

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 8 April 1496 and 20 May 1496 and proved 7 November 1496, of Benedict Trotter, whose widow, Joan, married John Fitzherbert (d.1502), Remembrancer of the Exchequer, whose great-granddaughters, Dorothy Port (d.1607) and Margaret Port (d.1613), married into families related to Oxford's second wife, Elizabeth Trentham

The testator's parentage is unknown. However it would appear from the will below that his father and mother were buried at Oakham, Rutlandshire. In the will below the testator mentions two brothers, John Trotter, who appears to have predeceased the testator, and Hugh Trotter, a priest, and a sister, Agnes Hardhede.

The testator married a wife named Joan, whose parentage is unknown. However in the will below the testator mention his 'brother, William Holte', and it may be that Joan's maiden name was Holte. For her will, see TNA PROB 11/28/447.

The following documents establish Joan's two marriages, firstly to the testator and secondly to John Fitzherbert (d.1502), Remembrancer of the Exchequer:

<http://discovery.nationalarchives.gov.uk/details/r/C3977216>

STAC 2/25/279

Plaintiff: Philip Edward

Defendant: Johan Fitz Herbert, late wife of Benett Trotter, merchant of the staple of Calais

Place or Subject: Debt (replication only)

County: Devon

Note: See STAC 1/2/103

<http://discovery.nationalarchives.gov.uk/details/r/C6771790>

STAC 1/2/103

Plaintiff: Philip Edward

Defendant: John [sic for 'Johan'] Fitzharbart

Place or Subject: Debt of defendant's late husband

Note: For remainder see STAC 2/14/36, STAC 2/17/392; STAC 2/20/42 and STAC 2/22/277

Date: 22 Henry VII [=1506/7]

For the will of John Fitzherbert (d.1502), see TNA PROB 11/13/46.

The testator names several of his children in the will below, including Benett (later buried at Saint Albans, Wood Street); John; Robert (later a priest at Saint Anne and Agnes in London, buried at Saint Albans, Wood Street); Nicholas (for whose will, dated 16 September 1527 and proved 24 July 1528, see TNA PROB 11/22/564), Hugh; Katherine; and Elizabeth.

For the will of the testator's daughter, Dorothy (nee Trotter) Lake (d.1545), see TNA PROB 11/30/349.

For the testator's son, Hugh Trotter, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/trotter-hugh-1504-3536>.

The testator and his wife, Joan, were ancestors of the Lord Protector, Oliver Cromwell.

For additional references to the testator, see Malden, Henry Elliot, ed., *The Cely Papers*, (London: Longmans, Green and Co., 1900), pp. 80, 191 at:

<https://archive.org/stream/celypapersselect00malduoft#page/80/mode/2up>.

For the testator's former master, John Broke, grocer and alderman of London, see:

http://www.tudorplace.com.ar/Documents/aldermen_of_london.htm.

LM: Testamentum

[f. 22v] In the name of God, Amen. In the year of Our Lord God 1496 the 8 day of April, I, Benett Trotter, grocer of London, of whole mind and memory, not knowing the day when it shall please God to call me to his mercy, make my will and testament in the form and manner following:

First I give and bequeath my soul to our Saviour Christ Jesu that bought it with his precious blood that I may be parcenter with him in eternal joy to the which he ordained and create(?) man, and my body to be buried within the sanctuary of the parish where it shall please Almighty God me to end my life;

I give and bequeath to the high altar of the parish church of Saint Benet [=St Benet Sherehog] in the Lane of Saint Sithe [=Osyth] within London for my tithes and offerings forgotten 10s;

And to the high altar of Saint Albans in Wood Street under the form above rehearsed 10s;

Item, I bequeath to the Friars Preachers of Cambridge to have a dirge and a Mass, among them 20s;

Item, I bequeath to the guilds kept at Okeham [=Oakham] to pray for the souls of my father and mother £6 13s 4d;

Item, I bequeath to Joan, my wife, above the 3rd part of my goods that she shall have, £30 and a gilt cup weighing with the covering 20 ounces;

Item, I bequeath to every of my children living at the day of my death £13 6s 8d over and above the 3rd part of my goods, egally to be divided among them;

And to Benett Trotter, my son, and Katherine, my daughter, if God give them life, of my part at their lawful age 20 mark apiece under [sic?] and above that which of them shall have as the other hath;

And every of my children to have a bed and that that shall long thereto, or 40s to buy one withal, to be delivered by mine executors;

Item, I bequeath to my sister, Agnes Harddhede, 40s, and to each of her own children, as John, Joan and Katherine, when they come to marriage, £3 6s 8d apiece of them;

Item, I will my brother, Master Hugh Trotter, of my part to dispose whereas shall please him, £20;

Item, I bequeath to the making of a new rood loft in the church of Saint Albans in Wood Street when they shall begin it £20, and to have a new ring of bells, towards that £6 13s 4d;

Item, I bequeath to Dame Joan Ashewell 40s and my beads of amber;

Item, I give to be bequeathed to my master, John Broke, in recompense of my wanton expense in the time I was his apprentice, £13 6s 8d;

Item, I bequeath to the fellowship of the Grocers in money £5 towards a pair of gilt salts to pray for me at their pleasures;

Item, I will an honest priest sing for me 6 year, and to have yearly for his salary 10 mark, and to wait of the fellowship of the grocers at obit when they covenant(?) with him;

Item, I bequeath to highways nigh to London thereas is need to be amended £10;

Item, I bequeath to poor prisoners that lie for debt in Newgate, Ludgate and Marshalsea to be distributed by the mind of mine executors £10;

Item, I bequeath to be given in the parish of Saint Albans to poor householders by mine executors in coals £5, that is to wit, every year 20s, 5 years during;

Item, I will and require my feoffees in my house in Wood Street that they make estate for term of life to Joan, my wife, if she survive me, so that she bear reparation and all other charges to that house and tenement thereto joining that is 40s yearly quit-rent, but I will and require my feoffees of my house in Wood Street and all other in London and

elsewhere that they make estate in tail to John Trotter, my son, under this form following, that the said John have all my livelihood with the house and tenement in Wood Street after the decease of my wife to him and to his heirs male lawfully begotten, and for default of heirs male all the houses & tenement to go by descense to his next brother and to his heirs male, and so from heir male of one brother to the heirs male of another brother as long as any of my sons or heirs male of them be living;

And for default of heir and issue male of my sons, I will my lands and tenements before rehearsed come by descense to my elder daughter and to the heirs general of her body lawfully begotten, and so for default of heirs of one daughter to the heirs general of another daughter as long as any heirs of my body lawfully begotten [f. 23r] is living;

And for default of heirs of my body lawfully begotten, I will that the said houses and tenements go to the heirs of Joan, my wife, if she marry again and have any heirs of her body lawfully begotten;

And for default of heirs of her body lawfully begotten, I will it go to the heirs lawfully begotten of my sister's body, Agnes Herdhede;

And if it shall fortune me, my wife, and Agnes, my sister, to depart this world having no heirs lawfully begotten, I will that then the said tenements and houses be sold and the goods thereof to be disposed for the weal of my soul and for the souls of my father and mother and Joan, my wife, and all my children, and John, Hugh, Agnes, my brethren and sister's souls;

And like as in [sic for 'I?'] will that every of my children be other's heir to my tenement and housing, so I will that they be each other[s] heir of all other goods if any of them die or [=ere] they come to lawful age or be not able to make a testament;

And all other goods, after my debts and these my legates and bequests paid, I will that they be given wholly to my brother, Hugh Trotter, and Joan, my wife, and John Broke, alderman and my master, and to John Ashewell, mine executors of this my last will, to whom and to either of them I bequeath to see this my last will performed 5 mark apiece;

Witness, Thomas Jaconett and Thomas Parson;

Provided always if I die, my heir being within age, then that he and my legates to him both in tenements and other goods be reserved and kept to his behoof by Hugh Trotter, priest, and my master, John Broke, and so for all the goods of any of my children;

Provided that if Joan, my wife, marry not after my decease, that she to have the keeping of all their parts of houses and tenements and goods, and if that she marry or [=ere] they come to age, that she shall deliver all such tenements and goods as she shall have of my children or of any part resting in her keeping of my legacy, or else I will she have not my house in Wood Street nor tenement of the same nor the gilt cup weighing 20 ounces nor the £30 in money;

Also I will that I have a dirge and a Mass done for me, and the fellowship of the Grocery, they to bring me on earth, and every man to have a bun or a cake with them home;

And as for my year's mind, I remit that to mine executors as they see my debts come in;

Also I will and bequeath to John Sugdon, sometime Merchant of the Staple, if he be alive, 40s, or to his wife and children if he be dead;

And to the father of Henry Scherschey, or his mother or next of his kin at Corby beside Okeham [=Oakham] 26s 8d, or if none be alive to be done for her soul;

These 2 p{ar}celx(?) I give in recompense of that I have gotten by them in my youngth;

To the witness of this my last will and deed I have written this with mine own hand, beseeching them to admit it though it be not the fairest nor truest English, to take my true intent with good mind and memory, the year and day abovesaid;

Also I bequeath to Elizabeth, my daughter, of my part when God shall send her to lawful age, over and above that Robert, Nicholas and Hugh shall have, 10 mark;

Also I bequeath to my brother [=brother-in-law], William Holte, to have me in mind, my ring with the turquoise;

Also I have desired Richard Brewster to underwrite this my last will that he may so testify and witness, and I have sealed therewith my puncheon at London the 20 day of May Anno Domini supradict{o}.

Probatum fuit suprascriptum testamentum Coram D{omi}no Apud Lameth vijo Die mensis Nouembris Anno D{omi}ni Mill{es}imo CCCC Nonagesimo sexto Iuramento Iohanne Relicte Iohannis Broke & Iohannis Asshewell executor{um} Ac approbatum &c Et comissa fuit admi{ni}stracio dict{is} [sic?] et singulor{um} bonor{um} & debitor{um} &c dictis executoribus &c De bene &c ac sub vnanimi consensu &c admi{ni}strand{o} eadem Ac de pleno Inuentario &c cit{ra} festum Conceptionis b{ea}te Marie Virginis prox{imum} futur{um} exhibend{o} necnon de plano & vero compoto &c ad santa dei eu{a}ngelia iurat{is} &c

[=The above-written testament was proved before the Lord at Lambeth on the 7th day of the month of November in the year of the Lord the thousand 400 ninety-sixth by the oath of Joan, relict, John Broke & John Ashewell, executors, and probated etc., and administration was granted to the said [sic?] and singular goods & debts etc. to the said executors etc., sworn etc. on the Holy Gospels to well etc. and with unanimous consent etc. to administer the same, and to exhibit a full inventory etc. before the feast of the

Conception of Blessed Mary the Virgin next to come, and also [+to render] a plain & true account etc.]