

# *Evermore in Subjection*

## Edward de Vere and Wardship in Early Modern England

by Bonner Miller Cutting

When Henry Tudor ascended the throne of England as Henry VII in 1485, he found his royal coffers empty and set about to remedy this by asserting his right to feudal dues. Even as England was evolving past the feudalism of the Middle Ages, looking toward a more enlightened era, Henry was taking a hard look at the medieval customs from which revenues for his royal administration could be extracted. The newly-minted monarch wasted no time, and within the first year of his reign, his ministers were working to revive the moribund medieval system known as wardship (Hurstfield 7).<sup>1</sup>

### One: Wardship

It is difficult for modern society to fathom what feudal dues and the wardship system it fostered were all about. Feudalism was a form of social order based on land tenure. *Tenure* is a term for how land is owned and feudal tenures were built on the relationship between a property owner and his overlord. From the time of the Norman Conquest, if not before, it was understood that every man who held land owed service to someone of higher social standing. The *tenant* was at a lower rung of the ladder; the individual at the higher level was a *lord*. The king stood at the top of this hierarchy as the supreme landlord of the entire country (Bell 1-5).

In medieval centuries, most of the land of England that was not in royal possession was held by barons. They had initially been given their lands and titles by the monarch, often as a reward for military service. A baron was to continue to provide military service – called *knight service* – to the king in return for the title and property that the king bestowed on him. The king expected his barons to be at the ready to render knight service when he had a war to fight or needed to defend his kingdom from an enemy. At this time, the barons put on their armor, got on their horses, gathered together the men who lived and worked on their properties, and led their men into the fray to support king and country.

This scenario may have worked well enough with an able-bodied father in the household, but if a baron died while his heir was still a minor, then his child was not physically able to give the required knight service. When this happened, the king felt entitled to compensation that came in the form of income from the lands that the

child would inherit (Bell 1-2).<sup>2</sup> The revenue generated from wealthy estates could include rents from the cottages, sales of crops and livestock, wool from the sheep, wood from the forests, and control of any minerals on the land. But there was more. The king assumed the right to the custody of the child in order to supervise his upbringing and ensure that he would be a loyal tenant in adulthood. Furthermore, it was considered morally justifiable for the king to direct the child's eventual marriage so the property – which at an earlier time was regarded as crown property – would stay in friendly hands. Thus the king had, as a feudal right, the physical custody of the heir along with the income from the heir's property during his minority. Moreover, with the right to bestow the ward in marriage, the king controlled the ward's future – a future that could encompass the destiny of the ward's family. Indeed, the right of marriage came to be considered the greatest of all the evils that the ruling class visited upon the less fortunate of the monarch's subjects (Bell 125, Hurstfield 134).

### Cold Blooded Profiteering

If a modern reader chances to pick up H. E. Bell's 1953 book on wardship or Joel Hurstfield's 1958 book *The Queen's Wards*, they would find it hard to believe that so outrageous a social system could have existed in a nation on the eve of a great humanistic renaissance. One might even be tempted to doubt the existence of the feudal wardship system, especially since most histories of early modern England treat the subject lightly if at all. But in spite of historical neglect, wardship was a reality in which the custody of children, the income from their lands and the right to direct their marriage were auctioned off to the highest bidder (Bell 119). Hurstfield has summarized wardship as "a squalid organ of profiteering from the misfortunes of the helpless" (Hurstfield 241). In 1549, the clergyman Hugh Latimer exclaimed against it. Sir Thomas Smith wrote that it was "unreasonable and unjust, and contrary to nature that a freeman and gentleman should be bought and sold like an horse [sic] or an ox."<sup>3</sup> Sir Nicholas Bacon wrote that wardship was "a thing hitherto preposterously proceeding," a peculiar statement coming from a man who was the

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attorney for the Court of Wards, and who benefited from its very existence. Yet proceed it did, gaining strength as the 16th century marched on – a phenomenon that Bell credits to the administrative proficiency of the Tudors (Bell 10-15).<sup>4</sup>

Henry VIII showed his Tudor aptitude for administration by setting up a court in 1540 to handle the workload engendered by the business of wardship. Called the Court of Wards and Liveries, it brought a legal and judicial underpinning to what had previously been a societal custom, giving it the trappings of social justice (Bell 13, Hurstfield 12). Using a Court to oversee the buying and selling of wards facilitated the Tudor objective to centralize authority in the Crown, shifting the balance of power from the old aristocracy to the monarchy (Stone 97, 131-134). It also contributed to furthering a bureaucracy filled with new men who were loyal to the Tudors (Hurstfield 16-17). It was a brilliant innovation on the part of the Tudor monarch.

With the dissolution of the monasteries in the late 1530s, vast tracts of land were purchased by the members of the king's elite court circle who were in a position to buy property, bringing an estimated £90,000 a year to the royal coffers (Hurstfield 11). Even so, the wily king had something more in mind than just immediate profits. Unbeknownst to the purchasers, the seized church lands that would enrich them came with a twist: to the monastic lands, Henry VIII attached the feudal tenure of knight service.

It mattered not a whit to Henry that the lands of the church had not the slightest connection to the feudal duties of knight service. But it would eventually matter a great deal to the buyers, for it meant that the children of those who had participated, often zealously, in the seizure and acquisition of monastic property would be subjected to the charges of wardship in the event of the father's death before the heir reached his majority. At a time when this occurred in one of three well-to-do families, it was certain that subsequent generations of the king would continue to reap profits from subsequent generations of his courtiers' families. Hurstfield notes that "There is almost an Old Testament concept of retribution in the way the descendants of Henry VIII inflicted suffering upon the descendants of those who had bought up the confiscated lands of the church" (11).

### I Bury a Second Husband

Many a Tudor widow could identify with the opening lines in *All's Well that Ends Well* when the widowed Countess says, "In delivering my son from me, I bury a second husband." Historians Bell and Hurstfield recount the crippling blow to a family if the father died leaving a minor to inherit his estates. But what exactly were the problems with wardship? Who profited from it? Was social injustice inherent in the system?

Wardship was remarkable because it exploited the upper strata of society. It was

based on feudalism, and feudalism was based on ownership of property. Thus, wardship affected the propertied classes, not the poor. Upon the death of a father with a minor heir, the Tudor administration sent out agents to determine if the property was held by the tenure of knight service. If the government official suspected that the land, or even a small part of it, had once been part of a royal land grant, he would call for an *inquisition post mortem*. This was a legal examination by which the Court of Wards accessed the manner of tenure and the value of the property that the heir stood to inherit. Significantly, even at this initial stage, the deck was stacked against the heir's family. If only an acre of land could be proven to have originated in knight service tenure, then all the property of the estate, down to the last blade of grass, was pulled into the undertow of wardship (Bell 50). After the verdict of feudal tenure was rendered by the inquisition – and this was usually a foregone conclusion – the machinery of the Court of Wards was set in motion. The estate valuations from the *inquisition* were sent to the Court as one of the estimates of value used to determine the all-important price that someone would pay for the wardship (Hurstfield 83-85).<sup>5</sup> From this point forward, the fate of the child and his property would be in the hands of the Master of the Court of Wards.

The influence that the Master of the Court held over the landed families of England reached far and wide. Once it was known that a wardship was available, the Master would be besieged with pleas and petitions of suitors (as the prospective buyers were called) wanting to purchase the wardship. It was the Master's job to set the price that the suitor would pay and then select the fortunate individual with the winning offer. This sordid process was made all the more noxious by the fawning petitioners who swore their loyalty to the Master, often broadly hinting at gifts. In a less than ambiguously worded note, a suitor wrote to Robert Cecil that "If the ward prove well, I would be glad to buy him at the full value of your Honour for one of my daughters" (Hurstfield 264).

Mothers and relatives who likely had the welfare of the child at heart were rarely successful and could get in the queue, beseeching the Master with a bid for the custody of their own child. Curiously, a wardship could be resold at a price higher than the original one set by the Master, and at this juncture mothers or relatives often succeeded in buying back their own children, though at a much higher price than was initially paid (Hurstfield 124). Hurstfield notes that "In essence, a considerable body of the landed classes of England was each year held to ransom" (192).

It became common practice for families to attempt to hide potential wardships from the watchful eye of the government (Bell 52-52). Landowners countered with efforts to conceal how they owned their property, hiring battalions of lawyers to devise bogus transactions to mask possible feudal tenures left over from earlier centuries (Hurstfield 5-7).<sup>6</sup> The discovery of concealed wardships became "one of the great outdoor sports of Elizabethan England"<sup>7</sup> as the prospect

of discovering one gave rise to a multitude of government employees, professional informants, and even neighbors who could look to a monetary reward for revealing a wardship illegally concealed from the Queen (Bell 50-53).

In the scramble for wards, participants came from all walks of life: from the grandest of the royal court down to the humblest servants in the Queen's stables. Officials of all stripes pursued wardships, including many that are well known to us: Attorney General Edward Coke, Lord Chief Justice John Popham, Sir Walter Raleigh, Sir Nicolas Bacon and his famous son Sir Francis, Lord Chancellor Thomas More, Sir John Fortesque of the Queen's Exchequer, and Dr. Bull of the Chapel Royal. The Earls of Leicester, Bedford, Rutland, Essex, and Cumberland were among the nobility who threw their hats into the fray (Hurstfield 66, 123-125, 274-275, 301, 347). According to Hurstfield, "No less a person than Lord Cobham, hearing of a man's death, wrote the same evening to Cecil for the wardship of the heir, adding that his haste was due to his fear of being forestalled" (62).<sup>8</sup> Aristocratic ladies had wards as well. Lady Leighton, Lady Paget, Lady Derby, and Lady Burgh are on lists of successful purchasers (Hurstfield 123-125). In explaining that the redoubtable Bess of Hardwick had wards, biographer Mary Lovell writes: "These were much sought after, being a perfectly legitimate manner of earning extra money" (484).<sup>9</sup> Unsurprisingly, the richest suitors scooped up the richest wardships, while the heirs with more modest estates went to junior court officials, clerks, under-clerks, messengers and ushers (Bell 35, Hurstfield 222). One historian remarks, "Wardship was a good thing for everyone except the wards."<sup>10</sup>

Wardship was a major source of finance for the Elizabethan administration. But with one caveat: for each pound that went into the Queen's royal coffers, an estimated twelve pounds went into private pockets (Hurstfield 344). The ever expanding bureaucracy mulcted official fees from hopeful suitors for an unimaginable litany of services. Sir Julius Caesar, an eminent lawyer and administrator of the time, kept records of the expenditures he incurred while purchasing for his wife the wardship of her two daughters from her prior marriage. He made payments to those he called "solicitors and friends," to auditors and attorneys, feodaries (a financial agent of the Court of Wards), the Pettibag Office of Chancery, and the Scheduler of Lands. He was charged for privy seals and the engrossing of leases, and hosted several dinners for the commissioners and the jury, paying the sheriff's bailiff's servant for making the arrangements. He concluded that his expenses came to £1,739 in addition to the £1,000 purchase price for the young ladies (Hurstfield 81-82). This would be well over a million dollars in modern currency.

Oblivious to conflicts of interest, the chief officials of the Court of Wards sought wardships for themselves and benefited from the lands of the wards as well as the fees that came with their offices (Bell 35). The big money was in the unofficial fees. The giving and taking of "gifts" was standard practice in Tudor government, and

modern historians accept the rationale that the parsimonious Queen allowed this mischief because she did not adequately remunerate her court officials for the jobs they did. As Hurstfield explains, “their unofficial fees bridged the gap” (211, 238, 346, 348).<sup>11</sup> Bell states laconically that “the fees mentioned in the accounts are relatively small and in no way represent the real value of the positions” (34). This may clarify why the Queen remained blind to the flood of riches that went into private hands rather than her Royal Exchequer.

Burghley facilitated the practice by keeping initial valuations low enough to allow room for the pay-offs to Tudor officials throughout the administrative hierarchy (Hurstfield 276). Upon questioning what his office was worth, the last clerk of the Court of Wards replied “It might be worth some thousands of pounds to him who, after his death, would instantly go to heaven; twice as much to him who would go to purgatory; and nobody knows what to him who would adventure to go to hell.”<sup>12</sup> It would not have been lost on Burghley that feudal wardship would continue to flourish – to the betterment of his own purse – as long as it was widely profitable.

### The Extraction of Wealth

When William Cecil became Master of the Court of Wards in 1561, wardship was well entrenched in Tudor society. (Cecil would be elevated to Baron Burghley in 1571 by the Queen.) He held the Mastership for thirty-seven years until his death in 1598. After a nine-month vacancy, the Queen appointed his son Robert Cecil to the office and Robert retained it until his death thirteen years later (Barnett 51).<sup>13</sup> Thus father and son presided over one of the most powerful and lucrative offices in England for half a century. Although the records that have survived are not complete, it is estimated that over three thousand young people were processed through the Court of Wards during the Masterships of the Cecils (Bell 34).<sup>14</sup> The prospects for fees, both official and unofficial, were further augmented by the fact that the lease of the lands of the heir was allocated by the Master in another, separate transaction (Hurstfield 84). If calculated at two transactions per ward – one for the custody of the ward and right to bestow him in marriage and the other for the leases of his lands – this looks like six thousand opportunities for money to be made during the fifty years the Cecils controlled this office.

In the introduction to her book on the early Cecils, Pauline Croft recognizes “the sheer scale of the Cecils’ extraction of wealth” (xviii). As we might expect, Burghley covered his tracks well. Only two scraps survive to shed some light on how much money might have come his way. A note preserved at Hatfield reveals a quarrel between two perspective guardians over the wardship of a Mr. Cholmeley. The unknown writer says he had paid “my Lord” £350. Though unnamed, this lord can be none other than Burghley (Hurstfield 82-82, 266).

Another remarkable fragment has survived in the Public Record Office. Appearing at the bottom of the page of this document are the words “This note to be burnt.” It is fortunate for posterity that this was not done, for eleven suitor/guardians are named with the payments they made to an unidentified person. As the account ends on August 4, 1598, the date of Lord Burghley’s death, it is hard to deny that this individual was Burghley (Hurstfield 266-288). These payments totaled £3103.<sup>15</sup> An examination of the records shows that the Queen received £906 for nine of these wards. For these particular wards, Burghley took in more than three times as much as the queen (Hurstfield 268). These two documents show that Burghley received over £3400 for thirteen wardships in the last three years of his life, nicely augmenting his official salary of £133 per annum (Stone, 192). Hurstfield extrapolates that the ninety wardships handled each year toward the end of Elizabeth’s reign could have brought Burghley £27,000 annually, but does not venture to speculate how much three thousand wardships processed over half a century might have brought the Cecils.

In addition to the unofficial fees that Burghley received directly, the Cecil fortune was augmented by the profits to his family as a result of their proximity to him. Paper trails with direct evidence rarely survive, but there is one that tells of six people who claimed perquisites for transmitting a suitor’s request to Lady Burghley, and she in turn received £250 for interceding with her husband. Amusingly, for this very wardship, the Queen received £233, £16 less than Burghley’s wife (Hurstfield 265-266). Pauline Croft recognizes that a most likely source of Lady Burghley’s wealth came from acting as an intermediary with suitors. Even her chamberlain accepted money to pass letters to her that, in turn, went on to her husband (291).<sup>16</sup> On another occasion, Burghley’s son Thomas Cecil had the wardship of Edward, Lord Vaux, and he profited handsomely by selling it back to the boy’s mother (Hurstfield 80, 249, 269). The resale market was hot, and wards could be sold more than once. Another wardship purchased by Burghley’s elder son was that of Elizabeth Long, bought for £250 and immediately re-sold for £1,350, more than five times the price fixed by the Court of Wards. The young lady’s wardship was sold again for £2,450 (Hurstfield 275).

It is not surprising that Lord Burghley allocated wardships, leases and opportunities for profits to his closest servants, but what is shocking is that he did this in lieu of paying them a salary. In his study of the Cecil servants, Richard Barnett posits that the ordinary household servants were paid wages, but the gentlemen were not salaried. They were paid in gratuities (15-16). Barnett traces fifty-five wardships granted to thirty-three servants and provides details in an appendix to his book (17, 159-169).

Described as an “astute and cynical trader in wards,” Burghley’s secretary Michael Hickes fielded requests from all over the social spectrum. The Earl of Huntingdon wrote to him, “I have been beholding to you for your travail and pains taken in so-

liciting my causes for me to my good Lord, for which I hold myself in your debt and will come out of it ere it be long” (Hurstfield 68). Yet for all this labor, there is no record that secretary Hickes ever received a penny in wages from either Cecil, father or son (Barnett 85-87). Moreover, Hickes died a rich man, leaving to his executors a wardship to increase his daughter’s marriage portion. Henry Maynard, another of Burghley’s secretaries, was among the gentlemen who received no salary but “whose service placed him in the way of considerable reward.” Somehow Maynard accumulated vast landed wealth. Like Hickes, the executors of his will had the profits of a wardship to allocate for the marriage portions of his daughters (Barnett 100-103). Hickes and Maynard, among others, learned well from their years of service in the Cecil household.

The accumulation of family fortunes and political clout were not the only matters to which wardship could be directed. Inherent in the system was the power to transform England from a Catholic country into a Protestant one. When wardship was visited upon landed Catholic families, the sons were sold to Protestant guardians and given Protestant upbringings. This process can be seen in the Wriothesley family. Henry Wriothesley, the second Earl of Southampton married the daughter of Anthony Browne, Viscount Montagu, uniting two staunchly Catholic families (Stone 342-343).<sup>17</sup> The second Earl had his own Catholic chaplain to conduct mass in his private chapel, and even suffered imprisonment for his Catholic faith in 1571 and again in 1581 after anti-recusancy laws were passed.<sup>18</sup> When the second Earl died, his minor son Henry became Burghley’s ward and was removed to Cecil’s London house where he was subjected to daily Protestant services. Burghley later sent him to St. John’s College, Cambridge, his alma mater and a center of the Protestant Reformation. The third Earl of Southampton converted to the Church of England during the reign of King James (Akrigg 177-181). In short, wardship served many purposes. In addition to its more salient economic functions to provide funds for the Tudor monarchy and rewards to its loyal servants, wardship was a useful tool to convert prominent Catholic families to Anglicanism. As such, it had the capacity to influence the religious direction of the English nation (de Lisle / Stanford 41).<sup>19</sup>

## Two: The Cecils and Edward de Vere

In her article “The Fall of the House of Oxford,” Nina Green examines the financial crisis of John de Vere, the sixteenth earl that resulted from the extortion of his lands by Edward Seymour, the First Duke of Somerset during the reign of Edward VI. She follows the money through the restoration of the sixteenth Earl’s properties and, most importantly, through the nine years of his son, Edward de Vere’s wardship in the London home of his guardian, Sir William Cecil, later Lord Burghley (Green 41-95). It is well known that de Vere married Cecil’s daughter Anne upon reaching his majority and that this marriage was deeply troubled (Cecil 84-85). Less



well known is the information revealed in Green's remarkable research. In carefully sifting through the documentary evidence, Green shows how Elizabeth mismanaged de Vere's properties in order to benefit her favorite courtier, Sir Robert Dudley. After the death of de Vere's father, the Queen allowed Dudley to take de facto control of the core lands of the Oxford estates, a move which gave Dudley the underpinning in landed property that was necessary to make him Earl of Leicester (Green 68-69). The Queen also allowed Cecil to abrogate the contract that the sixteenth Earl of Oxford had made for his son's marriage with the daughter of the Earl of Huntingdon, thus paving the way for de Vere's marriage into the Cecil family. Hurstfield observes that the ascendancy of the Cecils from the yeoman to the aristocratic class – a feat accomplished in a mere two generations – was largely derived from the marriage of Anne Cecil to the ancient de Vere family (252). In addition, the Queen sued the young seventeenth Earl for revenue from his mother's jointure, and later ignored clauses in the sixteenth Earl's will that provided for the payment of his son's livery when he came of age (Green 67-77).

While a ward in Cecil's London house, Edward de Vere accrued large debts in the Court of Wards. It could be supposed that these wardship debts might have been forgiven as part of de Vere's marriage settlement with the Master's daughter; but, in fact, he was charged with a rigid payback schedule during his marriage to Anne. This he could not maintain, and large fines were levied at each forfeiture. Documentation in the Lansdowne collection at the British Library shows that in 1591, three years after Anne Cecil's death, Lord Burghley claimed that his son-in-law and former ward owed the Court of Wards the staggering sum of £14,553, of which £11,446 were fines (Green 77).<sup>20</sup> Although Hurstfield joins the historical consensus in laying the blame for these debts on de Vere himself, it seems that de Vere's financial downfall was predestined from the moment his father breathed his last.

One might feel for the plight of the youth who entered Cecil's magnificent London house in 1562. Even the brightest of twelve-year-olds would be no match for the wily, experienced Cecil, a man who commanded the Privy Council, the Court of Wards, and the Treasury. Because of wardship, de Vere accrued backbreaking debts and entered into a disastrous marriage. In the end, he lost everything: his property, his children, and his reputation – all the tangible and intangible things that make the patrimony so highly valued by the aristocracy. Burghley himself wrote "The greatest possession that any man can have is honor, good name, and good will of many and of the best sort" – sentiments that Shakespeare ascribes to Iago (Anderson 118). Furthermore, it's hard to see how the bitter frustrations expressed in the *Sonnets* fit the blissful, upwardly mobile life of the Stratford man. Sonnet 66 is a litany of griefs, and Sonnet 29 opens with a grim assessment that the writer is "in disgrace with fortune and men's eyes" (Anderson 329-330).<sup>21</sup>

The loss of his patrimony stoked a fury in de Vere that drove him to transform the

magisterial education of his youth into a weapon of vengeance. What resulted was a contest of wills between the Queen's brilliant, calculating minister and his brilliant literary son-in-law, a family feud made all the worse as it played out on the public stage. Polonius in *Hamlet* is modeled on William Cecil himself, an identification recognized by leading twentieth century historians (Stone 265). Hurstfield calls Burghley's *Precepts* "the authentic voice of Polonius" (257). Richard III may well be modeled on Robert Cecil (Akrigg, *Jacobean Pageant* 109-112).<sup>22</sup> In *Shakespeare by Another Name*, Mark Anderson finds plenty of surrogates for de Vere's innocent wife Anne Cecil. She is the falsely accused heroine Ophelia in *Hamlet*, Desdemona in *Othello*, Imogen in *Cymbeline*, Hermione in *The Winter's Tale*, and Hero in *Much Ado*. Set in the backdrop of wardship, the parallels between de Vere and Anne Cecil and the action of *All's Well* can hardly be denied (47-48, 51, 125, 144, 146-147, 219-221, 342). In *Merry Wives of Windsor*, Anne Cecil is thinly veiled as Anne Page and her father is William Page. But why is the name *Page* substituted for *Cecil*? Could it be that the dramatist took the opportunity to point out that the Cecil family began their rise to power when Burghley's grandfather *became a page* in the court of Henry VIII? (Collins ix-x).<sup>23</sup> How infuriating this must have been to the hyper-sensitive Burghley who took pride in a genealogy that he proposed went back to Charlemagne (Hurstfield 251).<sup>24</sup> The dignity of the Cecil family was at stake. The situation called for some kind of cover story.

### The Dénouement

It is often asked how the Stratford narrative developed and why it has held sway for so long. Though a comprehensive discussion of the evolution of the Stratford mythology is beyond the scope of this paper, suffice it to say that it took several centuries to put the narrative in place. But the middle of the eighteenth century was a crucial juncture and is worth a moment of consideration. By this time, a Shakespearian tourist industry was getting underway in Stratford-upon-Avon and the normal accoutrements of a writer's life were missing. There was nothing for an eager public to see by way of manuscripts, books, or letters belonging to the Bard. The Birthplace had not yet been purchased or even identified and Ann Hathaway's cottage was far in the future. If bardolatry was to continue its forward march, the world needed something to venerate and admire.

With the fledgling Shakespeare industry gaining traction, people wanted to know what Shakespeare looked like, and the only two images held out to be the author were the Droeshout engraving in the First Folio and the wall monument in the Holy Trinity Church in Stratford-upon-Avon. Both have serious flaws. The Droeshout engraving is a preposterous floating head with two right eyes peering out of the mask-like face and left sleeves on both arms of the disproportionate torso. Before its "beautification," the figure on the church monument was a dour fellow with a

drooping mustache and arms resting on a sack, perhaps a sack of grain or wool (Whalen 145-161). Neither the harlequinesque Droeshout engraving nor the Wool-sack Man was particularly appealing. The developing Shakespeare narrative was in great need of more satisfying imagery. It also needed to be in the right place. A place like Westminster Abbey.

Visitors today to Poets' Corner will see a life-sized statue of Shakespeare. He is a pleasant looking, well-attired gentleman leaning on a pedestal, his elbow resting, appropriately, on a stack of books. The heads of Queen Elizabeth, Henry V and Richard III are carved around the base of the pedestal, and the Bard points to a scroll floating down the side. Notwithstanding the strangely inaccurate passage from *The Tempest* inscribed on the scroll, it makes a definitely acceptable impression.

Some helpful information about this monument is on the Westminster Abbey website. It was erected in 1741 by Richard Boyle, the third Earl of Burlington, along with Alexander Pope, Dr. Richard Mead and Tom Martin. The monument was designed by William Kent and sculpted by Peter Scheemakers. Two theatrical companies assisted with fund-raising events.<sup>25</sup> This is fine as far as it goes. But questions remain. With no portraits of the Bard from his lifetime, what inspired this iconography? Were the men involved in this project connected in some way? What motivated them to put up this cenotaph?

### The Monument Men

The patron of the Westminster Abbey Shakespeare monument, the third Earl of Burlington, is credited with almost single-handedly making Italian Palladianism the national style of Georgian England. One of the wealthiest peers in England, the "architect Earl" was influential in areas beyond architecture, including the fields of politics, literature and the arts. His resolve to see the Shakespeare monument through is evident in his financial underpinning of the project when there was a shortfall in fundraising (Prendergast 100).

Of the other participants, Alexander Pope often gets a billing that outshines Lord Burlington. Alexander Pope's literary legacy is well known, and his biography in the *ODNB* details the important people who held him to be the best poet of the age. His celebrated literary friend Jonathan Swift sought to have one of Pope's *Epistles* addressed to him (*ODNB* xlv, 867). Pope successfully cultivated friendships with the highest strata of English society, and his correspondence with the Earls of Oxford, Orrery, and Bathurst, as well as other notables of the time, has been published. Pope's association with Lord Burlington began sometime before 1716 when the Pope family moved into a home at Chiswick Lane – just a few steps from Burlington's Chiswick House (Berry 205). It is said that the Popes lived "under the wing of my Lord Burlington" (Erskine-Hill 218). Controversial throughout his life, Pope was

known for “the wretched series of complex quarrels, maneuvers and falsifications in which he was plunged from his youth.” One acquaintance reportedly said that he “could hardly drink tea without a stratagem” (*DNB* xvi, 122-123). But in spite of his character flaws and physical deformities from a childhood illness, Pope dominated both the literati and the high society of London.

William Kent, the artist who designed the statue, was a “bold associate” of Pope and another of Burlington’s protégés (*DNB* xi, 25). Burlington met Kent when the artist was working as a painter at a villa in Italy. The Earl brought Kent back to England where he lived in Burlington’s apartments for the rest of his life. Upon his death, Kent was interred in the Burlington family vault at Chiswick. In spite of many prestigious appointments secured for him over the years by Burlington, Kent turned out to be a man of limited artistic talent (Barnard / Clark xxiv). His portraits of his aristocratic clientele suffered from “feeble composition and bad draughtsmanship.” Perhaps his best qualification for the job of creating the image of Shakespeare was his expertise in garden statuary, an important element in architecture and landscape design that he learned in Italy (*DNB* xi, 24).

Dr. Richard Mead was a physician, writer, and collector of considerable influence. He was elected to the Royal Society in 1703, and in 1720 was named governor of the hospitals of Bridewell, Bethlehem and St. Bartholomew. He is credited with persuading his friend and patient, Thomas Guy, to found the hospital that to this day bears Guy’s name (Jones 87-92). Dr. Mead gave the Harveian lecture at the Royal College of Physicians in 1723, and was later appointed physician to George the Second. Mead was as well known for his collection of books, art, antique medals and coins as he was as a physician, and was consulted by Lewis Theobald in his preparation of Shakespeare’s works. His library at his London home, one of the largest of the time, contained among other treasures the coveted 1632 second folio of Shakespeare – the very book that had been owned by Charles the First (*ODNB* xxxvii, 639-640). Dr. Mead was Alexander Pope’s physician, for which he received several mentions in Pope’s *Epistles*. Judging from the many occasions in which Pope tells of his illnesses in his correspondence, he must have required frequent medical advice (Berry 141). Although probable, it is not clear if Mead was Lord Burlington’s physician, but it is noted that Mead sold to Burlington a valuable consignment of Palladio’s drawings. (Lees-Milne 125).

The least documented of the four, Tom Martin is likely to be Thomas Martin of Palgrave, a man who held a stellar place among the collectors of the time. He was an attorney by trade, practicing law with his brother, but “his thirst after antiquities was as great as his thirst after liquor.” His longstanding membership in the Society of Antiquaries began in 1720 under the mentorship of Peter Le Neve, the Norroy King of Arms, who was the President of the Society at that time. He is likely to have come in contact with Lord Burlington after the Earl became a fellow Antiquary in

1724. Admired as a “skillful and indefatigable antiquary,” Martin was appointed executor of Le Neve’s estate and charged, by terms of the will, to organize Le Neve’s massive collection of books and manuscripts for a public repository. (*ODNB* xxxvi, 984). This he did not do, but instead married Le Neve’s widow and moved the collection to his home in Palgrave. (*DNB*, xii, 1182).

There is no mention of participation in the Westminster Shakespeare monument in the *DNB* biographies of Mead, Martin, or the third Earl of Burlington, an absence that is particularly puzzling in the life of the architect-Earl. In a recent book about Burlington, *Lord Burlington: Architecture, Art and Life*, editors Toby Barnard and Jane Clark detail his illustrious career along with his many accomplishments. The family genealogy takes up two pages, and an entire chapter is devoted to the third Earl’s famous ancestor, the second Earl of Cork who became the first Earl of Burlington (Barnard & Clark 167-199).

However, the Burlington family tree has an even more notable ancestor: the grandfather of the first Lord Burlington’s wife was Robert Cecil, Earl of Salisbury. It appears that this Cecil was dropped from the publication, as one finds the following in the index: *Salisbury, earl of, see Cecil, Robert*. But there is no entry for Robert Cecil. Nor is any mention of his name to be found anywhere in the book (Barnard & Clark 325). This is odd as the writer underscores the importance of the marriage of the second Earl of Cork to Elizabeth Clifford – a marriage that ultimately brought the Burlington earldom to the Boyle family. The third Earl of Burlington is a direct descendant of Robert Cecil through the marriage of Robert Cecil’s daughter Frances to Henry Clifford, the Earl of Cumberland. Elizabeth Clifford, the only surviving child of this marriage, is the third Earl’s great-grandmother. Also, the Burlington and Salisbury families were entwined; the Burlingtons had the guardianship of the Salisbury minor children in the seventeenth century (Cecil 178).<sup>26</sup>

That the Burlington family lineage from the Cecil family is absent from a treatment of Lord Burlington is puzzling. Perhaps equally strange is the omission of any mention of the third Earl of Burlington’s patronage of the Shakespeare monument in Westminster Abbey, surprising given the substantial cultural impact that the sculpture of Shakespeare had when it was unveiled in London in 1741. According to Ingrid Roscoe, it “inspired a Shakespeare revival.”<sup>27</sup> Connecting the dots: the Shakespeare monument in Poet’s Corner in Westminster Abbey was designed and erected under the direction of a descendant of William Cecil, Lord Burghley.

### The All-Pervading Presence

Elizabethan and Jacobean historians have, for the most part, eliminated Edward de Vere, the seventeenth Earl of Oxford, from the chronicles of the times. If for some reason he must be mentioned at all, the writers hasten to attach to his memory as

many harsh adjectives as possible. The explanation for this is invariably that de Vere mistreated his wife, Anne Cecil. One might think that de Vere is the only person in a millennium of English history who maligned his wife and didn't get along well with her family. Clearly, Edward de Vere lives in the doghouse of history.<sup>28</sup>

It might be asked how baggage such as this can be carried from century to century? An answer may lie in the longevity of the Cecil family dynasty. In his *History of the House of Lords*, Frank, Lord Longford, a twentieth-century leader of the House of Lords, provides insight into the House of Cecil:

When I became a member of the House of Lords in 1945, it was impossible not to feel the *all-pervading presence of the Cecils*. The fifth Marquis, 'Bobbity,' was still active and much admired in the House. He had been Leader of the House or of the Opposition in the Lords from 1942 to 1957, and had been throughout that time the leading personality there. His father's bust was in the corridor just opposite the entry to the dining room; his grandfather's portrait was in the same corridor, shown destroying the Home Rule Bill of 1893. His great-grandfather's photograph was in the room I later occupied as Leader. *Four generations of Salisburys, successive Leaders of the House of Lords. An awe-inspiring record.*

(Longford 52) [emphasis added]

Lord Longford continues with a discussion of the early Cecils, father and son, and closes with the comment that "From that day to this, the Cecils have enjoyed a reputation for a certain ruthlessness when their minds are thoroughly made up" (Longford 53). About the seventeenth Earl of Oxford, the minds of the Salisbury Cecils have been made up for centuries.

### Conclusion

Bertram's words in the opening scene of *All's Well That Ends Well* describe Edward de Vere's predicament as well as that of many other wards: "And I in going, madam, weep o'er my father's death anew; but I must attend his Majesty's command, to whom I am now in ward, evermore in subjection." The word *evermore* is prophetic. Who would have thought that a story initially constructed to ameliorate the feelings and safeguard the privacy of a grandee family would last through the centuries? Yet the name of Edward de Vere has all but disappeared from history while ostensible admirers of Shakespeare pour through the turnstiles at the supposed birthplace of their Bard in Stratford-upon-Avon.

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## Notes

- 1 Hurstfield traces the revival of wardship initiated by Henry VII and continued in the reign of Henry VIII. He also discusses the use of royal power to exploit the landed classes. pp. 3-17.
- 2 Stone notes that one in three peers was a minor when he inherited the title.
- 3 Sir Thomas Smith, *De Republica Anglorum*, as quoted by Hurstfield in *The Queen's Wards*, p. 110.
- 4 In his chapter "Agitation against the Court," Bell details the political battles to end the wardship system in the reign of King James. But wardship was so deeply ingrained that it lumbered along for several more decades before its final elimination by Parliamentary decree in 1646. A condition of the Restoration was that wardship would never again be reinstated. See also Hurstfield 329.
- 5 Lord Burghley used three estimates of value, and the Inquisition was often the lowest. A survey was made by the agent of the Court of Wards, and a "particular" was prepared by the suitor. Of the three, the Master placed the greatest reliance on the agent's land valuations, though many additional intangibles – such as the age, health, social status, and younger brothers as back-up heirs – were taken into consideration.
- 6 Bell documents payments to private informers "whose aid was enlisted by a species of bribery," and grants of wardships to informers on "easy terms." pp. 50-51.
- 7 For a thorough examination of the practices of concealment and discovery, see Hurstfield's chapter 3, pp. 33 – 57.
- 8 The amusing use of the word *forestalled* indicates that Lord Cobham knew that there would be much competition and time was of the essence.
- 9 Lovell embellishes the official story, explaining that "the law on wardship was greatly improved under Queen Elizabeth when in 1561 the Court of Wards came under the benign and efficient influence of William Cecil, who was to be its Master for thirty-seven years."
- 10 John W. Russell, Review of *The Queen's Wards* in *Shakespeare Authorship Society Review* #3.

- 11 Hurstfield adds “The salaries of the Elizabethan administrators were small and notoriously out of line with their responsibilities, their importance, and their standard of living.”
- 12 Bell 35. Hurstfield 344. Quoted from page 14 of *The Way to be Rich, According to the Practice of the Great Audley*, 1662.
- 13 Upon the death of the Robert Cecil (Earl of Salisbury), the office stayed in the hands of the Cecil court faction, first going to Cecil’s close friend and confidant Sir George Carew and then to Sir Walter Cope, the Cecil stalwart who served both father and son.
- 14 Bell estimates that sixty to eighty wardships were processed each year. Hurstfield concurs, noting that by the end of Elizabeth’s reign, “Burghley and his officials had broken through the barriers of silence, concealment and fraud ... to uncover more than ninety wardships in a year.” p. 262.
- 15 See also Bell, pp. 31-35. Bell identifies the letter as the work of Edward Latimer, the clerk to Receiver-General Sir William Fleetwood, and posits that Fleetwood was responding to a request from the Earl of Essex for this information. Hurstfield concurs that the Earl was interested in gauging what his profits might be if he was successful in his bid to become the next Master after Burghley’s death.
- 16 How Lady Burghley financed her benefactions is unknown, but Croft suggests that gifts from suitors “for intervening in Burghley’s favour” are a likely source. This is supported by a letter from a suitor that is archived in the Lansdowne. This letter, passed on by Lady Burghley, is endorsed by Lord Burghley himself. p. 300.
- 17 Stone continues: “The ancient power of wardship, first revived by the early Tudors for purposes of finance, now took on a new function as an instrument in making the country safe for Anglicanism. Lord Burghley was far more successful in his self-appointed task of giving aristocratic heirs a taste for Protestantism than he was in inducing them to buckle down to their books. In family after Catholic family the process can be seen at work.”
- 18 The family chaplain was Alban Langdale, a Catholic priest known for his disputations with Protestant clergy.
- 19 In their study of sixteenth century Catholic families, de Lisle and Stanford relate a story of a Catholic heir taken away from his family to be raised in the new religion, noting that it “was the fate of other Catholic heirs in this period of persecution.” See also: Bell 124-125.

- 20 Hurstfield notes that “some of his lands were seized and held for payment” to satisfy the debts that “had long hung over him in the Court of Wards.” 253.
- 21 For an introduction to historical people mocked in Shakespeare’s works, see Anderson, pages xxxii, xxxiii.
- 22 Akrigg observes that “Cecil was hardly cold in his grave when there burst a storm of revulsion and spite against him. Men who had been afraid of him and his spies while he lived now spoke freely.” Soon after Cecil’s death, an anonymous broadside connected him to the last Plantagenet king: “Here lies little Crookbacke Who justly was reckon’d Richard the 3rd and Judas the 2nd.” (Folger M.S. 452.1).
- 23 In this early biography of Lord Burghley, Collins traces the family genealogy, noting his father’s employment in the Court of Henry VIII. Richard Cecil, the Lord Treasurer’s father, was one of the Pages of the Crown in the eighth year of the reign of Henry VIII and rose to a Groom of the Robes fourteen years later. After further promotions to Yeoman of the Robes and steward of several of the king’s manors, his career culminated in the grant of 299 acres of arable land in Stamford.
- 24 Hurstfield expounds on this quirk: “He [Burghley] failed, it is true, to erect an authentic aristocratic past for himself, but there can be no doubt about the nobility of his descendants.”
- 25 The Abbey’s website notes that both Kent and Scheemakers signed the monument and dated it 1740, still using the Old Style in which the new year began at the end of March. The appearance of the monument in the Abbey was announced in *Gentleman’s Magazine* in February, 1741.
- 26 In his account of his family history, Lord David Cecil refers to the Countess of Burlington as a Salisbury “cousin.”
- 27 Ingrid Roscoe, “The Monument to the Memory of Shakespeare” in *Journal of the Church Monuments Society*, IX, 1994. pp. 72-82. An indication of the favorable public reception of the Westminster monument can be seen in the increased popularity of the sculptor Peter Scheemakers. Thereafter, he was often preferred to the better established Michael Rysbrack.
- 28 Edward de Vere would be glad to know that the negative historical view of him actually puts him in good company. William Cecil, the family patriarch, had two surviving sons. Robert, Lord Salisbury was his younger son from his second marriage, and the Salisbury line has dominated

the political and social structure of England to the present day. Thomas Cecil, his elder son from his first marriage, became the Earl of Exeter and left a large family whose descendants had successful careers, many in the church and the military. However, the Exeter line does not receive the admiring commentary that writers of history regularly bestow on their Salisbury cousins. Barnett disparages Cecil's first marriage to Thomas's mother, "It was probably the only major personal strategic mistake Cecil ever made. Mary's early death corrected his error, but a very ordinary son was the reminder of an imprudent love. There were times when the son even appeared to the distraught father as a punishment" (3). This deplorable reportage may stem in part from the Exeter Cecils' connections to the de Vere family. Edward de Vere's son Henry, the 18th Earl of Oxford, married Diana Cecil, Thomas Cecil's granddaughter. Also, Henry de Vere is buried with the family of Thomas Cecil in his chapel in Westminster Abbey.