

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 1 July 1575 and proved 15 October 1575, of Robert Burbage of Hayes Park Hall, Middlesex, whose first cousin, Robert Burbage, married Margery Pakington, the aunt of Humphrey Martyn, the addressee of the *Langham Letter* which describes Leicester's entertainment of Queen Elizabeth at Kenilworth in the summer of 1575.

The testator's sister, Eleanor Burbage (d.1574), married the Italian master of fence, Rocco Bonetti (d.1587), alluded to in Shakespeare's *Romeo and Juliet* ('the very butcher of a silk button').

The testator sold his manor of Theobalds alias Tongs to Oxford's father-in-law, Lord Burghley, who built his mansion of Theobalds on the site.

CONNECTION TO HUMPHREY MARTYN

As noted above, the testator's first cousin, Robert Burbage, married Margery Pakington, sister of Lettice (nee Pakington) Martyn, mother of Humphrey Martyn, the addressee of the Langham Letter. For the Pakington family, see the will of Humphrey Pakington, TNA PROB 11/38/212. See also the Pakington pedigree in Metcalfe, Walter C., ed., *The Visitation of Buckinghamshire in 1566*, (Exeter: William Pollard, 1883), p. 27 at:

<http://books.google.ca/books?id=VgpBAQAAMAAJ&pg=PA27>

CONNECTION TO LORD BURGHELY

The testator states in the will below that he had sold his manor of Theobalds alias Tongs to Lord Burghley:

Item, I do also require you that there be paid yearly unto my brother, Edmund Burbage, his annuity which I granted unto him of four marks by the year going out of the manor of Tongs before I sold the same unto my Lord Treasurer, and so much the rather because I stand bound to my Lord Treasurer in recognizance to save him harmless for the said payment of four marks by the year, which recognizance may be extended upon such lands of mine in Middlesex which I have executed estate unto you; I have found my foresaid brother very natural unto me and that is all the countenance that he hath to take to.

This later became the site of Lord Burghley's mansion of Theobalds. See TNA C 54/583, Nos. 18-19 and TNA C 54/662, No. 8 on this website.

CONNECTION TO ROCCO BONETTI AND THE FAMILY OF JAMES BURBAGE

The Burbage crest and coat of arms in the pedigree of Burbage of Hayes Park Hall are identical to those in the pedigree of James Burbage and his son, Cuthbert Burbage, in Howard, Joseph Jackson and Joseph Lemuel Chester, eds., *The Visitation of London*, (London: Harleian Society, 1880), Vol. XV, p. 121 at:

<https://archive.org/stream/visitationoflond01stge#page/120/mode/2up>

See also the *DNB* entry for James Burbage at:

http://en.wikisource.org/wiki/Burbage,_James_%28DNB00%29

BURBAGE, JAMES (d. 1597), actor, and the first builder of a theatre in England, is often stated to have been a native of Stratford-on-Avon. A John Burbage was certainly bailiff of the town in 1556, and a family of the name was well known there throughout the sixteenth century. But when James's son Cuthbert applied for a grant of arms in 1634 he claimed to belong to a Hertfordshire family.

See also the Burbage arms in the pedigree of Grene of Hayes in Cass, Frederick Charles, *Monken Hadley*, (Westminster: J.B. Nichols and Sons, 1880), p. 128 at:

<https://books.google.ca/books?id=OfTfAAAAMAAJ&pg=PA129>

The testator's sister, Eleanor, married four husbands. Her fourth husband, whom she married at St Bartholomew the Less on 10 July 1567, was the Italian master of fence, Rocco Bonetti (d.1587), alluded to in *Romeo and Juliet* as 'the very butcher of a silk button'. For the marriage, see Evans, Charles F.H., 'The Family of St John of Lambeth', *Surrey Archaeological Collections*, 1966, Vol. 63, pp. 151-6 at p. 153, available online.

On Leicester's recommendation, Queen Elizabeth granted Bonetti a coat of arms at Kenilworth by letters patent dated 14 August 1568 as Rocho, son of Alvise d' Bonettis of Baresi beyond the Goggia in Valle Brembana in the lordship of Bergamo under the rule of the Republic of Venice. See Siddons, Michael Powell, *The Heraldry of Foreigners in England 1400-1700*, (London: Harleian Society, 2010), New Series, Vol. 19, pp. 38-40. On 6 July 1572, he was granted denization. See TNA C 66/1089, mm. 3-4; and Page, William, ed., *Letters of Denization and Acts of Naturalization for Aliens in England, 1509-1603*, Publications of the Huguenot Society of London, Vol. VIII, 1893, p. 26 at:

<https://books.google.ca/books?id=HJZAAQAAMAAJ&pg=PR2>

Bonetto De Baressis, Rochus, of Bergamo (Bargamascensis) Captain within the territory and dominion of Venice. Born in Italy. 6 July, 1572. (Pat., 14 Eliza. p. 8. m. 4).

After Eleanor's death, the house and goods in which she had been left a life estate by her previous husband, Oliver St John (d.1571), were seized by St John's overseer, John Vavasour, and the testator. Bonetti complained of this to the Privy Council. See the will of Oliver St John, TNA PROB 11/53/192, and Dasent, John Roche, ed., *Acts of the Privy*

Council of England, New Series, Vol. IX (London: Her Majesty's Stationery Office, 1894), p. 41 at:

<https://books.google.ca/books?id=Hlc0AQAAMAAJ&pg=PA41>

Windsor, 1 November 1575. A letter to the Master of the Rolls and Mr Doctor Wilson, whereas heretofore they have been written unto in the behalf of one Rocco Bonetti, who complaining that after the death of his wife his house and goods were seised and possessed by one Robert Burbage and John Vavasour, they, examining the matter, caused the said Vavasour to compound with the said Rocco, and giving respite to the said Burbage until some other time, they be required, forasmuch as the said Burbage died without making him any recompense, and that his goods came to the hands of one Mr Goring of Sussex who married the daughter of the said Burbage, to call the said Goring before them and to understand the state of the controversy touching the said goods, and to make such end between them, if they can, as may be agreeable to right, or else to inform their Lordships in whom they shall find default, that if further complaint be made they may proceed as the cause shall require.

For the seizure of Bonetti's goods, see also:

http://search.lma.gov.uk/scripts/mwimain.dll/83/2/1/1309224?RECORD&DATABASE=LMA_DESCRIPTION&URLMARKER=STARTREQUEST

COL/SJ/27/573

Former Reference: PD.262.15

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Appendix: Transcript from MCI/6/69. Goods seized from 'Rocto Bonetto of South Lambeth esq., 14 Feb 1574/5, at the suit of Edward Neville, William Hare, Robert Burbage, Armtg., and John Vavasset, gent.

For Bonetti's marriage to Eleanor Burbage, see also the pedigree of Burbage of Hayes Park Hall in Armytage, George John, ed., *Middlesex Pedigrees as Collected by Richard Mundy*, (London: Harleian Society, 1914), Vol. LXV, p. 80 at:

<https://archive.org/details/middlesexpedigre651914/page/80>

For Bonetti see also Silver's *Paradoxes of Defence* (1599), in Matthey, Cyril G.R., ed., *The Works of George Silver*, (London: George Bell and Sons, 1898), pp. 16, 64-5 at:

<https://archive.org/stream/worksgeorgesilv00mattgoog#page/n57/mode/2up>

It thus appears that Rocco Bonetti's first wife, Eleanor Burbage, was a member of the same family as the builder of the first London theatre, James Burbage, and his sons Cuthbert and Richard Burbage, since both branches of the family bore the same Burbage coat of arms, and had, in addition, connections through Leicester, Eleanor Burbage's

husband, Rocco Bonetti, having been granted arms at Leicester's behest, and James Burbage having begun his theatrical career as Leicester's man.

FAMILY BACKGROUND

The testator was the eldest son and heir of Thomas Burbage (d.1560) by his first wife, Anne Muncaster, the daughter of James Muncaster (d.1507), Merchant Tailor of London, and his wife, Mary (d.1508). For the wills of James and Mary Muncaster see TNA PROB 11/15/568 and TNA PROB 11/16/24. For the will of the testator's uncle, William Muncaster (d.1524), Merchant Tailor of London, see TNA PROB 11/21/398. A Chancery suit, TNA C 2/Eliz/T10/36, indicates that Anne Muncaster had earlier been the wife of William Tod, by whom she had a son, William. See:

<http://discovery.nationalarchives.gov.uk/details/r/C5709218>

Administration of the estate of the testator's father, Thomas Burbage, was granted to the testator and his brother, Ninian, on 7 August 1560. See Glencross, Reginald M., *Administrations in the Prerogative Court of Canterbury, 1559-1571*, (Exeter: William Pollard, 1912), Vol. 1, p. 10 at:

<https://archive.org/stream/administrationin01chur#page/10/mode/2up>

According to Cass, *infra*, Thomas Burbage had four sons: the testator; William, who married Amy Bird; Edmund; and Ninian of Harefield, administration of whose estate was granted to his brother William on 28 May 1588. In a letter dated 12 June 1567 Sir Thomas Smith recommended Ninian as solicitor to Sir John Thynne. See:

<http://discovery.nationalarchives.gov.uk/details/rd/c98fd074-c00c-44c4-aaa8-aeb68d88f737>

In the letter Smith says that 'I suppose he [=Ninian] be not unknown to you, for ye have of his near kinsmen about you'. See 'Longleat Papers No. 4', *The Wiltshire Archaeological and Natural History Magazine*, Vol. XVIII, No. LIV, November 1879, pp. 261-2 at:

https://books.google.ca/books?id=7js_AQAAMAAJ&pg=PA262

For Ninian Burbage, see also Hazlitt, William Carew, *Shakespeare*, (London: Bernard Quaritch, 1902), p. 28:

But it is just worth mentioning that a very fine copy of the Spider and the Fly by John Heywood, 1556, is before me, bearing on the title, in a firm and well-formed hand, the coeval autograph of Ninian Burbage.

Thomas Burbage also had a daughter, Cecily, mentioned in the will below, who married Thomas Vitry, and a daughter, Eleanor (d.1574), who, as noted above, married the Italian master of fence, Rocco Bonetti.

The testator's sister, Cecily Burbage, wife of Thomas Vitry, had become 'visited with lunacy and madness', and had been supported financially by the testator. See the testator's will below:

Item, further I do require for charity[‘s] sake that my sister Vitry may be maintained during her life as nature requireth, considering that it pleased God to visit me [crossed out?] her with lunacy and madness, who hath been maintained at my charge ever since she hath been so afflicted.

After the death of the testator's mother, the testator's father, Thomas Burbage, married a wife named Eleanor, whose maiden name is unknown.

MARRIAGE AND ISSUE

As noted in the will below, the testator married Mary Zouche, by whom he had an only daughter, Anne Burbage, who married William Goring (d.1601). For Mary Zouche, see the entry at:

http://www.tudorwomen.com/?page_id=719

Mary Zouche (c.1512-1542+) was the daughter of John Zouche, 8th baron Zouche of Harringworth (c.1486-August 10, 1550) and his first wife, Dorothy Capell. In about 1527, she wrote to her cousin, Sir John Arundell of Lanherne (Mary's grandmother was Margaret Arundell, Sir John's aunt), asking to be taken into royal service because her new stepmother (Susan Welby) was cruel to her. The letter was probably written before 1529. It is dated only "at Notwell, the 8th day of October." Mary was at court as a maid of honor, possibly to Catherine of Aragon and certainly to Anne Boleyn and Jane Seymour. She is the "Mrs. Souche" who was given jeweled borders by Queen Jane and attended Jane's funeral. In 1537, Mary was granted an annuity of £10 for her services to the late queen. It was to continue until she married. She was still receiving it in 1542. A number of accounts say Mary never wed, but the will of Robert Burbage of Hayes Park Hall, Middlesex (d. 1575), identifies his late wife as "the eldest daughter of John Zouche, knight, Lord Zouche, Saint Maur and Cantelupe." It would appear that they married shortly after the payment of her annuity in 1542, when Mary was about thirty. They had one daughter, Anne, who married William Goring of Barton, Sussex (d.1601) in 1563. Burbage's will, dated July 1, 1575 and proved October 15, 1575, instructed that his tomb include Mary's arms and he also left a bequest of ten pounds to Marie Pigott, for her faithful service to his wife "when she was alive and to him since her mistress's death." Portrait: Although the "M" in "M. Souch" could be an abbreviation for "Mistress" rather than "Mary," or indicate that the likeness is of Margaret Cheney, second wife of

Richard, 9th baron Zouche, it is far more likely that Mary Zouche is the subject of the Holbein sketch at Windsor.

For the testator's marriage to Mary Zouche, see also the pedigree of Zouche in Metcalfe, Walter C., ed., *The Visitation of Wiltshire 1565*, (Exeter: William Pollard, 1897), pp. 43-4 at:

<https://archive.org/stream/visitationofwilt00harvrich#page/42/mode/2up>

For a fine in 1560 involving the testator, his wife, Mary Zouche, Hugh Partridge (the second husband of the testator's sister, Eleanor Burbage), and William Slywright, see TNA C54/580, No. 20; and Hardy, W.J. and W. Page, *A Calendar of the Feet of Fines for London & Middlesex*, (London: Hardy & Page, 1893), Vol. II, pp. 109-110 at:

<https://archive.org/stream/acalendarof Feet02pagegoog#page/n116/mode/2up>

RM: T{estamentum} Roberti Burbage

[f. 296r] In the name of God, Amen. The first of July in the year of Our Lord God one thousand five hundred seventy-five and in the 17th year of the reign of our Sovereign Lady Queen Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., I, Robert Burbage of Hayes Park Hall in the parish of Hayes in the county of Middlesex, esquire, the unprofitable servant of God, weak in body and notwithstanding strong in mind, do willingly and with a free heart render and give again into the hands of the Lord my God my spirit, which he of his fatherly goodness gave unto me when he fashioned this my body in my mother's womb, nothing doubting but that this my Lord God for his mercy's sake set forth in his precious blood for his dearly beloved son, Christ Jesus, our alone Saviour and Redeemer, will receive my [f. 296v] soul into his glory, and place it in the company of heavenly angels and blessed saints;

And as concerning my body, ever with a good will and free heart I give it over, commending it unto the earth whereof it came, nothing doubting but that according to the articles of our faith at the great day of the general resurrection when we shall all appear before the judgment seat of Christ I shall receive it again by the Almighty power of God;

Also my will and desire is that my body be coffined and buried in Hayes church in the island [=aisle?] where my ancestors have been buried, and near unto the place where my father and Marie, late my wife, are buried, and in no other place;

Also I will that within two years at the furthest next after the decease of me, the said Robert Burbage, that my executors do cause a tomb of marble to be made, and the arms of my father, the arms of my mother and crest, and the arms of my late wife, which was the eldest daughter of John Zouche, knight, Lord Zouche, Saint Maur and Cantelupe, be

engraved upon the said tomb in such form and order as the herald or heralds have and do appoint me to bear, and not otherwise;

Also I will further that there be engraven upon the said tomb the day and year of the departure of [sic?] out of this world of my father, my wife, and my decease;

Also I will that there be given to a godly minster or preacher for to make a sermon in the said church of Hayes in the day of my burial the sum of ten shillings;

And as for mourning gowns which are customably given at such burials, my will is that there be none provided unless that my executors for God's causes do bestow of some poor people dwelling within the parish of Hayes where most need is as unto their pleasures shall be thought most convenient;

Item, I will and bequeath unto Marie Pigott, my servant, for and in consideration of the true and faithful service which she heretofore did unto my wife in the life of her mistress, and also for & in consideration of such service as she hath done unto me since my wife departed, which as yet hath not been satisfied, neither yet paid unto her as in equity & conscience I would have done if the Almighty God had spared me longer to have lived in this miserable and transitory world, my will is therefore in consideration of the premises there be paid unto her by my executors ten pounds of good and lawful money of England within one half year next after my decease;

Item, I will and bequeath unto my brother, Edmund Burbage, whose natural fidelity and brotherly love towards me I have always found ready, all my apparel of the best sort wheresoever it be;

All the rest of my goods, chattels, debts which are owing unto me, my debts due by me paid, my funerals, legacies in everything fulfilled and discharged, I give unto my well-beloved son-in-law, William Goring, and to my daughter, Anne Goring, his wife, whom I do make my full and sole executors of this my last will and testament, provided always and yet nevertheless my will is that if it so be that my son, William Goring, and my daughter, his wife, shall or do refuse to take upon them to be executors of this my present last will and testament, and will not deal in the same according to the contents hereof, that then my whole will & mind is that all my goods and chattels whatsoever and wheresoever they shall be found, except such things as I have given unto my servant, Marie Pigott, as by a writing thereof made it doth and may appear, shall be all sold to the most value, and the same to be employed to the payment of such debts of [sic?] as the said Robert Burbage oweth in the time of his departure out of this world for the discharge of his conscience in that behalf;

And for the overseer of this my present last will and testament, I constitute and appoint my well-beloved friend and good neighbour, Thomas Highgate, esquire, to be my supervisor of this my present last will and testament, and in consideration of his pains and travail in this behalf, I will and bequeath to him my great young bay gelding;

And thus the eternal Majesty of the Almighty take me unto his divine mercy, and the Lord strengthen me in my faith and send me a joyful rising;

In witness hereof I, the said Robert Burbage, have subscribed my name and set to my seal the day and year above-written;

Sealed and delivered in the presence of these here subscribed who are witnesses to this present will: Thomas Highgate, esquire, Edward Powell, curate at Hayes, Nicholas Witchington, writer hereof.

By me, Robert Burbage. Thomas Heygate, Edward Powell, curate at Hayes, Nicholas Witchington.

Certain loving and charitable requests on the behalf of me, Robert Burbage, unto William Goring, my son-in-law, and Anne, his wife, my sole and only daughter, desiring them for God's cause and the security of my soul and for nature[']s sake that they may be by them or either of them truly observed, performed and kept, written the first of July a thousand five [f. 297r] hundred seventy-five and delivered into the hands of Thomas Highgate, esquire, as a godly & charitable mediator put in trust by the said Robert Burbage for soliciting and moving of the same:

First, I require you to take upon you the executorship of my will and testament and the observation of the same;

Item, further I require you that if you refuse the same executorship, that then all my goods may be praised and sold to the uttermost value to answer such debts as I presently do owe;

Item, further, I do request [crossed out?] earnestly require for God's cause, if it so chance that my goods will not amount to the full sum to pay my debts, then for nature's sake I do require that of yourselves you will see the said debts discharged;

Item, further I do require for charity[']s sake that my sister Vitry may be maintained during her life as nature requireth, considering that it pleased God to visit me [crossed out?] her with lunacy and madness, who hath been maintained at my charge ever since she hath been so afflicted;

Item, I do further require you that forasmuch as my brother, William Burbage, hath entered into great bonds for my sake and at my request, that he may be saved harmless to one Mr Daubney for the payment of eight pounds a year during the life of my mother-in-law, and that also he may be discharged of the said bond for the payment of twenty pounds and four pounds due at midsummer last which I am behind the hand with the said Mr Dawbney, and I have already paid to the said Mr Dawbney, as by quittances it doth appear, about an hundred and threescore pounds, as I think;

Item, I do also require you that there be paid yearly unto my brother, Edmund Burbage, his annuity which I granted unto him of four marks by the year going out of the manor of Tongs before I sold the same unto my Lord Treasurer, and so much the rather because I stand bound to my Lord Treasurer in recognizance to save him harmless for the said payment of four marks by the year, which recognizance may be extended upon such lands of mine in Middlesex which I have executed estate unto you; I have found my foresaid brother very natural unto me and that is all the countenance that he hath to take to;

Item, I do further require you and most earnestly desire you for God's sake that you will quietly permit and suffer Mary Pigott to have, hold and quietly to enjoy all such goods and bequests as I have given her by will or otherwise by writing without any molestation by you or any other, and withal to deal as favourably with her in these and all other her causes as I myself would have done if it had pleased God to have marked(?) me life;

Item, I do further require you that at such time as one young Spigernell of Cowley shall come to the age of 21 years and that he crave to be admitted tenant unto you, that you will bestow the same copyhold upon John Vaterman, my old servant, if the custom of the manor will so permit it; if the custom of the manor will not so allow it, then my request is that such fine as the said Spigernell is to make with you for the same may be bestowed upon him in consideration of his long service to me, which I would have done myself if it had pleased God to have spared me life; I did once move my daughter thereof; the fine is at the will of the lord;

Item, I do further require that such servants as be now dwelling with me may be paid their wages truly so much as is in equity and conscience they ought to have, or rather with the better, and that you will retain John Vaterman as your servant if he be minded to dwell with you;

And also that the old woman, Mother Anne, may be conscionably considered and provided for; she hath been very painful about me in my great sickness; she will do you better service than you think for;

Item, I do further require you that whereas I have made certain leases unto Thomas Dowie of two little closes, the one of them is to have continuance four years and three quarters yet to come, the other is to have continuance yet two years and I have received the whole rent aforehand, and in the other I have to receive one year's rent which is the last, as by writing appeareth, that you will suffer him to enjoy his said leases or otherwise to recompense him according to conscience;

Item, further I do require you that Thomas Thursbie(?), gentleman, Alice Chicken, widow, John Edenbrace, bailiff of Colham, may enjoy their said leases by me granted, renting(?) unto you your accustomed rents;

Item, furthermore I do require you that Mr Saye of Ickenham may enjoy his lease of Highfeldes that I granted unto him for forty marks by the year yearly, which rent was wont to be but ten pounds a year;

Item, I do further require that James Nicolles may enjoy his lease of Pasfordes which rent was wont to be but five pounds a year, and now is ten pounds by the year;

Item, I do further require you for conscience' sake that where I have leased out unto William Shrimpton and Morrice Skydmore and (blank) Wolmar all the [f. 297v] half rent wheat which is paid me out of certain lands of mine in Bolwell for two crops yet to come, who hath paid me for the said two crops beforehand, that you will suffer them to enjoy the same accordingly, or else to recompense them in money or otherwise; so muches [sic?] as I have received of them, their writings between us doth and may appear;

By me, Robert Burbage.

All these requests here above-written he earnestly desireth to be fulfilled in the presence of these whose names are here subscribed: Thomas Heygate, Edward Powell, curate of Hayes, Nicholas Witchington.

LM: computauit W{illel}mus Goring ar{miger} vnus ad{ministra}tor{um}

Decimo quinto die Mens{is} Octobris Anno Domini Mill{es}imo Quingen{tesi}mo septuagesimo Quinto Emanauit Com{m}issio Will{ell}mo Goringe et Anne Goringe executor{ibus} in d{i}c{t}o testamento nominat{is} Ad administrand{um} bona Iura et credita d{i}c{t}i def{unct}i iuxta tenor{em} testamenti etc eo q{uo}d ijdem executor{es} ex cert{is} causis eos mouen{tes} on{er}i execuc{ionis} eiusdem testamenti expresse renu{n}tiarunt De bene etc in persona m{agist}ri Joh{ann}is Incent no{ta}rij pu{bli}ci procur{atoris} &c Ad sancta Dei Eu{a}ngelia Iurat{is} etc

[=On the fifteenth day of the month of October in the year of the Lord the thousand five hundred seventy-fifth a grant issued to William Goring and Anne Goring, executors named in the same testament, to administer the goods, rights and credits of the said deceased according to the tenor of the same testament etc. because the same executors, for certain causes them moving, expressly renounced the burden of the execution of the same testament, sworn on the Holy Gospels to well etc. in the person of Master John Incent, notary public, proctor etc.]