

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 21 April 1601 and proved 2 May 1601, of Joan (nee Coe) Smith.

The testatrix' son, Sir William Smith, married Elizabeth Skinner, with whose father, Thomas Skinner (d.1596), Oxford had extensive financial dealings (see the summary to the will of Thomas Skinner, TNA PROB 11/89, ff. 394-5).

The testatrix' granddaughter, Alice Barnham, married Sir Francis Bacon (1561-1626), first cousin of Oxford's wife, Anne Cecil (d.1588). See the entries for Sir Francis Bacon and Benedict Barnham in the *Oxford Dictionary of National Biography*:

Bacon, Francis, Viscount St Alban (1561–1626) As early as 1603 Bacon had mentioned that he had 'found out an alderman's daughter, an handsome maiden, to my liking' (Works, 10.80). Almost three years later, on 10 May 1606, he married her at Marylebone chapel. She was Alice (1592–1650), a daughter of Benedict Barnham, a wealthy London alderman. Bacon was forty-five, she was barely fourteen.

Barnham, Benedict (bap. 1559, d. 1598), merchant and benefactor On 28 April 1583 Barnham married Dorothy (d. 1639), daughter of Ambrose Smith of Cheapside, silkman to the queen, at St Clement, Eastcheap. A son and three daughters died in infancy. Four daughters survived to marry: Elizabeth married Mervin Touchet, second earl of Castlehaven; Alice, 'a little violent lady' (Spedding, 3.290), became the wife of Sir Francis Bacon in 1606.

The testatrix is said to have been the daughter of John Coe of Coggeshall, Essex. Oxford had several connections to the Coe family through his mother, Margery Golding (d.11568), daughter of John Golding, Auditor of the Exchequer. John Golding's eldest half-sister, Joan Golding, married John Coe of Gestingthorpe circa 1490. See the will of John Golding, TNA PROB 11/32, f. 83, and Bartlett, J. Gardner, *Robert Coe, Puritan; His Ancestors and Descendants 1340-1910*, (Boston, 1911), p. 36. In 1585/6 Joan Golding's grandson, John Coe (1530-1586), purchased Oxford's manor of Netherhall, which Oxford had earlier sold to his uncle, George Golding (see TNA C 54/1093, Pt. 23, and Bartlett, p. 40). In 1595 Oxford sued another of Joan Golding's grandsons, Thomas Coe (1524-1601), for unpaid rents on the lease of the rectory of Belchamp St Paul, and alleged that Thomas Coe had unlawfully sublet the premises to his sons, Edward Coe (1560-1624) and Roger Coe (see TNA C 2/Eliz/O2/13, and Bartlett, p. 36).

The testatrix married Queen Elizabeth's silkman, Ambrose Smith, mercer of London, the son of John Smith (d.1545?) of Withcote, Leicestershire, and Dorothy (nee Cave) Smith Poole, the daughter of Richard Cave (d.1538) and his second wife, Margaret Saxby. For the will of John Smith (d.1545?), dated 23 October 1543 and proved 13 November 1545, see TNA PROB 11/30, ff. 327-8. For the will of Dorothy (nee Cave) Smith Poole, dated 10 June 1588 and proved 28 March 1593, see TNA PROB 11/81, ff. 158-9. For the will of Ambrose Smith, see TNA PROB 11/67, f. 108.

The pedigree of Smith alias Harris in Fetherston, John, ed., *The Visitation of the County of Leicester in the Year 1619*, (London: Harleian Society, 1870), pp. 66-7 shows that the testatrix and her husband, Ambrose Smith (d.1584), had three sons and four daughters: Sir William Smith of London, knighted in 1601, who married Elizabeth, the daughter of Thomas Skinner (d.1596), Lord Mayor of London; Francis Smith, who married the daughter of one Taylor of London; Henry Smith of Withcote, Leicestershire, who married the daughter of Henry Skipwith and sister of William Skipwith of Cotes; Isabel (called Sybil in her father and mother's wills), who married firstly a husband surnamed Lowes [=Lewis], and secondly, a husband surnamed Maynard of Hertfordshire; Elizabeth, who married Martin Calthorpe (1554-1615) of Antingham, Norfolk, the son of Sir Martin Calthorpe (d.1589), Lord Mayor of London; Margaret (d.1596), who married Sir Thomas Wilkes (c.1545-1598), Clerk of the Council; and Dorothy, who married firstly, Benedict Barnham (1559-1598), and secondly, one of Queen Elizabeth's favourite courtiers, Sir John Pakington (1549-1625). See also:

<http://histfam.familysearch.org/getperson.php?personID=I50529&tree=London>.

The wife of the testatrix' son, Henry Smith, unidentified in the above-noted pedigree, was Anne Skipwith, the daughter of Henry Skipwith (d. 15 August 1588), esquire, of Keythorpe and Tugby, Leicestershire, and his wife Jane Hall (d. 11 May 1598). Anne's brother, William Skipwith (d. 3 May 1610), married Margaret Cave (d.1584), the daughter of Roger Cave of Stanford and Margaret Cecil, sister of Oxford's father-in-law, William Cecil (1520/1-1598), Lord Burghley. See Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., Vol. III, (Salt Lake City, 2011), pp. 220-1. For the will of Roger Cave of Stanford, see TNA PROB 11/69, ff. 347-50.

The wife of the testatrix' son, Francis Smith, unidentified in the above-noted pedigree, was Elizabeth Taylor, the daughter of John Taylor. For the will of Francis Smith, dated 20 July 1586 and proved 4 November 1586, see TNA PROB 11/69, f. 463. After the death of Francis Smith, Elizabeth (nee Taylor) Smith had a posthumous son, Francis Smith, and married Thomas Freke. The testatrix leaves bequests to her grandson, Francis Smith, her former daughter-in-law, Elizabeth (nee Taylor) Smith Freke, and Elizabeth's second husband, Thomas Freke, in the will below.

As noted above, the testator's daughter, Margaret Smith, married Sir Thomas Wilkes (c.1545-1598) of Rickmansworth, Hertfordshire, one of the Clerks of the Privy Council, by whom she had an only child, Margaret Wilkes. The testator's daughter, Margaret (nee Smith) Wilkes died 14 May 1596, the chief mourner at her funeral being her mother, the testatrix, and one of the four assistants being her sister, Elizabeth Calthorpe. After the death of his first wife, Sir Thomas Wilkes married Frances Savage, the daughter of Sir John Savage of Rocksavage, Chester. For the testator's son-in-law, Sir Thomas Wilkes (c.1545-1598), see the entry in the *Oxford Dictionary of National Biography*:

Bar a further mission to the Netherlands in 1582, Wilkes spent the next seven years in England. During these years he established his fortunes and started a family. About 1578

he had married Margaret (c.1562–1596), daughter of Ambrose Smith, a London mercer, and his wife, Joan, of Coggeshall, Essex.

See also the History of Parliament biography of Sir Thomas Wilkes at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/wilkes-thomas-1598>.

For the pedigree of Giles Simpson, named in the will below, see Metcalfe, Walter C., ed., *The Visitations of Hertfordshire*, (London: Harleian Society, 1886), p. 92.

For a document concerning the testatrix' charitable bequest to the poor of Coggeshall, see ERO C/P 36/25/16, the grant of an annuity of £15 from the rectory and church of East Tilbury for the use of the poor of Coggeshall according to the terms of the will of Joan Smith, widow, of London. Parties: Sir William Smith, knight, of Launde, Leicestershire, Humphrey Smith, grocer of London, and others. 6 June 1617.

For the record of the testatrix' burial in the Mercers' Chapel, see Bannerman, W. Bruce, ed., *The Registers of St. Mary le Bowe, Cheapside; All Hallows, Honey Lane; and of St. Pancras, Soper Lane, London*, (London: Harleian Society, 1914), p. 293:

1601 Apr. 30 Jone Smith, widowe, sometime the wife of Ambrose Smith, died in St. Pancrase parish the xxij day of Aprill being friday betweene the houres of iij and iiij in the morning, "and was buried in the mercers chapell the xxx day of the same moneth in the afternoone 1601

Summa injuria oblata Eectori circa celebrationem istors funer ["Very great injury occasioned the rector over the celebration of that funeral." — Editor.]

The same register records the baptisms of four of the testatrix' children, and the burial of one of them:

Baptisms:

*5 November 1565, Dorothy Smith, daughter of Ambrose (p. 7)
26 January 1566, Anne Smith, daughter of Ambrose (p. 8)
26 June 1568, William Smith, son of Ambrose (p. 8)
30 April 1570, Sibell Smith, daughter of Ambrose (p. 8)*

Burials:

26 February 1568, Anne Smith, daughter of Ambrose (p. 175)

RM: T{estamentum} Iohanne Smithe

In the name of God, Amen. The one and twentieth day of April one thousand six hundred one in the three and fortieth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defendrix of the Faith etc., I, Joan Smith, widow, being in good and perfect memory, do make and ordain this my present testament and last will in manner and form following:

First I commend my soul to the holy and indivisible Trinity, hoping by the merits of my Lord and Saviour, Jesus Christ, to have and obtain life everlasting, and my body to be decently buried at the discretion of my executors and overseers under-named;

And touching the disposition of my worldly estate which I possess through the blessing of Almighty God, my mind and intent is as followeth, viz.,

Item, I give and bequeath to Margaret Wilkes, the daughter of my daughter Wilkes, deceased, the sum of two hundred pounds;

Item, I give and bequeath unto Francis Smith, the son of my deceased son, Francis Smith, the sum of two hundred pounds;

Item, I give and bequeath unto every of my daughter Calthorpe's children one hundred pounds apiece;

Item, I give and bequeath unto every of the children of my son, Henry Smith, the sum of one hundred pounds apiece;

Item, I give and bequeath unto my son Henry Smith's wife the sum of one hundred pounds;

Item, I give and bequeath to my son William Smith's children the sum of one hundred pounds apiece, and more to his eldest son I give and bequeath all my household stuff at Greenstreet of what kind or quality soever the same be;

And my mind, will and meaning is that all the foresaid portions by me bequeathed to the children of the aforesaid William Smith, my son, shall with as much speed as conveniently may be after my decease be delivered and paid by my executors unto my said son, William, for and to the benefit of his said children, he entering into bond to my said executors to repay the said sums unto his said children with allowance after eight pounds in every hundred at such times as are limited and set down in this my said will;

And if any of the children of my said son, William, fortune to decease before they shall receive the portions to them by me bequeathed, then my mind, will and meaning is that the portion of him or her deceased shall be equally divided to and amongst the rest of them surviving;

Item, I give and bequeath unto my said son, William Smith, my house at Greenstreet with all my lands thereunto belonging;

More I give and bequeath unto my said son, William Smith, one hundred pounds, to be paid to him with as much speed as conveniently may be after my decease;

Item, I give and bequeath unto my sister Gale 20;

Item, I give and bequeath unto Humphrey Smith, nephew to my late husband, fifty pounds;

I give and bequeath unto my servant, Anne Hamond, forty pounds, a mourning gown, and her wages, which is forty shillings;

Item, I give and bequeath unto the Company of Mercers a cup of the value of thirty pounds;

Item, I give and bequeath unto the poor of Cocksall [=Coggeshall] in Essex where I was born ten pounds in single pence to be distributed amongst them on the day of my funeral;

Item, I give and bequeath unto fifty poor men and fifty poor women twenty shillings apiece to buy them mourning gowns;

Item, I give and bequeath to Anne, my sister Taylor's servant, the sum of ten pounds;

Item, I give and bequeath to Giles Simpson, goldsmith, the sum of one hundred pounds;

Item, I give and bequeath unto Christian Simpson, my god-daughter, one hundred pounds, and my mind, will and meaning is that my executors shall pay unto the said Giles Simpson the said one hundred pounds, he entering into bond to my said executors to repay the same with allowance after eight pounds in the hundred unto his said daughter at her full age of one and twenty years or day of marriage;

Moreover my mind, will and meaning is that my said executors shall deliver and pay unto my said son, William Smith, the sum of four hundred pounds, therewith to provide and purchase the sum of forty marks yearly to be bestowed and employed for the relief of the poor in Coggeshall and Bocking in Essex aforesaid, the same to continue and be as my free gift unto them forever, which said forty marks shall be given and distributed to and amongst them in form following, that is to say, twenty marks thereof to be bestowed upon the poor of Coggeshall aforesaid yearly by five shillings in bread every Sunday, to be distributed amongst them from and after my decease unto the world's end, and the distributors of the same bread to have and take for [f. 216v] their pains yearly six shillings and eight pence, [-the residue of the said twenty marks] and the other twenty marks to be bestowed on the poor of the said town of Bocking yearly by five shillings in bread every Sunday, to be distributed amongst them in form aforesaid, and the distributors thereof to have the like sum of six shillings and eight pence for their pains;

And further my mind, will and meaning is that my said executors shall also deliver and pay unto the said Giles Simpson the sum of two hundred pounds, therewith to purchase and provide the like sum of twenty marks yearly for the relief of the poor of the city of Norwich, the same to continue and be as my free gift unto them forever, which said twenty marks shall be likewise distributed in bread to and amongst the poor of the said city where most need shall be by five shillings every Sunday weekly from and after my decease unto the world's end, and the distributors thereof to have also for their pains the like sum of six shillings and eight pence;

Item, I give and bequeath unto my daughter Maynard the sum of two hundred and fifty pounds, to be bestowed upon her in some annuity during her life, she bringing in the writing which she hath already of one Loveden's made to the like effect;

Item, I give and bequeath unto John Robinson, mercer, fifty pounds;

And whereas I have formerly given and appointed unto fifty poor men and fifty poor women twenty shillings apiece, my will and meaning is that the said John Robinson shall nominate and appoint for his part twenty men and twenty women, the abovesaid Humphrey Smith other twenty men and twenty women, my said son, William Smith, five men and five women, and the said Giles Simpson other five men and five women, all which men and women so to be appointed shall be decently and seemly apparelled and accompany my body to the ground, and have delivered and paid unto them within the church where by body shall be buried immediately after my funeral ended twenty shillings apiece as is before by me bequeathed;

And touching all such legacies as are before by me bequeathed unto any of my grandchildren, my will, mind and intent is that the same shall not be paid unto them or any of them before the times hereunder mentioned, that is to say, to the sons at their full age of one and twenty years, and to the daughters at their full age of one and twenty years or on the day of their marriage, whether of them shall first happen, and if it fortune any of my said grandchildren except my said son William's children to decease before they shall accomplish their full age of one and twenty years or day of marriage, that then the portion of him, her or them so deceased shall be equally divided to and amongst the rest of them surviving, and that all and every such sum and sums of money as is by me given and bequeathed to and amongst them shall be employed and put out by my executors to the benefit of my said grandchildren by the consent, advice and agreement of the said Giles Simpson and my said son, William Smith, and not otherwise;

Item, I give and bequeath to Roger Smith, Francis Smith, Clement Smith, Robert Smith and Erasmus Smith, brothers to my late-deceased husband, and to every of them five marks apiece to make them rings to wear in the remembrance of me;

Item, I give and bequeath to my maid, Winifred, five pounds and a mourning gown;

To Thomas, my servant, three pounds six shillings and eight pence and a mourning cloak;

And to my servant, John, four marks and a mourning cloak;

Item, I give and bequeath to my late servant, Elizabeth Quale, three pounds six shillings eight pence;

Item, I give and bequeath unto Mrs Pinchback a mourning gown;

Item, I give and bequeath unto Richard Heath and Humphrey Orme, to either of them a ring of five marks, and unto them and their wives, every of them a mourning gown;

Item, I give and bequeath unto Thomas Tennant, my cousin, a ring of five marks;

Item, I give and bequeath unto Nicholas Cowper a ring of five marks, ten pounds in money, and a mourning cloak;

Item, I give and bequeath to Mr Brakenburie a ring of five marks, and a mourning weed of such stuff as he shall choose;

Item, I give and bequeath unto my son William's wife my great salt without a cover and a skinking pot of silver;

Item, I give and bequeath unto my said son, William, and his wife, to either to them a mourning gown;

And more I give and bequeath to my said son, William, a nest of pots, and to his daughter, Joan, a skinking pot of [f. 217r] silver;

Item, I give and bequeath to my daughter Maynard three little bowls without a cover;

To my daughter Calthorpe a great salt with a cover, and a piece of plate parcel gilt;

Item, I give and bequeath to Mr Freke and his wife, to either of them a mourning gown;

To Mrs Bate(?) in Soper Lane a mourning gown

To my son Maynard and his wife, either of them a mourning gown;

To my son Calthorpe and his wife, either of them a mourning gown;

Item, I give and bequeath unto Giles Simpson and his wife, to either of them a mourning gown;

Item, my mind, will and meaning is that all my household stuff and apparel in my house called the Golden Key in West Cheap in London, my funerals ended, shall be praised and

sold, and the money thereof coming shall be equally divided to and amongst the children of Henry Smith, my son William Smith, and Elizabeth Calthorpe, my daughter;

And whereas I have reserved to myself both money, plate and jewels unbequeathed to the intent to bestow them hereafter during my life by word of mouth or other delivery thereof at mine own pleasure, my will and mind is that if it shall please God to call me before I have given or appointed the said jewels, plate and money, that then the said jewels, plate and money, together with the overplus of mine estate whatsoever, shall be and remain unto my said son, William Smith, Elizabeth Calthorpe and Sibill Maynard, my daughters, equally to be divided amongst them, always provided that as well this legacy as all other legacies by this my will bequeathed to my said daughter Maynard shall be bestowed by mine executors and overseers in some annuity to the only benefit, use and behoof of my said daughter Maynard during her natural life, and not otherwise;

And of this my present testament and last will I make and ordain the abovesaid John Robinson and the said Humphrey Smith executors, they taking no ne other benefit by their executorship but the legacies of fifty pounds apiece which is before given unto them;

And of the said will I make and appoint my said son, William Smith, and the said Giles Simpson overseers, whom I heartily pray and entreat to see this my said will in all things as much as in them lieth to be truly and faithfully performed.

Vera copia et concordat cum origin{ali} Teste me Will{el}mo Hamore originalis scriptore W{illia}m Hamor, Elizabeth Goldsmith, Sara Bate, William Smith, Giles Simpson, signum Anne Hamond, signum Thome Phillippes, Katherine Pincheback.

To our loving friend, Mr Thomas Lovell, one of the Proctors of the Arches of Canterbury: Whereas Mrs Joan Smith, widow, late deceased, of the parish of Saint Pancras within the City of London, hath made her last will and testament in writing, and thereof nominated and made us, John Robinson, mercer, and Humphrey Smith, grocer, citizens of London, her executors, know ye that upon good and reasonable consideration us, the said executors, especially thereunto moving, that we, the said John Robinson and Humphrey Smith, do clearly and absolutely forsake and utterly renounce th' execution and th' executorship of the said last will and testament, and do desire that this our renunciation may be admitted and allowed of by the judge or judges ecclesiastical to whom it doth or may appertain, and therewithal we do give our express consent that the administration of the goods, chattels and debts of the said Joan Smith shall be, with her said testament and last will thereunto annexed, committed unto William Smith, mercer, the natural and lawful son of the said Joan Smith;

In witness whereof we, the said John Robinson and Humphrey Smith, have hereunto severally subscribed our names the last day of April Anno Domini one thousand six hundred and one. By me, John Robinson, Humphrey Smith. Teste me Anthony Maynard et me W. Body.

Secundo die Mensis Maij anno domini millesimo sexcentesimo primo emanavit com{m}issio Will{el}mo Smith filio naturali et l{egi}timo dicte defuncte habentis &c Ad administrand{um} bona iura et credita eiusdem iuxta tenorem testamenti h{uius}mo{d}i def{uncte} pro eo q{uo}d Iohannes Robinson et humfridus Smith Executores in eodem testam{ent}o nominat{i} ex certis caus{is} eos et animos suos in hac p{ar}te iuste moven{tes} oneri execut{i}o{n}is eiusdem test{ament}i in p{er}sona Thome Lovell notarij publici eorum procur{ator}is l{egi}time constitut{i} expresse renunciaverunt De bene &c In persona dicti thome Lovell notarij publici procuratoris sui &c Iurat{i} Ex{aminatur}

[=On the second day of the month of May in the year of the Lord the thousand six hundred first a grant issued to William Smith, natural and legitimate son of the said deceased, having etc., to administer the goods, rights and credits of the same according to the tenor of the testament of the same deceased for that John Robinson and Humphrey Smith, executors named in the same testament, for certain causes them and their minds justly moving in that behalf, expressly renounced the burden of the execution of the said testament in the person of Thomas Lovell, notary public, their lawfully constituted proctor, sworn to well etc., in the person of the said Thomas Lovell, notary public, his proctor etc. Examined.]