

SUMMARY: The document below is an order dated 29 January 1627(?) in a lawsuit brought in the Court of Chancery by the family of Nicholas Brend (d. 12 October 1601), who had leased the land on which the Globe playhouse was built to William Shakespeare of Stratford upon Avon and other members of the Lord Chamberlain's Men on 21 February 1599, against Sir John Bodley, landlord of the Globe from 1601-1622, claiming that Bodley had unduly enriched himself as a trustee appointed under the will of Nicholas Brend. For Bodley's role in the financial affairs of Nicholas Brend and as landlord of the Globe after Brend's death, see TNA C 54/1682, mm. 10-11.

The Brends' bill of complaint and Sir John Bodley's answer have not survived. For the Brends' replication, see TNA C 2/ChasI/Z1/6. For the interrogatories, see TNA C 24/496/114, m. 9. For the depositions given in response to the interrogatories by William Fellows, Mary Strelley, George Archer and Mercy Brend Frobisher, see TNA C 24/496/114, ff. 1-8.

After a full hearing on 26 June 1626, the case was dismissed with costs against the Brends, the Court having determined that Sir Matthew Brend had no standing since the properties concerned were not part of his inheritance.

For other orders in the case, see TNA C 33/147, ff. 932-3; TNA C 33/149, f. 537; TNA C 33/149, f. 936; and TNA C 33/151, f. 485.

The date of the order appears to be 29 January 1627, since it refers to the award for costs made at the hearing of the case on 26 June 1626.

29 Ian{uarij} [=29 January 1627?]
 Sigismond Zinzan mil{es} & Margaret
 vx{or} eius Mattheas Brend mil{es} Iana Brend et al{ii} & Iohn
 Bodley mil{es} defendant

Where by an order of the 26th of June last(?) £10 costs was awarded against the plainants upon the dismissal of the cause upon a full hearing, and if is should appear that the bill was exhibited with the privity and consent of the Lady Zinzan, then the said Sir Sigismund Zinzan was ordered to bear a share in payment of the said costs;

Upon opening of the matter this present day unto this Court by Mr Rogers, being of counsel with the said Sir Matthew Brend, and upon the showing forth of an affidavit made by the said Sir Matthew Brend testifying the Lady Zinzan's privity and consent to the exhibiting of the said bill, and therefore it was proved that the said Sir Matthew paying his proportionable part of the said £10 costs which, as(?) was alleged, amounteth to 40s, there being 5 plainants liable, the said Sir Matthew might be discharged;

It is therefore ordered that such [f. 528v] of the 6 Clerks as are not towards the cause shall take consideration hereof, and as they shall think fit and certify, the same is ordered accordingly. Pen. Cha.