

SUMMARY: The document below is a copy made on 17 May 1552, in response to a writ of certiorari, of the private Act of Parliament of 22 or 23 January 1552 by which the lands extorted from John de Vere (1516-1562), 16th Earl of Oxford, by the Protector Somerset were restored to him, a situation described in the Act itself. For a discussion of the contents of the Act, see the original document, HL/PO/PB/1/1551/5E6n35. The first page of the copy below is damaged, and some text from that page has been restored from another copy made on 12 February 1566 (see TNA C 89/4/12).

In parlamento [] patentibus [] Elizabethe dei gratia Anglie ffrancie et Hibernie Regine ffidei defensor &c [] tertium die Ianuarij Anno Regni Quinto [] vltima [] ad [] verbum prout sequitur

[=In the Parliament [] by these patents [] of Elizabeth by the grace of God Queen of England, France, and Ireland, Defender of the Faith, etc. [] third day of January in the fifth year [=23 January 1552] of the reign [] last [] to [] word as follows.]

Where Edward, late Duke of Somerset, being governor of the King our Sovereign Lord his most royal person, Protector of all his Majesty's realms, dominions and subjects, Captain General of all his Highness' wars both by sea and by land, Earl Marshall of England and High Treasurer of the same, and thereby having the chief and most high office of administration(?) of justice immediately under the King's Majesty of all his said realms(?), dominions, and subjects, of his extreme avarice and greedy appetite during his said office, and abusing the same, did so compass and circumvent divers of the King's most loving and obedient subjects that he thereby did get from them much part of their manors, lands, tenements, and hereditaments without any manner of just consideration or cause reasonable, contrary to right, equity, and good conscience and contrary to the trust, affiance, and confidence(?) which the King's Majesty our said most gracious Lord and his most honourable Council had reposed & put in him, leaving which(?) the said Duke during the time of his said office;

And under the colour of administration of justice did convent before him(?) for certain supposed criminal causes John, Earl of Oxenford, one of the King's most loving subjects, who personally appeared before the said Duke, and(?) then the said Duke so circumvented and coerced the said Earl of Oxenford to accomplish the desire of the said Duke, though(?) it were unconscionable, and used such comminations and threats towards(?) him in that behalf that he, th' Earl,(?) did seal and subscribe with his own hand one counterpane of one indenture devised by the said Duke and his Council bearing date the first day of February in the second year [=1 February 1548] of our said Sovereign Lord the King his reign made between the said Duke on the one party and the said Earl on the other party;

By the which indenture the said Earl among other covenants and things did covenant and grant for him, his heirs and executors, to and with the said Duke and his executors that he, the same(?) Earl, should before the feast of Pentecost [=20 May 1548] then next ensuing the date of the said indenture make or cause to be made unto the said Duke, Sir Michael Stanhope, knight, Sir Thomas Darcy, knight, now lord Darcy of Chiche, and John Lucas, esquire, and to their heirs a good(?) and perfect estate, assurance, and conveyance in the law in fee simple of and in all and singular his honours, castles, manors, lands, tenements, and hereditaments with their appurtenances set, lying, or being anywhere within the realm of England, excepted certain manors, lands, and tenements which were given by the late most noble prince of famous memory King Henry the(?) Eight unto John, late Earl of Oxenford, deceased, father to the said John, now Earl, and to the heirs males of the body of the same Earl, the father, lawfully begotten;

To have and to hold the said honours, castles, manors, lands, tenements and other the premises, except before excepted, unto the said Duke, Sir Michael Stanhope, Sir Thomas Darcy, and John Lucas and to their heirs and assigns forever to the uses and intents in the said indenture specified, mentioned, and contained, as in and by the same indenture it doth appear, for the true performance of all articles, agreements, and covenants in the said indenture mentioned and specified the said Duke likewise enforced and compelled the said now Earl by the ways and means abovesaid to be bounden unto the said Duke in the sum of six thousand pounds sterling in one recognizance for the recovery of debt by statute lately provided;

And to the(?) intent the said now Earl should manifestly forfeit the said recognizance of six thousand pounds unto the said Duke whereby the same(?) Duke might have the body of the said Earl and all that he had in execution at his pleasure, he moved and procured the said now Earl to levy a fine of all the said honours, castles, and other the premises except before excepted unto the said Duke, Sir Michael Stanhope, Sir Thomas Darcy, and John Lucas and to the heirs of the said Duke, which was all the estate and other assurance and conveyance in the law that the said Duke would have the said now Earl to make or cause to be made of and in the premises, except before excepted, to the uses and intents in the said indenture specified and contained, which was nothing agreeable with the said covenants contained & specified(?) in the said indenture, but was mere(?) contrary to the same;

And where furthermore in the Parliament by and upon prorogation holden at Westminster in(?) the two and thirty year [=1540/1] of the reign of the said late most noble prince of famous memory King Henry the Eight, father unto our said Sovereign Lord the King that now is, it was amongst other things enacted that all manors, lands, tenements, and hereditaments with their appurtenances which after the same Act should happen to come to Edward, then(?) Earl of Hertford, and to his heirs in fee simple in possession,(?) reversion. or remainder by descent, gift, purchase, or otherwise should by virtue of that Act be deemed and judged in and to the said Earl of Hertford and his heirs males lawfully begotten upon the body of the Lady Anne, then his wife, or any other such his wife or wives which the said then Earl of Hertford should after the said Act marry, the remainder thereof over for lack of such issue to such persons and to their heirs in such several

estates and in such manner and form as been more at large by the said Act in the said Parliament in the said 32nd year limited and declared, as in and by the same Act more plainly it doth and may appear, which said Edward, late Duke of Somerset, and the said Edward, late Earl of Hertford named in the said Act, were and be one person and not divers persons;

And forasmuch as the said compasses, circumventions, coercions, enforcements, comminations, and threatenings made and practised by the said Duke unto the said now Earl of Oxenford are certainly known to the King his most honourable Council, and the same unto them do manifestly appear to be true in manner and form abovesaid, and much more than is here necessary or convenient to be written or remembered, and the same likewise by them is revealed(?) to our said Sovereign Lord the King;

And forasmuch also as the said Duke, who could not be miscognisant of the said Act by himself before procured, did right well know that the said fine levied in manner and form as is abovesaid of the honours, castles, manors, lands, tenements, and hereditaments mentioned in the same fine should by virtue and authority of the said Act be a plain disherison of the said now Earl and of his heirs forever, and that thereby the said Duke most unconscionably and unjustly should gain unto himself and to his heirs in tail according to the said Act all and singular the said honours, castles, manors, and other the premises except before excepted(?), which was such a detestable deceit by him wrought as most justly requireth redress and reformation by(?) authority of Parliament;

And forasmuch also as the said now Earl never had nor received by any way or means any sums of money or other good considerations or recompense wherefore he should or might reasonably be occasioned to enter into such covenants as in the said indenture is declared;

The King his most excellent Highness for the great zeal which he beareth and intendeth unto the true and perfect execution and administration of justice committed unto his Highness' charge from Almighty God, not willing to permit or suffer the said now Earl or any other his loving subjects to be undone or disherited by any such wresting, circumvention, compassing, coercion, enforcement, fraud, or deceit as the said Duke hath committed, practised, and done unto the said now Earl in manner and form as is above remembered, is therefore pleased and contented that it be enacted by his Majesty with the assent of the Lords Spiritual and Temporal and the Commons in this present Parliament assembled, and by authority of the same, that the said indenture bearing date the first day of February in the said second year of our said Sovereign Lord the King his reign, and the said recognizance of the said sum of six thousand pounds, and also every covenant, branch, sentence, word, and article in the said indenture and recognizance and in every of them or in any of them, and every grant, covenant, use, estate, possession, term, and interest had, made, altered, changed, grown or conveyed, mentioned or declared, of and in the premises or any parcel thereof, or that hereafter ought, shall, or may be made, grown, had, altered, changed, or conveyed of the premises or any parcel thereof in or by reason of the said indenture or anything therein contained shall be of no force or effect in the law, but shall stand, remain, and be annihilate, frustrate, and void to all intents,

constructions, and purposes as if the said indenture and recognizance and every of them had never been had or made;

And be it further enacted by the said authority that the said Act of Parliament made in the said 32nd year of the reign of [+our] said late Sovereign Lord King Henry th' Eight nor any branch, sentence, article or word comprised, mentioned, declared, or contained in the same Act shall in any wise extend to any honours, castles, manors, lands, tenements, or hereditaments named, mentioned, contained, or comprised in the said fine and indenture or in any of them, nor to any part, parcel, or member of them or any of them, but that the said Act made in the said 32nd year of the reign of our said late Sovereign Lord as touching or concerning only the said honours, castles, manors, lands, tenements, and hereditaments and every of them and every part and parcel of them, and every of them comprised and mentioned in the said indenture and fine or any of them, shall be utterly void to all intents, constructions, and purposes as if the said honours, castles, manors, lands, tenements, and hereditaments and every parcel of them and every of them had been clearly and utterly excepted and forprised out of the said Act made in the said 32nd year of the reign of our said late Sovereign Lord King Henry th' Eight;

And be it further enacted by the said authority that the said fine levied of the said honours, castles, manors, lands, tenements, and hereditaments mentioned and comprised in the same fine shall be adjudged, deemed, accepted, reputed, and taken to be from the time of the same fine levied to the use of the said now Earl for term of his life without impeachment of waste, and after his decease to the use of the eldest issue male of the body of the same now Earl lawfully begotten and of the heirs males of the body of that issue male begotten, and for default of such issue to the use of the right heirs of the said now Earl forever, and to none other use, uses, or intents;

And be it further enacted by the said authority that the said now Earl during his life, and his said issue male and the heirs males of his body begotten and to be begotten, and after them then the right heirs of the said now Earl inheritable to the premises by this Act in manner and form abovesaid, shall have, hold, possede, and enjoy the said honours, castles, manors, lands, tenements, and hereditaments and every parcel thereof comprised and mentioned in the said fine and indenture or any of them, and be exonerate and discharged against our Sovereign Lord the King that now is, his heirs, successors, and executors and every of them, and against the said late Duke and his heirs, and against all and every other person and persons named in the said indenture, fine, and Act or any of them, and against all and every other person and persons, their heirs, executors, and administrators, of all rights, titles, uses, escheats, wardships, possessions, terms, and interests, actions, debts, duties, executions, and demands whatsoever had, made, accrued, or grown, or that shall be had or made or shall accrue or grow by reason or occasion of the said Act, indenture, fine, recognizance, and the late attainder and death of the said late Duke, or by reason or occasion of divers and sundry of them, or any of them;

And be it further enacted by th' authority aforesaid that Aubrey Vere, esquire, one of the brothers of the said now Earl, shall have and hold from the feast of Saint Michael th' Archangel last past for term of his life without any manner of condition, and after his

decease the remainder thereof to the lawful wife of the said Aubrey overliving him for term of her life if the said Aubrey by his writing sealed with his seal and subscribed with his hand shall limit and appoint the same so to remain and go, the manors of Tendring Hall, Earls Fee in Bowers Gifford, Battles Hall in Stapleford Abbotts, and Hayes in Stowe with th' appurtenances in the said county of Essex, and certain lands and tenements called Jackletts in Fambridge and Bacons in the said county of Essex of the inheritance of the said now Earl, the remainder thereof over to the said now Earl for term of his life without impeachment of waste, the remainder thereof over as the same should have gone by this Act if this present branch of this Act had never been had or made;

And that it be further enacted by th' authority aforesaid that Geoffrey Vere, esquire, one other of the brothers of the said now Earl, shall have and hold from the feast of Saint Michael th' Archangel last past for term of his life without any manner of condition, and after his decease to his lawful wife overliving him for term of her life if the said now Earl shall limit and appoint the same so to remain and go, the manors of Crepping Hall and Gutteridge with th' appurtenances in the said county of Essex, the remainder thereof further unto the said now Earl for term of his life without impeachment of waste, the remainder thereof over as the same should have gone by this Act if this present branch of this Act had never been had or made;

Provided always and that it may be enacted by th' authority aforesaid that the said now Earl by his last will and testament in writing sealed with his seal of arms and subscribed with his hand shall have full power and authority by virtue of this Act to assign, limit, and appoint to his lawful wife overliving him for the term of her natural life to and for her jointure the manors, lands, and tenements of Tilbury, Downham, Easton Hall, Netherhall in Gestingthorpe, Garnons in Tendring, and Brownes tenement in Toppesfield in the county of Essex or as many of them as shall please the said Earl to assign, and the manors of Easton Maudit, Thorpe Malford, and Marston Trussell in the county of Northampton, and Bilton in the county of Warwick, or as many of them as it shall please the said Earl to assign to any such his wife, and that then after the decease of the said Earl and after the said limitation, assignment, and appointment of the said jointure shall be made in writing sealed and subscribed as is aforesaid, the said lawful wife of the said now Earl overliving him shall and may have, hold, and enjoy during her life all and every the aforesaid manors, lands, and tenements comprised within this proviso or so many of them as shall be comprised in any such will in writing sealed and subscribed by the said now Earl as is aforesaid, and that the same jointure shall be a full recompense and satisfaction of all the jointure and dower that the said lawful wife of the said now Earl overliving him may or can challenge, claim, or demand after the death of the said now Earl of, in, or to any of the honours, castles, manors, lands, tenements, or hereditaments of the said now Earl during the marriage between him and the same his lawful wife overliving him, the remainder thereof over in manner and form as the same should have gone by and in this Act before limited and appointed if this proviso had never been had or made;

Provided also and be it enacted by th' authority aforesaid that the said now Earl shall have full power and authority at any time or times hereafter to alien from time to time entirely or by several alienations to such person or persons and to his or their heirs in fee

simple, or unto such person or persons and to the heirs of his or their body or bodies lawfully begotten, or unto such persons for term of his or their life or lives as it shall please the said now Earl, the manors of Aldon, Bromfield, Munslow with the members, and Norton in Hales with th' appurtenances in the county of Salop, the manor of Lamport with th' appurtenances in the county of Northampton, and the manors of Crudwell and Eastcourt with th' appurtenances in the county of Wiltshire, and a certain tenement called Paynes in Pentlow in the county of Essex, or so many or so much of them and every of them as the said now Earl shall at any time hereafter please to alien or sell, and that the same person and persons to whom any such alienation shall be made of any the said manors, lands, tenements, or hereditaments mentioned in this proviso or of so many of them as the said now Earl shall alien or sell in form as is abovesaid, that the same alienees or bargainees, their heirs and assigns and every of them, shall have and enjoy the same manors, lands, tenements, and hereditaments with th' appurtenances so aliened or bargained and sold by the said now Earl of Oxenford in such sort and after such manner and form as in the record or records, writing or writings, of any the same alienations or alienation thereof or bargain and sale shall be mentioned, comprised, or declared;

Provided further and that it be enacted by th' authority aforesaid that all and every lease and leases, grant & grants, of the said manors, lands, tenements, and other the premises or any of them or of any part thereof for term of three lives or under according to the custom of the manor, or for term of 21 years or under, that shall begin to take effect and whereby the lessee or lessees, grantee or grantees, thereof may lawfully enter within one year next after the making of any such lease or grant, and whereupon during every such lease or grant so much yearly farm or rent or more shall be reserved yearly to be paid as hath been most accustomedly yelden and paid for the same manors, lands, and tenements that so shall be letten within twenty years next before any such lease or grant thereof to be made, and [+which] shall be made and granted by the said now Earl in writing indented sealed with his usual seal of arms and subscribed with his own hand, other than of such manors, lands, and tenements as in this present Act are before appointed to the brothers of the said now Earl as is abovesaid, shall be good and effectual in the law to all intents, constructions, and purposes during the time and times contained in every such writing indented sealed and subscribed as is aforesaid;

And be it further enacted by the authority aforesaid that the said now Earl, as well for the payment of such of his debts and duties as shall be due or owing by him to any person or persons at the time of his decease, and for and toward the preferment in marriage and otherwise of the Lady Katherine, his daughter, and other of the children of the said now Earl which he shall hereafter fortune lawfully to have and beget, as for and toward the preferment of such servants and friends of the said now Earl to whom he shall make bequests or legacies in and by his last will and testament, shall have full power and authority in and by the same his last will and testament, sealed and subscribed with his said seal and hand of the said now Earl, to will, bequeath, assign, and appoint the manors of Tatingstone and Aldham with their appurtenances in the county of Suffolk, and all and singular the messuages, lands, tenements, and hereditaments of the said now Earl in Tatingstone, Aldham, and Hadleigh in the said county of Suffolk, and the manor of Weybourn in the county of Norfolk, and all and singular the messuages, lands, tenements,

and hereditaments of the said now Earl in Weybourn or elsewhere in the said county of Norfolk, and the manors of Wivenhoe, Newers, Battleswick, Much Canfield, Much Bentley, Doddinghurst, Lamarsh, and Wakes Colne with their appurtenances in the said county of Essex, and all and singular the messuages, lands, tenements, and hereditaments of the said now Earl in Wivenhoe, Newers, Battleswick, Alresford, Greenstead, East Donyland, Much Canfield, Little Canfield, High Roding, Hatfield Regis, Much Bentley, Thorrington, Little Bentley, Frating, Doddinghurst, Shenfield, Lamarsh, Much Henny, Alphamstone, and Wakes Colne of the said now Earl in the said county of Essex, to the executors of the said now Earl to be named in such his last will and testament, to hold to them, their executors and assigns, immediately from and after the decease of the said now Earl unto th' end and term of twenty years from thence next following and fully to be completed, to the intent that the said executors of the said now Earl, their executors and assigns, shall have and receive the yearly rents, revenues, and profits thereof coming and growing within the said twenty years toward the payment and satisfaction of the legacies of the said now Earl comprised in his said last will and testament, and of such debts and duties as shall be owing by him the time of his decease, and toward the payments and satisfaction of so much of the same legacies and debts as the same yearly profits and revenues will and shall amount unto during the said term of twenty years, and after the said term of twenty years next following after the decease of the said now Earl shall be expired and ended, that then all and singular the said manors, lands, tenements, and other the premises in this article before rehearsed shall remain and go as the same should have gone by this Act in manner and form as in this present Act is before limited and expressed;

Saving to all and every person and persons, bodies politic and corporate, to their heirs, successors, executors, and assigns and every of them, and to the heirs, successors, executors, and assigns of every of them other than the King's Highness, his heirs, successors, and executors, and other than the said late Duke of Somerset, Sir Thomas Darcy, Lord Darcy of Chiche, Sir Michael Stanhope, John Lucas, Lord Henry, son to the said late Duke, Lady Katherine, daughter of the said now Earl, the sons of the said late Duke and every of them and their heirs and the heirs of their bodies and the heirs of every of them and the heirs of the body of any and every of them, and other than such person and persons as be named or mentioned in the said Act made in the said 32nd year of the reign of King Henry th' Eight and their heirs and the heirs of every of them and the heirs of the bodies of any of them and of every of them, and other than their executors and administrators and the executors and administrators of every of them, and other than such person and persons and their heirs and successors and the heirs and successors of every of them of whom the premises or any part thereof is holden by any rent or service, and other than the said Aubrey Vere and Geoffrey Vere during their lives and the life of every of them, all such estate, possession, interests, right, title, use, claim, challenge, and demand as they or any of them have, ought, or might or should have had of, in, or unto the said honours, manors, lands, tenements, and other the premises or any part or parcel thereof at any time before the making of this Act and as if this Act had never been had or made;

Provided always and be it enacted by th' authority aforesaid that the King our Sovereign Lord, his heirs and successors, and all and every other person and persons of whom the

premises or any parcel thereof be holden by any rent or service, shall have and enjoy all and singular such rents, tenths, tenures, seignories and services, wardships, liveries, and primer seasons of, in, out, and to the premises and every parcel thereof as our said Sovereign Lord the King, his heirs and successors, and the said other person and persons and their heirs and every of them ought, might, or should have had as if the said now Earl were thereof seised in fee simple and should die of the third part thereof seised in fee simple;

Provided furthermore, and that it may be enacted by th' authority aforesaid, that the said Sir Thomas Darcy, knight, Lord Darcy of Chiche, and John Lucas, and every of them, their heirs, executors, administrators, and assigns and the heirs, executors, administrators, and assigns of every of them, shall have, hold, and enjoy all and singular such leases and grants for term of years and also all and singular rents, services, offices, fees and annuities, the custody, keeping, and herbage of any park or parks of, in, or out of the said honours(?), manors(?), lands, tenements, and other the premises or any of them or(?) any part or parcel of any of them as they or any of them had, ought, or might lawfully have had or enjoyed before the said indentures, fine, and this present Act or any of them were had or made, and in such manner and form as if the said Act of the 32nd year of the reign of King Henry th' Eight, the said indenture and fine, and this present Act or anything in any of them contained to the contrary thereof had never been had or made;

Provided also and be it enacted by the(?) authority aforesaid that if the said Lady Katherine, daughter of the said now Earl, shall affy herself and shall be married by the advice and counsel of the said now Earl, her father, in his lifetime, and if she shall fortune not to be married by the advice and counsel of the said now Earl in his lifetime, if then the said Lady Katherine shall fortune to marry herself by the advice and counsel of the executors that the said now Earl shall make and constitute in and by his last will and testament or of the more part of them, that then the said Lady Katherine, her executors or administrators, shall have and perceive by authority of this Act to her own use towards her advancement in her marriage the sum of one thousand pounds to be perceived, levied, and taken as the same will rise or grow of the issues and profits of the manors, lands, and tenements above mentioned whereof the said now Earl by this Act may make and declare his last will and testament in manner and form abovesaid, and for non-payment thereof it shall be leeful to the said Lady Katherine, her assigns and executors, to distrain in the same manors, lands, and tenements and in every parcel thereof.

Ego ffranciscus Spelman armiger Deputatus Ioh{ann}is Masone militis Cl{er}ici
Parliamentor{um} virtute brevis Regis Maiestatis de certiorando hijs annexi certifico
hunc sup{er}ius scriptum verum esse tenorem Actus parliamenti in eo breui express{i} In
cuius rei testimonium p{rese}ntibus subscripsi Sigillumq{ue} apposui xvijno die Maij
Anno Regni eiusdem d{omi}ni n{ost}ri Regis preno{m}i{n}ati Sexto

P{er} me ffr{a}nciscum Spelman

prmia{?} p{ro }s? br{ev}ia R{ }is?) Eo(?) tant(?)

[= I, Francis Spellman, esquire, deputy of John Mason, knight, Clerk of the Parliaments, by virtue of a writ of certiorari of the King's Majesty to these annexed, do certify this writing above to be the true tenor of the Act of Parliament in that writ expressed, in testimony of which thing I have subscribed to these presents and affixed [+my?] seal the 17th day of May in the sixth year [=17 May 1552] of the reign of the same our Lord King aforesaid.]

By me, Francis Spellman