

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 25 November 1534 and proved 9 March 1535, of Clement Cave (d. 30 November 1534), whose two nephews, Roger Cave (d.1586), and Erasmus Smith, were successively the brothers-in-law of Oxford's father-in-law, William Cecil (1520/1-1598), Lord Burghley.

FAMILY BACKGROUND

The testator was the son of Richard Cave (d.1538) of Stanford, Northamptonshire, and his second wife, Margaret Saxby. For the testator's family, see the will of his brother, Sir Ambrose Cave (d. 2 April 1568), TNA PROB 11/54/122.

MARRIAGE AND CHILDREN

The testator's stepbrother, Edward Cave, married Dorothy Mallory, the daughter and coheir of Nicholas Mallory, esquire, of Newbold Revel, Warwickshire, and his wife, Katherine Kingston, a descendant of Geoffrey Plantagenet.

The testator married Dorothy Mallory's sister, Margery Mallory (d.1538?). After the testator's death, Margery (nee Mallory) Cave (c.1538?) married Sir John Cope (d. 22 January 1557/8) of Canons Ashby, son of William Cope (c.1440-1513), and brother of Sir Anthony Cope (1486/7-1551). See Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. I, p. 519, where her name is given as 'Mary'. However other sources agree that Sir John Cope's second wife was the testator's widow, Margery (nee Mallory) Cave. See *The English Baronetage*, Vol. I, (London: Thomas Wotton, 1741), p. 114, and:

<http://freepages.genealogy.rootsweb.ancestry.com/~wjhonson/PAC/Cheseldine.html>.

See also Bevan, Rosie, *Lost in Time; The Other Daughter of Hamelin de Ballon*, p. 205, available online at:

https://docs.google.com/viewer?a=v&q=cache:vomQ9KJ8fnYJ:fmg.ac/Users/Journal/03-03/Ballon.pdf+%22nicholas+mallory%22+%22newbold+revel%22&hl=en&gl=ca&pid=bl&srcid=ADGEESimg-GZ2tbcv95TkqVOYJkSjlRJPJQKEQaMdog1_AW7mwiuSza2gECuzxrUdABOXBmatuOFB_V6ZdWWmPg4cWyArMoFAGynOGO4IpW0fLblSIBIpIJgzfGEEtCkDJKPcL2YM Ip&sig=AHIEtbRm0IvVDoDgmZiamMEFiyj46sW31A

The descent of the Kingston family from this point is well documented elsewhere down to Mary Kingston, wife of Sir Thomas de Lisle, who died without issue in 1539. Her heirs were her kin William Gorffyn, of Reading, Margery, wife of John Cope, of Canons Ashby

in Northamptonshire, Katherine, wife of Sir Thomas Andrew of Charwelton, Northamptonshire, and Margaret, wife of Thomas Boughton of Causton, Warwickshire.

Sources are also generally agreed that Nicholas Mallory, the father of Dorothy Mallory and the testator's wife, Margery Mallory, was the son of Robert Mallory, and the grandson of Sir Thomas Malory (1415x18-1471), author of *Le Morte d'Arthur*. From the *ODNB*:

Malory, Sir Thomas (1415x18–1471), author, was son and heir of John Malory esquire (c.1385–1433/4), and Philippa (d. 1441x5), daughter of Sir William Chetwynd of Ingestre in Staffordshire and Grendon in Warwickshire.

John Malory held the manor of Newbold Revel in Warwickshire, that of Winwick in Northamptonshire, and lands nearby in Leicestershire. He was a person of importance in Warwickshire, where he was sheriff, escheator, justice of the peace, and five times MP, and his brother or cousin Sir Robert Malory was preceptor of the hospitallers of St John of Jerusalem in Warwickshire, and later prior of the hospitallers in England. . . .

Prior Robert died a few months later, after which Malory's best hope of serious advancement may have lain with Chetwynd, who was making his mark in the service of the earl of Stafford and elsewhere. His own knighthood, by 8 October 1441, suggests ambition. On 28 December 1441 he acted as a parliamentary elector for Northamptonshire. He must then have been a Northamptonshire resident: most likely he had married, and Winwick had been settled on him and his wife. She may have been Elizabeth Walsh (d. 1479) of Wanlip in Leicestershire, who bore him his son and heir, Robert

LM: T{estamentum} Clement{is}Cave

In the name of God, Amen. The 25th day of November in the 26th year of the reign of King Henry the Eight and in the year of Our Lord God a thousand five hundred 34, I, Clement Cave of Stanford in the county of Northampton, being whole of mind and of good remembrance, make my testament and last will in manner and form following:

First I bequeath my soul to Almighty God, Our Lady Saint Mary, and to all the holy company of heaven, and my body to be buried in Our Lady Chapel in the church of Stanford, if it please God that I depart there;

And I give [+and] bequeath towards the reparations of the same church 40s;

Item, I will that mine executors do give in alms in these towns following, that is to say, in Stanford, Lilbourne, Winwick, Yelvertoft, Cley, Coton and Swinford, to the poor people dwelling in the same towns 3s 4d in every town, and to priests in these towns and will be at my burial 6d apiece, and to every clerk 2d;

And executors of this will I ordain and make my brother, Doctor Cave, Margery, my wife, and my brother, Thomas Cave, and overseer of the same I ordain and make my father, Richard Cave, these being witness whose names hereafter follow. Per me Clementem Cave. Richard Cave, Ric{hard}us Cowper cl{er}icus & Robertus Aleyne Cl{er}icus.

Probatum fuit test{amentu}m suprascripti defuncti Coram d{omi}no apud Lamethix i{x}o die mensis Marcij Anno D{omi}ni Mill{es}imo quingen{tes}imo xxxiiij{o} Iurament{o} Executor{um} in h{uius}mo{d}i test{ament}o no{m}i{n}at{orum} In p{er}sona mag{is}tri Roberti Johnson procur{atoris} sui in hac p{ar}te Ac approbatum & insinuatum Et com{m}issa fuit admi{ni}stracio om{n}i{um} & singulor{um} bonoru{m} Iuriu{m} & creditor{um} d{i}c{t}i defuncti p{re}fat{is} executorib{us} In p{er}sona d{i}c{t}i procur{atoris} De b{e}n{e} & fidel{ite}r admi{ni}strand{o} Ac de pleno & fidei In{uent}ario secundo Die post festum s{an}c{t}e Trinitatis prox{imum} futur{um} exhi{ben}d{o} Necnon de plano & vero compoto reddend{o} Ad sancta Dei Eu{a}ngelia in debita iuris forma Iurat{i}

[=The testament of the above-written deceased was proved before the Lord at Lambeth on the 9th day of the month of March in the year of the Lord the thousand five hundred 34th by the oath of the executors named in the same testament in the person of Master Robert Johnson, their proctor in that behalf, and probated & entered, and administration was granted of all & singular the goods, rights & credits of the said deceased to the forenamed executors in the person of the said proctor, sworn on the Holy Gospels in due form of law to well & faithfully administer, and to exhibit a full & faithful inventory on the second day after the feast of the Holy Trinity next to come, and also to render a plain & true account.]