

SUMMARY: The documents below consist of interrogatories administered in Easter term 1590 to Wilfred Luty on behalf of Queen Elizabeth in her lawsuit against Richard Payne concerning a lease of the manor of Aveley. For Oxford's assignment of Aveley to the Queen on 16 May 1588 for two years, see TNA E 354/1. For the grant to the Queen dated 24 March 1590 by Oxford and John Herdson [=Hudson?] of a one hundredth part interest in lands in Aveley for a term of three years, see TNA E 210/10742. For reference by Oxford to his lease of Aveley in his letter of 5 August 1590 to Lord Burghley, see BL Lansdowne 63/71, ff. 181-2.

For John Elliott, see the will of his widow, Eleanor Newton Elliott, TNA PROB 11/73/55.

For Henry Saxey, see the *ODNB* entry for his wife, Joyce (nee Trappes) Saxey Frankland (1531-1587).

For Richard Heywood (d.1570), see his will, TNA PROB 11/52/234.

See also the will, TNA PROB 11/55/221, of Richard Payne's uncle, John Payne (d.1573), in which the lease of Aveley is mentioned.

Interrogatories to be ministered on the behalf of our Sovereign Lady the Queen's Majesty, plaintiff, & Richard Payne, esquire, defendant

1 Inprimis, whether do you know or have heard by credible report that the Master of the Hospital of the late King Henry the Seventh called the Savoy and the four perpetual Chaplains of the same Hospital did in or about the fifth year [=1551] of the reign of the late King Edward the Sixth by indenture under their common seal grant and demise to Henry Saxey of London, mercer, deceased, the manor of Aveley with th' appurtenances in the county of Essex with all the lands, tenements and hereditaments thereunto belonging for the term of thirty-one years to begin at the feast of St. Michael th' Archangel in the year of our Lord God one thousand five hundred eighty five or thereabouts?

2 Item, whether did the said Henry Saxey afterwards upon occasion of some money by him due to Richard Heywood, late one of the attorneys of the King's Bench, for fees or suchlike matter due, leave the said indenture of demise in the hands or custody of the said Heywood to keep for his security without making to him any grant or assignment of the interest of the said Henry Saxey in and to the same manor, as you know or have heard? And how know you the same?

3 Item, whether have you heard the said Henry Saxey and Richard Heywood or either of them confess and say, after that the said indenture of demise was delivered to the said Heywood as above, that the interest or estate of the said Henry Saxey of or in the said

manor of Aveley was not granted by him to the said Heywood at the delivery of the said indenture or at any other time? And what do you know or have heard concerning the same?

4 Item, whether did the said Henry Saxey grant to John Elliott, late of London, mercer, deceased, his interest in the said lease of the said manor of Aveley by general or particular words? And whether was the same grant made before or after th' indenture of demise left with the said Richard Heywood, as you know or have heard?

5 Item, whether do you know or have heard of the said John Elliott or by credible report of any other person or persons that the said John Elliott had given or would give the said lease of the said manor of Aveley and his interest therein to one Robert Harris in marriage with Anne, daughter of the said John Elliott? And when heard you the same, and upon what occasion?

6 Item, whether do you know or have heard by credible report after the marriage of the said Robert Harris with the daughter of the said John Elliott that the same lease and interest of the said John Elliott in the said manor of Aveley with th' appurtenances was conveyed and assured to the said Robert Harris? And when and in what manner was the same conveyed, as you know or have heard?

Terminus Pasche d{omi}ne R{egi}ne Eliz{abethe} 32

Depositions taken before me, Robert Clarke, one of the Barons of the Queen's Majesty's Court of Exchequer, upon certain interrogatories ministered on the part and behalf of our Sovereign Lady the Queen's Majesty, plaintiff, against Richard Payne, esquire, defendant, the 8th of May Anno Regni Eliz{abethe} 32 [=8 May 1590]

Wilfred Luty of Aveley in the county of Essex, yeoman, aged 67 years or thereabouts, sworn and examined.

1 To the first interrogatory he deposeth and saith that he hath seen such a lease as is mentioned in this interrogatory, and he hath heard it credibly reported that the Master of the Hospital of the late King Henry the Seventh called the Savoy and the four perpetual Chaplains of the same Hospital did in or about the 5th year of the reign of the late King Edward the 6 by indenture under their common seal grant and demise to Henry Saxey of London, mercer, deceased, the demesnes of the manor of Aveley with the appurtenances in Essex, with all the lands, tenements and hereditaments thereunto belonging for the term of 31 years to begin at the feast of St. Michael th' Archangel in the year of our Lord God 1585 or thereabouts.

2 Then to the 2 he saith that he, this deponent, cannot directly depose to this interrogatory, but saith that about the beginning of the Queen's Majesty's reign that now is the said Henry Saxey named in this interrogatory was committed by Sir Robert Catlyn,

knight, late Lord Chief Justice of England, as prisoner to the King's Bench. And the said Henry, then being prisoner, requested this deponent to go to Mr Heywood, one of the attorneys of the King's Bench, for divers writs for him, the said Saxey, which this deponent saith he did, but Master Heywood refused to deliver the said writs without money, saying that Saxey ought him money for fees and process, whereof part was due to his master, Mr Roper. And said further that the said Saxey had sent unto him a lease, which was the lease before mentioned, and he showed the same to this deponent, saying he knew not what to do therewith. For, said he, I have no manner of conveyance of the said lease from him unto me, and therefore I know not what to do withal, & prayed this deponent to help him with his money, and he would well consider of his pains and travail in procuring him the same. And this is that which he can depose touching this interrogatory.

3 Then to the 3 he saith he hath said so much as he can say touching this interrogatory saving that Saxey, upon this deponent's return from Mr Heywood unto him, said that he had made no conveyance of the said lease nor would not, but said Mr Heywood should lose nothing by him. And that is all he saith to this interrogatory.

4 Then to the 4 he saith that Saxey, as he now remembereth, in the first year of the reign of Queen Mary [=1553] made a deed of gift unto one John Elliott, late of London, mercer, deceased, of all his lands and goods & chattels and other moveables with very general words, but that he made any particular grant of the indenture of demise which was left with Mr Heywood this deponent knoweth not.

5 Then to the 5 he saith that John Elliott said unto this deponent that he had given his lease of the manor of Aveley in marriage with his daughter unto an honest gentleman of Lincoln's Inn, and further said that he trusted that he and his daughter and the gentleman, her husband, should one day come down to Aveley and be merry with this deponent and his wife. And further he cannot depose to this interrogatory.

6 Then to the 6 he saith he cannot depose any more than he hath already deposed.

By me, Wilfred Luty