

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 24 August 1559 and proved 19 December 1559, of Sir Thomas Cawarden (d. 29 August 1559), whose property in the Blackfriars was later the site of James Burbage's Blackfriars theatre.

According to the *ODNB*, the testator was the son of William Cawarden, shearman and fuller of London, and his wife, Elizabeth, whose surname is unknown.

The testator married, by 1542, a wife named Elizabeth, whose family background and surname are unknown, but had no issue by her. For the will of Elizabeth Cawarden, dated 17 February 1560 and proved 21 October 1560, see TNA PROB 11/43/540.

The suggestion appears not to have been made before, but it seems possible that the beneficiaries of the first bequest made by the testator in the will below were the testator's illegitimate children: a daughter, Alice, who married the testator's servant, John Browne, and an illegitimate son, John Cawarden:

Item, I give and bequeath unto John Browne, gentleman, my servant, and Alice, now his wife, & to the heirs of the body of the same Alice lawfully begotten, all that my manor of Wylley alias Wyllye in the said county of Surrey with all and singular the rents, profits, commodities and advantages to the same manor of Willey alias Willye pertaining and belonging, to have and enjoy the same from Michaelmas next ensuing the date hereof.

The remainder of the same manor with all and singular th' appurtenances I give and bequeath unto John Cawarden, late servant with Mr Beale of London, fishmonger, and to his heirs forever.

For the exchange on 5 February 1551 by the testator of his manor of Stantonbury in Buckinghamshire, with John Cooke, citizen and goldsmith of London, and Juliana, his wife, for the manor of Willey in Chaldon, see SHC LM/346/27/1 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f9%2f5%2f9%2f1&pos=11>.

See also SHC LM/346/27/2 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f9%2f5%2f9%2f2&pos=12>.

See also 3924/11/54 ('First court of John Browne, gent, and Alice his wife, 4 June 1561') at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=3924%2f11%2f14%2f1%2f1&pos=41>.

The possibility that Alice was the testator's illegitimate daughter is also supported by an assignment of the manor of Haxted made 13 October 1557. See:

'Parishes: Lingfield', in *A History of the County of Surrey: Volume 4*, ed. H E Malden (London, 1912), pp. 302-311 <https://www.british-history.ac.uk/vch/surrey/vol4/pp302-311>

[The manor of Haxted] became the property of Sir Thomas Cawarden after the Dissolution. In 1557 he conveyed Hexted to Thomas Ramsay, citizen and grocer of London. The latter appears to have settled it on a John Browne and his wife Alice, with remainder to the heirs of Alice, who was probably his daughter. Alice's son John Browne died seised in 1638.

Rather than Alice being the daughter of Sir Thomas Ramsey, Lord Mayor of London, who had no issue by either of his wives, it seems possible that she was the daughter of the testator, and that Sir Thomas Ramsey acted as a trustee in the settling the testator's manor of Haxted on her and her heirs. For the will of Sir Thomas Ramsey, proved 29 May 1590, see TNA PROB 11/75/405.

See also SHC LM/347/35/1 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=L1M%2fSectionG%2f9%2f5%2f3%2f1&pos=9>.

See also SHC LM/347/35/2 at:

<http://discovery.nationalarchives.gov.uk/details/rd/be2be57c-cbb2-46fa-88d2-f928d7b81aa0>.

The testator's emphasis on 'a hood furnished according to a widow's estate' in his bequest to 'Mistress Wade' suggests the possibility that she may have been the mother of his illegitimate children, Alice and John:

I give also unto Mistress Wade a gown of black damask and a hood furnished according to a widow's estate.

The testator may have been related by marriage to John Dudley (1504-1553), Duke of Northumberland, whose half-sister, Bridget Grey, the daughter of Edward IV's illegitimate son, Arthur Plantagenet, was married by 1550 to a William Cawarden. See the *ODNB* articles on Sir Thomas Cawarden and Arthur Plantagenet (d.1542), Viscount Lisle; Sir Thomas Carwarden's will, TNA PROB 11/43/23; and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/cawarden-thomas-1514-59>.

See also the inquisition post mortem taken on 3 May 1560 after the testator's death at:

<http://www.british-history.ac.uk/inquis-post-mortem/abstract/no1/pp191-211#h2-0001>.

Support for the possibility that the testator was related to the Dudleys is also suggested by a document dated 19 November 1510. See SHC LM/345/7 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSECTIONE%2f4%2f6%2f2%2f1&pos=1>

Discharge of all actions by Elizabeth Dudley of London, widow, to William Carden [Cawarden], citizen and fuller of London and Elizabeth his wife.

It would appear that the Elizabeth Dudley mentioned in this document was the widow of Edmund Dudley, beheaded on Tower Hill on 17 August 1510 and buried at the Blackfriars. Elizabeth Dudley was born Elizabeth Grey (1482×4–1525/6), sister and heir of John Grey (d.1504), 4th Viscount Lisle. After the death of Edmund Dudley, she married Arthur Plantagenet, and was the mother of Bridget Grey (see above).

As noted above, the testator's parents were William Cawarden and his wife, Elizabeth, and the fact that the discharge by Elizabeth Dudley is found among the testator's papers suggests that the discharge in question was made to the testator's parents.

In the will below the testator appoints his wife and William More as his executors, grants them authority to sell his property in the Blackfriars, and states that any moneys remaining from the Blackfriars sale after the payment of his debts and performance of his will should be 'distributed to such good uses as shall seem good unto my said executors and overseers'. On 13 November 1559, one of the overseers of the will, Thomas Blagrove, consented to the sale of the Blackfriars property. See SHC LM/348/2/1 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f5%2f4%2f1%2f25&pos=25>

Letter of attorney

1) *Thomas Blagrove, gent, one of the overseers of the will of Sir Thomas Cawarden [Cawarden]*

2) *Lady Elizabeth Cawarden and William More, esq (executors)*

Consent to their bargain and sale of site of late house of Friars Preachers, Blackfriars, London, to John Byrche, esq, John Austen and Richard Chapman and appointment of Robert Rogers as his attorney to sign the indenture.

On 20 December 1559 the testator's wife and William More sold the Blackfriars property to John Byrche, John Austen and Richard Chapman. See SHC LM348/2/2 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f5%2f4%2f1%2f26&pos=16>

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

Bargain and sale with counterpart

1) Dame Elizabeth Cawerden [Cawarden], widow of Sir Thomas Cawerden, and William More (executors of his will) with consent of Thomas Hawe and Thomas Blagrave (overseers of his will)

2) John Byrche, John Austen, and Richard Chapman

Ground where late church of the Blackfriars, London, stood, with all messuages, lands etc in Blackfriars which Cawarden had by patent of the late king (comprehensive details of houses and tenants given, with references to old Priory buildings).

£520 for bargain and sale, £230 for Dame Elizabeth's dower rights.

It is perhaps significant that the testator's will was not proved until 19 December 1559, the day prior to the sale of the Blackfriars property, and that in the grant of administration the name of the testator's wife is crossed out as executrix.

On 22 December 1559, Birch, Austen and Chapman resold the property to the testator's wife and William More. See SHC LM/348/2/3 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f5%2f4%2f1%2f27&pos=27>

Bargain and sale with counterpart

1) John Byrche, gent, John Austen and Richard Chapman

2) Dame Elizabeth Cawerden [Cawarden], widow, and William More

Lands, buildings etc in Blackfriars, London, conveyed to Byrche, Austen and Chapman on 20 Dec, for £760.

According to the inquisition post mortem (see above), the Blackfriars property was held of the Queen in free burgage, and William Cawarden, aged 27, son of the testator's brother, Anthony Cawarden, was the testator's next heir.

It is said that William More subsequently purchased the Blackfriars property from the testator's wife. On 6 June 1560, Sir Thomas Camarden's heir, William Cawarden, quit-claimed to William More all his rights in the Blackfriars property. See SHC LM/348/7/1 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=LM%2fSectionG%2f5%2f4%2f1%2f31&pos=11>

Quitclaim

1) William Cawarden, esq, kinsman and heir of late Sir Thomas Cawarden

2) William More, esq.

Claim to Blackfriars precinct in London with all its messuages, lands, etc.

See also SHC LM/348/7/2 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=L M%2fSectionG%2f5%2f4%2f1%2f32&pos=1>.

Discharge of all actions

- 1) *William Cawarden, esq, kinsman and heir of Sir Thomas Cawarden (son of Anthony Cawarden and brother of Thomas)*
- 2) *William More, esq.*

It would appear that although he quit-claimed his right to the Blackfriars property, William Cawarden was granted Sir Thomas Cawarden's manor of Bletchingley, which he sold on 9 June 1560 to Lord William Howard (d.1573), 1st Baron Howard of Effingham, and his second wife, Margaret Gamage (d.1581). See SHC 326/3 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=3 26%2f1%2f1%2f1%2f3&pos=3>

Copy of final concord

- 1) *William Lord Howard and Lady Margaret his wife*
 - 2) *William Cawarden esq, heir of Thomas Cawarden.*
- Manors of Blelchynglye [Bletchingley] etc.*
Consideration £40.

The will of the testator's wife is highly unusual in that there are no specific bequests of jewels or household goods or of the moneys paid to her by William More for the Blackfriars property, and there is no clause disposing of the residue of her estate. There are bequests of a general nature to the poor, to her servants, and to 'Richard Chapman and Jane, his wife'. However the amounts to be given to these persons are left to the discretion of her executors, William More and Thomas Hawes. However Thomas Hawes renounced the executorship, leaving the execution of the will solely in the hands of William More.

For the testator's executor, Sir William More (1520-1600) of Loseley, see the *ODNB* article.

For the testator's overseer and former servant, Thomas Hawes, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/hawes-thomas-1508-62-or-later>.

For the testator's overseer and former servant, Thomas Blagrave (d. 18 June 1590), Clerk of the Revels, and by his own account acting Master of the Revels for 28 years, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/blagrave-thomas-1522-90>.

As noted above, the John Browne to whom the testator granted his manor of Willey has not been identified. It is perhaps significant that a John Birch and a John Browne were among ‘the King’s interlude players’. See *Seventh Report of the Royal Commission on Historical Manuscripts*, Part I, (London: George Edward Eyre and William Spottiswoode, 1879), p. 606 at:

https://books.google.ca/books?id=XIIQAQAAMAAJ&pg=PA615&lpg=PA615&dq=%22Cawarden%22+%22John+Browne%22&source=bl&ots=GjIPa_qmwB&sig=Oct4JPVsl8SEafIBaSRiN_wVEOA&hl=en&sa=X&ei=XiZ2VZHNDYbIogTb_4DIAg&ved=0CCYQ6AEwAg#v=onepage&q=%22Cawarden%22%20%22John%20Browne%22&f=false

On p. 615 of the same volume mention is made of a William Browne who composed a 56-verse eulogy to the testator after his death, for which see also Stopes, Charlotte Carmichael, *William Hunnis and the Revels of the Chapel Royal*, (London: David Nutt, 1910), p. 311 at:

<https://archive.org/stream/williamhunnisrev00stop#page/310/mode/2up>.

For the testator’s ‘very good friend’, Edward Fiennes de Clinton (1512-1585), 1st Earl of Lincoln, whose first wife, Elizabeth Blount (died c.1539x41), was the mother of Henry VIII’s illegitimate son, Henry Fitzroy, see the *ODNB* articles. At the time the testator made his will, Lincoln was married to his third wife, Elizabeth Fitzgerald (d.1589). Elizabeth Fitzgerald, who is left a gold ring with a turquoise by the testator in the will below, was the widow of the courtier Sir Anthony Browne (c.1500-1548), and ‘the Fair Geraldine’ of the poet Henry Howard, Earl of Surrey. See the *ODNB* articles for Elizabeth Fitzgerald and Sir Anthony Browne.

The testator appoints three persons to resolve any ambiguities in his will: the judge Sir Anthony Browne (1509/10-1567), a younger son of Sir Wistan Browne, Sir Gilbert Gerard (d.1593) and Richard Goodrich (d.1562), for whom see the *ODNB* articles.

For the testator’s will, and the identification of Thomas Dodmer as deputy to Thomas Blagrove in the Revels Office, see also Honigmann, E.A.J. and Susan Brock, *Playhouse Wills*, (Manchester: Manchester University Press, 1993), pp. 39-41 at:

<https://books.google.ca/books?id=LM7BAAAAIAAJ&pg=PA39&lpg=PA39&dq=%22Thomas+Dodmer%22&source=bl&ots=EyMaCKa6Oh&sig=3uSePvZAtfphdGowdaHfFIT-UbY&hl=en&sa=X&ei=ztR1VeGCFNK0ogTynoCQAg&ved=0CB8Q6AEwAA#v=onepage&q=%22Thomas%20Dodmer%22&f=false>

Richard Leye mentioned in the will below was Clerk-Controller of the Revels and a London grocer. See TNA C 1/1025/31, TNA C 1/1028/28, and SHC Z/407/Lb.146 at:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=Z%2f407%2f8%2f2%2f1%2f171&pos=1>.

For Richard Leye, see also *A Catalogue of the Lansdowne Manuscripts in the British Museum*, 1819, p. 24 at:

<https://books.google.ca/books?id=LRgQX7vQbMcC&pg=PA24&lpg=PA24&dq=%22Richard+Leys%22+%22Revels%22&source=bl&ots=vWtm5Kut6Q&sig=gRelsSg234Yr5VSbwRuVjxdw4WE&hl=en&sa=X&ei=9dV1VeaTJ4KooQsv2oCIBQ&ved=0CCEQ6AEwAQ#v=onepage&q=%22Richard%20Leys%22%20%22Revels%22&f=false.s>

For John Agmondesham, one of the gentlemen of Surrey to whom the testator leaves armour, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/agmondesham-john-i-1511-73>.

‘Thomas Browne, esquire’, another of the gentlemen from Surrey to whom the testator left armour, would appear to have been Sir Thomas Browne (d. 9 February 1597), who in 1596 signed Lady Russell’s petition against James Burbage’s Blackfriars theatre. See the will of his grandfather, Sir Matthew Browne (d. 6 August 1557), TNA PROB 11/39/371; Richardson, Douglas, *Magna Carta Ancestry*, 2nd ed., 2011, Vol. I, pp. 341-3; and Laoutaris, Chris, *Shakespeare and the Countess*, (London: Fig Tree, 2014), pp. 121, 123, 130, 176-7, 277-8, 324.

For John Austen, one of the three trustees to whom the Blackfriars property was sold (see above), see his will, proved 17 June 1572, TNA PROB 11/54/268, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/austen-john-1572>.

For the funerals of the testator and his wife, see:

http://www.digilibraries.com/html_ebooks/107221/28057/www.digilibraries.com@28057@28057-h@28057-h-5.htm.

LM: Test{amentu}m Thome Cawerden

[f. 19v] In the name of God, Amen. The day of St Bartholomew the Apostle the year of Our Lord God a thousand five hundred fifty and nine, I, Thomas Cawarden, knight, of the parish of Bletchingley in the county of Surrey do ordain and make my testament containing therein my last will in manner and form following:

First I give my soul unto Almighty God, my Maker and Redeemer, and my body to be buried in the church of Bletchingley aforesaid at the discretion of my executors;

Item, I give and bequeath unto John Browne, gentleman, my servant, and Alice, now his wife, & to the heirs of the body of the same Alice lawfully begotten, all that my manor of Wylley alias Wyllye in the said county of Surrey with all and singular the rents, profits, commodities and advantages to the same manor of Wylley alias Wyllye pertaining and belonging, to have and enjoy the same from Michaelmas next ensuing the date hereof;

The remainder of the same manor with all and singular th' appurtenances I give and bequeath unto John Cawarden, late servant with Mr Beale of London, fishmonger, and to his heirs forever;

Also I give and [-and] bequeath unto Brian Dodmer, late son unto Thomas Dodmer, gentleman, 1 annuity or yearly rent of twenty marks by the year issuing and going out of all such lands as I now have lying within the circuit and precinct of the late Blackfriars in London, to have and to hold the same annuity or yearly rent of 20 marks by the year unto the same Brian from the feast of Saint Michael th' Archangel next ensuing the date hereof by and during all the natural life of the same Brian;

Also I give and bequeath unto Richard Leye of London twenty pounds by the year of annuity going out of the said late Blackfriars, to have and to hold the same annuity of twenty pounds by the year unto the same Richard Leye from the feast of Saint Michael th' Archangel next ensuing the date hereof during the natural life of the same Richard Leye;

LM: Confirmat{ur} p{er} S{ente}n{c}iam diff{initivam} rgrat(?) 32 quatero sequen{tem}(?)

Also I give and bequeath unto the same Richard Leye all such offal stuff and lumber of tenements and other old houses and timber as is now remaining within the place of office of the tenements(?);

Also I give and bequeath unto every one of my servants, men and women, in consideration of their honest service to me heretofore done one whole year's wages after the day of my death, with all such duties as be due unto them at the time of the same my death;

Also I give and bequeath unto such gentlemen of the same county of Surrey whose names appeareth in a docket hereunto annexed, that is to say, every of them four almain rivets, one corslet or brigandine or shirt of mail furnished according to the discretion of mine executors;

Also I give and bequeath unto the poor of the parishes of Bletchingley and Horne fifteen pounds, and unto the parish of Cateram five pounds, to be distributed unto the same parishes by the discretion of the same my executors;

Also I give unto my servants, Bartholomew Scott, (blank) Scott, his brother, Thomas Booth, Davy (blank), Thomas Vaughan and Otto Willicke and to every of them one [-one] gelding, to be delivered unto them by the discretion of mine executors;

Also unto the same Otto Wyllicke I give and bequeath one dag and one handgun;

Also unto (blank) Duffelde, my servant, I give and bequeath one gelding if the same Duffelde be alive at the time of my death at the discretion of my executors;

[f. 20r] Also I give unto William More, esquire, three stoned colts and three geldings, to be taken among all such colts and geldings as I now have at his election;

Also I give and bequeath unto the same William More, esquire, one of the best corslets that I have at his election, 2 gilt partisans, one rankhorne(?), also at his election, 2 corslets for his men, 4 pikes, six almain rivets, six black bills, 12 bows and 12 sheaves of arrows, a fair sword at his election;

Also unto Thomas Hawes, my late servant, 3 corslets, 6 almain rivets, six black bills, six bows, 12 sheaves arrows, 2 geldings, one colt;

Also unto Thomas Blagrove, my late servant, 3 corslets, 6 almain rivets, six bows, 12 sheaves of arrows and six black bills, 2 geldings and a colt;

The residue of all my goods and chattels to remain unto Elizabeth, my wife, my debts paid and legacies performed, which Elizabeth and William ore, esquire, of Loseley in the county of Surrey I do ordain and make mine executors of this my last will and testament, and Thomas Blagrove and Thomas Hawe overseers of the same;

Also further I will and my very intent is that my executors with the consent of my overseers shall have full power and authority to bargain, sell and alienate all those my lands, rents and tenements lying within the precinct of the late Blackfriars or Friars Preachers near Ludgate in London for the performance of this my last will and testament, saving unto every person and persons all such rights, rents and annuities as have passed unto them by this my will or any other lawful assurance by me to them or either of them heretofore made;

Provided always that the overplus which shall happen to remain of the same sale of the same my lands in the said Blackfriars after my debts paid and legacies performed shall be distributed to such good uses as shall seem good unto my said executors and overseers;

Also my further will and meaning is that if there be any imperfection or doubt in this my last will by reason of my penning or want of words or skill in making thereof, that then Anthony Browne, one of the justices of the Common Pleas, Gilbert Gerard, the Queen's Majesty's General Attorney, and Richard Goodrich, esquires, and the survivor or survivors of them shall have full power and authority to reform the defects of this my will

and from time to time to expound the same according unto mine intent & meaning, and for their pains taken herein I give [-I give] unto the same Anthony Browne my young dun ambling gelding and unto (blank) Gerard and Richard Goodrich and to every one of them one ring of gold of the value of four marks;

And whereas I have found always the honourable Lord Clinton my very friend and especial good Lord, I will that my executors aforesaid shall give unto him a cup of the value of ten pounds as a remembrance and testimony of my poor goodwill always borne unto him, and to the Lady, his wife, a gold ring with a turquoise;

I give also unto Mistress Wade a gown of black damask and a hood furnished according to a widow's estate;

In witness whereof I, the same Sir Thomas Cawarden, knight, to this my testament and last will have put to my hand and seal the day and year first above-written, these being witnesses to this my present last will and testament: Thomas Hawe, Richard Leye, James Calfehill, Bartholomew Scott, Otto Wylly.

Thomas Browne, esquire
 Edward Slighfelde, gentleman
 William Herne, gentleman
 Thomas Jones, gentleman
 John Agmondesham, gentleman
 Richard Beden, gentleman
 Edward Tylle, gentleman

Probatum fuit h{uius}mo{d}i Testamentum coram Mag{ist}ro Waltero Haddon Legum Doctore Curie Prerogative Cant{uariensis} Custode siue Commissario apud London decimo nono die Mensis Decembris Anno Domini mill{es}imo quingentesimo quinquagesimo nono Iuramento D{omi}ne Elizabeth{e} [CROSSED OUT: Rel{ic}t{e} et executric{is} in h{uius}mo{d}i Testamento no{m}i{n}at{e}] et Will{el}mi Moore exec{utoris} in h{uius}mo{d}i testamento nominat{i} Quibus commissa fuit administrac{i}o &c de bene &c ac de pleno Inventario Necnon de vero et plano computo Reddend{o} Ad sancta dei evangelia Iurat{is}

[=The same testament was proved before Master Walter Haddon, Doctor of the Laws, Keeper or Commissary of the Prerogative Court of Canterbury, at London on the nineteenth day of the month of December in the year of the Lord the thousand five hundred fifty-ninth by the oath of Dame Elizabeth [CROSSED OUT: relict and executrix named in the same testament] and William More, executor named in the same testament, to whom administration was granted etc. sworn on the Holy Gospels to well etc., and [+to prepare?] a full inventory, and also to render a true and plain account.]