

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 20 April 1599 and proved 5 May 1599, of Judith Brend, whose step-brother, Nicholas Brend, leased the ground on which the Globe 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 legacies in the will indicate that the testatrix was the daughter of Thomas Brend (d.1598) and his second wife, Mercy (nee Collett) Bodley Brend (d.1597). For the will of Thomas Brend, see TNA PROB 11/93, ff. 270-1. For the inquisition post mortem taken on 17 May 1599 after the death of Thomas Brend, see TNA C 142/257/68. In the inquisition the Globe is described as:

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.

The testatrix' stepbrother 'John Bodley, gentleman' to whom she leaves £50 in the will below, was Sir John Bodley of Streatham (d.1623?), the only son of Francis Bodley (d.1566) and the testatrix' mother, Mercy (nee Collett) Bodley Brend (d.1597). For the pedigree of Bodley, see Bannerman, W. Bruce, ed., *The Visitations of the County of Surrey*, (London: Harleian Society, 1899), p. 147. For the will of Francis Bodley, see TNA PROB 11/48, ff. 313-14.

According to this website, the testatrix conveyed property left to her in her father's will to her step-brother, Nicholas Brend, in 1598:

http://books.google.com/books?id=M_9vQwAACAAJ&dq=inauthor:%22Judith+Brend%22&hl=en&ei=tM1wToCCN4HiiAKsvOTfBg&sa=X&oi=book_result&ct=result&resnum=1&ved=0CC4Q6AEwAA

Conveyance by bargain and sale from Judith Brend to Nicholas Brend

Judith Brend's interest in "The Pomegranet" in Bridge St. alias New Fish Street, in the parish of St. Margaret; and "The Peacock", Candlewick Street, in the parish of St. Mary Abchurch, London.

LM: T{estamentum} Judith Brend

In the name of God, Amen. I, Judith Brend, spinster, one of the daughters of Thomas Brend, late of West Molesey in the county of Surrey, esquire, deceased, being at this present sick in body but in good and perfect remembrance, laud and praise I give unto Almighty God, and considering with myself the mutability of this life and the certainty of death, and to the end to be the better prepared whensoever it shall please God to call me out of this transitory life, do therefore by the sufferance of God make and declare this my present testament wherein is declared my last will in manner and form following, that is to say:

First and principally I commend my soul into the hands of Almighty God, hoping and steadfastly believing through the death and passion of Jesus Christ to be saved and to have free remission and forgiveness of all my sins;

My body I commit to the earth to be buried in such decent and seemly order as to the discretion of Mercy Brend, my loving sister, and John Collett, citizen and Merchant Taylor of London, being my executrix and overseer, shall be thought meet;

Item, I will that all such debts as in right or conscience I shall owe at the time of my decease to any person or persons shall be well and truly paid by my said loving sister;

Item, I give and bequeath unto my loving brother, John Bodley, gentleman, the sum of fifty pounds of lawful money of England, to be paid unto him within eighteen months next after my decease;

Item, I give and bequeath unto the said John Collett, in whose house I now lie or sojourn, the sum of fifty pounds of lawful English money, to be paid unto him likewise within eighteen months next after my decease;

Item, I give and bequeath unto Mercy Pattenson, sister of the said John Collett, five pounds of lawful money of England;

Item, I give and bequeath unto my two brothers, Nicholas Brend and George Seares, twenty shillings sterling apiece to make each of them a ring;

Item, I give and bequeath unto my loving cousin, John Pygeon [=Pigeon], twenty shillings to make him a ring;

Item, I give and bequeath unto my loving sister, Anne Brend, five pounds of lawful England money, to be paid unto her within eighteen months next after my decease in token of my goodwill;

Item, I give and bequeath unto John Collett the younger, son of John Collett the elder, five pounds of lawful English money, to be paid unto him within eighteen months next after my decease;

Item, I give and bequeath unto my cousin, Dorothy Lawrence, forty shillings sterling, to be paid unto her within eighteen months next after my decease;

Item, I give and bequeath unto my uncle, Thomas Brend, five pounds of lawful money of England, to be paid unto him within eighteen months next after my decease;

Item, I give and bequeath unto my cousin, Francis Brend, son of the said Thomas Brend, forty shillings sterling, to be paid unto him within eighteen months next after my decease;

Item, I release and discharge Joan Pearson, widow, of, from and concerning those three pounds sterling which she oweth me, and besides I give and bequeath unto the same Joan the sum of forty shillings sterling, to be paid unto her within eighteen months next after my decease;

Item, I give and bequeath unto my cousin, Dorothy Longe, forty shillings sterling, to be paid to her within eighteen months next after my decease;

Item, [+I] give and bequeath to and amongst poor people, as well inhabiting in the parish where I shall be buried as elsewhere, twenty pounds of lawful English money, to be paid and distributed by my foresaid executrix and overseer where most need to them shall appear;

The rest and residue of all and singular my goods, chattels, debts and other things to me in any wise belonging or appertaining, my debts and funeral expenses being first deducted, I fully and wholly give and bequeath unto my foresaid loving sister, Mercy Brend, whom I ordain and make my full executrix of this my present testament and last will, and I do constitute and appoint the [-the] foresaid John Collett first rehearsed overseer hereof;

In witness whereof hereunto I, the said Judith Brend, have set my hand and seal given the twentieth day of Apirell [sic] one thousand five hundred ninety-nine, and in the one and fortieth year of the reign of our Sovereign Layd [sic] Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc.

Sealed and delivered by the said Judith Brend the day and year aforesaid in the presence of us, Daniel Gossedge, George Siredall, scrivener, and Edward Mathew, servant to the same scrivener. Judith Brend.

Probatum fuit Testamentum suprascriptu{m} apud London coram magistro Richardo Hudson Legum d{o}c{t}ore Surrogato venerabilis viri Magistri Iohannis Gibson Legum etiam d{o}c{t}oris Curie Prerogatiue Cantuariensis Magistri Custodis siue Comissarij legitime constituti Quinto die mensis Maij Anno domini milesimo Quingentesimo nonagesimo nono Iuramento Iohannis Theker notarij public{i} procuratoris Mercie Brend sororis naturalis et l{egit}ime dicte defuncte et Executricis in h{u}i{us}mo{d}i Testamento nominat{e} Cui com{m}issa fuit Administratio bonoru{m} et Iuriu{m} et Creditoru{m} eiusdem defuncte de bene et fideliter administrand{o} &c ad sancta Dei Evangelia Iurat{i} Ex{aminatur}

[=The above-written testament was proved at London before Master Richard Hudson, Doctor of the Laws, Surrogate of the worshipful Master John Gibson, also Doctor of the Laws, lawfully constituted Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the fifth day of the month of May in the year of the Lord the thousand five hundred ninety-ninth by the oath of John Theker, notary public, proctor of Mercy Brend, natural and legitimate sister of the said deceased and executrix named in the same testament, to whom administration was granted of the goods and rights and credits of the same deceased, sworn on the Holy Gospels to well and faithfully administer etc. Examined]