

SUMMARY: This indenture dated 16 March 1574 made between Oxford and his father-in-law, Lord Burghley, contains articles of defeasance under which a recognizance made on the same date by Oxford to Lord Burghley in the amount of £4000 would become void. It was witnessed by Sir William Cordell, Edmund Plowden, and Oxford's servants George Golding and Edward Hubberd. The recognizance was a penal bond entered into as a guarantee that Oxford would perform covenants in an indenture made between Oxford and Lord Burghley on 11 March 1574. The latter indenture appears to have involved Anne Cecil's jointure or maintenance, and is no longer extant. A note indicates that the indenture of defeasance was enrolled in Chancery on 18 March 1574.

This indenture made the sixteenth day of March in the sixteenth year [=16 March 1574] of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France, and Ireland, Defender of the Faith, etc. between the right honourable Sir William Cecil, knight of the most honourable Order of the Garter, Baron of Burghley and Lord High Treasurer of England, on the one party, and the right honourable Edward de Vere, Earl of Oxford, Lord Great Chamberlain of England, Viscount Bulbeck, and Lord of Badlesmere and Scales, on the other party,

Witnesseth that whereas the said Earl standeth bound to the said William, Baron of Burghley, by one recognizance bearing date this sixteenth day of this present March & enrolled in the Queen's Highness' Court of Chancery in the sum of four thousand pound of good and lawful money of England to be paid to the said Baron at the day expressed in the same, as by the said recognizance more at large appeareth, the said William, Baron of Burghley, for him, his executors and administrators, doth covenant and grant by these presents to and with the said Earl, his executors and administrators, that if he, the said Earl, his heirs, executors, administrators and assigns do well and truly observe, perform, fulfil and keep all and singular covenants, grants, articles and agreements comprised & specified(?) in one pair of indentures bearing date the eleventh day of this present month made between him, the said William, Baron of Burghley, on the one party, and the said Earl on the other party, which on the part and behalf of the said Earl, his heirs, executors and administrators, ought to be observed, performed, fulfilled and kept according to the true intent, effect and meaning of the said indentures, that then the said recognizance shall be utterly void and of none effect;

And further that th' said William, Baron of Burghley, for him, his executors and administrators, doth warrant & grant by these presents to and with the said Earl, his executors and administrators, that if it shall fortune the Lady Anne, now Countess of Oxford, wife to the said Earl and daughter to the said Baron of Burghley, to die, no action, suit or execution then before at any time [+having been] commenced, taken or sued in or upon the said recognizance for the said sum of four thousand pounds nor for any parcel thereof, that then and from thenceforth the said recognizance shall be utterly void and of none effect.

In witness whereof the parties aforesaid to these present indentures interchangeably have set their seals, given the day and year first above written.

Capta & recognita coram me Willelmo Cecill [=Taken & acknowledged before me, William Cecil]

W. Burghley

Sealed and delivered in the presence of [] William Cordell, knight
Edmund Plowden high []
George Golding
Edward Hubberd

Irrotulatumentum in dorso Clausarum Cancellarie domine Regine infrascripte decimo octavo die Martij Anno infrascriptum [=Enrolled on the back of the Close [+Rolls] of the Chancery of the within-written Lady Queen on the eighteenth day of March in the within-written year]

per W. Ballard

The defeasance of one recognizance of £4000 acknowledge by my Lord of Oxford to my Lord Burghley dated 16 Martij anno 16 Elizabetha regina