

SUMMARY: The document below dating from February 1570 is a statement of the legal issue in the case between Oxford and the Queen concerning revenues of £471 19s 5-1/4d per annum from the lands of Oxford's mother's jointure after her death in 1568, and further revenues of £343 6s 5-1/4d per annum for lands which Oxford inherited in tail after his father's death. It is not specifically stated in the document that the revenues of £343 6s 5-1/4d per annum were for lands which Oxford had inherited in tail; however the amount is identical to the amount given in TNA SP 12/31/29 for revenues from lands which descended to Oxford in tail, principally Colne Priory and the office of Lord Great Chamberlain. The amount of the revenues from the lands of Oxford's mother's jointure as given in this document is also congruent with the amount given in TNA SP 12/31/29, although both differ from TNA WARD 8/13, where the revenues from Margery Golding's jointure are given as £444 15s, and from TNA SP 12/66/49, where the amounts given total £468 22d. The Queen's claim therefore was that she was entitled to her third part of the revenues from the lands of the entire Oxford earldom, and, in addition, to the revenues of £343 6s 5-1/4d per annum from the death of the 16th Earl on 3 August 1562, and to the revenues of £471 19s 5-1/4d from the death of Oxford's mother on 2 December 1568, in both cases until Oxford reached the age of majority on 12 April 1571.

As indicated in the document below, the case turned on the terms of the private Act of Parliament of 22 and 23 January 1552 by which the 16th Earl's lands were restored to him after Somerset's extortion (see HL/PO/PB/1/1551/5Ed6n35). For the legal arguments and the judgment against the Queen in the part of the case dealing with her claim to the revenues of the late Countess of Oxford's jointure, see Sir James Dyer's report under the year 1571 on the Documents page of this website.

The Earl of Oxford his Case

Item, by Act of the Parliament in the 5th year of the reign of King Edward the Sixth all the lands of the late Earl of Oxford were assured to the use of himself for term of life without impeachment of waste, and after to the use of his eldest issue male of his body lawfully begotten and of the heirs males of the body of that issue male begotten, and for default of such issue to the use of the right heirs of the said late Earl forever.

Item, in the same Act authority is given to the said late Earl to assign to the Countess, his wife, for term of her life certain manors, lands and tenements for her jointure etc.

Item, the late Earl did accordingly assign unto her manors and lands to the yearly value of £471 19s 5-1/4d.

Item, by the death of the late Earl there came to the now Earl lands and tenements not assigned to the late Countess nor limited to the performance of the last will of the late Earl nor otherwise disposed amounting to the yearly value of £343 6s 5-1/4d over and

besides a full third part of the whole lands to the Queen's Majesty during the nonage of the now Earl.

Item, sithence that time the said Countess is dead.

The question is:

Whether the Queen's Majesty ought to have the said £343 6s 5-1/4d yearly sithence the death of the said late Earl during the nonage of the said now Earl, and the said lands of the yearly value of £471 19s 5-1/4d from the death of the said late Countess during the wardship of the now Earl, over and besides a full third part which her Majesty hath already, or not?

After the enactment of the said Act of Parliament one Edmund Beaupre and Edward Thursby recovered by a formedon in descendere against the said late Earl the manors of Barwicks and Scotneys in the county of Essex of the yearly value of £32 5s 5-1/2d, and after [] the said Beaupre and Thursby levied a fine of the said manors to the said late Earl and Margery, his wife, and to the heirs of the said late Earl, so that these manors [are within/without?] the said statute.

Endorsed:

[] February 1569 [=1570]

The case for the lands descended upon
the death of the Countess of Oxford