

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 19 March 1583 and proved 25 November 1583, of Francis Cave (1502-1583), 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.

The testator married Margaret Lisle (d. 26 October 1568), daughter of Thomas Lisle of Surrey, and widow of Edward Ashton of Godstone, Surrey.

For the History of Parliament biography of the testator, see:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/cave-francis-1502-83>

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, ff. 66-7.

T{estamentum} ffrancisci Cave ar{migeri}

I, Francis Cave of Baggrave in the county of Leicester, esquire, being by God his permission and goodness at this present sick in body and of good and perfect remembrance this nineteenth day of March in the year of Our Lord God one thousand five hundred eight-two and in the five and twentieth year of the reign of our Sovereign Lady Elizabeth by the grace of God of England, France and Ireland Queen, Defender of the Faith etc., do ordain and make this my last will and testament in manner and form following:

First, as charity moveth me to begin at myself, so with all my heart and power I will, bequeath & commend my soul and body to Jesus Christ Our Lord, the only Saviour of me and mankind, my soul, I say immediately after it shall by God's will be separated from my carnal body, and my body and soul to him at the general resurrection where my soul and body shall be again united and joined together, and see my Saviour, and hear him pronounce the long-thirsted for sentence of all his elect and chosen, the members of his Holy Catholic Church, of which church I faithfully and without doubt believe and perfectly know that I am one of the lively members by God's only mercy, and therefore do hope with an earnest desire to hear the most comfortable sentence of Our Saviour, Jesus Christ, Come, come to me, you blessed of my Father etc., and from thenceforth to joy and glorify God in his saints and with his saints forever and ever, Amen;

Lastly, my whole endeavour in all the residue of this my will shall be so to dispose those lands, possessions and worldly goods which God of his goodness hath given me as I may show myself thankful towards him which is the giver of all, careful of my family,

children and servants which he hath committed to my charge and commanded me to provide for;

And for that it is commendable and a decent order and so is used generally through Christendom for the most part that the bodies of the dead are buried in such sort as their vocation doth require, not that there doth thereby redound any benefit to the soul or body departed, so I will and reserve the order and execution of my funeral and the burial of my body to the discretion of my executors and overseers hereafter appointed in this my will when God shall call me to his mercy;

It is my desire to be buried in Hungarton church near unto the place where my wife is buried;

Also I do by these presents revoke and annul all other wills and testaments by me heretofore devised or made, and do declare and publish this my last will and testament is contained in these presents only;

Item, I give and bequeath to the poor the sum of five pounds, to be distributed amongst them by the discretion of my executors;

And concerning the disposition of the rest of my goods and chattels, first and before all other things I will that all my debts which I do owe of right or in conscience to any person or persons be truly paid by my executors hereafter named;

Also, whereas I have heretofore bestowed sundry things upon my son, Thomas Cave, the which I think very well bestowed and wish they were better, I do now also give and bequeath unto my said dearly beloved son, Thomas Cave, one piece of silver plate for a memorial of me to the value of five pounds;

My greatest piece of old gold I give and bequeath to my well-beloved daughter, his wife;

Also I do give and bequeath unto my said son, Thomas, one pair of great gilt salts with one cover, praying him that the said great salts may remain to the heirs of the house of Baggrave according to his grandfather's will, not doubting but that he will show himself loving, grateful and natural towards his younger brethren and sisters, my dear sons and daughters, his next kin and friends, as I have dearly loved him;

Then as concerning the residue of my said loving sons and daughters, first my will is that all annuities heretofore granted to any of them be truly paid to every of them according to the true meaning of their several grants of the same, and that all such former articles as are heretofore agreed upon between my son, Thomas, and his brethren by writing indented concerning a lease to be made unto them of Watson's close with a stock of twenty score ewes by my appointment be truly performed to every of them according to the true meaning of the same;

Also I will and bequeath to every of my younger natural sons and daughters for a further memorial of me one piece of silver plate to be made all of one fashion by the discretion and appointment of my executors to the value of five pounds apiece;

And forasmuch as I have as yet had the least consideration of my three sons, that is to say, Brian Cave, Henry Cave and William Cave, I do therefore now give & bequeath to every of them over and besides the former-recited legacy and former gifts bestowed of them the sum of twenty pounds apiece if my goods and substance will so far amount unto; if not fully to so much, then so near unto the said sum as may be (my funerals done, my debts paid and all the residue of this my last will being performed);

I do give to my well-beloved brother, Mr Brian Cave, one of my best gowns;

Item, my will and mind is that William Dracott [f. 121v], my old servant and tenant in Gaddesby, in consideration of his long, painful and trusty service heretofore done unto me, and for that I will the like service so shall be continued by him hereafter to my heir, that my said heir at the feast of Saint Michael th' Archangel next after my decease shall make, seal and deliver unto the said William Dracote for the consideration before-recited a good and sufficient lease by writing indented of my farm and other the premises he now dwelleth in and occupieth in Gaddesby aforesaid, to have and to hold the same to him and his assigns from the said feast of Saint Michael th' Archangel for the full end and term of one and twenty years then next after fully to be complete and ended, reserving only the old and accustomed rent yearly during the said term, and keeping reparations, to be paid yearly to my son, Thomas Cave, until such time as Arthur Yeavaunce shall accomplish the full age of one and twenty years, and then my will is that the said Arthur shall have the rent during the residue of the said term, and after th' expiration of the said term, I do give and bequeath to the said Arthur all my said land in Gaddesby aforesaid for term of his natural life only, the remainder thereof after his decease to my son, Thomas Cave, and his heirs;

And also my mind and will is that Thomas Marshall, one other of my old servants, shall have in like consideration the interest and term of his farm in Hungarton upon like condition and covenant as he now hath the same, and I will also that my executors shall do their best endeavours to obtain and get him the lease that one Mr Hayes and Mr Harbye or their assigns or any other now have thereof at my proper costs and charges, so that the obtaining thereof do not exceed the sum of six pounds thirteen shillings four pence;

Item, I do give and bequeath to Bartholomew Cave, one other of my old servants, the sum of five pounds;

Item, I do give and bequeath to my son, Thomas, and his heirs all my lands in Barsby, bestowing yearly upon the reparations of some part of the church of Hungarton about the feast of Saint Michael yearly the sum of ten shillings by th' appointment and consent of my executors during their lives, and after their deceases by the appointment of my heirs;

Item, I do give and bequeath unto John Dalby, my brother Bryan Cave's man, whom I have bred and bear goodwill unto, and for his pains taken in writing this my will, the sum of forty shillings;

The residue of all my goods, chattels, leases for years, plate, ready money, household stuff, debts and other goods and chattels whatsoever not before in these presents otherwise bestowed or bequeathed (after all my debts in law or conscience truly paid and discharged, my legacies and bequests before expressed fully performed, and my funeral charges according to my estate and calling liberally paid and discharged), I wholly and freely give and bequeath to my said well-beloved son, Thomas Cave, to have and enjoy to his proper use forever;

And I ordain, constitute and make my well-beloved brother, Mr Brian Cave, and my said son, Thomas Cave, executors of this my present last will and testament, desiring them to see the same fully performed according to my special trust in them reposed;

And overseers of the same my testament and last will I ordain and make my well-beloved sons, Anthony, Brian, Henry, Lysleye [=Lisle?] and William Cave;

In witness whereof I, the said Francis Cave, to this my present will and testament containing six leaves of paper in writing have subscribed my name with my own hand, these being witnesses whose names are underwritten. By me, Francis Cave. Brian Cave, Thomas Cave, John Dalbye, Thomas Marshall.

Probatum fuit suprascriptum testamentum apud London coram venerabili viro mag{ist}ro Will{el}imo Drury Legum Doctore curie prerogatiue cantuarien{sis} commissario etc Vicesimo quinto die mensis Novembris Anno Domini mill{es}imo quingentesimo octogesimo tertio Iuramento Ioh{ann}is Theker notarij publici procuratoris Briani Cave et Thome Caue executorum etc Quibus com{m}issa fuit administracio bonorum etc De bene etc Iurat{i}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary etc. of the Prerogative Court of Canterbury, on the twenty-fifth day of the month of November in the year of the Lord the thousand eighty-third by the oath of John Theker, notary public, proctor of Bryan Cave and Thomas Cave, executors etc., to whom administration was granted of the goods etc., sworn to well etc.]