

SUMMARY: The document below is the fine in the Court of Common Pleas dated fifteen days after the feast of Saint Hillary (13 January) in the sixth year of the reign of Queen Elizabeth [=27 January 1564] by which John Elyott and Eleanor, his wife, transferred clear title to their interest in the manors of Tongs alias Clays alias Theobalds and Cressbroke alias Darcies to Oxford's father-in-law, William Cecil, Lord Burghley, for 800 marks in silver. Lord Burghley built his mansion of Theobalds on the site.

The fine appears to have been required to legally extinguish the interest John Elyott and his wife Eleanor had acquired in the manor of Theobalds alias Tongs and other manors via an indenture dated 2 April 1561 (see TNA C 54/583, mm. 18-20) by which Robert Burbage had sold them an interest in the manors in fee-farm, subject to an annual rent and certain other conditions. It appears that the Elyotts had either breached the conditions, or decided for other reasons to surrender their interest to Cecil, enabling Robert Burbage to sell the manor of Theobalds alias Tongs outright to Lord Burghley in 1563/4.

For Robert Burbage's sale of the manor Theobalds alias Tongs to Lord Burghley, see TNA C 54/662, mm. 8-11, and the will of Robert Burbage, TNA PROB 11/57/448.

Although the link between the family of Robert Burbage of Park Hall in Hayes, Middlesex, and the family of the builder of the first London theatre, James Burbage, has not been found, Robert Burbage of Park Hall bore the same Burbage coat of arms as James Burbage's son, Cuthbert Burbage. See the pedigree of Burbage of 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/78/mode/2up>.

See also the pedigree of Cuthbert Burbage in Howard, Joseph Jackson and Joseph Lemuel Chester, eds., *The Visitation of London*, (London: Harleian Society, 1880), Vol. XV, p. 121 at:

<https://archive.org/stream/visitationoflond01stge#page/120/mode/2up>.

Little is known concerning John Elyott or Elliot. In 1551, while Sir Thomas Gresham was resident in Antwerp 'he employed as his London agents John Elliot and Richard Candeler'. See the *ODNB* entry for Sir Thomas Gresham, and the *Dictionary of National Biography* article at:

https://en.wikisource.org/wiki/Gresham,_Thomas_%28DNB00%29.

In the first year of Queen Elizabeth's reign, and again in 1568, Elyott and his wife Eleanor were associated with Gresham in fines involving property in Heston. See Hardy, W.J. and W. Page, *A Calendar of the Feet of Fines for London & Middlesex*, (London: Hardy & Page, 1893), Vol. II, pp. 105 and 148 at:

<https://archive.org/stream/acalendartofeet02pagegoog#page/n112/mode/2up>.

Although the identification is not certain, it seems that John Elyott and his wife, Eleanor, parties to the fine below, were John Elliott, outlawed for debt in 1566, and his wife, Eleanor Newton (for whose will see TNA PROB 11/73/55). Eleanor Newton Elliott (d.1588) was the sister Lord Cobham's wife, Frances Newton (for whom see the *ODNB* entry).

This is the final agreement made in the court of the Lady Queen at Hertford Castle fifteen days after the feast of Saint Hillary in the year of the reigns of Elizabeth, by the grace of God Queen of England, France & Ireland, Defender of the Faith, etc. from the Conquest the sixth, before James Dyer, Anthony Browne, Richard Weston & John Walshe, justices, & others faithful to the Lady Queen then there present, between William Cecil, knight, Principal Secretary to the Queen, querent, and John Eliott & Eleanor, his wife, deforciant, of the manors of Tongs alias Clays alias Theobouds alias Theobalds, & Cressbroke alias Darcies with the appurtenances, and of two messuages, one mill, one dove-cot, three barns, three gardens, three orchards, five hundred acres of arable land, one hundred & twenty acres of meadow, three hundred acres of pasture, one hundred acres of woods, six hundred acres of furze & heath, & four pounds rent with the appurtenances in Cheshunt & Tunford;

Whereof a plea of covenant was summoned between them in the same court, namely that the foresaid John & Eleanor have acknowledged the foresaid manors & tenements with the appurtenances to be the right of the same William, as those which the same William has of the gift of the foresaid John & Eleanor, and they have remised & quit-claimed them from themselves, John & Eleanor, & their heirs to the foresaid William & his heirs forever;

And besides the same John & Eleanor have granted for themselves & the heirs of the same John that they will warrant to the foresaid William & his heirs the foresaid manors & tenements with the appurtenances against all men forever;

And for this acknowledgement, remission, quit-claim, warrant, fine & agreement the same William has given to the foresaid John & Eleanor eight hundred marks silver.

According to the form of the statute the first proclamation was made on the 5th day of February in Hillary term in the sixth year of the within-written Queen;

The 2 proclamation on the 8th day of February in the same term;

The 3 proclamation on the 10th day of February in the same term;

The 4 proclamation on the 12th day of February in the same term.

The fifth proclamation was made on the third day of May in Easter term in the sixth year of the within-written Queen;

The sixth proclamation on the fifth day of May in the same term;

The seventh proclamation on the ninth day of May in the same term;

The eighth proclamation on the twelfth day of May in the same term.

The 9 proclamation was made on the 15 day of June in Trinity term in the sixth year of the within-written Queen;

The 10 proclamation on the 17 day of June in the same term;

The 11 proclamation on the 19 day of June in the same term;

The 12 proclamation on the 21 day of June in the same term.

The 13 proclamation was made on the 20 day of November in Michaelmas term in the seventh year of the within-written Queen;

The 14 proclamation on the 22 day of November in the same term;

The 15 proclamation on the 24 day of November in the same term;

The 16 proclamation on the 28 day of November in the same term.

1 Hec est finalis concordia f{a}c{t}a in Cur{ia} D{omi}ne Regine Apud Castru{m} Hertf{ordie} A die

2 s{an}c{t}i Hillarij in quindecim dies Anno regnor{um} Elizabeth{e} Dei gr{ati}a Angl{ie} ffranc{ie}

3 & Hib{er}nie Regine fidei defens{oris} &c A conqu{esto} sexto coram Iacobo Dyer

4 Antonio Bronu{m} Ric{hard}o Weston & Ioh{ann}e Walshe Iustic{iarijs} & Alijs D{omi}ne Regine

5 fidelib{us} tunc ibi p{re}sentib{us} Int{er} Will{elmu}m Cecill Militem principalem

6 Secretar{ium} D{omi}ne Regine quer{entem} et Ioh{ann}em Eliott & Elienoram vx{or}em eius deforc{iantes}

7 de Man{er}ijs de Tong{es} alias Cleyes alias the boud{es} alias the bald{es}

8 & Cresbrock{es} alias Darcies cum p{er}tin{entijs} Ac de duob{us} mesuagijs vno molendino

9 vno Columbar{io} trib{us} horreis(?) trib{us} gardinis trib{us} pomarijs quingentis

10 Acris t{er}re Centu{m} & viginti Acris prati trescentis Acris pasture Centu{m}

11 Acris bosci sexcentis Acris iampnor{um} & bruere & quatuor librat{is} reddit{ibus}

12 cum p{er}tin{entijs} in Chesthunt & Tunford vnde pl{ac}it{u}m conuenc{i}o{n}is sum{monitum} fuit

13 int{er} eos in ead{e}m Cur{ia} Scil{ice}t q{uo}d p{re}d{i}c{t}i Ioh{ann}es & Elienora recogn{overunt} p{re}d{i}c{t}a

14 Man{er}ia & ten{ementa} cu{m} p{er}tin{entijs} esse ius ip{s}ius Will{elm}i Vt ill{a} que id{e}m Will{elmu}s h{ab}et de

15 dono p{re}d{i}c{t}or{um} Ioh{ann}is & Elienore Et ill{a} remiser{unt} & quietumclam{averunt} de ip{s}is

16 Ioh{ann}e & Elienora & hered{ibus} suis p{re}d{i}c{t}o Will{elm}o & hered{ibus} suis imp{er}p{etuu}m Et p{re}t{er}ea

17 ijd{e}m Ioh{ann}es & Elienora concesser{unt} p{ro} se & hered{ibus} ip{s}ius Ioh{ann}is q{uo}d

18 ip{s}i Warant{izabunt} p{re}d{i}c{t}o Will{elm}o & hered{ibus} suis p{re}d{i}c{t}a Man{er}ia & ten{ementa}

19 cu{m} p{er}tin{entijs} cont{ra} om{n}es ho{m}i{n}es Imp{er}p{etuu}m Et p{ro} hac recogn{icione} remissione

20 quietclam{acione} Warant{o} fine & concordia id{e}m Will{elmu}s dedit p{re}d{i}c{t}is

21 Ioh{ann}i & Elienore octingentas Marcas Argenti

S{e}c{un}d{u}m formam Statuti

Prima p{ro}clam{atio} f{a}c{t}a fuit vo die ffebruar{ij} T{er}mi{n}o s{an}c{t}i Hill{arie} Anno sexto Regine infrascr{ipte}

ij p{ro}clam{atio} viij Die ffebruar{ij} eod{e}m t{er}m{in}o

iiij p{ro}clam{atio} xo die ffebruar{ij} eod{e}m t{er}m{in}o

iiiiij p{ro}clam{atio} xij die ffebruar{ij} eod{e}m t{er}m{in}o

quinta p{ro}clam{atio} f{a}c{t}a fuit t{er}cio die Maij T{er}mi{n}o Pasche Anno sexto Regine infrascr{ipte}

sexta p{ro}clam{atio} quinto die Maij eod{e}m T{er}mi{n}o

septima p{ro}clam{atio} nono die Maij eod{e}m T{er}mi{n}o

Octava p{ro}clam{atio} duodecimo die Maij eod{e}m T{er}mi{n}o

ix p{ro}clam{atio} f{a}c{t}a fuit xv die Iunij T{er}mi{n}o s{an}c{t}e Trinitat{is} Anno sexto Regine Infrascr{ipte}

x p{ro}clam{atio} xvij die Iunij eod{e}m T{er}mi{n}o

xj p{ro}clam{atio} xix die Iunij eod{e}m T{er}mi{n}o

xij p{ro}clam{atio} xxj die Iunij eod{e}m T{er}mi{n}o

xiiij p{ro}clam{atio} f{a}c{t}a fuit xx Die Nouembr{is} T{er}mi{n}o s{an}c{t}i Mich{ael}is Anno septimo Regine infrascr{ipte}

xiiiij p{ro}clam{atio} xxij die Nouembr{is} eod{e}m T{er}mi{n}o

xv p{ro}clam{atio} xxiiiij die Nouembr{is} eod{e}m T{er}mi{n}o

xvj p{ro}clam{atio} xxviiij Die Nouembr{is} eod{e}m T{er}mi{n}o