

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 8 February 1594 and proved 26 September 1594, of John Brooke (1535–1594) of Newington, Kent.

The testator was the fourth surviving son of George Brooke (c.1497 – 29 September 1558), 9th Baron Cobham, by Anne Bray (c.1510–1558), eldest daughter of Edmund, Lord Bray, and his wife, Jane Halighwell, daughter of Sir Richard Halighwell.

The testator married, by 1561, Alice (nee Cobbe), widow of Sir John Norton of Northwood in Milton, Kent, and daughter of Edward Cobbe of Cobbs Place, Kent.

The testator's brother, Thomas Brooke the younger, wrote verses commemorating the death of Arthur Brooke, author of *Romeus and Juliet*, drowned when the *Greyhound* ran aground on 19 March 1563 while carrying English forces under Sir Thomas Finch to Newhaven [=Le Havre]:

*Example, lo, in Broke before thine eye,
Whose praised gifts in him did late abound,
By whipwrack forced, alas, too soon to die,
Helpless of all intombed lies underground.*

See Munro, J.J., ed., *Brooke's 'Romeus and Juliet' being the original of Shakespeare's 'Romeo and Juliet'*, (London: Chatto & Windus, 1908), p. xxii; and Green, Nina, 'Who Was Arthur Brooke?', *The Oxfordian*, 2000, Vol. III, pp. 59-70.

The chief beneficiary of the will, Sir William Brooke (1565-1597), was a younger son of the testator's brother, William Brooke (1527-1597), 10th Baron Cobham. See McKeen, David, *A Memory of Honour; The Life of William Brooke, Lord Cobham*, (Salzburg: Universitat Salzburg, 1986), 2 vols., pp. 161, 688-9, 701.

For further details concerning the testator's family, see the will of his father, George Brooke, 9th Baron Cobham, dated 13 January 1558 and proved 6 December 1560, TNA PROB 11/43/628, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/brooke-alias-cobham-john-1535-94>.

RM: T{estamentum} Iohannis Brooke al{ia}s Cobham

[f. 135r] In the name of God, Amen. The eight day of February in the six and thirtieth year of her Majesty's reign, I, John Brooke alias Cobham of Newington, esquire, being of a good remembrance (thanks be to God) but sick in body, do make this my last will and testament in manner and form following:

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First I bequeath my soul to the hands of Almighty God and to Jesus Christ, by whose death and passion I hope to be saved, and my body I will to be buried in the church of Newington aforesaid next to my good wife, the Lady Norton, betwixt the wall and her in the chancery [sic?];

And as concerning all my worldly goods, chattels and movables whatsoever, I do give them to my nephew, Sir William Brooke, knight, whom I make my sole executor of this my last will and testament, and he to pay all my debts and legacies and annuities;

I do give to my sister-in-law, Mary Cobham, widow, late wife to my brother, Edward, deceased, ten pounds yearly during her natural life to issue out of all my lands and tenements, and the same to be paid half yearly, that is to say, at the feast of Saint Mary commonly called Our Lady Day, being ever the five and twentieth of March, the sum of five pounds, and at the feast of Saint Michael th' Archangel, commonly called Michaelmas, the other five pounds, or within six days after every of the said feast-days;

And for default thereof, either in part or in whole, it shall be lawful for my said sister-in-law or her assigns to distrain in my said lands and tenements, and the distress so taken to lead, drive and carry away and to hold irreprimable [sic?] until she be fully satisfied and paid;

Moreover whereas my kinsman, William Brooke, doth occupy certain lands lying in the parish of Hawsted and is of the demesnes of the manor of Barkesor as was late in the occupation of Robert Allen of Bradgate for which the said William now pays fifty-two pounds per annum, my will is that after my decease he shall enjoy the said lands for the space of seven years paying only therefore forty pounds per annum at the feasts of Christmas and Midsummer by equal portions or within thirty days next after every of the said feasts;

I do give also and bequeath to William Yeowell, my servant, five pounds for his painstaking;

And as concerning all my lands, tenements and hereditaments with th' appurtenances lying in the parishes of Newington, Harpplite, Hawsted, Rainham or elsewhere in the county of Kent, I do give all and every of the same to my nephew, Sir William Brooke, and to his heirs of his body lawfully begotten;

And for default of such issue to John Brooke, the son of my deceased brother, Sir Henry Cobham alias Brooke, and to his heirs males of his body lawfully begotten;

And for want of such issue of his body I do give all my said lands, tenements and hereditaments to the right honourable Sir William Brooke, knight, Lord Cobham, and to his heirs forever;

Lastly my will is that my house and family shall be kept by my executor in manner as now it is one month after my decease;

In witness whereof I have set to my hand and seal the day and year aforesaid. Sealed and signed by me, John Brooke alias Cobham. Witnesses, Thomas Langton, William Brooke, William Yowell.

Probatum fuit Testamentum suprascriptu{m} apud London coram Mag{ist}ro Iohanne Hone legum Doctore Surrogato venerabilis viri Mag{ist}ri Will{el}mi Lewin legum etiam Doctoris Curie prerogatiue Cantuarien{sis} Magistri Custod{is} siue Commissarij vicesimo sexto die mensis Septembris Anno Domini millesimo quingen{tesim}o nonagesimo quarto Iuramento D{omi}ni Will{el}mi Brooke militis et executoris in h{uius}mo{d}i testam{en}to nominat{i} Cui commissa fuit Administrac{i}o bonoru{m} Iurium et Creditorum dicti def{uncti} de bene et fideliter Administrand{o} &c Ad sancta dei Evangelia Iurat{i}

[=The above-written testament was proved at London before the worshipful Master John Hone, Doctor of the Laws, Surrogate of the worshipful Master William Lewin, also Doctor of the Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the twenty-sixth day of the month of September in the year of the Lord the thousand five hundred ninety-fourth by the oath of Sir William Brooke, knight and executor named in the same testament, to whom administration was granted of the goods, rights and credits of the said deceased, sworn on the Holy Gospels to well and faithfully administer etc.]