

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 2 August 1603 and proved 19 April 1608, of Sir Matthew Browne of West Betchworth, Surrey, who by indentures dated 7 October 1601 and 10 October 1601 purchased in fee simple properties owned by Nicholas Brend, including the Globe playhouse.

Nicholas Brend (d. 12 October 1601), leased the ground on which the Globe was built by lease dated 21 February 1599 to Richard Burbage (1568-1619), Cuthbert Burbage (1564/5-1636), William Kempe, Augustine Phillips (d.1605), Thomas Pope (d.1603) John Heminges (1566-1630) and William Shakespeare (1564-1616) of Stratford upon Avon (see TNA REQ 4/1/2):

*for the said gardens and grounds whereupon the said playhouse & galleries were afterwards builded were demised & letten by the said Nicholas Brend by his indenture of lease tripartite bearing date in or about the 21st day of February in the 41st year of the reign of the late Queen Elizabeth [=21 February 1599] unto Cuthbert Burbage, Richard Burbage, William Shakespeare, the said Augustine Phillips, Thomas Pope, the said John Heminges, one of the said defendants, and William Kempe, to have and to hold the one moiety of the said garden plots and ground to the said Cuthbert Burbage and Richard Burbage, their executors, administrators & assigns, from the feast of the birth of Our Lord God last past before the date of the said indenture [=25 December 1598] unto the end & term of 31 years from thence next ensuing [=24 December 1629] for the yearly rent of seven pounds & five shillings, and to have & to hold the other moiety of the said garden plots & grounds unto the said William Shakespeare, Augustine Phillips, Thomas Pope, the said John Heminges, one of the said defendants, & William Kempe, their executors, administrators & assigns, from the said feast of the birth of Our Lord God then last past before the date of the said indenture unto the said full end & term of 31 years from thence next ensuing for the like yearly rent of seven pounds & five shillings.*

For the will of Nicholas Brend, in which he names the testator as one of his overseers, see TNA PROB 11/98/226.

For the inquisition post mortem taken on 17 May 1599 after the death of Nicholas Brend's father, Thomas Brend (d.1598), see TNA C 142/257/68. In the inquisition the Globe is described as:

*one house newly built with a garden to the same appertaining in the parish of Saint Saviour's aforesaid in the county of Surrey aforesaid in the occupation of William Shakespeare and others.*

For a discussion of the financial arrangements made by Nicholas Brend with the testator, John Collett and John Bodley prior to his death which involved, *inter alia*, the Globe playhouse, see Berry, Herbert, *Shakespeare's Playhouses*, (New York: AMS Press, 1987), pp. 87-8. For Nicholas Brend's indenture of 7 October 1601 by which, in consideration for payment of his debts of £1478 and for £250 paid to him by John Collett

and 5 shillings paid by the testator, Brend mortgaged properties in Southwark in Surrey, including the Globe playhouse, to the testator and John Collett, see TNA C 54/1722, mm. 5-7. For Nicholas Brend's recognizance in the amount of £2500 acknowledged to the testator and John Collett on 8 October 1601 as security for the performance of the indenture of 7 October 1601, see TNA C 54/1705, mm. 24-5. For Nicholas Brend's indenture of 10 October 1601 by which he sold certain properties in Bread Street in London as well as the properties in Southwark in Surrey, including the Globe playhouse, to the testator and John Collett, see TNA C 54/1682, mm. 10-11. As a result of these indentures, the testator was from 1601 until his death effectively a co-owner, with John Collett, of the Globe playhouse, and as such was Shakespeare of Stratford's landlord. In 1608 John Collett sold his interest in the former Brend properties to John Bodley of Streatham. It is not known what became of the testator's interest in those properties. However since his will was not proved until 1608, it may be that his interest was disposed of to John Bodley at the same time Bodley purchased Collett's interest.

## ***FAMILY BACKGROUND***

### ***Testator's grandparents***

The testator was the grandson of Henry Browne (d.1545?), esquire, of Betchworth, Surrey, by his first wife, Katherine Shelley, daughter of Sir William Shelley of Michelgrove, Justice of the Common Pleas, and Alice Belknap, daughter of Henry Belknap (d. 3 July 1488), esquire. For the will of Henry Belknap, proved 2 December 1488, see TNA PROB 11/8/280. Alice Belknap's sister, Elizabeth Belknap, married Sir Philip Cooke (c.1454 - 7 December 1503) of Gidea Hall (in Havering), Essex, by whom she was the grandmother of Sir Anthony Cooke (d. 11 June 1576), and the great-grandmother of Sir Anthony Cooke's five daughters, including Lady Burghley, Lady Bacon and Lady Russell. See Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, pp. 232-7.

For the will of the testator's grandfather, Henry Browne, dated 30 July 1545 and proved 16 May 1549, see TNA PROB 11/32/421.

### ***Testator's parents***

The testator was the son of Sir Thomas Browne (d. 9 February 1597) of Betchworth, Surrey and the Blackfriars, London, and his first wife, Mabel Fitzwilliam (d.1564), the daughter of Sir William Fitzwilliam (c.1506 – 3 October 1559), gentleman of the Privy Chamber to King Edward VI, and his wife, Jane Roberts (c.1540-1575?), the daughter and coheir of John Roberts of Cranbrook, Kent. See Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, p. 414. For Sir William Fitzwilliam see the *ODNB* entry; his will, TNA PROB 11/42B/624; and the *History of Parliament* entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/fitzwilliam-sir-william-i-1559>

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*2nd s. of Thomas Fitzwilliam of Baggotrath, co. Dublin by Eleanor, da. of John Dowdall, and coh. to her mother Margaret, da. and h. to Sir Jenico D'Artois. educ. ?G. Inn 1531. m. by 1539, Jane or Joan, da. and coh. of John Roberts of Cranbrook, Kent, 4da. Kntd. bet. Sept. 1551 and May 1552.1*

For Sir William Fitzwilliam, see also Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. III, (London: John Bowyer Nichols and Sons, 1858), p. 406 at:

<https://books.google.ca/books?id=Nh0IAAAAQAAJ&pg=PA406>

Sir William Fitzwilliam and Jane Roberts had four daughters:

**(1) Mabel Fitzwilliam** (d.1564), the testator's mother.

**(2) Katherine Fitzwilliam**, who married, as his first wife, Christopher Preston (1536/7–1600), 4<sup>th</sup> Viscount Gormanstown, by whom, according to the will below, she had a daughter, Jane Preston. After the death of his first wife, Christopher Preston is said to have married a second wife, also named Katherine Fitzwilliam (d.1602?). See the *ODNB* entry for Thomas Preston, 1<sup>st</sup> Viscount Tara:

*Preston, Thomas, first Viscount Tara (b. in or after 1585, d. 1655), soldier, was the second son of Christopher Preston, fourth Viscount Gormanstown (1536/7–1600), and his second wife, Catherine Fitzwilliam (d. 1602?), daughter of Sir Thomas Fitzwilliam of Baggotsrath, co. Dublin.*

See also *Sharp's Peerage of the British Empire*, Vol. I, (London: John Sharpe, n.d.), p. 2 at:

<https://books.google.ca/books?id=j8Mda-vvDxEC&pg=RA50-PA2>

See also Cracroft's Peerage at:

<http://www.cracroftspeerage.co.uk/online/content/gormanston1478.htm>

**(3) Elizabeth Fitzwilliam** the elder.

**(4) Elizabeth Fitzwilliam** the younger.

One of the testator's aunts named Elizabeth (b.1544?) married Francis Jermy (d.1611?) of Brightwell, the son of Sir John Jermy and Margaret Teye, eldest daughter and coheir of

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

Sir Thomas Teye, by whom she had a daughter, Jane Jermy. See the pedigree of Jermy in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 196 at:

<https://archive.org/details/visitationsofsuf00harvuoft/page/196>

See also the Jermy pedigree in Rye, Walter, ed., *The Visitacion of Norfolk*, (London: Harleian Society, 1891), Vol. XXXII, p. 173 at:

<https://books.google.ca/books?id=HS8EAAAIAAJ&pg=PA173>

See also Blomefield, Francis, *An Essay Towards a Topographical History of the County of Norfolk*, Vol. V, (London: William Miller, 1806), p. 387 at:

<https://books.google.ca/books?id=3kouAAAAMAAJ&pg=PA387>

The other aunt of the testator named Elizabeth married Innocent Rede, esquire, by whom she had a daughter, Anne Rede. According to a Chancery suit dated 26 November 1586, TNA C 78/120/19, Innocent Rede was the son of Sir Richard Rede (d. September 1560?) of Redbourn, Hertfordshire. See the will of Sir Richard Rede, dated 27 March 1559, but not proved until 11 July 1576, TNA PROB 11/58/251, and Ball, F. Elrington, *The Judges in Ireland, 1221-1921*, Vol. I, (London: John Murray, 1926), p. 204 at:

<https://books.google.ca/books?id=rqeSXWqKAD8C&pg=PA204>

For the daughters of Sir William Fitzwilliam and Jane Roberts, also ‘The Manor of Beadlow’ at:

<http://bedsarchives.bedford.gov.uk/CommunityArchives/Beadlow/TheManorOfBeadlow.aspx>

*In 1553 King Edward VI (1547-1553) gave Beadlow Manor to Sir William Fitzwilliam and his wife Joan. He died in 1558 and she died shortly afterwards, leaving the manor to be divided between their four daughters Mabel, wife of Thomas Browne, Katherine, wife of Christopher, Viscount Gormanston, Elizabeth, wife of Francis Jermye and another Elizabeth, wife of Innocent Rede. Mabel died in 1564 and was succeeded by her son Matthew who sold his share to Richard Charnock in 1585. This gave him the whole of the manor as he had already acquired the quarter shares of the other three Fitzwilliam girls.*

### ***Testator’s siblings***

The testator had two sisters, both mentioned in the will of their grandmother, Jane (nee Roberts) Fitzwilliam, TNA PROB 11/57/533:

**-Jane Browne** (buried 28 June 1631), who married, on 4 June 1577, Sir Oliph Leigh (24 November 1559 – 14 March 1612) of East Wickham and Addington, Surrey. Sir Oliph Leigh was the grandson of Nicholas Leigh (c.1494 - 30 July 1581), esquire, of Addington by Anne Carew (living 1557), daughter of Sir Richard Carew (d. 18 May 1520) of Beddington, Surrey, and sister of the courtier, Sir Nicholas Carew (beheaded 1539), and the eldest son and heir of John Leigh (d. 31 March 1576) by Joan Oliph (buried 27 July 1593), only daughter and heir of Sir John Oliph. Sir Oliph Leigh was heir to his grandfather, Nicholas Leigh. Sir Oliph Leigh was the brother of Dorothy Leigh (buried 17 October 1561), first wife of Oxford's uncle, Robert Vere (d.1598). See Leveson-Gower, Granville, *Notices of the Family of Leigh of Addington*, (London: Wyman & Sons, 1878), pp. 10-20 at:

<https://archive.org/details/noticesoffamilyo00gowe/page/n35>

See also the will of Oxford's uncle, Robert Vere, TNA PROB 1/9/503. See also TNA C 3/251/104, and *Collectanea Topographica & Genealogica*, Vol. VII, (London: John Bowyer Nichols and Son, 1841), p. 291 at:

<https://archive.org/details/collectaneatopog07londuoft/page/290>

See also the History of Parliament entry for Sir Francis Leigh (1590-1644), only son of Jane Browne and Sir Oliph Leigh:

<https://www.historyofparliamentonline.org/volume/1604-1629/member/leigh-sir-francis-ii-1590-1644>

*bap. 6 Sept. 1590, o.s. of Sir Oliph Leigh of Addington and Jane, da. of Sir Thomas Browne† of Betchworth Castle, Surr. educ. Trin., Oxf. 1607; I. Temple 1610. m. (1) 5 June 1610, Elizabeth (d. 1 Dec. 1615), da. and h. of William Mynterne of Thorpe, Surr., 3s. (2 d.v.p.) Ida.; (2) by 1619, Christian (d. c.1660), da. of Sir John Thynne\* of Longleat, Wilts., 6s. (2 d.v.p.) 2da. (1 d.v.p.). suc. fa. 1612; 1 kntd. Jan. 1613. 2 d. 13 Dec. 1644.3*

**-Elizabeth Browne**, who married, on 9 July 1584 at the Blackfriars, as his second wife, Robert Honywood (1545-1627), who had married firstly, in 1569, Dorothy Croke, the daughter of Dr John Croke (c.1508-c.1551) and Dorothy Theobald (d. 14 September 1575). See Strype:

[https://www.dhi.ac.uk/strype/TransformServlet?page=book3\\_228](https://www.dhi.ac.uk/strype/TransformServlet?page=book3_228)

*Here lyeth Dorotheie, Daughter of John Theobald, the Elder, of Shepie, in the County of Kent, Esquire. She first married John Crooke, Doctor of Law; by whom, shee had onely Dorotheie, first Wife to Robert Honywood, Esq. Secondly, to Ralph Allen, Alderman of London. Thirdly, to that most Reverend, Excellent, and Learned Judge, Sir Roger Manwood, Knight, Lord chiefe Baron of the Exchequer; by whom she had issue John and*

*Thomas, who dyed young. Margerie, the first Wife of Sir John Lewson, Knight; and Anne, first Wife to Sir Percival Hart, Knight; and Sir Peter Manwood, Knight of the Bath.*

*She dyed the fourteenth day of September, Anno Domini 1575. To whose reverend Memory, the said Sir Peter Manwood hath dutifully erected this Monument, Anno Dom. 1606.*

See also the *ODNB* entry for Sir Roger Manwood:

*By 1557 [Sir Roger Manwood] had married a twice widowed woman, Dorothy Alleyn (d. 1575), daughter of Richard Theobald, who had been married first to Dr John Croke and who brought Manwood her jointure lands and a stepdaughter . . . .*

*His first wife, Dorothy, had died 'of a sore breast' on 14 September 1575; she was buried in the church of St Gregory by Paul, London . . . .*

*He married his daughter Margaret to John Leveson of Harling, and in 1587, by agreeing to a very generous settlement, he arranged with Dame Elizabeth Harte a double marriage by which Percival Harte married Manwood's daughter Anne, and Manwood's heir, Peter, married Percival's sister Frances.*

For the marriage of Elizabeth Browne and Robert Honywood, see 'Honywood Evidences', Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. II, (London: John Bowyer Nichols and Sons, 1853), pp. 169-85 at pp. 170-1:

<https://archive.org/details/topographergenea02nich/page/170>

Robert Honywood was the son of Robert Honywood (1525-1576) of Charing, Kent, and Mary Waters (1527 - 11 May 1620), the daughter and coheir of Robert Waters of Lenham, Kent. See the pedigree of Honywood of Evington, Kent, in *The English Baronetage*, Vol. III, Part I, (London: Thomas Wotton, 1741), p. 106 at:

<https://books.google.ca/books?id=2GQUAAAAYAAJ&pg=PA106>

See also the entry for Mary Waters in 'A Who's Who of Tudor Women' at:

[http://www.tudorwomen.com/?page\\_id=715](http://www.tudorwomen.com/?page_id=715)

The testator and his father were present at the christenings of two of the children of Robert Honywood (1545-1627) and Elizabeth Browne. See *Honywood Evidences*, *supra*, pp. 170-1:

It should be noted that on 23 May 1584 Oxford acknowledged a bond of £3000 to 'Honywood', likely Mary Waters' son, Robert Honywood (1545-1627). See TNA PRO 30/34/14.

After the death of the testator's mother, the testator's father, Sir Thomas Browne, married secondly, by 1 August 1575, Helen Harding (1537-1601), widow of Richard Knyvet and daughter and heiress of William Harding, by whom he had one son, the testator's half brother:

**-Richard Browne.** See the will of his mother, Helen Harding, TNA PROB 11/98/226.

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

The testator married Jane Vincent, the daughter of Sir Thomas Vincent of Stoke D'Abernon, Surrey, and Jane Lyfield, the daughter and heiress of Thomas Lyfield, esquire, by whom he had three sons and two daughters:

\* **Ambrose Browne**, aged twelve at the testator's death.

\* **Edward Browne.**

\* **Thomas Browne.**

\* **Jane Browne**, who married Robert Kempe, whose great-uncle, Sir William Waldegrave, was one of the two guarantors of Oxford's debt to the Court of Wards.

\* **Mabel Browne.**

For the foregoing, see also Richardson, Douglas, *Magna Carta Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, pp. 342-3; and Richardson, Douglas, *Plantagenet Ancestry*, 2<sup>nd</sup> ed., 2011, Vol. I, pp. 412-15, Vol. II, pp. 301-2; and Vol. III, p. 422.

On 1 August 1603 the testator fought a duel on horseback on Hounslow Heath with Sir John Townshend, a relative of the testator's father (see the *ODNB* entry). Both men were mortally wounded. For Sir John Townshend, see also the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/townshend-john-1568-1603>

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

The testator's executors did not prove the will until 1608. The testator's executor, Sir William Mynne, would appear to be Sir William Mynne (d.1618). See:

<http://www.epsomandewellhistoryexplorer.org.uk/WoodcotePark.html>

The Jermy pedigree states that Elizabeth Fitzwilliam and Francis Jermy (see above) had a daughter, Margaret Jermy, who married William Mynne of Horton, Surrey. See Rye,

Walter, ed., *The Visitacion of Norfolk*, (London: Harleian Society, 1891), Vol. XXXII, p. 173 at:

<https://books.google.ca/books?id=HS8EAAAIAAJ&pg=PA173>

The testator's executor and cousin, Thomas Browne, would appear to be Thomas Browne, the son of Walter Browne, esquire, of Dorking in Surrey. For the latter's will, proved 4 December 1595, see TNA PROB 11/86/409. After the death of Walter Browne, his widow, Mary, married William Radcliffe of Dorking, gentleman. See Add MS 6874 at:

<http://www.nationalarchives.gov.uk/a2a/records.aspx?cat=182-ams11&cid=-1#-1>

The Robert Honeywood who witnessed the will would appear to have been the testator's brother-in-law, Robert Honeywood (1545-1627), to whom Oxford acknowledged a bond of £3000 in 1584 (see above).

For the testator see also the History of Parliament entry, whose author appears to have been unaware of the testator's ownership of the Globe playhouse:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/browne-sir-matthew-1563-1603>

For mention of the testator in a lawsuit by members of the Brend family against Sir John Bodley in 1622, see TNA C 24/496/114, m. 9.

RM: T{estamentum} Do{mi}ni Mathei Browne mi{li}t{is}

[f. 267r] In the name of God, Amen. The second day of August one thousand six hundred and three, I, Sir Matthew Browne of Betchworth Castle in the county of Surrey, knight, being weak in body but of perfect remembrance (I humbly thank Almighty God therefore), do make this my testament as followeth:

First I bequeath my soul into the hands of Christ Jesus, my alone Saviour and Redeemer, and my body to be buried in the parish church of Dorking;

Item, I will unto my well-beloved cousin and friend, Sir William Mynne, knight, all my leases, goods, chattels, movables and debts whatsoever, to the intent and purpose that he do see my true debts duly satisfied and paid, as well such as I owe upon specialty as otherwise, and my said debts being first satisfied, then I will the residue of my leases, goods, chattels, movables and debts owing unto me to my four younger children, Edward, Jane, Mabel and Thomas, equally to be divided between them;



And I make mine executors the said Sir William Mynne and my cousin, Thomas Browne, the son of my great-uncle, Walter Browne, deceased;

In witness whereof I have herewith set my seal and published this for my last will and testament, revoking all others whatsoever, in the presence of Robert Honeywood, John Mynne, Edward Carleton, Ezech: Waade [=Ezekiel Waad?].

Probatum fuit huiusmodi testamentu{m} apud London coram venerabili viro domino Iohanne Benet milite et Legu{m} d{o}c{t}ore Curie Prerogatiue Cantuariensis magistro Custode siue Com{m}issario l{egi}time constitut{i} Decimo nono die mensis Aprilis Anno D{omi}ni millesimo Sexcentesimo Octauo Iuramento d{omi}ni Will{el}mi mynne milit{is} Executoris in d{i}c{t}o Testamento no{m}i{n}at{i} Cui com{m}issa fuit administrac{i}o bonoru{m} Iuriu{m} et creditoru{m} eiusdem defunct{i} de bene et fideliter administrand{o} &c ad sancta dei Evangelia Iurat{i} Reseruata potestate simile{m} Com{m}iss{ionem} faciend{i} Thome Browne alter{i} executor{i} in d{i}c{t}o testamento etiam nominat{o} cu{m} venerit ea{m} petitura{m}(?) in debita Iuris forma admissur{us} ex{aminatur} ex{aminatur}

[=The same testament was proved at London before the worshipful Sir John Bennet, knight and Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the nineteenth day of the month of April in the year of the Lord the thousand six hundred eighth by the oath of Sir William Mynne, knight, executor named in the said 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 etc., with power reserved for a similar grant to be made to Thomas Browne, the other executor also named in the said testament, to be admitted when he shall have come to petition the same in due form of law. Examined]