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SUMMARY: The document below is a letter dated 22 March 1602 from Oxford to Sir Robert Cecil concerning the impediments which have frustrated Oxford's suit to recover for the Queen the lands which had escheated to her on the attainder of Sir Charles Danvers, beheaded on Tower Hill 18 March 1601. Oxford protests that a highly unusual course taken by the Queen, a reference to the judges, had come to nothing since the Chief Justice, Sir John Popham (c.1531 - 10 June 1607), had never called upon the other judges to issue their report to the Queen, but instead has done something which has been kept secret from Oxford. Moreover although a year has passed, the Queen has failed to keep her promise to grant Oxford her right to the escheated Danvers lands (*de bene esse in nobis est*), and Oxford has thus been unable to bring an action at law to determine their legal status and true value.

For background concerning Oxford's involvement in the Danvers escheat case, see CP 181/99 and documents mentioned there.

It is now a year sithence by your only means her Majesty granted her interest in Danvers' escheat. I had only then her word from your mouth. I find by this waste of time that lands will not be carried without deeds. I have twice therefore moved her Majesty that it would please her to grant me that ordinary course *de bene esse quantum in nobis est* whereof there are more than an hundred examples; mine answer is that I should receive her pleasure from you, but I understand by Cawley that she hath never spoken thereof.

The matter hath been heard, according to the order, with much ado twice before the judges, and many also standers-by did hear the same; there, in open apparence, her Majesty's title was questionless. The Lord Chief Justice upon this (as in form I was made believe) was to have taken the opinion of the rest of the judges, and conferring it with his own, to have made up a report to her Majesty. As for the judges' report, they were never called unto it, and the principal points to confirm her Majesty's title never opened or moved, but contrary kept back, so that under their hands the Lord Chief Justice hath made no report. Yet something he hath done out of his own breast that is secret and I cannot learn; if he have reported nothing to escheat to her Majesty, then is my suit as it was the first day, that is, where her Majesty thought she had nothing, that she would grant me her interest. This suit I obtained by your especial means, and this she promised me, wherefore hereupon I challenge that something might be done whereby I may upon ground seek and try her Majesty's right, which cannot be done without this deed afore spoken of.

The course (which seldom or never hath been used before) in this cause, to refer it to the judges, how prejudicial a precedent I know not to her Majesty hath been observed, and the effect hath showed that whereas it was pretended to be shortest, it hath been the furthest way about, and as the beginning was but some opinion, the end is but confusion.

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Now therefore, the matter having been directed by this course for a whole year's space and come to no better terms, my desire is to know her Majesty's pleasure touching her patent *de bene esse*, whether she will perform it or no. If not, then have I been mocked; if yea, that I might have answer whereby I may upon reason quiet myself, and not upon weariness. Howsoever, an answer shall be most welcome unto me, now being the best expectation of my tedious suit, thinking therein my time lost more precious than the suit itself. Thus taking my leave from Hackney this 22nd of March I remain,

Your assured friend and brother-in-law,

Edward Oxenford

Endorsed: To the right honourable my very good brother, Sir Robert Cecil, her Majesty's Principal Secretary

Endorsed: March 22, 1602, Earl of Oxenford to my Master