

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.

The testator was the grandson of Henry Browne, 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, esquire. 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.

The testator was the son of Sir Thomas Browne (d.1597) of Betchworth and his first wife, Mabel Fitzwilliam, the daughter of Sir William Fitzwilliam (c.1506–1559), gentleman of the Privy Chamber to King Edward VI, and his wife, Jane Roberts, the daughter and coheir of John Roberts of Cranbrook in Kent.

The testator married Jane Vincent, the daughter of Sir Thomas Vincent of Stoke D'Abernon, Surrey. The testator's daughter, Jane Browne, married Robert Kempe, whose great-uncle, Sir William Waldegrave, was one of the two guarantors of Oxford's debt to the Court of Wards.

For the foregoing, see the entry for Sir William Fitzwilliam (c.1506-1559) in the *ODNB*; Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. I, pp. 342-3; Richardson, Douglas, *Plantagenet Ancestry*, (Baltimore, Maryland: Genealogical Publishing, 2004), pp. 161-2, 415-16, 742; and Richardson, Douglas, *Plantagenet Ancestry*, 2nd 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>.

The testator was succeeded by his twelve-year-old son, Ambrose Browne. His executors, Sir William Mynne and Browne's cousin, Thomas Browne, did not prove Browne's last

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 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>.

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 Honywood, 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]