

SUMMARY: The documents below consist of four sets of interrogatories drawn up on behalf of Oxford in his lawsuit filed in Chancery in 1593 or 1594 against Roger Harlakenden (d.1603) and Richard Harlakenden for fraud in the sale of Colne Priory, together with depositions taken in 1594 from five of Oxford's servants: Barnaby Worthy, Nicholas Bleake, David Wilkins, Simon Ive and Thomas Hampton.

The interrogatories and depositions focus on the recommendation of Roger Harlakenden to Oxford's service by Oxford's servant, Edmund Felton, and Oxford's solicitor, Thomas Hampton; Roger Harlakenden's undervaluation of Colne Priory and his bribing of Oxford's servant, Edmund Felton, to concur with him in the undervaluation; Harlakenden's deliberate failure to offer the property to Oxford's tenants; Harlakenden's slandering of Oxford's title to Colne Priory in order to discourage other prospective purchasers; Harlakenden's double-crossing of his confederate, the lawyer John Drawater (d.1597); and Thomas Hampton's complicity in Harlakenden and Drawater's fraud while he was acting as Oxford's solicitor. It is apparent both from his deposition and other documents that Thomas Hampton was not only aware of the fraud against Oxford, but was a party to it. For documents suggesting the nature of the financial reward received by Thomas Hampton from Roger Harlakenden for his active participation in Harlakenden's fraud against Oxford, see ERO D/DPr/161 and ERO D/DPr/262.

At the time of Roger Harlakenden's purchase of Colne Priory, the sale value of property was generally considered to be twenty times the annual rental value. The depositions of Oxford's servant, Nicholas Bleake, and Bleake's son-in-law, Simon Ive, indicate that the annual rental value of Colne Priory at the time was £300, suggesting that the sale value should have been £6000. According to the interrogatories, Roger Harlakenden paid only £700.

For the Queen's grant to Theophilus Adams and Thomas Butler of her reversionary interest in Colne Priory dated 14 April 1592 mentioned in Thomas Hampton's deposition below, see C 66/1393, mm. 11-16.

In his deposition below, Hampton states that it was he who appointed Roger Harlakenden and John Drawater to obtain the grant of the reversion:

5 That the said complainant authorized the said defendant, Roger Harlakenden, about the month of January in the 34th year [=January 1592] of her Majesty's reign (as this deponent was then given to understand both by the said complainant and by the defendant, Roger Harlakenden) to sell the said manor of Colne Priory and all other lands, tenements and hereditaments of the said complainant in the counties of Essex, Cambridge & Suffolk that were late parcel of the possessions of the said late-dissolved monastery or priory of Colne Priory, and that then the reversion of the same premises was in her Majesty, and that the said defendant, Roger, and John Drawater in the said interrogatory mentioned were appointed solicitors by this deponent's direction to get the reversion of the premises by grant from her Majesty by virtue of a grant made to Sir John Norris, knight, by her Majesty, as this deponent now remembereth.

It is perhaps significant that Thomas Hampton omits any reference to Oxford having authorized the appointment of Harlakenden and Drawater to obtain the Queen's reversionary interest, and appears to take full responsibility for the appointment himself.

For his participation in Roger Harlakenden's fraud against Oxford in the sale of Colne Priory, John Drawater obtained Oxford's former manor of Inglesthorpe from Harlakenden. For the will of John Drawater (d.1597), in which he mentions the manor of Inglesthorpe, see TNA PROB 11/90, ff. 431-2.

In his deposition below, Oxford's servant, Barnaby Worthy, gave damaging evidence against Roger Harlakenden and Edmund Felton. For Worthy's sworn statement of 7 May 1594 describing his attempts to alter his deposition, see Huntington Library EL 5871. For the Lord Keeper's referral of the matter to the Master of the Rolls on 15 May 1594, see Huntington Library EL 5872. It is not known what decision the Master of the Rolls made with respect to Worthy's request. However it is perhaps significant that some of Worthy's damaging allegations have been crossed out in his deposition below.

For the commission, dated 9 January 1592, by which Oxford authorized Roger Harlakenden to sell Colne Priory see ERO T/B 177/4.

Neither Oxford's bill of complaint filed in this lawsuit in Chancery in 1593 or 1594, nor the answers of Roger Harlakenden and Richard Harlakenden, have survived. However Oxford's replication has survived, and the allegations in his bill of complaint can be deduced from it and from these and other interrogatories and depositions taken in 1594 (see TNA C 2/ELIZ/O3/32 and TNA C 22/406/21). For the partial judgment in Chancery on 10 February 1599 stating that 'Felton and Drawater', two of Oxford's servants, 'confederated' with Roger Harlakenden in the sale of Colne Priory in order to 'persuade Oxford that the lands were no more worth than Harlakenden offered', see TNA C 78/104/17, mm. 27-8.

Roger Harlakenden died on 21 January 1603, and Oxford on 24 June 1604, before the case was finally resolved. For the will of Roger Harlakenden, see TNA PROB 11/101, ff. 392-3.

A transcript of the documents below can also be found on the Earls Colne Project Database website at <http://linux02.lib.cam.ac.uk/earlscolne//equity/17400696.htm>.

[In another hand at top of page]

Barnabas Worthye iuratus 1o Februarij 1593 coram Matthew Carus(?) [=Barnaby Worthy sworn 1 February 1594 before Matthew Carew]

Interrogatories to be ministered to certain witnesses on the part and behalf of Edward, Earl of Oxenford, complainant, against Roger Harlakenden, esquire, and Richard Harlakenden, defendants

1 Inprimis, whether do you know the parties, plaintiff & defendants, or any of them, and by how long time have you known them, or any of them?

2 Item, whether do you not know, or have you not credibly heard, that the said Roger Harlakenden, one of the defendants, about three years now last past [=1591] did by himself, or some other for him, make means to serve the said Earl and to be his officer of surveyor of the honours, manors, lands, tenements & hereditaments of the said Earl & receiver of his rents, revenues, issues & profits, & by whom did the said Roger make means to serve the said Earl? And was not Edmund Felton, sometimes the said Earl's servant, a mean to the said Earl therefore? Or who was a mean therefore, as you think or have credibly heard?

3 Item, whether do you know the late-dissolved monastery or priory of Earls Colne alias Colne Comitis in the county of Essex and all & singular or any the manors, messuages, lands, tenements, pensions, portions of tithes & hereditaments thereunto belonging? And by how long time have you known them or any of them?

4 Item, do you know or have you credibly heard that the said defendant, Roger Harlakenden, did bargain with the said Earl for all the manors, messuages, lands, tenements, pensions, portions of tithes & hereditaments belonging to the said priory? Or for what manors, messuages, lands, tenements, pensions and portions of tithes & hereditaments, parcel of the possessions of the said priory, do you know or have you credibly heard that the said Roger Harlakenden did bargain with the said Earl for? Set down the particulars as you do know or have credibly heard.

5 Item, of what yearly value were the same lands so bargained for at the time of the said bargain, being then in lease, and what yearly value would they be if they were now out of lease?

6 Item, at what rate and for what sum of money were the same lands so bought, and when and in what place was the same bargain concluded upon between the said Earl and the said defendant, Roger Harlakenden? And to whom was the same money so paid?

7 Item, what sum or sums of money do you know or have you credibly heard that the said defendant, Roger Harlakenden, or any other for him did give or pay unto Edmund Felton or to any other to his use? And when and in what place was the same money so paid?

8 Item, whether do you know or have you credibly heard that the same money so paid as aforesaid to the said Edmund Felton or to some other to his use was in consideration that the said Felton, being then the said Earl's servant, should concur in report with the said defendant, Roger Harlakenden, touching the yearly value of the said lands, and should also report to the said Earl that the said defendant, Roger Harlakenden, endeavoured the

profit and benefit of the said Earl? If not for that cause, for what other cause was the same money so paid to the said Felton as you do think or have credibly heard?

9 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, did agree with one John Drawater that they two should join together in the purchasing of the lands which the said Earl intended to sell at an undervalue? Or what other matter or thing do you know or have you heard touching or concerning the same?

10 Item, whether do you know or have you credibly heard that the said Drawater was angry with the said defendant, Roger Harlakenden, when he, the said Drawater, did understand that the said Harlakenden had purchased the said lands at an undervalue only in the name of Richard Harlakenden, his son?

11 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, did procure from the said Earl for the said Drawater the bargain & sale of the manor or farm of Inglesthorpe in the bill mentioned? And what sum of money was paid for the same, and by whom was the same money so paid? And what do you think the same manor or farm worth to be sold? And did not the said Roger Harlakenden pay for the same, as you do know or have credibly heard?

12 Item, for what intent or cause did the said Roger Harlakenden procure & pay the purchase of the said manor or farm assured to the said Drawater as you do know, have heard, or do verily think?

13 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, did promise the said Earl that he would, at the pleasure of him, the said Earl, reassure the said lands so bargained for as beforesaid back again to the said Earl for the same sum of money that the said defendant should pay to the said Earl for the said lands? Or what other matter or thing do you know or have heard touching or concerning the same matter?

14 Item, what other matter or thing do you know or have you credibly heard touching or concerning the premises or any part or parcel thereof?

Nicholaus Bleake iuratus 23 Aprilis 1594 [rest of line obscured] [=Nicholas Bleake, sworn 23 of April 1594, before Thomas Legge(?)]

Interrogatories to be ministered to certain witnesses on the part & behalf of Edward, Earl of Oxenford, complainant, against Roger Harlakenden & Richard Harlakenden, defendants

1 Inprimis, whether you do know the parties, plaintiff & defendants, or any of them, and by how long time have you known them, or any of them?

2 Item, whether do you know the late-dissolved monastery or priory of Earls Colne alias Colne Comitis in the county of Essex and all & singular or any the manors, messuages, lands, tenements, pensions, portions of tithes & hereditaments thereunto belonging, and by how long time have you known them or any of them?

3 Item, at what rate and for what sum of money were the lands belonging to the said late priory bought by the said Roger Harlakenden of the said Earl, as you do know or have heard? And when & in what place was the same bargain concluded upon between the said Earl & the said Roger Harlakenden, and to whose hands did the said Harlakenden pay the said money? And was it not commonly reported that he paid £700 for the same?

4 Item, whether are you a copyholder of the manor of Colne Priory, or what lands, tenements or hereditaments did you at the time that the said Roger Harlakenden had commission to sell the said Earl's lands, being about two years now last past, hold by lease belonging to the said late priory of Colne? And of what yearly value were the same lands which you do or did hold either by copy or by lease?

5 Item, whether you know or have you credibly heard that the said Roger Harlakenden did offer to sale all the copyholds or demesnes of the manor of Colne Priory, or any the lands, tenements or hereditaments which the said Roger purchased in his son's name from the said Earl, to the tenants or farmers thereof or to any other person or persons? And to what tenants or farmers or to any other person or persons did he so offer? And for what cause did they or any of them refuse to buy the same? And whether would you not have purchased from the said Earl such lands belonging to the said late priory as you did hold either by copy or by lease if the same had been offered unto you and that you might have purchased the same at any reasonable rate?

6 Item, whether did the said defendant, Roger Harlakenden, or any other by his procurement give out to any person or persons that were occupiers of the said lands or any part thereof, or to any other person or persons during the time he had commission to sell the said lands, that the said Earl could not make good assurance of the said lands for that the said lands were so encumbered that the same lands were little worth, or to any such effect? Or what other matter or thing have you heard touching or concerning the same?

7 Item, of what yearly value were the lands, tenements & hereditaments which the said defendant, Roger Harlakenden, did purchase in his son's name of the said Earl at the time of the purchase? And what lands, tenements or hereditaments doth he challenge by the general words of his bargain & sale from the said Earl, as you do know or have heard?

8 Item, whether are the demesnes of the said manor of Colne Priory, the wood called Chalkney wood, the mills there, the parsonage & tithes there, the rents & services with profits of courts belonging to the said manor, if the same were out of lease, of the clear yearly value of four hundred pounds by the year to be letten? If not, of what yearly value are the same to be letten, as you do know or do verily believe? And how many copyholders do belong to the said manor of Colne Priory, and what doth the rent of the

copyholders amount unto? And whether are the fines certain or arbitrable by the custom of the said manor?

9 Item, what sum or sums of money do you know or have you heard hath been paid by the tenants or farmers of such lands & tenements as the said defendant, Roger Harlakenden, purchased in his son's name from the said Earl towards the payment of a certain tenth of £66 yearly payable to her Majesty? And what sum or sums of money do you know hath been paid by the said defendants or either or them towards the same?

10 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, did promise the said Earl that he would, at the pleasure of the said Earl, reassure the said lands so bargained for as beforesaid back again to the said Earl for the same sum of money that the said defendant should pay to the said Earl for the said lands? Or what other matter or thing do you know or have heard touching or concerning the same matter?

11 Item, what other matter or thing do you know or have heard touching or concerning the premises or any part thereof?

[First part of line obscured] To be delivered to David Wilkins, gentleman, on the part and behalf of Edward, Earl of Oxenford, complainant, against Roger Harlakenden & Richard Harlakenden, defendants.

1 Inprimis, whether do you know the parties, plaintiff & defendants, and whether do you know one Edmund Felton, sometimes the said Earl's servant, and by how long time have you known them or any of them?

2 Item, what sum or sums of money did the said Edmund Felton report unto you that the said defendant, Roger Harlakenden, did owe to him, by band or otherwise, or had paid or was to pay to him, the said Edmund Felton? And for what cause did the said Roger Harlakenden owe to the said Edmund Felton or become bound or promise to pay unto him any sum or sums of money, as you do know or do verily believe? And how long is it since the said Felton reported unto you any such matter or the like in effect, and was not the same at such time as the said Harlakenden lay sick, being in Lent past was two years [=1592]? And did not the said Harlakenden become bound or promise to pay, or pay to the said Felton any such sum or sums of money in consideration that the said Felton should concur in report with the said Roger Harlakenden touching the yearly value of such lands as the said Harlakenden had purchased or was to purchase from the said Earl? If not for that cause, for what other cause?

3 Item, whether did not the said Felton move you to purchase certain lands belonging to the late priory of Colne in the county of Essex, parcel of the possessions of the said Earl, assuring you great gain thereby? Or what speeches passed betwixt you concerning the same matter?

4 Item, what other matter or thing do you know or have you heard touching or concerning the premises or any part thereof?

David Wilkins iuratus ad testificandum ex parte honorandi domini querentis 25o die Aprilis Anno domini 1594 Coram me Iohanne Amye [=David Wilkins, sworn to testify on the part of the honoured Lord, querent, on the 25th day of April in the year of the Lord 1594, before me, John Amye]

[First part of line obscured] Interrogatories to be ministered to certain witnesses on the part & behalf of Edward, Earl of Oxenford, complainant, against Roger Harlakenden, esquire, and Richard Harlakenden, defendants

1 Inprimis, whether do you know the parties, plaintiff and defendants, or any of them, and by how long time have you known them or any of them?

2 Item, whether do you not know, or have you not credibly heard, that the said Roger Harlakenden, one of the defendants, about three years now last past [=1591] did by himself or some other for him make means to serve the said Earl and to be his officer of surveyor of the honours, manors, lands, tenements & hereditaments of the said Earl and receiver of his rents, revenues, issues & profits? And by whom did the said Roger make means to serve the said complainant? And was not Edmund Felton, sometimes the said Earl's servant, a mean to the said Earl therefore? Or who was a mean therefore, as you think or have credibly heard?

3 Item, whether do you know the late-dissolved monastery or priory of Earls Colne alias Colne Comitis in the county of Essex and all & singular or any the manors, messuages, lands, tenements, pensions, portions of tithes & hereditaments thereunto belonging? And by how long time have you known them or any or them?

4 Item, whether was the said complainant seised in fee or fee-tail general, the reversion in her Majesty, of the said late-dissolved monastery or priory of Colne and of divers of the possessions of the same late priory?

5 Item, whether did the said complainant authorize the said defendant, Roger, to sell the said late-dissolved priory and all other the lands & hereditaments of the said complainant situate in the counties of Essex, Suffolk & Cambridge to the best profit & advantage of the said complainant or not? If the said complainant did authorize the said defendant to sell his lands & hereditaments as aforesaid, how long is it sithence? And whether was the reversion of the fee simple of the said late Colne Priory in her Majesty at the time of such authority to the said defendant, Roger, given by the same complainant? And whether did the said complainant appoint the said defendant, Roger, & one John Drawater to get the reversion of the said lands & hereditaments by letters patents from her Majesty to the intent to make the sales thereof profit or not?

6 Item, whether did the said defendant, Roger Harlakenden, do his best endeavour to sell the said complainant's lands to the best & uttermost value, as you know or have heard?

7 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, after that he had his authority from the said Earl, complainant, to sell his said lands, rather discredit the title thereof or discourage any other to buy the said lands, and thereupon made report to the said complainant, together with the said Edmund Felton, being the said complainant's servant, that he, the said defendant, Roger, had taken pains to make sale of the said lands but there was not any desirous to buy by reason the title thereof was slandered?

8 Item, whether did not the said Roger, one of the said defendants, then say unto the said complainant, to the intent to draw on others & make them more willing to buy the said lands & hereditaments, that he, the said Roger, would buy the manor of Colne Priory and divers other lands, tenements & hereditaments parcel thereof, and would give to the uttermost value thereof, and to the end to do the said complainant all the service & good that he could? And whether did not he, the said Roger, faithfully promise to the said complainant that if the said complainant did find or prove that such lands & hereditaments as he, the said defendant, Roger, desired to have of the said complainant were of any better value than he, the said Roger, had set down, that then he, the said Roger, would give to the full & most value thereof, or otherwise did faithfully promise to the complainant at the said complainant's election to reassure all such lands to the said complainant & his heirs again as should be conveyed to the said defendant, Roger, or to the said defendant, Richard, upon payment to the said Roger of all such money as he duly paid for the same to the said complainant, allowing reasonable interest, and how know you the same to be true?

9 Item, whether did the said complainant convey to the said Richard, defendant, for the same Roger's use, any of the said complainant's lands & hereditaments? And when was the said conveyance made, and of what lands & hereditaments? And of what yearly value, and for what sum or sums of money? Who was of counsel with the complainant in the making of the said conveyance, and how know you the same? And whether were there any lands and hereditaments cunningly inserted into the said conveyance by general words which were never intended or meant to pass unto either of the said defendants? And what be the same lands & hereditaments, & of what yearly value? And who was the solicitor & doer therein between the said complainant and defendant, & how know you the same to be true?

10 Item, whether do you know or have you credibly heard that the said defendant, Roger Harlakenden, did agree with the said Drawater that they two should join together in the purchasing of the lands & hereditaments which the said Earl intended to sell at an undervalue? Or what other matter or thing do you know or have you heard touching or concerning the same?

11 Item, whether do you not know or have you not credibly heard that the said Drawater was angry with the said defendant, Roger, when he, the said Drawater, did understand that the said Harlakenden had purchased the said lands at an undervalue only in the name of the defendant Richard, his son?

16 Aprilis 36 Elizabethhe Regine [=16 April 36 Queen Elizabeth = 16 April 1594]

Barnaby Worthy, servant to the right honourable the Earl of Oxon', of the age of 22 years or thereabouts, sworn etc., and by direction of the producter(?) examined upon the 1, 2, 3, 7 & 8 interrogatories,

1 interrogatory, [+saith] that he is servant to the said honourable Earl, the now complainant, as before is deposed, and hath known him these 3 years past & more, and saith that he hath known Roger Harlakenden and Richard Harlakenden, the now defendants, much about that time.

2 That he hath credibly heard it affirmed and believeth it to be true that the said Roger Harlakenden, one of the defendants, did make means by sundry his friends about some three years past to serve the said honourable Earl and to be officer for the surveying of lands and for the receiving of his rents and other revenues, [CROSSED OUT: and hath heard that amongst others Edmund Felton named in the interrogatories was a mean unto the said Earl on the said defendant's behalf for the better effecting of his said suit, and further he cannot depose] and further he cannot depose.

3 That he hath well known the late-dissolved monastery or priory of Earls Colne named in the interrogatories and divers grounds thereunto belonging for these two years past, but remembereth not their particular names whereby they are commonly called.

7 That he well knoweth that the said Roger Harlakenden by his assigns did pay unto the said Edmund Felton the sum of fifty-two pounds or thereabouts at a linen draper's shop in Lombard Street, London, about Exmas [=Christmas?] last was a year.

8 That he well knoweth and is very sure that the said sum of £52 or thereabouts was paid and given to the said Felton by the said Roger Harlakenden in consideration that the said Felton should join in report with the said Roger touching the value of certain lands which the said Earl had then-tofore sold to the said Harlakenden, for this deponent saith that the said Roger (being the rather by means of the said Felton entertained by the said Earl for his surveyor of his lands & receiver of his rents & revenues as aforesaid, and being afterwards put in trust by the said Earl to make sale of the lands before mentioned in the 3 interrogatory to the best benefit of the said Earl), combined with the said Felton to join with him in report to the said Earl of the value of that land much under the worth, and also to ensure(?) the said Earl that the said Roger endeavoured the profit of the said Earl in the sale of that land the best he could, by means whereof the said Roger had those lands at his own rate, and in regard of that benefit derived unto him the rather by the said

report of the said Felton unto the said Earl, the said Roger Harlakenden did give and pay unto the said Felton the said sum of £52 or thereabouts, & for none other matter or cause whatsoever, and more etc. he saith not in this matter [~~CROSSED OUT~~: saving that he hath credibly heard that the said Felton had of the said Roger Harlakenden above £200 more in money for effecting of the said bargain].

Barnaby Worthy

Endorsed:

Comes Oxonie contra Herlackenden

+Barnaby Worthy
+Nicholas Bleake
+David Wilkins
+Thomas Hampton
+Simon Ive

Pasche 36 Elizabethhe Regine [=Easter, 36 Queen Elizabeth]

Nicholas Bleake of Ware in the county of Hertford, yeoman, of the age of 53 years or thereabouts, sworn etc.

1 interrogatory. That he doth very well know Edward, Earl of Oxon', the now complainant, and likewise knoweth Roger & Richard Harlakenden, named for defendants in this suit.

2 That he doth very well know the late-dissolved monastery or priory mentioned in the interrogatory commonly called Colne Priory, and doth also know divers of the lands, messuages, pensions and hereditaments thereto belonging, for he saith that he dwelt in the town there for divers years together.

3 That about 3 years past or more [=1591] it was commonly spoken and said in Essex where the premises lie that the said Roger Harlakenden had bought all the lands belonging unto the said late priory for the sum of 700 pounds or thereabouts, but where or when that bargain was agreed on, or by whom, this deponent cannot depose anything of his own knowledge, nor to whom the said sum of 700 pounds was paid.

4 That about the time of the said speech that the said defendant, Roger Harlakenden, had bought the said lands of the now complainant, this deponent did hold by lease to the quantity of 60 acres of land belonging unto the said late priory, for which this deponent did pay unto the said honourable Earl the yearly rent of 7 nobles [=£2 4s 8d], but saith

that the same 60 acres was worth to be letten very near £20 per annum, for so it hath been letten to this deponent's remembrance.

5 That if he had known that the said honourable Earl would have made sale of the said priory land, he, this deponent, for his own part would most willingly have bought his Lordship's interest in the said 60 acres of ground which this deponent held by lease at a dearer rate by much than the said defendant paid for it, and so he thinketh other the tenants of the said lands would gladly have done, and further to that interrogatory he cannot depose.

6 He cannot depose anything materially.

7 That the lands and tenements with their appurtenances which the said Earl in true meaning by common and credible report sold unto the said defendant, the writing being made, as it was also said, in the name of the said Richard Harlakenden, son to the said Roger, are of the yearly value of £50 or thereabouts of ancient rent, but this deponent saith that the said Roger Harlakenden doth claim by virtue of general words contained in the deed of bargain and sale of the said lands all the portions of tithes lately belonging unto the said priory, and also a certain parcel of ground lying in Halstead called Plaistow, and by report a certain tenement at Castle Hedingham, but what quantity of ground belongeth to that tenement this deponent hath not heard.

8 That the demesnes of the said manor of Colne Priory, the wood there called Chalkney Wood, the mills there, the parsonage & tithes there, the rents and services with profits of courts belonging to the said manor, if the same were out of lease, are well worth the clear yearly value of £300 per annum or thereabouts, and further to that interrogatory he cannot depose, not remembering the certain number of the copyholders belonging unto the said manor of Colne Priory, or what their rents do amount unto, but remembereth that the copyholders' fines of the said manor are arbitrable by the custom of the said manor.

9 That he cannot depose by this materially, saving that he hath heard that the said defendant, Roger Harlakenden, about 8 or 9 years past took bond(?) of certain the tenants or farmers of the said lands purchased by the defendants of the said Earl for the payment of certain moneys due to her Majesty for a certain tenth payable yearly out of the said lands.

10 & 11 That he heard Mr Walter Cope, servant to the right honourable the Lord Treasurer, say that the said Roger Harlakenden told him that the now complainant should have the lands again which he sold to him, the said Roger, for the money the said Roger paid for them, and further to that interrogatory he cannot depose, nor more saith etc.

per me, N. Bleakes

26 Aprilis 1594 [rest of first line obscured]

David Wilkins of London, gentleman, of th' age of 47 years or thereabouts, sworn etc.

1 That he knoweth the right honourable th' Earl of Oxon', now complainant, but the defendants he knoweth not, and saith that he doth know Edmund Felton named in the interrogatory, and hath known the plaintiff ever since he was married to his first wife, & the said Felton by the space of 17 years or thereabouts.

2 That he remembereth that at Lent last past was 2 years [=1592], the said Edmund Felton, upon occasion of speech, did tell unto this deponent at this deponent's house in London that he had been to speak with Roger Harlakenden, then lying sick, and, quoth Felton, 'He oweth me money which he should pay at certain days, & should enter into bonds unto me for it, and because of his sickness, for troubling him I cannot come to speak with him, and if he should die, I cannot tell how to come by my money', protesting the same with an oath, but what sums of money the same were, or for what cause the money should be owing or that the said bonds should be given by the said Roger Harlakenden, whether upon the consideration in th' article mentioned or not he cannot depose, nor anything else can say to this interrogatory.

3 That at or about the same time of the foresaid speech between Felton and this deponent, the said Felton moved this deponent jointly with him to purchase certain lands belonging to the Earl of Oxon' which the said Roger Harlakenden had then commission from his Lordship to sell, wherein he said there was a great pennyworth to be had, and whether it was any of the lands in the interrogatory mentioned or not he cannot tell, but saith that Felton spake of the lands of the said Earl's that were thereupon sold, and that he answered & told the said Felton again that if Roger Harlakenden had commission to sell the lands it were good that he sold it the best he could for his Lord's use, and that this deponent would not meddle with it unless he had it and bought it as a stranger would give for it, and then told unto Felton that if Roger Harlakenden & he did sell the land in that order as they went about, their dealings therein would come in question another day, and Felton replied again and said that there could not any question arise about it by any law because Roger Harlakenden had commission to sell the land, & further adding that since the land was to be sold, as well this deponent & he & Harlakenden to gain by it as another, but this deponent, not liking the motion, refused utterly to deal in it, with this conclusion, that whereas this deponent had served the said Earl so long a time as he had done, it should not be said that this deponent had in any way cozened him, or words to like effect.

4 That he remembereth not more than he hath before said, nor more saith in this matter.

David Wilkin

6 Maij 1594 [rest of line obscured]

Simon Ive of Earls Colne in the county of Essex, gentleman, of the age of 30 years & upwards, sworn etc.

1 To the first interrogatory, that he knoweth the right honourable the Earl of Oxon', now complainant, & hath known him about the space of ten years last past [=1584], and hath known the defendants, Roger & Richard Harlakenden, about the space of eight years last past.

2 To the second interrogatory, this deponent saith that he knoweth the late-dissolved priory of Earls Colne mentioned in the interrogatory & the greatest part of the messuages, lands, tenements & hereditaments thereto belonging, and saith that he esteemeth the lands belonging to the said late priory lying within the precinct of the parish of Earls Colne & Colne Engaine to contain six hundred acres of land, meadow, pasture, wood & moor [] the copyholds, and hath known the same by the space of six years last past or thereabouts.

3 To the third interrogatory, this deponent saith that about two years past it was reported that the said defendant, Roger Harlakenden, paid for the lands & hereditaments, parcel of the said late priory, which he bought of the said Earl in his son's name, the sum of £700, but what in certainty he paid this deponent knoweth not for that he was not any way a dealer therein, and further this deponent thinketh it were very hard for him or any other to know the certainty for that the defendant, Roger, which was the purchaser from the said Earl as aforesaid, as may appear by his several answers in this honourable Court remaining of record, doth not himself certainly know, but this deponent thinketh verily in his conscience that if the said defendant had meant truly towards the said Earl, that the sum of money which he did pay should have been put into the indenture of bargain & sale.

4 To the fourth interrogatory, this deponent saith that he is not any copyholder of the manor of Colne Priory, but saith that at the time that the said defendant, Roger, had commission to sell the said lands, he did hold by grant from one Nicholas Bleake, this deponent's father-in-law, certain lands, tenements & hereditaments called Sedcoppes, Broadfeldes, & Chalkney meadow lying in the parish of Earls Colne, parcel of the possessions of the said late priory containing by estimation altogether threescore & ten acres or thereabouts, which Nicholas did hold the said lands by virtue of a lease made from the complainant unto the said Nicholas for the yearly rent of 40s, and further saith that the same lands were letten unto one Brock by the said Nicholas for £15 per annum, and further this deponent saith that he was offered for the same lands the yearly rent of £18 per annum.

5 To the fifth interrogatory, this deponent saith that he doth not know nor did hear that the said defendant did offer to sale all or any the copyholds of the manor of Colne Priory, neither doth he know or ever heard that he offered to sale any of the lands or hereditaments parcel of the possessions of the said late priory of Colne which he purchased in his son's name except certain lands called Mylles, Coppyes, & Chalkney Crofts, or suchlike names, which one John Grene of Earls Colne, yeoman, being sometimes tenant to the said Earl, did tell this deponent were offered in some part to him

by the said defendant, Roger, and afterwards the said Grene did provide money for the purchasing of the same lands & hereditaments, and came up to London about the same, but when he came at London he could not obtain the same purchase, as the said Grene hath told this deponent, and further this deponent saith that the said Nicholas Bleake, his father-in-law, & himself would have purchased the lands which the said Nicholas did hold by lease from the said Earl as aforesaid if the same had been offered to either of them by the said defendant or by any other on his behalf and that the same might have been obtained at any reasonable rate, neither doth he know that any of the copyholders or farmers refused to buy any of the lands in their several tenures as by the article is intended.

6 To the sixth interrogatory, this deponent saith that there were speeches given out during the time the said defendant had commission to sell the said lands & hereditaments that the same lands were diversly encumbered, as well by reason of extents as also by reason of a yearly tenth issuing out of the same lands to her Majesty, and that the same was behind for divers years, and this deponent verily thinketh in his conscience that the same speeches were given out by the said defendant, Roger, or some other by his procurement, for otherwise he knoweth not from whence such report should come.

7 To the seventh interrogatory, this deponent saith that the lands, tenements & hereditaments lying within the parish of Earls Colne & Colne Engaine, & certain rents, parcel of the possessions of the late priory, which do lie in divers places in the counties of Suffolk & Essex, which been challenged by the said defendant by force of the bargain & sale from the said Earl, were at the time of the said purchase of the yearly value of £50 or thereabouts, besides certain portions of tithes lying in divers places in the said counties of Suffolk & Essex which he challengeth by his bargain, being of the yearly value at the time of the said purchase of £7 & upwards, & besides a tenement called Plaistow in Halstead which the defendant, as this deponent taketh it, challengeth by the general words of the bargain & sale, then being of the yearly value of 40s, and besides certain lands & tenements which this deponent hath been informed were found out upon a survey made of other lands for the right honourable the Lord High Treasurer of England lying in Castle Hedingham, Sible Hedingham & Finchingfield, or some of them, which the said defendant likewise challengeth by the general words of the bargain & sale, as he taketh it.

8 To the eighth interrogatory, this deponent saith that he doth esteem the manor of Colne Priory, the wood called Chalkney wood, the mills there, the parsonage & tithes there, the rents & services with profits of courts belonging to the said manor, if the same were out of lease, of the yearly value of £300 by the year & upwards to be letten, and saith that if the same were to be letten he would take the same at the yearly rent of £300 for that he knoweth, according to the rate which the said defendant, Roger, hath heretofore letten certain of the same lands, he might be a gainer thereby.

9 To the 9th interrogatory, this deponent saith that he knoweth, by information of the parties which have paid money towards the arrearages of a yearly tenth of £66, that the said John Grene, who holdeth the lands above rehearsed by lease, hath paid £18 or thereabouts towards the same, & one John Church hath paid £5 or thereabouts for such

lands as he holdeth by lease, & one Mrs Peerson hath paid likewise 24s, and there was levied upon this deponent about one year now past [=1593] by the then sheriff of the said county of Essex the sum of £14 towards the arrearages of the said tenth, and this deponent further saith that he doth not know of any sum or sums of money that either of the defendants hath paid towards the said tenth.

10 To the tenth interrogatory, this deponent saith that the said Earl hath told unto this examinant that the said defendant, Roger, did promise that he should have the lands which he bought of him for the money which the said defendant had paid for them, and further saith that he hath heard of the said John Church of Earls Colne aforesaid the like matter in effect, which the said Church told this examinant that the said defendant, Roger, did tell unto him.

11 That he cannot further depose to that interrogatory than as to the precedent interrogatory is deposed, or like in effect, nor more, etc.

Simon Ive

6 Maij 1594 pro Comite Oxonie [=For the Earl of Oxford]

Thomas Hampton of London, gentleman, of the age of 50 years or thereabouts, sworn etc.

1 That he doth know the right honourable Edward, Earl of Oxon', the now complainant, and Roger Harlakenden & Richard Harlakenden, the defendants, and hath known the said honourable Earl for a long time, and the defendants by the space of four years now last past [=1590] or thereabouts.

2 That the said defendant, Roger Harlakenden, about the month of May in the 33rd year [=May, 1591] of her Majesty's reign, moved this deponent, and also Edmund Felton in the said interrogatory mentioned, that he, the said Roger Harlakenden, might be preferred to be the plaintiff's steward, surveyor and receiver of the said complainant's manors, lands and tenements in the county of Essex, and this deponent further saith and deposeth that the said Edmund Felton, in the presence and hearing of this deponent at Greenwich, informed and said to the said complainant that the said defendant, Roger Harlakenden, was a gentleman of good ability, very honest and sufficient to be the same complainant's officer as aforesaid, or words of like effect, and further this deponent saith that he verily believeth that the said complainant made the same defendant, Roger Harlakenden, afterwards his said officer upon the good report of this deponent and of the said Edmund Felton to the said complainant at the request and desire of the said defendant, Roger Harlakenden, to this deponent and to the said Edmund Felton therein.

3 That about July or August in the 33rd year [=1591] of her Majesty's reign aforesaid, he was at the chief house or site of the late-dissolved priory of Colne Priory in the county of Essex, and there stayed about 4 or 5 hours, and otherwise doth not certainly know of his

own knowledge all the manors, messuages, lands, tenements, pensions, portions of tithe, or hereditaments belonging to the same otherwise than by certain old scrolls, particulars and rentals which this deponent hath seen and read, and further to that interrogatory he cannot depose.

4 That the said complainant was seised in fee-tail general, the reversion of the fee thereof in her Majesty, of and in the site of the late-dissolved monastery or priory of Colne Priory and of divers lands, tenements and hereditaments late parcel of the said monastery or priory, and this the said deponent saith he knoweth to be true, for he hath seen and hath had in his custody certain letters patents under the Great Seal of England purporting the same.

5 That the said complainant authorized the said defendant, Roger Harlakenden, about the month of January in the 34th year [=January 1592] of her Majesty's reign (as this deponent was then given to understand both by the said complainant and by the defendant, Roger Harlakenden) to sell the said manor of Colne Priory and all other lands, tenements and hereditaments of the said complainant in the counties of Essex, Cambridge & Suffolk that were late parcel of the possessions of the said late-dissolved monastery or priory of Colne Priory, and that then the reversion of the same premises was in her Majesty, and that the said defendant, Roger, and John Drawater in the said interrogatory mentioned were appointed solicitors by this deponent's direction to get the reversion of the premises by grant from her Majesty by virtue of a grant made to Sir John Norris, knight, by her Majesty, as this deponent now remembereth.

6, 7, 8, 9, 10 & 11 interrogatories. This deponent saith that about the month of February in the 34th year [=February 1592] of her Majesty's reign the said John Drawater told this deponent that the said Roger Harlakenden had dealt ill with him, and had broken his faithful promise, which was that when the said Roger had authority from the said complainant to sell the said lands that he, the said Roger, the defendant, would neither buy for himself or sell any part thereof without the said John Drawater's consent & agreement, to th' end that they twain should join together to buy the whole for their own gain, and that the said Roger, without the consent or privity of the said John Drawater, had secretly got passed to the said Richard Harlakenden in fee from the said complainant by deed enrolled the most part of the said premises for a little or nothing, and to prevent that the said complainant should not be cozened or defeated of his lands for trifles, the said Drawater advised this deponent to inform the right honourable the Lord Treasurer of England thereof, and to move his Lordship to stay the passage of the reversion by her Majesty of so much as was contained in the said conveyance made to the said Richard Harlakenden, defendant.

Whereupon this deponent, being before and at that time of counsel with the plaintiff, sent for the said Felton and the defendant, Roger, to come to this deponent's house then in Blackfriars, London, who came the next morning accordingly, whereupon this deponent then speaking to the said Felton, & Roger, the defendant, severally, and after(?) [] told them that whereas he, the said Roger Harlakenden, had authority and was put in trust to sell parcel of the said complainant's lands to the best value, he, the said defendant,

contrary to the trust in him reposed by the plaintiff, had by confederacy between him & the said Felton procured the most part of the said lands secretly to be conveyed to Richard Harlakenden, son of the said Roger, without th' advice of any of the complainant's counsel, and without any due or valuable consideration, and thereupon this deponent told the said Felton and Roger Harlakenden, the defendant, in secret that he, this deponent, would inform the said Lord Treasurer thereof, and move his Honour on the plaintiff's behalf to stay the passing of the reversion of so much of the said lands and hereditaments as were conveyed to the said Richard Harlakenden;

Whereunto the said defendant, Roger, then made this or the like answer, viz., that he had disbursed some money to serve the complainant's turn, and had for his assurance a conveyance made of certain lands to his son, Richard, by the said complainant, which, quoth the said Roger to this deponent, was done of purpose to draw others on to be the more willing to buy the said complainant's lands, further adding that he, the said Roger, would give the just value of the said lands after the reversion were gotten from her Majesty, or that otherwise upon the payment of such moneys unto him, the said defendant, Roger, as he had disbursed to the plaintiff, he, the said Roger, would cause the said lands so assured to his son, Richard, to be reassured to the said complainant and his heirs, the said defendant, Roger, having some reasonable consideration made him for the forbearing of the said moneys according to the time, and thus much or the like in effect did the said Felton oftentimes affirm to this deponent, by reason of which speeches this deponent did forbear to inform or move the said Lord Treasurer for the staying of the passing of the said reversion, and this deponent further saith that the said reversion, as he best remembereth, was not passed in six weeks after the said speeches were used & had with the said defendant, Roger, and the said Felton, and more, etc.

Thomas Hampton