

SUMMARY: The document below is the indenture dated 9 November 1584 by which Thomas Kelton, the nephew of Oxford's receiver, Richard Kelton (d.1578), transferred to Roger Harlakenden (d.1603) his interest in a 21-year lease of Colne Priory which Oxford had made to Richard Kelton (d.1578) on 12 February 1577.

In a memorandum intended for Lord Burghley, Roger Harlakenden (d.1603) explains the means by which Thomas Kelton acquired his interest in the lease:

Now as touching the lease of Colne Priory which is now extended out of the honourable Court of Wards towards a bond of my honourable good th' Earl of Oxenford, forfeited to her Majesty, the said Earl demised the same the 19th year of her Highness' reign [=1577] to one Mr Kelton for the term of 21 years in consideration of £100 paid to the said Earl by Mr Kelton and for the surrendering up of a patent of £20 by the year during the life of the said Kelton and for his service unto the said Earl, reserving £13 6s 8d rent, which lease the said Kelton devised at the time of his death as followeth, viz., two parts to his wife as her only portion, and the other third part to his nephew and niece, which third part or the value thereof they do and are to enjoy during the years abovesaid.

The nephew and niece mentioned by Roger Harlakenden in the foregoing paragraph were Thomas Kelton (born 1552) and his sister, Jane Kelton (born 1557). Thomas Kelton was the second son of Thomas Kelton and Mary Pontesbury, and the grandson of Arthur Kelton (d. 1549/60) of Shrewsbury, and Matilda Strange. See the pedigree of Kelton in Owen, Hugh, *A History of Shrewsbury*, Vol. II, (London: Harding, Lepard and Co., 1825) p. 331, available online; TNA C 24/244/35; and the entry for Arthur Kelton (d.1549/50) in the online edition of *The Dictionary of National Biography*.

Thomas Kelton's uncle, Richard Kelton (d.1578), Oxford's receiver, is mentioned as a friend in the will of Oxford's stepfather, Charles Tyrrell (d.1570), and was a witness to Charles Tyrrell's will:

Item, I do give unto my brother, Philip Tyrrell, and my friend, Master Kelton of Colne, all that my lease and term of years yet to come which I have of the said house, manor and priory of Colne with th' appurtenances by any means or ways, as well by force of one indenture made by the late Earl, deceased, to John Booth and Thomas Coe, which said John and Thomas have, by their deed signed and sealed, released over their interest to my late wife, the Countess of Oxford, in her widowhood, as by all other means and ways whereby any right or title of the same might or may accrue or grow to me;

Item, I do make my brother, Philip Tyrrell, my sole executor of all other my goods and chattels yet ungiven upon condition he do pay all such debts and duties as may lawfully be demanded of me and shall justly be proved as above-written to be my debts, these being witnesses hereof, Master John Seymour, esquire, one of the Queen's Majesty's Gentlemen-Pensioners, and Mr Richard Kelton, gentleman.

For the will of Charles Tyrrell, see TNA PROB 11/52, f. 105. For the earlier 21-year lease of Colne Priory made by the 16th Earl of Oxford on 6 May 1558 to John Booth and Thomas Coe, which was assigned to the 16th Earl's widow, Margery Golding, inherited by her second husband, Charles Tyrrell (d.1570), and bequeathed by him to Philip Tyrrell and Richard Kelton (d.1578), see TNA WARD 8/13, Part 17. This earlier lease expired on 29 September 1579, and in anticipation of its expiration Oxford made a new 21-year lease on 12 February 1577 to his receiver, Richard Kelton (d.1578).

Richard Kelton's wife, Jane (nee Josselyn) Kelton was the daughter of Sir Thomas Josselyn (b. 1507, d. 24 October 1562) and his wife, Dorothy (nee Gates) Josselyn (d.1583?). Dorothy (nee Gates) Josselyn (d.1583?) was at court during the years 1540-42 in the household of Queen Katherine Howard (1518x24-1542). For the will of Jane (nee Josselyn) Kelton's father, Sir Thomas Josselyn (b. 1507, d. 24 October 1562), see TNA PROB 11/47, ff. 213-14. For the will of Jane (nee Josselyn) Kelton's mother, Dorothy (nee Gates) Josselyn (d.1583?), see TNA PROB 11/65, ff. 79-80.

After Richard Kelton's death, his widow, Jane (nee Josselyn) Kelton, married Roger Harlakenden (d.1603), who a decade later defrauded Oxford in the sale of Colne Priory. Roger Harlakenden's marriage into a family which had numbered among its members trusted servants of the Earls of Oxford may have facilitated his fraud. For the will of Roger Harlakenden (d.1603), see TNA PROB 11/101, ff. 392-3.

The indenture below is witnessed by Geoffrey Gates of Lincoln's Inn, Jane (nee Josselyn) Kelton's first cousin, to whom she had transferred her interest in the lease of Colne Priory by indenture dated 11 February 1580 (see ERO D/DPr/175). He was the son of Geoffrey Gates (d.1554?) by either his first wife, said to have been a member of the Pascall family of Essex, or by his second wife, Elizabeth (nee Walsingham) Gates (d.1596), the daughter of William Walsingham and his wife, Joyce (nee Denny) Walsingham, and the sister of Sir Francis Walsingham (1532-1590). For the will of Geoffrey Gates (d.1554?), see TNA PROB 11/37, f. 123.

Geoffrey Gates of Lincoln's Inn and his brother, Anthony Gates, are mentioned in the will of their father's brother, Sir Henry Gates (d.1588/9), as well as in the will of their aunt, Mary (nee Denny) Gates, the wife of their father's eldest brother, Sir John Gates (1504-1553). For the will of Sir Henry Gates (d.1588/9), see TNA PROB 11/73, ff. 376-9. For the will of Mary (nee Denny) Gates, see TNA PROB 11/65, ff. 218-19.

The entry for Geoffrey Gates of Lincoln's Inn in the online edition of *The Dictionary of National Biography* identifies him as the author of *The Defence of Militarie Profession* (London, 1579), a work dedicated to Oxford by a Geoffrey Gates who describes himself as an 'unlettered man' who required a notary to help him write *The Defence*, a description clearly unsuited to a lawyer of Lincoln's Inn:

Experience hath taught me to love and to honour arms, and in the zeal of a good heart to covet the advancement of martial occupation, which made me (an unlettered man) to take unto me a notary to set down in writing this drift in the defence and praise of warlike

prowess against all contemners of the same for the benefit and encouragement of my country & countrymen.

In 1588, Thomas Kelton was still resident at Earls Colne, and was indicted for disturbing the peace, as evidenced in a writ issued on 18 April 1588 (see ERO Q/SR 106/6):

Writ: Witnessed by Sir Thomas Mildmay, knight, at Chelmsford, directed to the Sheriff, to summon twenty-four lawful men of the neighbourhood of Earls Colne to the Sessions to be held at Chelmsford on Thursday after the feast of Saints Peter and Paul next coming to recognize upon their oath whether Thomas Kelton of Earls Colne, gentleman, is guilty or not of the contempt and offence of a common barrator and disturber of the peace, whereof he stands indicted and has put himself upon that jury.

This deed made the ninth day of November in the six and twentieth year [=9 November 1584] of the reign of our Sovereign Lady Queen Elizabeth etc., witnesseth that I, Thomas Kelton of Colne in the county of Essex, gentleman, have and by the[se] presents do give, grant, assign and release unto Roger Harlakenden of the said Colne in the said county, esquire, all my part, right, title, interest and demand which I have, may, might or ought to have of, in or to a certain lease or term of years of the site of the manor of Colne Priory commonly called Colne Priory or Colne House, with all gardens, orchards, ponds, fishings, courts, yards, houses, barns, stables, buildings and edifices thereto belonging, together with all the tithe corn belonging to the parsonage of Earls Colne, with divers lands, meadows, pastures, feedings and demesne lands belonging to the said late Priory with their appurtenances, which said lease or term was granted unto Richard Kelton, my uncle, deceased, by the right honourable th' Earl of Oxon by a certain indenture bearing date the twelfth day of February in the nineteenth year [=12 February 1577] of the reign of our said Sovereign Lady, to have and to hold the said my part, right, title, interest and demand of, in and to the said lease or term of years and to all and everything contained in the said indenture of lease to the said Roger Harlakenden, his executors and assigns, forever;

In witness whereof I have sealed these presents with my seal. Given the day and year above-written.

Thomas Kelton

Sealed and delivered in the presence of Geoffrey Gates, Nicholas Wentworth, Nicholas Bande(?).