

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 26 February 1579 and proved 21 November 1579, of Jasper Fisher (d. 28 February 1579), a London goldsmith and one of the Six Clerks of Chancery, whose London mansion, Fisher's Folly, was purchased by Oxford.

According to the History of Parliament, the testator was born by 1528, claimed kinship with the Fisher family of Great Packington, Warwickshire, and married firstly, by 26 December 1556, Alice, the widow of one Withers, and secondly, in 1576, Margaret (nee Bostock), the widow of Richard Blount. For details of Margaret's family, see the will of her first husband, Richard Blount, TNA PROB 11/57/612.

The testator died without issue, and his heirs at law were two female cousins. The latter are mentioned in the inquisition post mortem taken 19 November 1580, see TNA C 142/190/4, and 'Inquisitions: 1580', *Abstracts of Inquisitiones Post Mortem for the City of London: Part 3* (1908), pp. 19-32 at:

<http://www.british-history.ac.uk/report.aspx?compid=65888>:

*Jasper Fysshier died on the last day of February, 21 Eliz. [1579]; Katherine Norwood, widow, and Anna Woulrytche wife of Richard Woulrytche are his kinswomen and next heirs, viz., daughters and heirs of Cicily Taylor late wife of Robert Taylor and sister of John Fysshier father of the said Jasper Fysshier, and are now both aged 40 years and more.*

In the will below, the testator grants a life estate in his London mansion, Fisher's Folly ('my capital messuage, garden, orchard, yards, courts and other my lands, tenements and hereditaments in the parish of St. Botolph's'), to his wife, Margaret, stipulating that the reversion is not to be sold until after her death. The date of Margaret's death is not known, but she was alive as late as 1599.

Despite the provision that the reversionary interest in Fisher's Folly not be sold until after Margaret's death, Richard and Anne Wolriche appear to have sold the reversionary interest by fine dated 11 June 1582. See CP 25/2/170/2949/24ELIZITRIN, No. 14:

*This is the final agreement made in the court of the Lady Queen at Westminster on the morrow of Holy Trinity in the year of the reigns of Elizabeth, by the grace of God Queen of England, France & Ireland, Defender of the Faith, etc. from the Conquest the twenty fourth [=11 June 1582] before Edmund Anderson, Thomas Meade, Francis Wyndham & William Peryam, justices, & others faithful to the Lady Queen then there present, between Edward, Earl of Oxford, Great Chamberlain of England, querent, and Richard Wolryche & Anna, his wife, deforciant, of thirty messuages, twenty cottages, twenty tofts, thirty gardens, ten orchards and the moiety of one reservoir & the water-pipes of lead belonging to the same reservoir with the appurtenances in the parish of Saint Botolph without Bishopsgate, London.*

However Oxford was in possession of Fisher's Folly earlier than 1582, and he may thus have leased the mansion for a time from Fisher's widow, Margaret, before purchasing it. In a letter to Queen Elizabeth written in late December 1580, Oxford's first cousin, Lord Henry Howard, recounts a conversation he had with Oxford in Lent 1580 concerning the 'trimming up' of Fisher's Folly (see BL Cotton Titus C.6, ff. 7-8), indicating that Oxford was in possession of the property by that time, and had undertaken renovations. In late 1588, Oxford sold his interest in Fisher's Folly to Sir William Cornwallis (c.1551-1611), eldest son and heir of Sir Thomas Cornwallis (1518/19-1604) of Brome.

Two decades after Oxford's purchase from Richard and Anne Wolriche, it was discovered that a portion of the property comprised of Toddes Alley and certain tenements was held in chief from the Crown, and that licence from the Crown had not been obtained in 1582 for the sale of that portion of the property. Accordingly, on 10 November 1602, Oxford was granted a pardon of alienation for the purchase of Toddes Alley and the accompanying tenements. See TNA C 66/1580, m. 17:

*The Queen etc. to all her bailiffs & faithful to whom etc., greeting. Whereas Edward, Earl of Oxford, our Great Chamberlain of England, lately, namely in the term of Holy Trinity in the twenty-fourth year of our reign [=1582] by fine levied in our court before Edmund Anderson, knight, & his fellows then our Justices of the Court of Common Pleas, purchased to himself & his heirs of Richard Wolriche & Anne, his wife, thirty messuages, twenty cottages, twenty tofts, thirty gardens, ten orchards and the moiety of one reservoir and the water-pipes of lead belonging to the same reservoir with the appurtenances in the parish of Saint Botolph without Bishopsgate in our city of London, of which certain premises one alley called Toddes Alley and the tenements to the same alley belonging, being parcel of the premises, are held of us in chief, as it is said, to have & to hold to the same Earl & his heirs forever, which certain alienation was made without our royal licence therefore having been beforehand obtain,*

*Know ye therefore that we, of our especial grace and for four pounds paid to our farmers, by virtue of our letters patent do pardon & release not only the transgression in this respect made, but also the rents & profits of the foresaid premises held of us with the appurtenances, as previously mentioned, forfeited to us duly(?) to be rendered or paid in our Exchequer, inasmuch as the alienation aforesaid was made without our royal licence, as is beforesaid;*

*And further we have granted and for us, our heirs & successors, by how much is in us by these presents do grant [-&] to the forenamed Earl of Oxford that he might be able to have & hold the foresaid premises with the appurtenances, inter alia, held of us, as previously mentioned, to him and his heirs of us, our heirs & successors, by the services owed therefore, & of right customary, forever, without interference, molestation, vexation, hindrance or oppression of us or our heirs or successors or of any of our justices, escheators, sheriffs, bailiffs or ministers or [+those] of any our said heirs or successors by reason or pretext of the alienation aforesaid.*

In summary, although the matter is far from clear, it appears that Oxford leased Fisher's Folly from the testator's widow, Margaret, as early as 1580, and then purchased the reversionary interest in 1582 from Anne Wolriche and her husband (the testator's other cousin and heir, Katherine Norwood, apparently having died by this time, presumably without issue). The consent of Fisher's widow, Margaret, and Fisher's feoffees and executors would presumably have been required for the purchase in view of Margaret's life interest. In 1588 Oxford sold Fisher's Folly to Sir William Cornwallis, and it seems likely that he sold the entire property at that time, including Toddes Alley and the tenements pertaining to it. However in 1602 it came to light that although Jasper Fisher had owned the greatest part of the property in his own right, Toddes Alley and certain tenements were held by him from the Crown in chief, and thus, twenty years after the fact, Oxford was required to purchase a licence of alienation from the Crown for that portion of the property alone, despite the fact that he had already sold the entire property to Sir William Cornwallis.

As noted above, the testator was Margaret's Bostock's second husband. By her first husband, Richard Blount, she had a daughter, Elizabeth Blount, mentioned in the will below in connection with the sale of the reversionary interest in Fisher's Folly, the proceeds of the sale being designated by the testator for the fulfilment of a bequest to her in her father's will of £1600. The latter figure gives some indication of the price Oxford may have paid for Fisher's Folly.

Margaret's third husband was Nicholas Saunders (d. 17 December 1587) of Ewell, the son of William Saunders (d.1571) of Ewell, Cofferer to Queen Mary I, by his first wife, Joan Marston (d.1539?), the sister of Oxford's step-grandmother, Ursula Marston. By his first wife, Isabel Carew, the fourth daughter of Sir Nicholas Carew of Beddington, Nicholas Saunders (d. 17 December 1587) had a son and heir, Sir Nicholas Saunders (d. 9 February 1649). See Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, p. 195); and the will of Margaret's third husband, Nicholas Saunders (d. 17 December 1587), TNA PROB 11/72/42.

Sir Nicholas Saunders (d. 9 February 1649), Margaret's stepson, was the recipient of two dedications: in 1591 John Florio dedicated his *Second Frutes* and *Gardine of Recreation* to him, and in the following year the printer Thomas Newman dedicated to him *Greene's Vision*, according to the title-page written 'at the instant' of Robert Greene's death.

In 1576 the testator had acquired the manor of Oldbury in Warwickshire. See Thomas, William, ed., *The Antiquities of Warwickshire*, (London: John Osborn and Thomas Longman, 1730), 2<sup>nd</sup> ed., Vol. II, p. 1082 at:

[http://books.google.ca/books?id=PhBaAAAAYAAJ&pg=PA196&lpg=PA196&dq=%22norwood%22+%22Wolriche%22&source=bl&ots=o5\\_M4ytgXn&sig=Yi\\_DHHla5uJTvl7uEGjGV1mn2Zo&hl=en&sa=X&ei=Ou9HVIKILor8igKq24DgAQ&ved=0CE4Q6AEwCA#v=onepage&q=%22norwood%22%20%22Wolriche%22&f=false](http://books.google.ca/books?id=PhBaAAAAYAAJ&pg=PA196&lpg=PA196&dq=%22norwood%22+%22Wolriche%22&source=bl&ots=o5_M4ytgXn&sig=Yi_DHHla5uJTvl7uEGjGV1mn2Zo&hl=en&sa=X&ei=Ou9HVIKILor8igKq24DgAQ&ved=0CE4Q6AEwCA#v=onepage&q=%22norwood%22%20%22Wolriche%22&f=false).

The testator is said to have conveyed Oldbury to Richard Bostock, likely as Margaret's jointure. In 1581 Fisher's heirs at law, Anne Wolriche and Katherine Norwood conveyed Oldbury to Margaret. About 1585, Margaret's only child by her first marriage, Elizabeth Blount, married Margaret's stepson by her third marriage, Sir Nicholas Saunders (d. 9 February 1649), and in 1599 Margaret transferred Oldbury to Sir Nicholas Saunders, his wife, Elizabeth, and William Blount of Arleston, Derbyshire. See *Generations, supra*, p. 134, and:

'Parishes: Mancetter', *A History of the County of Warwick: Volume 4: Hemlingford Hundred* (1947), pp. 116-126, at:

<http://www.british-history.ac.uk/report.aspx?compid=42666>.

Margaret's stepson, Sir Nicholas Saunders (d. 9 February 1649), is also known to students of Elizabethan literature through his involvement with Justice William Gardiner and William Wayte. See Hotson, Leslie, *Shakespeare Versus Shallow*, (London: The Nonesuch Press, 1931), pp. 262-3, 296-8, 358-9 at:

<http://books.google.ca/books?id=k1xINwDRKt8C&pg=PA353&lpg=PA353&dq=%22William+Gardiner%22+%22Nicholas+Saunders%22&source=bl&ots=U7LeidIGBG&sig=DgLLdO4ndbbbEbdWmX2GarUOWxo&hl=en&sa=X&ei=VzVIVOeHOIL8igKs-YHoDw&ved=0CCgQ6AEwAg#v=onepage&q=%22William%20Gardiner%22%20%22Nicholas%20Saunders%22&f=false>.

One of the trustees to whom Jasper Fisher enfeoffed his mansion of Fisher's Folly was Vincent Poynter, alias Corbet (d.1619), who resided at Ewell, and later at Twickenham, and was 'famous for his nurseries and plantations of trees'. Ben Jonson was a friend of Corbet's son, Richard, and wrote 'An Epitaph on Master Vincent Corbet'. The fact that Vincent Corbet was Jasper Fisher's trustee, and that he resided at Ewell, may afford a partial explanation for the marriage of Jasper Fisher's widow, Margaret, to Nicholas Saunders (d.1587) of Ewell.

26<sup>th</sup> day of February 1578 [=1579]

R.M.: T{estamentum} Jasperi ffisher

In the name of God, Amen. I, Jasper Fisher, one of the Six Clerks of the Queen's Majesty's Court of Chancery, being sick of body but of perfect memory, I thank God, do ordain and make this my last will and testament in manner and form following:

First, I bequeath my soul unto Almighty God, Father of Our Lord Jesus Christ, who in the everlasting love wherein he loved me before the foundation of the world did not spare his only-begotten Son, but gave him to the death of the Cross, by the which death and passion I assure myself in him and in no other of that redemption which he hath wrought

for me and of that inheritance which he hath purchased for me, renouncing all other, by virtue also of whose resurrection I believe assuredly that now my sick body, whenas my soul shall be separate and to turn to God that gave it, and my body to be commended to the earth, that nevertheless it shall be raised up again in the last day, and to be united to my soul again and in everlasting immortality, and therefore concerning my body, I will that it be reverently buried in hope thereof, accompanied with my Christian friends whom I loved in my life, which my burial shall be in the chapel of the parish church of St. Botolph's without Bishopsgate of London, in which parish I do now dwell;

Item, whereas I have enfeoffed my well-beloved friends, John Ellis of Gray's Inn in the county of Middlesex, gentleman, and Vincent Poynter, alias Corbet, Citizen and Draper of London, of my capital messuage, garden, orchard, yards, courts and other my lands, tenements and hereditaments in the parish of St. Botolph's aforesaid, and also before that time have assured the same to Margaret, my well-beloved wife, for term of her life by certain covenants, among other things, to Richard Bostock and John Glascock, gentlemen, my full meaning, intent and will is that my said wife shall have and peaceably enjoy my said capital messuage, orchard, garden, yards and all other my lands, tenements and hereditaments in the said parish of St. Botolph's for term of her natural life, and that my well-beloved friends Sir William Cordell, knight, Sir Rowland Hayward, knight, Thomas Bromley, George Bromley, William Fleetwood, Thomas Fanshawe, Peter Osborne, Nicholas Bacon of Redgrave in the county of Suffolk, Thomas Pole, John French, esquires, Nicholas Woodroff and Edward Osborne, aldermen of the City of London, and Richard Young, Citizen and Grocer of London, and the heirs of the survivor of them, shall sell the reversion after the decease of my said wife of the said capital messuage or tenement, garden, orchard and all other the premises to their discretion, and with the money thereof coming, discharge and pay the sum of sixteen hundred pounds bequeathed by Richard Blount, deceased, to Elizabeth Blount, daughter of my said wife, if she at the time appointed by her said father's will make release of all her right and interest in or to the annuity granted by Sir Thomas Kempe, knight, to her said father and his heirs, but if she refuse so to do, then I will that they shall pay her the sum of thirteen hundred pounds and no more;

And also I will that they shall pay the surplusage and overplus remaining upon the sale of the same immediately after the sale to the executors of this my last will and testament, whom I ordain to be Thomas Pole, esquire, John Glascock, and Richard Bostock, gentlemen, and John Milles of London, saddler, and I will that those my executors shall likewise have and enjoy all my other goods, chattels, cattles, plate, jewels and leases not before given to my said wife or to any other to her use, to these intents and purposes hereafter expressed, that is to say, to see me decently and honestly buried, and also that therewith they shall pay first the sum of four hundred pounds unto Richard Blount for the legacy bequeathed unto him by the said Richard Blount, deceased, and also shall pay all other my debts which in truth I do owe upon good specialty, and may be truly proved, being no specialty, so farforth as the same goods will extend, the reasonable charges which my executors shall sustain about this my will being deducted;

That being done justly and truly, as my trust is in them as they shall answer before God at the latter day of judgment, I will that they shall pay and distribute the residue as hereafter is expressed:

First, I will the lease of my houses in Holborn to the said John Milles during all the years yet to come;

Item, I will the lease of my houses in Houndsditch to the sister of the said John Milles;

Item, I will my old servant, Christopher Lawrence, and his wife shall have the same house in Houndsditch wherein they dwell during the natural lives of them both without any rent paying for the same;

And I will to Jane, my servant, twenty pounds of lawful money of England at the day of her marriage and other twenty pounds that day twelvemonth following, if she marry with the consent of my wife;

Item, whereas I have granted and assured all my lands, tenements and hereditaments in the county of Warwick to Richard Bostock and John Glascock, gentlemen, to the use of me and Margaret, now my wife, and to the heirs of our two bodies lawfully begotten, and for lack of such heirs to the use of the said Margaret and her heirs, as by the said writing and [sic for 'the?'] true meaning thereof more at large may appear, my meaning, intent and will is that the said Margaret, my wife, shall have and peaceably enjoy all the said lands, tenements and hereditaments in the said county of Warwick to her and to her heirs forever;

Item, I give unto Thomas Jones and Elizabeth his wife, my late servant, ten pounds of lawful money of England;

Item, I give, will and bequeath unto every of my servants twenty shillings apiece besides their wages, except Phyllis, my servant, she to have five marks of lawful money of England;

Item, I give and bequeath unto Thomas Atkins ten pounds every year yearly during the term of ten years;

Item, I give unto John Fisher every year yearly ten pounds of lawful money of England for so long time as he shall apply himself to the study of the law, if there be sufficient left to pay him after that my debts and other legacies be paid;

Item, I give to each of my executors a ring of an ounce of gold apiece;

Item, I do forgive and clearly acquit Edward Welche [=Walsh?] of all such debts, duties and demands whatsoever he is to me owing by any ways or means whatsoever;

Item, my mind and will is that all such debts as I owe to any person who hath no specialties of my hand to show, shall upon just proof be paid next after that my debts be paid to such as have specialties;

And I request Francis Boyer, alderman of the City of London, my very friend, to be my overseer of this my last will and testament, for whose pains herein to be taken I give and bequeath unto him a ring of gold of the weight of half an ounce;

In witness whereof I have hereunto put my hand and seal, given the day and years first above-written, these being witnesses: Vincent Poynter, Henry Gleve(?), Christopher Fisher and Richard Haukins(?), Sir Henry Fothergill.

Further, I do request unto (blank) Fleetwood of the City of London, to be likewise overseer of this my last will and testament, for whose pains herein to be taken I give unto him a ring of gold of half an ounce.

Probatum fuit h{uius}mo{d}i Testamentum Apud London Coram mag{ist}ro Will{el}mo Drury legum Doctore Curie Prerogatiue Cantuarien{sis} Commissario vicesimo primo die mensis Novembris Anno d{omi}ni Mill{es}imo Quingentesimo Septuagesimo nono Iuramento mag{ist}ri Edwardi Orwell Notarij publici procuratoris Richardi Bostock executoris in h{uius}mo{d}i Testamento no{m}i{n}at{i} Cui commissa fuit Administrac{i}o &c De bene &c Ad s{an}c{t}a dei Eu{a}ngelia Iurat{i} Reseruata p{otes}tate similem commissionem faciend{i} reliquis executoribus in h{uius}mo{d}i testamento etiam no{m}i{n}at{is} cum venerint &c admissur{is}

[=The same testament was proved at London before Master William Drury, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, on the twenty-first day of the month of November in the year of the Lord the thousand five hundred seventy-ninth by the oath of Master Edward Orwell, notary public, proctor of Richard Bostock, executor named in the same testament, to whom administration was granted etc., sworn on the Holy Gospels to well etc., with power reserved for a similar grant to be made to the remaining executors also named in the same testament when they shall have come etc. to be admitted.]