

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 11 October 1590 and proved 7 February 1603, of Richard Burnaby (buried 10 January 1602) of Watford and Mount Sorel, Northamptonshire, the father 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 at one time lessee of the Bear Garden in Southwark.

FAMILY BACKGROUND

For the testator's family background, see Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. I, pp. 521-3; Vol. II, p. 664 at:

<https://books.google.ca/books?id=8JcbV309c5UC&pg=PA349>

The testator was the son of Thomas Burnaby, gentleman, and Elizabeth Taylor.

MARRIAGES AND ISSUE

The testator married firstly Anne Wodhull, the daughter of Nicholas Wodhull (d. 6 May 1531), esquire, of Warkworth, Northamptonshire, and his first wife, Mary Raleigh, by whom he had two sons, Thomas Burnaby and Benjamin Burnaby, and a daughter, Mary Burnaby. Anne Wodhull was a legatee in the wills of her father and her half brother, Anthony Wodhull (d. 4 February 1542).

The testator married secondly Susanna Dixwell (buried 6 March 1607), the daughter of William Dixwell, of Cotton, Warwickshire, by whom he had two sons, Humphrey Burnaby and John Burnaby (d.1608).

The testator's eldest son and heir, Thomas Burnaby (1558?-1609/10), married Elizabeth Sapcote, the daughter of Edward Sapcote (d.1578) of Lincoln, Lincolnshire, and Anne Burton, the daughter of Thomas Burton of Coates near Stow, by whom he had eight sons and four daughters. For the will, dated 10 July 1578 and proved 14 November 1578, of Edward Sapcote, see TNA PROB 11/60/550.

See also:

<http://watfordvillage.weebly.com/the-lords-of-watford.html>

Richard Burnaby Esq (1530 - 10th January 1602) born at Watford, he built Watford Court in 1568 for his wife, Anne Wodhull (1532-1593), granddaughter of Lord Parr of Horton and also a relation of Queen Catherine Parr. He also held property at Mount Sorel, Leicestershire. In 1558 at age 26 Anne gave birth to their son: Thomas

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

Burnaby (1558-1610). They later had two further children: A son, Benjamin and daughter, Mary. Ann was a legatee in her Father's will of 1531 and also in the will of her half brother (Anthony Wodhull Esq) in 1539. After Anne's death, at about 1593, Richard remarried Susanna Dixwell (c1540-1607), daughter of William Dixwell of Cotton, Warwickshire. They had two sons; Humphrey and John. Richard Burnaby Esq went on to purchase the manor and advowson of Rugby, Warwickshire in 1594. He died and was interred at Watford on the 10th of January 1602. His widow, Susanne, died and was interred at Watford church on the 6th of March 1607.

Thomas Burnaby (1558-1609) Born at Watford, he married Elizabeth Sapcott (1560-1598), daughter of Edward Sapcott of Lincoln, Lincolnshire. They had eleven children, Sons: Sir Richard Burnaby (1573 - ?), William, Edward, George, Giles, Francis and Thomas (Jnr). Daughters: Anne - who became the wife of Robert Kirkby. Susanna (1585-1631) and became the wife of Stephen Agard of Broughton, Northamptonshire. Her second husband was Thomas Eyton. Elizabeth - who became the wife of Thomas Mills, Mary - who married ____? Miller. Thomas Burnaby died in 1609 in Dorset.

See also the pedigree of Burnaby of Watford (which contains some errors) in Metcalfe, Walter C., ed., *The Visitations of Northamptonshire*, (London: Mitchell and Hughes, 1887), pp. 7, 172 at:

<https://books.google.ca/books?id=wLgEAAAIAAJ&pg=PA172>

For the testator's purchase of the manor of Rugby on 22 November 1594, see also Nicolas, Nicholas Harris, *The History of the Town and School of Rugby*, (Coventry, Merridew & Son, 1826), pp. 36-7 at:

<https://books.google.ca/books?id=L7MHAAAQAAJ&pg=PA45>

Robert Greene's first known connection to Thomas Burnaby dates from 1589, when Burnaby contributed commendatory verses to *Ciceronis Amor*, which Greene had dedicated to Ferdinando Stanley, then Lord Strange, later 5th Earl of Derby:

*Varro and Tucca wrote of Maro's verse,
And Dares dared to tell of Homer's skill;
Of Ovid's works Latins have made rehearse,
And poets have discoursed of Pindar's quill;
Many have writ cosmography of lands,
And told of Gihon and of Tagus' sands;
Of Helen's beauty and of Leda's hue
The winged fancies of the learned have told,
But of the proudest poets, old or new,
Who dared sweet Tully's fancies once unfold,
As far too high for all that yet hath been?
Then give the palm and glory unto Greene.*

Thomas Burneby, Esquire

In the dedication to *A Quip for an Upstart Courtier*, Greene terms Thomas Burnaby 'a Maecenas of learning', although Burnaby's reputation as such appears to be otherwise unknown, and calls himself Burnaby's 'dutiful adopted son'. The epithet is a strange one since, according to the *ODNB*, Greene was born in 1558, and according to the website referenced above, Burnaby was born in the same year.

A Thomas Burnaby, said by REED to have been the testator's son, was master bearward to Queen Elizabeth. See:

<https://reed.library.utoronto.ca/node/291459>

and:

<https://reed.library.utoronto.ca/node/291460>.

See also REED at:

jps.library.utoronto.ca/index.php/reed/article/download/9975/6921

Thomas Burnaby was master bearward to the queen c 1590-4.

See also the documents referenced at 'How to Track a Bear in Southwark', including the indenture between 'Thomas Burnaby of Watford in the county of Northampton, esquire, of the one party, and Richard Reve' etc. at:

<https://trackabear.library.utoronto.ca/>

and:

https://trackabear.library.utoronto.ca/search?query=Burnaby&submit_search=Search.

See also:

'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.

In 1592 Edward Alleyn, who later founded Dulwich College and who was already a well-known actor, married Joan Woodward, stepdaughter of Philip Henslowe, manager of the Rose Playhouse, (fn. 90) and the two men began a profitable business connection. In 1594 Alleyn bought Burnaby's interest in the Bear Garden for £200, (fn. 151).

RM: T{estamentum} Richardi Burneby

[f. 158r] In the name of God, Amen. The eleventh day of October in the two and thirtieth 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., and in the year of Our Lord God one thousand five hundred and ninety, I, Richard Burnaby of Watford in the county of Northampton, esquire, being of good health and perfect memory, thanks be given to Almighty God, and considering with myself both the uncertainty of man's life and how dangerous a thing it is to be troubled with worldly businesses at such time as it shall please God to call me to his mercy, therefore whilst time and opportunity doth serve I make and ordain this my last will and testament in manner and form following, that is to say:

First I give and bequeath my soul to Almighty God, my Maker and Redeemer, by whose death and passion I hope to be saved and by none other, and my body, when it shall please God to call me to his mercy, I will to be buried in the parish church of Watford aforesaid;

And as touching the disposition of my worldly goods, first I give and bequeath to John Burnaby, my son, the sum of two hundred marks of good and lawful money of England to be paid to him when he shall accomplish his full age of twenty and one years, and if he die before that age, my will is that the same legacy of two hundred marks shall remain to the executors of this my last will and testament;

Item, I give to my son, Humphrey Burnaby, the sum of one hundred marks to be paid to him at his age of twenty and one years, but if he die before he shall accomplish his said age of twenty and one years, then my will is that his said legacy of one hundred marks shall likewise remain and go to the executors of this my last will and testament;

And my will is that my said sons, John Burnaby and Humphrey Burnaby, shall be kept and maintained with sufficient meat, drink and apparel according to their degrees at the costs and charges of the executors of this my last will and testament until such time as they shall be paid their legacies;

Item, I give and bequeath to William Burnaby, my brother, five pounds of lawful money of England;

Item, I give and bequeath unto Edward Burnaby, my brother, five pounds of lawful money of England;

Item, I give and bequeath unto Richard Angrome, my servant, five pounds of lawful money of England;

Item, I give and bequeath to Thomas Wagden, my servant, three pounds of lawful money of England;

Item, I give and bequeath unto my servant, Robert Brugges, the sum of forty shillings of like lawful English money;

Item, I give and bequeath to John Adson, my servant, twenty shillings of lawful English money;

The said legacies to be paid to the said Edward Burnaby, William Burnaby, Richard Angrome, Thomas Wagden, Robert Briggess and John Adson within one year next after my decease, but if they, the said William Burnaby, Edward Burnaby, Richard Angrome, Thomas Wagden, Robert Briggess and John Adson or any of them shall die before their said legacies shall be due or payable unto them, then my will is that the legacy or legacies of them or any of them so dying shall remain and go to the executors of this my last will and testament;

Item, I give and bequeath to Thomas Burnaby, my son and heir apparent, the hangings of the great chamber of my now mansion house in Watford aforesaid, and also the bedstead now being in the said chamber, one featherbed, one coverlet, one bolster, one pair of pillows, two blankets and the tester now used with the said bed being in the said great chamber, and also the bedstead and the tester thereof and the hangings of the walls being in the chamber called Mistress Seymour's chamber next the said great chamber, and also one featherbed and one bolster and all the wainscot in the parlour of my said now mansion house, and all the glass being in the windows of the said mansion house;

And the rest of all my leases, debts, goods and chattels whatsoever I give and bequeath to my well-beloved wife, Susan Burnaby, whom together with William Digby and Humphrey Dixwell, esquires, and Erasmus Dixwell, gentleman, I make executors of this my last will and testament, revoking [f. 158v] and annulling hereby all former wills heretofore made by me, the said Richard Burnaby;

In witness whereof I, the said Richard Burnaby, have to these presents subscribed my name and put to my seal the day and year first above-written. By me, Richard Burnaby.

Read, sealed, signed, published and delivered as the last will and testament of Richard Burnaby in the presence of Charles Dixwell, Theophilus Grene, Robert Butler and Richard Angrome.

If I, Richard Burnaby, do not in my lifetime give to my son, Benjamin Burnaby, the sum of twenty pounds, and to my daughter, Marie Cure, the sum of ten pounds, then my trust is that my executors will bestow and give to the said Benjamin twenty pounds, and to the said Marie ten pounds after my death, and my will is it shall be so done, and that this shall be annexed as a codicil to my will. By me, Richard Burnaby. Witnesses hereof: Charles Dixwell, Theophilus Grene.

Probatum fuit huiusmodi Testamentum vnacum Codicillo annexo apud London coram magistro Willmo Birde Legum doctoro Surrogato venerabilis viri magistri Iohannis Gibson legum etiam doctoris Curie Prerogatiue Cantuariensis magistri Custodis sive Commissarij legitime constituti septimo die mensis february Anno Domini iuxta cursum et computationem ecclesie Anglicane Millesimo Sexcentesimo secundo Iuramento Thome Lovell Notarij publici procuratoris Suzanne Burneby relicte dicti defuncti et vnus executorum in huiusmodi Testamento nominatim Cui commissaria fuit administratio bonorum iurium et creditorum eiusdem defuncti De bene et fideliter administrandis eadem Ad sancta Dei Evangelia Iurat Reservata potestate similem Commissionem faciendi Willmo Digby Humfrido Dixwell et Erasmo Dixwell alteris executoribus etiam in eodem Testamento nominatim cum venerint eam petitur in debita iuris forma admissur

[=The same testament was proved, together with the codicil annexed, at London before Master William Bird, Doctor of the Laws, Surrogate of the worshipful Master John Gibson, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the seventh day of the month of February in the year of the Lord according to the course and reckoning of the English church the thousand six hundred second by the oath of Thomas Lovell, notary public, proctor of Susan Burnaby, relict of the said deceased and one of the executors named in the same testament, to whom administration was granted of the goods, rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer the same, with power reserved for a similar grant to be made to William Digby, Humphrey Dixwell and Erasmus Dixwell, the other executors named in the same testament, when they shall have come to be admitted in due form of law.]

LM: Vicesimo secundo die mensis Septembris 1608 probatum(?) fuit huiusmodi testamentum coram Domino Iohanne Benet militis legum doctore Commissario & Iuramento Erasmi Dixwell alterius Executorum in huiusmodi testamento nominatorum Cui Commissaria fuit Consimilis Administratio & De bene & Iuratio Reservata potestate similem Commissionem faciendi Willmo Digby et Humfrido Dixwell Ceteris Executoribus & cum venerint & admissur

[=On the twenty-second day of the month of September 1608 the same testament was proved before Sir John Benet, knight, Doctor of the Laws, Commissary etc., by the oath of Erasmus Dixwell, another of the executors named in the same Testament, to whom a similar grant of administration was made etc., sworn to well etc., with power reserved for a similar grant to be made to William Digby and Humphrey Dixwell, the other executors etc., when they shall have come etc. to be admitted.]