

SUMMARY: The document below is a copy of Walter Getley's surrender of a copyhold tenure to William Shakespeare of Stratford on 28 September 1602. The property consisted of a quarter acre of land with a cottage which faced the lower grounds of New Place, and was held of the manor of Rowington. The manor had been granted by the Queen to Leicester's brother, Ambrose Dudley (c.1530 – 21 February 1590), Earl of Warwick, and after his death was held by his widow, Anne (nee Russell) Dudley (1548/9 – 9 February 1604), the daughter of Francis Russell (1526/7 – 28 July 1585), 2nd Earl of Bedford. At Anne Russell's death in 1604 the manor reverted to the Crown, from which it can be inferred that William Shakespeare of Stratford held this copyhold tenancy from the Crown for a time. He left it in his will to his elder daughter, Susanna, with a proviso that his younger daughter, Judith, should be paid £50 for her interest.

The original court roll is not extant, but the copy below from which we derive knowledge of its existence is held by the Shakespeare Birthplace Trust. See Lewis, B. Roland, *The Shakespeare Documents*, (Stanford: Stanford University Press, 1941), Vol. II, pp. 347-52.

According to Lewis:

It was compulsory, by custom, that the holder (or vendor) of a copyhold tenure appear in the Court of the Manor and surrender to the lord his tenure; in turn, upon proper expression of homage, the lord admitted the purchaser (or vendee) to the copyhold tenure. The process was legally that of surrender, followed by admittance. In the Court Rolls, the steward recorded the transaction . . . The entry thus written in the rolls of the Court of Record was a copyhold; and the land so held by virtue of this written entry was termed a copyhold.

As noted, both vendor and vendee were required to appear in court to transfer the tenure. Getley duly appeared via his attorney, who surrendered the copyhold into the hands of the Lady of the manor, i.e. the Countess, after which the entry continues, 'And it thus remains in the hands of the Lady of the manor aforesaid until the foresaid William Shakespeare shall have come to receive the premises aforesaid'. Lewis interprets these words as evidence that William Shakespeare was not personally present at the view of frankpledge on 28 September 1602, but concludes that he must have appeared subsequently to do homage because he left the copyhold in his will to his elder daughter, Susanna, with a proviso that his younger daughter, Judith, surrender her interest in return for a payment of £50.

For the document below see also:

<http://www.sourcetext.com/sourcebook/1604.htm>.

For Anne (nee Russell) Dudley, Countess of Warwick, her husband, Ambrose Dudley, Earl of Warwick, and her father, Francis Russell, 2nd Earl of Bedford, see the *ODNB* entries.

Since the document below originated in Warwickshire, it should be noted that the spelling of the first syllable of the vendee's surname as 'Shacke' in one instance and as 'Shake' in the other establishes that in Warwickshire the surname was pronounced in the same way irrespective of spelling. We cannot recover Elizabethan pronunciation, and it is unclear exactly how 'a' was pronounced by the Elizabethans. What is clear is that the pronunciation of this surname would have been identical, whether it was spelled 'Shacke' or 'Shake', since the surname in question belonged to a single individual.

The transcript below was prepared from the facsimile in Lewis, *supra*.

Rowington

View of frankpledge with court baron of the most noble Lady Anne, Countess of Warwick, held there the 28th day of September in the forty-fourth year of the reign of our Lady Elizabeth by the grace of God Queen of England, France & Ireland, Defender of the Faith etc., before Henry Michell, gentleman, deputy steward of John Huggefurd, esquire, chief steward there.

To this court came Walter Getley by his attorney, Thomas Tibbotts the younger, one of the customary tenants of the manor aforesaid (the foresaid Thomas Tibbotts being sworn for the truth thereof), & surrendered into the hands of the Lady of the manor aforesaid one cottage with its appurtenances situate, lying and being in Stratford upon Avon in a certain street there called Walker's Street alias Dead Lane, to the use & behoof of William Shakespeare & his heirs forever according to the custom of the manor aforesaid;

And it thus remains in the hands of the Lady of the manor aforesaid until the foresaid William Shakespeare shall have come to receive the premises aforesaid;

In testimony of which thing the foresaid Henry Michell to this present copy has affixed his seal the day & year abovesaid.

By me, Henry Michell.

LM: Rowington s{cire} s{cilicet}
 28 Sep{tembris}(?)
 1602
 C.M.

vis{u}s ffranc{i} pleg{ij} cum cur{ia} baron{is} p{re}nobilis D{omi}ne Anne
 Comitisse Warwici ib{ide}m tent{us} xxviiio die Septembris Anno regni D{omi}ne
 n{ost}re Elizabeth{e} dei grac{ia} Anglie ffranc{ie} & hib{er}nie Regine fidei

defens{oris} &c quadragesimo quarto coram henr{ici} michell Gen{er}oso deputat{o}
Scenescall{o} Ioh{ann}is Huggefurd Ar{migeri} Capit{a}lis Scenescalli ib{ide}m

Ad hanc Cur{iam} ven{it} Walt{er}us Getley p{er} Thomam Tibbott{es} Iun{iorem}
Attorn{atum} suu{m} vnu{m} Customar{iorum} Tenen{cium} man{er}ij
p{re}d{i}c{t}i (p{re}d{icto} Thoma Tibbott{es} Iur{ato} p{ro} veritate inde) &
sursumredd{idit} in manus d{omi}ne man{er}ij p{re}d{i}c{t}i vnu{m} cotagiu{m} cum
p{er}tin{entijs} scit{uatum} iacen{s} & existen{s} in Stratford sup{er} Avon in quodam
vico ib{ide}m vocat{o} Walkers streete al{ia}s dead lane ad opus & vsum Will{elm}i
Shackespere & hered{um} suor{um} imp{er}p{etuu}m s{e}c{un}d{u}m
Cons{uetudinem} man{er}ij p{re}d{i}c{t}i Et sic remanet in manib{us} d{omi}ne
man{er}ij p{re}d{i}c{t}i quousq{ue} p{re}d{i}c{t}us Will{elmu}s Shakespere
ven{erit} ad capiend{um} p{re}missa p{re}d{i}c{t}a In cuius rei testimoniu{m}
p{re}d{i}c{t}us henr{icus} michell huic p{re}sent{i} copie sigillu{m} suu{m} apposuit
die & anno sup{ra}d{i}c{t}is

p{er} me Henr{icum} Michell