

SUMMARY: The document below is a declaration analyzing the complicated legal circumstances of the inheritance left to Oxford by his father, John de Vere (1516-1562), 16th Earl of Oxford. The declaration appears to have been prepared at about the same time as the 16th Earl's inquisition post mortem of 18 January 1563 (see TNA C 142/136/12), as indicated by the reference to 'the office drawn'. It sets out the 16th Earl's original legal title to the lands which he had inherited in fee simple from his father, John de Vere (1482-1540), 15th Earl of Oxford, and his legal title after the extortion against him in 1548 by Edward Seymour (c.1500-1552), Duke of Somerset, and the restoration of his lands by a private Act of Parliament in 1552 in the form of a life estate only, with remainder to his male heirs (see HL/PO/PB/1/1551/5E6n35). The declaration dates the passage of the private Act of Parliament to 23 January 1552, and summarizes the principal provisions of the Act. Mention is also made of the indenture of 2 June 1562 (see TNA C 54/626) by which the 16th Earl entailed his lands on his male heirs, but there is no analysis in the declaration of the legal impact of the uses set up in the indenture which might have obviated Oxford's wardship had they been implemented. There is also no analysis of the legal implications of the marriage contract for Oxford drawn up between the 16th Earl and Henry Hastings (1536?-1595), 3rd Earl of Huntingdon on 1 July 1562, which would also have had a significant legal impact on Oxford's wardship (see Huntingdon HAP o/s Box 3(19)).

A brief declaration of th' estate of th' inheritance of the right honourable John de Vere,
late Earl of Oxenford, sithence the death of his father unto this present, as appeareth at
large by the office drawn

Inprimis, the said Earl, after the death of his father, was seised in his demesne as of fee of all honours, castles, manors, lands, tenements, offices and other hereditaments which were his late father's by virtue of one award made by the late king of famous memory, King Henry the 8th, between the said Earl's father of thone party, and John Neville, knight, Anthony Wingfield, knight, Dame Elizabeth, his wife, and Edmund Knightley & Ursula, his wife, of thother party, and by virtue of one Act of Parliament upon the said award made the 30th of March in the 23rd year [=30 March 1532] of the reign of the same late King Henry the 8th;

And being so seised, the said Earl, in Easter term in the second year of the reign of the late King Edward the Sixth, did knowledge a fine in the Common Pleas of all his said castles, honours, manors, lands, tenements and other hereditaments, except the manors of Warmingham, North Rode, Blacon, Ashton, Willaston and the gate of Westchester in the county of Chester, to the late Duke of Somerset, Sir Michael Stanhope, Sir Thomas Darcy, knights, and John Lucas, esquire, to th' use and performance of an indenture enrolled made between the said Earl of thone party and the late Duke of Somerset of thother party, as by the said indenture more at large doth appear, bearing date the first day of February in the second year [=1 February 1548] of the said late King Edward the 6th;

And afterward, by a certain Act made in the Parliament holden at Westminster by divers prorogations the 23rd day of January in the 5th year [=23 January 1552] of the reign of the late King Edward the Sixth and continued until the 15th day of April in the 6th year [=15 April 1552] of the said King, the said indenture and all uses contained in the same was made frustrate, void and of none effect to all intents, constructions and purposes;

And afterward in the same Act it was provided and enacted that the same fine, from the time of the levying of the same, should be adjudged, accepted and taken to th' use of the said late Earl for term of his life without impeachment of any waste, and after his decease to th' use of th' eldest issue male of the body of the same Earl lawfully begotten and to the heirs males of the body of the same issue male lawfully begotten, and for lack of such issue to th' use of the right heirs of the said Earl forever;

And it was also provided by the same Act that it should be lawful to the said Earl by his last will in writing, subscribed with his hand and sealed with his seal of arms, to assign, limit and appoint to his lawful wife, overliving him, for term of her life to and for her jointure certain manors, lands and tenements, as by the said Act more at large doth appear;

And it was also provided by the same Act that it should be lawful to the said Earl, for the payment of his debts and preferment of his children and servants, by his said last will & testament sealed with his seal of arms and subscribed with his hand to assign and appoint unto his executors for the term of 20 years immediately after his decease the manors of Wivenhoe, Newers, Battleswick and divers other, as by the said proviso more at large doth appear;

And it was also provided by the same Act that it should be lawful to the said Earl to demise, grant and let to farm any of his honours, castles, manors, lands and tenements & other hereditaments or any part thereof for term of three lives according to the custom of the manor, or for term of 21 years, whereas the lessee might lawfully enter within one year next after the making of any such lease or grant and whereupon as much rent or more shall be reserved as hath been paid most accustomedly for the same by the space of 20 years next before the making of any such grant;

And it was also enacted by the same Act that Aubrey Vere, brother to the said Earl, should hold for term of his life without any manner of condition, and to his lawful wife overliving him, certain manors, lands and tenements, as by the same Act more at large doth appear;

And it was also enacted by the same Act that Geoffrey Vere, one other of the brothers of the said Earl, should have for term of his life likewise without any manner of condition, and to his lawful wife overliving him, so as the said Earl did assent thereto by his deed in writing, certain manors, lands & tenements, as by the same doth more at large appear;

Item, the manors of Barwicks and Scotneys were recovered in a formedon from the said Earl the first and second years [=1555] of King Philip & Queen Mary, and the said Earl

did purchase the same again from Edward [sic?] Beaupre and Thomas [sic?] Thursby, esquires, by fine levied to the said Earl & Margery, his wife, and to the heirs of the said Earl, as by the said fine more at large doth appear;

Item, the said Earl, in consideration of the preferment of the Lady Margery, his wife, and for the better assurance of living to Edward, Lord Bulbeck, his son and heir apparent, did by one indenture enrolled bearing date the second day of June in the fourth year [=2 June 1562] of the reign of our Sovereign Lady the Queen's Majesty that now is, entail the office of Great Chamberlain of England with other offices and divers of his honours, castles, manors, lands, tenements and hereditaments to the said Edward, Lord Bulbeck, and to the heirs males of his body lawfully begotten, and for lack of such issue to the heirs males of the body of the said Earl lawfully begotten, and for lack of such issue to Aubrey Vere, brother of the said Earl, for term of life of the said Aubrey, and after his decease to Hugh Vere, eldest son of the said Aubrey and to the heirs males of his body lawfully begotten, and so from heir male to heir male with divers remainders, as by the same indenture more at large it doth appear;

Item, it is provided in the said indenture of entail that it shall be lawful to the said Earl to make leases for 21 years, or for term of 3 lives according to the custom of the manor, of any his manors, lands, tenements and hereditaments or any part thereof contained within the same, and also to grant to any of his servants for term of their life or lives any stewardship, bailiwick, keeping of park or parks, or any other offices with the accustomed fee and fees to the same in any wise belonging & appertaining.

Endorsed: The Earl of Oxford, his state of inheritance.