The will then contains a provision that, if his wife should, within three years after his death, become bound to his executors "in her widowhoode" in £1000, on condition that she should not do any act tending to the forfeiture of his lease of the Manor of Hindringham,⁵ and that she would neither maintain nor marry with "Henry Beningefild," or "Franc^s Nowell," she should, at the expiration of the three years, have all his manors and lands in Hindringham, with his manor of "Wilbies," and the manor of "Hyndringham," with the tithe corn and profits in Hindringham, for the term of fifty years, if she should so long live, subject to the payment of an annuity of £20 to John Hastings, son of Henry Hastings,⁶ and to his wife, or in case of John's death, to

⁴ The daughter of his wife by her first husband, James Brigg, of whom she was sole heir. The traffic in the marriages and wardships of infant heirs has more than once been a subject of note in our proceedings. In this case, Martin Hastings had probably purchased these privileges from the Crown, and had the full right to offer the young lady to the highest bidder. She became the wife of John Fountayne, of Salle, Esq., serjeant at law, thus uniting the Brigg and Fountayne estates.

⁵ The manor and great tithes of Hindringham were held on lease from the Dean and Chapter of Norwich.

⁶ As to Henry Hastings, of Yaxham, and his descendants, *vide ante* p. 90. John having died without issue, Thomas Hastings succeeded to Hindringham under this will, and married a daughter of Thomas Stuteville.

Thomas Hastings his brother, during the same term. And after the decease of testator's wife, the said manors, rents, tythes, &c., were to remain to the uses expressed in certain deeds referred to, and made between his brother "Thomas Stutteville"⁷ and himself, and between himself and "Roger Towneshende, Fraunc^s Windem, esquiers," and others. In the event of the deaths of both John and Thomas Hastings without male issue, the manors, &c., were to be sold by the executors, and out of the purchase-money, £100 paid to his cousin Katherin Stutvele,⁸ £20 to her sister, then Thomas Lane's wife, and to every child of his nieces, Anne Browne and Elizabeth Lestraunge, then being unmarried, "for ther better helpe," £40.

After mentioning that his "coosin Katerine Stutvyle is nowe married to Charles Stutveyle," and that testator should pay him, with her, £100 in marriage, whereof he had then only paid £40, he directs the residue to be paid within one year after his death.

He gives his lease of "Lupishe Hyrne" to Martin Mabbs,⁹ his godchild.

He speaks of a debt to the executors of his cousin Thomas Calthorpe,¹ "w^{ch} xij^l did remayne in my handes of his goodes and aventure joyntly wth me and others in to Denmarke."

He alludes to waste made by one "Henrie Bullwer of Northtudn̄hm," deceased, of copyhold woods belonging to the manor of Elsing, of which testator had been at that

⁷ Brother in law. This name is spelt seven different ways in the will.

⁸ Katherine, wife of Charles Stuteville, (who was probably a son of Thomas) and Anne, wife of Thomas Lane, of South Creak, two of the daughters of Henry Hastings, *v. p.* 90.

⁹ Probably a nephew of his first wife.

¹ Most likely Thomas, sixth son of Richard Calthorpe, of Antingham, Esq., by Anne his wife, daughter of Edmund Hastings, testator's great uncle. Sir Martin Calthorpe, Lord Mayor of London, who was tenth son of Richard, probably derived his baptismal name, as did many of his descendants, from our testator. Martin also became a family name with the Stutevilles.

time lord,² and a seizure made of the same copyhold in consequence, and directs his executors to pay the heirs of the said Henry £20, on their coming into Court at Elsing and releasing all right in the forfeited copyhold.]

Item, I give to Marie Brigge my little gilted potte of siluer, wth the cover. It. I give to my coosen John Hastings, thelder, of london, my seale of armes, withe the Unicorns Horne, w^{ch} his uncle William Hastings gave me, if he be a live at the daye of my death, otherwise I do give the same ringe & horne to John Hastings the yonger, and if he be also deade, then I give the said ringe and whistell³ to his brother Thomas Hastings; to each of his household servants, "bothe madenes & men and boies" [2/6]; to the howse of Christs Church of Norw^{ch} for ther favo^r hertofore and hereafter to be had xl^s;⁴ to my coosen Katerin Stutvile a syluer pott, and a syluer salt, and vj sponnes of syluer, wth two beddes of feather, blanketts, shets, bolstres, & coverings.

[He charged his executors to set up "a coppie,⁵ or some monimēt," at Elsing church, over his brother Sir Hugh, "declaringe whoe lythe buried within the same, and ther armes, with the tests⁶ of theire departure out of this worlde."

He refers to a conveyance he had made to the said Charles Stutvill in fee of his house and lands in Field Dalling, and that he had taken a lease thereof for five hundred years, at the yearly rent of 5s. payable to said Charles and his heirs, and willed that if he (testator) should die without issue, said

² In all probability he had the wardship of his nieces, and so was Lord of Elsing during their minorities.

³ As to the supposed virtues attributed to a unicorn's horn, or what was held to be such, see vol. v. p. 220, and the authorities there referred to: see also Sir Thomas Browne's "Inquiry into Vulgar Errors," book iii. chap. 23. Was this a horn, or tusk, that had been made into a *whistle*? or are we to understand by that expression, a *bagatelle*, from which the old proverb of "paying too dear for one's whistle" was derived? [Since this note was in type, Mr. Tymms tells me that he has seen a whistle made out of the tusk of the walrus.]

⁴ *V. supra*, n. 5.

⁵ Inscription.

⁶ Dates.

Charles Stutville and Katherine his wife should have the residue of the lease, paying to Thomas Hastings, son of Henry Hastings deceased, £100, within four years after his death.

Katherine Browne, daughter of William Browne of Elsing, Esq., was to have a legacy, and testator's wife to have the wardship of her daughter Mary Brigg.

He appointed his cousin John Hastings the elder,⁷ of London, his cousin Barbara Calthorpe, Charles Stuteville, and Gregory Pagrave, gent., executors, and his brother Thomas Stuteville, and Mr. John Pagrave, supervisors.]

1574. "Martine Hasteinges, Esqr., was buried the 25 daye of October."—*Elsing Register*.

The will was proved in the Archdeaconry Court of Norwich on the 4th of Dec. following.

⁷ This John Hastings, called "the elder of London," I take to have been the grandson of Edmund Hastings.—*Pedigree*, p. 95.