

SUMMARY: The document below is the recognizance enrolled on the Close Rolls on 19 December 1563 by which Sir William Cecil acknowledged himself bound in £400 to perform the provisions of an indenture dated 11 December 1563.

The condition of the recognizance was to be fulfilled in one of two ways, depending on whether Robert Burbage's stepmother, Eleanor Burbage, widow of Thomas Burbage, was still living on 1 November 1564. If she were to die before 1 November 1564, Cecil was to pay Robert Burbage £315 on 20 November 1564, without further condition. If she were living on 1 November 1564, however, before Cecil was required to pay Robert Burbage £315 on 1 November 1564, Burbage was required either to enter into a bond to Cecil in the amount of £400 guaranteeing that he (Robert Burbage) would pay Eleanor Burbage £35 per year during her lifetime, or otherwise save Cecil harmless with respect to the said £35 per year.

For further background to the recognizance below, see the indenture of 11 December 1563, TNA C 54/662, mm. 8-11. For another recognizance in connection with the same indenture, see TNA C 54/653, No. 74.

The condition having been performed, Sir William Cecil and Robert Burbage attended personally at the Court of Chancery on 13 November 1564 to have the recognizance cancelled, as attested by their signatures in the left margin.

It appears that Eleanor Burbage was still living on 1 November 1564, as Robert Burbage and his surety, the London mercer Edward Worsopp, in accordance with the condition if she were still living, entered into a recognizance in the amount of £400 to Sir William Cecil on 31 October 1564. The date of Eleanor Burbage's death is unknown, and it appears she did not leave a will.

For the will of Robert Burbage, see TNA PROB 11/57/448.

For the pedigree of Burbage of Hayes Park Hall in Armytage, George John, ed., *Middlesex Pedigrees as Collected by Richard Mundy*, (London: Harleian Society, 1914), Vol. LXV, p. 80 at:

<https://archive.org/stream/middlesexpedigre65mund#page/80/mode/2up>.

LM: Recog{nitio} int{er} Will{elmu}m Cycill Mil{item} et Rob{er}tum Burbage Armig{er}um

LM: [Signatures of William Cecil and Robert Burbage]

LM: vac{ata} ista rec{ognitio} cu{m} condic{i}o{n}e & irrotulament{o} eiusdem p{ro} eo

q{uo}d xiiijo die Nouembr{is} Anno
 r{egni} d{omi}ne n{ost}re Elizabeth{e} R{egine}
 sexto sup{ra}scr{iptus} Rob{er}tus Burbage
 ven{it} coram d{ic}t{a} d{omi}na Regina
 in Cancellar{ia} sua p{er}sonalit{er}
 & fatebat{ur} se fore plenar{ie}
 satisfact{um} & p{er}solut{um} de om{n}ib{us}
 pecuniar{um} sum{m}is tam in rec{ognitione}
 q{uam} in condic{i}o{n}e p{re}dict{is} content{is}
 & specificat{is} I{de}o ista rec{ognitio} cu{m} ir{rotulamento}
 eiusdem ad requis{itionem} p{re}d{ic}t{i} Rob{er}ti
 cancellat{ur} & dampnat{ur}

[=This recognizance vacated, with the condition & enrolment of the same, for that on the 13th day of November in the sixth year of the reign of our Lady Queen Elizabeth the above-written Robert Burbage came personally before the said Lady the Queen in her Chancery & confessed himself to be fully satisfied & paid of all sums of money in both the recognizance & condition contained & specified; therefore this recognizance with the enrolment of the same at the request of the foresaid Robert are cancelled & annulled.]

1 Will{elmu}s Cycill Miles Principalis Secretarius d{omi}ne Regine coram ip{s}a Regina in Cancellar{ia} sua p{er}sonalit{er} constitutus

2 recognouit se debere Rob{er}to Burbage Armig{er}o quadringentas libras bone & legalis monete Angl{ie} Soluend{as}

3 eidem Rob{er}to aut suo c{er}to attorn{ato} seu executorib{us} suis in festo Natalis d{omi}ni p{ro}x{imo} futur{o} Et nisi fec{er}it vult & concedit

4 p{ro} se & hered{ibus} suis q{uo}d d{ic}t{a} pecunia leuet{ur} de t{er}ris bonis & catallis suis ad opus & vsum ip{s}ius Rob{er}ti seu executor{um}

5 suor{um} vbicumq{ue} inuent{is} fu{er}int infra Regnu{m} Angl{ie} T{este} d{ic}t{a} d{omi}na Regina apud West{monasteriu}m xix die Decembr{is} Anno regni sui sexto

[=William Cecil, knight, Principal Secretary to the Lady the Queen, having appeared personally before her in her Chancery, acknowledged himself to owe to Robert Burbage, esquire, four hundred pounds of good & lawful money of England, to be paid to the same Robert or his designated attorney or executors at the feast of the Birth of Our Lord next to come;

And if he shall not have done [+so] he wills & grants for himself & his heirs that the said money be levied of his lands, goods & chattels, wherever they may be found within the kingdom of England, to the behoof & use of the said Robert or his executors;

Witness the said Lady the Queen at Westminster on the 19 day of December in the sixth year of her reign.]

The condition of this recognizance is such that where the above-bounden Sir William Cecil, knight, by indenture made between the above-named Robert Burbage on thone party and the said Sir William Cecil, knight, Gilbert Gerard, esquire, Attorney-General unto our Sovereign Lady Queen Elizabeth that now is, and Roger Alford of Hitcham in the county of Buckingham, gentleman, on thother party, bearing date the eleventh day of this present month of December, amongst other covenants in the same indenture contained did covenant and grant for him, his heirs, executors and administrators, to and with the said Robert Burbage, his executors and assigns, by the same indenture that if Eleanor Burbage, widow, happen to die before the first day of November next coming after the date of the same indenture, and perfect notice thereof given, had and made by the said Robert Burbage, his executors, administrators or assigns, unto the said Sir William Cecil, his executors or administrators, at or before the said first day of November next coming;

That then he, the said Sir William Cecil, knight, his executors or assigns, shall well and truly content and pay or cause to be contented and paid unto the said Robert Burbage, his executors, administrators or assigns, in the twentieth day of the said month of November then next coming after the date of the same indenture the sum of three hundred and fifteen pounds of good and lawful money of England at the great and middle west door of the Cathedral Church of Saint Paul within the city of London between the hours of eight of the clock in the forenoon and two of the clock in the afternoon of the same day;

And also the said Sir William Cecil by the same indenture did further covenant that if the said Eleanor Burbage should happen to live until the said first day of November then next ensuing the date of the same indenture, and in the meantime he, the said Robert Burbage, his heirs, executors or administrators, together with such one able and sufficient person as shall be above th' age of one and twenty years and lawfully seised to him and to his heirs in fee simple of manors, lands, tenements and hereditaments to the clear yearly value of forty pounds and above all charges and reprises and clearly discharged of all former charges and encumbrances whatsoever except leases for term of years, life or lives whereupon the ancient and accustomed yearly rents shall be reserved and yearly payable during the said leases and the rents and services then and from thenceforth to be due unto the chief lord or lords of the fee of and for the same, shall jointly enter in bond and be bound unto the said Sir William Cecil, knight, his heirs, executors or assigns, by recognizance in the sum of four hundred pounds to be knowledged in the Court of Chancery of our said Sovereign Lady the Queen, her heirs or successors, according to the form of recognizances now used to be knowledged in the said Court, with a condition thereunto to be added or thereon declared that if the said Robert Burbage, his heirs, executors, administrators or assigns, do well and truly content & pay or cause to be contented and paid yearly from thenceforth unto the said Eleanor Burbage or her assigns the said yearly rent of £35 during the term of four score years, if the said Eleanor

Burbage so long do live, at the days and place or according to the effect and true meaning of the indenture of lease recited in the said indenture;

Or else if the said Robert Burbage, his heirs, executors, administrators or assigns, at all times from thenceforth do acquit and discharge or else save and keep harmless the said Sir William Cecil, knight, his heirs, executors, administrators & assigns and every of them against the said Eleanor Burbage, her executors, administrators and assigns, of and for the payment of the said yearly rent of £35 and every part and parcel thereof;

That then the said Sir William Cecil, knight, his executors, administrators or assigns, within twenty days next after the said first day of November now next coming shall well and truly content and pay or cause to be contented and paid unto the said Robert Burbage, his heirs, executors or assigns, the sum of three hundred and fifteen pounds of good and lawful money of England at or in the parish church of Saint Dunstan's in the West in Fleet Street within the suburbs of the city of London between the hours of eight of the clock in the forenoon and two of the clock in the afternoon of the same day, as in and by the same indenture more plainly doth and may appear;

If the said Eleanor Burbage happen to die before the said first day of November and perfect notice thereof given and had in manner and form as is before recited;

Then if the said Sir William Cecil, knight, his executors, administrators or assigns, do well and truly content and pay or cause to be contented and paid unto the said Robert Burbage, his executors or assigns, the said sum of three hundred and fifteen pounds of lawful money of England in the said twentieth day of November next coming after the date hereof at the said west door of the Cathedral Church of Saint Paul within the city of London between the hours of eight of the clock in the forenoon and two of the clock in the afternoon of the same day;

Or else if the said Eleanor do live until the said first day of November and in the meantime the said recognisance of the sum of four hundred pounds be knowledged unto the said Sir William Cecil, knight, in manner and form above recited;

Then if the said Sir William Cecil, his executors, administrators or assigns, do well and truly pay or cause to be paid unto the said Robert Burbage, his executors or assigns, the sum of three hundred and fifteen pounds of lawful money of England in the twentieth day of November next coming at or in the parish church of Saint Dunstan's in the West in Fleet Street within the suburbs of the city of London between the hours of eight of the clock in the forenoon and two of the clock in the afternoon of the same day;

That then this recognizance to be void and of none effect, or else to stand and abide in all his full strength, power and virtue.