

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 31 May 1555 and proved 5 December 1558, of Anthony Cave (d. 9 September 1558) of Chicheley, Buckinghamshire, whose protégée, John Johnson, may have been related to the poet, Ben Jonson (1572-1637).

FAMILY BACKGROUND

For the Cave family, see Waters, Robert Edmond Chester, *Genealogical Memoirs of the Extinct Family of Chester of Chicheley*, Vol. I, (London: Robson and Sons, 1878), pp. 73-8 at:

<https://archive.org/stream/genealogicalmem01wategoog#page/n110/mode/2up>.

See also Kimber, E. and R. Johnson, *The Baronetage of England*, Vol. I, (London: G. Woodfall, 1771), pp. 355-65; and the Cave pedigree in Crisp, Frederick Arthur, ed., *Visitation of England and Wales*, Vol. 8 (1909), pp. 122-8 at:

<https://archive.org/stream/visitationofengl29howa#page/122/mode>.

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

By his first wife, Elizabeth Mervin (d. 9 August 1493) of Church Lawford, Warwickshire, the testator's father, Richard Cave, had a son and daughter:

-Edward Cave, who predeceased his father. He married Dorothy Mallory, the daughter and coheir of Nicholas Mallory, esquire, of Newbold Revel, Warwickshire, by his wife, Katherine Kingston, a descendant of Geoffrey Plantagenet, by whom he had two daughters, Katherine Cave (d. 18 August 1555), who married Sir Thomas Andrew of Charwelton, and Margaret Cave, who married Thomas Boughton, esquire, of Cawston, Warwickshire.

-Margaret Cave, who married Thomas Saunders (d.1528), esquire, of Sibbertoft, by whom she is said to have had seven sons and six daughters, including Sir Edward Saunders (1506 – 12 November 1576), who married firstly Margaret Englefield (d.1563), and secondly Agnes (nee Hussey) More Curzon (d.1588); Robert Saunders (c.1514-1559), who married firstly Margaret Staunton, and secondly Joyce Goodwyn; Blase Saunders (d.1581); Joseph Saunders; the Protestant martyr, Laurence Saunders (d. 8 February 1555), for whom see the *ODNB* entry; Ambrose Saunders (d.1586), who married Mary Goodwyn; Christian Saunders, who married Christopher Breton; Sabine Saunders, who married John Johnson; Jane Saunders, who married Clement Villiers; and three other daughters. See the Saunders pedigree in Winchester, Barbara, *Tudor Family Portrait*, (London: Jonathan Cape, 1955), p. 17. For the will of Sir Edward Saunders

(c.1506-1576), see TNA PROB 11/58/517. For the will of Robert Saunders (c.1514-1559), see TNA PROB 11/43/474. For the will of Ambrose Saunders (d.1586), see TNA PROB 11/69/469. For the will of Blase Saunders, see TNA PROB 11/63/486.

Through the marriage of his stepsister, Margaret Cave, the testator was thus the brother-in-law of Thomas Saunders (d.1528) of Sibbertoft, and the uncle of Sir Edward Saunders (1506-1576) and Ambrose Saunders (d.1586) named as overseers in his will below.

Another overseer appointed by the testator, 'my cousin, Francis Saunders of Cold Ashby', was Francis Saunders (d. 20 June 1585), the brother of George Saunders, murdered on 25 March 1573 by Oxford's former servant, George Browne. The murder was the subject of a pamphlet by Oxford's uncle, Arthur Golding (1535/6-1606), *Brief Discourse of the Late Murther of Master George Saunders*, and an anonymous play, *A Warning for Fair Women*, performed by the Lord Chamberlain's Men. For the will of Francis Saunders, see TNA PROB 11/68/442.

It was also through the marriage of his stepsister, Margaret Cave, that the testator was related to his protégée, John Johnson (see above). The possibility that the poet and playwright, Ben Jonson (1572-1637) was related to the testator's protégée, John Johnson, is suggested by the fact that the testator's protégée became bankrupt, while the biography of the poet Ben Jonson indicates that his father 'lost all his estate under Queen Marie'. See the *ODNB* entry for the poet, Ben Jonson:

Jonson, Benjamin [Ben] (1572–1637), poet and playwright, was born on 11 June 1572, probably in or near London. He was of Scottish descent, and retained a keen interest in the country of his forebears. 'His Grandfather came from Carlisle and he thought from Anandale to it' noted the Scottish poet William Drummond of Hawthornden, after meeting Jonson on his travels north of the border in 1618–19; 'he served King Henry 8 and was a Gentleman' (Conversations with William Drummond, ll. 234–5). The Johnstones or Johnstouns—the name is spelt in thirteen different ways in Scotland in this period, but always with a t—were a powerful family of brigands and aristocratic warlords who had played a major part in skirmishes in Annandale and along the Scottish borders over several centuries. Jonson was sufficiently impressed by their reputation to have adopted their armorial bearings of 'three spindles or Rhombi' as his own (ibid., l. 588; Symonds, 2–3). Jonson's grandfather may have been one of the Scottish prisoners seized by the English from Annandale during the battle of Solway Moss in November 1542, brought south to the English garrison at Carlisle, and wooed into loyal service of Henry VIII: a 'Maister Johnston' is recorded among this company (LP Henry VIII, vol. 17, 1900, 625–6). About Jonson's father, who died a month before the birth of his son, little is known. According to Drummond's memoir, he had lost 'all his estate under Queen Marie' (a phrase that appears to imply initial prosperity) and suffered imprisonment and forfeiture; on his release, he 'at last turn'd Minister' (Conversations, ll. 236–9).

MARRIAGE AND CHILDREN

The testator married Elizabeth Lovett (d.1577), the daughter of Thomas Lovett (d. 19 July 1523), esquire, of Astwell (in Wappenham), Northamptonshire, by Anne Danvers (d. 11 July 1523) of Dauntsey (for whom see the pedigree between pp. 102-3 in Macnamara, F.N., *Memorials of the Danvers Family*, (London: Hardy & Page, 1895)). After Anthony Cave's death, his widow, Elizabeth (d.1577), married secondly, John Newdigate (d.1565) of Harefield, Middlesex, and thirdly, Richard Weston (d. 6 July 1572), esquire, of Skreens (in Roxwell), Essex, one of the Justices of the Common Pleas. For the will of the testator's wife, Elizabeth (nee Lovett) Cave Newdigate Weston (d.1577), see TNA PROB 11/59/572. See also Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, p. 55.

The testator's use of the phrase 'I give to Elizabeth, now my wife', suggests that his marriage to Elizabeth Lovett may have been a second marriage.

The testator is said to have had one son and six daughters. Living at the time he made his will were three daughters, Judith Cave (who married William Chester, esquire), Anne Cave (who married Griffith Hampden, esquire), and Martha Cave (who married John Newdigate, esquire). Another daughter, Mary Cave (who married Sir Jerome Weston) was born on 1 November 1556, after the testator had made the will below. See Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. III, p. 55, and *Plantagenet Ancestry*, 2nd ed., 2011, Vol. II, pp. 452-3.

For the testator's manor house at Chicheley, see:

<http://rsnr.royalsocietypublishing.org/content/65/2/183.full>.

For the testator's memorial at Chicheley, see *Records of Buckinghamshire*, Vol. III, (Aylesbury: G.T. De Fraine, 1870), p. 108, available online:

*All ye that pass hereby
Ye may see where I lie
Soon gone, sooner forgotten;
So shall you be that come after,
Wherefore remember and remember again.*

The testator may have revoked the will below. See Mayer, Thomas F. and Courtney B. Walters, *The Correspondence of Reginald Pole*, (Aldershot: Ashgate Publishing, 2008), p. 122, available online:

Thomas Upton, notary, John Lewys, proctor for Sir Ambrose Cave, Francis Cave, legum doctor, Brian Cave, esquire, and Clement Vincent, executors of Anthony Cave, Buckinghamshire, will revoked and told Vincent in person what he wanted.

LM: T{estamentum} Anthonij Cave gen{er}osus

In the name of Almighty God, Amen. I, Anthony Cave of Chicheley in the county of Buckingham, gentleman, being at this present, thanks be unto Almighty God, in health of body and of mind, do revoke and disallow all manner of former wills and testaments by me made at any time before the date of these presents, and do now ordain and make this my present testament and last will tripartite indented in manner and form as followeth;

And first I give and bequeath my soul unto the most glorious Trinity and one Almighty God, trusting and believing through the merits of Christ's passion to be saved and redeemed, and in my flesh to see at the last day my Lord and Redeemer, Jesus Christ;

And to this my Lord God and to all the holy fellowship of heaven I commend my soul and body, and will my said body to be buried after an honest Christian sort without any sumptuous pomp, and if it fortune that I depart this present life within the county of Buckingham or within 20 miles of Tickford, then I would my said body should be buried in Chicheley church on the north side near the upper end of the aisle and near the wall, and would for a godly and charitable remembrance a gravestone of no great value shall be laid on me, and to be graven therein th' accustomed remembrance of the year, death [sic?] and time, with a picture of death upon the wall right over the grave, over the which picture I will shall be graven these sentences following both in English and Latin, *Vos qui transitis memores nostri esse velitis a(?) Quod sumus eritis fuimus quando{ue} quod estis et lege et p{er}lege et nihil terribilius inveneris quam viuere in eo statu in quo mori times;*

And for th' order of my funerals at my burial, I would have, as I have before declared, no superstitious or other superfluous fashion used for the vainglorious of the world, but all to be done in an honest and decent order in the church as may best please God and may be to the comfort of the poor and of my needy neighbours by the discretion of mine executors and my wife and other such my discreet friends as shall be with me when I shall depart this present life;

Also I give and will to be bestowed to the poor in certain townships hereafter named all such sums of money as to every of the same towns been expressed and assigned, that is to say, to the town of Newport Pagnell £4, [f. 56r] viz., in Newport 40s, in Tickford 20s, and in the marsh and Caldecotte 20s, to the town of Northampton 40s, to Bedford 20s, to Stony Stratford 20s, Olney 20s, Chicheley 20s, North Crawley 20s, Hardmead 6s 8d, Astwood 6s 8d, Emberton 5s, Tyringham and Filgrave to each 5s, Sherington 10s, Lathbury 10s, Gothurst 5s, Stoke Goldington 6s 8d, Hanslope 10s, Wavendon 6s 8d, Milton Keynes 6s 8d, Moulsoe 6s 8d, Much Linford 6s 8d, Broughton 6s 8d, both the Woolstones 10s, in Loughton 6s 8d, Bradwell 6s 8d, Haversham 6s 8d, Willyn 5s, Little Linford 5s, the said sums to be distributed secretly by the discretion of mine executors to the poor, sick, aged and diseased people of or in every of the said townships, and the same distribution to be made before my death or at the day of my burial if it may at those times conveniently be done, or else I will the same to be done as soon after as my executors may conveniently do the same by th' advice of two or 4 of the best and most

discreet men of every of the said parishes, and if there be not then presently such poor people as before be expressed, or such as my said executors or other by them appointed for the distribution thereof think meet to bestow it upon, then I will 2s or 12d at the least of every of the said sums to be put in the poor men's box or more there where such lack of poor people shall be to relieve them at their need when such shall happen to be there, and the residue I will to be bestowed after the same sort as opportunity shall serve;

And I will mine executors do desire the curates and such as been disposed in every of the said parishes to be at their said several parish churches at the common prayers or Mass the day of my burial or at my month's day, and the curates so doing or priests & clerks I will shall be rewarded with part of the poor men's money heretofore appointed to be distributed in those parishes much like th' order that was used at my father's and mother's burial, whose souls God pardon;

Also I give and will to be distributed in the said towns over and besides the said several sums before mentioned, if my said executors think so meet, £4, the same to be distributed by their discretion where most need shall be without affection, and if they think it not needful, then I will no more to be bestowed than is before declared, and in consideration hereof I will no common dole to be made;

Also I will mine executors shall bestow on my burial with the distributions aforesaid not above £30, and in cloth for my wife and children, overseers and servants, over and besides the said sum of £30 not above 40 marks or £30 at the most, whereof I will that all my household servants, both men and women, shall have every of them cloth to the value of 6s 8d;

And also I will that mine executors shall give severally to 12 poor men 12 coats or gowns ready made of cotton or cloth, price every coat or gown ready made 5s;

The residue of the said cloth I will to be bestowed to my wife, children, executors and overseers by the discretion of my said executors;

Also I will that my executors shall provide one honest, discreet and learned man, or mo if they shall think it so convenient, which shall make after my death 40 sermons in manner and form following, that is to say, one at my burial, and one every Sunday and holy-day for the month next after my said burial, and after that every month in the year for one whole year continually [f. 56v] I will shall be one sermon preached on the Sunday, all which sermons I will shall be preached where I shall be buried, and of the residue of the said sermons to the number of 33 I will shall be preached the same year there or in other sundry places within Newport Deanery by the discretion of mine executors, and seven sermons, residue of the said number of 40 sermons, I will shall be preached at such place where I shall be buried yearly in seven years following at my year's day, viz., every year one sermon, and I will there shall be paid by mine executors to the said preacher or preachers for every such sermon 6s 8d if the said preacher be a man worthy that reward, or else the said reward to be at the appointment of mine executors;

Also I give and bequeath to the poor householders and prisoners in London twenty pounds, the said sum to be distributed by mine executors within 5 years next after my decease where they shall think most need in form following, viz., at Christmas and Easter, and at every of the said feasts 40s;

Also I will mine executors shall bestow within three years next after my death upon redemption of poor prisoners in London or elsewhere they shall think meet without affection £20;

And also I give towards six poor maidens' marriages by the discretion of my said executors without affection, to each 5 marks, sum £20, the said legacy to be executed within 5 years next after my decease;

Also I give to Jack Scarlet, if he live to 12 years of age, 5 marks, the said sum to be delivered at his age of 12 years to his mother or to some other his friends to his use, and the same after to be employed by his said mother or his said friends to his use until he do accomplish the full age of 21 years, his said mother or other his said friends putting in sureties sufficient to mine executors that the said sum of £3 6s 8d with the increase thereof may be truly paid him at his said age of 21 years, and if he die, and being unmarried, before the said sum delivered, then I will my said legacy to him thereof made shall be void, and the said sum of 5 marks to be repaid to mine executors;

Also I give and bequeath to be bestowed upon noisome highways one hundred pounds, the same to be bestowed within seven years at the furthest next after my decease, whereof £40 or £60 according to the discretion of my said executors to be bestowed in London highways where most need is;

Also I will that none of my household servants being in my service when God shall take me from this life shall be put out of service under half a year's warning if the[y] will do honest and true service unto my wife, and for that time they shall have on their honest behaviour their wages and meat and drink due and accustomed, and that at the charges of mine executors;

And I will that no partition or division of my goods be made until there be a perfect inventory taken of all my said goods, as well movables as unmovables, viz., plate, money, jewels, debts, household stuff, apparel, cattle, merchandise and all other things of mine whatsoever they be, my leases for term of years and also my wife's jewels and apparel only excepted, the same inventory to be made with convenient speed immediately after my burial, and the same goods to be praised as they or any of them be worth indifferently, and not after a common sort of praisement, but so near the value as will be given for them or any of them without fraud or covin within the next year following as if they or any of them should be sold so to be paid for, the same inventory and praisement to be made within one month next after my decease, during which time I will all my whole household, my friends [-my friends] and executors shall have meat and drink there of my cost, spending [f. 57r] reasonably, and so it pass not £20 charge, and then partition and distribution to be made immediately after the said inventory and praisement perfectly

finished and done, and that all things may be put in good order betwixt mine executors and my wife according to the true intent and performance of this my last will;

Also I give to be bestowed of my brothers' and sisters' children which I have christened and to all my other godchildren 5 marks, to be bestowed by the discretion of mine executors amongst them all;

Also to Mistress Margaret Baynham, widow, I give a gold ring worth 4 angels;

Also I give to George Grant £20, the said sum to be bestowed by himself or mine executors upon some office towards his living within one year next after my decease if I do not bestow the same in my life;

Also to my niece, Anne Tanfield, £10 to be paid unto her at her marriage or age of 20 years if she marry not before, and if she fortune to die or she do [+not?] marry or accomplish the said age, then I will my said legacy to her thereof made shall be void;

I give also to my brother [=brother-in-law] Wyrley and my sister, to each of them a ring, every ring worth 40s English money;

Also I give to Elizabeth, now my wife, two hundred pounds English money, to be paid unto her within 6 months after my decease next;

And also I give unto my said wife of my plate to the value of an hundred marks English which I shall have at my death by weight;

Also I give her all her apparel and jewels known or that she hath most commonly used to wear, and so much of my household stuff as shall be worth £60 by indifferent praisement, as before it is appointed;

Also I give her 200 ewes in the wool and an hundred lambs able to wean freely forever;

And further so long as she remaineth sole and unmarried, and so long as my lease in Pultney shall continue, my will is she shall, if she will, have grass or pasturing for th' aforesaid sheep and lambs, being 300 and no more, in the high field of Pultney, paying yearly to mine executors for every 100 of sheep after £4 a 100 sheep's grass, as well for th' aforesaid ewes as lambs, these [sic?] aforesaid ewes to be delivered within three months next after my decease, and the lambs within a year at the furthest;

Also I give her more, 6 draught oxen with a wain, and the themes(?) thereto belonging;

Also I give her more, 20 kine and a bull and 6 of my geldings, a good horse-colt and two mare-colts, and she to have pasturage for the same three colts or other three colts in the high field of Pultney aforesaid freely for the term of ten years, and for the three colts aforesaid to pay no rent, the said beasts, mares, horses, colts and geldings to be worth by indifferent praisement £123 6s 8d of English money at the least, all which legacies

aforesaid I give to the said Elizabeth upon condition she hold herself content with the same without demanding after my decease by any ways or means any thing or things by the privilege, liberty or custom of the City of London;

And I will she shall have the custody of the said children, hoping she will be good and natural mother unto them, and see them honestly set forwards as God shall continue them life, not minding that any ward or marriage for them for any lucre should be provided, nor I will they should be sold to any other for lucre of money, but I will that they shall marry and bestow themselves with th' advice of their kinsfolk or friends as it shall please God to dispose them to do when they be at age convenient to marry, and then my will is they should marry none, I mean no boy or any man, being under th' age of 20 years, and for this purpose I will mine executors shall yearly allow and pay to my wife for their good education and finding, so long as she useth them well, £6 13s 4d yearly for every child more or less as it shall be thought convenient by my wife and my executors or the most part of them until [f. 57v] they or any of them be married or in possession of their lands by me given them or so much thereof as shall be sufficient for their honest education and finding, so they be of honest behaviour and will be governed by my said wife and other of our honest, discreet friends;

And if my said wife die before my said children do marry or accomplish th' age of 20 years, then I will that mine executors shall have th' ordering, bringing up and custody of them for like time as is aforesaid, willing my said executors to see them honestly brought up and set forwards, and to take for their honest education and finding such sums as before limited to that use;

And where I have two several pastures of Francis Poultney, esquire, deceased, in the county of Leicester by one indenture, the which two closes I trust will bear commonly near a thousand ewes and upon five hundred other sheep if they be well ordered, besides other cattle at most times, I will by the grace of God that the said two closes shall be furnished as they now be (God be praised) with 1500 sheep of all sorts, and with good cattle meet for the same of all sorts, and my will is by God's permission these two closes shall be ordered and occupied with the stock aforesaid by mine executors or by their sufficient deputies or servants until th' end and term of ten years, the beginning of the same ten years to be accounted from the feast of Saint Michael th' Archangel in the year of Our Lord God a thousand five hundred fifty and five, during all which time I will my said executors shall have the safe custody of the said indenture, and also shall receive and take all the profits rising and growing as well in and upon the said closes as also in and upon the said stock or stocks of cattle then going in every of the same two closes to th' use and performance of this my present will and testament, and that mine executors shall and may at all times appoint some honest man to have th' oversight and order under them of the said pastures from time to time so that the said grounds may be well used and to the most profit honestly, and the said overseer to have wages yearly as he deserveth at the costs and charges of my said executors;

And also by God's help I will that my said executors shall yearly give account of all the profits and advantages rising or coming of my said two closes with the stocks of cattle

aforesaid before mine overseers and other my friends hereafter by me thereunto named and appointed to th' use and behoof aforesaid at such convenient time as to my said overseers shall seem most meet;

And I shall desire my said overseers and every of them and other my friends named in this my present will for this purpose yearly once to hear the same account, and at that account to allow all manner of rents and charges reasonable, and to allow also for my friends and overseers and mine executors taking pains there yearly at the said account £5, or so much as shall be thought needful by the discretion of my said executors and friends;

And the residue rising and growing upon the said account I will to be rated and charged, employed and put in safekeeping yearly to th' uses before or hereafter expressed by th' advice of my said executors and friends then assembled therefore;

And that every such and all other allowances made to my said executors or any of them by my said supervisors of the more part of them for th' accounts of my pastures and cattle, and other accounts made and allowed by the more part of them concerning accounts of my last will [f. 58r], shall be to my said executors and every of them a good, lawful and sufficient discharge for all and all manner of thing and things so allowed by them or so many of them as shall fortune to receive and take the said account, and that my said executors or any of them shall be no further charged by or to any of my said children or to or by any of them or to or by any other person or persons to whom I have willed or devised any legacy by this my last will and testament, but only according to the true value as shall appear upon the said account that shall be found and doth remain or ought to remain in their hands at the time of the said account over and besides all other my goods and chattels specified in my said inventory with the which they are and shall be also charged by th' order of the common law;

Also I bequeath to every of my daughters £266 13s 4d, to be delivered and paid them by mine executors at their marriages, so that they marry by the consent of mine executors or the most part of them, or at th' age of 20 years if they marry not before;

[NOTE IN LATIN MARGIN NOT TRANSCRIBED]

And also all the residue of my goods and chattels and the profits of my lands, tenements and farms before or hereafter willed to my said executors to and for the performance of this my last will, my funerals done, my debts paid and my legacies performed, I give and bequeath to all mine children egally to be divided amongst them by my said executors or th' overlivers of them or by th' executors of the said overliiver of them;

And where I have given to my wife and other divers legacies, and have appointed to be bestowed a great portion of goods and substance, my mind and will is, if God by my fortune or other adversities do send me losses of my said goods, whereby my said goods and substance and other things to the performance of this my present will appointed shall not be able to pay my debts and perform everything as I have before and hereafter minded, then I will that all my former legacies and gifts of movable substance aforesaid

given and bequeathed shall be minished and apportioned and paid no further but even as it may and will be had of my movable goods and substance and other such things as I have appointed for the performance of the same, whereof my debts I require first of all to be paid wholly, and after them so paid, then I will that all and every of the said legacies shall be rated and apportioned portion portion like, and paid so far-forth as my said goods and other such things appointed for the performance thereof will or may extend unto and no further;

And to perform these and all other my legacies, and to execute this my last will and testament, I do desire my loving brethren, Sir Ambrose Cave, knight; Francis Cave, Doctor of the Civil Law; and my brother, Bryan Cave; and my cousin, Clement Vincent, whom I make mine executors;

And my overseers I do desire to be my wife, Elizabeth Cave; my brother, Thomas Lovett; my brother, Francis Tanfield; Mr Justice Saunders; my cousin, John Hunt of Linden; my gossip, Mr William Wogan; my cousin, Francis Saunders of Cold Ashby; and my nephews, Richard Cave, Thomas Worley [=Wyrley], and Ambrose Saunders;

And I give to every of my said executors 20 marks for their pains, and to every of my overseers, every of them 5 marks, and shall desire all my said executors and overseers to do for me in all things as they would I should do for them in like case;

Also I will my said wife shall have immediately after my decease or within one month next after my decease my house and farm of Tickford, with all manner of lands, tenements and tithes that I have now in lease with the same, and also my houses & gardens [f. 58v] in London which I now hold or lately held of the lease of the Wardens and Fellowship of Carpenters in London, to have and to hold the said houses, tenements, tithes and all other the premises with their appurtenances to the said Elizabeth and to her assignees for and during so many years of my said several terms therein as she shall fortune to live, upon condition that she and her assignees during her interest of and in the premises or any of them shall keep with the lessors thereof, their heirs, assignees and successors, all manner of covenants which I am bound unto by my said several leases, and also if she die, or if she or her assignees do or suffer to be done or go about to do any manner of act or acts, thing or things by surrender, forfeiture or otherwise to the prejudice, hindrance, avoiding or forfeiting the said leases or any of them, whereby this my present will should be defrauded and not take effect in the premises in form aforesaid, then I will immediately after her death or any such act or acts done, minded, or gone about to be done by the said Elizabeth or her assignees or any other her husband, his executors, administrators or assignees, and the same duly proved, then her said interests and terms of and in my said houses in London and Tickford and of and in all lands, tenements, tithes and all other the premises that she shall have with the same or any of them by force of this my present will and testament shall cease, be void and of none effect, and that then my said several houses of Tickford and in London, and all lands, tenements and tithes with their appurtenances last before willed to my said wife with the same two houses I will shall go and remain immediately to my said executors to have to them and to their assignees to and for the performance of this my last will and testament

so long as they shall have by force of this my last will my said other 2 closes of Francis Pultney, esquire, deceased, in the county of Leicester, and after my said will thereof performed, and after any such ceassor [=cessure?] and being void of th' interest of my said wife of and in the premises by any of the means aforesaid, then I will my said house of Tickford and all the lands, tenements and tithes aforesaid to me let with the same to remain to my three daughters, Judith, Anne and Martha, and my said houses and gardens in London I will shall also remain to my said three daughters for so many years as shall then remain to come of the said terms;

And also I will that my said wife, if she fortune to marry, shall find two sufficient sureties before her said marriage such as mine executors think convenient, every of them to be bound in the sum [+of] £500 by such bond as they, my said executors, shall think expedient to perform these my bequests and devises concerning my said leases of Tickford and in London, and all other the premises to her devised with the same, and in default thereof, or if she refuse so to do, then I will that the said estate and interest that she shall have for term of years of and in the said leases shall cease and be void, and also my legacies to her thereof made to be void and of none effect, and the same to go to my executors in form aforesaid;

Also if I die, mine heir or heirs within age, I will that mine executors and my said wife or some of them shall with as much convenient speed as may be after my decease reasonably agree with the King's Highness for the whole wardship and custody of the body and lands of such of my children as shall be found the King's ward after my said death at th' only costs and charges of mine executors;

[f. 59r] And as touching the disposition of all my manors, lands, tenements and hereditaments, my mind and will is there shall come and be to mine heir or heirs immediately after my decease the whole third part of all my said manors, lands, tenements and hereditaments, and that the King's Majesty shall have during the nonage of my said heir or heirs the same third part as it is divided, appointed and set out in a certain schedule indented to this my will annexed, and according to the true meaning, intent and effect of the statute late made for the declaration of wills;

[REMAINDER OF WILL CONCERNING DISPOSITION OF LANDS NOT TRANSCRIBED]

In witness whereof to this my last will and testament I have set my hand and seal, these being witnesses and called to the same, and hearing this my said last will read in every clause & sentence the last day of May in the year of Our Lord God fifteen hundred fifty & five. By me, Anthony Cave. By me, Sir John Tackell. Per me Henricu{m} Smith. Per me Thom{am} Smythe.

Probatum fuit suprascriptum test{amentu}m vna cum Codicillo eiusdem cora{m} d{omi}no apud London quinto die mens{is} Decembris Anno D{omi}ni Mill{es}imo

quingentesimo quinquagesimo octavo Iuramento Magistri Iohannis Clerke procuratoris Ambrosij Cave militis francisci Cave Briani Cave et Clementis Vincent Executorum &c Ac approbatum &c Commissaque fuit administratio &c dictis Executoribus de bene &c Ac de pleno Inventario &c Necnon de plano et vero compoto reddendo &c iurati

[=The above-written testament was proved, together with the codicil of the same, before the Lord at London on the fifth day of the month of December in the year of the Lord the thousand five hundred fifth-eighth by the oath of Master John Clerke, proctor of Ambrose Cave, knight, Francis Cave, Bryan Cave and Clement Vincent, executors etc., and probated etc., and administration was granted etc. to the said executors, sworn to well etc., and [+to prepare] a full inventory etc., and also to render a plain and true account.]