

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 3 February 1541 and proved 22 March 1541, of Joan Fitzherbert, widow of 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

Until now the testatrix' maiden name, and the name of her first husband, were unknown. However the following documents establish that she married firstly the London grocer, Benedict Trotter (d.1496), and secondly 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]

In his will, the testatrix' first husband, Benedict Trotter, bequeaths 'to my brother [=brother=in-law], William Holte, to have me in mind, my ring with the turquoise'. It may be that William Holte was the testatrix' brother, and that her maiden name was Holte. See the will of Benedict Trotter, TNA PROB 11/11/101.

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

For the will of the testatrix' daughter, sole legatee and executrix, 'Dorothy Lake, widow' (d.1545), see TNA PROB 11/30/349.

The testatrix and her first husband, Benedict Trotter, were ancestors of the Lord Protector, Oliver Cromwell.

LM: T{estamentum} Iohanne ffitzharbert vidue

In the name of God, Amen. The third day of February in the year of Our Lord God a thousand five hundred and forty and in the 32nd year of the reign of our Sovereign Lord King Henry the 8, I, Joan Fitzherbert, widow, being of whole mind and perfect remembrance, laud and praise be unto God, make and ordain this my present testament and last will as well touching and concerning the disposition of all and singular my manors, lands and tenements and all other mine hereditaments with their appurtenances hereafter specified as also my movable goods and chattels in such manner as hereafter followeth, that is to wit:

First I commend my soul to Almighty Jesu, my Maker and Redeemer, and my body to be buried within the parish church of Saint Alban in Wood Street of London;

Item, I bequeath to the high altar of the parish church of Saint Alban's whereof I am a parisen for my tithes and oblations forgotten or negligently withholden, if any such be, in discharge of my conscience 3s 4d;

Item, I bequeath unto the high altar of the parish church of Saint Augustine's within the parish of Hackney in the county of Middlesex 3s 4d;

Item, I bequeath to the poor people being within the spital house of Kingsland within the parish of Hackney aforesaid 20d;

Item, I will, give and bequeath unto my daughter, Dorothy Lake, widow, and to her heirs and assigns to her own proper use and behoof of the same Dorothy and of her heirs forever all and singular my manors, lands, tenements and hereditaments, meadows, leasows, pastures, commons, woods, rents, reversions and services whatsoever they be and where and in what place soever they be found within the realm of England, and also all and singular my goods, chattels and debts, as well movable and unmovable, wheresoever they may be found, which Dorothy of this my present testament and last will I make and ordain my sole executrix, and utterly revoke and annul all and every other former testaments, wills, legacies, bequests, executors and overseers by me in any wise before this time made, named, willed or bequeathed, and I will that this my present testament and last will shall remain and perpetually abide for my very testament and last will together with all legacies, bequests and executrice by me herein made, named, willed and bequeathed, and none other nor otherwise;

In witness whereof to this my present testament and last will I, the said Joan, have set my seal, given the day and year above-written, these witnesses: William Carkeke, notary, John Harrison, clerk, Robert Colson, and other.

Probatum fuit sup{ra}scriptum testamentu{m} coram d{omi}no Apud london xxijo die mens{is} Marcij Anno D{omi}ni Mill{es}imo quingentesimo quadragsimo Iuramento Ioannis Talkar{n}(?) notarij pu{bli}ci procurator{is} Dorathee Lake executric{is} in h{uius}mo{d}i testament{o} no{m}i{n}at{e} Ac approbatum et insinuat{um} Et comissa fuit admi{n}istracio o{mn}i{u}m et sing{u}lor{um} bonor{um} iuriu{m} et creditor{um} dict{e} defunct{e} p{re}fat{e} executric{i} De bene &c Ac de pleno et fideli Inuentario &c exhibend{o} Necnon de plano et vero compoto &c reddend{o} Ad sancta Dei Eu{a}ngelia in p{er}sona Dict{i} procurator{is} Iurat{e}

[=The above-written testament was proved before the Lord at London on the 22nd day of the month of March in the year of the Lord the thousand five hundred fortieth by the oath of John Talkarn, notary public, proctor of Dorothy Lake, executrix named in the same testament, and probated and entered, and administration was granted of all and singular the goods, rights and credits of the said deceased to the forenamed executrix, sworn on the Holy Gospels in the person of the said proctor to well etc., and to exhibit a full and faithful inventory etc., and also to render a plain and true account etc.]