The 17th Earl of Oxford's "Office" Illuminated[1]

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On July 7, 1594, Edward de Vere, 17th earl of Oxford, wrote a letter seeking help from his sometime father-in-law William Cecil, Lord Burghley, in which he twice mentioned his unspecified "office" and anonymous abuses and hindrances to which it was being subjected. There has been a mystery attached to this letter and the unexplained "office" since 1928, spawned by Captain B. M. Ward's speculation in his still valuable biography of Oxford published that year. Ward compounded the mystery by linking it to Oxford's £1,000 annuity granted by the queen on June 26, 1586.

This paper has several objectives. The first is to resolve the modern-day misconceptions that have built up around Oxford's "office" and to dispel any necessary connection with his £1,000 annuity. Second, I will determine the sources of the "sundrie abuses" Oxford was complaining about. Third, trace the trajectory of Oxford's particular efforts concerning his "office," spanning the next ten years to its ultimate destination at the end of Oxford's life. These efforts, I suggest, may have been part of a decade-long attempt to achieve some form of justice intended to disburden the crown's subjects of a particular grievance, simultaneously increase the queen's (and subsequently the king's) profits, and offer some degree of financial stability to his son and heir as well as his countess. Several other objectives herein are

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In the interests of clarity and readability, transcriptions of primary documents in this article are semi-diplomatic; i.e., while I have preserved the original spelling, standard abbreviations have been expanded (with supplied letters italicized), superscript letters lowered, capitalization regularized, thorn "y" replaced by "th," and terminal -es graph with Roman "es." A minimum of punctuation has also been imposed or deleted for ease of understanding. Quotations from printed works are rendered exactly as in the original unless otherwise indicated.

"compounded of many simples, extracted from many objects, and indeed the sundry contemplation of my travels."

These goals shall be achieved in a chronological expedition—beginning with a reinspection of the original letter in conjunction with other primary documents, including the disclosure of a previously unexamined letter written by Oxford four months later, on November 9, 1594. These in turn have a direct bearing on a further revelation concerning Oxford's role in James I's Parliament of 1604—namely, a hitherto overlooked bill, along with two other documents in which Oxford may have had a hand, and a third possibly related to his involvement. By elucidating the actual subject and reason for Oxford's 1594 letters, their repercussions in 1604, and the connection they had to the Lord Treasurer's Remembrancer, the final intentions of this article are to add new details to our understanding of the *official* Great Chamberlainship of England, and cast a new perspective on some of the inner workings of the English government in the late 16th and early 17th centuries.

Oxford's Office Abused

The focal point of our interest in the foregoing resolutions must begin with the *mystery* letter in question of July 7, 1594:

> My very good Lord, yf yt pleas yow to remember that about halfe a yere or there about past, I was a sutor to yowre Lordshipe for yowre favoure: that whearas I found sundrie abuses, wherby bothe her Maiestie & my selfe were in myne office greatly hyndred, that yt wowlde please yowre Lordship that I myght fynde suche fauoure from yowe that I myght have the same redressed. At which tyme I found so good forwardnes in yowre Lordship that I thowght my self greatly behowldinge for the same; yet by reason at that tyme myne atturnye was departed the towne, I could not then send him to attend vpon yowre Lordship accordinge to yowre appoyntment. But hopinge that the same dispositione styll remaynethe towards the iustnes of my cause, and that yowre Lordship, to whome my estate is so well knowne, & how muche yt standethe me on not to neglect as hertofore suche occasions as to amend the same may aryse frome myne office, I most hartely desyre yowre Lordship that yt will please yow to giue eare to the state of my cause, and at yowre best lesure admit ether myne atturnie or other of my councell in lave [=law] to informe yowre Lordship, that the same beinge perfectly layd open to yowre Lordship, I may inyoy [=enjoy] the fauoure from yow which I most ernestly desyre. In whiche doinge I shall thinke my self singulerlye behowldinge in this, as I have ben in other respects. This 7th of Iuly, 1594.[2]

Ward refers to the "office" in the foregoing as an "obscure reference" and surmises that Oxford "is evidently referring to some work he is doing for her Majesty, no doubt in return for his £1,000 a year." In Ward's view, it is "most tantalising

that [Oxford] tells us so much and yet so little; for he gives no hint—any more than the Queen did in her original warrant—what this work is."[3] Earlier, Ward had speculated that the £1,000 annuity the queen had granted to Oxford in 1586 was for "some secret service," namely, being "the chief agent in providing the winter entertainments."[4] He reiterated the assertion the following year in a *Review of English Studies* article that Oxford "was given the money for work in connection with literature and the stage."[5] Unfortunately, Ward's suggestions were extremely misleading, and just provocative enough to have been embellished by other writers ever since. The phrasing in Oxford's 1586 annuity is clear enough, however, in that it should continue until the impoverished earl was "otherwise provided for to be in some manner relieved."[6] But Ward didn't heed this; nor have others. On the heels of Ward's biography, his father, Colonel B. R. Ward, published an article in the *Royal Engineers Journal* (Dec. 1928) titled "Shakespeare and Elizabethan War Propaganda," in which he expounded the notion that Oxford was performing some service to the crown under the terms of his £1,000 grant, and that the earl was probably protesting in his July 7, 1594, letter "that his stage propaganda work was suffering owing to the action of the Privy Council, a body from whom he would naturally expect support and not hindrance against the inveterate hostility of the City authorities."[7] In 1937 E. M. Tenison puzzled over the matter in her magisterial *Elizabethan England*, pondering "[w]hen we consider that Oxford held no official position,—except that of Great Chamberlain which was hereditary and unpaid,—that he was never a Privy Councillor, and never commanded any naval or martial expedition, the question is why did he receive £1,000 a year." At a loss, and having missed her own lead, Tenison leaned on B. M. Ward's supposition, writing "that the allowance was first given to help to meet the expenses of Lord Oxford's Company of Players" and that it "is most likely to have been conferred for services in connection with the stage."[8] The idea was entrenched by 1952, when Dorothy and Charlton Ogburn, Sr. published their magnum opus, *This Star of England*, writing that his July 7, 1594, letter "contains no explanation of the matter in question" but that "we see he was continuing the work for which he had been allowed the sum of £1000 per annum," concluding that it was "probably the Puritans who were making trouble; they were tireless in their opposition to the theatre."[9] Charlton Ogburn, Jr. was somewhat more cautious in *The Mysterious William Shakespeare* (1984). Writing that Oxford's letter was "destined to tantalize future readers," Ogburn's prescient statement more accurately deduces that the subject matter was "[i]n connection with some unspecified legal cause," but nevertheless implies relevance in the fact that Oxford's letter was written "[i]n the month after the Lord Chamberlain's company was formed."[10]

The much more recent biography of Oxford by Mark Anderson, *"Shakespeare" by Another Name* (2005), stipulates that B. M. Ward "may have overreached when he wrote that the language of Elizabeth's Privy Seal warrant [for Oxford's £1,000 annuity] was made out following 'the usual formula made use of in the case of secret service money.'"[11] On the other hand, Anderson does propose that "the widespread abuse of the Shake-speare name in the first half of 1594 provides another suggestion that the 'office' had something to do with the Shake-speare brand" and that perhaps

Oxford hoped Burghley would help him "preserve some dignity and semblance of ownership over the writings that were slipping out of his grasp" in order to "establish some more permanent relationship with the country's best theatrical company, the Lord Chamberlain's Men."[12] Traveling a completely different path in his 2003 biography *Monstrous Adversary* (largely intended to quash claims that de Vere wrote Shakespeare), Alan H. Nelson fares little better in his attempt to explain the "office": "The specific favour requested by Oxford is not spelled out; perhaps he is referring to his claim to Waltham Forest, or perhaps he was still hoping for the monopoly on wools, fruits, and oils."[13] As Oxford clearly refers to an office he presently held, never obtained the said monopoly at any time, and his stewardship of Waltham Forest would be nine more years forthcoming, Nelson's reasoning is not readily grasped.

While most of the foregoing writers (and many remaining unnamed) were but following the leads of their predecessors, the younger Ward and Nelson certainly saw the original letter, rendering it inexplicable why they did not connect its form of endorsement to the "office" referred to in the letter. It was the usual practice then to endorse letters with the sender's name, date, and subject. At least Burghley's secretary made the connection when he endorsed the letter: "7 Iuly 1594, Erl of Oxford to my Lord: Great Chamberlainshipp of England." This endorsement proves it was clearly understood at the time that the "office" referred to—the fundamental subject of the entire letter—was that of the Great Chamberlainship of England. The real mystery is how it ever came to be a mystery in the first place. There were any number and variety of positions referred to as "offices" in Oxford's day; e.g., forester, steward, chamberlain, parishioner, secretary, lawyer, solicitor, comptroller, parliamentarian, Churchman, Statesman, etc.,—all administrating or ministering to the crown or their lord that charged them with authority to perform some function or duty in the way of service. Until he gained the stewardship of Waltham Forest in 1603 under a grant from King James, the (arguably) hereditary Great Chamberlainship was the only "office" Oxford ever held. Novelist and playwright John Lyly, Oxford's secretary throughout the 1580s, nicely reveals the contemporary perception in his dedication to Oxford of *Euphues and His England* (1580): "I could not finde one more noble in court, the*n* your Honor, who is or should be vnder hir Maiestie chiefest in court, by birth borne to the greatest Office, & therfore me thought by right to be placed in great authoritie."[14] Thus the association of Oxford's "office" to anything theatrical, or even ambiguous—certainly on the face of it—is baseless, owing its inception to Oxford's first biographer, and its undue promulgation to the spate of writers since. Oxford's £1,000 annuity—again on the face of it—had no connection whatsoever with his "office." This is not to say that Oxford didn't spend any of his annuity on theatrical endeavors, as in all probability he did.

Harlakenden's Hold

What remains in need of clarification, however, are the "sundrie abuses" Oxford wrote of touching this office, which apparently sprang from two fundamental elements. The first of these was Oxford's relationship with his onetime servant Roger

Harlakenden, to whom he had sold the manor of Earls Colne in 1584.[15] Some years after the Earls Colne transaction, in 1592, Oxford commissioned Harlakenden to sell another property, Colne Priory, who instead contrived to purchase it in his son Richard's name. This latter transaction resulted in a succession of convoluted lawsuits that kept the attorneys of both families busy well into the next generation. Though it would remain unresolved during Oxford's lifetime, the matter escalated after the earl came to believe, with some justification it seems, that the Harlakendens—father and son—had defrauded him in their purchase of Colne Priory on February 7, 1592, by cunningly inserting "general words" into the conveyance whereby several properties passed to them that were never intended. "Contrary to the truste in him reposed," Roger Harlakenden was accused of having "contrived naughtyly and fradulently" in his undervalued and overreaching purchase of Colne Priory, including several parcels "w*hi*ch were never meant to be conveyed," gotten "by the deceipte and fraude … at a lesse value by a greate deale then the same land*es* were worth." The charges included allegations of bribery: "And that the said Harlakenden doubting the Earle would make further enquiry of the value corrupted one of the said Earles servant*es* with a bribe of *CCli* [=£200] to concur with him in the reporte of the value, and to p*er*suade the Earle of the honesty and duetyfull service of the said Harlakenden."[16]

Some of the details that impinged on Oxford's "office" as it related to the Harlakendens' purchase can be gleaned from a series of Chancery depositions and decrees that began in earnest circa 1593/94 which dovetail with the timing of his July 7, 1594, letter. For the purposes of discovering specifically what the "sundrie abuses" were relating to Oxford's "office," the protracted and myriad details of the real estate fraud can be dispensed with.[17] One of Oxford's grievances, as it concerns us here, can be gleaned from the following undated bill of complaint, which begins:

> Ed*ward*us Comes Oxon*ie*, quer*ent*. Roger*ius* Harlakinden, defen*dan*t. The complain*a*nte sheweth that he was lawefullie possessed of sondrie l*ett*res patentes, charters, evidences & leger books, & other escriptes & mynim*en*tes concerninge the office of Greate Chamb*er*laine of England & the ffees, duties & proffittes therevnto belonginge, & diuerse manors, landes, &c. giv*en* to his auncestors w*i*th the said office or in respecte thereof, & nowe of right belonginge to the said compl*ainan*te.[18]

The approximate date of Oxford's "complaint" can be determined from Roger Harlakenden's "answer" to it, which, although also undated, has a definitive *terminus a quo* of August 4, 1598, the date of Lord Burghley's death, who is referred to in the "answer" as deceased, and a *terminus ad quem* of February 18, 1600, the date of another deposition, in which Roger Harlakenden was pressed: "What ch*art*res have you seene concernynge the office of Great Chamb*er*len of England, and whether have you any of them in yor custodie or hand*es* or where ells are they or any of them to yor knowledge or as you thinke or beleve in yor conscience?" Harlakenden, referring "himself to his answere made to the s*ai*d compl*ainan*t*es* bill," replied "that he hath in his custody certain ch*art*res or euidenc*es* w*hi*ch (as this dep*onen*t thinketh) do

concerne the office of Great Chamberlayn of England, as he hath already confessed in his *sai*d answere."[19]

Harlakenden's words were indeed reflected in his earlier "answer" to Oxford's "complaint," which also contained other telling information:

> The said defendaunt [=Harlakenden] ... further saieth th*a*t by virtue of another warraunte in wrytinge vnder the hande & seale [of] the saide compl*ainan*t to him the saide defen*dan*t directed ... bearinge date the xviijth [=18th] daie of October 1593, whereby the saide defen*dan*t was required to deliu*er* ... all the saide compl*ainan*tes deeds, escriptes, mynym*en*tes, and wrytinges ... as he coulde finde then remayninge in the custodie of the saide defen*dan*t ... And the said defen*dan*t saieth th*a*t he the saide defen*dan*t hath in his keepinge diu*er*se other p*ar*celles of evidences and wrytinges w*hi*ch weare not founde at the saide former searche whereof some doe concerne ... the saide compl*ainan*tes Earledome of Oxenforde and his Office of Greate Chamberlaine of England.[20]

Oxford would have accounted Roger Harlakenden's hold on his papers (let alone his estates, once he'd discovered the degree to which he held he'd been swindled) a form of gross misconduct. Probability dictates this fell among the "sundrie abuses" relating to his "office" mentioned in his letter to Burghley of July 7, 1594, wherein he indicated that he'd originally sought Burghley's intercession on the matter "about halfe a yere or there about past"—in other words, around the beginning of 1594—only ten weeks or so after Oxford's October 18, 1593, warrant for Harlakenden to hand over his papers. Although we only learn from depositions near the end of the decade that those papers concerning the Great Chamberlainship "weare not founde at the saide former searche," Oxford himself would have been aware by the time he wrote to Burghley of the abuses in his office. Moreover, with the revelation of a new letter, it is now possible to discern why Oxford wanted to ensure his office was unencumbered at that time and to obtain all documentation relevant to it that was then in Harlakenden's possession—some of which would have touched upon the precedent of a particular, if little known, facet of the office of the Great Chamberlainship.

An Overlooked Letter

On November 9, 1594, four months after his previous letter, Oxford wrote to his former father-in-law once again on a matter pertaining to his office. Beyond its calendar listing in the catalogue of the Harleian manuscripts and a couple of other brief notices,[21] this letter has unaccountably been overlooked by any modern writer or biographer of Oxford. It is here transcribed for the first time:

> My very good Lord, wheare I was a swter [=suitor] to yowre Lordship for the puttinge in executione of a lawe (for sume few yeares past neglected),

> whiche is that her Ma*ies*ties tenantes showlde do ther homage for ther landes howlden of her Hyghnes as to her Ma*ies*ties auncestors hathe bene accustomed and as the lawe requirethe. And that homage showld not be respited forever as now yt ys (whiche is a thinge directly bothe against the lyfe and meaninge of the lawe) for the only gayne of a privat office, to the hinderance of her Ma*ies*ties service and the disinheritance of my selfe of bothe service and fees belonginge to myne office: Of whiche my swte yowre Lordshipe was pleased to take honorable consideratione. But for asmuche as M*aster* Osborne, yowre Lordships Remembrancer, wilbe the only man as I vnderstande that will obiect against yt, I beseche yowre Lordshipe that yow wilbe pleased to require him to sett downe in wrightinge suche causes as he alleagethe why the sayd homages showld not be done, that I may thervpone replye & drave [=draw] the cause to a shortte ysswe [=issue] for a hearinge before yowre Lordshipe, wherin I will move for nothinge but that the lawe and Iustice of the land requyrethe, and as meete for her Ma*ies*ties good service and preservatione of her inheritance. This 9th of Nouember. An*no* 1594.[22]

The letter is endorsed "The Erle of Oxford to the L*ord* Treasurer" with the words "against Respitt of Homage" struck out, followed by, "For the reviving of a law, for the Queens tenants to do homage for their lands holden of her: Wherin his both service & fees consisted, as L*ord* High Chamberlain." The endorsement makes it crystal clear that when Oxford writes "myne office," he is again referring to the Great Chamberlainship of England. However, in the instance when Oxford complains that homage should not be respited indefinitely "for the only gayne of a privat office," he is referring to that office held by Master Osborne, the Lord Treasurer's Remembrancer.

Although we now know precisely what Oxford's "office" was, and the probable "abuses" to which he referred—be they Harlakenden's hold on his papers, Osborne's accountability for his "disinheritance" (and subsequent hindrance serving the queen), or a combination of the two—this new letter raises a number of questions. What were the specific service and fees belonging to the Lord Great Chamberlainship to which Oxford alludes? What exactly is the meaning of "respite of homage"? And who was Master Osborne? All of these questions will be answered, but others will be raised in the process, leading in turn to further revelations concerning a hitherto overlooked bill positioned by Oxford before James I's Parliament of 1604. Besides reviewing definitive documentation related to the foregoing, it is also necessary to question certain nebulous documents that, although vague due to very probable misdating among the state papers, appear to be strongly linked to Oxford's cause in 1594 and 1604, thereby warranting meticulous reconsideration. An inclusive examination of the minutiae is required as corroboratory evidence in establishing some few hypotheses put forward by the present author.

The Lord Treasurer's Remembrancer, Respite of Homage, and Exchequer Abuses

"Master Osborne" was John Osborne (1551-1628), later knighted, son of Peter Osborne (1521-1592), and the second of four generations of Osbornes to hold the office of Lord Treasurer's Remembrancer, whose chief function was to take final charge of all audited accounts, or, put another way, the review and pursuit of outstanding sums owed to the crown. While he initiated and supervised proceedings arising from the routine accounts of escheators, sheriffs, and bailiffs relating to rents and other incomes from crown lands, particular emphasis was given to levying debts not paid when the account was rendered. He oversaw a support staff, including a deputy, secondaries, and sworn clerks who acted as attorneys. Peter Osborne, a close personal friend of Burghley's, held this office from 1552 to 1553, was imprisoned during Queen Mary's reign, and held the office again from 1559 until his death.[23] He wrote to Burghley thanking him for procuring for his son John the reversion of his office, presciently claiming that it would be the stay of his house, his wife, and his children after him. The Calendar of Salisbury manuscripts dates this letter January 13, 1577/8,[24] but the year should perhaps be dated 1576/7, as the Calendar of Patent Rolls dates the grant December 10, 1576, in which John's appointment was made: "[i]n consideration of his knowledge and experience in the office both by instruction of his father and by continuance in the work of the office."[25] As Peter Osborne's letter to Burghley was contiguous with the grant of reversion, one or the other is misdated by one year.

Peter Osborne died on June 7, 1592. His son John sent a letter to Burghley six days later in which he expressed sorrow over the loss of his father while simultaneously seeking to fill his shoes, closing his letter by "humbly praying licence I may wayte vpon your L*ordship* to morrow, to desyre I may be sworn that day by the Barons."[26] It was this Osborne, born one year apart from Oxford, to whom the Earl referred in his letter to Burghley of November 9, 1594, when he said he was "the only man" who would object to termination of respite of homage. Despite Oxford's plea that Burghley compel Osborne to set down his objections in writing so that he might answer them forthwith, nothing ascertainable seems to have become of the matter at that time, or for the remainder of Elizabeth's reign (apart from the peripheral "Act for the better Observation of certain Orders in the Exchequer" in the Parliament of 1601, encountered below). It was not until James ascended the throne that we see the specific matter of respite of homage once again raised, with Oxford at its very center. Considering the circumstances, we may be confident that John Osborne was in the thick of it as well. In addition, there is positive evidence that Osborne did, at some point, have to set down his objections in writing, to which it appears Oxford may have had the opportunity, after all, to reply (see Appendix).

John Osborne's father Peter had enumerated the processes and writs that issue

out of the office of the Lord Treasurer's Remembrancer in his tract *The Practice of the Exchequer Court*,[27] including the admission of all applicable men "to do their fealty, or to pay their fine for a respit of homage, at any Terme they come in after the same sent forth, and so keeping still the payment of the same Fine every fifth Terme."[28] While an exegesis on the system of feudal tenures is outside the scope of this article, an excursion into the historical meaning of "homage" and "respite of homage" in that age will be helpful.

There were several kinds of homage, including the obligation a tenant owed his *mesne* lord (intermediate between his tenant and the monarch), of whom he held his land.[29] The form and oath of this type of homage excluded the faith owed to the king, or *homagium ligium* (liege homage), which was the bond of allegiance due the king irrespective of land tenure.[30] Then there was the feudal homage due to the king by those who held land directly *in capite* (in chief) from the crown by knight's service or socage. More than mere ceremonial allegiance, paying homage to the king literally entailed payment of a fine due upon investiture, that is, when the tenant in chief came of age and sued for his general livery, or when land to which homage was attached was alienated or inherited, the homage then being transferred to the new tenant. Although in principle the fine for homage was to go to the crown, substantial portions were allotted to certain of the king's chief officers for their specific roles in seeing homage done and collected, as well as to the clerks and officers of the Exchequer for administrative fees. It was during the reign of Henry VIII that this once-in-a-lifetime payment gave way to a process known as "respite of homage." This was basically a dispensation of the formal event for fees, supposedly proportionate to the value of the land, that became due in rotating installments. The responsibility—and benefit—of collecting these fees at the appropriate intervals ended up falling exclusively to the Lord Treasurer's Remembrancer (via process of the sheriffs, bailiffs, et al.). However, the Lord Great Chamberlain had at one time been instrumental in collecting homage for the crown. Since the king could not be at leisure to personally take the homage of every tenant in chief who came of age and sued for livery, the Lord Great Chamberlain served as an intermediary. This service, as indicated in the endorsement of Oxford's November 9, 1594, letter, came with its own fees. However, after homage had been respited—despite wording to the contrary in Henry VIII's 1542 "Act concerning the Order of Wards and Liveries"—this privilege was somehow lost along with the formality of swearing homage to the monarch. As Joel Hurstfield observed in 1958, respite of homage "converted what had been a ritual into a periodic tax payable to the crown."[31] Ultimately, the burden to the tenant and profit to the crown provided by this system proved unsatisfactory, which is not to imply that the original system was any better; both of them were laden with more cons than pros for the actual tenant, abuse was rife, and even with the advantage of hindsight, it's difficult to judge which one yielded more or less profit to the crown—the fundamental argument was between the middlemen. It is ironic, however, that the word "respite" should have been used in the creation of this alternate system of paying homage since, by definition, respite meant then what it means now: *a temporary suspension*. That is certainly how Oxford understood it when he made the

statement to Burghley that "homage showld not be respited forever as now yt ys (whiche is a thinge directly bothe against the lyfe and meaninge of the lawe)," yet respite of homage remained in perpetuity until feudalism was totally abolished by the 1660s.

Hurstfield seems to be one of the few, if not the only historian, to have ever expounded upon the subject:

> If the crown benefited by respite of homage, who was the loser? The payment for the respite was, as we have seen, organized by the officials of Chancery and the Exchequer … Clearly the Lord [Great] Chamberlain regretted the new fashion. But it was not simply the revenues which were at issue. The total official revenue from these respites cannot have exceeded a few hundred pounds a year (the act of 1542 tried to keep the charge down to one shilling for the poorer tenants); but the net was sufficiently widely spread to irritate and disturb a large section of the community. The desire for its abolition was equally widespread, for reasons which had nothing to do with those given by the Lord [Great] Chamberlain.[32]

The "reasons" given by the Lord Great Chamberlain to abolish respite of homage will be considered hereunder. What Hurstfield seems to have missed, however, is that the implementation of respite of homage did not entail revoking the fees that the Lord Great Chamberlain was entitled to receive. Specifically how this aspect of the procedure fell by the wayside—unlike Oxford's "office"—remains something of a mystery, one that nevertheless calls for examination.

It is apparent that the system of respiting homage was wanting not long after it was put into effect. Entries in the journals of the House of Lords and Commons in Elizabeth I's reign reveal attempts to find a different means of collecting homage in February 1563 during the second Parliament, without resolution, and then again throughout April and May 1571 during Elizabeth's third Parliament, but the bill remained uncommitted after the queen caused it to be put by. Interestingly enough, the young Oxford attended these Parliaments. The antiquary John Hooker, a member of the lower house, offers a glimpse of the difficulties in his journal entry of May 30, 1571, the day after that Parliament was dissolved: "As for the bill of Respite of Homage, whereof the Commons find themselves so much grieved, as also the excessive fees of the lawyers, her Majesty will in time see the reformation and take order therein."[33]

Despite the queen's pronouncement, the bill to overthrow respite of homage was never revived during Elizabeth's reign, not only because it trespassed upon her prerogative, but probably because she wanted to protect Exchequer servants and interests, as well as retain the yearly revenue yielded by this system, however meager its shavings by the time it finally reached the crown. However, the vetoed 1571 bill did lead to an order given later that year under privy seal for regulating process, fees, etc. in the office of the Lord Treasurer's Remembrancer, which was itself an

expansion of an Act of Parliament circa 1455 (33 Henry VI c[aput]. 3). This 1571 privy seal led to a second one on June 15, 1573, extended with eight specific rules of governance set down for regulating respite of homage, along with a table specifying the "Rates of Fines and Fees on Respite of Homage." These rules make no mention of the role once played in the process by the Lord Great Chamberlain, but only how the business was to be conducted by the Lord Treasurer's Remembrancer, preceded by the stipulation that if he, his deputy, or clerks, should "award any Processe, exact any Pleading, or take any fees, or other wise in any pointe demeane him or themsel[u]es, contrary to the true meaning of any the sayd Orders, That then for euery such offence … the said Lord Treasurers Remembrancer himselfe shall forfeit and lose the Summe of Twentie poundes … The Orders set downe for respect of Homage, by the Right Honourable Sir William Cecil [followed by Cecil's titles and names of certain other lords] … in that behalfe directed, and witnessed vnder their hands as followeth."[34] (Bear in mind that at the time "*respite* of homage" and "*respect* of homage" were used interchangeably.)

Thereon follow the eight regulations. Regardless of this monition, these were little heeded by either of the Osbornes over the next twenty-eight years, apparent in the fact that they were recited in a bill titled "An Act for the better Observation of certain Orders in the Exchequer, set down and established by virtue of Her Majesty's Privy Seal" in Elizabeth's tenth Parliament of 1601, and would make still another appearance after that.[35] John Chamberlain included a skeptical reference to it in a letter to Dudley Carleton dated November 14, 1601: "The parliament handles no high matters, only they haue had a cast at Osbornes office, to correct and amend yt at least, but there is no great hope of successe."[36] Chamberlain's skepticism proved well founded. Carleton wrote back to him on December 29: "I send you the booke of the Subsidies, w*hi*ch was out in print by Tvesday, w*i*th the Q*ueen*s speach and the bills w*hi*ch passed .[37] It was much mervayled and grutched [=marveled and grudged] at that the bills touching the abuses in the Exchequer and the transportation of ordinance [=ordnance] were putt by."[38]

As would continue to be the case, John Osborne seems to have gotten away without any genuine reforms to his job. Although he was not on the 1601 committee concerned with "the better Observation" of the 1573 privy seal, Osborne did appear before the panel, as reported in the Commons by Francis Bacon on November 18:

> This Bill hath been deliberately and judicially considered of by the Committees, before whom Mr. *Osbourn* came; who (I assure you) so discreetly Demeaned himself, and so submissively referred the state of his whole Office to the Committees, and so well Answered in his own Defence, that they would not Ransack the heaps, or sound the bottom of former Offences, but only have taken away something that was superfluous and needless to the Subject.
>
> Though the Committee have reformed some part, yet they have not Eyed so nearly every particular, as if they would pare to the quick an Office of her Majesties Gift and Patronage.

> This Bill is both Publick and Private; Publick, because it is to do Good to the Subject; and Private, because it doth no Injustice unto the particular Officer. The Committees herein have not taxed the Officer by way of Imputation, but removed a Tax by way of Imposition.[39]

As the matter touched the queen's prerogative (i.e., she had granted Osborne the patent for his office), Bacon had certainly supported Osborne, yet was all but certainly put up to it by someone with a vested interest, just as some unnamed "great personage"—surmised by many scholars to be Burghley—had defended Peter Osborne in 1589 in not dissimilar circumstances.[40] It would not be surprising if the sway in 1601 had come from the Lord Treasurer, then Lord Buckhurst, although Robert Cecil has also been suggested.[41] After a sequence of intriguing, not to say baffling circumstances, this very same bill would be revisited towards the conclusion of the first session of King James's first Parliament, which began on March 19, 1604. Respite of homage was broached on the 26th of that month when Sir Robert Cecil, Oxford's one-time brother-in-law who had succeeded his father as Master of the Wards, propounded the motion in the upper house that a conference should be held with a select number from the lower house, not only on matters touching the Union of England and Scotland, but in issues concerning the public state—*two in particular*: "Purveyors, [and] Respite of Homage."[42] This proposal, delivered to the lower house by Lord Chief Justice Popham with some others, was appended to the Commons' request for a petition to the king "to treat of Matter of Wardship."[43] Thenceforward the bills dealing with respite of homage and wardship, though dealt with by separate committees, were closely linked, the reason given in the lower house the following day being that they were two branches growing from the same root. The clerk further recorded "that in the Matter of Respite of Homage, present Order was to be taken, by special Direction from his Majesty." A second scribe noted on the same day: "Respite of Homage, by his Majesty's special Direction, to be taken Order … Lords propounded Respite of Homage. *As they are zealous of the Furtherance, so they are jealous of any Impediment*." (my emphasis)[44]

By all appearances the bill concerning respite of homage, having derived from the upper house via Robert Cecil, was strongly supported by the king. However, were Cecil and the king the initial impetus behind it, or could it feasibly have been Oxford? There is no direct evidence one way or another, but that he was in some manner involved is definitive. Although it appears the earl did not attend a single sitting of this first session of Parliament, possibly due to failing health,[45] we find a telling clue in the House of Commons journal for the 16th of April: "An Act for the due Receiving of Homage and Fealty by the Lord Great Chamberlain of *England*, for and in the behalf of the King's Majesty: The first Reading."[46]

Oxford's 1604 Bill

This "Act"—"bill" in reality—which so far as I can discover has been accorded no studious attention whatever, received its second reading ten days later, on the 26th

of April.[47] It is precisely here where we begin to understand the motivation behind Oxford's letter to Burghley of November 9, 1594, and the ramifications of respite of homage to the office of the Great Chamberlainship of England. The April 26th entry in the Commons Journal contains a lengthy footnote that covers the bottom of two pages, beginning with the explanation: "A Paper is here inserted in the Journal, relating to this Matter, endorsed, 'The Earl of *Oxenford* for Respite of Homage.' Which Paper is in these Words…"

This "Paper" proves most informative, and while the House of Lords Record Office informs me that it is no longer inserted in the Journal, a contemporary copy (if not the original) is preserved among the state papers.[48] Its calendar listing is found alongside six related documents dealing with alternative writs for homage, preserving the king's tenures, and the abolition of wardship.[49] They are all undated, but the calendar editor (or arrangers) conjectured they belonged to 1606.[50] However, after a detailed examination of the originals, there can be no doubt that they are all directly related to the bills in the Parliament under discussion, and should be dated accordingly to the second quarter of 1604.

The collated citation offered here (see Table 1) uses as its basis the printed entry in the Commons Journal footnote. Words in square brackets are inserted from the manuscript, or otherwise explain variations between the two.

Table 1. The Earl of Oxenford for Respite of Homage

	The ancient Course of suing of Livery, and how Homage hath been taken, and ought to be taken, by the Lord Great Chamberlain of England, for the King.
	Every Person, that held Land by Homage, was to prove his full Age by a Writ of *Ætate probanda*,[51] and ought to return the same into the Chancery.
12 *H. IV. Placito* 4.	The Chancellor was to certify the Lord Privy Seal that he was of full Age.
Natura Brevium.	The Lord Privy Seal was to certify the Great Chamberlain thereof, requiring him to receive his Homage.
Stamford's *Abridgment*.[52]	The Great Chamberlain ought to receive the Homage, and to certify the Lord Chancellor, that the Party had done his Homage; whereupon the Party had Livery of his Land.
	This Course hath been omitted, and Homage respited in the Exchequer; which hath much grieved his Majesty's Subjects of all Sorts.
Westm. 2.[53]	The Lord Great Chamberlain is now a Suitor, that Homage may be done as in Time past [it] hath been, and no more respited [but in certain Cases of necessity]; and that he may take such Fees for the receiving of Homage, as by [the] ancient Statutes of this Realm hath been allowed.[54]

Respite of Homage is a Charge paid every fifth Term; if Default be made, a Noble is lost; [which] is doubled every Term; and in short time groweth to a great Charge.

Homage is done but once in a Man's Life-time; and then *the ordinary Fees, and a reasonable Fine, paid* [the foregoing italicized words read in MS.: "some small and reasonable fees paid"], and no further Vexation [during the life of the Party].

Notwithstanding that the doing of Homage hath been omitted, as is aforesaid; yet the Fine thereof hath been usually paid out of the Petty Bag, upon the recording of the Livery. [The preceding sentence is struck out in manuscript, but remained in the printed copy of the journal.]

The Persons that have Fees upon the Suit of Livery:

The Lord Chancellor - - - - - -	Notwithstanding the Payment of the said Fees.
The Master of the Rolls - - - - -	By Respite of Homage the Charge certain is yearly.
The Lord Great Chamberlain -	The Charge uncertain, is daily, [and] continual.
The King's Secretaries - - - - -	Which is clean taken away and ended in doing of Homage [and the Party at quiet during his life].
The Master of the Wards - - - -	
And divers other Persons have Fees also out of every Livery [upon the Recording thereof].	

Although Oxford's bill was for restoration of the original form of homage, had he merely been interested in collecting his fees due from its respiting, he could have instead referred to "An Act concerning the Order of Wards and Liveries" passed in 1542 (33 Henry VIII c. 22), in which it was stated:

> PROVIDED alwaye[s] and be it enacted by auctoritie aforesaide, that the Lorde Privie Seale, the Lorde Greate Chamb*er*leyne, the King*es* Chief and Principall Secretaries, the Master of the Rolles and the King*es* Clerkes of the Signet and Privie Seale, the Clerk*es* of the Pettie Bagge, and all and everie other Officer and Officers & Clerk*es* in the Chauncerie or els where in any other Court*es* where suche Liveries shall passe, shall have and be paide all suche their fees as hathe bene accustomed ... For the seale of everie suche Liverie xij d. [=twelve pence] and to the clark*es* of the Pettie Bagge for the writinge & enrollinge thereof xx d. [=twenty pence] and for the respite of homage in the Hanaper eight pence, and to the Lorde Great Chamberleyne xx d. and to the Maister of Rolles xx d. and to the Clerke of the Liveries for the warrant and enrollinge of the Lyverie twentie pence.[55]

As can be seen, even with the effectuation of respite of homage—which

remained part and parcel of suing for one's livery—the Lord Great Chamberlain was still entitled to his fee, namely, twenty pence per tenant. How the process came to be entirely usurped by the Lord Treasurer's Remembrancer remains to be explained.[56] Nevertheless, with the foregoing information, we begin to make sense of Oxford's November 9, 1594 letter. Though he had never managed to get his proposition off the ground under the aegis of Elizabeth, we see that it was given full and serious consideration under the auspices of the new Scottish king, a monarch whose patronage afforded the beleaguered earl a reversal of fortune, including the long sought stewardship of Havering-atte-Bower and the Forest of Waltham. Unfortunately for Oxford, his renaissance was destined to be short-lived.

After April 28, 1604, when notice was given of Sir Robert Wroth (probably acting in collusion with Robert Cecil)[57] having been added to the committee touching the bill on homage, we hear nothing more of the matter until the 12th of May, when one of the clerks records: "Earl of Oxenford; Respite of Homage." Though succinct, the entry reveals that the bill, inextricably linked with Oxford, was still in motion. It is also significant that Oxford's bill was being appraised that afternoon in conjunction with "Chequer Abuses"[58] (considered further in the Appendix).

On Saturday, May 19, Sir Edwin Sandys presented the bills on wardship and respite of homage to the upper house, simultaneously delivering the message that the lower house was desirous to petition the king on the matter. The Lords signified that they would give their answer upon the following Monday, May 21. On that day, the Commons received the message that the Lords had made choice of thirty committeemen for conference with them about the said matters, and that they should "come furnished with the Grounds and Reasons to induce the King [to abolish wardship and respite of homage], as they also mean to do."[59] The lower house, accordingly, chose the members for its own committee the following day.

A Sudden Reversal

The committees of both Houses were originally scheduled to meet on the 25th at 2:00 in the afternoon. However, on the 24th, messengers from the Lords informed the lower house "[t]hat whereas a Meeting was appointed to be as To-morrow, for Conference about the Matter of Wards, and Respite of Homage; at the which Conference certain of the Lords Committees could not then be present, in regard they were commanded to attend the King's Majesty at that Time, for some other Occasion; their Lordships desired, that the said Meeting might be deferred till Saturday, the 26th."[60] There are no indications what this "other Occasion" was that had detained certain unnamed lords from attending the committee in order to meet with the king; but one would like to know, for it seems there were consequences.

The following day (the 26th), the Commons' intended petition "to treat with his Majesty of a Composition" in lieu of wardship and respite of homage was read in the lower house.[61] All was for naught, however, as the conference ground to a halt that very day, the negotiations having reached some crashing impasse. The vague report

of it, mysteriously enough, was not entered until four days later, and then only in the Lords Journal, related here by William Cobbett in his *Parliamentary History*:

> What was done or said at this Conference is not handed down to us; but a remarkable Entry is made in the Journal of the Lords for that day [entered on May 30], in these words: "26 Maii prædict. Report made by the lord chancellor of that which passed in the Conference with the lower house, concerning the matter of Wards and Respite of Homage; and a repetition thereof also by the lord Cecil. The conclusion whereof was, That the Lords did, by way of advice, move and wish them to forbear any further dealing therein, or to offer any further Petition for it to the king; both for divers considerations in the matter itself, and in respect of this time of his majesty's first parliament. Which they thought to be inconvenient and unseasonable for it." Thus this business dropped for this time.[62]

One must wonder from whence this "advice" originated to cease and desist. Was this, perhaps, the result of the king's meeting with those select lords the day before, and if so, what lay at the bottom of it? It seems strange, to say the least, that James's first Parliament was suddenly considered an inopportune time to raise the matter, when, as will be recalled, Robert Cecil had originally submitted the bill "by his Majesty's special Direction." Of this situation, Wallace Notestein observed it was "probable that rumors that the King had changed his mind had reached the [Lower] House … The Lords had possibly heard, too, that the King had shifted his position … This sudden turnabout of the Lords must have been a blow to the Commons." Similar observations have been asserted by other historians, e.g., A. G. R. Smith noted that this "was a complete *volte face*," while Pauline Croft, focusing on Cecil as the probable force behind the decision, commented that the lower house must have been "startled," and that the decision was "a staggering change of tack."[63] Sundry explanations for the motivation behind this abrupt reversal have been suggested, Croft's perhaps the most cogent, but there is no clear answer or comprehensive understanding, and room remains for further hypothesizing.

Having posited earlier that the earl of Oxford may have been the true begetter, so to speak, let us now consider whether he may have been the reason, or at least a contributing factor, for the billowing sail having unexpectedly gone slack. Though little noticed by modern historians, Oxford's bill was probably more than just a plank in the stern of this particular parliamentary vessel—it had perhaps been a trim tab in the rudder—and when it was scuttled on the 26th of May 1604, it turns out Edward de Vere was not long for this world. His decease, of unknown causes, occurred just less than one month later, on Midsummer Day, the 24th of June. Robert Cecil's (and consequently the king's) awareness of Oxford's impending demise has a certain explanatory power, not just for the abrupt cessation of his own bill, but the quashing of the entire deliberation concerning composition for respite of homage; it was almost without doubt among the "divers considerations in the matter itself." The reason is otherwise left open to question, since the Lords had been "zealous of the

[bill's] Furtherance" and "jealous of any Impediment" only two months before, and were prepared to induce the king, along with the Commons, to agree to the abolition of wardship and respite of homage a mere five days before. Seeking answers for the Lords' puzzling "change of heart," Smith wrote that "it must be concluded that sometime between 21 and 26 May [Robert Cecil] changed his mind … or he may have been told by the king to drop the matter."[64] Had the scheme from the beginning been sincere, or rather an intended bait and switch? James's willingness to consider the Commons' proposal of a composition for respite of homage (essentially one form of taxation replacing another) may have been no more than lip service, doubting it would ever yield commensurate revenue, whereas the reinstatement of homage conceivably would. Of course respite of homage was only one layer in the onion; other grievances concerning purveyance and wardship, and additional burdens attached to tenures in chief, were undoubtedly in play, so this must admittedly remain impressionistic. Yet if the proposal seems far-fetched, it nevertheless fits the outcome.

Although Cobbett asserted that the "business was dropped for this time," the rest was not silence. While the Lords had informed the lower house on the 26th of May "to forbear any further dealing therein," an alternative arrangement to the current system of collecting homage—one other than that proposed in Oxford's bill—was nevertheless sought. On June 1, respite of homage was briefly touched on in the lower house, while Sir Edwin Sandys delivered a report of the late conference with the Lords, describing their rejection as "no other then Matter of Expostulation, Opposition of Reason to Reason, Admonition, or precise Caution." Sir Thomas Ridgeway subsequently made a motion inducing the house to consider that since the king had expressed such displeasure, that they should seek a resolution whereby the matter "so advisedly and gravely undertaken and proceeded in, might not die, or be buried, in the Hands of those that first bred it."[65] Ridgeway's wording may be construed as unintentionally ironic if, as has been suggested, Oxford was the one who first bred it, and was, to all intents and purposes, about to die and be buried.

Consequent to Ridgeway's motion "a select Committee" was chosen "to set down something, for Satisfaction to the King, to right his Majesty's Conceits,"[66] which in turn led to the first reading in the lower house, on the 13th of June, of a new bill "for the Continuance, and due Observation, of certain Orders for the Exchequer, first set down and established by virtue of a Privy Seal from the late Queen Elizabeth's Time." Fourteen individuals were added that same day "to the Committee in the Bill for receiving of Homage." It received its second reading in the lower house on the following day, and its third reading, upon which it was passed, two days after that.[67] Oddly though, on that same day was introduced "a new Bill for the Reviving of the Statute 13º Eliz[abeth] touching Accountants," described by the second diarist as "Abuses against [i.e., "by"] Accountants in the Exchequer." Why this bill was termed "new" on June 16 is not clear (the record is deficient), but it was drawn to the same purpose as the preceding one on the 13th and was essentially the same. In any event, if this bill has a familiar ring it is because we have seen it before: born in 1571, modified in 1573, and reborn in 1601. With such continual recycling, one is

hard pressed not to get the impression that, in the Parliament of 1604, this was an eleventh hour substitution for what had come before. (Compare the wording in the 1601 bill, an act—"for the *better* Observation of certain Orders *in* the Exchequer, set down and established by virtue of *Her Majesty's Privy Seal*" to that of 1604, an act—"for the *Continuance*, *and due* Observation, of certain Orders *for* the Exchequer, *first* set down and established by virtue of *a Privy Seal from the late Queen Elizabeth's Time*." Obviously the 1571/1573 privy seal required *better* observation in 1601, and the *continuance* and *due* observation of that *better* observation in 1604. Did the tweaking of a few words fool anyone, or were memories truly so short? On the contrary; this was but lip service.)

The newly revised bill received its first reading in the upper house on Saturday, the 23rd of June.[68] As the following day was a Sunday, the Parliament adjourned, and it was on this day, June 24, 1604, that Oxford quietly shuffled off his mortal coil. Besides a letter from his wife to Robert Cecil written sometime before August 20 concerning the continuation of Oxford's annuity for their eleven-year-old son,[69] no letter has survived mentioning his death, and any form of eulogy would be two more years forthcoming.[70] Strangely, the passing of England's Lord Great Chamberlain seems to have been little noticed, other than the fact that his name remained on the roster of lords (eligible to attend) in the upper house on the 25th and 26th of June, but disappeared after the 27th.[71]

On the 30th of June, the revised bill received its second reading in the upper house, with the following details appended:

> Upon this Second Reading of the Bill, it was Ordered by the House, That, if Mr. *Osborne*, the Lord Treasurer's Remembrancer in the Court of Exchequer, did desire to be heard, touching any Particular of that Bill, which doth concern his Place and Office, he should have Hearing before their Lordships accordingly; and that Warning shall be given unto him for that Purpose, to attend their Lordships in the House upon *Monday* next, the Second of *July*, by Eight of the Clock in the Morning.[72]

Here again, Osborne is making an encore, replaying his role that Bacon had defended so victoriously in 1601. Accordingly, on July 2, the Lords Journal concisely reports: "Mr. *Osborne*, the Lord Treasurer's Remembrancer called into the House, and heard what he could say touching the Bill of the Exchequer."[73] Whatever Osborne's input, the charade received a third reading the following day, July 3, and was passed. The Parliament was abruptly dissolved on July 7, and the final "Act" was delivered the following week to Robert Barker, the king's printer.[74]

When we consider that Queen Elizabeth's privy seals touching this matter had proven singularly ineffective thrice before, its last-minute implementation in 1604 smacks of some desperation: Oxford's bill for the revival of homage had vanished sans trace, almost as did the earl himself, and alternative proposals for composition by the lower house were apparently unsatisfactory. There was no more time to devise a brand new scheme: on the one hand it was business as usual, while on the other

hand it seems no crack had been ignored that might allow succeeding generations to breach this impenetrable mystery. By having the procedure endorsed by the new king, the perhaps anxious hope may have been that these rules would be enforced this time around. It's doubtful that anyone was reassured, however, and in the end it proved to be merely a turn of the screw. Respite of homage would reappear in different frameworks in the fourth and last parliamentary session of 1610 (as part of Robert Cecil's "Great Contract"), the second Parliament of 1614, and again in the third Parliament of 1621, each time without resolution.[75] Moreover, entries in the parliamentary journals make it clear that the time-dishonored practices in the Lord Treasurer's Remembrancer's office continued unabated, and that discontent with Osborne was ongoing.

An undated document annexed to a letter of June 30, 1616, wherein the Privy Council was attempting to find means for increasing the king's revenue, is worth noting. The letter is endorsed "to consyder of a proiect … concernn*ing* respites of hommage," the letter itself referring to the project as "hereinclosed." The undated enclosure, however, actually consists of two propositions; the second, involving disforesting distant woods, chases, etc., need not detain us here, but the first considers both homage and respite of homage, denouncing each as unsatisfactory systems:

> The first Proposi*ci*on: Homage is due to the King, in all cases wher land is holden of the King *in capitie* by knight*es* service.
>
> Homage is a solemne service of right due to the King and taken by the Lord Chamberlaine of England w*hi*ch cannot be done w*i*thout extraordinary cost and preiudice in labour and attendance by every one of the King*es* tennant*es* holding by the former services.
>
> This service was personally observed vntill about the Raigne of Henry the 8t[h] when this service became to be respited, and soe by tyme brought to the custome in which it is now setled, to the exceeding charge and trouble of the subiect, and to very little or noe benefitt to the King in his revenewe.[76]

The proposal, while obviously opposed to the reinstatement of homage, goes on to indicate the inadequate profit brought to the king by the current system, and complains of "the respiting of homage being entirely managed by one and the same officer who sendeth out the process, receaveth the mony, dischargeth the parties, awditeth him selfe his owne accompt, and the King paid noe more then what this officer will pay him, being vncontrowlable by any other officer." Though unnamed, the officer in question was of course John Osborne. The upshot of the proposition then follows: "The remydy of this mischeife to the subiect and to bring the entyre p*ro*fitt to the King*es* owne purse is to reduce this service to a certen composi*ci*on or reasonable some of money by way of a fyne to be paid to his Ma*ies*ties vse," after which the individual fines are listed in descending order—"to be managed by Commission"—for every duke, marques, earl, viscount, baron, knight, esquire, gentleman, and lastly

"every yeoman or other inferior person."

As is frequently found to be the case among miscalendared state papers, it's possible this undated document was not the original enclosure with the 1616 Privy Council letter, which specifically refers to respite of homage while making no mention of composition, or of disafforestation.[77] That the enclosure was once separate from the letter is further suggested by the fact that the Public Record Office proto-archivist—astutely observing the analogous situation with the opening of James's first Parliament—has written on it "prob*ably* March 1604." It seems probable that the association between the enclosure and the letter is one made by the archival sorting of the state papers rather than the two being found together. Its origin cannot be conclusive in the absence of definitive evidence, but considering that the Commons' desire was the elimination of homage altogether by means of an alternative composition, it is quite plausible this document was composed by someone in the lower house during the Parliament of 1604. The evidence at present available is strong enough to justify this assumption, though it is not sufficient to yield absolute proof.[78]

Conclusion — Or, What Does This All Mean?

Although it has long been known that "fees" were attached to the office of the Great Chamberlainship of England, precisely what these fees were—other than those received for the Great Chamberlain's ceremonial function at coronations—has, until now, remained exasperatingly vague.[79] With the exception of Hurstfield, it seems that the office's specific connection with homage, and consequently respite of homage, has been largely overlooked by modern scholars. Among other sources, I have been unable to find any acknowledgement of it, let alone explication, in the works of J. H. Round, who specialized in the study of this office, or in G. H. White's monograph on the Lord Great Chamberlain in volume 10, Appendix F of *The Complete Peerage*—the most comprehensive exposition on the overall subject to date. Considering the paucity of literature on this topic, the foregoing data, in addition to enhancing the biography of the 17th Earl of Oxford, contributes a significant understanding of both the history and function of this office.

May we gather from these revelations that Oxford was interested in being a tax collector, or reviving an antiquated system of fealty connected to feudal tenures? Unfortunately, there is no clear answer, notwithstanding the poet expressing himself: "My conscience clear my chief defense;/ I neither seek by bribes to please,/ Nor by deceit to breed offense./ Thus do I live, thus will I die."[80] According to Alan Nelson, the "Exchequer pipe rolls known as the 'Lord Treasurer's Remembrancer' reveal that Oxford was a tax-defaulter in 1600-01, in debt for £20 … The document roll is well-known to Shakespeare scholars – by now the playwright had apparently paid up on his obligation outstanding since 1597, while Oxford remained delinquent."[81] It may not be stretching the truth too far to say the man from Stratford was wealthier at the turn of the century than the earl of Oxford, and, ironically, £20 is precisely the sum the Lord Treasurer's Remembrancer was ostensibly to be fined for every vow

broken in his office. Despite the fact that he had married Elizabeth Trentham in 1591, one of the queen's maids of honor (who—via the help of her wealthy brother Francis—managed to maintain and regain some of his estate), Oxford's earldom was in dire financial straits by then: whether as the result of the queen's and the earl of Leicester's perverse exploitation of his wardship, his profligate recklessness, having been generous to a fault, or some combination of all the foregoing, remains arguable.[82] Whatever the reasons, by the 1590s, despite his £1,000 annuity and covert stake in the Great Garden property at Aldgate, Oxford was surely desperate to restore those sources of income that were due his office—one of the few assets remaining to him—not only, perhaps, for his wife's jointure, but moreover for his newborn heir.[83] This is very apparent from what he wrote to Burghley in the so-much misunderstood letter of July 7, 1594: "that yowre Lordship, to whome my estate is so well knowne, & how muche yt standethe me on not to neglect as hertofore suche occasions as to amend the same may aryse frome myne office." As things stood, homage was going to be paid one way or the other, and fees were going to come out of it regardless before reaching the crown. The Lord Great Chamberlain had received a percentage of homage long before the Remembrancer overtook it, and Oxford wanted—and obviously needed—what he felt was lawfully his. Considering certain expressions in Oxford's two 1594 letters and 1604 bill, it is tempting to think that other, selfless, factors may have been in play as well, such as curbing the extortion by Osborne and those in his office, thereby disburdening the queen's—and subsequently the king's—subjects. However, the unravelling of very complicated, not to mention incomplete, historical evidence, with reasonable conclusions as to what the evidence means, is largely an abstract construct. In attempting to shed new light on Oxford's life, I realize history is comprised not so much of facts as interpretation, and therefore leave the door open for other researchers to reinterpret these findings. That said, here is my own interpretation.

In sum, the so-called *mystery* attached to Oxford's "office" since the early twentieth century is now resolved, a new letter brought to light, and original biographical information regarding Oxford's activities in the months and weeks preceding his death rescued from ignorance. Had he lived longer, there is reason to believe Oxford's bill may have passed the 1604 Parliament, rather than being suddenly dashed just weeks prior to his death.[84] The winds of his fortune had altered dramatically for the better under King James, who referred to him as "Great Oxford,"[85] and the region cloud hanging over this nobleman's tarnished reputation seemed at long last to be lifting. By all appearances there was triumphant sunshine in his forecast, but out alack: Edward de Vere—sometime poet, playwright, and patron—departed the stage, destined not to outlive the golden age that bred him. Only his words, like living art, would last to serve his wit....

> The labouring man, that tilles the fertile soyle,
> And reapes the haruest fruite, hath not in deede
> The gaine but payne, and if for all hys toyle
> He gets the strawe, the Lord wyll haue the seede.

The Manchet fine, falles not vnto his share
On coarsest cheat, his hungrye stomacke feedes
The Landlord doth, possesse the fynest fare
He pulles the flowers, the other pluckes but weedes.
The Mason poore that buildes the Lordlye halles
Dwelles not in them, they are for hye degree
His Cotage is, compact in paper walles
And not with bricke, or stone as others bee.
The idle Drone, that labours not at all
Suckes vp the sweete, of honnye from the Bee
Who worketh most, to their share least doth fall,
Wyth due desert, reward will neuer bee.
The swiftest Hare, vnto the Mastive slowe
Oft times doth fall, to him as for a praye:
The Greyhounde thereby, doth misse his game we know
For which he made, such speedy haste awaye.
So hee that takes, the payne to penne the booke
Reapes not the giftes, of goodlye golden Muse
But those gayne that, who on the worke shal looke
And from the soure, the sweete by skill doth chuse.
For hee that beates the bushe the byrde not gets,
But who sittes still, and holdeth fast the nets.[86]

Appendix

Here we'll consider the role that Oxford may have had in two undated documents filed consecutively among the state papers. The calendar entries for these place an uncertain "1611?" beside them, describing the first as a "[s]tatement of the advantages to accrue from granting to private persons the collection of the King's fees for respite of homage, which are now paid into the [Remembrancer's] office," and the second as "[a]nswers to objections stated against removing the payment of fees for homage from Mr. Osborne, the Lord Treasurer's Remembrancer's Office, to assignees appointed by the King."[87]

Although respite of homage continued to be an issue at regular intervals after 1604, I can discover no clue for the conjectural date of 1611 assigned to these documents by the calendar arrangers, nor any incidence of it in that year which might suggest a connection. There is sufficient evidence, however, to put forward the Parliament of 1604—in direct relation to Oxford's bill—as the likeliest provenance for the documents in question.

The first of these two undated state papers—which will require citing *in extenso* to follow the thread of the argument for derivation—lists the reasons against respite of homage that Oxford would have offered to Burghley in 1594 had the Lord Treasurer been willing to listen, and that he certainly would have offered in 1604, when he (or rather, his advocate) had the floor. Very much in the style of Oxford's

so-called "tin memoranda,"[88] both in thought and expression, this unsigned record begins by summarizing the disproportionate division of profit between the Lord Treasurer's Remembrancer and the crown:

> If anye man paye vnto his Ma*ies*tie for (respect of homage) the some [=sum] of 3s 4d or nott above;
>
> Off suche some his Highnes vsuallye hathe butt 4d;
>
> And the mayster of the offyce hathe 16d;
>
> And the attorney or clarke of the offyce whoe wrytethe the p*ro*sces for the same sheire [=shire] (where the landes holden lyethe, whoe dothe vsuallye receyve the same) hathe the rest, w*hi*ch is 20d;
>
> Soe that his Ma*ies*tie in suche case hathe butt a tenthe p*ar*te.
>
> And lykewyse yf anye man paye vnto his Highnes for (respect of homage) the some of 13s 4d, or any greater some;
>
> Off anye suche some his Ma*ies*tie never hathe above a fowerthe [=fourth] p*ar*te att the moste aunswered vnto hym.
>
> Soe that the subiectes arre in this kynde muche chardged & burdened, & yet his Highnes hathe the leaste p*ar*te of the benefytt thereby arysynge.
>
> By this proiect itt is ment, & itt wylbe provyded for, that his Ma*ies*ties subiectes shalbe muche eased, yf nott cleerelye dysburdened, of the greate & intolerable chardges w*hi*ch they arre nowe vsuallye putt vnto (for pleadynge of theire tenures & conveyaunces vppon alyenac[i]ons of anye of theire landes soe holden, or otherwyse) w*hi*ch they arre compelled to doe, nott soe muche for anye profytt that his Highnes receyvethe thereby, as for the privat benefytt of the clarkes & offycers.[89]

The easement and disburdening "of the greate & intolerable chardges" that the king's subjects are put to reflects the wording of Oxford's 1604 bill, which indicated that respite of homage "hath much grieved his Majesty's Subjects" and that if timely payment were not made, the subject was penalized a noble (half a mark or 6s 8d), which "doubled every Term; and in short time groweth to a great Charge," whereas if homage were done, a "reasonable Fine" was paid with "no further Vexation [during the life of the Party]." Additionally, in the last few words of the foregoing, we see a pronounced echo from the second of Oxford's two 1594 letters, where he wrote "that homage showld not be respited forever as now yt ys … for the only gayne of a privat office, to the hinderance of her Ma*ies*ties service."

After the complaint of the "privat benefyt" gleaned in the Treasurer's Remembrancer's office, the undated statement continues:

> A man of able Iudgem*ent* & experyence in these cases wyll knowe & assure hym selffe that what is before expressed is true.
>
> And besydes, by this course, his Ma*ies*ties p*ro*fytt herebye yerelye growynge shal*l*be made more then double soe muche as heretofore itt hathe be*e*n, & shalbe soe setled, ascerteyned, & aunswered vppon good

seaurytye [=surety] to be geven therefore.

Under Queen Elizabeth, Oxford had demonstrated an affinity for schemes whereby he could improve not only his own estate (which was close to bankrupt after the 1580s), but advance the crown's profits at the same time. He had attempted this, for instance, in his competition with Lord Buckhurst for the Cornish tin monopoly, in which Oxford's analysis of the commercial and fiscal aspects, by all appearances, contained the more astute—and profitable—of the two proposals. Exactly five months after Oxford's letter regarding Osborne and respite of homage, he wrote to Burghley, not so much as his former father-in-law, than as the queen's principal counselor and Treasurer of England, who should have been especially concerned with her revenue: "I thinke yt best for her maiestie to take that course which is best for her seruice … yf yt shall pleas her Magestie to imploy my service I will vse all diligence, to further her profite."[90] Among several others, further echoes of Oxford's holograph phrasing can be found in an undated memorandum from sometime after 1595:

> Sythe her Magesty hathe hadd so good a consideratione of her pore subiects, yt ys reasone also that she benifites her selfe. And therfore yf she will, as she may without any reasone to the contrarie, rayse the other happenye [=halfpenny], then sume one nobleman or other whome yt shall please her Magesty to bestowe yt one [=on] may yeld her sume 300*l*, 500*l*, or perhapes a 1000*l* a yere for the same, to have yt in farme, which is very muche for so smale a matter, and yt ys better for her Magesty to have sumthinge then nothinge … And further, which ys to be aduertised, how muche ys her Magesty abused in thys that she ys made beleue she releus [=relieves] 500 pore people of her subiects, whearas in dede she benifites 5 or 6 of the rychest sort, and nothinge att all the pore.[91]

Despite Oxford's intricately devised outline, the queen (as was her wont following his 1581 Catholic calamity and impregnation of one of her maids of honor) turned an indifferent ear to him. For one reason and another, England's second-ranking earl[92] and one-time favorite of Elizabeth had fallen from grace, and was not to be redeemed until James ascended the throne, albeit briefly. That Oxford was finally given due consideration in the matter of respite of homage is proven by the Commons and Lords journal entries cited above. It is quite possible, though beyond proof, that that same consideration encompassed this undated record, which concludes:

> And yett his Ma*ies*ties subiectes shalbe better delt w*i*th then heretofore they haue be*e*n, & shall paye lesse.
>
> And itt shalbe otherwyse (in dyu*er*s respectes) better, bothe for his Highnes, & for his subiectes.

Although the foregoing document makes no specific case for the fees being

restored to the Lord Great Chamberlain, its description in the Calendar of state papers as a "[s]tatement of the advantages to accrue from granting to private persons the collection of the King's fees for respite of homage" is clearly misleading, as the only arguments it presents are the disadvantages of the fees then being paid into the Remembrancer's office. It refers to a project, and a course, that will be more advantageous to the king and his subjects, but gives no details as to what it is, or who is proposing it.

If there is no sure way to affirm Oxford's presence behind the foregoing document, the second of these two undated records, which is undoubtedly connected to the first, should appreciably increase the reasons for theorizing it. Recall Oxford's request in 1594 that Osborne be required "to sett downe in wrightinge suche causes as he alleagethe why the sayd homages showld not be done, that I may thervpone replye & drave [=draw] the cause to a shortte ysswe [=issue]." One way or another, whether during the 1604 Parliament or at some point thereafter, this request was finally borne out—if not by way of Oxford, then by means of another party with strikingly similar interests. It is worth considering, however, that this and the foregoing record may be the very statements submitted in the parliamentary deliberation on May 12, 1604, when the diarist recorded hand-in-hand: "Earl of Oxenford; Respite of Homage; Chequer Abuses:—This Day, in the Afternoon" (above, p. 185).[93] The articles—better termed arguments—are condensed into a single, abbreviated document consisting of four point-counterpoints acquiring the format of a dialogue, or written fencing match, between two persons, one of whom (the one "objecting") was certainly Osborne, if not his spokesman. The one "answering" may well have been Oxford, but whatever the case, it stands to reason that Osborne's objections were prompted by the previously cited document, and they thus survived in tandem. This "dialogue" begins with the header: "Advertizem*en*tes touchinge the respecte of homage payable in the Thr*esur*ers Remembrauncers office drawn from the observac*i*ons of xxv [=25] yeres experience in the same."[94]

A hint is offered at the very outset for the dating of this record, albeit a dubious one. Osborne states his observations come from "25 years" of experience in the office, which, as with most historical documents, can be interpreted in more than one way. Recall that John Osborne officially became the Treasurer's Remembrancer in June of 1592, when he received the reversion of the office upon his father's death. If "25 years" is taken exactly, it would place this record circa 1617. However, this "experience" in the office probably does not refer to the date Osborne *officially* inherited the title of Remembrancer, and "25 years" in any case may be a generalization. On this point, John Osborne's actual grant of reversion in the Calendar of Patent Rolls from December 10, 1576, should be considered, coming as it did "[i]n consideration of his knowledge and experience in the office both by instruction of his father and by continuance in the work of the office" (above, p. 8).

Osborne was therefore already considered "experience[d] in the same" as early as December of 1576. If we take this date as a *terminus a quo* for the 25 years of experience, we are brought to December 1601, for all practical purposes 1602. Moreover, as pointed out above, it's possible the dating in the Calendar of Patent

Rolls is in error, and that Peter Osborne's letter dated January 13, 1577/8 in the Calendar of Salisbury manuscripts, in which he thanks Burghley for the reversion of his office to his son, is in fact correct (I have not seen the original manuscripts of either). If so, John Osborne's grant should be dated December 10, 1577, which would then give us a *terminus a quo* of December 1602 for the 25 years of experience, for all practical purposes 1603—closer still to the parliamentary proceedings in which Oxford was attempting to have respite of homage terminated and the original process reinstated. But to reiterate, the said "25 years" may be a generalization. Nevertheless, although we can fairly well determine the *terminus a quo* for Osborne's grant of reversion itself, we really cannot for the amount of his said "experience" at that time.[95]

After the header, the undated "Advertizem*en*tes" proceed to Osborne's first objection; *En Garde*:

1. It may be obiected that the writt*es* yssuinge out of M*aster* Osbornes office for respecte of homage grounded vpon the Kinges tenures in cheife amountinge tearmely to eighte thowsand writt*es* or thereabout*es*, are the foundac*i*on and substance of the said office. And that yf the attorneys fees ar*r*ysinge vpon the acquittances for the said respecte of homage be taken from them, they cannot be hable to maintaine clerkes to write the said writt*es* and p*er*forme the busines of th[e] office therevpon growinge.

The riposte, from whomever it came, indicates that Osborne was blustering in this regard:

2. It may be aunswered: that the homages tearmely payable are but a third p*ar*te of the writt*es* aboue menc*i*oned, and that vpon the alterac*i*on of eu*er*y ten*a*nte that houldeth land*es* of the Kinge in cheife or by knight*es* s*e*ruice, &c., the ten*a*nte in possession muste bringe in his licence or p*ar*don, indenture, ffyne, or deede, and a plea must be drawne by the attorney toward the sheire that taketh xijd [=12 pence] for every sheete and vjs viijd [=6 shillings 8 pence] vpon every rolle. The Remembrauncer hath other vjs viijd for his ffee and iiijs iiijd vpon every plea inrolled for givinge Iudgement therevnto. Yf the ten*a*nte come by discent, then muste he bringe in speciall or gen*er*all livery, wherevpon the attorney taketh vjs viijd and what he please for entring the scedule of the livery. The M*aster* of th[e] office hath likewise vjs viijd for his ffee. So that (the p*re*misses considered) neither the Remembrauncer nor his clerkes the attorneys can be greatlie indempnified by takinge from them the receipte of the Kings homage togeather w*i*th th[e] acquittances and ffees therevnto belonginge.

Apparently unscathed, Osborne forged ahead:

3. It may likewise be obiected that the yssues and amercyame*ntes* due to his Ma*ies*tie vpon the defaulte of not payinge the homages tearmely as they growe due are very chargeable and painefull both to the Remembrauncer and his clerk*es*.

Osborne's point is somewhat puzzling and challenging to ascertain. As we've observed, a tenant incurred amercements (penalties) for not paying his fine for respite of homage on time, that is, on a prescribed date every fifth term. The tenant's debt would thus accumulate, the burden increasing the longer his debt remained undischarged. Osborne seems to encourage the penalties as the interest gained was greatly to be desired, for himself and his clerks, if not the tenants. One man's gain is another's loss: whereas a onetime payment would prove advantageous to the tenant, it would be contrariwise to the Exchequer's coffers, or rather, Osborne and his officers' purses, possibly trickling down to the very sheriffs posted to levy the impositions after such arrearages had been audited. From Osborne's point of view, he and his officials would be the ones out of pocket were respite of homage to be abolished rather than the other way around. Osborne's antagonist parried with the following counterpoint:

4. It may be aunswered: it is the cheife service he doth for his office, and yet notw*i*thstandinge his ffather and this Remembrauncer alsoe hath had out of the receipte vpon the Lord Thr*esur*ers warr*a*unte Cli [=£100] at a tyme for their travell [=travail] therein, w*i*th the w*hi*ch the many diu*er*se other secrett meanes of gaine alsoe considered, they may houlde them[selves] fully satisfied w*i*thout the receipte of the Kings homage, as for example by the scrowle of accomptant*es*, the booke of veiwes, specyall writt*es*, warrant*es*, commissions, p*ar*ticulers, exemplifica*ci*ons, inrollement*es*, accompt*es*, sheriff*es*, peti*ci*ons, &c.

The knowledge of the additional £100 paid by the Lord Treasurer to John Osborne and his father Peter before him, apparently over and above their nominal salary of £30 per annum,[96] as well as "many diu*er*se other secrett meanes of gaine," reveals an insider's familiarity with the situation. Oxford's long and close association with Burghley, and his obvious acquaintance with Osborne, would have made him ideally placed to be privy to such information.

Nicked or no, and not to be disadvantaged, Osborne thrust forward:

5. It may be obiected that the discontinuinge the paym*en*t of the Kings homage in *forma quo prius* [i.e., "as in the previous form"] may breede a discontentment to the subiecte and make a confusion in the Thr*esur*ers Remembrauncers office.

This passado was easily sidestepped as the subsequent solution, or truce, if you

will, was served in return, though likely little to Osborne's satisfaction, as he still would have viewed himself hamstrung:

6. It may be thus aunswered: that the Kinges assignees may contynue the receipte of the same homages in the same Remembrauncers office, or in some suche place neere vnto the same office in th[e] Exchequer, as M*aster* Chauncellor of th[e] Exchequer shall thinke meete. And that the said assignees of the Kinge or theire deputies shall bringe their book*es* of receiptes of the Kings homage vnto the seu*er*all attorneys of the same office, and at the end of every tearme cease such writt*es* in every sheire as haue paid theire homage beinge then due, accordinge to the accustomed course of the same office. So that it can cause no discontentm*en*t to the subiecte, nor breede any confusion in the office.

Recall Oxford's 1604 parliamentary suit headed "The ancient Course of suing of Livery, and how Homage hath been taken, and ought to be taken, by the Lord Great Chamberlain of England, for the King" (see Table 1). Within that paper were listed "The Persons that have Fees upon the Suit of Livery," beginning with the Lord Chancellor, the Master of the Rolls, the Lord Great Chamberlain, and so forth. These were considered "the Kinges assignees," and had Oxford's bill been passed in that Parliament, as Lord Great Chamberlain, he would have been one of them.

The duel dwindles somewhat anticlimactically to its conclusion, in what amounts to splitting half-pence with the short sword:

7. It may be further said that M*aster* Osborne standeth charged w*i*th p*ar*chem*en*t *vltra* [i.e., over and above] the Kings allowance.

Although stationery was not always provided for in the overhead of some courts, in this instance the person answering, whether Oxford or someone else, knew otherwise, and rebounded with the final blow:

8. The Kinge alloweth him a yerely some of money for p*ar*chem*en*t, and what hath exceeded that allowaunce, the booke of Orders in that office hath formerly discharged.

Here the document ends, after several palpable hits to Osborne. As noted, there is no discernible reason for the uncertain date of 1611 conjecturally assigned by the calendar editor or archivist to the two foregoing state papers. The evidence presents no certainty, but the probability that the date of 1604 is the correct one seems quite strong. If the 17th earl of Oxford was not the instigator of these two documents, his influence and actions relating to respite of homage, not only in 1594, but particularly 1604, surely served indirectly as their impetus.

Abbreviations

BL	British Library (all quotations by permission of the BL)
CJ	*Journals of the House of Commons* (London, 1742- [all references herein to vol. 1, 1547-1629])
CP	Cecil Papers (all quotations by permission of the Marquess of Salisbury)
CSPD	*Calendar of State Papers: domestic series of the reigns of Edward VI, Mary, Elizabeth, James 1547-1625, preserved in the State paper department of PRO* (London: Longman, Brown, Green, Longmans, & Roberts, 1856-1872)
DNB	*Dictionary of National Biography*, 63 vols. (1885–1900), suppl., 3 vols. (1901); repr. in 22 vols. (1908–9); 10 further suppls. (1912–96); *Missing persons* (1993)
Econ. Hist. Rev.	*The Economic History Review*
EHR	*English Historical Review*
ERO	Essex Record Office (all quotations by permission of the ERO)
HMC Hatfield	Historical Manuscripts Commission, *Calendar of the manuscripts of the Marquess of Salisbury at Hatfield House*, 24 vols. (London, 1883-1976)
HMSO	His Majesty's Stationery Office
IPM	*Inquisitio Post Mortem*
Lansd.	Lansdowne Manuscripts in the BL
LJ	*Journals of the House of Lords*, 19 vols. (London, 1767- [all references herein to vol. 2, 1578-1614])
ODNB	*Oxford Dictionary of National Biography*, 60 vols. (Oxford; New York: Oxford UP, 2004)
PH	*Parliamentary History: A Yearbook* (Gloucester: Alan Sutton, St. Martin's Press, c1982-)
SR	*The statutes of the realm* (11 vols. in 12; Reprint of the 1810-1828 ed. London, 1963)

STC	Short-title catalogue of books printed in England, Scotland & Ireland and of English books printed abroad, 1475-1640
TNA, PRO	The National Archives, Public Record Office, Kew (all quotations herein are not subject to Crown copyright)
UP	University Press
WING	Wing, Donald Goddard. Short-title catalogue of books printed in England, Scotland, Ireland, Wales, and British America, and of English books printed in other countries, 1641-1700

Endnotes

[1] For their invaluable assistance in researching this paper, I wish to thank Dr. Ruth Paley of the History of Parliament Trust and Victoria Britton of The Parliamentary Archives, House of Lords Record Office, as well as the insights of Robert Brazil, Robert Detobel, and Steven W. May, as well as particular thanks to Nina Green.

[2] BL Lansd. 76/74, fos. 168-69.

[3] B. M. Ward, *The seventeenth earl of Oxford, 1550-1604, from contemporary documents* (London: J. Murray, 1928), 312.

[4] B. M. Ward, 257-61, 282.

[5] B. M. Ward, "John Lyly and the Office of the Revels," *RES* 5, no. 17 (Jan. 1929): 57-59.

[6] TNA, PRO: E 403/2597, fos. 104v-105. The reason for the annuity is confirmed in the dowager countess of Oxford's letter to Robert Cecil written before August 20, 1604, in which she stated that "the pencyon of a thousande poundes was not giuen by the late Queene to my Lo*rd* for his life, and then to determine, but to continew vntill she might raise his decay by some better prouision" (CP 189/147). Around the same time, King James referred to Oxford's annuity in a letter to Cecil when Lord Sheffield was dogging him for more than a £1,000 pension: "I had already told him, never greater gift of that nature was given in England. Great Oxford when his state was whole ruined got no more of the late Queen" (HMC Hatfield, 16:397).

[7] As cited by Ruth Loyd Miller, ed., *Oxfordian Vistas*, 3rd ed., 2 vols. (Port Washington, NY/London: Kennikat Press for Minos Publishing Co., 1975), 2:478. Miller devotes an entire chapter titled "Lord Oxford's 'Office'" advancing this premise (2:448-83).

[8] E. M. Tenison, *Elizabethan England: being the history of this country "in relation to all foreign princes"*, 13 vols. (Royal Leamington spa: Issued for the author to subscribers only At the sign of the Dove with the Griffin, 1933-1961), 6:133-34.

[9] Dorothy and Charlton Ogburn, Sr., *This Star of England: "William Shake-speare" Man of the Renaissance* (New York: Coward-McCann, 1952), 935.

[10] Charlton Ogburn, Jr., *The Mysterious William Shakespeare, the Myth & the Reality* (McLean, VA: EPM Publications, 1984 [cited from 2nd ed. 1998]), 735-36.

[11] A discerning judgment in Anderson's excellent book: moreover, nowhere has any writer shown us a comparison of the alleged "secret service" formula.

[12] Mark Anderson, *"Shakespeare" by another name: the Life of Edward de Vere, Earl of Oxford, the Man who was Shakespeare* (New York: Gotham Books, 2005), 281-82, 506 (note to p. 210).

[13] Alan H. Nelson, *Monstrous Adversary: The life of Edward de Vere, 17th Earl of Oxford* (Liverpool: at the UP, 2003), 348.

[14] John Lyly, *Euphues and his England. Containing his voyage and his aduentures ..., giuen to the wise, and lesse occasion of loosenes proffered to the wanton*. (London: T. East for Gabriell Cawood, 1580), sig. A4v [STC 17068]; (italicized letter supplied from tilde).

[15] TNA: PRO, C 66/1267, mm. 5-7. It was apparently argued in the time of Charles I that the manor of Earls Colne had been held by Oxford in grand sergeanty as Lord Great Chamberlain of England, and that Richard Harlakenden, who inherited the manor from his father, therefore had a claim to the Great Chamberlainship by the same tenure. J. H. Round alluded to this in 1911, writing that while Henry I's bestowal of the hereditary office of Great Chamberlain on the de Veres was unconnected with the tenure of land, and that their barony (with its *caput*, Hedingham Castle) had been held by knight-service since the Conquest, it was nevertheless "clearly shown in the Great Chamberlain case [c.1902] that this office was found in 'Inquests after death' to be attached to their barony, the *reductio ad absurdum* being reached when Richard Harlakenden—whose father [Roger], the earl's steward, had purchased Earls Colne on the dissipation of their estates,—was found, under Charles I, to have held that manor by the grand sergeanty of being Chamberlain of England" (J. H. Round, *The King's Serjeants & officers of state, with their coronation services*, [London: J. Nisbet, 1911; cited from London: Tabard Press Ltd, 1970 facsimile reprint], 44). Contrary to Round's misleading phrasing, Richard Harlakenden was of course never the Lord Great Chamberlain of England, but that this office was attached to the de Veres' barony by grand sergeanty throughout their tenure as the earls of Oxford is confirmed in: the fourth earl's *IPM* (*The Complete Peerage* [revised edition by H. A. Doubleday, Geoffrey H. White and Lord Howard de Walden, London: St. Catherine Press, 1945], 10, Appendix F: fn. f, 54-55); the sixteenth Earl's IPM (TNA: PRO, C 142/136/12); and the Court of Wards accounting for Oxford's lands c. 1563-1564 (TNA: PRO, WARD 8/13, part 32 [of 78]). See also Elizabeth Read Foster, *Proceedings in Parliament, 1610,* 2 vols. (New Haven: Yale UP, 1966), 1:56 and *William B. Bidwell and Maija Jansson, eds., Proceedings in Parliament 1626,* 4 vols. (New Haven: Yale UP, 1991-1996), 1:141, 218-19.

[16] TNA: PRO, C 78/104/17. A full transcription of this document, by Alan Nelson is available at http://socrates.berkeley.edu/~ahnelson/DOCS/oxvharlak.html (accessed on September 20, 2010). One of the witnesses in the case was Oxford's servant Barnaby Worthy, who offered vacillating testimony as to whether or not Harlakenden had bribed anyone (those accused of having accepted bribes included Edmund Felton, Thomas Hampton, and John Drawater). Nelson observes: "[Worthy's] extraordinary reversal, so complete that [the Chancery examiner] declared that it amounted to a cancellation of his entire testimony, admits of two explanations. Either he was threatened by Harlackenden's side into withdrawing evidence unfavourable to their cause; or the testimony which he gave in the first deposition was doctored by partisans of Oxford's cause. Either way, Worthye seems to have become caught up in a dispute that threatened to overwhelm him." See *Monstrous Adversary*, 346-48. Nelson cites Huntington Library MSS [EL] 5871 and 5872; these should, however, be compared with Worthy's deposition in TNA: PRO, C 24/239/46, which Nelson does not cite. Regardless of whether the bribery charges were true, Harlakenden was, at the very least, a cunning businessman. Oliver Rackham observes, with regard to Chalkney Wood (which made up part of the Earls Colne estate), that Harlakenden "knew his wood well and drove a shrewd bargain. Some he sold to distant purchasers … The prices that he got for the remaining wood, even if it was as much as twenty years old, seem to be well above average." *Ancient woodland: its history, vegetation and uses in England* (London: Edward Arnold, 1980), 250.

[17] For a concise but precise background of the disputed Harlakenden swindle, see Nina Green, "Fraud at Colne Priory," *The Shakespeare Oxford Newsletter* 40:2 (2004), 3-4; the relevant records (and many others referenced in this article) are also meticulously transcribed by Green in modern spelling transcriptions at http://www.oxford-shakespeare.com under the Documents link. Modern spelling versions of many of these records are also available on the Earls Colne website at http://linux02.lib.cam.ac.uk/earlscolne/document (*Caveat Lector*: the transcripts on this website are serviceable for basic research purposes but riddled with errors and should not be taken at face value). H. R. French and R. W. Hoyle expound on the Oxford/Harlakenden imbroglio throughout *The character of English rural society: Earls Colne, 1550-1750* (2007), but unfortunately this book is deeply flawed due to the authors' misplaced confidence and total reliance upon the imperfect Earls Colne website transcriptions rather than seeking out the original documents. Daphne Pearson offers her own viewpoint of the Oxford/Harlakenden affair in *Edward de Vere (1550–1604), The Crisis and Consequences of Wardship* (Aldershot: Ashgate, 2005), chaps. 4 and 8-10, but here again prudent discretion is in order as Pearson's unreliable research has been thoroughly exposed (see reviews by Christopher Paul, *EHR* 121:493 (2006), 1173-74; Christopher Paul, *The Oxfordian* 9 (2006), 91-112; Lloyd Bowen, *Econ. Hist. Rev.* 59:3 (2006), 638-39; Eric N. Lindquist, *Renaissance Quarterly* 59:2 (2006), 612-13). Alan Macfarlane

offers perhaps the most neutral perspective in "The strife of two great tides; the Harlakenden case" at http://www.alanmacfarlane.com/TEXTS/Strife.pdf (rough draft of a talk given to the Earls Colne Society in May 1990; see specifically the subsection "The power struggle in Earls Colne"), accessed on September 20, 2010.

[18] ERO, D/DPr 425.

[19] TNA: PRO, C 24/277 part 1 piece 35. The variety of answers from the other deponents in the foregoing record is of exceptional interest, as when Israel Amice, one of Oxford's former servants, answered that Oxford had sent him to Castle Hedingham, where "he in serching for the s*ai*d evidenc*es* w*i*th the rest of his associat*es*, found lyeng vnderfoot among the dust dyvers writing*es* concerning the office of Great Chamberlain of England." If true, such disregard for the said documents is astonishing, but no more so than another accusation that the evidences "concerning [Oxford's] office of Great C*h*amberlayn of England w*i*th the ffees and other thing*es* belonging to the same" had been contained in a "black booke," and that the late earl of Leicester—one of Oxford's greatest adversaries—had commanded Israel Amice to deliver the black book to him, and then to burn it. Amice prudently denied the charge.

[20] ERO, D/DPr 424.

[21] *A catalogue of the Harleian manuscripts in the British museum*, 4 vols. (London: G. Eyre and A. Strahan, 1808-1812), 3:484. The catalogue reference is also noted under "Edward de Vere" in C. H. and T. Cooper, *Athenae Cantabrigienses*, 3 vols. (Cambridge, UK: Deighton, Bell, MacMillan; London: Bell, Daldy, 1858-1913), 2:392. The most detailed notice I've discovered, though hardly extensive, is in *The Complete Peerage* 10:252, fn. b: "In November 1594 he petitioned for the restoration of the paying of homage by the tenants of the crown in order that he might obtain the 'Fees belonging to his office as Lord High Chamberlain.'"

[22] BL Harleian MS. 6996/117.

[23] *ODNB*, 42:20.

[24] HMC Hatfield 2:171. The slash [/] between year numbers denotes the specific year (New Style), with the latter number understood as the date intended. In Oxford's time the 'civil' or 'legal' New Year began March 25th (the Feast of the Annunciation) rather than January 1st, hence the genuine dates must be calculated accordingly.

[25] *Calendar of the Patent Rolls preserved in the Public Record Office*, 1575-1578 (London: HMSO, 1891-), 328, no. 2279.

[26] TNA: PRO, SP 12/242/54 fo. 98.

[27] This tract, unpublished until 1658, was incorrectly attributed to Thomas Fanshawe. See R. B. Outhwaite, "*A Note on* The Practice of the Exchequer Court, With its severall Offices and Officers, *by Sir T. F.*," *EHR* 81 (1966), 337-39; W. H. Bryson, "Exchequer Equity Bibliography," *American Journal of Legal History* 14 (1970), 333-48.

[28] Thomas Fanshawe (*sic*), *The Practice of the Exchequer Court* (London, 1658), 61 [Wing F420].

[29] All English land had been held of the crown since William the Conqueror, and was awarded in recognition of service. Those who held land directly of the crown held the land in fee, and were tenants *in capite*. They in turn could sell, lease, or bequeath this same land to others, who became their sub-tenants. For the description of homage owed a *mesne* lord, see *SR*, 1:227 ("The Manner of Doing Homage and Fealty").

[30] For further elucidation on homage, see T. E. Tomlins, ed., *Lyttleton, his treatise of tenures* (London; NY: Garland Pub., 1978), 117-25, 178-86; William Stubbs, *The constitutional history of England in its origin and development*, 3 vols. (Oxford: Clarendon Press, 1891), 3:532-34; Sir Frederick Pollock and Frederic William Maitland, *The history of English law before the time of Edward I*, 2 vols. (Cambridge, UK: at the UP, 1952), 1:296-307, 348-49, 2:291; Sir William Searle Holdsworth, *A history of English law*, 7th ed., 16 vols. (London: Methuen & Co. Ltd., 1903-1966), 3:54-57; and D. E. C. Yale, ed., *Sir Matthew Hale's 'The Prerogatives of the King'* (London: Selden Society, 1976), 92:59-60.

[31] Joel Hurstfield, *The Queen's Wards* (Cambridge, MA: Harvard UP, 1958), 176.

[32] Joel Hurstfield, 177. It seems to have been an idiosyncrasy of Hurstfield's to refer to the Lord Great Chamberlain simply as the Lord Chamberlain, possibly because the title was sometimes so abbreviated contemporaneously.

[33] T. E. Hartley, ed., *Proceedings in the parliaments of Elizabeth I*, 3 vols. (Wilmington, DE: Michael Glazier, 1981), 3:255.

[34] *SR* 4, pt. 2:1052-53. The very same would be re-enacted in King James's first Parliament and subsequently printed in *At the Parliament begun and holden at Westminster … 19 March-7 July 1604*, (London: Robert Barker: printer to the Kings most Excellent Maiestie, 1604), ch. 26:sigs. G8r-H2v [STC 9500.6]. The wording was identical but for the spelling; I chose to use the latter in the quoted citations.

[35] *LJ*, 237-56; Sir Simonds D'Ewes, *A compleat journal of the votes, speeches and debates, both of the House of lords and House of commons throughout the whole reign of Queen Elizabeth, of glorious memory* (Wilmington, DE.: Scholarly Resources [1974?]; facsimile reproduction of the 1693 ed.), 614-46, 631, 642, 647, 651, 684-87.

[36] TNA: PRO, SP 12/282/54 fos. 114-15; also in N. E. McClure, ed., *The Letters of John Chamberlain* 2 vols. (Philadelphia: The American Philosophical Society, 1939), 1:135.

[37] See STC 9495.

[38] TNA: PRO, SP 12/283/48 fos. 140-42.

[39] Heywood Townshend, *Historical collections* (London, 1680), 223 [Wing T1991].

[40] For discussions of Peter and John Osborne's roles in bills in the 1589 and 1601 Parliaments, see J. E. Neale, *Elizabeth I and her parliaments, 1584-1601* (London: Jonathan Cape, 1957), 207-8, 212, 417-19; and David Dean, *Law-Making and Society in Late Elizabethan England, The parliament of England, 1584-1601* (Cambridge, UK; NY: Cambridge UP, 1996), 92-97. However, Dean was apparently confused in conflating respite of homage and *quo titulo ingressus*

est (94n126), which were considered and treated as two separate abuses in the Exchequer. The latter was a writ under which Exchequer officials encumbered tenants in chief by inquiring into the certainty of their titles, i.e., how they entered upon their land, the intent of which was to prohibit them from alienating any part of their land without a license, which to obtain involved assigning a third of the land's value to the king, or otherwise paying a fine at the rate of one year's value of the land; see Steve Sheppard, ed., *The selected writings and speeches of Sir Edward Coke* (Indianapolis, IN.: Liberty Fund, 2003), 2:893. This process involved exactions *apart* from respite of homage, which was not a precise parliamentary issue in 1589 or 1601, as implied by Dean. Neale is also not clear on the point, but makes the distinction in *Elizabeth I and her parliaments, 1559-1581* (London: Jonathan Cape [1953]), 224.

[41] See James Spedding, ed., *An account of the life and times of Francis Bacon: Extracted from the edition of his occasional writings*. 2 vols. (Boston: Houghton, Mifflin, 1880), 1:377-78 (available in numerous editions of Spedding's *Works*), where he writes of this matter that "shortly after Bacon had delivered his bill to the sergeant, symptoms of the smothered fire, the significance of which appears to have been well understood at head quarters, found their way to the surface … From what happened after, it may be suspected, that this was contrived with the Speaker's concurrence by Cecil, in order to evade or postpone the dangerous question … therefore, while they were proceeding with the naming of the Committees, [Robert Cecil] 'spake something in Mr. Speaker's ear:' … and so the House adjourned. Whether Cecil's whisper had anything to do with it, I do not know; but some irregularity there clearly was."

[42] *LJ*, 266. Purveyance—the king's prescriptive right to have his household supplied and transported at less than market value—was generally bracketed with the miscellaneous revenues arising from tenure in chief by knight's service. See Dean, 80-83; Samuel Rawson Gardiner, *History of England from the accession of James I to the Outbreak of the Civil War 1603-1642*, 10 vols. (London: Longmans, Green, 1883-1884), 1:170-72; Pauline Croft, "Parliament, Purveyance and the City of London 1589-1608," *PH* 4 (1985): 9-34; and G. E. Aylmer, "The Last Years of Purveyance, 1610-1660," *Econ. Hist. Rev.* 10:1 (1957), 81-93.

[43] *CJ*, 154. Cf. *Report on the manuscripts of the Duke of Buccleuch and Queensberry*, 3 vols. in 4 (London, 1899-1926), 3:82-83. Wardship and homage had, as a rule, been interrelated, since both fell under the feudal practice of knight's service tenure.

[44] *CJ*, 937 (*Diarium*).

[45] Then again, Oxford's health may have had nothing to do with his absence; the *LJ* reveals that he had not attended a single sitting of Queen Elizabeth's tenth (and last) Parliament from Oct. 27 to Dec. 19, 1601, had attended only one sitting of the ninth Parliament c.1597/98, and had attended only sporadically in previous Parliaments. It should be noted that on March 15, 1604—four days before the opening of James's first Parliament—Oxford's health was apparently good enough to allow his participation in James's triumphal progress from the Tower

to Whitehall, which had been postponed due to the plague. In his office of Lord Great Chamberlain, Oxford took his place immediately in front of the king, with the countess of Oxford following behind the queen—if John Nichols' account can be relied on in *The progresses … of King James the First*, 4 vols. (London: J. B. Nichols; Printer to the Society of Antiquaries, 1828), 1:326-27.

[46] *CJ*, 172, (*Diarium*, 947).

[47] *CJ*, 185-86. Wallace Notestein notices the bill without explication in *The House of Commons 1604-1610* (New Haven: Yale UP, 1971), 514n18.

[48] TNA: PRO, SP 14/24/59 fo. 100. Though unusual, other original parliamentary bills have ended up among the state papers; see Dean, 96n137. I was not aware of Hurstfield's reference to this document when I rediscovered it for myself, but gladly acknowledge his earlier claim. However, Hurstfield was evidently unaware of this document's connection with the 1604 Parliament, referring to it only as "a summary account, by a seventeenth-century writer" (169-70).

[49] *CSPD* James I, 24:341 (items 59-65).

[50] Mary Anne Everett Green, editor; the entry also incorrectly describes SP 14/24/59 fo. 100 as a statement wherein "the Lord Chancellor" wished to revive the ancient course of suing for liveries and taking homage, rather than "the Lord Great Chamberlain."

[51] An inquisition to record proof of age.

[52] The marginal notation "Stamford's *Abridgment*" refers to Sir William Stanford's *An exposition of the king's prerogative collected out of the great abridgement of Justice Fitzherbert and other old writers of the laws of England*. Sir Anthony Fitzherbert's *La graunde abbregement* was first published in its French form c.1514-1516, and had utilized materials from plea rolls and now lost manuscript sources stretching as far back as Henry III. Stanford's 1548 English translation was first published in 1567, with four reprints up to 1604. The relevant segment of Stanford's book to which the above citation refers is found in the chapter titled *Livery*; see STC 23213, fol. 79. For Fitzherbert's original French version, see STC 10954, sig. E.II. Interestingly, the filmed STC copy (Huntington Library) of the 1567 edition of *An exposicion* belonged to Lord Keeper, Sir Thomas Egerton, created Baron Ellesmere and Lord Chancellor soon after James's accession.

[53] Westminster 2 [James I]; i.e., Parliament 1604.

[54] A statute passed in 1285 (13 Edward I c. 42) reveals remnants of the original precedent wherein the king's chamberlains were to collect fees for homage and fealty (*SR* 1:92). This statute was recorded soon thereafter in *Fleta* ("De Feodis Camerarii" ["Of the fees of the Chamberlain"]), ed. and trans. by H. G. Richardson and G. O. Sayles (London: Selden Society, 1953) 72: Bk. 2, Chap. 7, 116. Edward Chamberlayne expanded this construct in his *Angliæ Notitia, or the Present State of England* (London: T. N. for John Martyn, 1669), 225 [Wing C1819]: "The Fifth *Great Officer* of the Crown is the Lord *Great Chamberlain* of *England*, an Officer of great Antiquity, to whom belong *Livery* and *Lodging* in the King's Court, and certain Fees due from each *Archbishop* and *Bishop* when they do their *Homage* or *Fealty* to the King, and from all *Peers* of the Realm at their

Creation, or doing the *Homage* or *Fealty*."

[55] *SR* 3:861-62. Terminal -es graphs have been amended to "es" and one contraction has been expanded.

[56] An entry in the *CJ* of May 2, 1614, does nothing to resolve the question: "An Act for the better avoiding of Charge and Trouble of his Majesty's Subjects, upon Respite of Homage … That the Intention of this Bill good, but trencheth not far enough. That this no ancient Right: Not before H[enry] VIII['s] Time, when one *Smyth*, the Treasurer's Remembrancer [w]ould have the Duty, now remaining, to be continued to his Majesty," 470.

[57] See Nicholas Tyacke, "Wroth, Cecil and the Parliamentary Session of 1604," *Bulletin of the Institute of Historical Research* 50, no. 121 (May, 1977): 120-24; Pauline Croft, "Wardship in the Parliament of 1604," *PH* 2 (1983): 39-48.

[58] *CJ*, 971.

[59] *CJ*, 221, 976.

[60] *LJ*, 304-5.

[61] *CJ*, 227.

[62] William Cobbett, *The Parliamentary history of England from the earliest period to the year 1803*, 36 vols. (London: Printed by T. C. Hansard [*etc*.] 1806-1820), 1:1027.

[63] Notestein, 93-94. A. G. R. Smith, "Crown, Parliament and Finance: The Great Contract of 1610," *The English Commonwealth 1547-1640: Essays in Politics and Society*, eds. P. Clark, A. G. R. Smith and N. Tyacke (New York; Leicester: Barnes & Noble Books, 1979), 111-27 at 117; Croft, *PH* 2, 41. For further context and considerations of the sudden reversal of direction in the House of Lords on May 26, see also Gardiner, *History of England*, 175-77.

[64] Smith, 117.

[65] *CJ*, 230.

[66] *CJ*, 984.

[67] *CJ*, 237, 238, 240, 991, 992, 993.

[68] *LJ*, 327.

[69] HMC Hatfield 16:258 (CP 189/147); see note 6 above.

[70] Nathaniel Baxter, *Sir Philip Sidney's Ourania, that is, Endimion's Song and Tragedy, Containing all Philosophy* (London: Edward Allde for Edward White, 1606), sigs. B2r-B2v [STC 1598].

[71] *LJ*, 327-30.

[72] *LJ*, 334.

[73] *LJ*, 338.

[74] *LJ*, 354; printed by Barker as Chapter 26 in his 1604 book of Statutes (STC 9500.6); see note 34 above.

[75] For exposition of the parliamentary circumstances in 1610—as they concern us here—see H. E. Bell, *An introduction to the history and records of the Court of Wards & Liveries* (Cambridge, UK: at the UP, 1953), 139-44; Foster, 1:16, 54, 58, 64, 66, 80, 117, 172, 178, 201-2, 212-13, 254, 2:36, 71, 331n, 415; Samuel Rawson Gardiner, ed., "Parliamentary debates in 1610," *Camden Society*, o.s., 81 (London: Royal Historical Society, 1862): 16, 133, 150, 164; Notestein, 266,

299, 416. The circumstances in 1610 are considered peripherally, and those in 1614 at length, by Clayton Roberts and Owen Duncan in "The parliamentary undertaking of 1614," *EHR* 93 (1978): 481-98.

[76] TNA: PRO, SP 14/87/75[I] fos. 155-56.

[77] The letter, though not the enclosed "project," is printed in *Acts of the Privy Council*, 1615-1616 (London: Printed for HMSO by Eyre and Spottiswoode, 1890-[1925]), 637-38. There are actually two records annexed to the letter as filed in the state papers, the second (two copies in Latin; TNA: PRO, SP 14/87/75[II] fos. 157-62) being rates of fines levied for respite of homage and of fees paid thereon to the Lord Treasurer's Remembrancer and attorneys, with lists of number of briefs sent from the Remembrancer's Office.

[78] One objection to this suggestion may be that the document's second proposition concerns disafforestation as a means of composition, which is not known to have been proposed in 1604. It is not unreasonable, however, to think that such a strategy was considered, if not pursued. Less than one month before the opening of James's first Parliament, William Waldegrave (d.1613) of Little Illford in West Ham, Essex, wrote a detailed letter to Robert Cecil's associate Michael Hicks, regarding "some great proffitt th*a*t the king*es* ma*ies*tie may receaue … yf that his ma*ies*tie canne or wilbe contented to disforest the fforest" (BL Lansd. 89/5, fo. 10). Waldegrave was specifically referring to Waltham Forest, at which time Oxford was then Steward. In his essay "Disafforestation and drainage: the Crown as entrepreneur?", Hoyle tells us that "James was notoriously opposed to disafforestation," which "doubtless explains why the disafforestation of even *remote* forests, although suggested as early as 1552, taken up by [Sir Robert] Johnson in 1602, widely advocated in the following decade and a part of the general currency of debate thereafter, had barely commenced on the King's death in 1625" (*The Estates of the English Crown, 1558-1640*, ed. R. W. Hoyle [Cambridge, UK; New York: Cambridge UP, 1992], 357-58).

[79] According to Oxford"s *IPM*, "the foresaid Earl while he lived was seised in his demesne as of fee of the office of Great Chamberlain of England and also of divers fees, profits, issues and revenues yearly owed and paid out of the office commonly called the Petty Bag in the court of the Lord King of his Chancery to the said office of the said Earl of Great Chamberlain of England appertaining and belonging, and thus being seised" (TNA: PRO, C 142/286/165 and TNA: PRO, WARD 7/37/12; here translated from the Latin). The "fees and other profits pertaining to the same office" in the sixteenth earl of Oxford's *IPM* amounted to £106 13s 4d (TNA: PRO, C 142/136/12); and the subsequent Court of Wards accounting for Oxford's lands (TNA: PRO, WARD 8/13, part 32 [of 78]) indicated that this amount derived from the county of Middlesex, though why that county, and what, specifically, these "fees and profits" consisted of, remains open to question. When the office of Lord Great Chamberlain was in dispute after the 18th earl's death, it was noted in the parliamentary hearing of March 28, 1626, that "[t]he livery proves the descent

of the office, and the yearly value £100 per annum" and, rather incongruously (considering homage was still respited at that time) maintained that the "[f]ees [are] upon liveries, homages" (Bidwell and Jansson, *Proceedings … 1626*, 1:217).

[80] Edward de Vere, *Letters and Poems of Edward, Earl of Oxford*, ed. Katherine Chiljan (1998): 175.

[81] Nelson, *Monstrous Adversary*, 396.

[82] Oxford's reputation as a wastrel and spendthrift has long overshadowed his great, if not foolhardy, generosity. In the *DNB*, Sir Sidney Lee did observe that "Oxford had squandered some part of his fortune upon men of letters whose bohemian mode of life attracted him" (20:227). While no monetary amount can be assigned to Oxford's patronage, descriptions in personal letters, literary references, and dedications to him—even bearing in mind the usual sycophancy—paint an adequate picture of his overly-generous nature. Anticipating the rebuff of certain scholars on this point, a few examples are in order. Perhaps one of the most vivid is found in a 1590 letter to Burghley by Oxford's former servant and poet Henry Lok, who went to some lengths describing the "ouermany gre[e]dy hors[e]le[e]ches w*hi*ch had sucked to[o] rauen[o]usly on [Oxford's] swe[e]t liberality" (TNA: PRO, SP 12/234/6). Angel Day described Oxford's "exceeding bountie" in *The English Secretary*, wherewith he "hath euer wonted to entertaine the desertes of all men" (London: Robert Waldegrave for Richard Jones, 1586), sig. 2v [STC 6401]. In *Four Letters and certaine Sonnets*, Gabriel Harvey wrote that "in the prime of his gall*a*ntest youth, [Oxford] bestowed Angels vpon mee in Christes Colledge in Cambridge, and otherwise voutsafed me many gratious fauours" (London: John Wolfe, 1592), 21:sig. C4r [STC 12900]. John Farmer wrote in his *First Set of English Madrigals* that he was dedicating the book to Oxford "onlie as remembrances of my seruice and witnesses of your Lordships liberall hand, by which I haue so long liued" (London: William Barley for Thomas Morely, 1599), sig. A1v [STC 10697]. Posthumous testimonies continued to sound out Oxford's munificence, as in Nathaniel Baxter's *Sir Philip Sidney's Ourania*, where Oxford was praised for his "bountie in expence," although "some thinke he spent too much in vaine,/ That was his fault: but giue his honour due,/ Learned he was" (London, 1606), sigs. B3v-B3r [STC 1598]. George Chapman similarly described Oxford in *The Revenge of Bussy d'Ambois*—universally recognized as a Stoic commentary on *Hamlet*—as "learn'd, and liberall as the Sunne,/ Spoke and writ sweetly, or of learned subiects,/ Or of the discipline of publike weales" (London: Thomas Snodham for Iohn Helme, 1613), sig. F4v [STC 4989]. Gervase Markham expounded on Oxford's "bountie" in *Honour In His Perfection*, calling the earl "Magnanimus," and that "[i]t were infinite to speake of his infinite expence, the infinite number of his attendants, or the infinite house he kept to feede all people … the almes he gaue (which at this day would not only feede the poore, but the great mans family also)" (London: B. Alsop for Benjamin Fisher, 1624), 16-17 [STC 17361].

[83] It's possible that it was Oxford's new business-savvy brother-in-law, Francis

Trentham, who roused him to the fact that he was not receiving all the fees and profits due his office of Lord Great Chamberlain, and may have further urged him to retrieve his papers relating to the office from Harlakenden. According to Oxford's *IPM*, he had farmed the office of Lord Great Chamberlain to Israel Amice for a term of 31 years on Nov. 6, 1583, whereby Amice would attain whatever profits derived from the office and pay to Oxford a fixed sum of £42 per year. This suggests that Oxford never seriously considered abolishing Respite of Homage prior to that date, and likely not prior to 1591—when he became engaged to Elizabeth Trentham—since the reinstatement of paying Homage would all but certainly have yielded more profit than £42 per year. Amice was subsequently outlawed for debt circa April 20, 1584, with the result that his "goods, chattels, and debts" came into the possession of the queen, thus entitling her to the said profits of the office, while paying Oxford the same fixed sum of £42 a year. She, in turn, by letters patent dated May 3, 1591 (TNA: PRO, C 66/1367, mm. 2-3), granted to John Drawater and John Holmes what had been forfeited to her by Amice, entitling Drawater and Holmes to what remained of the 31-year term, wherein they took to themselves the profits of the office and were to pay Oxford £42 a year. However, two months later, on July 4, 1591, Oxford, on the one part, John Wolley and Francis Trentham, on the second part, and Drawater, Holmes, and Amice, on the third part, entered into a tripartite indenture by which Trentham and Wolley were to take the balance of the profits of the office for the remainder of the original 31-year term after paying to Amice, Drawater, and Holmes £42 per year, to be divided between them (TNA: PRO, C 146/286/165). In a third provision to the tripartite indenture, Oxford granted to Trentham and Wolley the profits of his office of Lord Great Chamberlain for a further 80-year period beyond the original 31-year term, provided that Trentham's sister, Elizabeth (whom Oxford married during this time frame), should live so long. The entire arrangement may have been entered into so that Oxford could provide a jointure for Elizabeth Trentham, with her brother Francis and John Wolley acting as her trustees.

[84] One must wonder why the bill was not advocated in the interest of Oxford's son, who inherited his titles upon his death in 1604. A point needing further investigation is that, although Henry de Vere was styled Lord Great Chamberlain in numerous documents throughout his minority, his service therein seems not to have been officially activated until May 1619, when he was twenty-six-years-old (see TNA: PRO, SP14/109/41 and Nichols, *Progresses … James* 3, pt. 1:547). The office therefore seems to have been in abeyance from 1604 to 1619. That Earl Henry was abroad from 1613 through 1618 may only partially explain the circumstances.

[85] HMC Hatfield 16:397; see note 6 above.

[86] Quoted from Thomas Bedingfield, *Cardanus comforte translated into Englishe. And published by commaundement of the right honourable the Earle of Oxenford* (London: Thomas Marshe, 1573), sig. A4v [STC 4607].

[87] *CSPD* James I, 67:107 (items 150 and 151; a third record, item 152, is a copy of

item 151).

[88] Cf. TNA: PRO, SP 12/252/49; BL Lansd. 86/66; CP 25/76; Huntington Library EL2335, EL2336, EL2338, EL2344, EL2345, and EL2349. Transcriptions by Alan H. Nelson are available at http://socrates.berkeley.edu/~ahnelson/lltinmem.html (accessed on September 20, 2010).

[89] TNA: PRO, SP 14/67/150 fo. 225.

[90] CP 31/79, dated April 9, 1595.

[91] Huntington Library EL2335. For another perspective on Oxford's attempt to gain the tin monopoly, see G. D. Ramsay, "The Smugglers' Trade: A Neglected Aspect of English Commercial Development," *Transactions of the Royal Historical Society*, 5th ser., 2 (1952): 131-57, 153-55.

[92] The only higher ranking earldom than Oxford's was that of Arundel (not to be confused with the surname of Oxford's sometime friend and foe, Charles Arundel).

[93] *CJ*, 971.

[94] TNA: PRO, SP 14/67/151 fos. 226-27; some missing letters at torn edges and holes are supplied by copy (SP 14/67/152 fo. 228).

[95] John Osborne was an auditor of the Exchequer by March 15, 1571, which could certainly apply to his knowledge and experience in the office (*CPR*, 1569-1572, 290, no. 2216). However, taking this date as a *terminus a quo* for "25 years" experience would take us to around 1596—too early to be considered since the "Act for the better Observation of certain Orders in the Exchequer" in the Parliament of 1601 certainly involved respite of homage abuses, although the specific abolishment of respite of homage was not so identified again until the 1604 Parliament. Another option is if Burghley did heed Oxford's 1594 plea to require Osborne to set down his objections in writing at that time, which is a remote possibility, since Oxford had indicated in the earlier of the two 1594 letters concerning his office: "[T]hat whearas I found sundrie abuses, wherby bothe her Maiestie & my selfe were in myne office greatly hyndred, that yt wowlde please yowre Lordship that I myght fynde suche fauoure from yowe that I myght have the same redressed. At which tyme I found so good forwardnes in yowre Lordship that I thowght my self greatly behowldinge for the same; yet by reason at that tyme myne atturnye was departed the towne, I could not then send him to attend vpon yowre Lordship accordinge to yowre appoyntment."

[96] According to Michael Sparke's 1651 *The narrative history of King James, for the first fourteen years*..., the "FEES and ANNUITIES payable out of his Majesties *Exchequer* ... To John Osborne Esquire. The Lord Treasurors Remembrancer" was £30 per annum (WING S4818; p. 42, sig. F1v).