

SUMMARY: The document below is the copy on the Close Rolls of a recognizance in the amount of £500 acknowledged by Oxford to Thomas Thomson and Thomas Kelton on 28 November 1580 in connection with indentures of the same date granting Thomson and Kelton a six-year lease to cut down and carry away the timber in Chalkney Wood. Thomas Kelton was the nephew, and one of the heirs, of Oxford's former receiver, Richard Kelton (d.1578).

LM: Recognizance between the Earl of Oxford & Thomson

Edward, Earl of Oxford, having appeared personally before the Lady Queen in her Chancery, acknowledged himself to owe to Thomas Thomson, citizen & haberdasher of London, & Thomas Kelton of Earls Colne in the county of Essex, gentleman, five hundred pounds of good & lawful money of England, to be paid to the same Thomas & Thomas or their or either of their designated attorneys, executors or assigns;

And if he shall not have done [+so], the foresaid Earl wishes & grants that the foresaid sum of money be levied of the goods & chattels, lands, tenements & hereditaments of the same Earl to the use & behoof of the same Thomas & Thomas wheresoever they may be found;

Witness the foresaid Lady Queen at Westminster on the twenty-eighth day of November in the twenty-third year of the reign of our said Lady Elizabeth by the grace of God of England, France & Ireland Queen, Defender of the Faith etc.

The condition of this recognizance is such that whereas the above-bounden Edward, Earl of Oxenford, hath by one indenture bearing date the day of the date of these presents given and granted, bargained and sold unto the aforesaid Thomas Thomson and Thomas Kelton all trees, timber-trees, woods and underwoods standing, growing and being in Chalkney Wood in Earls Colne in the county of Essex, to be felled, cut down and carried away by the said Thomas Thomson and Thomas Kelton, their or either of their executors or assigns, within six years next ensuing the date of the said indenture, as by the same it doth more at large appear;

If it shall fortune the said Earl to decease within the said six years, the said Thomas Thomson and Thomas Kelton, their or either of their executors and assigns or any of them at the time of the decease of the said Earl not having felled, taken and carried away all the said trees, timber-trees, woods and underwoods according to the true intent and meaning of the said indenture, then if the heirs, executors or administrators of the said Earl shall, within three months next after good and lawful request publicly and notoriously made unto the heirs, executors or administrators of the said Earl in or at the house of the said Earl commonly called Hedingham Castle in the said county of Essex,

make satisfaction and recompense unto the said Thomas Thomson and Thomas Kelton, their or either of their executors or administrators or any of them, with good and lawful English money at or in Hedingham Castle aforesaid for all those trees, timber-trees, woods and underwoods mentioned to be bargained and sold by the said indenture, other than the standels and storers in the said indenture covenanted to be left standing or growing, which at the time of the decease of the said Earl shall be there standing and growing or felled and not carried away by the said Thomas Thomson and Thomas Kelton, their or either of their executors, administrators or assigns, and which shall or may not then be lawfully cut down, taken or carried away by the said Thomas Thomson and Thomas Kelton, their or either of their executors, administrators or assigns, that then this recognizance shall be void and of none effect, or else remain and abide in full strength and virtue.

LM: Recognitio inter Oxonie Comitem & Thomson

1 Edwardus Comes Oxonie coram domina Regina in Cancellaria sua personaliter constitutus recognouit se

2 debere Thome Thomson Ciui & haberdassher Londonie & Thome Kelton de Erlescolne in Comitatu Essex

3 Generoso Quingentas libras bone & legalis monete Anglie Soluendas eisdem Thome & Thome aut eorum

4 alteri seu eorum certis attornatis executoribus vel assignatis suis Et nisi fecerit predictus Comes vult & concedit quod predicta

5 pecunie summa leuetur de bonis & catallis terris tenementis & hereditamentis ipsius Comitis ad opus & vsum ipsorum

6 Thome & Thome vbicumque fuerint inuentis Teste prefata domina Regina apud Westmonasterium vicesimo octauo die

7 Nouembris Anno regni dicte domine nostre Elizabethhe dei gracia Anglie ffrancie & Hibernie Regine fidei defensoris &c

8 vicesimo tercio