

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 17 October 1492 together with a codicil dated 22 November 1493, proved 29 January 1494, of William Saunders of Banbury, Oxfordshire. The testator's daughter, Alice Saunders (d.1510), was the grandmother of Oxford's mother-in-law, Mildred (nee Cooke) Cecil (1526-1589), Lady Burghley.

FAMILY BACKGROUND

The testator states in his will that he was the son of William Saunders, buried in the parish church of Banbury. The name of his mother is unknown.

MARRIAGE AND ISSUE

The testator married Joan or Jane Spencer (d. 12 February 1525/6), the daughter of John Spencer of Hodnell, Warwickshire. For the will of John Spencer of Hodnell, dated 15 September 1496 and proved 25 January 1497, see TNA PROB 11/11/147. For the will of the testator's wife, Jane (nee Spencer) Saunders Cope, proved 2 May 1526, see TNA PROB 11/22/125.

By Joan or Jane Spencer the testator had four daughters:

* **Anne Saunders.** In the will below the testator bequeaths all his lands to his eldest daughter, Anne Saunders, who married, as his first wife, Stephen Cope (d. 20 March 1534), esquire, of Bedhampton, Hampshire. See the will of Stephen Cope, proved 12 November 1534, TNA PROB 11/25/240, and Beesley, Alfred, *The History of Banbury*, (London: Nichols and Son, 1841), pp. 79, 219:

<https://archive.org/stream/historyofbanbury00bees#page/78/mode/2up>

* **Isabel Saunders**, about whom nothing further is known.

* **Joyce Saunders**, about whom nothing further is known.

* **Alice Saunders** (d.1510), who married John Cooke (d. 10 October 1516), esquire, of Gidea Hall, by whom she was the mother of Lady Burghley's father, Sir Anthony Cooke (1505 – 11 June 1576). For Sir Anthony Cooke, see his will, TNA PROB 11/59/110, and the *ODNB* entry:

Cooke, Sir Anthony (1505/6–1576), educator and humanist, was the only son of John Coke or Cooke (1485–1516) of Gidea Hall, Essex, within the liberty of Havering-atte-Bower near Romford, and Alice Saunders (d. 1510), daughter of William Saunders of Banbury, Oxfordshire.

See also Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. IV, p. 141.

In a codicil dated 22 November 1493, the testator also bequeaths ‘to the infant in his wife’s womb, if it be a son, all his tailed lands and 100 mark, and if it be a daughter 100 mark’.

Chambers, relying in part on the pedigree of Cooke in *The Visitations of Essex*, p. 39, states that Richard Lee (d.1499) ‘married Joan, the daughter of William Saunders of Banbury by Jane or Joan the daughter of Sir John Spencer of Hodnell in Warwickshire’, and that after Richard Lee’s death, Joan married John Clerk by 1502 or 1503, and died in 1516. This seems doubtful as the testator’s will makes no mention of a daughter named Joan, and the Cooke pedigree in *The Visitations of Essex* shows William Saunders of Surrey, rather than Banbury, as the father of the Joan Saunders who married Richard Lee. See Chambers, E.K., *Sir Henry Lee: An Elizabethan Portrait*, (Oxford: Clarendon Press, 1936), pp. 7, 8, 251-2; Metcalfe, Walter C., ed., *The Visitations of Essex*, (London: Harleian Society, 1878), Vol. XIII, p. 39; and the will of Richard Lee of Quarendon, Buckinghamshire, TNA PROB 11/12/30.

After the testator’s death, his widow, Jane (nee Spencer), married William Cope (c.1440 – 7 April 1513), esquire, cofferer to Henry VII, by whom, according to William Cope’s will, she had three sons, Sir Anthony Cope (d.1551), for whom see the *ODNB* article; William Cope; and Sir John Cope (d. 22 January 1558), for whom see Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. I, p. 434. See also Beesley, *supra*, pp. 193-4, which, however, reverses the order of Jane Spencer’s two marriages. The correct order of Jane Spencer’s two marriages is established by the 1496 will of her father, John Spencer, which includes his daughter, Joan, and her second husband, William Cope, in an entail:

And for default of such issue to remain to Joan, my daughter, wife of William Cope, esquire, and to the heirs males of her body lawfully begotten.

See also Betham, William, *The Baronetage of England*, (Ipswich: Russell and Bransby, 1801), Vol. I, p. 87:

<http://books.google.ca/books?id=5ikwAAAYAAJ&pg=PA87>

[f. 50r] In dei nomine amen. The 17 day of the month of October the year of Our Lord God 1492 and in the 8 year of the reign of King Henry the 7th I, William Saunders of Banbury in the county of Oxford, merchant, being whole of mind and in good memory, thanked be Almighty God, make, ordain and dispose this my present testament containing my last will in manner and form following, that is to say:

First and principally I bequeath and recommend my soul to Almighty God, my Maker and Saviour, and to the Blessed Virgin Our Lady Saint Mary, his glorious Mother, and to

all [+the?] holy company of heaven, and my body to be buried within the parish church of Our Lady in Banbury aforesaid, that is to say, in the Trinity close near unto the burying-place there of William Saunders, my father, on whose soul Jesu have mercy;

Item, I bequeath to the high altar for my tithes and offerings forgotten or by me negligently withholden in discharging of my soul 40s;

Item, I bequeath to the maintenance and sustentation of the Brotherhood or Guild of Our Blessed Lady within the said church £5;

Item, I bequeath to Trinity altar 20s;

Item, to Saint Nicholas' altar 6s 8d;

Item, to Saint Peter's mkt(?) 6s 8d;

Item, to Saint Christopher's light 13s 4d;

Item, to the works of the said church 40s;

Item, I will that mine executors underwritten provide and ordain an honest priest of good name and honest conversation to sing and say his Masses and other divine service in such place as they shall think best by their discretions for my soul and the souls of my father and mother, friends, benefactors and all Christian souls by the space of 3 years after my decease, whereof by the first year I will that she [sic] shall sing in the said church of Banbury, and I will that he have yearly for his salary 8 marks;

Item, I bequeath to Anne, my eldest daughter, to be delivered to her when she cometh to her lawful age or marriage £100 and God's blessing and mine;

Item, I bequeath to every of my 3 other daughters, Isabel, Joyce and Alice, to be delivered unto them, that is to say, to every of them her part and portion when she cometh to lawful age or before at her marriage 10 mark and God's blessing and mine;

And I will that if any of my daughters decease before she come to lawful age or marriage, that then the part or portion of her so deceasing shall remain to her sisters overliving egally to be divided amongst [f. 50v] them, and so from one to another in case like of every of them;

And if it happen all my said daughters, as God defend, to decease afore lawful age or marriage, then I will that all the said £300 to them by me bequeathed shall justly and truly be disposed by mine executors underwritten, or if then they be deceased by their executors, in manner and form following, that is to say, to such of my uncle's children as then shall be living amongst them £100, and to the maintenance of Our Lady Brotherhood £100, and the residue £100 to be bestowed(?) in reparation and amending of highways where most need shall be, in marriage and preferment of poor maidens, in

levyving [sic for 'relieving?'] and refreshing of poor householders, in acquitting and delivering of poor prisoners such as lie for debt and small trespasses, and in such other deeds and works of alms, pity and charity as they shall seem best to be done to the pleasure of God and to the comfort of my soul and other souls above rehearsed;

And I will that Joan, my wife, shall have the custody, ward, rule and guiding of my said daughters and of all the money and livelihood to them be belonging unto the time they come to their lawful ages or marriage as is before rehearsed;

Item, I bequeath to Emme Seryvin(?), my cousin, to her marriage 10 mark;

The residue forsooth(?) of all and singular my goods, debts and chattels after my debts paid, my burying made, and this my present testament fulfilled, I give and bequeath wholly unto the said Joan, my wife, she to do and dispose thereof her own free will, trusting that she will remember my soul and see the good guiding of my said children and hers like as she would that I should do in case like;

And of this my present testament I make and ordain the said Joan, my wife, mine executrice, and her co-executor of the same I make and ordain her father and mine, John Spencer th' elder of Hodenhill [=Hodnell], to whom I bequeath for his labour herein to be had 100s;

And supervisor of my testament I make and ordain the worshipful Sir Edward Rawlyth [=Raleigh?], knight, and I bequeath to him for his labour to be had in that behalf 5 mark.

Memorandum: That the 22nd day of November the year of Our Lord God 1493 the said William Saunders in the presence of William Connor(?), gentleman, John Herford(?) and John Gardyner, citizens of London, ratified and confirmed the said testament and last will in all things according to the tenor of the same;

And over that, in the said presence he bequeathed to the infant in his wife's womb, if it be a son, all his tailed lands and 100 mark, and if it be a daughter 100 mark;

Item, to the reparation before the flesh-shambles in Banbury 28s;

Item, to Sir Nicholas Willys and to Sir Richard Ashwell, priest, to either of them 20s;

To Ric[hard](?), his servant 40s, and to William Bukes 20s.

Item, this is the last will of me, the said William Saunders, as to the disposing of all and singular my lands, tenements and possessions which I or any person or persons to mine use have in fee simple, that is to say, I will that the said Joan, my wife, shall have, hold and occupy to her own use all the same lands and tenements unto the time that the foresaid Anne, my daughter, come to lawful age or marriage, and then incontinently I

will that all the said lands and tenements shall wholly remain to the said Anne, my daughter, and her heirs in fee simple;

In witness whereof to this my present testament and last will I have put to my seal, given the day and year abovesaid.

Probatum fuit suprascriptum testamentum coram d{omi}no apud Lamethith xxix die mens{is} Januarij Anno d{omi}ni Mill{es}imo CCCC nonagesimo tercio Iuramento R{ichardi} Asshwel Will{el}mi Conne{r}(?) et Iohannis Spencer testium &c Ac approbatum etc Commissa q{ue} fuit admi{ni}stracio o{mn}i{u}m bonor{um}

[=The above-written testament was proved before the Lord at Lambeth on the 29th day of the month of January in the year of the Lord the thousand 4 hundred ninety-third by the oath of Richard Ashwell, William Connor and John Spencer, witnesses etc., and probated etc., and administration was granted of all the goods (rest of probatum clause missing).]