

SUMMARY: The document below is the will, dated 9 August 1590, of Wistan Browne of St Giles, Colchester.

### ***FAMILY BACKGROUND***

For the testator's family background, see the Browne pedigree of 1612 in Metcalfe, Walter C., ed., *The Visitations of Essex*, (London: Harleian Society, 1878), Vol. XIII, pp. 165-7 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA167>

See also the Browne pedigree of 1634 in Metcalfe, *supra*, p. 362 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA362>

On his father's side, the testator appears to have been the grandson and nephew, respectively, of George Browne (d.1559) and Wistan Browne (d.1581?) mentioned in the inquisition post mortem taken after the death of John de Vere (1516-1562), 16<sup>th</sup> Earl of Oxford. According to the IPM, in 1546, in consideration of the service done by George Browne to both the 15<sup>th</sup> and 16<sup>th</sup> Earls, George Browne and his son, Wistan Browne, were granted the reversion, after the death of Thomas Josselyn, of the offices of master of game and keeper of the park of Stansted Mountfitchet, and bailiff of the honour of Stansted Mountfitchet. The IPM states that both Thomas Josselyn and George Browne had died by the date the IPM was taken on 18 January 1563. For the IPM, see TNA C 142/136/12. For the will of Wistan Browne (d.1581?), see TNA PROB 11/63/226.

On his mother's side, as mentioned in the will below, the testator was the grandson of Thomas Staunton, and cousin of Thomas Staunton of Clement's Inn, and the nephew of Ellen Lathom, the wife of John Lathom, esquire. For the Lathom pedigree, see Metcalfe, *supra*, p. 433 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA433>

According to the pedigree, John Lathom of Sandon, Essex, married Ellen Staunton, daughter of Thomas Staunton of Wickham, Essex, and their son, Captain Peter Lathom, married, as her second husband, Elizabeth Pyrton (see below).

It thus appears that the testator's father was John Browne of Wickham Hall, Essex, second son of George Browne (d.1559), and younger brother of Wistan Browne (d.1581?), and that the testator's mother was Anne Staunton, the daughter of Thomas Staunton, esquire. See Metcalfe, *supra*, p. 362, at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA362>

**TESTATOR'S BROTHERS AND SISTERS**

In the will below, the testator describes his two brothers and five sisters and their spouses as follows:

-**Anthony Browne**, esquire, of Elmstead and wife, Elizabeth.

-**John Browne**, gentleman, of Braxted, Essex.

-**Elizabeth Browne**, wife of Thomas Cheyney, gentleman.

-**Jane Browne**, wife of John Fylall, gentleman.

-**Anne Browne**, wife of Thomas Peryent, gentleman.

-**Marie Browne**.

-**Sibyl Browne**, wife of John Christmas, gentleman, of the parish of St Giles.

The testator's eldest brother, Sir Anthony Browne (d.1623), married Elizabeth Pyrton, the daughter of Edmund Pyrton (d.1609) of Bentley Hall, Essex, by Oxford's first cousin, Constance Darcy, daughter of Thomas Darcy (1506 – 28 June 1558), 1<sup>st</sup> Baron Darcy of Chiche, and Elizabeth de Vere (d. 26 December 1565). After the death of Sir Anthony Browne, Elizabeth Pyrton married Captain Peter Lathom. See the Browne pedigrees in Metcalfe, *supra*, pp. 166, 362 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA166>

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA362>

See also the Pyrton pedigree in Metcalfe, *supra*, p. 93 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA93>

Although the Browne pedigree, *supra*, p. 166, agrees with the testator's will in other respects, it makes no mention of the testator's brother, John Browne, gentleman, of Braxted, nor of the testator's sister, Marie Browne. Moreover the pedigree alleges that the testator had a brother not mentioned by the testator in the will below:

-**William Browne**, who married Mary Sulyard, the daughter of Sir John Sulyard of Wetherden, Suffolk, widow of Thomas Tyrrell, esquire.

Thomas Tyrrell (c. 1548 - 25 September 1592) of Heron, esquire, did marry Mary Sulyard, the daughter of Sir John Sulyard of Wetherden, Suffolk. See the will of John

Tyrrell (d.1540) of Heron, TNA PROB 11/28/299, and Metcalfe, Charles W., ed., *The Visitations of Essex, Part II*, Vol. XIV, (London: Harleian Society, 1879), p. 717 at:

<http://archive.org/stream/visitationsofess02metc#page/n373/mode/2up>

However Mary Sulyard's alleged remarriage to a brother of the testator named William Browne does not appear to be otherwise recorded. *Quare* whether Mary Sulyard may have been the wife of the testator's brother, John Browne of Braxted mentioned in the will below.

According to the Browne pedigree, *supra*, p. 167, Thomas Cheney, husband of the testator's sister, Elizabeth Browne, was of Chesham Bois, Buckinghamshire.

For the marriage of the testator's sister, Jane Browne, to John Filloll, as his second wife, see the Filloll pedigree in Metcalfe, *supra*, p. 196 at:

<https://books.google.ca/books?id=0m1KAAAAYAAJ&pg=PA196>

According to the pedigree, John Filloll's father was a first cousin of Katherine Filloll, first wife of Edward Seymour, the Protector Somerset. For the will of Katherine Filloll's father, Sir William Filloll (d.1527), see TNA PROB 11/22/406.

For the marriage of the testator's sister, Anne Browne, to Thomas Peryent, see the will of Robert Forster, TNA PROB 11/39/125, whose daughter, Joan Forster, married Henry Peryent, father of Anne Browne's husband, Thomas Peryent. Joan Forster was the stepdaughter of Oxford's maternal uncle, Henry Golding (d.1576). For his will, see TNA PROB 11/59/98.

In the name of God, Amen. The ninth day of August in the year of Our Lord God according to the computation of the Church of England one thousand five hundred four score and ten and in the two and thirtieth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France & Ireland, Defender of the Faith etc., I, Westian Browne of the parish of St Giles in Colchester in the county of Essex and diocese of London, gentleman, being sick in body but nevertheless of sound, good and perfect memory and remembrance, laud and praise unto the Almighty, do make and ordain this my last will and testament in manner and form following, that is to say:

First and principally I give and bequeath my soul to Almighty God, my Maker, and to Jesus Christ, my only Redeemer and Saviour, by whose merits, death and passion my only hope & trust is to be saved, my body to be buried in Christian burial at the discretion of my executor;

Item, I give and bequeath to my brother, John Browne of Braxted in the foresaid county of Essex, gentleman, one hundred pounds of lawful money of England;

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And also I will that my executor do pay or cause to be paid unto the said John Browne, my brother, the forty pounds the which I do confess myself to owe unto him;

Item, I give and bequeath unto my sister, Elizabeth Cheyney, the wife of Thomas Cheyney, gentleman, ten pounds of like lawful money of England;

Item, I give and bequeath to my sister, Jane Fylall, the wife of John Fylall, gentleman, other ten pounds of like lawful money of England;

Item, I give and bequeath to my sister, Anne Perryn [=Peryent], the wife of Thomas Perryn [=Peryent], gentleman, other ten pounds of like lawful money of England;

Item, I give and bequeath to my sister, Marie Browne, other ten pounds of like lawful money of England;

Item, I give and bequeath unto my sister, Sibyl Christmas, the wife of John Christmas, gentleman, all that my part of the lease & residue of the years yet to come in Langoe [=Langenhoe] Hall;

Item, I give and bequeath unto my aunt, Ellen Lathom, the wife of John Lathom, esquire, four angels in gold to make her a ring with;

Item, I give and bequeath unto my brother, Anthony Browne of Elmstead in the county of Essex, esquire, my bay trotting gelding;

Item, I give and bequeath unto my sister-in-law, Mistress Elizabeth Browne, the wife of my said brother, Anthony, a spruce chest;

Item, I give and bequeath to my foresaid brother, John Browne, all my wearing apparel except one suit of crane-coloured fustian, one fustian doublet laced with silver lace, and one pair of buff hose;

Item, I give and bequeath to Henry Wyllson, my boy, the foresaid suit of crane coloured fustian;

Item, I give and bequeath unto my cousin, Thomas Staunton of Clement's Inn, gentleman, the said fustian doublet laced with silver lace & the said pair of buff hose before mentioned;

Item, I give and bequeath to the poor people of the boroughead(?) of the Old Hythe in the foresaid parish of St Giles 20s, to be distributed and delivered unto them by the discretion of my executor;

Item, I give and bequeath amongst the servants of my foresaid brother-in-law, John Christmas, gentleman, 20s, to be likewise divided and delivered unto them at the discretion of my said executor;

All the rest of my goods by me heretofore unbequeathed & not mentioned in this my will I give & bequeath to my executor for and towards the bringing(?) of my body honestly in earth, & the performing of this my last will and testament;

Provided always and my will and meaning is that my said executor, his executors or administrators, shall not be compelled to pay any the foresaid legacies, gifts or bequests before such time as he or they shall have received or otherwise compounded for the debt and money that is due unto me by my foresaid brother, Anthony Browne, upon his obligation, and that my said executor shall be allowed out of the said legacies his charges and expenses in and about the recovering of the said money upon the foresaid obligation if he shall be compelled to sue for the same;

Provided likewise that my said executor shall not take of the said Anthony Browne, my brother, any more than the due debt & the use or loan for the same after ten in [+the?] hundred, and also the charges if he shall be compelled to sue for the same;

Provided farther that whereas if Thomas Staunton, gentleman, my grandfather, shall live in this world after the term of years of the lease of Langenhoe Hall before mentioned be fully complete and ended, that then I, the said Westian, am to pay yearly during the life of the said Thomas Staunton, my grandfather, unto the same Thomas Staunton eight pounds by the year;

Therefore my will and meaning is that my said executor shall detain and keep in his hands and custody four score pounds of the foresaid hundred pounds that I have given & bequeathed to the forenamed John Browne, my brother, until such time as either the said John Browne, my brother, have put good security unto my said executor or otherwise taken some good order with my said executor for the payment thereof(?) during the time aforesaid or until the decease of the said Thomas Staunton, my grandfather;

Saving that I will my said executor shall pay or cause to be paid unto the said John Browne, my brother, yearly during so many of the years as are yet to come in the foresaid lease of Langenhoe Hall & until the same lease be fully ex[p]ired and ended, if the said Thomas Staunton, my grandfather, do so long live, eight pounds by the year of lawful money of England after such time as my said executor shall have recovered or otherwise compounded for the debt & money unto me due by Anthony Browne, my brother, as is afore mentioned;

And I do make and ordain my forenamed well-beloved brother-in-law, John Christmas of the parish of St Giles aforesaid in the foresaid county of Essex, gentleman, my only executor of this my last will and testament, revoking all other wills and testaments at any time heretofore made, and declaring this to be my last will and testament;

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In witness whereof I have hereunto set to my hand, given the day & year first above-written.

By me Wistan Browne.