

SUMMARY: The documents below consist firstly of a comparison between Oxford's suit to be appointed gauger of vessels for beer and ale, and Dr Julius Caesar's suit to be appointed surveyor of the gauges of vessels for beer and ale and surveyor of the filling thereof with beer and ale, and secondly of Sir Thomas North's itemization of 'the reasons objected against this petition'. By 'this petition', it appears North is referring to Dr Caesar's suit, and that North is communicating to Caesar Oxford's objections against Dr Caesar's suit. See the *ODNB* entry for Sir Thomas North:

On 9 January 1591 he provided for Sir Julius Caesar, perhaps as a paid legal opinion or possibly on behalf of the earl of Oxford, a statement of 'his exceptions against the sute of Surveyor of the gagers of baer & ale', the latest of Caesar's schemes for a money-making monopoly; he signed himself, with an Italianate flourish, 'Divotiss^{mo} & affectionatiss^o' (BL, Add. MS 12497, fols. 411-12).

The first document below, by an unidentified writer, is endorsed 17 May 1587.

The second document below, Sir Thomas North's list of objections, is addressed to Dr Caesar, and is endorsed 9 January 1592. This second document, in which North uses the phrases 'my Lord thinketh', 'he thinketh', 'differences betwixt the Earl & you for the proceeding in this suit', '& yet he is afraid', establish personal communication between Oxford and Sir Thomas North (1535-1603?), the translator of Plutarch's *Lives*, one of Shakespeare's principal sources.

At a subsequent date, Dr Caesar's suit was renewed by Sir Robert Stuart, as indicated by the crossing out of Dr Caesar's name on the documents, and the substitution of Stuart's. Sir Robert Stuart has not been identified.

The documents below formed part of Dr Caesar's personal papers. See the *Catalogue of Additions to the Manuscripts in the British Museum*, (London, 1850) at:

<https://books.google.ca/books?id=KgdKAAAcAAJ&pg=RA1-PA29&lpg=RA1-PA29&dq=%22Patent+for+the+gauging+of+vessels+for+beer+and+ale%22&source=bl&ots=Ntg2SoGiJ-&sig=RdHtpUumAD5X7DXQLY-IAgQA9hc&hl=en&sa=X&ved=0ahUKEwiDpaGvhNTUAhUH2oMKHcfXBbMQ6AEIIjAA#v=onepage&q=%22Patent%20for%20the%20gauging%20of%20vessels%20for%20beer%20and%20ale%22&f=false>

p. 22: A Volume of the Collections made by Sir Julius Caesar, Judge of the High Court of Admiralty, and Master of the Rolls, temp. James I. containing the following miscellaneous Papers and Letters, for the most part Originals.

p. 29: --Petition of Sir J. Caesar for a Patent for the gauging of vessels for beer and ale, 6 May 1587; --Petition of Sir Robert Stewart for the same; --"The difference between the sute of the Earle of Oxford and the sute of Sir Robert Stewart, 17 May 1587; -- Sir

Thomas North, his exceptions against the suit of surveyor of the gaugers of beer and ale, 9 Jan. 1591.

For gauging of vessels, see *An Historical and Chronological Deduction of the Origin of Commerce*, Vol. I, (London: A. Millar, 1764), p. 185, at:

<https://books.google.ca/books?id=lQNYAAAACAAJ&pg=PA185&lpg=PA185&dq=%22gaugers%22+%22beer%22+%22Queen+Elizabeth%22&source=bl&ots=7fj7cemyvG&sig=v4BqAg43AO0k8Ra2eQid2-Zuoxc&hl=en&sa=X&ved=0ahUKEwirzuPn5tLUAhUT5mMKHfcoAhsQ6AEIjAA#v=onepage&q=%22gaugers%22%20%22beer%22%20%22Queen%20Elizabeth%22&f=false>.

For the translator, Sir Thomas North, see also the entry in the *DNB*, Vol. XLI, (London: Smith, Elder, and Co., 1895), p. 179, which mentions the document below:

https://books.google.ca/books?id=rcwcAQAIAAJ&pg=PA179&lpg=PA179&dq=%22gaugers+of+beer+and+ale%22&source=bl&ots=tEotla_Hcs&sig=TB2814Et1jv4KpLSPCRPhHG6bPc&hl=en&sa=X&ved=0ahUKEwim58TT5NLUAhVI_mMKHWqPAOIQ6AEIMDAF#v=onepage&q=%22gaugers%20of%20beer%20and%20ale%22&f=false.

For Sir Julius Caesar (1558-1636) and his first wife, Dorcas Martin (d.1595), the daughter of Alderman Richard Martin and widow of Richard Lusher of the Inner Temple, see the *ODNB* entry.

[f. 409r]

Endorsed: The difference between the suit of the Earl of Oxford and the suit of [CROSSED OUT: the Doctor Caesar, 17o Maij 1587] Sir Robert Stuart

[ff. 409v-410r]

The different qualities(?) of the humble petitions to(?) her Majesty

[f. 409v]

Of the Earl of Oxford which was:

To be gauger of vessels for beer and ale, and viewer of the filling thereof with beer and ale.

And to have for the gauging and seeing filled of every barrel 1d of every kilderkin, and of every firkin 2(co?) [=farthings?] to be paid by the brewer, owner of the same vessels.

This for two causes of necessity to be deemed by her Majesty:

First, for that it was enacted in Anno 23 H8 ca 4 that in London the wardens of the coopers, and in other cities, boroughs and towns where no such wardens of coopers be, the mayors, sheriffs, bailiffs, constables or other head officers should gauge all vessels for beer and ale within the same, and for every such vessel so gauged should have of the owner thereof one farthing.

Next, because it would have been a great and ponderous imposition upon the brewers over whom, though the said Act hath appointed no special overseer, yet upon them it hath set pains to be forfeited if either they put beer or ale to sale in any other vessels and of other contents than is therein mentioned, or at higher prices than by the mayors, sheriffs, bailiffs, constables or other head officers in every city, borough or town, or by the justices of peace in the shire should be rated and assessed.

Of [~~CROSSED OUT: Doctor Caesar~~] Sir Robert Stuart, which is

To be surveyor of the gauges of vessels for beer and ale, and surveyor of the filling thereof with beer and ale.

And to have yearly fee of her Majesty for his pains and charges in executing that office £4.

Of this petition, as the grant, if it may please her Majesty to yield it, is of itself lawful, so the due execution thereof, the reasons already opened being rightly examined, will seem most necessary.

And in this is neither any other officer prejudiced, or any exaction demand.

By this the brewer shall be enforced to deal uprightly, as many as buy their beer and ale in body and purse profited, and no man injured but your Majesty for a public good with a yearly fee of £4 charged,

Which fee, because it is craved rather as necessary to the establishing of the said office than for recompense of the said officer, not being the hundredth part of his charge to be spent in and about th' executing thereof,

His further petition is that it would likewise please her Majesty of her certain knowledge, mere motion and special favour to grant unto him all forfeitures to be made for offences to be committed against the said Act made Anno 23 Henry 8 ca. 4, together with all such forfeitures as have been so made since the 15th of February last past.

Since when, if the brewers have observed, and from henceforth will truly keeke [sic for 'keep'?] the assizes of their vessels and prices of their drink as by the said Act is required, then is he able to raise no profit by this at all.

And this being never sued for by the Earl may without his ill-taking it, if it may so stand with her Majesty's good favour, be granted unto Caesar.

[ff. 411-12]

The reasons objected against this petition

First, it is prejudicial to her Majesty's leets, to every Lord in his liberty, & cannot take hold of corporate towns privileged by the statute & other country towns under the authority & command of the justices of peace and other head officers etc.

Next, it will breed great trouble to the beer-brewers to have their vessels gauged & altered to make them conformable to the statute, & make them much discontented.

Moreover, to draw the Queen to charge her Exchequer with an annual fee of £4 per annum without any respect of profit to her Majesty in that behalf, my Lord thinks that will be a great impediment to the grant of the suit, & go near to overthrow hope of good success in the same.

Last of all, he thinketh it very convenient that her Majesty be assured of the reasonable yearly commodity to induce her the rather to give allowance to the suit to make it more facile & easy for the suitor.

Of both differences betwixt the Earl & you for the proceeding in this suit, your reasons are best approved, & yet he is afraid that if there be no increase of rent thereby to her Majesty orderly set down, that it will hardly be harkened unto, & with more difficulty pass from her Majesty.

The consideration of these & such other as it may please you, good Master of the Requests, to add for the full strengthening & forwarding of this wished good, I refer the former & all to your wisdom & answer with your best leisure & opportunity, & so praying you to receive(?) my best & hearty thanks in lieu of better deserts to your good self & Mrs Caesar for all your kindnesses unto me, I commit you both to the protection of the Almighty, and rest diuotiss{i}mo & affectionatiss{im}o Di V{ostra} Sign{oria} to be commanded al modo D{omin}o(?) ingliilterra(?).

[signature] Thomas North

Addressed: To the right worshipful my approved good friend, Dr Caesar, Master of the Requests & Judge of the Admiralty

Endorsed: Sir Thomas North his exceptions against the suit of surveyor of the gaugers of beer & ale, 9 January 1591 [=1592]