

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 10 July 1578 and proved 14 November 1578, of Edward Sapcote of Lincoln, father-in-law of Thomas Burnaby (1558?-1609/10), dedicatee of three works by Robert Greene: *Greene's Never Too Late* (1590), *Francesco's Fortunes* (1590) and *A Quip for an Upstart Courtier* (1592), contributor of commendatory verses to Greene's *Ciceronis Amor* (1589), and lessee of the Bear Garden in Southwark.

For Thomas Burnaby's lease of the Bear Garden, see:

'The Bankside Playhouses and Bear Gardens', in *Survey of London: Volume 22, Bankside (The Parishes of St. Saviour and Christchurch Southwark)*, ed. Howard Roberts and Walter H Godfrey (London, 1950), pp. 66-77 <http://www.british-history.ac.uk/survey-london/vol22/pp66-77> [accessed 12 March 2016].

*Thomas Burnaby bought a lease of the Bear Garden on the Bishop of Winchester's property in 1590 and promptly let it to Richard Reve for a yearly rent of £120 under the description of, (fn. 149) "All that Tenemente whearein one John Napton deceased did latelie inhabyte ... on the Banke syde ... Togeather Wth the Beare garden and the Scaffoldes houses game and dogges and all other thinges thereunto apperteyninge ... excepting such fees as shal be ... payable to the maister of the said game." (fn. n4) The schedule of stock included three bulls, nine bears, a horse and an ape.*

See also 'How to Track a Bear in Southwark' at:

[https://trackabear.library.utoronto.ca/search?query=Burnaby&submit\\_search=Search](https://trackabear.library.utoronto.ca/search?query=Burnaby&submit_search=Search)

### ***FAMILY BACKGROUND***

The testator was the son of Henry Sapcote (d. 28 June 1553) and Jane Smyth (d. 24 May 1546), daughter and heir of Robert Smyth. See the pedigree of Sapcote of Therfield in Metcalfe, Walter C., ed., *The Visitations of Hertfordshire*, (London: Harleian Society, 1886), Vol. XXII, p. 162 at:

<https://archive.org/stream/visitationsofher222732cook#page/n179/mode/2up>

After the death of the testator's mother, the testator's father, Henry Sapcote, remarried. In the will below the testator refers to 'the last wife of my father':

*Item, I give and bequeath to the last wife of my father forty shillings yearly during her life, to be paid out of the first and second row of closes at the Bargate which yearly hitherto of my benevolence she hath received.*

The testator's stepmother has been identified as Alice Oliver, sister of Roger Oliver. See:

<https://soc.genealogy.medieval.narkive.com/Scm4UanT/alice-ada-chippingdale-married-1st-to-henry-sapcote-mayor-of-lincoln-and-2nd-to-william-goodrick-of->

It appears that when she married the testator's father, Alice Oliver was the widow of a husband surnamed Chippingdale, and that after the death of the testator's father she married thirdly, by settlement dated 20 December 1554, William Goodrick, after whose death she married fourthly Thomas Mallet (buried 21 August 1576). For her marriage to William Goodrick, see GB 0157, Nottinghamshire Archives at:

[http://nawcat.nottinghamshire.gov.uk/Dserve/dserve.exe?dsqServer=AP266-0029&dsqIni=Dserve.ini&dsqApp=Archive&dsqDb=Catalog&dsqCmd=show.tcl&dsqSe arch=\(RefNo==%22DD%201355%2FA%2FD%2FC%2F65%22\)](http://nawcat.nottinghamshire.gov.uk/Dserve/dserve.exe?dsqServer=AP266-0029&dsqIni=Dserve.ini&dsqApp=Archive&dsqDb=Catalog&dsqCmd=show.tcl&dsqSe arch=(RefNo==%22DD%201355%2FA%2FD%2FC%2F65%22))

For the will of the testator's father (Various Wills/51v-53, Lincolnshire Archives), see:

<http://www.lincstothePast.com/Will---Sapcote--Henry--1553-----/763380.record?pt=S>

The testator had six brothers and six sisters:

**-John Sapcote** (d.1574), who married Mary Shelton, the daughter of William Shelton of Suffolk. See the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/sapcote-john-1574>

**-Thomas Sapcote.**

**-Henry Sapcote.**

**-Nicholas Sapcote.** He and his daughter, Alice Sapcote, are mentioned in the will below.

**-George Sapcote,** mentioned in the will below.

**-Jerome Sapcote.**

**-Amy Sapcote** (buried 24 April 1610), who married Martin Hollingworth (d. 1589/90). See Maddison, A.R., ed., *Lincolnshire Pedigrees, Vol. II*, (London: Harleian Society, 1903), Vol. LI, p. 510 at:

<https://archive.org/stream/lincolnshireped01larkgoog#page/n139/mode/2up>

**-Jane Sapcote,** who married John Dowman alias Dolman of Newnham, Hertfordshire. Their daughter, Grace Dowman, is mentioned in the will below. See Maddison, A.R., ed., *Lincolnshire Pedigrees, Vol. I*, (London: Harleian Society, 1902), Vol. L, p. 318 at:

[https://archive.org/stream/LincolnshirePedigreesV50/LincolnshirePedigrees\\_Maddison\\_v50#page/n335/mode/2up](https://archive.org/stream/LincolnshirePedigreesV50/LincolnshirePedigrees_Maddison_v50#page/n335/mode/2up)

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<http://www.oxford-shakespeare.com/>

See also the pedigree of Dolman of Newnham in Metcalfe, *supra*, p. 140 at:

<https://archive.org/stream/visitationsofher222732cook#page/n157/mode/2up>

**-Dorothy Sapcote**, who married a husband surnamed Wallis.

**-Winifred Sapcote** (living 1568), who married, as his third wife, Lionel Goodrick (d. 29 August 1561), esquire, steward of Hatfield. Lionel Goodrick had earlier married firstly Bridget Jermyn, the daughter of Sir Thomas Jermyn (d. 8 October 1552) of Rushbrooke, Suffolk, by his first wife, Anne Spring (1494-1528), the daughter of Thomas Spring, and secondly the daughter of Nicholas Robinson of Boston, Lincolnshire. See Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, p. 248. For the will of Thomas Spring, see TNA PROB 11/21/179. For the will of Sir Thomas Jermyn, see TNA PROB 11/35/417. See also the Jermyn pedigree (where Bridget Jermyn's name is given as 'Frances') in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 199 at:

<https://archive.org/details/visitationsofsuf00harvuoft/page/198>

Sir Thomas Jermyn married secondly Anne Drury (d. 8 June 1572), widow of Sir George Waldegrave (c.1483 – 8 July 1528), esquire, of Smallbridge, Suffolk, and daughter of Sir Robert Drury (d. 2 March 1535), chief steward and executor of John de Vere (1442-1513), 13<sup>th</sup> Earl of Oxford. See the will of Sir George Waldegrave, TNA PROB 11/22/577; the will of Sir Robert Drury, TNA PROB 11/25/467; Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. II, pp. 92-3, and Vol. IV, pp. 283-6. See also the Jermyn pedigree (where Bridget Jermyn's name is give as 'Dorothy') in Betham, William, *The Baronetage of England*, Vol. III, (London: W.S. Betham, 1803), p. 60 at:

<https://books.google.ca/books?id=IGAOAAAAQAAJ&pg=PA60&lpg=PA60>

**-Mary Sapcote.**

**-Anne Sapcote.**

For the testator's siblings, see Grange, Ernest L. and J. Clare Hudson, eds., *Lincolnshire Notes & Queries*, (Horncastle: W.K. Morton, 1891), Vol. II, p. 26 at:

[https://books.google.ca/books?id=M5\\_kAAAAMAAJ&pg=PA26](https://books.google.ca/books?id=M5_kAAAAMAAJ&pg=PA26)

### ***MARRIAGE AND ISSUE***

The testator married Anne Burton, the daughter of Thomas Burton. See Richardson, *supra*, Vol. I, p. 349.

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By Anne Burton, the testator had a son and daughter:

\* **Henry Sapcote.**

\* **Elizabeth Sapcote**, who married Thomas Burnaby (1558?-1609/10), son of Richard Burnaby (buried 10 January 1602). According to Richardson, *supra*, Vol. I, p. 349, they had eight sons and four daughters, including Richard Burnaby mentioned in the will below.

For the will, dated 11 October 1590 and proved 7 February 1603, of Richard Burnaby (buried 10 January 1602) of Watford and Mount Sorel, Northamptonshire, see TNA PROB 11/101/101.

As noted above, the testator's son-in-law, Thomas Burnaby, was the dedicatee of three works by Robert Greene: *Greene's Never Too Late* (1590), *Francesco's Fortunes* (1590) and *A Quip for an Upstart Courtier* (1592), a contributor of commendatory verses to Greene's *Ciceronis Amor* (1589), and a lessee of the Bear Garden in Southwark.

In the will below the testator refers to William Kelke as his son-in-law. It appears William Kelke was the testator's stepson, the son of the testator's second marriage to Margaret Empringham (d. 13 April 1569), the daughter of Richard Empringham of Great Grimsby, who married firstly a husband surnamed Gousell; secondly John Kingston of Grimsby; thirdly, on 22 October 1552, William Kelke of Great Grimsby; and fourthly, the testator. see the Kelke pedigree in Maddison, *supra*, Vol. II, p. 557 at:

<https://archive.org/details/lincolnshireped01larkgoog/page/n187>

### ***OTHER PERSONS MENTIONED IN THE WILL***

For Stephen Thimbleby, Sir John Monson, Robert Carre of Sleaford and other persons mentioned in the will below, see Hill, J.W.F., *Tudor & Stuart Lincoln*, (Cambridge: Cambridge University Press, 1956), p. 73 at:

<https://books.google.ca/books?id=YYM8AAAAIAAJ&pg=PA73>

For the closes at the Bargate mentioned in the will below, see Hill, Francis, *Medieval Lincoln*, p. 353 at:

<https://books.google.ca/books?id=Ma49AAAAIAAJ&pg=PA353>

For the ring bequeathed to the city of Lincoln by the testator in the will below, see Sympson, E. Mansel, *Lincoln: A Historical and Topographical Account of the City*, (London: Methuen and Co., 1906), p. 430 at:

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<https://archive.org/details/lincolnahistori00sympgoog/page/n450>

LM: T{estamentum} Edwardi Sapcote

[f. 322r] In the name of God, Amen. The 10<sup>th</sup> day of July in the year of Our Lord God one thousand five hundred seventy and eight and in the 20<sup>th</sup> year of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., I, Edward Sapcote of the city of Lincoln, esquire, sick in body but of perfect mind and memory, thanks be to God, do make this my last will and testament in manner and form following, that is to say:

First and principally I bequeath my soul into the hands of Almighty God, hoping by the death and passion of his son, Jesus, and his precious bloodshedding assuredly to be saved;

And I will my body to be buried in the cathedral church of Lincoln under the same stone where my father and mother lie buried;

And for the form and manner of my funerals, I refer it to the discretion of Mr Stephen Thimbleby and Mr William Heneage, esquires, whom I constitute and appoint the supervisors of this my last will and testament;

Item, I give and bequeath to Henry Sapcote, my son, my moiety of fees and duties remaining in the hands of Mr George Chippingdale in controversy and undivided between Mr Taylor and me;

Item, I constitute, name, ordain and appoint my said son, Henry Sapcote, my full and sole executor of this my last will and testament, and to him I give and bequeath all my goods, chattels and debts movable and unmovable not bequeathed and contained in this my last will and testament or hereafter to be bequeathed upon this condition, that he, the said Henry Sapcote, shall put in sufficient sureties to my said supervisors to discharge and pay all my debts and legacies by me bequeathed;

Provided always and my will is that the said Henry Sapcote, my son, shall not intermeddle with th' execution of this my testament or any part thereof until he have put in sufficient sureties to my said supervisors and within such time as by their discretion shall be limited;

Item, I give and bequeath [f. 323r] to Elizabeth Burnaby, my daughter, my second bed with the furniture thereto belonging, my best pair of sheets, my second counterpoint and three brass pots to be chosen at the discretion of my supervisors, alway excepting my great brass pot, with such kitchen stuff as my supervisors shall think meet;

Item, I give and bequeath to my son-in-law, Thomas Burnaby, if my goods and estate shall be found by my supervisors sufficient and able to amount thereunto, a chain of gold of the value of fifty pounds;

And if it happen that my goods amount not to such value as my supervisors shall think well of, then I give and bequeath to the said Thomas Burnaby such a chain as shall be by them thought meet, to be paid to him at time allotted by their discretion;

Item, I give and bequeath to Richard Burnaby, son of the said Thomas, if my goods and estate shall be found by my supervisors sufficient and able as is aforesaid, a chain of gold of the value of an hundred pounds;

And if it happen that my goods amount not to such value as my supervisors shall think well of, then I give and bequeath to the said Richard such a chain as shall be by my supervisors thought meet to be paid to him at time by their discretions to be limited;

Item, I give and bequeath to my niece, Grace Dowman, the sum of forty pounds of lawful money of England;

Item, I give to every of my friends following, viz., to my Lord Dyer, Mr Justice Monson, Robert Carre of Sleaford, George Heneage, Robert Sapcote, Stephen Thimbleby and William Heneage, esquires, in token of my goodwill a plain hoop-ring of gold of an ounce weight with this poesy engraven, *Omnis caro fenum*;

Item, in token of my goodwill borne to the city of Lincoln, I give and bequeath to the Common Chamber thereof a ring of the same fashion poesy and weight, to be successively worn by the mayor of Lincoln that for the time shall be;

Item, I give and bequeath to Mr Charles Dymoke, Mistress Dymoke, his wife, Mr William Fitzwilliams, and to Mr Robinson, chanter of the cathedral church, to every of them a plain hoop ring of gold of 26s 8d value with the poesy aforesaid;

Item, I give and bequeath to the last wife of my father forty shillings yearly during her life, to be paid out of the first and second row of closes at the Bargate which yearly hitherto of my benevolence she hath received;

Item, I will and bequeath to Mr Chippingdale a hoop ring of gold of the value of 26s with the poesy before specified, and my will is that he shall have his close that he holdeth of me during the old years, paying the rent to mine executors that he now payeth me;

Item, I give and bequeath to Peter Acland the sum of five pounds of lawful money to buy him an nag, and the second close in the third row at Bargate lying next Leonard Carre's closes during the old years, paying the rent as it now goes;

Item, I give and bequeath to my servants as followeth, viz., to Anne Watson £3 6s 8d and the gown which I daily wear;

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To Edmund Evans 40s over and besides his wages;

To old Harbert [=Herbert?] twenty pounds;

To John Bedford 20s over and besides his wages;

To Eustace White forty shillings;

To Hugh Evans 20s per annum, to be paid to him by my executors during the natural life of the said Hugh;

To Robert Holt 20s;

To John Toynton twenty shillings;

To Richard Sherman forty shillings;

To old Margaret 5s;

To Thurston forty shillings;

To my housekeeper at Wellingore 6s 8d;

To every of my women servants to whom there is none especial legacy given 3s 4d;

To every of my menservants to whom there is none especial legacy given five shillings over and besides their wages;

Item, I give and bequeath unto Anne Wilson, my kinswoman, six pounds thirteen shillings four pence;

Item, I give to the poor of the parishes of Branston, Wellingore and Waddington, to every of the said places ten shillings;

Item, I give towards the repair of the church of St Benedict's in Lincoln ten shillings;

Item, I refer my brother, George Sapcote, and Alice Sapcote, daughter to my brother, Nicholas, to the discretion of my executor and supervisors to be dealt withal as they shall see cause;

Item, I will and bequeath certain legacies to be disposed by mine executor at the discretion of Mr Stephen Thimbleby, to whom in secret I have declared mine intent therein;

Item, I give and bequeath unto my son-in-law [=stepson?], William Kelke, a statute wherein old Mr Girlington stood bound unto his father in the sum of three hundred pounds, and I release and remit unto the said William his marriage;

Item, I give and bequeath unto Robert Bransby, my servant, six pounds thirteen shillings four pence of lawful money of England;

Item, I give and bequeath unto my servant, Thomas Wood, six pounds thirteen shillings four pence of like money;

Item, I give and bequeath unto old Nevell twenty shillings;

Item, I give and bequeath to Mr Thimbleby and Mr Heneage, my supervisors, for their pains to be taken about this my testament and in hope of their friendships hereafter to be showed to my son, to either of them twenty pounds;

In witness whereof to this my testament and last will I have set my hand and seal the day and year above-written, these being witnesses: Stephen Thimbleby, Henry Sapcote, Peter Acland, Leonard Carre.

Probatum fuit suprascriptu{m} testamentu{m} Coram Mag{ist}ro Will{el}mo Drurye legu{m} doctore Curie P{re}rogatiue Cant{uariensis} Custode siue Com{m}issario apud London decimo quarto die Mens{is} Novembris Anno [f. 323v] D{omi}ni Mill{es}imo Quingentesimo Septuagesimo Octauo Iuramento Henrici Sapcote Executoris in h{uius}mo{d}i testamento nominat{i} Cui com{m}issa fuit Admi{ni}strac{i}o bonoru{m} &c De bene &c iurat{o}

[=The above-written testament was proved before Master William Drury, Doctor of the Laws, Keeper or Commissary of the Prerogative Court of Canterbury, at London on the fourteenth day of the month of November in the year of the Lord the thousand five hundred seventy-eighth by the oath of Henry Sapcote, executor named in the same testament, to whom administration was granted of the goods etc., sworn to well etc.]