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Jones

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Original Documents.

THE WILL OF KATHARINE, COUNTESS OF DEVON, DAUGHTER OF EDWARD IV.; DATED MAY 2, 1527.

COMMUNICATED BY THE REV. GEORGE OLIVER, D.D., AND MR. PITMAN JONES.

AMONGST the muniments at Powderham Castle the original will of the Princess Katharine of York, sixth daughter of Edward IV., and relict of William Courtenay, Earl of Devon, has been lately discovered.

It appears that the princess, sister to Elizabeth, consort of King Henry VII., was married in the presence of that sovereign, his queen and court, to William, son and heir of Edward Courtenay, Earl of Devon.¹ The date of this event has not been recorded. The king's jealousy of the House of York eventually caused them much anguish and misfortune. The death of the earl occurred on June 9th, 1511.

The will, here first published, was made May 2nd, 19 Henry VIII. (1527), under the sign-manual of the princess. Her death occurred at Tiverton Castle, on Friday, Nov. 15th, following.

Sandford has given an interesting narrative of the funeral obsequies of the Countess of Devon, which took place at Tiverton on December 2nd and 3rd, 1527.² For further particulars regarding her husband and their children, we may refer to the Courtenay Pedigree, which will be given hereafter in this Journal.

To all men to whom this present wrytyng indentyd shall come, the right nobill Prynces, Katerine, Countes of Devonshere, Daughter, Suster, and Aunte of Kyngs, and late Wyfe unto the right honorabill Lord William Courteney, late Erle of Devonshere, sendythe Greeting in our Lord God everlastyng. That where the right Reverent Father in God, Rychard, Byschoppe of

Wynchester,³ Hugh, Byschoppe Exceter,⁴ Lewys Pollard, Knyght, oon of the Kyngs Justices of hys Comen Plase, John Speke, Knygth, (*sic*) John Caylewey and William Merwood, Esquyers, before this tyme recovered at Westm', in the Countie of Midd', before the Justices of our Sovereign Lord, Kynge Harry the Eight, of his Comen Benche, agens us the seid Countes, the manors of Shevyok, Westaunton, Portloo, Treverbyn Courteney, and also fourescore mesuages, foure hundred acres of pasture,

¹ Collectanea Topogr. Nichols, vol. i. p. 22. Sandford, Geneal. Hist. p. 419, from a MS. in Coll. Arm. I. ii. p. 22.

² The relation given by Sandford states that the only son of the Countess, Henry, created Marquis of Worcester in 1525, "caused a chapel and a tomb, with her effigies thereon, to be erected by the side of the high-altar of the said church." It appears, however, by the will here published, that the chapel in which her remains were deposited was in the churchyard, and that it had been built not long

before the date of this document, probably at the death of her husband, in 1509. Risdon, in his Survey, commenced 1605, and concluded 1630, describes this chapel and the Courtenay monuments, barbarously destroyed about forty years previously.

³ Richard Fox, translated from Durham, 1500; *ob.* 1528.

⁴ Hugh Oldham, appointed 1504; *ob.* 1519, previously to the date of the above document.

too thousand acres of arabyll lond, oon hundred acres of medowe, too thousand acres of furse and hethe, syx mylles, eight pounds of rent, with thappurtenaunces, in Shevyok, Westaunton, Portloo, Treverbyn Courtney aforeseid, withyn the countie of Cornewall; Also the manors of Sampford Courtney, Challegh, Whiteford, Kenne, Musbury, Farway, Whitwell, Whympell, Baillifford, Norton Dawney, Cornewode, Dowlton; And also fyve hundred mysyes, nyen milles, fyve thousand acres of lond, a thousand acres of medow, thre thousand acres of pasture, too thousand acres of woode, fyve thousand acres of furse and hethe, and fortie pounds of rent, with thappurtenaunces, in Sampford Courtney, Challegh, Whitford, Kenne, Musbury, Farway, Whitwell, Whympell, Ballyford, Norton Dawney, Cornwoode, and Dowlton, aforeseid, in the seid Countie of Devonshire; Also the manors of Peryton and Cabbelond, and thretrie (*sic*) meses, thre hundred acres of lond, oon hundred acres of medowe, thre hundred acres of pasture, thre score acres of woode, foure score acres of furse and hethe, oon wyndmyll, and fortie shelyngs of Rent, in Peryton and Cabbelond aforeseid, withyn the Countie of Somerset, by severall writts of Entrie in the post, as in the Recordes of the same plase more at large apperithe, to the only use of us, the seid Countes, and of our heires, in Fee for ever more, for the performans of the last will of us, the seid Countes, by vertue of whiche Recoveries the seid Bischopp of Wynchester, and the seid other Co-recoverors with them before named, enteryd into the seid manors, londs and tenements, and other the premisses, and theirow were seased in their demesne, as of fee; and so seased, the same Byschoppe of Exceter, John Speke, Lewys Pollard, Knyghts, and William Merwood, died theirow seased, and the seid Richard, Byschoppe of Wynchester, and John Cayleway them overlevid, and held them in the premises, and thereof be now seased in their Demesne, as of Fee by survyvor, to the use of us, the said countes, and of our heires; and so beyng seased, we, remembryng and considering our selfe mortall, as all other persons be, and muste departe and chaunge this transitory lyfe, but what tyme certen to us and all other is unknowen, and therefore hit ys necessary for every wyse man and woman to ordeyn for their Sawles, and while they be here in this present and transitory lyfe, and this in soche tyme and season as they be in helthe of body and perfytte mynde, we now be (*sic*) in bodely helthe and perfitte mynde, laudyd be all myghtye God, make and declare our last wyll of and apon the foreseid manors and other the premisses, in manner and forme hereafter followyng, that ys to say; that the seid Bischoppe of Wynchester, and John Colyton, now levyng, and every of them, their heires and assignes, shall peseable suffer Henry, Lord Marquis of Exceter and Erle of Devonshire, our derest and welbelovyd Sonne, whom we ordeyn and make our Soule and only Executor, to resceve, perceve, levy and take, after our decesse, all the issues, revenues and profyts commyng and growyng of all the seid manors, Londs and tenements, and other the premises, and to dispose the same ysues, revenues and profyts, in forme followyng, that ys to sey; what parcel of the ysues, revenues and profits commyng and growyng of the premisses to bryng (*sic*) our body, in convenyent tyme aftir hit ys dedde, honorably in the yerth, as hit schall beseme and becom our estate and degre to be, and our body to be buridd in the new Chapell lately edefyed and bylded in the southie syde of the church of Seynt Peter, of Tyverton, in the countie of Devonshire aforeseid, with all soche solempnyties and necessary requisits, as it appertenythe to the same

our estate to have. And further, we wyll that all our counsellors, housold servants and officers belonging to us and our seid sonne, to have ayens the same day of our bereall every of them a blacke gowne or cote, everyche after their degreys, to be boughte of the yssues, Revenues and profytts of the premisses, yf hit may covenyently and resonably be hadd ayens that tyme, and yf not, then at the monethes mynd. And also, that all and every of our housold servants, beyng then at the tyme of our decease in our wages, and wilbe (*sic*) rulyd and advertysed by our seid sonne, shall have from the day of our decease oon houle yere is (*sic*) wagys; excepte soche of our seid household servants in wages as shall please our seid sonne to retayn and accepte to hys service, from that tyme of our decease, for the yere then immediatly next followyng the same. Also, we wyll a stondyng household for our seid housold servants, beyng of good conversacion, and in wages, and wilbe advertysed by our seid Sonne, to be hadd and kepte in lyke ordynate maner as ys now kepte conserynyng mete, drynke, and loggyngs, accordyng as shall become soche a Countes servants to have, by the spase of oon moneth immediatly next after our decease, with the issues and profitts of the premisses; and with the issues and profytts of the resydew of all the manors, londs, and tenements of the seid Erledome of Devonshire, yf the money in our Cofers, then at the same tyme of our decease remaynyng, wyll not extende to the performans of the premisses. Furdermore, we wyll that our seid sonne and hys executors shall yerely take of the yssues, revenues, and profytts of the premisses, as moche as shall amownte to the clere yerely valor of oon and twenty pounds sterlyng, for the stypend, wages and fyndyng of thre honest prests; tyll soche tyme as so moche londs and tenements, amountyng to the clere yerely valour of oon and twenty pounds, clerely above all charges and reprises, with soche other londs and tenements as be provyded and optayned all redy for the same entent and use, be by our seid sonne, hys heires or executors, purchasyd, optayned, and hadd. And the same londs and tenements, by hym or them so to be purchasyd or optayned, except londs and tenements to the clere yerely valew of twenty Shelyngs, parcell theirow, schalbe to the seid use and entent, for the contynuall fyndyng of the seid thre prysts for evermore: of the whyche thre prysts too of them were ordeyned and appointyd by the last will of the lord Edward Courtney, late Erle of Devonshire, to synge or say masse in the Paryshe Church of Seynt Peter in Tyverton, aforeseid, or in the Chapell of our blessyd Lady, stondyng⁵ in the church yearde without the Church aforeseid; and the other pryste, that ys to sey, a thred (*sic*) pryst, we, the seid Countes have by this our present last wyll appoyntyd and ordeyned, to soche use and entent as hereafter in this present wyll schal be expressyd. And the seid londs and tenements to the clere yerely valew of twenty shelyngs, parcell of the seid londs and tenements of the clere yerely valew of oon and twenty pounds, to be for the contynuall fyndyng of wax, bredd, and wyne, for the same prysts to synge withall: the whiche thre prysts and every of them to be clete, chosen, namyd, and assigned by our seid sonne duryng hys lyfe, and by hys heires after hys decease, yf hys seid heires be then of full age: and yf hys seid heires be then wythyn age, then by the executors of our seid sonne. And after the decease of our seid sonnes executors, yf hys heires be then wythyn age, then by John, Byschoppe of

⁵ See Dr. Oliver's notice of this chapel, long since destroyed, in his *Ecclesiastical Antiquities in Devon*, vol. ii. p. 105.

Exeter,⁶ and hys successors, for every tyme and as often as the heires of our seid sonne schall happen to be withyn age, and none Executors of our seid sonne onlyfe; and so from tyme to tyme when eny of the seid three prysts decessythe or voidethe. Moreover, we wyll that the seid three prysts schall dayly synge or say three masses in the seid too chapells in Tyverton aforesaid, yf cause resonabyll, lawfull, and necessary be not had and made of trothe to the contrary for excuse of the same; of the whiche three masses deyly to be seid in manner and forme aforesaid, we wyll that oon of the seid three prists, dayly duryng their contynnans and perpetuyte, schall at eight of the clocke in the mornyng yn the new Chapell aforesaid, lately edyfied and bylded, synge or say masse, and the seid pryst, that schall dayly synge or say masse in the new Chapell aforesaid, schall apon the Sonday say masse of the Trenyte; every munday masse of Seynt Kateryn; every tuysday masse of Seynt Thomas of Canterbury; every Weynesday masse of the fyve wonds; every Thursday masse of Corporis Christi; every Fryday masse of the name of Jhesu; and every Saterdag masse of the Assumpcion of our Lady; Except in the foreseid days, or in ony of them, fall soche fests of the yere as be callyd *festa principalia* or *majora duplicata*; in everyche of the whiche Fests, apon what day soever it fall, the seid pryst schall sey masse of the Day. Also the seid prysts schall oon day wykely come together in the seid new Chapell, and at the Tombe where the seid Cowntes body schall rest, and their to sey together, yf they be at home and have none lawfull impediment, Dirige and Commendacions, Dirige with nine lessons, excepte the tyme of Ester; and, in the mornyng followyng, they or two of them to sey the seven Salmes and the Latnie, with the comen suffrage followyng; and, that done, oon of them to sey forthe withall a masse of Requiem, in the seid Chapell where the Body of the seid Countes schall remayn and abyde. And also, that all and every of the seid three prysts, after the Gospell at every tyme when they say masse, at the furst lavatory at the auters ende, schall sey *de profundis*, with the Collec of *fidelium* for the Soules of the late Kyng of Ingland and of Fraunce, of famous memorie, Edward the Fourthe, our Father, and Elizabeth his wyfe, our moder, late Quene of Englund, and for the Soules of the seid Lord Edward Courtney, and the aforesaid Lord William Courtney, his sonne, our late husbond; and for the Soule of Margaret, late wyfe of Henry, Lord Herberd, our doughter, and for our Soule, and all Crysten Soules, and for the good preservation, helth, good and prosperous estate of our seid welbelovyd Sonne, of Henry, Lord marques of Exceter and Erle of Devonshire, longe to endure, to Godds pleasure. Moreover, we wyll that our seid Sonne schall duryng hys lyfe, and hys heires after hys decesse, for evermore, fynde three poure honest men dwellyng withyn the Towne of Tyverton, to knele or sytte aboute our Tombe dayly, duryng the tyme and spase of the seying of the seid three masses, they to help the seid three prysts to masse, and also they to pray for the Sowlys afore rehersed, and for the good and prosperous estate of our seid Sonne; and that every of the seid three pour men to have, for and towards their levyng, every of them eight pence by the weke, to be levyd and takyn by our seid son of the revenues and profyts of the premisses, unto the tyme our seid Sonne, his heirs, Executors or assigns, have purchasyd Londs and Tenements, for the

⁶ John Voysey, appointed bishop 1519; he resigned in 1551.

Contynuans of the seid thre pour men, for ever, for their seid Wagys. And yf hit happen our seid son, or hys heirs hereafter, do purchase Londs and Tenements, whereof their may be levyd too shelyngs by the weke, wekely, for ever, and the same Londs and Tenements so purchasyd to be mortysed, fownded, or made sure and perfytted by the Law for evermore, for the seid thre powre men towards their levyng, in manner and forme aforeseid, then the said some of eight pens by the Wyke, for every of the said pour men, nor any parcel thereof, to be from thensforth levyd of the revenues of the premisses, ne of eny parcell thereof, but that the premisses be clerely from thensforth theirowf dischargyd, and every parcell thereof: the same thre poure men to be named, electid, chosen, and assigned, in manner and forme as before ys rehersed of the seid thre prysts. And over thys we wyll, that yf any of our Servaunts, or of our Sonnes Servaunts, or of any of our heirs servaunts, hereafter happen to fall in decay, by casualty of warres or otherwise, and be whyll (*sic*) to come to churche and pray, that then they to be prefarryd before any other to the seid levyng of eight pens awyke, yf thye (*sic*) wyll to pray for the soules afore rehersed; and yf hyt happen any of the seid prysts or poure men, after they be so prefarryd, fall in decay and not abill to serve, yet they to have their houle wages as before ys seid. And furdernore, we wyll that our seid sonne, hys heirs, executors or assignes, with the ysues, Revenues, and profytts of the premisses, schall content and pay all soche detts as by us shall be dew to any person or persons, at the tyme of our dethe, dewly provyd before our seid sonne, his Executors or assignes, wythyn tyme convenient after our decesse. And funder, we wyll that he see this our present wyll in every behalfe well and trowly performyd and fulfillyd; and in his or their so doying geve hym Godds blessing and ours. In witness wherof we, the seid Countes, to this our present last Wyll indentyd have put our Seall and Sygne manuell. Thes Witness, George Speke, knyght; Humfrye Colles, Esquyer; Richard Haydon; Thomas Spurway and other. Datyd the second day of May, the xix. yere of the rainowf our Soveraign Lord, Kyng Harry the viiith. [1527.]

(Seal Lost.)⁷

(Endorsed.) Be hyt knowne to all men that this dede was sealyd and delyveryd, in the fest of Seynt Michell th'archangel, the xix. yere of the rain of Kyng Harry the viiith., in the presens of George Speke, Knyght: Peter Carsley, Clarke, Doctor of Dyvynyte, and Chanon of Exeter;⁸ Humfrie Colles, Esquyer; Richard Haydon; Thomas Spurway; Harry Strete, Serjant-at-armes; George Jefforon, yoman of the Kyngs Gard, and many others.

Teste GEORGIO SPEKE, Milete. (*sic*)

Teste HUMFRIDO COLLES.

Teste RIC'o HAYDON.

Teste THOMAS SPURWAY.

⁷ Sandford, Geneal. Hist. B. v., gives a representation of the seal of the Countess, annexed to an indenture dated Oct. 6, Hen. VIII. It is circular, and bears an escutcheon of the arms of Courtenay and Rivers, quarterly, impaling, quarterly, 1, France and England, 2 and 3, Burgh, 4, Mortimer. On the dexter side is a dolphin, on the sinister, the lion of March;

above the shield, a demi-rose en soleil. Legend, — Katherina Comitissa Devon. filia soror et amit. Regum.

⁸ Called Sarsley, in the account of the obsequies of the Countess, as printed by Sandford. He preached her funeral sermon, on the text,—"Manus Domini tetigit me."

The foregoing will of a princess of the blood royal, allied to one of the most noble families in the realm, must be regarded as a valuable accession to the class of Testamentary Documents, deservedly held by the historian and the antiquary as of high interest. It is unnecessary here to enter upon any particulars of the history of the countess, since we can refer our readers to the agreeable narrative, recently produced by an accomplished writer, in her interesting "Lives of the Princesses of England." We regret that Mrs. Everett Green had not been made acquainted with the existence of the will under consideration, previously to the publication of her last volume. We must here express our obligation to the courtesy of the Viscount Courtenay, through whose kindness this curious document was first made known to the Institute.

There was, no doubt, another, and probably contemporaneous, instrument, viz. her testament, disposing of her goods and chattels; for this will relates only to her lands and other property of that kind. Having been made before the statute of Hen. VIII., which first enabled persons generally to dispose of their lands by will (the previous power to do so having been confined to a few cities and towns), the instrument is in the form of a deed, and is in fact a declaration of the uses and purposes that she wished should be carried into effect as to those manors, &c., which are mentioned to have been vested in trustees for her use, and for the performance of her last will. By such means it was that lands were indirectly subjected to alienation by will before they were legally devisable. The recoveries were peculiar to the occasion. They imply that the manors, &c., had been entailed, and the object of them was to bar the entail, and vest the fee simple of the estates in trustees for her use. A recovery was a fictitious suit, resorted to for the purpose of barring entails. It was originally an action brought on a feigned title against the tenant in tail: who by collusion made no defence, and the successful plaintiff was called the recoveror, and acquired the property freed from the entail. It had, before the date of the will above given, become a recognised mode of effecting its object. The writ generally used in such proceedings was called a writ of entry *in the post* from certain words contained in it; and there were always as many writs and recoveries as there were counties in which the entailed lands lay. Unlike a testamentary gift of chattels, this will did not require probate; and therefore it accompanied the title deeds of the manors.

The autograph of the Princess, of which a representation is given above at the commencement of her will, placed as it occurs in the original document, is not easily to be deciphered. Mrs. Everett Green has suggested that the true reading is—Katryne Devos'e: the long s. in the latter word, having the usual mark of contraction, which would give the reading, *in extenso*,—Devonsere. Sir Frederick Madden prefers the reading—Devensere; and it has been thought that there may be an e. after the t. in the Christian name—Kateryne.

GENEALOGY OF THE FAMILY OF COURTENAY,

BARONS OF OKEHAMPTON AND EARLS OF DEVON,

TAKEN PRINCIPALLY FROM ORIGINAL DOCUMENTS

BY

THE REV. GEORGE OLIVER, DD., AND MR. PITMAN JONES.

No. of
Genera-
tions.

GODFREY EARL OF EWE (EU) OR BRION, A NATURAL SON OF RICHARD I., DUKE OF NORMANDY, GRANDFATHER TO KING WILLIAM THE CONQUEROR.

GILBERT EARL OF EWE, MURDERED IN NORMANDY.

- 1 BALDWIN de Sáp. de Molis (Meules) or de Brionia (Brionne), one of the Conqueror's Generals at the Battle of Hastings, and at a later period sometimes—ALBRED, the Conqueror's cent de Exeter, from his principal residence there; on whom the King bestowed the Honour and Barony of Okehampton, a Seat of this, type Baldwinus cent de regis Chelmenone, et in sedes castellum:—Domesday, tom. i., fo. 106. He had also the Castle of Exeter, which he sold at the King's command, and the custody of the Tower of London, and no less than one hundred and fifty-nine manors in Devon, and 45 in England, and his successors were styled Sheriffs of Devon till the 16 Hen. III., when that monarch took the Castle, with many others in England, into his own hands.
- 2 RICHARD. In 1082 he witnessed the Charter of the Abbey aux Dames & Ronen; d. s. p. 25 June, 1137; i. at Brightley.
- 3 ADELICIA OF ALICIA.—RANDOLPH AVENELL. Mon. Exon. 342. RALPH AVENELL.—Said to have married MATILDA (called ALICIA in the Newenham Register), "daughter of Robert d'Abrines, or d'Avranches;—MATILDA; d. 21 Sept., 1173. ROBERT LYAKER, or Fitzroy, a natural son of King Henry I.; d. 31 May, 1172; second husband.
- 4 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 5 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 6 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 7 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 8 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 9 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 10 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.
- 11 QV. MATILDA; first wife of King Henry I.; d. 31 May, 1172; second husband.

ABBREVIATIONS.

b. born.
c. christened.
d. died.
gen. generation.
i. interred.
m. or = married.
Par. reg. Parish register.
Ped. Pedigree.
s. p. sine prole.
A. left issue.
Wool. Woolborough.

PEDIGREE OF THE REDVERS FAMILY, FORMER EARLS OF DEVON.

- 1 RICHARD de Redvers, Redvertis, or Ripariis (Revers), Lord of Nebou, in Normandy. He obtained from King Henry I. Tiverton and the honour of Plympton; and—ADELIZA. some time after the Barony of Devon, with the Third Penny of the Royal Rents collected in the county of Devon, then payable to the Crown. He had also a grant of Christ Church and of the Isle of Wight. He died in 1107, and was interred in the Abbey of Montebourgh, in Normandy.
- 2 RICHARD de Redvers, second Earl of Devon, d. 4 June, 1155; i. in the Monastery of Quarer, ADELICIA, ADELIZA, LIZY, or LUCIA, i. at Isle of Wight, which he had founded.
- 3 RICHARD de Redvers, third—DIONISIA, called Mabilla, Hawisia, and Beatrix, in different Deeds, daughter of Mans, 1162. Earl of Devon, d. at Le Reginald Earl of Cornwall.
- 4 RICHARD de Redvers, fifth—EMMA, daughter of second of that name, and fourth Earl of Devon, d. s. p. fourth Earl of Devon, and heir of Ralph de Dol.
- 5 BALDWIN de Redvers, the fourth of that name, and seventh Earl of Devon, an only son, d. ADELICIA, eldest daughter of Gilbert de Clare, Earl of Gloucester and Hertford, by his Countess Isabella. m. 1240. in 1244-5.
- 6 BALDWIN de Redvers, the fourth of that name, and seventh Earl of Devon, an only son, d. ADELICIA, eldest daughter of Gilbert de Clare, Earl of Gloucester and Hertford, by his Countess Isabella. m. 1240. in 1244-5.
- 7 BALDWIN de Redvers, the fourth of that name, and seventh Earl of Devon, an only son, d. ADELICIA, eldest daughter of Gilbert de Clare, Earl of Gloucester and Hertford, by his Countess Isabella. m. 1240. in 1244-5.
- 8 BALDWIN de Redvers, the fourth of that name, and seventh Earl of Devon, an only son, d. ADELICIA, eldest daughter of Gilbert de Clare, Earl of Gloucester and Hertford, by his Countess Isabella. m. 1240. in 1244-5.

The foregoing will of a princess of the blood royal, allied to one of the most noble families in the realm, must be regarded as a valuable accession to the class of Testamentary Documents, deservedly held by the historian and the antiquary as of high interest. It is unnecessary here to enter upon any particulars of the history of the countess, since we can refer our readers to the agreeable narrative, recently produced by an accomplished writer, in her interesting "Lives of the Princesses of England." We regret that Mrs. Everett Green had not been made acquainted with the existence of the will under consideration, previously to the publication of her last volume. We must here express our obligation to the courtesy of the Viscount Courtenay, through whose kindness this curious document was first made known to the Institute.

There was, no doubt, another, and probably contemporaneous, instrument, viz. her testament, disposing of her goods and chattels; for this will relates only to her lands and other property of that kind. Having been made before the statute of Hen. VIII., which first enabled persons generally to dispose of their lands by will (the previous power to do so having been confined to a few cities and towns), the instrument is in the form of a deed, and is in fact a declaration of the uses and purposes that she wished should be carried into effect as to those manors, &c., which are mentioned to have been vested in trustees for her use, and for the performance of her last will. By such means it was that lands were indirectly subjected to alienation by will before they were legally devisable. The recoveries were peculiar to the occasion. They imply that the manors, &c., had been entailed, and the object of them was to bar the entail, and vest the fee simple of the estates in trustees for her use. A recovery was a fictitious suit, resorted to for the purpose of barring entails. It was originally an action brought on a feigned title against the tenant in tail: who by collusion made no defence, and the successful plaintiff was called the recoveror, and acquired the property freed from the entail. It had, before the date of the will above given, become a recognised mode of effecting its object. The writ generally used in such proceedings was called a writ of entry *in the post* from certain words contained in it; and there were always as many writs and recoveries as there were counties in which the entailed lands lay. Unlike a testamentary gift of chattels, this will did not require probate; and therefore it accompanied the title deeds of the manors.

The autograph of the Princess, of which a representation is given above at the commencement of her will, placed as it occurs in the original document, is not easily to be deciphered. Mrs. Everett Green has suggested that the true reading is—Katryne Devos'e: the long s. in the latter word, having the usual mark of contraction, which would give the reading, *in extenso*,—Devonsere. Sir Frederick Madden prefers the reading—Devensere; and it has been thought that there may be an e. after the t. in the Christian name—Kateryne.

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SUBSEQUENT PEDIGREE.—No. I.

COURTENAY OF DEVOYOCK, ETHY, AND TREMEER.

16

Edmund Courtenay, son of Sir Philip Courtenay, Jane, daughter and sole heir of John Devock, of of Powderham, and Elizabeth, daughter of Devoyock, in St. German's, Cornwall.
Walter Lord Hungerford.

17

Maud, daughter of John Mitchell, Richard Courtenay, son of Edmund, called Sir Richard Courtenay, Jane, daughter of John Bosawen of Lostwithiel. Gilbert, 502.
first wife.

18

Laurence Courtenay, of Ethy, in St. Winnow, first son. Living 33 Henry VIII., 1542. (See—Dorothy, daughter of Sir John Sydnham (Sydenham) of Brinton, Co. Somerset.
Mon. Exon. p. 46.) 1545. King Henry VIII. granted to Lawrence Courtenay and Dorothy his wife, in fee, the capital messuage and Chapel of St. Caroc.—Mon. Exon. 69.

William Courtenay, of Devoyock, second son. Elizabeth, daughter of Nicholas Bourman. The visitation of Devon has Bonglorn.

John Courtenay, of Tremee, in Lambeth, third son. Elizabeth, daughter and heiress of Richard Tremee.
Dorothy, m. John Loye. (Qy. Ley.)
Alice, m. Wm. Painter.
According to the Visitation of Cornwall; but see gen. 19.

19

Francis Courtenay, of Ethy, Esq., first son, and living there in Norden's time; d. 22 Dec., 1698; buried at St. Veep. (M. I.)

William. (Qy. m. Dorothy Hoblyn at St. Veep, 28 Nov., 1571.)

Nicholas. Buried at St. Veep, 22 Mar., 1588. (M. I.)

Richard. (Qy. buried at St. Winnow, 3 May, 1697) Elinor Courtenay, Gentlewoman, was also buried at St. Winnow, 17 Oct., 1690. (Qy. of the family, or the wife of Richard.)

Gertrude = Rob. Cassell. (Qy. Kestell.)

Mary.

Katherine = 1st. Thos. Kemp. 2nd. Rob. Smith.

Philip = John Conell.

George Courtenay, daughter of Penkevill, in Cornwall, su- perstes 1690. (Living at Penke- vell in Norden's time.)

Constance, daughter of Thos. Tre- nance, of Lankydock Cornwall.
Dorothy, m. John Ley. (Qy. Loye.)
Alice, wife of Wm. Paynter.
According to the Visitation of Devon; but see gen. 18. The Visitation of Corn- wall has instead the names Joan and Dorothy, with- out mention of their marriages.

Richard Courte- nay, of Tremee, 1st son, buried at Lambeth, 1 Dec. 1682. (M. I.) (Living at Tre- mee in Norden's time.)

Thomazine, daughter of Nich. Kendall, of Pelyn.

Henry Cour- tenay, 2nd son, (Living at St. Ben- nett's in time of Nor- den.)

George Courtenay 3rd son.

Jane, Alice.

20

Francis Courte- nay, of Ethy, Esq.; sold that estate, 1634.

Peter Courtenay, of Penkevill, et. 36, 1690.

2. Hugh. 3. Francis. 4. Littleton.

Loveday, m. Wm. Avery.

Constance, m. Chr. Hatch.

Mary, m. Edw. Kestell.

Joane = Christ. Spry, of Bodmin.

Loveday = William Painter.

Thomazine = Peter Courtenay, son of Peter Courtenay, of Landrake.

William Courtenay, 1st son and heir, 1620.

Jane, daughter of James Bassett, of Tethy, Cornwall.

Francis Courtenay, of Lambeth, 1690. (See Lower Pedigree in Visitation of Cornwall.)

Katherine, daughter of Edw. Lower, of St. Tudy. Buried at Lambeth, 5 Dec., 1683?

George, 2nd son.

21

William Courte- nay, son and heir, et. 8, 1620.

Jane.

Mary, m. Edw. Kestell.

Constance, m. Chr. Hatch.

Joane = Christ. Spry, of Bodmin.

Loveday = William Painter.

Thomazine = Peter Courtenay, son of Peter Courtenay, of Landrake.

William Courtenay, 1st son and heir, 1620.

Jane, daughter of James Bassett, of Tethy, Cornwall.

Francis Courtenay, of Lambeth, 1690. (See Lower Pedigree in Visitation of Cornwall.)

Katherine, daughter of Edw. Lower, of St. Tudy. Buried at Lambeth, 5 Dec., 1683?

George, 2nd son.

The parts in *italics* are proved by the Visitations of Cornwall and Devon, 1620. (M. I.) Monumental Inscription. Norden Description of Cornwall, supposed to have been written temp. Eliz. (1584.)

✓ denotes proof of these marriages by the other recorded Pedigrees of those families. Gilbert Historical Survey of Cornwall by C. S. Gilbert, 1817.

SUBSEQUENT PEDIGREE.—No. II.

COURTENAY OF LANDRAKE AND LADOCK.

17

Edward Courtenay, of Landrake, second son of Sir Alice, daughter and heiress of William Courtenay, of Powderham, and Margaret Bonville; died 1st March, 1509; buried at Landrake. (M. I.)

18

Edward Courtenay, second daughter and co-heiress of Thomas Trethurffe, of Trethurffe, in Ladock.

19

Peter Courtenay, of Landrake, Katherine, daughter and co-heiress of William Reskimer, of St. Tudy. (See arms inscribed with her husband's in church of St. Tudy. From the order in which the daughter's arms are there placed she was probably the third.)

20

John, first son, d. s. p. Ann St. Aubert, Westcott's Devon, MSS. Edward Courtenay, second son. Elizabeth, first daughter and heiress of Tristram Gysses, of Budockshed, in Devon. William Courtenay, third son. Anne Douglas, third daughter and co-heiress of Tristram Gysses. Peter Courle, fourth son. Peter Courle, Thomasine, daughter of Richard Courtenay, of Lanivet. Mary married Richard Spoure, of Trebartha, Cornwall, Esq. —Spoure MSS. Ann, married Gilbert Holcombe, —Westcott MSS. Alice (Westcott MSS.) (Qy. married Trevisa of Crocaden.) —Spoure MSS. A daughter supposed to have married N. . . Bonython. —Spoure MSS. A

21

John, died young —Westcott, MSS. Peter Courtenay, first son, at 4; N. . . daughter of Jonathan Rashleigh, of Menabilly, Esq., born 1619; married 1638; died 18 N. . . 1659; buried at Tywardreth. (M. I.)

22

William Courtenay, died 10 Jan., 1633; devised his estate to his cousin Humphry Courtenay, of Tremear; d. s. p. Anne Rashleigh Courtenay, died 1655; buried in Fowey Church. (M. I.) Mary Courtenay, died one year and half, 1630. Edward, one year and half, 1630.

The parts in *italics* denote the recorded Pedigree of the Visitation of Cornwall in 1630. Spoure MSS. A Book in the possession of Francis Rodd, Esq., Trebartha Hall, Cornwall.

(M. I.) Monumental Inscription. Westcott MSS. These have been published by the Rev. George Oliver, D.D.