

SUMMARY: The document below is the indenture dated 9 November 1584 by which Thomas Kelton, the nephew of Oxford's receiver, Richard Kelton (d.1578), transferred to Roger Harlakenden (d. 21 January 1603) his interest in a 21-year lease of Colne Priory which Oxford had made to Richard Kelton on 12 February 1577.

For further background, see D/DPPr/176, the indenture dated 11 February 1580 by which Jane (nee Josselyn) Kelton transferred to her first cousin, Geoffrey Gates (living 1623) of Lincoln's Inn, the remainder of her interest in a 21-year lease of Colne Priory which had been granted by Oxford on 12 February 1577 to her late husband, Richard Kelton (d.1578), the Earl's receiver. The indenture below is witnessed by Geoffrey Gates (living 1623). For the will of his father, Geoffrey Gates (d.1550?), see TNA PROB 11/37/210.

After Richard Kelton's death, his widow, Jane (nee Josselyn) Kelton, married Roger Harlakenden (d. 21 January 1603), who a decade later defrauded Oxford in the sale of Colne Priory. Roger Harlakenden's marriage into a family which had numbered among its members trusted servants of the Earls of Oxford may have facilitated his fraud. For the will of Roger Harlakenden, see TNA PROB 11/101/320.

In a memorandum intended for Lord Burghley, Roger Harlakenden explained the means by which Thomas Kelton acquired his interest in the lease:

*Now as touching the lease of Colne Priory which is now extended out of the honourable Court of Wards towards a bond of my honourable good th' Earl of Oxenford, forfeited to her Majesty, the said Earl demised the same the 19th year of her Highness' reign [=1577] to one Mr Kelton for the term of 21 years in consideration of £100 paid to the said Earl by Mr Kelton and for the surrendering up of a patent of £20 by the year during the life of the said Kelton and for his service unto the said Earl, reserving £13 6s 8d rent, which lease the said Kelton devised at the time of his death as followeth, viz., two parts to his wife as her only portion, and the other third part to his nephew and niece, which third part or the value thereof they do and are to enjoy during the years abovesaid.*

The nephew and niece mentioned by Roger Harlakenden in the foregoing paragraph were Thomas Kelton (b.1552) and his sister, Jane Kelton (b.1557). Thomas Kelton was the second son of Thomas Kelton and Mary Pontesbury, and the grandson of the 'verse chronicler', Arthur Kelton (d. 1549/50) of Shrewsbury, and Matilda Strange. See TNA C 24/244/35; the entry for Arthur Kelton (d.1549/50) in the *ODNB*; and the pedigree of Kelton in Owen, Hugh, *A History of Shrewsbury*, Vol. II, (London: Harding, Lepard and Co., 1825), p. 331 at:

<https://books.google.ca/books?id=9Y0uAAAAMAAJ&pg=PA331>

In 1588, Thomas Kelton was still resident at Earls Colne, and was indicted for disturbing the peace, as evidenced in a writ issued on 18 April 1588 (see ERO Q/SR 106/6):

*Writ: Witnessed by Sir Thomas Mildmay, knight, at Chelmsford, directed to the Sheriff, to summon twenty-four lawful men of the neighbourhood of Earls Colne to the Sessions to be held at Chelmsford on Thursday after the feast of Saints Peter and Paul next coming to recognize upon their oath whether Thomas Kelton of Earls Colne, gentleman, is guilty or not of the contempt and offence of a common barrator and disturber of the peace, whereof he stands indicted and has put himself upon that jury.*

Geoffrey Gates (living 1623) has been identified as the author of *The Defense of Military Profession*, dedicated to Oxford on 23 December 1578. See STC 11683, the ODNB entry for Geoffrey Gates, and the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1558-1603/member/gates-geoffrey-1550>

In the dedicatory epistle to *The Defense of Military Profession*, the author describes himself as an ‘unlettered man’ who has had to ‘take unto me a notary to set down [my book] in writing’:

*Experience hath taught me to love and to honour arms, and in the zeal of a good heart to covet the advancement of martial occupation, which made me (an unlettered man) to take unto me a notary to set down in writing this drift in the defence and praise of warlike prowess against all contemners of the same for the benefit and encouragement of my country & countrymen.*

However the author’s claim to be ‘unlettered’ cannot be taken at face value in view of the style, vocabulary and rhetorical skill of the dedicatory epistle itself.

For Nicholas Wentworth (1561 – 10 April 1613), who witnessed the indenture below, see the will of Geoffrey Gates (d.1550?), TNA PROB 11/37/210

This deed made the ninth day of November in the six and twentieth year [=9 November 1584] of the reign of our Sovereign Lady Queen Elizabeth etc., witnesseth that I, Thomas Kelton of Colne in the county of Essex, gentleman, have and by the[se] presents do give, grant, assign and release unto Roger Harlakenden of the said Colne in the said county, esquire, all my part, right, title, interest and demand which I have, may, might or ought to have of, in or to a certain lease or term of years of the site of the manor of Colne Priory commonly called Colne Priory or Colne House, with all gardens, orchards, ponds, fishings, courts, yards, houses, barns, stables, buildings and edifices thereto belonging, together with all the tithe corn belonging to the parsonage of Earls Colne, with divers lands, meadows, pastures, feedings and demesne lands belonging to the said late Priory with their appurtenances, which said lease or term was granted unto Richard Kelton, my uncle, deceased, by the right honourable th’ Earl of Oxon by a certain indenture bearing date the twelfth day of February in the nineteenth year [=12 February 1577] of the reign of our said Sovereign Lady, to have and to hold the said my part, right, title, interest and

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demand of, in and to the said lease or term of years and to all and everything contained in the said indenture of lease to the said Roger Harlakenden, his executors and assigns, forever;

In witness whereof I have sealed these presents with my seal. Given the day and year above-written.

Thomas Kelton

Sealed and d{elivere}d in the presence of Geoffrey Gates, Nicholas Wentworth, Nicholas Rande(?).