

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 15 June 1597 and proved 8 May 1599, of Thomas Brend (d. 21 September 1598) of West Molesey, who owned the ground on which the Globe playhouse was built, and whose son, Nicholas Brend (d. 12 October 1601), leased it 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.

Thomas Brend died on 21 September 1598. For the inquisition post mortem taken on 17 May 1599 in which his only surviving son, Nicholas Brend, is stated to have been 37 years of age or more at the time of Thomas Brend's death, 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 testator's stepson (referred to in the will as his 'son-in-law') and overseer, John Bodley of Streatham, was the son of Francis Bodley (d.1566), citizen and fishmonger of London, and his wife, Mercy Collett (d. 13 April 1597). After Francis Bodley's death, his widow, Mercy, married the testator as his second wife. For the will of Francis Bodley, see TNA PROB 11/48/415. For the will, dated 1 August 1576, of Joan Collett, mother of the testator's second wife, Mercy, in which she refers to Mercy as 'my daughter Brend', see TNA PROB 11/61/389. For the will of Humphrey Collett (d.1558), father of the testator's second wife, Mercy, see TNA PROB 11/42A/115.

The Merchant Taylor John Collett, named by the testator as one of his overseers, was Mercy's brother. For the role played by John Bodley of Streatham and John Collett in the financial affairs of the testator's son and heir, Nicholas Brend, see TNA C 54/1722, mm. 5-7; TNA C 54/1705, mm. 24-5; TNA C 54/1682, mm. 10-11; TNA C 54/1947, mm. 6-7; and Berry, Herbert, *Shakespeare's Playhouses*, (New York: AMS Press, 1987), pp. 87-8.

Nothing is known of the testator's family, apart from the fact that he names a brother, Thomas Brend, and two nephews, Francis Brend and Ralph Baldwin, in the will below. The testator may have been related to Sir John Brend, for whom see his will, TNA PROB 11/44/370, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1509-1558/member/brende-%28brande%29-john-1515-59>

For the monumental brass to the testator in West Molesey church, see Stephenson, Mill, comp., 'A List of Monumental Brasses in Surrey', *Surrey Archaeological Collections*, Vol. XXX, (London: Surrey Archaeological Society, 1917), pp. 61-104, at pp. 96-8:

Here lieth buried the body of Thomas Brend of West Molesey, esquire, who had by his two wives eighteen children, videlicet, by Margery, his first wife, four sons & six daughters, who died the second of June 1564, by Mercy, his last wife, he had four sons and four daughters. She left her life the 13 of April 1597, and lieth here buried. He lived the age of fourscore and one years and departed this world the 21 of September 1598 and left one son & five daughters at his death.

The achievement, 8 1/2 by 7 1/2 inches, bears the arms and crest of Brend, Or, a chevron between three dexter hands coupé sable. Crest, out of a coronet or, a cockatrice's head gules between two wings argent, with the usual helmet and mantling. The arms and crest were granted to Thomas Brend in 1591. The shield, 6 3/4 by 5 3/4, bears Brend impaling sable on a chevron between three hinds argent as many annulets of the field, for Collett.

The testator was survived by three children of his first marriage (i.e., his son, Nicholas Brend, and two married daughters, Mary Maylard and Katherine Sayres), and by three unmarried daughters of his second marriage (Judith, Mercy, and Anne). Mercy Brend later married Peter Frobisher, the son of John Frobisher and principal heir of Sir Martin Frobisher (1535?-1594). See:

http://nationalarchives.gov.uk/A2A/records.aspx?cat=205-wyl100_3-1&cid=1-2-2-10#1-2-2-10

WYL100/AW/II/10 23 Mar 1610

Peter Frobisher, Mercy his wife, John Collett and John Bodley to Lionel Cranfield Esq. whereby they constitute Cranfield their attorney to pay £1200 to Sir Thomas Blande and

do covenant that within two days after the payment to sell and set over their several estates and rights in the site of the Manor of Altofts to Lionel Cranfield.

For the testator's manor of West Molesey, see <http://www.british-history.ac.uk/report.aspx?compid=43006>:

Edward VI in 1553 granted the manor to Sir Richard Cotton, kt., by the name of WEST MOLESEY, and from him it passed to William Hammond early in Queen Mary's reign. In 1570 Queen Elizabeth granted to William Hammond licence to alienate the lordship and manor of West Molesey, with a capital messuage, &c., to Thomas Brend, sen., and Thomas his son and heir. In September 1598 Thomas Brend, junr. died seised of the manor and farm in West Molesey late belonging to William Hammond, held of the Crown. He was succeeded by his son Nicholas, whose will bears date 10 October 1601. At the time of the death of Nicholas, his only son Matthew was not much over a year old. Subsequently several conveyances took place between Matthew and his son Thomas and various members of the Smith family, by whom it seems to have been ultimately acquired, for in 1767 the manor was in the possession of Sir Robert Smith, bart.

A Thomas Brend is mentioned in the will of John Lambert (d.1582?), citizen and grocer of London (see TNA PROB 11/64/19):

Item, I give and bequeath to Thomas Brend, scrivener in Bassishaw, one gown, price twenty shillings a yard, and a ring of gold of like value.

In the will the testator states that:

I have stricken out my son to be one of my executors in consideration that he did marry without my knowledge or consent.

For the testator's son and heir, Nicholas Brend, and his marriage to Margaret Strelley, see his will, TNA PROB 11/98/348. For the inquisition post mortem taken after the death of the testator's son, Nicholas Brend, see TNA C 142/271/151.

For the will of the testator's daughter, Judith Brend (d.1599), see TNA PROB 11/93/303. For the will of the testator's son-in-law, Rowland Maylard (d.1596), keeper of the gardens at Hampton Court across the Thames from the testator's manor of West Molesey, see TNA PROB 11/88/255.

For mention of several of the testator's properties in interrogatories in a lawsuit by members of the Brend family against Sir John Bodley in 1622, see TNA C 24/496/114, m. 9.

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

For the testator see also the Wikipedia article edited by the author of this website.

LM: T {estamentum} Thome Brend

In the name of God, Amen. The fifteenth day of June in the year of Our [+Lord] God one thousand five hundred ninety-seven and in the nine 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, Thomas Brend of West Molesey in the county of Surrey, gentleman, being of whole mind and in good and perfect remembrance (laud and praise be given to the Almighty God) make this my last will and testament in manner and form following, that is to say:

First and principally I commend my soul to Almighty God, my only Saviour, Maker and Redeemer, and by whose only death and passion I hope to be saved, and my body to be buried in such place as it shall please the Almighty God to take me to his mercy;

Item, I will that all such debts and duties as I owe of right and conscience truly and justly to be proved be truly paid by my executors hereafter named, or else ordained so to be paid without delay;

Item, I give and bequeath to my son, Nicholas, my great salt with a cover all gilt, twelve spoons of silver with wreedends [=wreathed ends?] acorn fashion, and my two cushions of gold with the tassels of gold, and also my ring of gold that I wear with my name graven in the same ring;

Item, I give and bequeath to Anne, my daughter, and to her heirs all that messuage or tenement with all the lands, barns, stables and outhouses to the same belonging with all and singular their appurtenances set, lying and being in the parish of Wandsworth in the county of Surrey now in the tenure and occupation of Sence Casellman [=Castleman?] or her assigns or of any other person or persons;

And also I give and bequeath to the said Anne, my daughter, all that my house or tenement with all and singular th' appurtenances and her heirs forever lying within the town of Kingston upon Thames in the county of Surrey now in the tenure and occupation of John Foxe, butcher, or his assigns;

And also I give and bequeath to Judith, my daughter, and her heirs all that my tenement with th' appurtenances lying in New Fish Street now in the tenure of Charles Hilton, fishmonger, or his assigns;

Item, I give and bequeath to Francis Brend, my nephew, the son of my brother, Thomas Brend, and his heirs forever all that my house or tenement with th' appurtenances lying in Friday Street near Old Fish Street in London now in the tenure and occupation of Martin Crane or his assigns;

Item, I give and bequeath to my nephew, Ralph Baldwin, and to the heirs males of his body lawfully begotten, all that house or tenement with th' appurtenances lying and being in the town of Greenwich in the county of Kent now in the tenure and occupation of the said Ralph or his assigns;

And also I give and bequeath to the said Francis Brend ten pounds in money current;

Item, I give and bequeath to Joan Peirson, my late servant, the sum of forty shillings sterling;

LM: Also I give and bequeath to my brother, Thomas Brend, ten pounds in ready money;

Item, I give and bequeath to either of my daughters, Mary Maylard and Katherine Seares, forty shillings in gold to make them two rings of gold apiece of them;

Item, I give and bequeath to Joan Pierson all that tenement with the garden adjoining wherein John Henry lately dwelled during her life without any rent to be paid for the same in consideration of her great pains taken with me and my late wife and children during the time of her service with us;

Item, I will that mine executors shall not dispend or lay out upon my funeral above forty pounds;

Also I will that all my goods, plate, jewels, ready [CROSSED OUT: money], chattels and debts shall be valued and praised to the uttermost value they are worth of whatsoever quality they be of, and that is to the value of four pence whatsoever they be, and not in lumps as they use to be praised, but particularly by every parcel itself, which praisers shall be sworn, and in their so doing I will give them forty shillings apiece, four persons to be equally chosen by my overseers hereafter to be named, and their diet to be well used at my executors' charges, and those praisements to be done within one month after my decease;

And I charge and require my executors or executrix and overseers hereafter named that they nor any of them or any other to their knowledge do keep back anything whatsoever to the value of four pence from the praisers so to be sworn, but that it be brought forth to the praisers to be praised, as well all that which I have within the city as in the country or in any house or houses, place or places whatsoever they be in;

Item, I give and bequeath to Anne, my daughter, forever my house at Wandsworth with all the lands thereto belonging and all the appurtenances wherein John Casellman late dwelled, or else one hundred pounds;

Item, I give to the poor folks of the parish of West Molesey four pounds in money, to be given them as they have need quarterly by my executors or overseers or their assigns;

Item, I give to the said Anne, my daughter, and to her heirs forever all those my seven cottages or tenements with all their appurtenances lying and being in the parish of Saint Andrews Undershaft or Saint Mary Axe near Lime Street or Leadenhall in London or Saint Mary Axe now in the tenure of divers tenants there;

The residue of all my goods, chattels and debts, after my debts paid, my funerals discharged, I wholly give and bequeath to my daughters Anne, Mercy and Judith, equally amongst them to be divided, and to be delivered to them as aforesaid;

And of the execution of this my last will and testament I make and ordain Anne, my daughter, mine executor and executrix, and of the execution of the same I make and ordain my two sons-in-law, George Seares, John Bodley, and my cousin, John Collett, my overseers to my executors for their good counsel and aid, and I give unto them five pounds apiece to see this my last will and testament fulfilled in all things whatsoever as they will answer before God at the dreadful day of judgment to see this my will be fulfilled in every condition and sentence;

And I utterly revoke all other former wills, testaments, executors, overseers, gifts, legacies and bequests by me heretofore made, named, given, willed, or bequeathed, and I will that this my last will and testament shall forever stand and perpetually abide for my very last will and testament, together with my said executors and overseers, and none others nor otherwise;

And in witness hereof I have set my hand and seal, given the day and year first above-written. Per me, Thoma{s} Brend. I have stricken out my son to be one of my executors in consideration that he did marry without my knowledge or consent.

Octavo die Mensis Maij Anno d{omi}ni Milesimo Quingentesimo Nonagesimo Nono emanavit Commissio Nicholao Brend filio naturali et l{egi}timo dicti defuncti ad administrand{um} bona Iura et credita eiusdem defuncti iuxta tenor{em} Testamenti suprascripti ex eo quod Anna filia dicti defuncti et Executrix in huiusmodi Testamento nominat{a} ex cert{is} caus{is} &c oner{i} execution{is} dicti Testamenti expresse renunciauit de bene et fideliter administrand{o} &c Ad sancta dei Evangelia Iurat{i} in p{er}sona Edward{i} Saye notarij public{i} Procuratoris sui iurat{i} &c Ex{aminatur}

[=On the eighth day of the month of May in the year of the Lord the thousand five hundred ninety-ninth a grant issued to Nicholas Brend, natural and legitimate son of the said deceased, to administer the goods, rights and credits of the same deceased according to the tenor of the testament above-written for that Anne, daughter of the said deceased and executrix named in the same testament, for certain causes etc. has expressly renounced the burden of the execution of the said testament, sworn on the Holy Gospels to well and faithfully administer etc. in the person of Edward Saye, notary public, his proctor, sworn etc. Examined]