

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 17 February 1560 and proved 21 October 1560, of Elizabeth Cawarden, wife of Sir Thomas Cawarden (d. 29 August 1559), whose property in the Blackfriars was later the site of James Burbage's Blackfriars theatre.

The testatrix' family background and maiden name are unknown.

The testatrix married, by 1542, Sir Thomas Cawarden, but had no issue by him. See his 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 his death at:

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

In his will, Sir Thomas Cawarden appointed the testatrix and William More as his executors, granted them authority to sell his property in the Blackfriars, and stated 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 Blagrave, 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=L M%2fSectionG%2f5%2f4%2f1%2f25&pos=25>

Letter of attorney

- 1) *Thomas Blagrave, 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 testatrix 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=L M%2fSectionG%2f5%2f4%2f1%2f26&pos=16>

Bargain and sale with counterpart

- 1) *Dame Elizabeth Cawarden [Cawarden], widow of Sir Thomas Cawarden, 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 will of the testatrix' husband, Sir Thomas Cawarden, was not proved until 19 December 1559, the day prior to the sale of the Blackfriars property, and that in the grant of administration of Sir Thomas Cawarden's will, her name is crossed out as executrix.

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

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

Bargain and sale with counterpart

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

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

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

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

It is said that William More subsequently purchased the Blackfriars property from the testatrix. 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=L M%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://discovery.nationalarchives.gov.uk/details/rd/8ab5f058-2ff4-466b-bc76-d0c1979b4650>

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=326%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 testatrix' will below is highly unusual in that there are no specific bequests of jewels or household goods or of the moneys paid to the testatrix 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 the testatrix' executors, William More, esquire, and Thomas Hawes, gentleman. In the will of Sir Thomas Cawarden, Thomas Hawes is referred to as 'my late servant'. As noted in the probatum clause below, Thomas Hawes renounced the executorship, leaving the execution of the testatrix' will solely in the hands of William More.

The identity of Richard Chapman and Jane, his wife, has not been established. However they are referred to in Folger MS L.b.524 as being 'of Hampton Court' in a letter from Leicester to William More:

<http://findingaids.folger.edu/dfoloseley2002.xml>

Dudley, R. Letter signed. To William More. Hampton Court. November 8, 1562.

Dudley writes in behalf of "Chapman's wif of hampton ct" who told him that my Lady Carden in her lyfe tyme gave vnto her a fielde bed with the furniture. He requests that More deliver it to her.

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

For the testatrix' executor Thomas Hawes, who is said to have been a lawyer, and who renounced execution of the will, see the History of Parliament entry at:

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

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>.

LM: T{estamentum} D{omi}ne Elizabeth{e} Cawarden

[f. 381r] In the name of God, Amen. The 17th day of February in the year of Our Lord God 1559 and in the second year of the reign of our Sovereign Lady the Queen etc., I, Elizabeth Cawarden, widow, late wife of Sir Thomas Cawarden, knight, deceased, being of good and perfect memory, thanks be given to God, do ordain and make this my last will and testament in manner and form following:

First I bequeath my soul to God Almighty, my Maker and Creator, through the death and passion of my only and sole Redeemer, Jesus Christ, and my body to be buried by the discretion of mine executors at Bletchingly in the county of Surrey by the body of the said Sir Thomas Cawarden, my late husband;

Item, I will such distribution to be made in money to the poor, and such blacks to be given and worn at my funerals, as to mine executors shall seem meet and convenient;

Item, I will that mine executors shall have such consideration of all my servants, being menskins [sic?], and of all those specially under-named as to them shall seem meet and convenient, that is to say, Anne Rowse [=Rosse?], Elizabeth Willeye [=Wolley?], and the rest of my maidservants;

Item, I will that my said executors shall have like consideration of Richard Chapman and Jane, his wife;

Item, I ordain, constitute and make William More, esquire, and Thomas Hawes, gentleman, mine executors of this my last will and testament, these being witness at the making and declaring hereof: Bartholomew Scott, Thomas Vaughan, gentleman, and divers other. By me, William More, Bartholomew Scott, Thomas Vaughan.

Probatum fuit h{uius}mo{d}i Testamentum coram Mag{ist}ro Waltero Haddon Legum Doctore Curie prerogatiue Cant{uariensis} Comissario apud London vicesimo primo die mensis Octobris Anno Domini mill{es}imo quingentesimo sexagesimo Iuramento

Bartholome*i* Scott Thome Vaughan Anne Rosse Elizabeth Wolley Thome Hawes et
Blanchie Pullen testiu*m* in ea parte exa*m*i*n*ator*um*(?) et Ioh*ann*is Lewis
notarij publici procuratoris Will*el*mi More ar*migeri* ac executoris in h*uius*mo*d*i
Testamento nominat*i* cui comissa 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*i* Thomas Hawes execut*or* etiam &c oneri executionis eiusdem renuncian*s*

[=The same will was proved before Master Walter Haddon, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the twenty-first day of the month of October in the year of the Lord the thousand five hundred sixtieth by the oath of Bartholomew Scott, Thomas Vaughan, Anne Rosse, Elizabeth Wolley, Thomas Hawes and Blanche Pullen, witnesses examined in that regard, and John Lewis, notary public, proctor of William More, esquire, and executor named in the same testament, to whom administration etc., sworn on the Holy Gospels to well etc. and [+to prepare?] a plain inventory, and also to render a true and plain account, Thomas Hawes, executor also etc. renouncing the burden of the execution of the same.