

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, together with a schedule dated 16 February 1594, proved 12 February 1597, of Jane (nee Newton) Cartwright Fitzjames.

The testatrix was one of the twenty-one children of Sir John Newton or Cradock (c.1505-1568) of East Harptree, Somerset, and Hanham, Gloucestershire, by Margaret Poyntz (c.1505-1559). She was the sister of Elinor (nee Newton) Elliott; Nazareth (nee Newton) Southwell Paget; and Frances (new Newton) Brooke, second wife of William Brooke (1527-1597), 10<sup>th</sup> Baron Cobham. For Lady Cobham, see the *ODNB* entry. For the will of Elinor (nee Newton) Elliott, dated 16 September 1588 and proved 7 November 1588, see TNA PROB 11/73/55.

The testatrix married firstly Hugh Cartwright (d.1572), and secondly Sir James Fitzjames (d.1579). For the will, dated 10 December 1571 and proved 5 July 1572, of Hugh Cartwright, see TNA PROB 11/54/317. For the will, proved 14 November 1579, of Sir James Fitzjames, see TNA PROB 11/61/525.

The chief beneficiary under the testatrix' will was her nephew, George Brooke (17 April 1568 – executed 5 December 1603), youngest son of William Brooke (1527-1597), 10<sup>th</sup> Baron Cobham, by the testatrix' sister, Frances (nee Newton). For George Brooke, see the *ODNB* article.

The 'Lady Cecil' and 'Lady Stourton' to whom the testatrix leaves bequests in the will below were Elizabeth (nee Brooke) Cecil (1562–1597), the wife of Oxford's brother-in-law, Robert Cecil (1563-1612), 1<sup>st</sup> Earl of Salisbury, and her twin sister, Frances (nee Brooke) Stourton, who married firstly, on 5 November 1580 at the Blackfriars, John Stourton (1553 – 13 October 1588), Lord Stourton. After the death of Lord Stourton, Frances was courted by Sir Thomas Shirley (1564–1633/4), the eldest son of Sir Thomas Shirley (c.1542-1612) of Wiston, Sussex, and Anne Kempe (c.1542–1623). However Shirley concurrently began an affair with Frances Vavasour (d.1610x1615), the sister of Oxford's former mistress, Anne Vavasour, and having impregnated her, secretly married her in the summer of 1591, creating a scandal for which the Queen imprisoned him in the Marshalsea until early 1592. Frances (nee Brooke) married secondly, about 1595, as his second wife, Sir Edward More (d.1623) of Odiham, Sussex, later the executor of the will of Oxford's second wife, Elizabeth Trentham (d.1612). For the marriage of Frances Brooke and John Stourton, her courtship by Sir Thomas Shirley, his marriage to Frances Vavasour, and Frances Brooke's marriage to Sir Edward More, see McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham*, (Salzburg: Universitat Salzburg, 1986), 2 vols., pp. 418-22, 609-14; the *ODNB* article on Sir Thomas Shirley; the will of Sir Edward More, dated 24 April 1623 and proved 19 May 1623, TNA PROB 11/141/530; and the will of Elizabeth (nee Trentham) de Vere, Countess of Oxford, TNA PROB 11/121/171. See also the entries for Frances Brooke, Frances Vavasour and the testatrix at

<http://www.kateemersonhistoricals.com/TudorWomenIndex.htm>.

LM: T{estamentum} Jane ffitzJames

[f. 80v] In the name of God, Amen. I, Jane Fitzjames, widow, late wife of Sir James Fitzjames, knight, of Somersetshire, deceased, being sick of body but whole of mind, I thank Almighty God, do make this my will and last testament:

First I do bequeath my soul to Almighty God, who so loved the world that he gave his only Son for our salvation; therefore I steadfastly believe he will receive it;

My body to be laid in the chancel of the parish church of [+the] town [+of] Malling by my brother and sister, Elizabeth, with some little copper upon it;

I give all my good[s] to my nephew, George Brooke, my debts and legacies paid;

Written with my own hand, Jane Fitzjames.

A schedule to be annexed to my will made the sixteenth day of February one thousand five hundred ninety-four in the presence of Mistress Clerke of Forde & Valentine Harrison of the will of Dame Jane Fitzjames, widow.

Item, I give to my servant, Thomas Harrison, five pounds;

Item, to Valentine Harrison ten pounds;

Item, to Arthur Sheperd five pounds;

Item, to William Tompson five pounds;

Item to Henry Vandervaley five pounds;

Item, to Thomas Bennet five pounds;

Item, to Richard Coke five pounds;

Item, to John Walter five pounds;

Item to Steven Mercer forty shillings;

Item, to Julian Nashe forty shillings;

Item, to Richard Adcocke forty shillings;

Item, to Robert Symons two kine and four pounds;

Item, to Dorothy Grinway forty shillings;

Item, to John Horne forty shillings;

Item, to Francis Wallys 40s;

Item, to Francis Ferme forty shillings;

Item, to John Brighte five pounds;

Item, I give to my Lady Cecil, my niece, one carpet and one cushion of silk of needlework;

Item, I give to my Lady Stourton, my niece, a half canopy embroidered with gold and silver, and two cushions, one of silk needlework, the other embroidered with gold;

Item, I give to my nephew, William Cartwright, my iron chest in the closet;

Item, I give to my brother Fitzjames one bed of crimson satin embroidered with gold and silver, my hangings in the new chamber, and the hangings in the chamber I lie in;

Item, to William Barrat that I owe him for wooden, my boy, 20s;

[f. 81r] Item, I give to my boy, William Warde, ten shillings;

Item, I give to Jane Newton one yellow canopy [-Jane Fitzjames] damask, embroidered, and the curtains to the same, one quilt of yellow and red satin, one embroidered cushion, one chair and stool, and a little silver tankard;

Item, I give to the poor of the parish of West Malling ten pounds;

Item, I give to the poor of the parish of East Malling ten pounds;

All these things to be paid by my executors within one month after my decease. Jane Fitzjames.

Duodecimo die mensis february Anno Domini iuxta cursum et computationem ecclesie Anglicane Millesimo Quingentesimo Nonagesimo Sexto Emanuit Commissio Georgio Brooke nepoti ex sorore defuncte habentis &c Ad Administrandum bona iura et credita dicte defuncte iuxta tenorem testamenti et codicilli siue scedule supradictorum pro eo quod dicta defuncta nullum in eisdem nominavit Executorem De bene &c in persona francisci Clerke notarii publici procuratoris sui &c Iurat

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[=On the twelfth day of the month of February in the year of the Lord according to the course and reckoning of the English Church the thousand five hundred ninety-sixth a grant issued to George Brooke, nephew by the sister of the said deceased, having etc., to administer the goods, rights and credits of the said deceased according to the tenor of the testament and codicil or schedule abovesaid by reason that the said deceased did not nominate any executor in the same, sworn to well etc. in the person of Francis Clerke, notary public, his proctor etc.]

[Latin 'Sententia' in which the will was challenged by the testatrix' brother, Sir Henry Newton, not transcribed.]