

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the nuncupative will, dated 20 July 1540 and proved 9 May 1542, of Thomas Fabyan, parson of Polstead, Suffolk, great-nephew of the chronicler, Robert Fabyan (d.1513).

Two members of the Fabyan family were servants to Elizabeth (nee Scrope) Beaumont de Vere (d.1537), Countess of Oxford, second wife of John de Vere (1442-1513), 13th Earl of Oxford.

In her will, TNA PROB11/27/144, the Countess mentions her servant, John Fabyan:

Item, I give and bequeath to John Fabyan, marshal of my hall, for his good faithful service, twenty nobles in money.

In his will, dated 10 February 1534 and proved 26 February 1534, TNA PROB 11/25/127, Robert Fabyan describes himself as the Countess' steward of the household.

It seems likely the Countess' servants were related to the chronicler, Robert Fabyan (d.1513), for whom see the *ODNB* entry.

FAMILY BACKGROUND

The testator was the son of John Fabyan, nephew of the chronicler, Robert Fabyan, by Anne Waldegrave, sister of Sir William Waldegrave (c.1465 - 30 June 1527). The testator would appear to be the 'parson Fabyan' to whom Sir William Waldegrave left a bequest in his will:

Item, to my nephew, Parson Fabyan, a book in Latin called Liber Sentenciarum.

For the will of Sir William Waldegrave, dated 26 January 1525 and 6 July 1525 and proved 6 March 1528, see TNA PROB 11/22/294. The will was witnessed by 'John Fabyan, esquire', who may have been the John Fabyan who married Anne Waldegrave.

There is a further connection between the Waldegrave and Fabyan families and the Earls of Oxford in that Sir William Waldegrave was an executor of the 13th Earl's will. See the will of Sir William Waldegrave, *supra*:

And whereas I was one of the executors to the noble Earl of Oxenford, I make declaration that none of his goods, jewels nor money do rest in my hands other than I have paid for.

See also the will, TNA PROB 11/28/96, of Sir William Waldegrave's widow, Margery Wentworth Waldegrave (d.1540), in which she bequeaths a cross of gold set with jewels and a silver goblet to her nephew, John Fabyan, and appoints him as one of her executors.

The testator had a brother and sister:

-Mary Fabyan, who married, as his third wife, Sir Thomas Spert, for whose will, dated 28 November 1541 and proved 9 January 1542, see TNA PROB 11/29/17. According to her husband's will, Mary Fabyan had a son, Bartholomew Skerne, by a previous marriage, and a daughter who married Edward Hasilwood.

-Edward Fabyan. He is not mentioned the will below, but witnessed the will of the testator's brother-in-law, Sir Thomas Spert. He may be the Edward Fabyan who married Elizabeth Carew, daughter of Sir Richard Carew (d.1520) of Beddington, and widow of Sir Thomas Fettiplace. See TNA C 1/505/30. For the will of Sir Richard Carew of Beddington, Surrey, see TNA PROB 11/21/1. For the will, dated 3 December 1523 and proved 10 March 1524(?), of Sir Thomas Fettiplace, see TNA PROB 11/21/315. For Sir Thomas Fettiplace, see also:

<http://www.berkshirehistory.com/bios/tfettiplacejr.html>

TESTATOR'S EXECUTOR

For the testator's executor, Edward Waldegrave, see a Chancery suit brought by him against George Waldegrave, lessee of the testator's parsonage, TNA C 1/1092/1-2.

RM: Test{amentu}m Thome Fabyan cl{er}ici

In the name of God, Amen. The twenty day of July in the year of Our Lord God 1540 Thomas Fabyan, clerk, parson of Polstead in the diocese of Norwich, being of whole mind & perfect remembrance, made and declared his testament and last will nuncupative in manner and form following, that is to say:

First he bequeathed his soul to Almighty God, and his body to be buried in Christian sepulture;

Item, he gave and bequeathed unto his sister Spert, wife unto Sir Thomas Spert, knight, all those his goods movable lying and being within the house of the said Sir Thomas within the parish of Stepney in the diocese of London;

Item, he bequeathed unto his cousin, Edward Waldegrave the younger, all such his goods movable as be and remain within his parsonage of Polstead aforesaid;

And he made, ordained and named the said Edward Waldegrave his executor of his said last will and testament nuncupative, he to minister for his soul[^s] health as he should think best, these being present and witness hereof: Oliver Rawe, Edmund Wheler and Richard (blank), with other mo [=more].

Probatum fuit sup{ra}scriptu{m} test{amentu}m coram d{omi}no Apud London Nono die mens{is} Maij Anno domini Mill{es}imo quingentesimo quadragesimo secundo Iuramento Edwardi Waldegrave executoris in h{uius}modi test{ament}o no{m}i{n}at{i} Ac approbatum et insinuatu{m} Comissaq{ue} fuit admi{ni}stracio o{mn}i{u}m et sing{u}lor{um} bonor{um} &c dict{i} defunct{i} p{re}fat{o} executor{i} De bene &c Ac de pleno et fideli Inuentario &c conficiend{o} Necnon de plano et vero compoto reddend{o} Ad sancta dei Eu{a}ngelia Iurat{o}

[=The above-written testament was proved before the Lord at London on the ninth day of the month of May in the year of the Lord the thousand five hundred forty-second by the oath of Edward Waldegrave, executor named in the same testament, and probated and entered, and administration was granted of all and singular the goods etc. of the said deceased to the forenamed executor, sworn on the Holy Gospels to well etc., and to prepare a full and faithful inventory etc., and also to render a plain and true account.]