

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 20 August 1591 and proved 30 October 1596, of Rowland Maylard (d.1596) of Hampton Court, gentleman, brother-in-law of Nicholas Brend (d. 12 October 1601), who leased the ground on which the Globe playhouse was built by lease dated 21 February 1599 to Richard Burbage (1568-1619), Cuthbert Burbage (1564/5-1636), William Kempe, Augustine Phillips (d.1605), Thomas Pope (d.1603) John Heminges (1566-1630) and William Shakespeare (1564-1616) of Stratford upon Avon (see TNA REQ 4/1/2):

for the said gardens and grounds whereupon the said playhouse & galleries were afterwards builded were demised & letten by the said Nicholas Brend by his indenture of lease tripartite bearing date in or about the 21st day of February in the 41st year of the reign of the late Queen Elizabeth [=21 February 1599] unto Cuthbert Burbage, Richard Burbage, William Shakespeare, the said Augustine Phillips, Thomas Pope, the said John Heminges, one of the said defendants, and William Kempe, to have and to hold the one moiety of the said garden plots and ground to the said Cuthbert Burbage and Richard Burbage, their executors, administrators & assigns, from the feast of the birth of Our Lord God last past before the date of the said indenture [=25 December 1598] unto the end & term of 31 years from thence next ensuing [=24 December 1629] for the yearly rent of seven pounds & five shillings, and to have & to hold the other moiety of the said garden plots & grounds unto the said William Shakespeare, Augustine Phillips, Thomas Pope, the said John Heminges, one of the said defendants, & William Kempe, their executors, administrators & assigns, from the said feast of the birth of Our Lord God then last past before the date of the said indenture unto the said full end & term of 31 years from thence next ensuing for the like yearly rent of seven pounds & five shillings.

The testator was a servant of William Howard (c.1510-1573), 1st Baron Howard of Effingham, Lord Chamberlain of the Household, and of his son, Charles Howard (1536-1624), 2nd Baron Howard of Effingham. The testator was twice a member of Parliament, and was Keeper of the Gardens at Hampton Court by 1573, and Master of the Swans on the Thames by 1593. See:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/maylard-rowland-1596>

For a letter from Rowland Maylard sent on behalf of Lord William Howard to Sir William More (1520-1600) of Loseley, see:

http://www.exploringsurreypast.org.uk/GetRecord/SHLOS_869

See also:

<http://www.nationalarchives.gov.uk/a2a/records.aspx?cat=176-6729&cid=7-148&kw=Surrey%20History%20Centre#7-148>

Letter from Charles, Lord Howard, the Court at Whitehall, to Sir William More. By the powers invested in the custos rotulorum by the statute of 37 Henry VIII, Howard had appointed Roland Maylard. Maylard having died, Howard has appointed his 'servant' Francis Joy' and More should 'lay upon him such services of the shire as concern that office'. If any other claims the place 'let him take his remedy by due course of law'. [HMC p.653a; see 6729/7/96-101, 103-104] 6729/7/102 23 Nov 1594.

The testator's wife, Mary (nee Brend), was the daughter of Thomas Brend (d.1598) and his first wife, Margery. For the will of Thomas Brend, see TNA PROB 11/93/316. For the inquisition post mortem of Thomas Brend, which states that the Globe playhouse was in the possession of William Shakespeare of Stratford upon Avon, see TNA C 142/257/68:

one house newly built with a garden to the same appertaining in the parish of Saint Saviour's aforesaid in the county of Surrey aforesaid in the occupation of William Shakespeare and others

For a debt owed to the testator's wife, Mary, by her brother, Nicholas Brend, see TNA C 54/1722, mm. 5-7, and the will of Nicholas Brend, TNA PROB 11/98/348.

For the nuncupative will of the testator's daughter, Mary Maylard, dated 22 February 1604 and proved 16 March 1604, see TNA PROB 11/103/317.

For the testator's overseer, Anthony Holt (d.1603) of Mortlake, Surrey, see:

'Parishes: Mortlake', A History of the County of Surrey: Volume 4 (1912), pp. 69-74.
URL: <http://www.british-history.ac.uk/report.aspx?compid=43033>:

In the tower [of the church of St Mary the Virgin in Mortlake, Surrey] a small brass inscription runs, 'Here lyeth the body of Anthony Holt, Clark Comptrowler to the Queenes most excellent Matie Queene Elizabeth, who served in the Court for the space of fyve and fortie yeres and deceased the first daye of March in the yere of our Redemption 1602 and the three score and three yere of his age. By thinkinge of Death, he hath obtained Lyfe.'

For the will of Anthony Holt, see TNA PROB 11/101/310.

The testator was appointed as an overseer of his will by William Slywright (d.1578). See TNA PROB 11/60/518.

RM: Rowland Maylard

In the name of God, Amen. The twentieth day of August 1591 in the three and thirtieth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England,

France and Ireland, Defender of the Faith etc., I, Rowland Maylard of Hampton Court in the county of Middlesex, gentleman, of perfect mind and memory, laud and praises be unto Almighty God, calling to mind the uncertainty of man's life here on earth, do make & declare this my present testament and last will in manner and form following, that is to say:

First and principally I commend my soul unto Almighty God, my Maker & Creator, and to his Son, Jesus Christ, my only Saviour & Redeemer, through the merits of whose most precious death and passion only & by no other means I hope to be saved and to enjoy eternal life in the kingdom of heaven, and my body I leave to the earth from whence it came, to be buried in the chancel of the parish church of Hampton where I dwell, and my funeral to be done in decent sort without any great charge by the discretion of mine executrix under-named;

Item, I will that all such debts as I shall owe to any person or persons at my decease shall be truly answered and paid as shortly after my decease as conveniently may be;

And as touching the disposition of all my moveable goods, jewels, plate, ready money, corn, grain, debts, cattle and all other my goods, chattels and things whatsoever, I will and my full mind is that as shortly after my decease as may be the same be justly and truly inventoried & valued by indifferent persons to be thereunto appointed by mine executrix and overseers under-named at their most values or at the least wise at such rates and values as every thing particularly shall be reasonably worth to be sold, and the same being brought into one entire and gross sum, I will and my mind is that, my funeral charges, debts and legacies deducted, the same shall be parted and divided into two equal parts or portions, the one moiety thereof I give and bequeath to Mary, my well-beloved wife, to her only use & behoof, and the other moiety thereof I give, will and dispose unto and amongst my five children, Thomas Maylard, John Maylard, Rowland Maylard, Charles Maylard and Mary Maylard, equally to and amongst them to be divided and paid part and portion like at their several lawful ages of twenty and one years or marriages, which first shall happen, by mine executrix under-named;

And if any of them, my said children, fortune to die or decease out of this mortal world before th' accomplishment of the said age or marriage aforesaid, that then the part and portion, parts and portions, of him, her or them so deceasing to be and remain to & amongst the survivors or survivor of them, and to the same survivors or survivor to be paid [+&] delivered at the age or marriage aforesaid;

Item, I do give & bequeath towards the reparations of the church of Hampton aforesaid where I dwell five shillings;

Item, I give and bequeath unto the poor of the same parish the sum of four marks in money, to be distributed by mine executrix unto such as shall be most needy by the discretion and appointment of my very good neighbours and friends, Mr Pigion and master vicar of the same parish, whom I desire to bestow their travails therein;

Item, I give and bequeath to every of my servants that shall be in my service at my decease, as well menservants as women servants, five shillings apiece over and above their wages to them then due;

And of this my present testament and last will I do ordain, constitute and make the said Mary, my well-beloved wife, my full & only executrix, not doubting but as she is mother of my said children, and thereby ought in nature to cherish and love them with all care and kindness, so she will let them have their own according to the intent and meaning of this my will, which I require and charge her to do as she will answer before God;

And for the better performance of this my will and testament I make & appoint mine especial and trusty friends Mr Anthony Holte and my well-beloved brother-in-law, Mr George Sayres, mine overseers of the same, desiring them to be careful to see this my will performed according to the true meaning and intent thereof, as I hope and trust they will;

And my further will and mind is that either of them, my said overseers, shall have to him delivered by my said executrix within three months next after my decease a ring of gold with a death's-head of the value of twenty shillings apiece in token of my goodwill unto them and remembrance of man's frailty in this transitory life;

And I utterly revoke all former wills, legacies, bequests, executors & overseers by me heretofore made, ordained and devised as things clearly void, willing these presents to stand for my very testament and last will & none other nor otherwise;

In witness whereof to this my present testament and last will containing three sheets of paper, I, the said Rowland Maylard, the said testator, have set my seal, and to every leaf thereof subscribed my name the day and year first above-written. Rowland Maylard.

Eight of September 1591

Whereas by this my last will and testament I have appointed that after the inventorying of my goods and chattels the same shall be sold to their uttermost values, now be it known unto all men that my very will is there shall be no more of the same goods and chattels sold than mine executrix within-named shall willingly asset unto, and at her own choice and election, but yet nevertheless she shall be answerable for such rate and sum as shall grow due, after the inventorying and praising of my said goods and chattels, unto my children, without bonds. Rowland Maylard.

October 25 day

Also where I have passed a surrender of a tenement in Hampton upon Thames in the county of Middlesex unto one John Knolles and his wife, and entered into a bound [=bond] of £30 unto one Richard Lecavile(?) of the same town of Hampton that the said John Knowllis and his heirs shall enjoy the same, if therefore my son, Thomas Maylard, who had the right thereof, shall refuse to ratify and confirm my grant either by surrender

or other wise as the case shall require, that then my will is he shall have no part nor portion of my goods or chattels, but shall be excluded from the same notwithstanding anything contained in this my will, and that the part or portion which should come to him shall go to the benefit of my executrix. Rowland Maylard. Ex{aminatur} p{er} me, Edward Saye.

Probatum fuit Testamentum suprascriptum apud London coram m{agist}ro Will{el}imo Bird legum doctore Surrogato Venerabilis viri m{agist}ri Will{el}imi Lewin legum etiam doctoris curie prerogative Cant{uariensis} m{agist}ri custodis siue com{m}issarij l{egi}time deputati Tricesimo die mens{is} Octobris Anno D{omi}ni Mill{es}imo quingen{tesim}o nonagesimo sexto Iuramento Edwardi Saye notarij publici procur{ato}ris Marie Maydard [sic] Relicte dicti def{uncti} et Executricis in h{uius}mo{d}i Testamento no{m}i{n}at{e} Cui com{m}issa fuit administrac{i}o etc De bene et fidelit{e}r administrand{o} etc Ad sancta Dei Evangelia Iurat{i}

[=The above-written testament was proved at London before Master William Bird, Doctor of the Laws, Surrogate of the worshipful Master William Lewin, also Doctor of the Laws, lawfully deputed Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the thirtieth day of the month of October in the year of the Lord the thousand five hundred ninety-sixth by the oath of Edward Saye, notary public, proctor of Mary Maylard, relict of the said deceased and executrix named in the same testament, to whom administration was granted etc., sworn on the Holy Gospels to well and faithfully administer etc.]