

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 2 January 1603 and proved 13 May 1603, of Roger Harlakenden, who defrauded Oxford of Colne Priory, which had been granted by King Henry VIII to John de Vere (1482-1540), 15th Earl of Oxford. For the original grant of Colne Priory to the 15th Earl dated 22 July 1536, see TNA C 66/668, mm. 26-7. For the partial judgment in Chancery on 10 February 1599 in Oxford's lawsuit against Roger Harlakenden for fraud in the sale of Colne Priory, see TNA C 78/104/17, mm. 27-8. No mention is made in the will below of the Colne Priory lands which Roger Harlakenden had earlier conveyed to his son Richard.

For the monument to Roger Harlakenden and his four wives, Elizabeth Hardres, Elizabeth Bletchenden, Jane (nee Josselyn) Kelton and Anne Dewhurst, see Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. I (London: John Bowyer Nichols, 1846), pp. 254-5, available online. The monument states that the testator died on 21 January 1603 and that his four children were by his first wife, Elizabeth Hardres. The testator is said to have married his third wife, Jane (nee Josselyn) Kelton, in 1580 (see TNA C 3/273/36). The testator's fourth wife, Anne (nee Warde) Dewhurst, was a relation of Lord Burghley and the widow of Lord Burghley's trusted servant, Bernard Dewhurst (c.1533-c.1596). Dewhurst left his wife, Anne, the leases of his house at Westminster and the manor of Haddam in Hertfordshire. Both properties are mentioned in Roger Harlakenden's will below. See Barnett, Richard C., *Place, Profit and Power; A Study of the Servants of William Cecil, Elizabethan Statesman* (Chapel Hill: University of North Carolina Press, 1969), pp. 59-63. For the will of Bernard Dewhurst, see TNA PROB 11/89/138. For the Harlakenden pedigree, see Nichols, John Gough, *The Topographer and Genealogist*, Vol. I (London: John Bowyer Nichols, 1846), p. 233, available online.

For the inquisition post mortem taken 26 May 1603, which states, inaccurately, that Roger Harlakenden died on 1 January 1603, see TNA WARD 7/38, no. 163 at <http://linux02.lib.cam.ac.uk/earlscolne//govern/12800005.htm>. The inquisition post mortem actually states that Roger Harlakenden died on 21 January 1603.

RM: T{estamentum} Rogeri Harlakinden

In the name of God, Amen. The second day of January in the five and fortieth year [=2 January 1603] of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., I, Roger Harlakenden of Earls Colne in the county of Essex, esquire, being sick in body but of good and perfect remembrance, thanks be unto Almighty God, do ordain and make this my last will and testament in manner and form following:

First of all I bequeath my soul to Almighty God, trusting that through the death, passion and resurrection of Jesus Christ, my only Saviour, Mediator and Redeemer, I shall rise again to immortality and everlasting joy with the elect children of God;

Ad I will that my body be decently buried in the high chancel of Earls Colne aforesaid, and that a convenient tomb be made for me there in the wall at the right hand of the door coming into the said chancel, in or upon which said tomb I would have mention made of all my wives and children;

Item, I will that there be given to the poor people of the same parish five pounds of lawful money; forty shillings thereof shall be distributed at my burial, and the other three pounds to be kept in stock and employed to the use of the most honest and needy poor people of the said parish at the discretion of the minister and churchwardens and overseers, with the consent and direction of four or six of the chiefest household[ers] of the same parish for that time being;

Item, I will and bequeath unto the poor people of either of the parishes of Warehorne and Kenardington in the county of Kent the sum of forty shillings apiece, to be paid within two years next after my decease, to be distributed by the ministers, churchwardens, overseers and four or six of the chiefest inhabitants of either of the said parishes as is aforesaid;

Item, my will and mind is that Robert Cobb, my servant, shall have and enjoy to him and his assigns during his natural life the house or tenement, the yards, croft and meadow on the backside thereof, and now in the tenure and occupation of the said Robert Cobb now adjoining unto Hall meadow, the said Robert keeping and maintaining all the houses and premises in good and sufficient reparations and enclosures, having great timber for the purpose assigned and allowed unto him within the parish of Earls Colne aforesaid, and my will and meaning is further that if Edith, now the wife of the said Robert, shall happen to overlive her said husband, that then the said Edith shall have and enjoy the said house and premises one year after, she keeping the reparations and enclosures as is aforesaid;

Item, my will is that the said Robert Cobb shall be acquitted and discharged of all such sums of money or rents as he now oweth unto me, either for the said house and premises or for any other cause or reckoning whatsoever, so as the said Robert Cobb shall not claim any debts or reckonings of me or mine executors or administrators;

Item, I give and bequeath unto Anne Cobbe, the daughter of the said Robert Cobb, one croft lying at Coleford hill and now in the occupation of John Warde, her grandfather, to have and to hold to her and her assigns until the said Anne shall accomplish her full age of one and twenty years if she shall so long live, the said Anne paying therefore yearly during the said time the rent of two shillings only unto the heirs in reversion or remainder, and she keeping the same in good enclosures;

Item, I do give and bequeath unto Thomas Anderson, my servant, one tenement called Crose house with certain lands thereunto belonging and one other tenement called the Tilekill with the lands thereunto belonging now in the occupation of the said Thomas and his assigns, to have and to hold to him and his assigns during the term of forty years if he, the said Thomas, shall so long live, for the yearly rent of five pounds of lawful money payable to the heir or heirs in reversion or remainder at the two usual feasts in the year by equal portions, he, the said Thomas, keeping the same houses and enclosures in good reparations, having rough timber to be assigned unto him within Earls Colne aforesaid, and my will also is that the said Thomas shall be acquitted and discharged of all reckonings and accounts whatsoever, the rents of assize by him already collected only excepted;

Item, I give and bequeath unto Robert Pigott, my servant, as an increase of his wages so long as he shall be the servant unto either of my two sons, Richard and Thomas, the tenement and yard now in the occupation of the said Robert Pigott or his assigns, situate in Hollestreate, together also with one other tenement late in the occupation of Stephen Champney, situate in the lower part of Hollstreate aforesaid, he paying only the yearly rent of two shillings apiece for either of the said tenements unto the heir or heirs in reversion or remainder, and the said Robert Pigott keeping both the said houses and yards in good and reasonable reparations and enclosures, having rough timber to be assigned unto him in Earls Colne aforesaid, provided always and my mind is that if it shall happen that the said Pigott shall be unwilling to serve either of my said sons, or if both my said sons shall be unwilling to have the said Pigot to be their servant, that then my mind is that the said Robert Pigott shall have the house and tenement first mentioned to be bequeathed unto him for the term for three years only for the rent aforesaid next after such disliking as is aforesaid, and also my will and meaning is that for the other house or tenement that the now wife of the said Robert Pigott shall have the use thereof and her dwelling therein during the space of five years for the benefit of herself and Thomas, her son, if they both or either of them shall so long live;

Item, I do give and bequeath unto every of my brother John Harlakenden his daughters, being five in number, the sum of ten pounds apiece, to be paid to every of them within three years next after my decease, and if it shall happen that any of them do die before the time aforesaid of the payment, then my will and meaning is that her or their parts so dying shall be equally divided among thother then surviving;

Item, I do give and bequeath unto every of my other servants, both male and female, that shall be dwelling with me at the time of my decease and have dwelt with me for the space of two whole years before, the sum of twenty shillings apiece over and above their wages, and to all my other servants ten shillings apiece above their wages, to be paid to every of them within one year next after my decease;

Item, I do give unto John, my brother William Harlakenden his servant, and to Groome, my son Richard his servant, ten shillings apiece, to be paid to either of them within six months after my decease;

Item, I do give unto old William Mannors twenty shillings, and to Katherine Greene, the wife of Randoll Greene, forty shillings, to be paid to either of them within one year next after my decease;

Item, I give unto William Harlakenden, my brother, one of my best ambling nags and a ring of gold, price three pounds, or else three pounds in money to make him a ring in remembrance of me, to be paid within [] months next after my decease;

Item, I do will and request that my said brother shall during his life have the use of the chamber and study that now he hath, and also have his diet and lodging in my now dwelling-house freely when and so often as he shall come to have and take the same for himself, his manservant, and two geldings during his life;

Item, I do will and bequeath the sum of ten pounds to be distributed to five godly preachers by the appointment and good discretion of my said brother, William Harlakenden, within two years next after my decease;

Item, I give unto my son-in-law, Mr Clement Stonard, and to Mabell Stonard, his wife, and to Francis Stonard, their son, the sum of three pounds apiece to make every of them a ring of gold in remembrance of me, to be paid to every of them within one year next after my decease, and I do also give unto my said daughter my three bowls of silver which were mine before my last marriage, to be delivered immediately after my decease;

And whereas I have heretofore promised to pay to my said son, Stonard, the sum of fifty pounds after my decease in consideration of certain lands which he should have had of me, I do declare that I have already paid unto him twenty pounds, parcel of the said fifty pounds, and my will and meaning is that the other thirty pounds or so much thereof as shall be unpaid at the time of my decease shall be paid unto him within two years next after my decease;

Item, I do give unto my nephew, George Harlakenden of Yeldham, the sum of three pounds to make him a ring of gold in remembrance of me, to be paid to him within two years after my decease;

Item, I do give and bequeath unto Anne, my loving wife, all such jewels which now are in her custody and were hers before I married with her, and all one other jewel which I gave her when I was a suitor unto her, and all the new gold chain which she hath and then I also gave unto her, with all other pearls or jewels which then or since I have given unto her;

And also five of my best milch kine, and my best coach with two of my coach-horses at her election with all the furniture belonging to them, and five quarters of wheat, five quarters of barley-malt and five quarters of oats, all sweet and good for her provision, to be delivered to her at my now dwelling-house within ten days next after my decease, and also two of my best featherbeds with all the furniture (linen excepted) to them belonging at her election;

And I do also give and bequeath unto my said wife the lease of Hadham [=Haddam] which I had with her;

And also I do give unto her after the end of one month next after my decease the one moiety of the lease of the house at Westminster which I had with her in marriage, to have and to hold to her and her assigns for and during so many of the years as she, the said Anne, shall happen to live, and no longer; the remainder thereof I do give unto mine executors hereunder named towards the performance of this my will;

Item, I do give unto my said wife one wainscot chest standing in the little chamber with all the linen therein upon these conditions hereafter following, that is to say, that the said Anne, my wife, shall ratify and confirm one lease heretofore made by me and herself unto William Harlakenden, my brother, according to the purport of the same indenture of lease, and also shall permit and suffer my executors peaceably and quietly to have and enjoy all my other goods and chattels whatsoever before not being bequeathed unto her, and I do heartily request my said wife to be good unto all my children, and to give unto my said sons some good and reasonable time for the payment or delivery of such sums of money or goods as they are to pay and deliver [+unto] her after my decease either by bond or otherwise;

All the residue of my goods and chattels whatsoever, my debts and legacies being paid and my funerals discharged, I do wholly give and bequeath to Richard Harlakenden and Thomas Harlakenden, my sons, for and towards the performance of this my last will and testament;

And I do also will and devise unto my said executors all that the lease and interest and benefit of the part of the park called Earls Colne park as the same is divided from the new way that leadeth from Colne aforesaid towards Marshall Green as the same lieth on the east side of the said way and lieth towards Coggeshall, and also all the like lease and interest in the manor of Earls Colne and other the lands therewith leased which is made to my brother, William, by myself and Anne, my wife, to have and to hold the same lease and part of the same park and other the premises to them and their assigns for and during the term of threescore years next after my decease if the said Anne shall so long live, and for and during the term of forty years next after the decease of the said Anne for and towards the payment of my debts and the performance of this my will;

Item, my will and mind further is that after the time and term of years before devised unto my said executors, the reversion and remainder of the said manor and the lands and tenements thereunto belonging, with all the royalties and rents of assize and also all the said part of the park, shall wholly be and remain unto Richard Harlakenden, my son, and to the heirs males of his body lawfully begotten and to be begotten, and for default of such heir male then I do will and devise the same and every parcel thereof unto Thomas Harlakenden, my son, and to the heirs males of his body lawfully [+begotten] or to be begotten, and for default of such issue the remainder to the right heirs of me, the said John [sic] [INTERLINED: Roger] forever;

And I do constitute and appoint my said two sons the only executors of this my last will and testament, charging them to see the same to be truly and faithfully performed in all points, and for the better performance thereof my will and meaning is that my said sons shall severally enter into bond in the sum of five hundred pounds unto my said brother, William Harlakenden, with a condition that they shall for their parts well and truly perform this same will, and if either of my said sons shall not enter into bond unto my said brother as is aforesaid, then my will and meaning is that he shall not be my executor nor take any benefit by this my will, but then my meaning is that my said brother shall be my executor with my other son that shall so enter into bond as is aforesaid, the said William entering into the like bond unto his co-executor as is aforesaid;

And I do renounce and revoke all other wills heretofore made by me;

And I do request my said brother, William, and all other persons that have any assignment of leases or other deeds of gift made to them by me or my appointment of anything whatsoever, that they would assure the same according to this my will and the trust reposed in them;

In witness whereof I have hereunto set my hand and seal the day and year above-written, Roger Harlakenden. Robert Sandforde.

Probatum fuit h{uius}mo{d}i Testamentum apud London coram Venerabili viro magistro Iohanne Gibson legum D{o}c{t}ore Curie Prerogative Cant{uariensis} m{agist}ro Custode sive Com{m}issario l{egi}time constituto Decimo tercio die mens{is} Maij Anno Domini mill{es}imo sexcentesimo tercio Iuramento Richardi et Thome harlakinden executorum in h{uius}mo{d}i testamento no{m}i{n}at{orum} &c Quibus Com{m}issa fuit admi{n}istracio &c De bene &c Iurat{orum} Ex{aminatus}

[=The same testament was proved at London before the worshipful Master John Gibson, Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the thirteenth day of the month of May in the year of the Lord the thousand six hundred third by the oath of Richard and Thomas Harlakenden, executors named in the same testament etc., to whom administration was granted etc., sworn to well etc. Examined]