

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 15 October 1574 and proved 14 November 1575, of Jane (nee Roberts) Fitzwilliam (d.1575?), whose son-in-law, Sir Thomas Browne (d. 9 February 1597), signed Lady Russell's 1596 petition against James Burbage's Blackfriars theatre.

The testatrix was the niece of Mildred Sackville, who married, as his second wife, Sir William Fitzwilliam (d. 9 August 1534), grandfather, by his first wife, of Lady Russell, Lady Burghley and Lady Bacon.

For Lady Russell and the testatrix' son-in-law, Sir Thomas Browne, see Laoutaris, Chris, *Shakespeare and the Countess*, (London: Fig Tree, 2014), pp. 121, 123, 130, 176-7, 277-8, 324:

The Blackfriars tutelary lord William More had been seeking a patent to establish his own legal court and appoint Justices of the Peace to enforce law in the district. [Lady Russell's] brother-in-law Sir Nicholas Bacon was drawn into the scheme and was sent a list of gentlemen who could be appointed as 'commissioners for the peace within the precinct'. A further list included . . . one Thomas Browne. . . . Sir Thomas Browne, who was not merely [Lady Russell's] neighbour in the Blackfriars but her kinsman, related to both the Cooke and Fitzwilliam families. He must have been the very same who would feature as a signatory on her petition. This is made all the more likely by the fact that he was a resident of St Anne's, where [Lady Russell] worshipped in the church just south of her own house. This was the same parish that many of her other co-signatories called home. A few years later Sir Thomas would be involved with Elizabeth's close friend and kinsman Sir Henry Neville in the equipping of the 'trained shot' in Berkshire, the troops pressed into the service of the Crown during the attack of the Spanish Armada in 1588. . . . As well as his property in the Blackfriars, Browne also owned an estate in Surrey, Betchworth Castle, making him a neighbour of William More twice over.

Thomas Browne gave further ratification to the 1580 list of commissioners by appending his name for a second time to the base of the document, where it appears alongside those of William More and Lord Cobham. . . .

When [Sir Thomas Browne] put his name to [Lady Russell's] petition he had less than a year to live. When he died, in 1597, his Blackfriars property passed to his second wife, Helen Harding. The 1599 Subsidy Rolls confirm that the man who was present in the Blackfriars in 1596 and signed [Lady Russell's] petition must be this same Thomas Browne, for his name is replaced on the list of tax assessments by that of "Lady Browne". The intriguing document suggests some telling neighbourly associations, for next to her own name, and placing them as the Brownes' immediate neighbours in the parish of St Anne's, are those of 'Doctor Paddy' and 'Cuthbert Burbage'. . . .

The land on which the Globe would be built was leased from Nicholas Brend, who would later pass it on to [Lady Russell's] kinsman Sir Matthew Browne, son of the Sir Thomas Browne whose signing of [Lady Russell's] petition had helped bring them to this shift.

The testatrix' grandson, Sir Matthew Browne (died c.1603), was one of the trustees of Nicholas Brend (d. 12 October 1601), who leased the ground on which the Globe theatre was built by lease dated 21 February 1599 to Richard Burbage, Cuthbert Burbage, William Kempe, Augustine Phillips, Thomas Pope, John Heminges and William Shakespeare of Stratford upon Avon (see TNA REQ 4/1/2). See the will, dated 2 August 1603 and proved 19 April 1608, TNA PROB 11/111/273, of Sir Matthew Browne (died c.1603).

FAMILY BACKGROUND

Testatrix' father

The testatrix was the daughter and co-heiress of John Roberts, son of Walter Roberts (d.1522) of Glassenbury, Kent. See the will of Walter Roberts, TNA PROB 11/20/22, and:

Edward Hasted, 'Parishes: Cranbrooke', in *The History and Topographical Survey of the County of Kent: Volume 7* (Canterbury, 1798), pp. 90-113. *British History Online* <http://www.british-history.ac.uk/survey-kent/vol7/pp90-113> [accessed 23 October 2018].

[Walter Roberts] died in the year 1522, aged more than eighty years, and was buried under the old tomb on the north side of the south chancel. . . .

Testatrix' mother

The testatrix' mother was Mary Sackville, the daughter of Richard Sackville (d. 28 July 1524) of Withyham, Sussex, and Isabel Digges, the daughter of John Digges of Barham, Kent. For Richard Sackville and Isabel Digges and their children, see his will, TNA PROB 11/21/446; Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. I, p. 656; and Brydges, Egerton, *Collins's Peerage of England*, Vol. II, (London: F.C. and J. Rivington, 1812), pp. 103-4 at:

http://archive.org/stream/collinsspeerage_02coll#page/102/mode/2up

The testatrix' mother, Mary Sackville, was the sister of Mildred Sackville, who, as noted above, married, as his second wife, Sir William Fitzwilliam (d. 9 August 1534), grandfather of Lady Burghley, Lady Bacon and Lady Russell. See *Plantagenet Ancestry*, *supra*.

The testatrix' mother, Mary Sackville, was also the sister of John Sackville (by 1484-1557), who married firstly Margaret Boleyn (died c.1533), sister of Thomas Boleyn (c.1477 – 12 March 1539), 1st Earl of Wiltshire. For John Sackville, see his will, dated 1 July 1556, TNA PROB 11/42B/539, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1509-1558/member/sackville-john-i-1484-1557>

b. by 17 Mar. 1484, 1st s. of Richard Sackville of Withyham by Isabel, da. of John Digges of Barham Kent, bro. of Richard Sackville I. m. (1) by 1507, Margaret, da. of Sir William Boleyn of Blickling, Norf., 3s. Christopher, John II and Richard Sackville II 3da.; (2) by 1534, Anne, da. of Humphrey Torrell of Willingale Doe; Essex, s.p. suc. fa. 28 July 1524.1

The testatrix was a first cousin of John Sackville's eldest son, Sir Richard Sackville (by 1507 – 21 April 1566), for whom see the *ODNB* entry, and the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1558-1603/member/sackville-sir-richard-1507-66>

Testatrix' siblings

An undated Chancery suit, TNA C 1/1512/22-23, brought by 'Jane, Denise, Alice and Constance, granddaughters and heirs of Walter Roberth, esquire', suggests that the testatrix was the eldest of four sisters.

MARRIAGE AND ISSUE

The testatrix married, by 1539, Sir William Fitzwilliam (c.1506 - 3 October 1559), the second son of Thomas Fitzwilliam of Baggotrath Castle, Dublin, and his wife, Eleanor Dowdall, daughter of John Dowdall and his wife, Margaret D'Artois, daughter and heir of Sir Jenico D'Artois. For Sir William Fitzwilliam, see his will, TNA PROB 11/42B/624, the *ODNB* entry, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/fitzwilliam-sir-william-i-1559>

For Sir William Fitzwilliam, see also Nichols, John Gough, ed., *The Topographer and Genealogist*, Vol. III, (London: John Bowyer Nichols and Sons, 1858), p. 406 at:

<https://books.google.ca/books?id=Nh0IAAAAQAAJ&pg=PA406>

By Sir William Fitzwilliam the testatrix had four daughters:

* **Mabel Fitzwilliam** (d.1564?), who married Sir Thomas Browne (d. 9 February 1597), only son of Henry Browne (d.1545?), esquire, by his first wife, Katherine Shelley, the daughter of Sir William Shelley (d. 4 January 1549) of Michelgrove (in Clapham),

Sussex, and Alice Belknap, the daughter of Henry Belknap (d. 3 July 1488), esquire. For the will of Henry Browne, see TNA PROB 11/32/421. For the will of Henry Belknap, proved 2 December 1488, see TNA PROB 11/8/280. Alice Belknap's sister, Elizabeth Belknap, married Sir Philip Cooke (c.1454 - 7 December 1503) of Gidea Hall (in Havering), Essex, by whom she was the grandmother of Sir Anthony Cooke (d. 11 June 1576), and the great-grandmother of Sir Anthony Cooke's five daughters, including Lady Burghley, Lady Bacon and Lady Russell. See Richardson, Douglas, *Plantagenet Ancestry*, 2nd ed., 2011, Vol. I, pp. 232-7. For the inquisition post mortem taken in 1574/5 after the death of Mabel Fitzwilliam Browne, see TNA C 142/170/5.

By Sir Thomas Browne, Mabel Fitzwilliam was the mother of a son and two daughters:

(1) Sir Matthew Browne (died c.1603), the trustee of Nicholas Brend, owner of the land on which the Globe Theatre was built. See *Plantagenet Ancestry, supra*, Vol. I, p. 414.

(2) Jane Browne, who married Sir Oliph Leigh (d.1612). See the History of Parliament entry for their son, Sir Francis Leigh (1590-1644) at:

<https://www.historyofparliamentonline.org/volume/1604-1629/member/leigh-sir-francis-ii-1590-1644>

bap. 6 Sept. 1590, o.s. of Sir Oliph Leigh of Addington and Jane, da. of Sir Thomas Browne† of Betchworth Castle, Surr. educ. Trin., Oxf. 1607; I. Temple 1610. m. (1) 5 June 1610, Elizabeth (d. 1 Dec. 1615), da. and h. of William Mynterne of Thorpe, Surr., 3s. (2 d.v.p.) Ida.; (2) by 1619, Christian (d. c.1660), da. of Sir John Thynne of Longleat, Wilts., 6s. (2 d.v.p.) 2da. (1 d.v.p.). suc. fa. 1612; 1 kntd. Jan. 1613. 2 d. 13 Dec. 1644.3*

(3) Elizabeth Browne, who married, in 1584, as his second wife, Robert Honeywood (1545-1627) of Marks Hall, who married firstly, in 1569, Dorothy Croke, the daughter of John Croke and Dorothy Theobald. Robert Honeywood was the son of Robert Honeywood (1525-1576) of Charing, Kent, and Mary Waters (d. 11 May 1620), the daughter and coheir of Robert Waters of Lenham, Kent. See the pedigree of Honeywood of Evington, Kent, in *The English Baronetage*, Vol. III, Part I, (London: Thomas Wotton, 1741), p. 106 at:

<https://books.google.ca/books?id=2GQUAAAAYAAJ&pg=PA106>

It should be noted that on 23 May 1584 Oxford acknowledged a bond of £3000 to 'Honeywood', likely Robert Honeywood (1545-1627). See TNA PRO 30/34/14.

After the death of the testatrix' daughter, Mabel Fitzwilliam (d.1564), Sir Thomas Browne married secondly, by 1 August 1575, Helen Harding (1537-1601), widow of Richard Knyvet and daughter and heiress of William Harding (d. September 1549), by whom he had one son, Richard Browne, mentioned in the will below. See the will of Helen Harding, TNA PROB 11/98/226.

* **Katherine Fitzwilliam**, who married, as his first wife, Christopher Preston (1536/7–1600), 4th Viscount Gormanston, by whom, according to the will below, she had a daughter, Jane Preston. After the death of the testatrix' daughter, Katherine Fitzwilliam, Christopher Preston is said to have married a second wife, also named Katherine Fitzwilliam (d.1602?). See the *ODNB* entry for Thomas Preston, 1st Viscount Tara:

Preston, Thomas, first Viscount Tara (b. in or after 1585, d. 1655), soldier, was the second son of Christopher Preston, fourth Viscount Gormanstown (1536/7–1600), and his second wife, Catherine Fitzwilliam (d. 1602?), daughter of Sir Thomas Fitzwilliam of Baggotsrath, co. Dublin.

See also *Sharp's Peerage of the British Empire*, Vol. I, (London: John Sharpe, n.d.), p. 2 at:

<https://books.google.ca/books?id=j8Mda-vvDxEC&pg=RA50-PA2>

See also Cracroft's Peerage at:

<http://www.cracroftspeerage.co.uk/online/content/gormanston1478.htm>

* **Elizabeth Fitzwilliam** the elder.

* **Elizabeth Fitzwilliam** the younger.

One of the testatrix' daughters named Elizabeth (b.1544?) married Francis Jermy (d.1611?) of Brightwell, the son of Sir John Jermy and Margaret Teye, eldest daughter and coheir of Sir Thomas Teye, by whom, according to the will below, she had a daughter, Jane Jermy. See the pedigree of Jermy in Metcalfe, Walter C., ed., *The Visitations of Suffolk*, (Exeter: William Pollard, 1882), p. 196 at:

<https://archive.org/details/visitationsofsuf00harvuoft/page/196>

See also the Jermy pedigree in Rye, Walter, ed., *The Visitacion of Norfolk*, (London: Harleian Society, 1891), Vol. XXXII, p. 173 at:

<https://books.google.ca/books?id=HS8EAAAIAAJ&pg=PA173>

See also Blomefield, Francis, *An Essay Towards a Topographical History of the County of Norfolk*, Vol. V, (London: William Miller, 1806), p. 387 at:

<https://books.google.ca/books?id=3kouAAAAMAAJ&pg=PA387>

The other daughter of the testatrix named Elizabeth married Innocent Rede, esquire, by whom she had a daughter, Anne Rede. According to a Chancery suit dated 26 November 1586, TNA C 78/120/19, Innocent Rede was the son of Sir Richard Rede (d. September

1560?) of Redbourn, Hertfordshire. See the will of Sir Richard Rede, dated 27 March 1559, but not proved until 11 July 1576, TNA PROB 11/58/251, and Ball, F. Elrington, *The Judges in Ireland, 1221-1921*, Vol. I, (London: John Murray, 1926), p. 204 at:

<https://books.google.ca/books?id=rqeSXWqKAD8C&pg=PA204>

For the testatrix' daughters, see also 'The Manor of Beadlow' at:

<http://bedsarchives.bedford.gov.uk/CommunityArchives/Beadlow/TheManorOfBeadlow.aspx>

In 1553 King Edward VI (1547-1553) gave Beadlow Manor to Sir William Fitzwilliam and his wife Joan. He died in 1558 and she died shortly afterwards, leaving the manor to be divided between their four daughters Mabel, wife of Thomas Browne, Katherine, wife of Christopher, Viscount Gormanston, Elizabeth, wife of Francis Jermie and another Elizabeth, wife of Innocent Rede. Mabel died in 1564 and was succeeded by her son Matthew who sold his share to Richard Charnock in 1585. This gave him the whole of the manor as he had already acquired the quarter shares of the other three Fitzwilliam girls.

RM: T{estamentu}m D{omi}ne Jane ffitzwillyams

In the name of God, Amen. The fifteenth day of October in the sixteenth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France & Ireland, Defender of the Faith etc., Anno Domini one thousand five hundred seventy and four, I, Dame Jane Fitzwilliam of Chertsey in the county of Surrey, late the wife of Sir William Fitzwilliam, knight, late of Windsor in the county of Berkshire, deceased, being of whole and perfect memory, thanks be given to God, yet calling to mind the uncertainty and instability of this mortal life and the way of all flesh, I do ordain and make this my last will and testament in manner and form following:

First I bequeath my soul to Almighty God, my Maker, and to Jesus Christ, my Redeemer, trusting only by the merits of his death and passion to enjoy with him eternal life;

Item, I will that after my soul is departed this mortal life that my body shall be buried at New Windsor in the chancel called Sir Reginald Bray's chapel near unto the place where the body of my late husband was buried;

Item, I will that my executors hereafter named shall bestow upon and about my funerals in blacks and other things as shall be to their discretion thought necessary the sum of one hundred pounds, wherein I will that there shall be as little pomp used as may be;

Item, I will that my executors hereafter named shall, with the licence of my son-in-law, Thomas Browne, esquire, during one month after my decease keep my house at Chertsey and provide for all my household servants meat and drink convenient for the said month;

Item, I give to every household servant of mine other than those whom hereafter shall be specially named so much money as he or she taketh of me for a year's wages, and I do earnestly desire my executors and other my good friends that they will help to provide masters for my said servants;

Item, I will and bequeath to Jane Preston, my daughter's daughter, one hundred pounds to be paid her at the day of her marriage or at th' end of five years as my executors shall think good, and a pair of virginals;

Item, I give unto Jane Browne, my daughter's daughter, one hundred pounds to be paid at the day of her marriage or within six years after my death as my executors shall think good, and a pair of virginals;

Item, I give unto Elizabeth Browne, my daughter's daughter; Jane Jenny [sic], my daughter's daughter, and Anne Reve [sic], my daughter's daughter, to every of them twenty pounds, and a pair of virginals to Anne Reade, to be paid at the day of their several marriages or else within six years after my decease as my executors shall think good;

Item, I will unto Arthur Clarke, my kinsman, ten pounds which I do owe unto him and also other ten pounds which I will shall be paid unto him as soon as my executors shall be able to make it of my farms;

Item, I will and bequeath to my daughter, the Lady of Gormanston, two great silver pots, two great bowls of silver, two silver salts, four great spits and four great pots;

Item, I give all my linen and napery not hereafter given amongst my three daughters evenly to be divided by mine executors, wherein I would my Lady Gormanston, my daughter, should have the better part;

Item, I will and bequeath unto my daughter Jermyn [sic for 'Jermy?'] my wedding-ring and my bracelets of gold, six featherbeds with bolsters to them, the hangings of my best lodging-chamber, one chair and two cushions of needlework, four spits and four brass pots;

Item, I give to my daughter Reade six featherbeds with bolsters, coverlets, blankets belonging to them, four spits and four brass pots;

Item, I give to Matthew Browne, my nephew [=grandson], the hangings, tables, forms, stools and cupboards in my dining-chamber, my great new bedstead of walnut-tree, and all my brewing vessels to continue here in my house as standards;

Item, I give to Mr Richard Browne my young bay trotting gelding;

Item, I give to my son [=son-in-law] Reade my black mare with her young colt;

Item, I give unto Mr John Cowper my young bay bald ambling gelding, and my great press or cupboard to put writings in, and also my old hobby, desiring him to keep him for me so long as he will live;

Item, I give to Mrs Fowler [f. 355v] the bed I myself lie on and all things belonging to the same, and the hangings [+in?] my chamber, and one cupboard, and all other things belonging to the same chamber except the chests;

The other in my chamber I give her daughter, Anne Fowler, with all things thereto belonging;

Item, I give more to Mistress Fowler three pair of sheets, three pair of pillow-beres;

Item, I give to Anne Fowler, her daughter, half a garnish of vessel, two brass pots and two spits, three pair of sheets and two pair of pillow-beres;

Item, I give to every one of my sister Clarke's daughters that are unmarried one featherbed with furniture and all things thereunto belonging and two pair of sheets, two brass pots, two spits and half a garnish of vessel;

Item, I give unto Sir John Hobson, my man, ten pounds and one gelding, the bed in the chamber where he lieth and all things thereunto belonging and two pair of sheets, and such benefit as I may take by a forfeiture committed by Richard Sawkins, farmer of a copyhold in Chertsey;

Item, I give unto my servant, Christopher Cotton, all such rent of corn and grain and other things that I receive, have or may have yearly out of my farm of Egham by the hands of the farmer there during all such years as I have to come in the same;

Item, I give unto Jane Walter to her marriage six pounds thirteen shillings four pence to be paid within six years after my death, one featherbed, one bolster, two blankets, one coverlet and two pair of sheets;

Item, to Richard Walter forty shillings;

Item, to Richard Newes forty shillings;

Item, to Joan Paine forty shillings;

Item, to Walkerham(?) the butcher, my man, two quarters of rye and three quarters of malt;

Item, to Henry Gray, my servant, five marks a year during the years in my farms if he live so long, and one quarter of wheat, two quarters of rye and three quarters of barley during the said years if he so long live;

Item, I give and bequeath to John Simondes, my cook, four marks a year during my said leases if he so long live, and also one quarter of rye & a quarter of barley;

Item, I give and bequeath unto Ellen Herington, my servant, twenty shillings yearly during the years in my said leases if she so long live, two quarters of rye and three quarters of barley during the time aforesaid, one featherbed with all furniture to the same, and one cow;

Item, I give to William Watchett, my boy, three pounds six shillings eight pence to bind him apprentice with some good master to an occupation;

Item, I give to Giles, my man, the bed he lieth on with all things thereunto belonging;

Item, I give to George, my man, the bed he lieth on;

Item, I give to John Dawes twenty shillings;

Item, I give unto the poor people of Chertsey five marks a year during my leases of Chertsey &(?) Thorp;

Also I ordain and make th' executors of this my last will John Cowper, esquire, and Christopher Cotton, gentleman, to see this my will performed;

And the overseers of this my will I make my Lord Bishop of Rochester and Thomas Browne, esquire;

I give to Mistress Fortescue my fawn cruse;

And my great pot covered with silver to John Hemingwaye;

In witness whereof I, the said Dame Jane Fitzwilliam, have to every leaf of this my last will subscribed my name and hereunto have set my seal in the presence of these whose names are hereafter written: Edmond Roffell(?), Innocent Rede, John Cowper, Edward Horden, Henry Gile, John Hemingwey, Christopher Cotton, Sir John Hobson.

Probatum fuit testamentu{m} h{uius}mo{d}i coram Mag{ist}ro Will{el}mo Drewrie legu{m} Doctore Curie Prerogatiue Cantuar{iensis} Comissario apud London decimo quarto die Mens{is} Novembris Anno d{omi}ni Mill{es}imo Quingen{tesi}mo Septuagesimo quinto Iuramento Mag{ist}ri Edwardi Orwell Notarij publici p{ro}cur{ator}is Dictor{um} Ioh{ann}is Cowper et Chr{ist}oferi Cotton Executor{um} &c Quib{us} Comissa fuit Admi{n}istrac{i}o &c de bene &c ac de pleno fideli Inuentario &c Necnon de plano et vero Comp{ot}o &c Iurat{i} &c

[=The same testament was proved before Master William Drury, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury, at London on the fourteenth day of the month of November in the year of the Lord the thousand five hundred seventy-fifth by the oath of Master Edward Orwell, notary public, proctor of the said John Cowper and Christopher Cotton, executors etc., to whom administration was granted etc., sworn to well etc., and [+to exhibit?] a faithful inventory etc., and also [+to render?] a plain and true account etc.]