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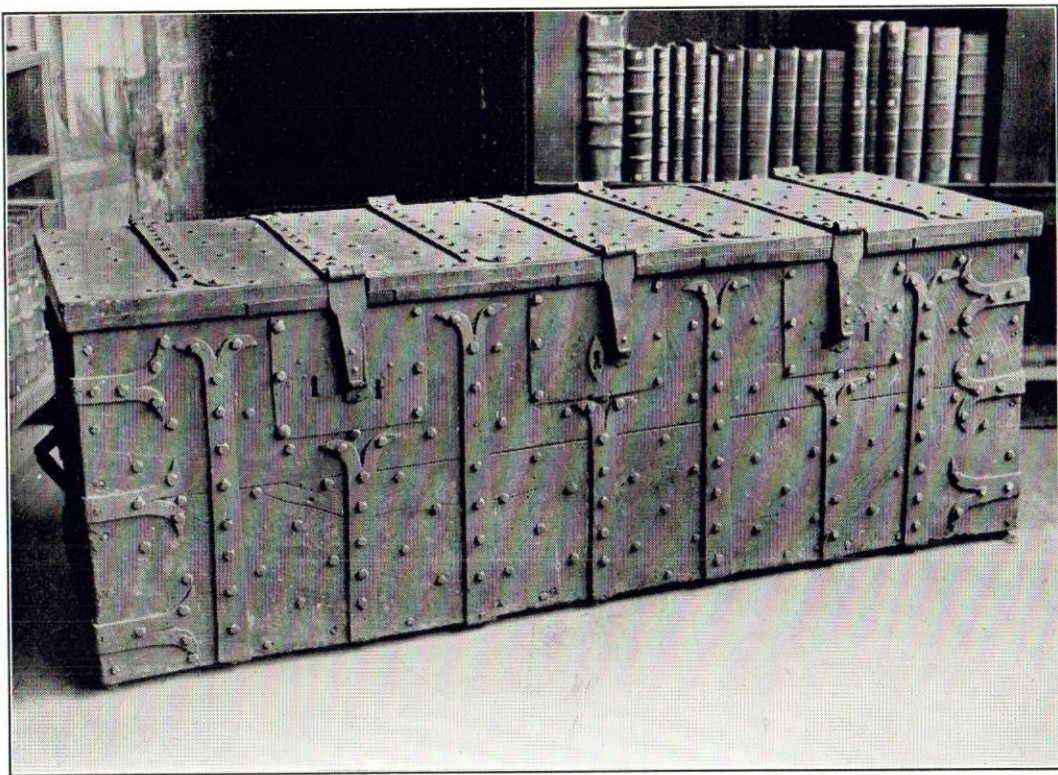


Photo. W. Tams, Cambridge.

PRESCOT TOWN CHEST.
Made in 1597 (see p. 265). Now at King's College, Cambridge.

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THE RECORD SOCIETY

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RELATING TO

LANCASHIRE AND CHESHIRE.

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A
SELECTION
FROM THE
PRESCOT COURT LEET
AND
OTHER RECORDS
1447—1600

EDITED BY
F. A. BAILEY, M.A.

PRINTED FOR
THE RECORD SOCIETY
OF
LANCASHIRE AND CHESHIRE.

1937.

This Volume is presented to the Society
by Robert Gladstone, B.C.L., M.A., a
Member of the Council.

PREFACE.

This volume, as originally contemplated at the time when Mr. Robert Gladstone invited me to undertake its preparation, was to have consisted primarily of a transcription of the Abstract Book of the rolls of Prescott Court Leet from 1510 to 1681.¹ Upon further consideration however we agreed that this plan might with much advantage be modified. In the first place, an examination of the original rolls had shown me that they contained a great amount of material altogether omitted from the Abstract Book, and further that the Abstract Book was by no means free from inaccuracies. Since all the original rolls from which the Abstract Book was compiled are still extant, we judged it better to base this work directly upon the original records, and to present a more comprehensive account of their contents. I was aware too of the existence at King's College, Cambridge, of a good deal of additional documentary material which had not been published or even utilized by previous compilers of Prescott history, and which would throw valuable light on Prescott and its administration in this period. There had also been rediscovered at Prescott a lengthy document which, though actually in the form of Letters Close, had served in effect as a charter of privileges for the tenants of Prescott. These records, with several others from various sources, have been included, and are arranged in accordance with subject-matter into sections under the two general heads of *The Rectory of Prescott* and *The Town and Manor of Prescott* respectively.

The volume presents therefore a rather varied collection of records relating to the Lancashire township, and parochial centre, of Prescott, from 1447, when the Rectory was in effect appropriated by King's College (see p. 2), to the end of the sixteenth century. There appear to be no extant Prescott records of date prior to 1447, save such items and references as occur in national or diocesan archives and in deeds and wills; and these have almost all been noted by previous writers. Little therefore can at

¹ For further particulars of the Abstract Book, and the extent to which it has been utilized in this volume, see pp. 74-6.

present be added to the accounts of medieval Prescott contained in the third volume of the *Victoria History of Lancashire* (1907) and the Rev. F. G. Paterson's brief *History of Prescott* (1908). For the period after 1447, however, neither of these works has utilized more than a fraction of the available material. The magnitude of the omission may be judged from the fact that the present volume consists almost entirely of records passed over by the previous investigators.¹ Some of these records, such as the Prescott "Charter" (pp. 60-73) and the Churchwardens' Accounts of 1538-83 (pp. 49-59), have only recently come to light; others, such as the leases of the Rectory and Prescott Hall (pp. 1-23), the sundry rentals, valuations and surveys (pp. 23-48), the court roll of 1569 (pp. 173-5) and a large proportion of the "miscellaneous records" (pp. 277-308), were preserved in the distant archives of King's College; while the long series of court rolls (pp. 73-277) failed to attract the attention of anyone—apart from the late Mr. E. B. Driffield²—qualified to decipher and translate them.

No attempt is made to include the whole of the extant records relating to Prescott in this period. This is a selection only, consisting entirely of hitherto unpublished material. Many other particular items have appeared in the volumes of this and other Societies; as instances, the returns concerning chantries and church goods (Chetham Soc., O.S., vols. 59, 113), the musters of 1553 (*ibid.*, vol. 49), the episcopal visitation of 1592 (L. and C. Hist. Soc., vol. 10), and papers concerning Prescott school in Elizabethan times (*ibid.*, vol. 86) may be mentioned. The Parish Registers are now being prepared for publication by Mr. F. V. Driffield for the Lancashire Parish Register Society. There is a possibility that additional material remains to be revealed in Lord Derby's muniment office at Knowsley, to which, unfortunately, students are at present denied access.

The necessary particulars of the history and custody of the various documents will be found in the introductory

¹ Mr. Paterson does however quote a few items from the Abstract Book relating to this period.

² Mr. Driffield had at his disposal only the Abstract Book, five sixteenth-century rolls and eleven later rolls. He published a good series of articles in the *Prescot Reporter* weekly from 15 April to 5 August, 1921. A copy of these articles, pasted into a volume, was presented to the Athenaeum, Liverpool, by Mr. R. Stewart-Brown, with whom Mr. Driffield had been in partnership. Mr. Driffield also compiled a MS. book of Prescott genealogies, which is now in the possession of his widow.

notes preceding each section of the volume. These notes are brief, since the policy of this Society is to dispense as far as possible with editorial comment. The reader will quickly appreciate that a certain amount of explanatory comment is nevertheless essential in a volume of this character. Attention is called to inter-relations of subject-matter among documents distributed in the various sections, and additional information is provided in cases where it affords important evidence for the interpretation of any record. Certain incidental subjects requiring comment or systematization, too lengthy to be treated as footnotes, are added as Appendixes. A selection of words of obscure meaning or archaic interest is arranged in the form of a Glossary.

The value of such a variety of records, all relating to the history of one place, and throwing light on many different aspects of its life and organization, lies primarily in the fullness of the picture which may be constructed. A word of caution is however necessary, to those who may be prepossessed with notions of the "normal township," that the town of Prescott was in many important respects abnormal. The very restricted area—discernible by a glance at the plans here given of the township and parish—severely limited the agricultural and pastoral element, the inhabitants being principally engaged, regularly or casually, in industrial and commercial activities. The organization and government were marked by the enjoyment of exceptional privileges (see pp. 60-63) and, apparently, by survivals of burgage tenure (see Appendix G). The state of affairs was further complicated not only by the absentee landlordism of the College, but also by the absentee stewardship of the Stanleys, resulting in such crises as those of 1514 (pp. 283-7) and 1592 (pp. 304-7), when indignant Provosts came in person to remedy "abuses." The presence of such unusual factors, and their reactions on the life of the town, will enhance the interest of these records to students of administrative and social history.

Here, too, is a mine of information for enquirers into South-West Lancashire genealogies, of which existing knowledge is very imperfect. Especially notable are the entries of burials in the Churchwardens' Accounts (pp. 49-59), and the abundance of names included in the court rolls. The latter are by no means confined to

persons of the immediate vicinity of Prescott; in many cases the townships to which they belong, as well as their status or occupations, are mentioned, while family relationships are commonly stated in the post-mortem inquests and surrenders of holdings. The Parish Registers, which begin imperfectly in 1573, may thus be supplemented.

The year 1600 has been chosen merely for convenience as the concluding date of this volume. It does not mark any important event in Prescott history. The extant court rolls continue in an almost unbroken series down to modern times, though a change occurs in their character at about this date (see p. 74). There now begins also a hiatus in the miscellaneous correspondence and memoranda relating to Prescott preserved among the muniments of King's College, though the formal entries of presentations and leases in the College Ledger continue as before. Apparently the College ceased to concern itself with the state of affairs here, and no further visitation from Cambridge is recorded until 1721.

The preparation and elucidation of so much material has not been a short or simple task, nor have I had the advantage of great experience to guide my efforts. My difficulties have however been greatly lightened by the assistance and advice most kindly rendered by Mr. Robert Gladstone at many stages of the work. If faults appear, they are due to my not having consulted Mr. Gladstone enough. To Mr. John Saltmarsh, Fellow of King's College, Cambridge, to Mr. W. A. Cross, Deputy Steward and Coroner of the Manor of Prescott, and to Canon J. P. W. Lovett, Vicar of Prescott, I am greatly indebted for the readiness with which they have put at my disposal the records in their respective custody and assisted me generally in my enquiries. Thanks are also due to Professor J. H. Clapham, R. Stewart-Brown, F. H. Cheetham, F. V. Driffield, W. Coombs, L. Hughes and H. O. Silcock for information and assistance on particular points.

F. A. BAILEY.

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TABLE OF ABBREVIATIONS.

A.B.	Abstract Book of Prescott court rolls.
C.C.	Corpus Christi.
Chet. Soc.	Chetham Society (O.S., Old Series).
D.N.B.	Dictionary of National Biography.
E.D.D.	English Dialect Dictionary.
Hist. Soc.	Historic Society of Lancashire and Cheshire.
K.C.	King's College, Cambridge.
O.E.D.	Oxford English Dictionary.
Rec. Soc.	Record Society of Lancashire and Cheshire.
Stat. Realm.	Statutes of the Realm.
V.H.L.	Victoria History of Lancashire.

ADDENDA ET CORRIGENDA.

- p. 25. A transcript of the rental of tithes (no. 2) appears in a manuscript of c. 1750, in private possession. This gives the tithe rent of Ditton as £8. 13s. 4d., and that of Eccleston as £5. 6s. 8d. These figures are probably the correct ones, as the original parchment is to-day much worn and difficult to decipher. Footnote 3 on this page should therefore be cancelled.
- p. 33, footnote 4. The amounts in question were apparently meant to denote the area of the closes, in acres, roods and square yards, and not money valuations.
- p. 46, lines 2 and 4. The original manuscript appears to be incorrect. Read "S on Sparrow lane" and "E on Sparrow lane meadow."
- p. 46, line 17. The original manuscript appears to be incorrect. Read "S on Church yard lane."
- p. 87, bottom line. To "as above" add "on p. 85."
- p. 94, line 38. For "left" read "gave (*dedit*)."
- p. 100, footnote 1, line 3. For "1324" read "1322."
- p. 132, line 25. Add, "They are admitted."
- p. 176, line 34. For "6s." read "6d."
- p. 218, footnote 1. The surrender in question was not that on p. 180, for the roll states that it was made out of court on 12 Sept., 23 Eliz. (1581).
- p. 284, line 1. The words "haue none soche auctorite to make noon vndre tenants" have been omitted between "tenants" and "nawther."

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PART ONE

THE RECTORY OF PRESCOT

I.

LEASES OF PRESCOT RECTORY, 1453-1600.

INTRODUCTORY NOTES.

(a) *The Rectory, Parish and Manor.* For the understanding of these records, it is essential to distinguish clearly between Prescott *parish* and *manor*. The former covered the large extent of 58 square miles, and formed part of the Hundred of West Derby in Lancashire; within it lay the fifteen townships of Bold, Cronton, Cuerdley, Ditton, Penketh, Great Sankey, Widnes (with Appleton, Denton, Farnworth and Upton), Eccleston, Parr, Prescott, Rainford, Rainhill, Sutton, Whiston and Windle.¹ In mediaeval times, the first seven of these townships, being the southern half of the parish, formed a subordinate chapelry, centring at Farnworth. Prescott manor, on the other hand, was of very limited area,² apparently having been merely the "glebe" set apart for the support of the Rector and his dependants. Owing to its advantageous situation, and to its being a place of religious assembly, it developed as a market³ and industrial centre. The manor, under the lordship of the Rector, consisted of demesne land attached to Prescott Hall, and copyhold land (including burgages) occupied by customary tenants. The value of the Rectory therefore consisted, first, of the tithes and other religious dues of the whole parish, secondly, of the manorial profits of Prescott town.

(b) *Grant of the Advowson to King's College, Cambridge, 1445.* The patronage of the Rectory, having belonged

¹ To-day, the greater part of the old townships of Windle, Sutton, Eccleston and Parr is included in the County Borough of St. Helens.

² For the area of Prescott town, and Prescott Hall estate, see Appendix E.

³ By Letters Patent dated 30 Jan. 1332/3, William de Dacre, Rector of Prescott, received the grant of a weekly market on Monday, and an annual fair on the vigil, feast and morrow of Corpus Christi. For the Sunday market at Prescott, and later grants of markets, see Appendix A.

successively to the families of Gernet, Dacre and Neville of Raby, was acquired in 1391 by John of Gaunt, Duke of Lancaster, and passed by inheritance to Henry IV and succeeding Lancastrian kings. In 1445, it was granted (with licence to appropriate) by Henry VI as part of the endowment of his newly-founded College of Our Lady and St. Nicholas (known as King's College) at Cambridge.¹

(c) *Appropriation of the Rectory to King's College, 1448.* Two original documents at King's College (I.V. 3 and 4) relate to the appropriation, which followed upon the resignation of the last² Rector, William Booth, on his appointment as Bishop of Lichfield and Coventry in 1447. Since Prescott then lay within the see of Lichfield, one of the first acts of the new Bishop was the grant of a licence to King's College to receive the rectorial profits during the vacancy, as follows (translated):

"William . . . Bishop of Coventry and Lichfield, to . . . the Provost and Scholars of the royal College of Our Lady and St. Nicholas . . . greeting, grace and benediction. Since the Parish Church of *Prestecote* . . . by our consecration lies evidently vacant and destitute of the comfort of a Rector; we commit to you, for so long as the vacancy shall last . . . full power . . . to receive and dispose of the tithes, fruits, revenues and all other emoluments whatsoever in any way pertaining to the said Church . . . for the performance of masses and other divine offices, and the administration of sacraments and sacramentals, in the said Parish Church and the chapels depending upon it . . . Given under our seal at London, 14 July, 1447, in the first year of our consecration."

The deed of appropriation itself is a lengthy and formal document in several sections, and adds little to our knowledge. A notification by George Radclyff, Treasurer of Lichfield Cathedral, John Wendesley, Archdeacon of Stafford, and Gregory Newport, Canon of Lichfield, commissioners appointed by the Bishop, is dated 6 Jan. 1447/8; it is ratified, confirmed and sealed by the said Bishop, by the Dean and Chapter of Lichfield, and by the Prior and Convent of Coventry, 1 Oct. 1448.

(d) *Endowment of the Vicarage, 1448.* The original order in Latin, made by the Bishop of Lichfield and Coventry, 2 Oct. 1448, is preserved at King's College (I.V. 5). The

¹ The College muniments contain two original Letters Patent making the grant (I. V. 1 and 2); the first, dated 6 Aug. 1445, is under the seal of the Duchy of Lancaster, and is roughly executed; the second, dated 6 Nov. 1445, is identical in wording but more calligraphic, and bears the Great Seal.

² The editors of V.H.L. (who made but little use of King's College muniments) question whether Booth was indeed the last Rector (v. 3, p. 344*n*), but the above licence leaves little room for doubt.

Vicar is to have the lesser tithes of the parish, namely, those of hay, mills, wood and underwood, agistments, fisheries, lambs, wool, cows, oxen, calves, chickens, pigs, geese, pigeons, bees, swans, hemp, flax, garlic, onions, herbs, apples, and all other fruits, and any other small tithes, together with all oblations and personal tithes, and burial fees. The College is to build a suitable residence for the Vicar and his household, within 2 years,¹ in a good situation near the church. The College is to be responsible for the repair of the chancel of the Parish Church. The Vicar is to bear the charges of the repair of *Farneworth* Chapel in so far as these had previously been borne by the Rector. He is to be exempt from the payment of tenths or other quotas or subsidies to Pope, King or Bishop. He is to provide all chaplains required for the parish. He is to pay the procurations, synodals and indemnity fees at such visitations as the Bishop may make, and at the annual visitations of the Archdeacon of Chester, namely, 13s. 4d. to the Bishop and 6s. 8d. to the Archdeacon; acknowledging all such other episcopal and archidiaconal rights as were formerly acknowledged by the Rector. At the foot of this document are notes of concurrence on the part of the College and of Ralph Dukworth, the Vicar, each dated 9 June 1449.

(e) *Leases of the Rectory.* The system of beneficial leasing² was employed by King's College in respect of its many possessions, scattered mainly over eastern and southern England. Prescott Rectory was the most valuable but also the most remote and isolated of them all. Although the other places were subjected to an annual visitation by the Provost and Bursar, it was very rarely indeed that these authorities came to Prescott—an omission which had important effects.³

The Stanleys continued to farm the Rectory until 1649, the lease being renewed to William Earl of Derby in 1607, 1614 and 1621, and to James Lord Strange (afterwards seventh Earl) in 1627, 1633, 1640 and 1649. The lease of 1649, however, bears the following marginal note: "*Vacatum quia* the condicions whervppon this lease was passed or graunted were never performed att all, on the part of the said Lord Strange." In the same year, the

¹ The vicarage was unfinished even after 20 years (see p. 280).

² See Appendix B.

³ See esp. the Miscellaneous Records (pp. 283-88, 295-308).

Rectory was leased to others, and it never thereafter reverted to the Stanleys. The terms of the lease remained substantially the same until 1803.

The following particulars of the leases are taken from the full contemporary transcripts in the College Ledger. Prior to 1568 they are in Latin; from then on English is used. They are in the form of indentures between the Provost and Scholars on the one part, and the lessees on the other. They are of considerable length, but a brief summary of date, lessees and provisions must suffice here.

LEASES OF THE RECTORY, 1453-1600.

1453, Sept. 25. LEAVE to Thomas Stanley knight,¹ Nicholas Biron² and Roger Bothe,³ for 10 years from the Nativity of St. John Baptist (24 June) last, of the Rectory of the Parish Church of *Prescoote* in Lancashire, with the lands, tenements, meadows, pastures, rents, services, mills, courts, tithes and all other commodities therein; excepting the advowson of the Vicarage and the residence assigned to the Vicar in the rectory mansion for two years to come; excepting also a vacant piece of land at the west end of the church, and other lands, tenements and closes (not specified), situated outside the rectory,⁴ worth 10s. a year, as the site of a permanent new vicarage assigned to the Vicar of *Prestecoote* for ever.

The lessees are to pay £82 yearly, either at the College lodging in London or at Cambridge, in two equal portions, at the Annunciation (25 Mar.) and the Nativity of St. John Baptist respectively, or within one month following. They are to discharge all burdens, ordinary and extraordinary, incident to the Rectory, for which the College is liable, and are to provide sureties in London bound in law by written deed to make good the said farm of £82.

The lessees are to receive the whole rent of the demesne lands, mill and town of *Prestecoote*, due at the Nativity of the Virgin Mary (8 Sept.) for the preceding half year, in consideration of which, they shall sufficiently repair the

¹ For brief notes on the House of Stanley, see Appendix C.

² Of Clayton, Lancs., Sheriff of Lancs., 1449-60, knighted 1460, d. 1462. His mother Margery was sister of Roger Booth.

³ Roger, William (the last Rector of Prescott, p. 2) and John Booth (p. 6) were sons of John Booth of Barton, Lancs.

⁴ In this instance, the "parsonage" (Prescot Hall estate) is meant.

chancel of the Parish Church, all the rectory buildings, mills and barns, and if necessary rebuild them; over and above what shall be allowed them for building and repair during the said term; leaving the said buildings in good condition at the end.

The lessees may not trade, buy, sell or let to farm any part of the lands, tenements etc., except to such persons as shall have them in their own holding and be resident there. They are not to allow any wastage in the woods, meadows, closes etc. And if the said farm of £82 be in arrear in whole or in part for three months, or if the lessees act contrary to the above terms, to the hurt of the College, or refuse to fulfil any part of their agreement, the College will be free to resume possession.

It is provided that 40s. of the farm be allowed in consideration of the occupation of part of the rectory hall by the Vicar for the two years assigned; also that the lessees may collect and receive the rents of the demesne, mill and town of *Prestecote*, payable at the Nativity of the Virgin Mary next after the end of the said term.

1462/3, March 1. LEASE to Thomas Lord Stanley, Roger Bothe Esq. of *Salley* (i.e. Sawley) in Derbyshire, and John Ogle¹ Esq. of *Prescote*, for 7 years, of the Rectory, excepting the advowson of the vicarage and the provisions of a composition² made between the College and the Vicar for the term of his incumbency. The farm of £82 is to be paid at the Nativity of St. John Baptist and at St. Peter ad Vincula (1 Aug.), or within 4 weeks after, in equal portions, at Cambridge.

The lessees are to discharge all burdens, including any tenth granted by the Archbishop and clergy of the province of Canterbury to the king; they are to repair the chancel, mill and rectory buildings, excepting a certain room (*camera*) called *persons chawmbr*; with other conditions as before.

The lessees are to have an allowance of 100s. yearly of the said farm. They or one of them is to come to Cambridge each year, after fair notice, to render account, reasonable expenses being allowed. One of them may have yearly a gentleman's gown of livery (*toga de secta generosorum*) of the College. In the event of the death of one of the lessees during the term, the lease is to become void.

¹ Apparently a son of Sir Robert, first Lord Ogle, who d. 1469.

² Perhaps the agreement printed on p. 280.

1467, Sept. 26. LEASE to Thomas Lord Stanley, and John Ogle Esq. of *Prescote*, for 8 years. The provisions are unchanged, save that Ogle is to render account at Cambridge.

1471, July 20. LEASE to Thomas Lord Stanley and John Ogle Esq., for 10 years. Provisions as before.

1475, Aug. 25. LEASE to Thomas Lord Stanley, Margaret Ogle, widow of John Ogle Esq. dec., John Both Archdeacon of Durham, and Roger Ogle, son of the said Margaret, for 7 years. The provisions remain the same, save that one out of the said Margaret, John and Roger is to make payment at Cambridge; that 10s. is to be given in lieu of the gown of livery; and that in the event of the remarriage of Margaret the lease is to become void.

1497, Aug. 24. LEASE to Thomas Earl of Derby, Margaret Latham, widow of Thomas Latham dec., and Humphrey Ogle, son of the said Margaret, for 10 years. The provisions are as before, save that an allowance of 13s. 4d. yearly is to be made in consideration of the lessees, or one of them, observing the conditions of payment; that the lease shall become void upon two months' arrears of payment; that 100s. is to be allowed to Lord Derby, the chief Steward, as his fee; and that Margaret or Humphrey are to render account at Cambridge.

1505/6, Mar. 3. LEASE to Thomas Earl of Derby, Margaret Latham widow and William Leylond¹ Esq., for 10 years. The farm is increased to £87 a year; the rectory buildings are to be repaired within a year; the lease is to become void upon four weeks' arrears of payment; payment is to be made at Cambridge by Margaret or William; no allowance of a fee of 100s. is included; otherwise the provisions are as before.

A memorandum is added, that Lord Derby has promised £10 at the end of the said term, as a fine for renewal of the lease for a further ten years.

1516, Apr. 20. LEASE to Thomas Earl of Derby, Henry Kyghley² knight, Joan (*sic*) Ireland³ knight, William More⁴ Esq. and Henry Sherman⁵ clerk, for 10 years. Payment is to be made at St. Peter ad Vincula; the Vicar is to have

¹ Of Morleys, Lincs. Knighted 1513, d. 1547. See also pp. 77, 278.

² Of Inskip, Lincs. Knighted by Lord Stanley in Scotland, 1482, d. 1526.

³ Of Hale, Lincs. Knighted by Lord Strange in Scotland, 1497, d. 1525.

⁴ Of Bankhall, Kirkdale, Lincs., m. Alice, sister of Sir John Ireland, Steward of Prescott 1534-41, d. 1541. See *The Moores of Bankhall* by R. Stewart-Brown, Hist. Soc., v. 63.

⁵ Dean of the Chapel of Lord Derby, and one of his executors.

half the corn tithe of *Raynhil*, which he may collect without hindrance and take to his own barn at his own charge, paying 40s. yearly to the said lessees or to one of them, as had been the custom from ancient times; one of the lessees, or an honest deputy, is to reside permanently in the rectorial hall and keep hospitality there during the whole term; payment is to be made at Cambridge by one out of the said Sir Henry, Sir Joan, William or Henry; these four lessees, by a certain agreement, are to pay 200 marks to the College at the Assumption of the Virgin Mary (15 Aug.) 1517, unless they shall faithfully fulfil their obligations, in which case this provision shall become void; otherwise the provisions are as before.

Memorandum, that William More and Henry Sherman promised £10 as a fine for renewal for a further 10 years.

1522/3, Feb. 16. LEASE to Anne Countess of Derby¹ and Richard Sacheuerell² knight, for 10 years. The farm to be £87 a year for the first four years, and £90 a year thereafter; one of the lessees (unspecified) to be responsible for making the payment; the lessees to be bound in £200 to fulfil the agreement; otherwise the provisions are as before. A fine of £10 is promised for a further lease at £90 a year.

1533, Nov. 27. LEASE to Edward Earl of Derby and his assigns, for 10 years, at £90 a year. The Vicar is to have the whole corn tithe of *Raynhyll*, paying £4 yearly to the Earl or his deputy; payment is to be made at Cambridge by any honest deputy, who is to have a gentleman's gown of livery, or 10s. in lieu thereof, in addition to his reasonable expenses; a further £90 is to be paid at St. Peter ad Vincula after the end of the said term, in consideration of profits (unspecified) collected; otherwise, the provisions are as before. A note is added, that £50 has been paid for a fine.

1542, Apr. 24. LEASE to Edward Earl of Derby. Payment is to be made at Cambridge or at the Provost's house in London, at St. Peter ad Vincula or within 20 days thereof; otherwise, the provisions are as before.

1551, May 22. LEASE to Edward Earl of Derby. The provisions are as before, save that payment is to be made at Cambridge.

1558, Sept. 9. LEASE to Edward Earl of Derby. The provisions remain the same. The following notes are

¹ d. of Edward, Lord Hastings, widow of Thos., sec. E. of Derby, who d. 1521.

² Of Morley, Derbyshire. He m. Mary, widow of Edward, Lord Hastings.

added: "Memorand. that the ixth of September [1558] Alexander Rygbye and Raafe Sutton gentylmen and commissioners of Edward Erle of Derby do promesse and graunt in the name of the said Erle that he . . . shall gyve and delyuer to the Provost and Scholers . . . xxvj*li*. xiijs. iiij*d*. of good Englysshe monye, or benefytt the Colledge with a benefit of lyke value, within thre yeres next ensuyng after the date hereof, in consideracion of the renuyng of the lease of the parsonage of Prescott afore-sayd. Item, that the said honorable Erle shall cause the chauncell, haule and edifices of the Rectorie of Prescote to be well and sufficiently repayed wythin one yere next ffolowyng the date hereof, vppon his Lordshipps cost and charges." (Made before Ralph Holland, notary public.)

"Note also that the foresaid ryght honorable Erle doth stand bownd by his foresayd Commyssyoners to buyld vppe a new tyth barn callyd Bold barne in the Colledge inheretaunce, as yt appereth by an obligacion therof made and remaynyng in the Colledge."

1568, Apr. 22. LEASE to Edward Earl of Derby, for 10 years, of "all those severall porcions of tithe corne and grayne hereafter specified, that is to saye . . . of Rayneforde, Wyndyll, Par, Sutton, Eccleston, the towne of Prescott, Bolde, Penketh, Great Sonkye, Cuardle, Widdons, Ditton and Cronton, with all the barnes therevnto belonging . . . And also one yearlie rent of four poundes . . . issuyng owt of the tithe corne or grayne of Raynehill . . . And also the rents of their tenaunts of the towne of Prescott . . . And one annuall rent of nyne poundes . . . to be payd owt of the hall of Prescott and the glebe lands to the same belonging and owt of the tithe corne and grayne of Whistone . . . and owt of one wyndemill adioynge to the foresayd towne of Prescott and one watermill and for digging of coales.

"To haue and to hold . . . from the . . . Nativity of St. John Baptist [1569] . . . vnto thende . . . of ten yeares . . .

"Yeldinge and payinge therefore yearlie . . . at Cambridge, within the common hall of the sayd Colledge, foure score and ten poundes . . . at the feast day . . . aforesayd [commencing in 1570]. . . . And also . . . everie yeare . . . betwyxt the fyrst daye of October and the last daye of the same moneth, twelve fatt oxen of a large bone, that the buche or four quarters of euerie of the said twelve oxen beinge killed shall waye fortie stone at the leaste of lawfull

weight, beside the hide, head, harte, liver and all other the entralls, rekeninge fortene poundes to euerie stone, orells for euerie default of deliverie . . . twentie poundes . . . in lue and full recompence . . .

Provided always if it shall happen the sayd yearlie rent . . . or any part thereof to be behind vnpaid in any one yeare . . . at the tenth day of September . . . or . . . that neither the sayd twelve fatt oxen nor twentie pound . . . shalbe delivered . . . in such tyme as is before appointed, that then . . . this present demise and grant shall cease and be voyd . . . And the sayd Provost and schollers . . . to allow and pay . . . one and thirtie shillings and eight pence of lawfull money for euerie such ox so delivered . .

" And the said Earle . . . to pay or cause to be paid to one Jhon Laton of Prescot aforesayd and to his assignes, at the feast of Pentecost . . . euerie yeare . . . one anuall pension or fee, commonlie called the Proctors fee, of twelve poundes . . . if the sayd Jhon Laton and his assignes and other hable and sufficient persons shalbecome bounden . . . to the said Erle and his assignes, for the diligent collection and gatheringe of the rents of the said seuerall porcions of tythe corne and grayne, and the foresayd yearlie rent of foure poundes, and also the rents of the tenaunts of the towne of Prescott, and the sayd anuall rent of nyne powndes . . . ; and also for the true payment thereof . . . to the sayd Earle and his assignes at due and convenient tymes . . . either at Prescott hall aforesayd or at Cambridge orells at London; and also to carrie and safely conducte the sayd yearelie rent of fourescore and ten poundes to Cambridge aforesayd, and to make payment thereof . . . and to procure to the said Earle and his assignes a good and sufficient aquittance and dischardge for the same, if . . . moved and required so to doe. Provided allwayes that neither the sayd Jhon Laton nor his assignes . . . shalbe bounde . . . to travayle owt of the parishe of Prescott . . . but once euerie yeare . . . In witnesse whereof (etc.)."

1569, Apr. 1. LEASE to Edward Earl of Derby. The provisions are exactly as in the lease of the previous year.

1569/70, Jan. 12. LEASE to Edward Earl of Derby. The provisions remain as before.

1586/7, Jan. 28. LEASE to Henry Earl of Derby, for 10 years. He is to pay yearly £51. 6s. 8d. in cash, 40 quarters of wheat and 53 quarters of malt of barley (or, in

lieu thereof, their value in cash according to the rates in Cambridge market),¹ and 12 oxen as before (or £20 in lieu thereof). He is to pay the Proctor's fee to the lessee of Prescott Hall for the services as before, but, should the latter be unwilling to undertake them, the Earl is free to dispose of the said sum and be responsible himself for the repair of the chancel. The College may "from tyme to tyme during all the said terme . . . keepe their Court of Survey vppon their Lordeshippe and Mannor of Prescote."² Otherwise, the provisions remain as before.

1593, June 7. LEASE to Henry Earl of Derby, for 10 years. The provisions remain the same. There follows, in Latin: "He is bound in £200 for the observance of all and singular the above agreements."

1600, June 9. LEASE to William Earl of Derby. The provisions remain the same.

II.

LEASES OF PRESCOT HALL, TOGETHER WITH PRESCOT MILLS AND THE TITHE OF WHISTON, 1558-1598.

INTRODUCTORY NOTES.

The following records deal with certain portions of the Rectory farmed out as a separate unit, the lessee undertaking certain special responsibilities on behalf of Lord Derby. The lease of 1558 (no. 1) defines the grant and the conditions, and refers to similar arrangements made with previous lessees. It is notable that this lease, although made by Lord Derby, was entered into King's College Ledger,³ and is the first of such leases to be so entered. Certain special circumstances perhaps help to account for this fact. Dr. Robert Brassey, Vicar of Prescott from 1541 to 1558, was also Provost of King's College from 1556 to his death in 1558 (12 Dec.). John

¹ By Statute 18 Eliz. (1575-6) c. 6, University Colleges had to reserve at least a third of the value of their rents in corn. (*Stat. Realm*, v. 4, p. 616).

² A Court of Survey was held at Prescott in 1592 (p. 32).

³ It is entered immediately *after* the Provost's undertaking of 1562 (no. 3).

Layton, the lessee, was a nephew¹ of Dr. Brassey. Possibly, too, the commencement of coal-mining, and the need for a rebuilding of the hall, helped to render the College more directly interested in the hall estate. Accordingly, Dr. Baker, Provost, in 1562, arranged for the rebuilding of the hall (no. 2) and undertook to procure for Layton a 50 years' tenancy as from 1569 (no. 3). The lease of 1568 (no. 4) reveals that the College had taken directly into its own hands the leasing of the hall, etc.

Counsel's opinion (no. 5) explains the circumstances which led Philip Layton to release the obligations of the College. Accordingly, a revised lease for 10 years was granted (no. 6). Layton then petitioned the College (no. 7) for the restoration of the 50 years' tenancy, and the Vicar wrote (no. 8) in his support. No leases of the hall are entered into the College Ledger between 1582 and 1612, but a memorandum of Layton's proposals (no. 9) and a letter from Layton to the Provost (p. 304 *n*), indicate that a new lease was granted to Layton on the occasion of Dr. Goad's visit to Prescott in 1592.

Layton's undertaking to Michael Doughty (no. 10) suggests that he had succeeded in obtaining a grant, for which he had petitioned in 1586 and 1592 (see pp. 302, 22) of the right to mine coals for the market, and not, as formerly stipulated, for domestic use only. From another source, we learn that Layton transferred to Doughty, c. 1600, all his remaining rights under the lease of 1568.²

All the documents given in this section are from originals or contemporary copies preserved at King's College. Nos. 1, 2, 3, 4 and 6 are from copies in the College Ledger (Vol. II, pages 69, 71, 67, 151 and 316, respectively). No. 5 is from an undated contemporary copy. No. 7 is from an original letter; save for Layton's signature, it is entirely in the handwriting of Andrew Trollope, and bears the same date as Trollope's letter condemning the state of Prescott manor (p. 297). No. 8 is also from an original letter. No. 9 is a contemporary note roughly jotted on a scrap of paper. No. 10 is from an original letter. All these (i.e. nos. 5, 7, 8, 9 and 10) are included in a single

¹ A copy of Dr. Brassey's will, entered into the College Ledger (Vol. I, p. 405) mentions his sister Margaret Layton, and Thomas, Robert and John Layton his nephews.

² Duchy of Lanc. Pleas, 2 Jas. I, bdle. 219. An abstract of this has been printed (V.H.L. vol. 3, p. 354*n*), but with an error—for *Anne*, read *Alice Harrington*.

bundle (I.V. 25); this contains other MSS. of less importance bearing on the same subject not here reproduced.

1. 1558, Sept. 11. A LEASE by Lord Derby, for ten years, of Prescott Hall, etc., to John Layton.

This Indenture . . . [11 Sept., 5 and 6 *Phil. and Mary*, etc.], betwene Edward, Erle of Derby . . . and John Laton, servant to doctor Bressie, Provost, wytnessethe that the said Erle, for divers good consideracions hym moving, and especialye for suche service as the said John herafte entendethe to doe, hathe demised, graunted, assigned and betaken vnto the said John Laton, the man-tion howse of the parsonage of Prescote, commenlie called the hall of Prescote, with all edifices therunto belonging, with thappurtenaunces, as well those alreadie buylded or those herafte to be erected and builded, together with the wynde milne of Prescote, with all profectes therunto belonging, and also all landes, tenements, medoes, pastures, lessoes, rentes, woodes, waters, liberties and commodities what so ever vnto the said hall of Prescote in any wise apperteynyng, that is to witt, as well one close of lande of thenheritance of the said Erle, called and named the brande yerthe, as also such lands as doe belonge to the said hall of Prescote of the inheritance of the Provost . . . and scollers . . . whiche hathe byn at any tyme in the seuerall holdings and occupacion of Henrie Halsall gentilman,¹ decessed, or . . . Sir Richerde Shirburne knyght,² or any other person or persons sithe the dethe of the said Henrie Halsall, or whiche hathe byn knowen, reputed and taken to belonge to the said hall . . . together with libertie to fall and carie away tymbre growing in the woodes, hedge roes or demayne landes belonging to the said hall . . . for the onlie building, reparacions and amending the said hall with other edifices therunto belonging:

To haue, holde, occupie and enioy . . . the said hall . . . and all landes, tenements, meedoes, pastures, rentes, woodes, vndrewoodes, waters . . . in any wise . . . belonging or apperteynyng, together with milne boote and hay boote, and all other commodities, advantages and

¹ Fourth son of Sir Henry Halsall of Halsall, Lancs. He acted as Deputy Steward of Prescott c. 1536-52 (pp. 86, 90, 103, 118).

² Of Stoneyhurst, Lancs. b. 1523, knighted 1544, M.P. for Liverpool 1555, for Preston 1554, 1557, d. 1594 after a notable career (see *Stanley Papers*, Chet. Soc. O.S. v. 31, p. 104-5).

profectes, service and average accustomed . . . ffrom and ymediatlle aftre the date herof, vnto the ende and terme of tenne yeres . . . yelding and paying therfore yerelie vnto the said Erle, his heirs or assignes, six poundes three shillings of lefull money of Englonde, that is to say, for the said mantion howse, wynde milne and other the premisses therunto belonging five poundes neenetyne shillings and eight pence, and for the said close called the brande yerthe, three shillings and foure pence, at the feastes and dayes vsuell:

Provyded alwayes that the said John Laton [*etc.*, as *before*] shall supporte and repare the chaunsell of the said rectorie and parishe church of Prescote, together with the said mantion howse, with the edifices therunto belonging, and also the said milne . . . and also shall and will collecte and gether suche rentes of the tithe barnes within Prescote parishe as the said Henrie Halsall or the said Sir Richerde Shirburne or their deputies haue done heretofore, and shall and will conducte and bring to Cambridge suche some and somes of money, for the payment of the rent of the said parsonage of Prescote . . . as the said Henrie Halsall or Sir Richerde Shirburne or their depute or deputies from tyme to tyme haue done heretofore, and shall pay duellie the same, and discharge and exonerate the said Erle . . . therof, and of euery parte therof:

Therefore . . . the said Erle hath givon and graunted . . . vnto the said John Laton [*etc.*] suche annuell pention, stipend or proctors ffee, or for supportacion of the chansell, or bie what terme or name so ever hit is or hath byn called or knowen, as hath byn any tyme heretofore accustomed to be allowed and payed, in as ample maner as the said Henry Halsall or the said Richerde Shirburne knyght haue had, perceyved and taken the same . . . from and ymediatlle aftre the date herof, vnto the ende and terme of tenne yeres then next folowing . . . at dayes and feastes accustomed, out of the revenewes, rentes and profectes commyng and rysing of the said parsonage of Prescote. And the exhibicion of this present Indenture shalbe vnto all and synguler receyvor and receyvors, baliffes, officers, auditor or auditors for the tyme being of the said Erle, a sufficient warent and discharge . . . for the allowance of the pention or proctors ffee afforsaid:

And moreouer the said Erle is content and dothe covenante, for hymself, his heires and executors, to fynde

and give gret and grosse tymbre for the covering, sarking and singling of the chansell afforsaid, ffrom tyme to tyme and [at] all tymes needefull during the said terme; and the said John Laton to stande to all charges of workemanship of the said tymbre. In witnes wherof [*etc.*].

2. 1562, Apr. 13. AN AGREEMENT between the College and John Layton, for the rebuilding of Prescott Hall.

This Indenture made [13 April, 4 Eliz., *etc.*], betweene Mr. Philip Baker, Doctor of Divinytie and Provost of the King's Colledge . . . and the Scollers of the same . . . and John Laton of Prescote . . . witnessethe that hit is condescended and concluded . . . that . . . hit may be lefull to the said John Laton, his executors or assignes, ffrom tyme to tyme and at all tymes herafter, during the terme of foure yeres next folowing the date herof, to turkise, transelete, altre, take downe and change the mantion howse and other edifices and buildings situate and belonging to the rectorie of Prescott . . . as shall seeme convenyent and needefull . . . without any maner of danger of breche of covenantes, or forfeiture of obligation, to be had, taken or commensed agaynst the right honorable Edwarde, Erle of Derby, fermor of the said Rectorie, or his heires or executors, or agaynst the said John Laton [*etc., as before*], bie the said Provost and Scollers or their successors . . .

And in consideracion of the said licence and graunte, the said John Laton dothe covenante and graunte . . . to make, furnishe and fynishe such a mantion howse, wyth a kytchyn, parlor, chambers and other howses belongynge to the same, as shalbe convenyent, decent and semelye for the said Rectorie, at the oversight, correctyon and appoyntment of the said Provost and his successors, at anye tyme wythin the terme of iiij yeres next folowyng the date hereof.

And further more yt ys agreed that the said John Laton [*etc.*] shall not sell, gyve awaye nor alyenat anye maner of stuffe, stone, sklate, tymber, or other old stuffe, but bestow and emplye the same vppon and abowt the repayryng, buyldyng and mendyng the edifices belongyng to the said rectorie and the chancell; and yf anye remayne over and beside the nedefull buyldyng, repayryng and amendyng of the premisses, to rendre accompt of the

yust value therof, and the same to paye to the said Provost and scollers. . . .

And for the performance of the premisses, the said John Laton doth covenant to be bownde in the some of fortye pownds . . . In wytnes wherof [*etc.*].

3. 1562, Apr. 13. AN UNDERTAKING by the College to procure for John Laton a fifty years' tenancy of Prescott Hall, etc., from 1569.

Be hit knownen to all men bie these presentes, that we, Philip Baker, Doctor of Divinytie and Provost of the Kings Colledge . . . and the Schollars of the same Colledge, in consideration of the some of threescore poundes of lefull money of Englonde bie vs . . . receyved of John Laton of Prescott . . . yoman, and for consideracione of certayne buildings to be done vppon our rectorie of Prescott afforesaid, as more at large may appere in an indenture¹ therof made bayring the date of these presentes, doe covenante and promesse . . . for ourselves and our successors . . . to procure and obteigne vnto the said John Laton and his assignes, at the handes of the ffermor or fermors of the said rectorie for the tyme being, or other wayes to provide, that the said John Laton . . . may quietlie enioy suche and the same parte and portion of the said rectorie of Prescott, that is to say, the mantion howse, with all other edifices therunto belonging, the glebe landes and wynde milne, with their appurtenaunces . . . together with the same annuell pention and proctors ffee of twelve poundes, whiche the said John Laton dothe now at this present day occupie and enioy at the handes of the Right Honorable Edwarde, Erle of Derby, in such maner and forme . . . as is conteyned and specified in a certayne Indenture² made by the said Erle, bayring date [*II Sept., 5 and 6 Phil. and Mary, etc.*]. . . .

To haue and to holde . . . ffrom the Na'tie of saynt John Baptist whiche shalbe in the yere of our lord God a thousande five hondrethe threescore and neene, for and during the terme and space of fortie and tenne yeres then next folowing . . .

Provided alwayes that if the fermor of the said rectorie . . . will dwell hymself vppon the mantion howse . . . at any tyme during the said terme, in suche case the said

¹ See the preceding document (no. 2).

² See no. 1 in this section.

John Laton . . . vppon reasonable warnyng, shall permit and suffre the said fermor . . . to dwell in the said mantion howse . . . the said John Laton . . . having recompense for his building at the handes of the said Provost and Scollars. . . .

And further more, the said Provost and Scollars doe covenante and graunte . . . that if it fortune that the said Provost and Scollars doe not demyse the said rectorie to any fermor at any tyme hereafter during the said terme of fortie and tenne yeres, that then . . . the said Provost and Scollars . . . shall permit and suffre the said John Laton . . . to haue and to hold all and synguler the said mantion howse [*etc. as before*] in manner and fourme afforsaid, for and during the said term of fortie and tenne yeres. In witnes [*etc. Dated 13 April, 4 Eliz.*].

4. 1568, Dec. 20. A LEASE by King's College, to John Layton, of the Hall, with Whiston tithe, for ten years, with promise of renewal to a period of fifty years; and of the coal and mills, for fifty years; and a grant of the Proctor's Fee yearly upon certain conditions.

This Indenture . . . witnesseth that the said Provost and Scholars . . . have dimised, graunted, set and to ferme lett . . . to the sayde Jhon Laton, all their mantion house of their Rectorie of Prescott, called the hall of Prescott . . . with all edifices . . . yardes, orchardes, gardens, glebelandes, medowes, pastures and hereditaments . . . now in the occupation of the sayd Jhon Laton; and one wyndmyll in Prescott aforesayd, with all multure, toule and custome therevnto belonging, with the wast grownd about the sayd myll called the mylhyll; and also one watermyll, with the furniture and appurtenaunces, to be newelie erected and buylded by the sayd Jhon Laton vppon the Ryndlebrooke beneath the Pyrlwell in Prescott, within the glebe land of the sayd Rectorie, and also all dammes, waters, and dam steedes for the same; and all that their coale myne or mynes or diggyng of coales in the sayd glebe landes for the onelie fuell and fyre of the said Jhon Laton, to be spent onelie in the sayd mansion howse, if any coales can there be founde; and all that their tythe corne or graine of Whistone . . .

To haue and to hold [*the hall, glebe lands, "with howseboote and mylneboote," and Whiston tithe*] . . . vnto thend and terme of tenne yeares . . . and [*the "windemyll,*

water myll, coale myne, waters, dammes and damstudds, fenders, fludgates," etc., "with free entre and passage to and from the sayd water myll from the hall lane . . . through a parcell of the sayd glebe called the delves, to the Prescott wood, and so directelie to the said water myll"] . . . vnto thend and terme of fortie and ten yeares. . . .

Yeldinge and payinge yearelie [*for the hall, etc., as above*] . . . seven pownds ten shillinges, and [*for the wind-mill, etc., as above*] . . . thirtie shillinges, att and vppon the feast day of Easter, vpon the fonte stone standynge in the parish church of Prescott aforesayd, or nere the place where the same fonte now standeth. . . .

[*Also*] free power, warrauntie and authoritie to buylde the sayd water myll . . . and to take, fall and carie awaye such tymber as groweth vpon the sayd glebe. . . .

[*Also*] to warrantise and defende vnto the said Jhon Laton . . . the quiet hauing and occupacion of [*the hall, etc.*] from and immediatelie after thend and expiracion of the sayd tenne yeares, duringe other tenne yeares, and so from tenne yeares to tenne yeares, vnto thend and terme of fortie yeares next followinge the first demised tenne yeares, for such rente and a suche forme of payment as is specified in this presente demise. . . .

[*Also*] euerie yeare . . . at the feast of Pentecoste, commonlie called Whitsondaye, one annual pension or fee, commonlie called the Proctors fee, of twelue poundes . . . if the said Jhon Laton . . . and other hable and sufficient persons shalbecome bound . . . for the diligent collection and gatheringe of the rents of the said seuerall portions of tythe corne and grayne, and for the gatheringe of one yearlie rente of foure powndes issuyng out of the tyth corne and grayne of Raynehill . . . and for the collection of the rentes of the tenaunts of the towne of Prescott . . . and one yearelie rente of nyne poundes to be payd owt of the hall of Prescott [*etc.*] . . .

And also if the said Jhon Laton . . . shalbecom bounden . . . for the trew payment of all the foresayd collections and summes of money, to be payd to the sayd Provost and Schollars, their farmer or farmers of the said seuerall portions of tythe corne and grayne . . . at due and conueniente tymes to be appoynted, either at Prescott hall aforesayd, or at Cambridge, orells at London; and also to carie and safelie to conducte to Cambridge aforesayd such yearelie rent as the farmer or farmers . . . shalbe bounde

to paye, and to make payment thereof to vs . . . and to procure . . . a good and sufficient acquittance and discharge for the same, if . . . moved and required so to doe; provided allwayes that neither the sayd Jhon Laton nor [*his deputies*] . . . shalbe bounde . . . to travayle owt of the parishe of Prescott . . . but once euery yeare . . .

And the sayd Jhon Laton, in consequence of the sayd fee of twelve poundes, doth covenaut . . . well and sufficientlie to repayre and mayneteyne the chauncell of the parishe church of Prescott . . . during all the whole term of fortie and tenn yeares. [*He is to be free to rebuild the hall "during the terme of five yeares next following," on conditions similar to those of the agreement of 1562.*] In witnesse whereof [*etc. Dated 20 Dec., 10 Eliz.*].

5. 1582. COUNSEL'S OPINION on Philip Layton's proposed release¹ to the College of the obligations in 4.

Sergeant Walmelyes opinion. Jhon Leyton, by his dede dated the iij of Nouember, *Anno 9 Regine* [1567] did geve all his goodes reall and personall to Margeret his mother, Roberte his brother, Thomas and Phillippe his sonnes, to the vse of his will,² which bereth the same date, whereof Margeret the mother, Peter Lancaster, Thomas and Phillippe his sonnes were executors.

After the makinge of this dede and will, viz., 30 [*sic*] *Decembris, Anno 10 Regine* [1568], the said Jhon dyd take a lease³ of the Kinges Colledge in Cambridge of the mansion house of the Rectorie of Prescotte, glebe landes, tythe of Wistone, for x yeres, and a convenante to warrante and defende the quiet havinge and occupyng of the premysses to the said Jhon Leyton and his assignes for xl yeres after the said x yeres, and a demise of the water mylne, wynde mylne and coole myne for l yeres, by the same indenture; and a convenante to paie a pension of xijl., called the procters fee, to the said Jhon and his assignes for l yeres.

And after, the said Jhon dyed, the firste daie of *Januarij, Anno 10 supradicto* [1568/9] and Lancaster, one of the executors, proved the will. Thomas, the eldest sonne, is also dead, having issue ij daughters.⁴ Robert his brother and Margeret the mother are also deade.

¹ No separate deed of release is entered in the College Ledger. See the reference at the beginning of the next document (no. 6).

² For further particulars of John Layton's will, see p. 196*n*.

³ See no. 4 in this section.

⁴ Dorothy and Margaret (pp. 44, 219).

It semeth that Philippe hath all the personall goodes by survivor by reason of the dede of gyfte, subiecte in conscience to the vses conteyned in the wyll, for which there ys no remedie against Philippe by the common lawe.

The leases, because they were taken after the wyll, it semeth the will doth not extende vnto them, but that the executors ought to haue the same dyscharged by lawe of the vses conteyned in the will. The x yeaeres in the house and glebe is now ended, so as the will, yf it did extende to that lease, the same beinge ended, the will is voyd for that. And the covenante for the xl yeres, and for the procters fee, ys an accion that doth belonge to the executors, which they may release to the Colledge, and the Colledge may lett them to whom they wyll.

Mr. Aungers allowance. [In another hand]. The releas to the College must recyte the effect of the fyrst lease, and the couenant for xl yeaeres after, and then release all that couenant to the College.

6. 1582, Sept. 10. A LEASE by King's College, for ten years, of Prescott Hall, etc., to Philip Layton.

[*Note at head*]. Graunted upon surrendre and redeeming of a former graunt¹ of fourty yeaeres, as may appeare befor, Eliz. 10. Now being vnder Statute prouision of grayne,² and paynge fyne xvijj *li*.

[*Summary*]. An Indenture between the Provost and Scholars and Philip Laton gent., granting all that was before granted to John Laton, for the term of 10 years; paying £6 yearly on Prescott font, on 10 Sept., and also 4½ quarters of "good and marchandizable wheate, sweete, cleane and well dressed, to be allowed by the baker of the said Colledge," and 6 quarters of "good and marchandizable malt of barley, well dried and cleane dight, to be allowed by the bruer of the said Colledge," to be delivered at Cambridge at the feast of Annunciation, or payment in lieu thereof "after the rate as the best wheat and malt in the market of Cambridge shalbe sould, the next Saturday before the said rent of wheat and malt shall be due"; paying also to the Earl of Derby, "over and above the said yearly rent of sixe pounds, the some of three pounds," for which the Provost and Scholars will make an allowance to Philip Laton out of his yearly rent to them. Otherwise, the conditions are the same as before.

¹ No. 4 in this section.

² See p. 10n.

7. 1583, July 1. A SUIT to the College, by Philip Layton, for restoration of the undertakings he has released.

My duety vnto your worships remembered. Whereas Phillip Baker . . . late Provost . . . and the schollers . . . by their deede indented¹ bearing date [20 Dec., 1568] . . . demysed to John Laton my father the mansyon house of the rectorye of Prescottt, with all lands therewith occupyed, and one wyndmyll and one watermyll, and also the tyth corne of Whyston . . . and all their cole myne and dygging of cole in the said glebe land for the onely fuell and fyre of the said John Laton, to be spent in the said mansyon house. . . .

[*Holding the house, lands and tithe*] from the fest of the Natyvytie of St. John Baptyst which was in the yere of our Lord God 1569, vnto thende and terme of tenn yeres, for the yerely rent of vijl. xs. . . . [*the mills and mine*] vnto the ende of fyftee yeres, for the yerely rent of xxxs.; and the said Provost and Schollers . . . have covenanted to warrantyse and defend to the said John Laton and his assignes quyet haveing and occupyeing of [*the house, lands and tithe*] from and immedyatly after the expyracion of the said tenn yeres, vnto the ende of xl yeres, for the yerely rent aforesaid . . . and also [*the Provost and Scholars*] . . . stande bounde in the summe of C l. for the performance of all the covenants conteyned in the said dede.

And my said ffather made his will, and thereof me and others executors; and the said dede and obligacion, and all benefyttt thereby to be hadd by reason of the said will, and bargayne, sale and alienacion of the premysses made by the said executors to my mother, both by lawe and consyence belong to her and me . . . Whereas neverthelesse a gentlewoman² which my brother deceased maryed gott the possessyon of the said dede and obligacion, and thereby clayming the right and benefyttt thereof, sued and trobeled my mother and me, and I, desyerous of your worships favour, was an earnest sutor for the same, and being not above xvijtene yeres oulde, nor vnderstanding my estate, dyd desyre to take a newe lease of the premysses, and was content to release the foresaid covenant: sythence which tyme, my mother hath compounded with my said syster in lawe for the premysses, and dyvers other things in questyon bytwene them, to her great

¹ No. 4 in this section.

² Her name was Anne (p. 219). Other information about her is wanting.

charge, and that which she hath buylte vpon the Colledge lands hath cost aboute CCl., besyde all the goodwill my said father and mother have shewed themselves, and I thinke myselfe bounde to beare the Colledge.

In consyderacion of all which, and especyally that my said release is vtterly voide both in lawe and conscyence by reason of my nonage, and I dought summe contraversye maye hereafter growe by reason of the foresaid twee leases, my mother and I humbly besech your worshipps that I maye have agayne my said release, and I will not onely surrender the lease you last made me, and delyver in the said obligacion, so as you will make me an other obligacion of summe reasonable greater summe for the perourmance of the covenants containyd in the said dede indented. . . . And whatsoever I have given the Colledge or the cumpanye for the lease made to me . . . I thinke yt well bestowed for their goodwills, wysching yt were summe greater benefytt to them, as if my abylytys were annswerable to my goodwill yt should, as knoweth the Almightye, to whose blessed tuicion I cummytt you this fyste of Julye, 1583. Your worshipps assuered to cumaunde, [signed] Phillipp Laton.

8. 1583/4, Jan. 9. A LETTER to the Provost from the Vicar of Prescott, in support of Layton's suit.

Sir . . . This yonge man Mr. Phillipe Laton made a sute, as you knowe, vnto our Colledge, for a lease of tenne yeares of the rectorie howse of Prescote, withe the glebe land and other thinges, all whiche were out before in lease for fortie yeares, withe promise, if he myght obteyne his requeste, to make a relese of thos fortie yeares (which we weare bound to performe vnto him by covenante vnder our seal, *interlineated*); his requeste was esely and willingly both harde and granted, beinge verie profitable. But I trust your worships will not so muche regarde a smale profite as equitie and conscience. . . .

Mr. Phillipe Laton, without the knowledge of his frendes, ventured to do that he did, thinkinge therby to have made it beneficiall vnto himselfe, the thinges then beinge in sute betwene his sister in law and him: but contrarie to his expectation, it fell out that it did him noo good at all, for the matter was taken up betwene him, his mother, and his sister, and they are bounde to performe vnto her three hundrede marke in respectes of her right and title; and

further they are bounde to kepe ij younge childrene vntill they growe to fortene yeaes.

Further, the release that he made by lawe is not good, being vnder adge when he made it: he is not yett full xx yeres owlde: I my selfe have serched the church register¹ . . . Agayne, althoughe he hathe released one covenante, yett ther standethe another² in full force and effecte vnder our common seale, which he hath not released; for we stande bounde vnto him by ij covenantes, made at ij severall times.

But be it that his release weare good in lawe, yet for divers good considerations in conscience he is to be releved; firste, in respecte of the quiet inyoinge of the thinge for the number of yeaes mentioned in our covenante, he lefte in our Colledge the vse of vij score poundes for many yeaes, whiche colde not but be greatly beneficiall to vs; then, in consideration of the performance therof, he gave a fine of thre score poundes; further, he was bounde to bwilde the house in respecte of so longe a lease, whiche is sufficiently performed. . . . Therefore, good Sir, I beseeche you heare his requeste frendly . . . so shall he have cause to pray for you . . . Writen from Prescote, the ix day of Januarie, 1583. Yours in Christe, [signed] Thomas Meade.

9. 1592, Mar. 30. A MEMORANDUM of Philip Layton's proposals for a new lease of Prescott Hall, etc., from the College.

Phillipp Layton's request:

To haue a new lease for 10 yeres of so much as he payeth (vij*li.* xs. per annum rent) in the last lease.

The tyme of the grayne, Bartho. and the last daye in Sturbridge fayre.

Item, for licence to sell sea coale out of the myne he offreth per annum xls. rent to the Coll.

All other things to stand as in the last lease.

10. 1597/8, Feb. 19. AN UNDERTAKING by Philip Layton to permit Michael Doughty to accept from King's

¹ An extract from the Parish Register, preserved at King's College (1. V. 25) runs as follows (translated): "Philip, son of John Laton of Prescotte gent., baptised 5 July, 1564. Compared with the Register by me, Roger Devias curate . . . [In another hand] By this note he was but 18 yeresould when he made the release."

² Perhaps the Provost's undertaking of 1562 (no. 3 in this section).

College a lease, for twenty years, of the coalmining on Prescott Hall estate.

Be it knowne vnto all men by theise presenc, that I, Phillip Layton, ffarmer of Prescott Hall and the demeanes therevnto belonging . . . for divers consyderations mee theirvnto moving, doe . . . couenant and promise to and with Michaelle Doughtie of Roby . . . gentleman, that it may be lawfull vnto [*the latter*] . . . in his owne name, to take and accept a lease in writing vnder common sealle from the right worshipfull the Provost and Scollers . . . ffor the terme of xx yeares now to com, of all and singuler the coall myne and mynes, or digging of coales, within the saide demeanes, or any parte thereof, in as ample and large maner as the same was granted vnto me . . . by the said Provost and seniors . . .

And I . . . doe further promise . . . that it may and shallbee lawfull vnto the said Michaelle Doughtie, to digg and gett coalles in all and singuler the premises . . . and to vse way or wayes ffor the caring or fetching of the coales their digged, without any impechment or deniall . . . In witnes whereof I . . . have herevnto put my hande and seale, the xixth of Februari, 1597. [Signed] Phillip Layton, Thomas Lancaster, Richarde Lancaster.

III.

RENTALS VALUATIONS AND SURVEYS.

INTRODUCTORY NOTES.

1. This list of arrears of tithe rents for the year 1462 is actually found in the King's College Account Roll of 1466, and is repeated in many subsequent rolls.

2. This undated rental is closely written in Latin on a fragment of parchment. The date *c.* 1480 is suggested by the rather scanty biographical information available. Both 1 and 2 are here given in condensed form, though no information is omitted; in these and in nos. 3 and 6, roman numerals are converted to arabic.

3. This undated collection of memoranda is contained in a bundle of four papers described in the College Muni-ment Catalogue (completed in 1808, and embodying the

results of much work done in the 18th century) as "Dr. Baker's notes of an estimate of Prescott Rectory." Dr. Baker was Provost from 1558 to 1569/70. In 1568 he revised the lease of the Rectory (p. 8) and made a separate grant of the Stewardship of Prescott (p. 290). The first section (a) has many notes interpolated in another hand; these are given here in round brackets. We are not told the meaning of the columns of amounts in (c); perhaps they represent a suggested revision of tithe rents.¹

4. The two terriers and rentals of "kirklands" are included in the same bundle as 3. They are written in very rough hands, difficult to decipher, on scraps of paper. Both are undated, but from internal evidence (i) seems to be of somewhat earlier date than (ii). The second is such a quaint jumble of Latin and English that it is transcribed without alteration.

5. The terrier of the Hall estate is undated, but may be ascribed to c. 1580. It is written in a large plain hand on a sheet of paper folded into two leaves.

6. The memoranda of 1586 are on a similarly folded sheet of paper. They evidently represent the calculations of Dr. Goad (Provost from 1570 to 1610) in connection with the revised lease of the Rectory in 1586/7 (p. 9-10).

7. The comprehensive survey of 1592 is in a book of octavo size with modern half-vellum binding. It appears to be a fair copy made at the College, shortly after the taking of the survey, from MSS. not now preserved. The scribe's unfamiliarity with local names has caused certain errors, which are here pointed out in footnotes. The original is in Latin, save for such short passages as are given here in italics. In the margin appear many references, in a later hand, to the tenants of the copyholds in 1721, when a similar survey² was taken; these references are here given in square brackets. The number after each item of copyhold is for reference on the plan.

Nos. 2-7 are also preserved at King's College (I. V. 9, 12, 12, 20, 18 and 21 respectively).

¹ Considerable variation is to be noted in the amounts of tithe rents. In a letter of Mr. Bere, Vicar, in 1708, we are told that the then lessee of the Rectory let the tithes each year just before harvest at a figure dependent on the value of the crop. Such a practice may have been in use in the 16th century.

² Also preserved at King's College.

1. 1462. ARREARS OF TITHE RENTS.

Bolde: Henry Bolde, £12. Keuerdley: Henry Bolde, by an obligation of Nicholas Smyth and others, £8. Ditton: Robert Bolde, £8. 13s. 4d. Appleton (pt., with 15s. for demesne lands): Robert Bolde, £8. 15s. Appleton (other pt.): Richard Bolde, 106s. 8d. Penkethe: Gilbert Bolde and Henry Hyne priest, 46s. 8d. Wyndell: John Eccleston, 61s. 8d.

2. c. 1480. A RENTAL of tithes and other rectorial profits.

Lessees and rents of tithes. Bulde: Richard Bulde, £12. Sonkey: Thomas Barnys, 100s. Penketh: Henry Bulde, £4. 2s. 8d. Curdeley: Gilbert Smith and his brothers, £8. Denton: Gilbert Bulde, 60s. Appulton: Richard Bulde, 113s. 4d. Vpton: Henry Dauyson, £4. 6s. 8d. Ditton: Gilbert Coney, £8. 8s. 4d. Cranton: Henry Schardley, £4. 13s. 4d. Widdyng demesne land: Henry Davison, 15s. Sutton: Oliver Sale, £7. 6s. 8d. Raynehill: the Vicar,¹ £4. Whiston: Thomas Laneham,² 53s. 4d. Prescote: Thomas Webster, 20s. Egliston [Eccleston]: Ralph Egliston, 6s. 8d. Rayneforde: John Tunstall, 53s. 4d. Wyndill: Thomas Lyon, £4. Parr: Thurstan Parr, £4.

Rents of the windmill, demesne and copyholds. Farm of the windmill: 33s. 4d. Farm of the demesne land: £6. Rents of the tenants of Prescote: £15.

Total. £109. 17s. 8d.³

3. c. 1568. THE PROVOST'S MEMORANDA concerning rectorial profits and the leasing thereof.

(a) *Rectoria de Prescot.* Farneworth syde. Mr. Bowld dooth paye for the tith of Bowld £13. 16s. (Layton, 150s.). Itm, for the tith of Penketh, £4. 5s. (Layton, 120s.). Mr. Butler, for the tith of Sankie, £5. 10s. (Layton, £12). Mr. Eccleston, for the tith of Eccleston, £6. 3s. 4d. (40 marks). Margaretha Latham, for the tith of Prescott, 26s. 8d. John Laton, for the demaynes and the myll, £5. 19s. 8d. The Vicar of Prescott, for Raynehill, £4. The rente of Prescott, £12. 16s. 5d. (*modo*, £12. 14s. 5d.). [Total] £53. 17s. 1d. (£132. 15s. 1d.).

¹ Rainhill tithe was leased to the Vicar for 10 years in 1478 (p. 281n).

² Perhaps *Laueham*, a rendering of *Latham*.

³ This total is £5. 5s. too much. The tithe rent of Eccleston appears, however, to be incorrect; perhaps this should read £5. 11s. 8d.

The Earle¹ doth kepe in his own hands: Wydnes barne, whereof new barne (in Appleton) is sett, conteyning (Vpton, Appleton, Denton and Farneworth). Cronton tith, lacking a barne (*ad val'* Whyston. Layton, £10). Dytton barne (*vix ad val'* 20 markes, *per* Math. Traves. Layton, 40 markes). Cuerdley barne (Layton, 20 markes).

Prescott syde. Sutton barne (Layton, *valet* Raynford *et* Wyndyll). Parr barne (Layton, £20). Whyston barne (£5). Reinford (20 markes) and Wyndyll (20 markes and *plus*, Layton) tyth without a barne. *Et terrae dominicales* [demesne lands] *de* Wyndyll. (£155) (*Sum total*, £287. 10s. *id.*).

Sankey £8, Cronton £4. 10s., Raynforth £4. [Total] £16. 10s.

Cronton £3. 5s. 8*d.*, Appleton £5. 10s., Dytton £9, Sutton £9, Whyston 46s. 8*d.*, Wyndle £4. 10s., Parr £5. [Total] £38. 12s. 4*d.*

Make bowndes of the Kyrkelands. The courte rolls. The decayed howses within Prescott to be reedified, or ells forfeited, within one yere. Itm, Hawkins² yearde. The barne at Par, standyng vppon the wast. Itm, Whyston barne, lykewyse vppon the wast. Itm, Raynforth barne, vppon the Erle his lande. Itm, a parcell of lande conceled from the College in Raynforth by the heyres of Par of the sam, at 6*d.* by the yere. Itm, lande in Sutton conceled; Hugo Hyll; no rent. Itm, landes conceled in Cuordley; Henry Cony. Itm, the barne decayed at Sutton.

(*b*) Note for Prescott in talke of demyse. *In primis*, the Colledge to reserve in their hands the keeping of the courte royalties, merciaments, and tolle of the towne of Prescott.

Itm, some one barne, *viz.* Whiston, but alledge vppon Bold.

Itm, alteracion of the olde lease to avoyde prescription or claymyng of customed hold, bie the said reservacion, and for other causes necessarie that might preiudice the Colledge, if the forme of the olde lease be not amended.

Itm, the Colledge dothe now vse to altre there leases.

Itm, concernyng a barne of v bayes standing in Bold, caried away bie old Mr. Bold.

¹ Lord Derby, lessee of the Rectory (see pp. 7-8).

² Probably the name should have been *Houghton* (see p. 304).

Itm, the said Mr. Bold deteyneth from the Colledge 4s. rent, accustomed to be payed vntill within this 12 yeres.

(c) Prescott syde:

2s. 4d.	Raynforth ..	£3. 2s. 4d.	£6. 4s. 8d.	£8
12s.	Wyndyll ..	£4. 12s.	£9. 4s.	£10
10s.	Par ..	£4. 10s.	£9	£10
20s. barne	Sutton ..	£9	£18	£22
3s. 4d.	Eccleston ..	£5. 3s. 4d.	£12. 5s. 8d.	£15
6s. 8d.	Prescott			
	towne ..	25s. 8d.	25s. 8d.	25s. 8d.
	Raynehyll ..	£4	£4	£4

Farneworth syde:

16s.	Bolde ..	£13. 16s.	£27. 12s.	£32
	Penketh ..	£4	£8	£10
10s.	Greate			
	Sonkey ..	£5. 10s.	£11	£13
10s.	Cuerdley ..	£8. 10s.	£17	£20
barne	Wyddons ..	£13. 5s. 8d.	£25. 13s. 4d.	£32
20s. barne	Dytton ..	£9	£18	£22
4s.	Cronton ..	£4. 4s.	£8. 8s.	£10
	The meane tyth ..	16s.	32s.	40s.
	The glebe, the myll, and Whyston ..	£9	£9	£9
	Rents of the tenants ..	£12. 14s. 5d.	£12. 14s. 5d.	£12. 14s. 5d.

4. c. 1560-68. THE KIRKLAND: two rough terriers.

(i) PRESCOTT. THE KYRKELANDE. Sir Tho. Johnson, 4s. 4d. ob. Rych Guldykar, 2s. John Bolde, 2s. Rob Asbrooke, 1s. Rych Wodfall, 6d. Wyllm Par, 2d. *Vxor Radul* [wife of Ralph] Tarbock, 1s. 8d.

PARCELLS OF THE KYRKELANDE.

Sir Tho Johnson, j butt of lande in the lanke crofte, with a pyke to butt to the same. Itm iij butts of lande, pyke ended, with the kylne hole butt in Appleton Felde, and the tythe barne yearde, with halfe an acre of lande to the same, in the same felde, in the holdyng of Robert Asbroke.

Itm, Rob Asbroke, j butt of land called the parsons butt, in the heygher hay. 2 butts of lande in the hylls, with the parsons crofte.

Rych [Guldykar],¹ a parcelle of lande in the barne hay nere the landes of the same Rychard. Itm, j acre of land lyng in two places in the towne felde of Farnworth, in the holdyng of John Guldykar.

Itm, a barne with a yeard in Sutton. Itm, a barne yarde in Raynforth. Itm, a barne with a yearde in Bolde.

¹ The surname is omitted in the original.

(ii) TERRE DOMINICALES VOC' KYRKELANDE.

Itm Wm. Parr has j butt by the hedg on the west syde in the south part of the [illegible]. Itm j crofte *voc'* the prist crofte conteyninge *per est'* j acre *iuxta* Chester lane *versus occident* [west].

Henr Harrison, 3 butts *conten'* *per estimac'* j rod; it lyeth in Appletun felde by the hedg at the west syde, and at the south parte of the fylde (4s. 4d. ob.). Itm in lanke crofte j butt to ende of the 4th [?] butt from the south hedg. In a crofte *voc'* Hylls *iuxta molendinum de Appeltun*, 2 butts toward *versus occident*.

Humfridus Guldicar, *uno* croft in the towne fylde by the schole howse, j butt *iuxta communem viam versus boriā* [north] 2s. Itm j butt by the towne fylde on the north syde of the churche,¹ it lyeth by the delphes on the est syde, one ende abutt vpon the churchyard.

Baldwinus Raborne, *dim'* [half] acre in Appeltun felde without the barne yearde, and it lyeth together with one butt of the Quenes lande nexte the est hedge and towarde the south hedd, 1s.

Rich Woodfall, *un'* crofte *voc'* kylne hay, j rod, betwene one hedge on the north syde and the grene sparke [sparth] on the south, 6d.

Rainforth [no details] 6d.

Vidua [widow] Tarbocke 1s. 8d.

Bold rent 4s.²

Humfridus Guldicar, j parcell of land cont' j acr' *per estim'* going thorough crowners lane, lyng together in the lande of Rych Bold *armig' ex utraque parte, in terras Robert Lawrenson ex occid' et Henr Laton ex orient*, south vpon the lane leading to Ditton, north vpon the land of Will Bould. Itm j butt *ibidem* thorough crowners lane, cont' *di' rod' terr' per est', iacent per terr' Johis Wright ex occid' et Johe Harden ex orient*, the ends butt as the other.

5. c. 1580. PRESCOT HALL ESTATE: a terrier, with notes concerning the Mill Hill and the Vicarage.

GLEABE BELONGINGE TO THE HALL in the occupation of Mrs. Tilsley. *Imprimis*, the site of the howse, with the barnes, stables and other edifices and yeards, and the place where some tyme the howse stood,³ abuting est on Hall Lane, west one sow riding and calves croft, south one

¹ i.e., Farnworth Chapel. ² i.e., 4s. due from Mr. Bold (see p. 27, 47).

³ The hall was rebuilt in 1582-3 (pp. 21, 222).

Mr. Ogles land¹ and a tenement in Whiston, and the calves croft, north on the close caled the nar botoms.

Item, a close caled calves croft, contayning by est' 1 acre, abuting est one the place wher the hall stood, west one sow riding, south on Mr. Ogles land in Whiston, north one the site of the hall.

The close caled the rie feild, contayninge by est' 5 acres, abuting est on the nar bothoms, west one Mr. Ogle, south on Sow riding, north one far bothoms and the parke.

A close caled the nar bothoms or the delves, cont' *per est'* 2 acres *dim'* [a half], abuting est one Hall lane, west on the Rie feild, north one a pond twixt it and fur bothoms, south one the site of the hall.

A close caled far botoms or the delves, cont' *per est'* 2 acres *dim'*, abuting est one Richard Worsley and other tenaunts, west one the parke, north on the vicars close, south one nar botoms and the rie close.

The parke or common wood, cont' *per est'* 8 acres, abuting est one nar bothoms and the vicars close, south one the rie feild and Mr. Ogles land in Whiston, north on the vicar and one wood hie (two closes of Fletchers, *inter-lineated*), west vpon the brooke.

One water mill, vpon the south side of the parke, with ponds and dams belonging to it.

Great high feild, cont' *per est'* 6 acres, abuting est on far high feild, west on the hall lane, north on the cock shoot meadows, south one little high feild.

Little high feild, cont' *per est'* 3 acres, abuting est on far high feild, west on the hall lane, north on great high feild, south on the lane to copt holt.

Far high feild, cont' *per est'* 6 acres, abuting est vpon copt holt, west on the little hie feild and great high feild, south on the lane from the hall to copt holt, north one land of the Earle of Darbies.

Cock shote meddows, cont' *per est'* 3 acres, abuting est one the Earle of Darby, west one hall lane, south on great high feild, north one diverse tenaments, as Mr. Eglestones *nuper* [late] Burton woods land.

A wind mill, and an horse mill, and an howse with a little gardine, standing one the north side of the hill, abuting south vpon New Hall, north vpon the burrage, west vpon Simons bayes, est vpon Glovers.

More in the occupation of Mrs. Tilsley, the tithe of

¹ Whiston Hall demesne.

Whiston, with the barne. More, the proctors fee, 12*li.*, payd by the farmer of the whole rectory, the Earle of Darby.

[Additional notes]. The Windmill Hill in the toune, with a windmill and a malt horse mill vpon it, and a cotage with a gardine.

To the Vicaridge: the site of the vicaridge; one close, cont' *per est* 1 acre (*vulgariter appellat*' vicaridge crofte), abuting est one (Jeames Taylor) copie holders, and north west one the vicars yeard, south on far botoms, part of the gleab; the tith of Rainhill, by a rent of the Colleadg.

6. 1586. FURTHER MEMORANDA concerning rectorial profits and the leasing thereof.

PRESCOTT RECTORIE.

An estimate of the state and comoditie therof by the particulars following, anno 1586.

1. *Prescott Hall*. The dwelling howse, the glebe land, two mylls and the tithe of Whiston, dimisyd to John Laton. The rent to therle *per annum* £9, valet clar *per annum* £40.

2. *Rents*. The rents of the copiholders, paid to therle, *per annum* £12. 16s. 5d.

3. *Profitts of courtes*. The perquisits of courts, together with the toll of the fair, £6 *per annum*.

4. *Coale myne*. Not yet dimised, viz. in the 10-acres wood a good coale myne wilbe wurth in time £100, beside other places within the mannor, all which maye yeld to the Coll. hereafter, by such ordre as maie be taken, £6 *per annum*.

5. *Seuerall tithes*. Ther ar in the whole 16¹ tithes, wherof dimised to Laiton, Whisten tithe; and annexed allwaies to the vicaridge the tithe of Rainhill, for the which payd to therle by the Vicar *per annum* £4.

Summa, £37. 16s. 5d.

Dimised to therle, 14 tithes, diuided into twoo sydes or partes, viz., 1. Prescott syde, 2. Farnoth syde.

Prescott syde, in therles handes, being nearest his howse:²

¹ Usually the number is reckoned as 15, Farnworth being included with Widnes. (Compare lists on pp. 8, 25, 27, 32).

² Lord Derby had, at this period, three residences very near to the parish of Prescott, namely, Lathom House and New Park, both near Rainford, and Knowsley Hall, near Prescott.

			ould rent.	valet per annum
£6. 3s. 4d.	1.	Eccleston ..	£8	£60
	2.	Sutton ..	£9	£60
£4. 10s.	3.	Parr ..	£6	£30
£3. 2s. 4d.	4.	Rainfford ..	£8	£40
£4. 12s.	5.	Windle ..	£4	£20
	6.	Prescot town	26s. 8d.	53s. 4d.
			£36. 6s. 8d.	£212. 13s. 4d.

Farnoth syde, letten out by therle:

1.	Cronton	letten to ..	£3	£30
2.	Courdley	Mistress ..	£6	£40
3.	Wyddens	Tylsley ..	£12	£50
4.	Penkett	to Mr. ..	£4	£30
5.	Bould	Bowles ¹ ..	£13. 10s.	£50
6.	Ditton to Mr. Tarbok	..	£6	£40
7.	Sunkey in therles hands..	..	£5. 10s.	£30
8.	Farnorth	..	16s.	53s. 4d.

The meane tithes at estn. . 40s.

Summa. .. £50. 16s. £264. 13s. 4d.

Summa [of both parts] of the tithes only: £88. 2s. 8d.
£477. 5s. 8d.

Summa [of the total value] *per annum*: £505. 2s. 1d.²

Summa [of the total charge upon the farmer now]:
about £120.

Prescot Rectorye. 1586, Januar.³ The fermers whole charge *per annum* in the newe lease to be graunted may be as followeth: In rent monny, the third parte of the ould rent being diducted, £60.

In rent graine. Wheat. 50 q. at 20s., *per annum*, £50.

Mault. 53 q. at 11s., *per annum*,

£29. 8s. 6d. [Total] £79. 8s. 6d.

Itm, in lewe of xij oxen, *per annum* £20.

Itm, the rent for Prescott hall in Laitons lease, to be reservyd to the Coll., £9.

Itm, the proctors fee, vsuallie paid bie therle to Laitons assignes, £12.

Summa [of the charge] *per annum*: £180. 8s. 6d.

Summa [of the total value] *per annum*: about £500.

Sic clare to the Erle yerelie, about £300.

Encrease of benefitt to the Coll. *per annum* by this new graunt, by graine, £49. 8s. 6d., Laitons rent, £9, more than before, £58. 8s. 6d.

¹ Read *Bold*.

² The last five totals should be, respectively, £52. 16s., £274. 13s. 4d., £89. 2s. 8d., £487. 6s. 8d., £525. 3s. 1d. The original is in roman numerals.

³ i.e., January, 1586/7.

In consideration of which yerelie gaine by the Coll., therle (beside the charginge his twoo yerres with graine in his ould lease, about £200) maye paye fyne to the Coll., viz. [blank].

Memorandum, against the new letting. Therle to haue a patent of the Stewardship, with good promise for the courts and courtrolls hereafter.

The reparacions of the chauncell and the myll being greatly decayed, to be forthwith repayed by Mistres Tylsley, if she be bound.

Ther are certaine that hould land¹ of the rectory, paing rent to the Erle, not knowen to hould by copy or lease; *query*, how they hould.

Houses lately buylt vpon the wast, which ought to paye encrease of rent, and do not.

7. 1592, May 29. SURVEY OF THE RECTORY, including terriers of Prescott Hall estate, Prescott town and the kirkland.

RECTORY OF PRESCOT in the County of Lancaster. Court of Survey there held by order of Roger Goad, Provost of King's College, Cambridge, and the Scholars of the same, lords of the said Manor and impropriated Rectory . . . at which was made a Survey of all lands, tenements, services, rents, liberties, franchises and privileges of the said Manor, both from actual view taken and from the sworn testimony of Philip Layton gent, Thomas Potter, John Worsley, Edward Stockley, Richard Shawe, James Taylier, Robert Plumpton, William Leadbeter, John Webster, Thomas Lyon, Hugh Webster, John Henrison, Humphrey Gouldicar, Bowden Rabon, and William Woodfall.

HENRY EARL OF DERBY holds by deed bearing date [blank]² for the term of [blank] the perquisites and profits of courts of the said Rectory; the rents of all copyhold tenants and tenants-at-will; the toll and other profits of the fair held in Prescott; the tithes of Prescott *towne*, Eccleston, Windle, Rainsforth and Sutton; a barn belonging to the last-named, having 5 bays and *le doune tubb*, slated, lying in *le barn croft* by Sutton *heath*, in the tenure of John Tarbock; and the tithes of Parr, Bould, Penkett, Cranton, Curdley, Widdens, Ditton and Sonkey.

¹ The "kirkland" (see pp. 27, 46).

² The lease of 1586/7, renewed in 1593 (pp. 9, 10).

THOMAS MEAD, Vicar of Prescott, holds by [blank]¹ for the term of [blank] the tithes of Rainhill.

PHILIP LAYTON GENT, holds by deed bearing date [blank]² for the term of [blank] the seat of the Manor there, called *the hall*, containing a dining-hall, kitchen and several bedrooms, together with two barns, stables, and other convenient and necessary buildings, with a garden and several enclosed plots (*pictellis*), the whole lying between the way called *hall lane* on the *E*, and the closes called *calves close* and *sow ridinge* on the *W*, abutting *N* on the close called *nar bothoms*, *S* on *calves croft* and the lands of Mr. Ogle, containing by estimation [blank].³ £1/1/0;⁴

Also a close called *calves croft*, abutting *E* and *N* on the Manor seat, *W* on *sow ridinge*, *S* on the lands of Mr. Ogle, containing by estimation [blank]. £1/0/0;

Also a close called *the rie feild*, abutting *E* on *nar bothoms*, *W* on the lands of Mr. Ogle, *S* on *sow ridinge*, *N* on *far bothom* and the common wood called *the parke*, containing by estimation [blank]. £5/0/0;

Also a close called *the nar bothoms*, abutting *E* on *hall lane*, *W* on *the rie feild close*, *N* on *the far bothoms* and *le pond*, *S* on the Manor seat, containing by estimation [blank]. £2/2/0;

Also a close called *far bothoms*, otherwise *the delves*, abutting *E* on *hall lane* and the lands of the customary tenants, *W* on *the parke*, *N* on the Vicar's close, *S* on *nar bothoms* and *rie feild close*, containing by estimation [blank]. £2/2/0;

Also the herbage of a wood called *the parke* or *the common wood*, abutting *E* on the Vicar's close and the Vicarage, *W* on *the brooke*, *S* on the water-mill belonging to the Manor and the waters of the same, *N* on the lands of the customary tenants, containing by estimation [blank]. £8/0/0;

Also a water-mill with waters and ponds, lying between *the parke* and *rie feilde*;

Also a close called *great high feild*, abutting *E* on *far high feild*, *W* on *hall lane*, *N* on *cock shoot meadows*, *S* on *little high feild*, containing by estimation [blank]. £6/0/0;

Also a close called *little high feild*, abutting *E* on *far high*

¹ Rainhill tithe was reserved to the Vicar in the leases of the Rectory.

² The lease of 1582, renewed in 1592 (p. 19, 22).

³ The areas omitted here are given in the survey of c. 1580 (no. 4 in this section).

⁴ This, and the other amounts stated after the survey of each portion of the hall estate, are in the margin of the original. Evidently they represent annual valuations. (See p. 30 and p. 48 n.).

feild, *W* on *hall lane*, *S* on the way¹ to *Copt holt*, *N* on *great high feild*, containing by estimation [blank]. £3/0/0;

Also a close called *far high feild*, abutting *E* on *Copt holt*, *W* on *great high feild* and *little high feild*, *S* on the way leading to *Copt holt*, *N* on [blank], containing by estimation [blank]. £6/0/0;

Also several meadows called *cock shoot medows*, abutting *E* on the lands of the Earl of Derby, *W* on *hall lane*, *S* on *great high feild*, *N* on [blank], containing by estimation [blank]. £3/0/0;

Also a parcel of land called *the Mill hill*, on which is a windmill, a horse-mill and a cottage with a garden, lying in the town of Prescott, abutting *E* on *Glovers howse*, *W* on *Simons bayes*, *S* on *new hall*, *N* on [blank];

Also the tithes of Whiston (with a barn by the waste lands in Whiston, *cancelled*);

Also a certain annual fee called *the Procters fee*, customarily paid him by the chief lessee of the Rectory, £12.

THE LORD has two bays of building called *the almes howse*, customarily in the gift of the Earl of Derby, lessee of the Rectory, abutting *E* on a building of Mr. Ogle, *W* on *turne pike lane*,² *N* on the churchyard, *S* on the street (*plateam*). [1721. Now two houses in possession of Kendrick and Shaw, who are ignorant of their title.] 1

CUSTOMARY LANDS.

THOMAS GERARDE KNIGHT holds by copy a bay of building in the tenure of widow Taylor, abutting *E* on a building of Anne Hinde, *W* on Richard Worsley, *N* on the churchyard, *S* on the market-place, paying yearly to the lord 12d. [Sir William Gerarde 1721.] 2

HENRY EGLESTON ESQ. holds by copy a burgage³ with a garden, now in the tenure of Mr. Many,⁴ abutting *E* on Ralph Fletcher, *W* on the burgage of Giles Lion and *le mill lane*, *N* on the mill hill, *S* on *new gate street*;⁵ [Jonathan Case Esq. 1721.] 3

Also two burgages containing by estimation one rood, in the tenure of William Hornebrick⁶ and Richard Warburton, abutting *E* on Mr. Ogle, *W* on George Lion, *N* on *new gate street*, *S* on *Webstars barne croft*; [Thomas Eccleston Esq. 1721.] 4, 5

¹ Now Shaw Lane. ² This does not now exist. Perhaps it was "the way to Our Lady Well" (p. 167 etc.). ³ Called, in the court rolls, the Cage or New Hall.

⁴ Should perhaps be *Molineux*. (William Molineux, yeoman, held it in 1612). ⁵ Now Eccleston Street, and so called once in this Survey (p. 39).

⁶ Should be *Hornby* (see p. 200).

Also a burgage with a garden, in the tenure of Giles Lion, abutting *E* and *N* on the customary lands of the same Mr. Egleston, *W* on *the mill lane*, *S* on the way; [Dr. Leafe 1721.] 6

Also a burgage with half a rood of land, late *Burton-woods* land, in the tenure of Thomas Orrell, abutting *E* on *Burchals burgage*, *W* on *Goodikers burgages*, *S* on the lord's meadow, *N* on *Copt Holt lane*¹; paying for all the above-named 11s. 8d.; 7

Also a shop measuring 12 ft. in length from the churchyard wall, and 6 ft. in breadth along the same wall, abutting *E* and *N* on the churchyard and *the covrt howse*, *S* on the heiresses of Thomas Layton, *W* on the market-place, paying 8d. rent; [Jonathan Case Esq. 1721.] 8

Also a burgage with a croft containing by estimation half a rood, in the tenure of Thomas Potter, abutting *E* on George Lion, *N* on Thomas Potter's barn, *S* on *Webstars barne croft*, *N* on *newgat way*; [Ellen Glover widow 1721.]

Also a parcel of land belonging to the same burgage, containing by estimation one acre, lying in *Chirchlefeild*, abutting *E* on *Goodikers acre*, *W* on *Plumtons acre*, *S* on *Copt holt lane*, *N* on *clay pitt hie*; paying for the two last-named 7s. 2d. rent. 9, 10

JOHN OGLE GENT. holds by copy two burgages with two crofts adjacent, called *Cock pitt howse*, in the tenure of John Dichfeild and Robert Powhton, containing by estimation one rood, abutting *E* on *Simons* and *Robert Plumtons yeard*, *W* on the lane leading to the church, *S* on the schoole howse, *N* on the way² leading from *Lirpoole* to the lord's mill; [George Bradshaw 1721.] 11, 12

Also three bays of building, abutting *E* on Richard Worsley's house, *W* on *the almes howse*, *N* on the churchyard, *S* on the street; [Jonathan Case Esq. 1721.] 13

Also a burgage in the tenure of the widow of Peter Hies, abutting *E* on William Ledbeter, *W* on Mr. Eltned and Pike, *S* on Thomas Glover, *N* on *newgate street*³; 14

Also a burgage with a garden, containing by estimation one rood, in the tenure of Roger Devis, abutting *E* on Webstar and Lion, *W* on Mr. Egleston, *S* on *Webstars barne croft*, *N* on *newgate street*; [Jonathan Case Esq. 1721.] paying for all the above-named 5s. 3d. rent. 15

¹ Now Kemble Street (after John Kemble, the tragedian, *b.* here in 1757).

² Now part of High Street.

³ Apparently an error. Read, *N* on Glover, *S* on newgate street.

WILLIAM ELTONED GENT. holds by copy a burgage in the tenure of Edward Glover *poter*, abutting *E* on the lord's waste lands, *W* on the burgage of Robert Prescott, *N* on the waste lands called *le Mosse*, *S* on the *mill lane*; [William Marsh 1721.] 16

Also a burgage in the tenure of Peter Bradshaw, abutting *E* on Mr. Ogle, *W* and *N* on Thomas Pike, *S* on *newgate street*; paying for both 16*d.* rent. 17

HENRY CUNNY GENT. holds by copy a burgage¹ with an acre of land called *Sparrow Lane acre*, in the tenure of Evan Finie, abutting *E* on John Worsley's middle croft and *Brownes croft*, *W* on *clay pitt hie*, *S* on *Chersley feild acre* and *fels acre*, *N* on *Sparrow lane*²; paying 3*s.* rent. [Thomas Cobham gent. 1721.] 18

HENRY LATHUM GENT. holds by copy a burgage in the tenure of Thomas Carter, abutting *E* on a house of Robert Prescott, *W* on two bays of building belonging to *Slutterforth feild*, *N* on *drowne pitcher*, *S* on the *mill lane*; [Daniel Lawton gent. 1721.] 19

Also a bay of building belonging to the same burgage, lying on the opposite side of the way, abutting *E* on Ralph Fletcher, *W* and *S* on Mr. Egleston, *N* on the *mill hill* [Daniel Lawton gent. 1721.]; paying for both 2*d.* 20

Also a burgage with a garden, in the tenure of Hugh Webstar, abutting *E* on *Webstars barne croft*, *W* on land of Richard Worsley, *N* on *John Webstars hempe yeard*, *S* on *Copt holt lane*, paying 3*s.* 2*d.* rent [Mary and Sarah Wood 1721.] 21

RICHARD HOLLAND GENT. holds by copy a cottage with a garden, in the tenure of widow Knowls, abutting *E* on the churchyard, *W* and *N* on the Vicar's lands, *S* on *turne pike lane*, paying 2*s.* rent. [Surrendrees of William Glover 1721.] 22

THOMAS POTTER holds by copy a shop in his own occupation, abutting *E* on widow Tilsley, *W* on the churchyard gate, *N* on the churchyard, *S* on the market-place; 23

Also three bays of barn, and sufficient way on the south side of the barn for two oxen to back in coming in (*retro agendis cum redent*), abutting *S* on Thomas Glover and Catherine Stockley, *N*, *E* and *S* on *cuck stoole lane*³; 24

Also three bays of building, abutting *E* and *S* on Mr. Eglestone, *W* on Ralph Houghton, *N* on *newgat street*;

¹ Called Sparrow Lane House (p. 171).

² Now Grosvenor Road. ³ Now part of Ackers Street.

[Ellen Glover widow 1721.] paying for all the above-named 2s. rent. 25

HUGH JOLLIBRANDE holds by copy a cottage with a garden, in the tenure of Thomas Hardman, abutting *E*, *W* and *N* on *turne pike lane*, *S* on *Turners yeard*, paying 2d. rent. [Daniel Lawton 1721.] 26

RICHARD WORSLEY holds by copy a burgage in his own occupation, with a garden, containing by estimation one rood, abutting *E* on *hall lane*,¹ *W* and *S* on the lord's lands called *the delves*, *N* on *Taylor's yeard*; [Thomas Makin & Daniel Lawton 1721; called Tann House.] 27

Also an acre of land called *Chirchlefeild acre*, abutting *E* on *fells acre*, *W* on *Goodakers acre*, *S* on the way leading to *Copt holt*, *N* on *Sparrow lane acre* and *clay pitt hie*; [John Bond 1721.] 28

Also a bay of building in the tenure of widow Goodiker, abutting *E* on Sir Thomas Gerrard, *W* on Mr. Ogle, *N* on the churchyard, *S* on the way; [Thomas Cobham 1721.] paying for all the above-named 5s. rent; 29

Also a burgage with a garden, in the tenure of Thomas Potter, abutting *E* on Mr. Latham, *W* on the market-place, *N* on John Webstar, *S* on *Copt holt lane*, paying 12d. rent. [Thomas Cobham gent. 1721.] 30

RICHARD SHAW holds by copy a messuage with a garden, in the tenure of Humphrey Ascroft, abutting *E* on (*the mill hill*, cancelled),² *W* on Mr. Jollibrand, *N* on *turne pike lane*, *S* on *Turners land*, paying 2s. rent. [Daniel Lawton 1721.] 31

EDMUND TURNER holds by copy a cottage³ with a rood of land in *Chersley feild*, abutting *E* on *Plumtons acre*, *W* on the burgage of John Webstar, *N* on *Cuck stoole pitt*, *S* on *Goodikers rood land*; 32

Also a burgage with a garden and a rood of land commonly named *Preests cote*,⁴ abutting *E* on *trapp lane*,⁵ *W* on the *vicaridge yeard*, *S* on the Vicar's croft, *N* on the burgage of Hie and Shaw and on the Vicar, paying 2s. rent to the school; paying for both 6s. rent to the lord. 33

JOHN WEBSTAR holds by copy a messuage with a croft containing by estimation one acre, in his own occupation, abutting *E* on *Goodikers rie croft*, *W* on the market-place,

¹ Now Sewell Street (after Samuel Sewell, Vicar of Prescot 1776-1815).

² Evidently the clerk could not decipher the original, probably *Will Hie*.

³ Called Cuckstool House (p. 242).

⁴ This is the only known instance of the use of this name for this particular piece of land. For a discussion of its significance, see Appendix D.

⁵ Now Garden Walk.

S on Richard Worsley, Mr. Latham and *Copt Holt lane*,
N on the heiresses of Thomas Layton, Mr. Egleston, George
Lion and Mr. Ogle; [John Case mercer 1721.] 34

Also a close called *Sparrow lane meddow*, containing by
estimation one acre and a half, abutting E and S on
Sparrow lane, W on Jean Kenrick, N on the waters flowing
between *Prescott* and *Egleston*; [John Case 1721.] 35

Also a rood of land in *Chersley feild*, abutting E on
Turners rood, W on *Glovers rood*, S on *Goodikers burrage*,
N on *cuckstoole pitt*; [Ditto's 1721.] paying for all the
above-named 13s. rent. 36

THE WIDOW OF ROBERT WEBSTAR holds by copy a
cottage with a *yard*, in the tenure of Henry Oliver, abutt-
ing E on *Simons two bayes*, W and N on the heiresses of
Thomas Layton, S on *fall lane*,¹ paying 1d. rent. 37

ROBERT PLUMTON holds by copy a burgage with a
cottage and land containing by estimation one rood,
abutting E on Mr. Fox, W on Mr. Ogle, N on Simons, S
on the market-place and the churchyard; [Thomas Wood
1721.] 38

Also a burgage containing one rood of land, abutting E
on the heiresses of Thomas Layton, W on Thomas Woods,
N on *drovne pitcher*, S on *the mill lane*; 39

Also an acre of land in *Cherchley feild*, abutting E on
Mr. Egleston, W on the burgages of Goodiker and Turner,
N on *clay pit hie*, S on the way leading to *Copt holt*;
[Thomas Cobham gent. 1721.] paying for all the above-
named 9s. 40

ANNE² HOLLAND holds by copy two crofts containing
by estimation one acre, abutting E on [blank], W on
Stockley's lower field, S on Stockley's higher field, N on
fall lane. [Thomas Cobham gent. 1721.] 41, 42

Also a cottage with a garden, abutting E on *the church
lane*, W and N on Mrs. Tilsley, S on Edward Stockley.
Margaret Tyldsley widow, as appears later, is charged with
the whole rent.³ (9s. cancelled.) 43

EDWARD PARKER holds by copy a burgage⁴ with a garden
and a croft, abutting E on Thomas Wood, W on the
heiresses of Thomas Layton, N on *drovne pitcher*, S on
mill lane, paying 2s. rent to the school in Prescott, and 4s.
to lord. [Thomas Cobham gent. 1721. Now 2s. 6d.] 44

ROBERT PRESCOTT holds by copy two tenements with a

¹ Now Derby Street. ² Anne appears to be written over Richard.

³ This statement is inserted in the margin.

⁴ Called Mill Hill House (p. 247).

garden and parcel of a burgage, in the tenure of Robert Whitlow and Anthony Jaxton, abutting *E* on Mr. Eltned, *W* on Mr. Latham, *S* on *mill lane*, *N* on *the mosse*, paying 2s. 3d. rent. [Thomas Cobham 1721.] 45

THOMAS WOODS holds by copy a burgage with a rood of land and a bay of building, in the tenure of Edward Angsden, abutting *E* on *Plumtons burrage*, *W* on Edward Parker, *N* on *drowne pitcher*, *S* on *mill lane*; [Thomas Wood 1721.] 46

Also a burgage with two crofts containing by estimation an acre and a half, and a cottage, abutting *E* on the waters flowing between Whiston and Prescott, *W* on *Goodikers cow hie*, *S* on *cockshott meadow*, part of the demesne land, *N* on the way to *Copt holt*; 47

Also a burgage with half a rood of land, in the tenure of John Asbye, abutting *E* on James Taylor, *W* on William Aspes, *N* on the market-place, *S* on the Vicar's croft; [Isaac Greene 1721.] paying for all the above-named 8s. 3d. rent. 48

WILLIAM LEDBETER holds by copy a tenement with a croft containing by estimation half a rood, in the tenure of Evan Stock, abutting *E* on Cropper and Ledbeter, *W* on Mr. Ogle, *N* on James Dichfeild and Thomas Glover, *S* on *new gate street*; [Jonathan Case Esq. 1721.] 49

Also a burgage in the tenure of George Sumner, abutting *E* on Edward Pike, *W* on Croper, *N* on Simons and *the mosse*, *S* on *Egleston streete*; [Daniel Lawton 1721.] 50

Also a burgage with a croft containing by estimation half an acre, in his own occupation, abutting *E* on the lane adjoining *newgate street eande*, *W* on Glest, *N* on the way leading to Lirpoole, *S* on [blank]; 51

Also a croft called *far croft*, containing by estimation half an acre, abutting *E* on *Pingote croft*, *W* on John Taylor and *new gate lane*, *N* on *Sparrow lane*, *S* on John Taylor, *clay pitt hie* and *cuck stoole hole*; 52

Also a croft called *Pingote croft*, containing by estimation one rood, abutting *E* and *N* on *Sparrow lane*, *W* on *far croft*, *S* on *clay pitt hie*; paying for all the above-named 5s. 2d. rent. 53

LAWRENCE WEBSTER holds by copy a cottage with a garden, in the tenure of widow Wakefeilde and Alexander Whittington, abutting *E* on Catherine Stockley, *W* and *S* on George Lion, *N* on *newgate street*, paying 7d. rent. 54

EDWARD STOCKLEY holds by copy a croft called *the*

lower feild, containing by estimation two acres, abutting *E* on the *higher feild* of the same, *W* on *wood hie*, *N* on *fall lane*, *S* on *preests wood*; [Daniel Lawton 1721.] 55

Also a croft called *the higher feild*, with a burgage and two cottages, containing by estimation an acre and two roods, abutting *E* on the land adjoining the churchyard, *W* on the lower croft of the same, *N* on Holland's crofts, *S* on the Vicar's garden; [Daniel Lawton gent. 1721] paying for both 12s. rent. 56

RALPH FLETCHER holds by copy a burgage with a cottage and garden, in his own occupation, abutting *E* on Forshaw, *W* on Mr. Egleston, *N* on the lord's *mill hill*, *S* on the way; 57

Also two crofts called *wood hie*, containing by estimation one acre and three roods, abutting *E* on *Edward Stockleys last*, *W* on the water and the lands of Mr. Houghton, *N* on *fall lane*, *S* on the lord's lands called *the common wood*; [Daniel Lawton gent. 1721.] paying for both 4s. (and 10d., added) rent. 58, 59

ALEXANDER FRANCE holds by copy a cottage with a garden, abutting *E* on Goodiker's meadow, *W* and *S* on Birchall, *N* on *Copt Holt lane*, paying 12d. rent. 60

GEORGE LION holds by copy a messuage with a croft containing by estimation one acre, abutting *E* on Lawrence Webstar and Thomas Glover, *W* on Hugh Webstar and Mr. Ogle, *S* on *Goodikers rie croft* and *John Webstars barne croft*, *N* on [blank], paying 4s. 6d. rent. [3s. 1d. 1721.] 61

Also a burgage with a parcel of land containing half a rood, abutting *E* and *W* on Mr. Egleston, *S* on *Webstars barne croft*, *N* on *new gate waye*, paying 2s. 6d. [John Bradburn 1721.] 62

JAMES DICHFEILD holds by copy two cottages,¹ in the tenure of Thomas Rigbie and himself, abutting *E* and *S* on William Ledbeter, *W* on *Glovers pike*,² *N* on the *poters ovens*, paying 6d. rent. [George Bradshaw Esq. 1721.] 63

HAMLET WEBSTAR holds by copy a cottage in the tenure of Richard Ledbeter, abutting *E* and *N* on the lane [blank], *W* on the churchyard, *S* on the house of Peter Wike, paying 4d. rent. 64

THOMAS TARLTON holds by copy a messuage with a garden in the tenure of Thomas Ditchfeild, abutting *E* on George Tarlton and Ralph Houghton, *W* and *N* on the

¹ Called the Workhouse (p. 246).

² Perhaps the original text here read *Glover and Pike*.

market-place, *S* on John Worsley, paying 14*d.* rent. [John Baron gent. 1721.] 65

THOMAS FORSHAW holds by copy a burgage with half a rood of land, in the tenure of Richard Marshall, abutting *E* on Thomas Pike and Thomas Lion, *W* on Ralph Fletcher, *N* on Thomas Glover, *S* on the way, paying 2*s.* 6*d.* rent. 66

THOMAS GLOVER holds by copy a burgage with a cottage, in the tenure of Richard Marshall and Richard Browne, with a garden and a croft, abutting *E* on the house of Thomas¹ Ditchfeild, *W* on the lord's lands called *the mill hill*, *S* on Ralph Fletcher, Thomas Forshaw, Thomas Pike, Mr. Ogle and William Ledbeter, *N* on *mill lane*; [William Marsh 1721.] 67

Also a rood of land in *Cherchley feild*, with a cottage and a garden, abutting *E* on *John Webstars rood*, *W* on *George Lions acre*, *S* on John Worsleys rood, *N* on *cuck stoole pitt*; [Arthur Ashton 1721.] paying for both 2*s.* 6*d.* 68

THOMAS LION holds by copy two bays of building, in the tenure of Richard Marsh, abutting *E* and *N* on Thomas Pike, *W* on Forshaw, *S* on the street, paying 2*d.* rent. 69

PETER WIKE holds by copy a messuage with a *yard*, in the tenure of Thomas Besley, abutting *E* on the market-place, *W* on the churchyard, *N* on Hamlet Webstar, *S* on *le Courte howse* of the lord, paying 2*s.* rent. 70

WILLIAM ASPES holds by copy a burgage with a cottage and *le yard*, in the tenure of Henry Hunt and widow Gie, abutting *E* on Thomas Woods, *W* on *trap lane*, *S* on the Vicar's croft, *N* on the way, paying 12*d.* rent to the school² in Prescott, and 2*s.* 8*d.* rent to the lord. [George Bradshaw Esq. 1721.] 71

GEORGE TARLTON holds by copy two cottages with a garden, in the tenure of widow Chadock and Margaret Carter, abutting *E* on William Par, *W* and *S* on Thomas Tarlton, *N* on Thomas Tarlton and the street, paying 21*d.* rent. [John Baron gent. 1721.] 72

WILLIAM PARR holds by copy a messuage with a garden, in the tenure of Matthew Sutton, abutting *E* on Ralph Houghton, *W* on George Tarlton, *S* on the garden of Thomas Tarlton, *N* on *newgate streete*, paying 4*d.* rent. [Thomas Cobham gent. 1721.] 73

CATHERINE STOCKLEY holds by copy a messuage with a

¹ Apparently this should be *James*.

² This rent had formerly been paid to chantry "stocks" (see p. 102).

garden, abutting *E* on Glover's lands, *W* on Lawrence Webstar, *S* on George Lion, *N* on *newgate streete*, paying 12*d.* rent. 74

THOMAS PIKE holds by copy a croft called *Sir Johns crofte*, containing by estimation two acres, abutting *E* on a close called *the acre*, *W* on the flowing waters and the lane from Knowsley, *N* on Parker and *the fall* [*sic*], *S* on *fall lane*; [Jonathan Case Esq. 1721.] 75

Also a messuage with a garden, in the tenure of James Taylor; abutting *E* on *the mill lane*, *W* on *Foxes burgage*, *N* on the lord's *mill hill*, *S* on the lane; [John Bradburn 1721.] 76

Also a cottage with a croft, in the tenure of Edward Ledbeter, abutting *E* on Mr. Ogle, *W* on Forshaw, *N* on Thomas Glover, *S* on the street; paying for all the above-named 7*s.* 1*d.* rent. 77

EDWARD PIKE holds by copy a burgage and two crofts, containing by estimation one acre, called *Clapers Clowes*, abutting *E* on the lands of Richard Worsley in Whiston, *W* on *crosse croft*, *N* on *crosse croft* and *middle croft*, *S* on the lane leading to *Copt holt*, paying 2*s.* 6*d.* rent; 78

Also a bay of building, abutting *E*, *W* and *N* on Ledbeter, *S* on *newgat street*, in the tenure of George Washington, paying 2*d.* rent. [Jonathan Case Esq. 1721.] 79

JOHN GOULDIKER holds by copy *clay pitt hie*, containing by estimation two acres, abutting *E* on Henry Conye, *W* on William Ledbeter, *S* on *Chirchle feild*, *N* on *Sparrow lane*; [Edward Blundell Esq. 1721.] 80

Also *Cow hie*, containing by estimation two acres, abutting *E* on *Woods halfeacre*, *W* on the lord's meadow and *little meddow*, *S* on the lord's lands called *cockshoot medows*, *N* on *Copt holt lane*; [William Marshall 1721.] 81

Also *Goodikers acre* in *Chirchley feild*, containing by estimation one acre, abutting *E* on Richard Worsley, *W* on *Chirchley towne feild*,¹ *N* on *Clay pitt hie*, *S* on the way leading to *Copt holt*; [William Marshall 1721.] 82

Also a burgage in *Chirchlefeild*, abutting *E* on *Plumtons acre*, *W* on the burgage of John Worsley, *N* on the burgages of John Webstar and Edmund Turner, *S* on *Copt holt lane*; [Edward Blundell Esq. 1721.] 83

Also a meadow called *little meddow*, containing by estimation half an acre, abutting *E* on *Cow hie*, *W* on

¹ Evidently Churchley Town Field was distinguished from Churchley Field as a whole. Parts of the Field were being enclosed (p. 185*n*).

Fraunce and Birchall, *S* on the lord's lands called *hall meddow*, *N* on *Copt holt lane*; [Edward Blundell Esq. 1721.] 84

Also a messuage with a cottage and a barn, abutting *E* on Mr. Egleston, *W* on *hall lane*, *N* on *Copt holt lane*, *S* on the lord's lands called *hall meddow*; [William Marshall 1721.] 85

Also *Rie croft*, abutting *E* on John Worsley, *W* on John Webstar, *N* on George Lion, *S* on *Copt holt lane*; paying for all the above-named 28s. rent. 86

ANNE HINE holds by copy three bays of building, in the tenure of Henry Mathew, abutting *E* on the churchyard gate, *W* on Thomas Gerard knight, *N* on the churchyard, *S* on the market-place, paying 2s. rent. [William Sadler 1721.] 87

JOHN WORSLEY holds by copy a burgage with a garden, and *Brownes croft*, *middle croft* and *crosse croft*, containing by estimation six acres, abutting *E* on the lands of John Bennet in Whiston and *Clapers Clow*, *W* on *sparrow lane*, *sparrow lane acre* and *fels acre*, *N* on *well flitches*¹ in Egleston, *S* on *Copt holt lane*; [Daniel Lawton gent. 1721.] 88, 89, 90, 91

Also a burgage with a barn in *Chirchle feild*, abutting *E* on *Goodikers burrage*, *W* on *Goodikers rie croft*, *N* on Thomas Glover's burgage, *S* on *Copt holt lane*; [Paul Hornby 1721.] 92

Also a messuage with a garden, in his own occupation, abutting *E* on Ralph Houghton, *W* on the market-place, *N* on Thomas Tarlton, *S* on the heiresses of Thomas Layton; [James Travers 1721.] paying for all the above-named 11s. 6d. rent. 93

WILLIAM HIE holds by copy a cottage, abutting *E* on the way from the lord's hall to the church, *W* on Richard Shaw, *N* on *Turne pike*, *S* on Edmund Turner, paying 6d. rent. 94

JAMES TAYLER holds by copy a messuage with two gardens, and a croft containing by estimation half an acre, in the tenure of widow Taylor, abutting *E* on *hall lane*, *W* on Thomas Woods and the Vicar's croft, *S* on the burgage of Richard Worsley, *N* on the market-place, paying 4s. rent. [William Fleetwood 1721.] 95

JOHN TAYLER holds by copy a parcel of land, late William Ledbeter's, part of a croft called *farr croft*, measur-

¹ Perhaps the original text read *Will Fletcher's*.

ing from *S* to *N* 54 ft., and from *W* to *E* 18 ft., and another parcel adjoining the same, measuring from *N* to *S* 31½ ft., and from *E* to *W* 93 ft., abutting *E* and *N* on William Ledbeter, *W* and *S* on the way, paying 10*d.* rent. 96

THOMAS FOX holds by copy a burgage with a garden, and a sufficient way leading to *mill hill* through and between several buildings and lands of Robert Plumton and the lord's *mill hill*, abutting *S* on the market-place, paying 8*s.* rent. [Isaac Greene gent. 1721. Now 6*s.*] 97

DOROTHY AND MARGARET LAYTON, daughters and heiresses of Thomas Layton, hold by copy a burgage with a garden, an orchard and sundry buildings, in the tenure of John Davis, abutting *E* on Edward Parker, *W* on Simons, *N* on *Slutterforth feild*, *S* on the way to the lord's mill; [Edward Blundell Esq. 1721.] 98

Also a *kilne* standing at the north side of the lord's mill hill; 99

Also two bays of building, abutting *E* and *N* on Mr. Latham, *W* on the burgage [of Robert Plumton],¹ *S* on mill lane; [John Bradburn 1721.] 100

Also a close called *Slutterforth feild*, with appurtenances, containing by estimation two acres, abutting *E* on Edward Parker's burgage, *W* on *the Acre*, *N* on *drowne pitcher*, *S* on *fall lane*; [Edward Blundell Esq. 1721.] 101

Also a parcel of land called *fels acre*, abutting *E* on *crosse croft*, *W* on *Cherchley feild acre*, *N* on *Sparrow lane acre*, *S* on the way leading to *Copt holt*; [William Marshall 1721.] 102

Also a croft called *the acre*, abutting *E* on *Slutterforth feild*, *W* on *Sir Johns croft*, *N* on the lands of Mr. Coney and *drowne pitcher*, *S* on *fall lane*; [Wm. Marshall 1721.] 103

Also a shop measuring in width 9 ft. along the churchyard wall, and in length 15 ft. from the wall towards the market-place, abutting *E* on the market-place, *W* on the churchyard, *N* on Mr. Egleston, *S* on Mrs. Tilsley; 104

Also a messuage with a garden, in the tenure of James Ditchfeild, abutting *E* on Mr. Egleston, *W* on the market-place, *N* on John Worsley and Ralph Houghton, *S* on John Webstar; [William Marshall 1721.] paying for all the above-named 20*s.* 1*d.* rent. 105

MARGARET TILSLEY WIDOW holds by copy a messuage and a *kilne*, with a garden and a croft, in the tenure of Richard Shaw, abutting *E* on the land adjoining the

¹ Omitted in the original.

churchyard, *W* on the croft of Anne Holland, *N* on *fall lane*, *S* on *Stockles higher feild*, paying 9s. rent; [1721. House Mr. Marshe's, Garden and Croft Daniel Lawton's gent.] 106

Also a shop, in the tenure of John Asbie,¹ abutting *NE* on the heiresses of Thomas Layton, *S* on the shop of Thomas Poter, *W* on the market-place, *N* on the churchyard, paying 6d. rent. 107

JOHN BIRCHALL holds by copy a burgage with half a rood of land, abutting *E* on *Fraunces cotage* and *little meddow*, *W* on the lord's lands called *hall meddow* and Mr. Egleston, *N* on *Copt holt lane*, *S* on the lord's lands called *hall meddow*, paying 3s. rent. 108

RICHARD SIMONS holds by copy a burgage with a garden and an orchard, abutting *E* on *mill hill*, *W* on *Cock pitts*, *N* on *mill lane*, *S* on Robert Plumton; [George Bradshaw Esq. 1721.] 109

Also two bays of building between *Slutterforth feild howse* and Thomas Webstar;² 110

Also two bays of building adjoining *le mosse*, abutting *E*, *W* and *N* on the lord's waste lands, *S* on William Ledbeter; [George Bradshaw Esq. 1721.] paying for all the above-named 2s. 2d. rent. 111

HUGH WEBSTAR holds by copy three bays of building with a garden, in the tenure of George Grossmith,³ abutting *E* and *S* on George Lion, *W* on Mr. Ogle, *N* on *new gate streete*, paying 6d. rent. 112

RALPH HOUGHTON holds by copy a messuage with a cottage and two gardens, in the tenure of Thomas Haywood and William Lion,⁴ abutting *E* on Thomas Potter and Mr. Egleston, *W* on William Parr, John Worsley and Thomas Tarlton, *N* on *new gate street*, *S* on the heiresses of Thomas Layton, paying 5s. rent. [Robert Hatton 1721.] 113

JAMES CROPPER holds by copy a bay of building with a garden, abutting *E* and *N* on William Ledbeter, *W* on John Cropper, *S* on *new gate way*, paying 4d. rent. 114

JOHN CROPPER holds by copy a bay of building in the tenure of John Harrison, abutting *E*, *W* and *N* on William Ledbeter, *S* on *newgat way*, *E* on James Cropper, paying 2d. rent. 115

¹ Should be *Aspe* (see p. 261).

² Or, the widow of Robert Webster (see p. 38).

³ Should perhaps be *Gorsuch*. See Index.

⁴ Should be *Lime* (see p. 261).

JANE KENRIKE holds by copy a burgage with a croft, containing by estimation one rood, abutting *E* on *Sparrow lane*, *W* on the way leading to Egleston, *N* on *smithie meddow* and *Webstars*, *S* on *sparrow lane meddow*, paying 2s. rent. 116

WILLIAM GLEST holds by copy a bay of building with a garden, abutting *E*, *W* and *N* on William Ledbeter, *S* on the lane, paying 5*d.* rent. 117

THE WARDENS OF THE FREE SCHOOL of the parish of Prescott, to be taught in Prescott, hold by copy, to the use of the said school, a certain building, late Plumton's, called *the schole howse*, abutting *E* on a house belonging to the same school, *W* and *S* on the way, *N* on the lands of Robert Plumpton; 118

Also a burgage with a garden, in the tenure of Edward Scasbrick, abutting *E* on the *schole howse*, *W* on the way to Lirpoole, *N* on the lane called *chirch yeard lane*, paying 4*d.* rent; 119

Also a burgage with a garden, in the tenure of Godfrey Winston, abutting *E* on *fels acre*, *W* and *N* on *Chirchlefeild acre*, *S* on *Copt holt lane*.¹ 120

DEMESNE AND WASTE LAND IN RAINEFFORTH, SUTTON AND WIDDENS.²

WILLIAM PARR GENT. holds at will a parcel of land (in Raynfforth³), containing by estimation one rood, lying in a field called *Gorsticroft*, abutting *E* on the lands of the Earl of Derby, *W* on William Parr, *S* on the Earl of Derby, *N* on Mr. Latham and Thomas Tarleton, paying 6*d.* rent.

JOHN TARBOCK holds at will a close adjoining Sutton Heath called *barne croft*, containing by estimation one acre, abutting *E* and *N* on Sutton Heath, *W* on the lands of Mr. William Eltned, *S* on the lane leading to the house of Mr. Eltned; in this croft stands a barn pertaining to the tithes of Sutton, containing 5 bays and a *dovne dubb* for the grain, and *sclated*; paying before 1 Aug., 20*d.* rent.

THOMAS HILSWOOD *alias* RICHARDSON holds at will three parcels of land, containing by estimation two acres, lying on the *E* side of Bould, called *parsons croft*, abutting *E* on *Clams hies* and lands of Justice, *W* on *four acres* of

¹ The Court House, and the four shops beneath it, are not included in the survey; the omission is curious. The Town Moss, too, is not included, as not being part of the manor of Prescott (see p. 281).

² The "Kirkland." Compare No. 3 in this section. In 1595, these lands were converted into copyholds (p. 259), and were known as the "outlands."

³ This is added in the margin.

Mr. Bould, *N* on Justice, *S* on *Bould lane*; in the south part stands a *slated* barn pertaining to the tithes of [blank] containing four bays; paying to the lord before 1 Aug., 5s. rent. [Bould 1721.]¹

HUMPHREY GULDIKER holds at will one *butt land* in *Farmouth* [Farnworth] *tovne feild by the schoole howse*, abutting *E* on William Bould, *W* on Mr. Bould and the way leading to Curdley, *N* on the lane leading to Bould, *S* on the lands of Mr. Bould;

Also a *butt in the towne feild of Farmouth neere the chirch*, abutting *E* on the *delves*, *W* on Mr. Bould, *N* on William Bould, *S* on the churchyard;

Also a parcel of land, containing by estimation one acre, *goinge through Cromer* [Crownor] *lane*, lying between the lands of Richard Bold Esq. on the one side and those of Robert Laurenson, on the *W*, and the lands of Henry Laiton on the *E*, abutting *N* on William Bould, *S* on the lane leading to *Diam* [Ditton];

Also one butt there, *through Cromer lane*, containing by estimation half a rood, abutting *E* on John Hardent, *W* on John Wright, *N* on William Bould, *S* on the lane leading to *Diam*, paying for all the above-named 2s. rent.

BODEN RABON holds at will *the barne yeard*, in which stands a barn pertaining to the tithes of Widnes, and a half acre of land belonging to the same in *Apleton feild* lying near *the barne yeard*, abutting *E* on Edward Davison and a butt belonging to the Queen adjoining the hedge towards the south end, *W* on the way to the church, *N* on the lands of Richard Bould Esq. and *barne yeard*, *S* on John Hardinge, Robert Hitchmo, Robert Ashbrooke and Thomas Harrison, paying 12d. rent.

JOHN HARRISON holds at will (in Widdens) a croft called *Prest Croft*, containing by estimation an acre and a half, abutting *E* on the customary lands of the Queen called *bothom feild*, *W* on the same, *N* on *Chester Lane*, *S* on *Nobby feild*;

Also three *butts* in *Apleton feild*, adjoining the hedge at the *SW*, abutting *E* and *S* on John Hardinge, *W* on Thomas Bexworth, *N* on Mr. Bould Esq.;

Also a *butt*, *with a pike to butt the same*, *with a by land*

¹ This is apparently the holding detained by Mr. Bold c 1568 (p. 27). Lord Derby claimed (c 1569) 3 crofts in Sutton called "the parsons crofts" from Ralph Hill, who declared himself the lessee of Richard Bold, Esq. Evidence was given that since "above 50 years past" John Barnes, John Hill and Ralph Hill had leased them from King's College. (Duchy of Lanc. Draft Decrees. bdle. 18. 12 Eliz.).

through one both sides, liing in Lancroft aboute five lands from the south hedge, abutting E on the lands beyond the hedge late of John Hardinge, now of John Harrison, W on the common way, S and N on the lands of John Harrison, containing by estimation six falls;

Also two butts in the close calld the Hille neere Apleton windmill, in the middst of the close, goinge from hedge to hedge cleane through the close, abutting E and W on the lands of John Harrison, N on John Ogle, S on Richard Woodfall;

Also a butt containing by estimation one rood, in a close called the haw hie, abutting W on John Harding, E, N and S on John Harrison; paying for all the above-named 4s. 4½d.

About 8 acres¹ of that country measure.²

RICHARD WOODFALL holds at will a butt of land called cock shoote, liinge in a close cald kilne hie, contayninge from the hedge at the north side to the by land at the south side at the narrower eande xvj lands, havinge a by land belonging and lyinge to it on the south side; they reach in length from est to west, to both the hedges, and have at eyther eande a meare; abutting E, W, N and S on the lands of Richard Woodfall.

ATTESTATION.

Examined by James Leighe gent., deputy for the Earl of Derby, by authority of a warrant under the Earl's seal. (Signed) Jamys Leghe.

And in further testimony to the truth of the premises, the afforesaid Jurors have signed with their hands (*posuerunt manus*). [The names of the 15 Jurors follow.]

¹ This is an estimate of the total area of all these "Kirklands," for a brief list and valuation, given in the court roll of 1614, provides the following facts (tabulated to show the townships in which the lands lay, the tenants in 1592 and 1614, the area in large acres, the annual rent, and the annual value respectively):—

Rainford.	W. Parr	1592.	Not mentioned	in 1614.
Sutton.	J. Tarbock.	Thos. Tarbock.	1a.	20d. 5s.
Sutton.	T. Hilswood.	John Greenhaugh.	2a.	5s. 10s.
Widnes.	H. Guldicar.	Ellen Guldicar.	1a.	2s. 6s. 8d.
Widnes.	B. Rabon.	John Hill.	¼a.	12d. 5s.
Widnes.	J. Harrison.	Henry Johnson.	2a.	4s. 4½d. 10s.
Widnes.	R. Woodfall.	Wm. Woodfall.	¼a.	6d. 12d.
Prescot Hall estate.	P. Layton.	Thos. Malbon.	38a.	"Old value"

£35/6/8.

Prescot. Mills and cottage on Mill Hill. Value £8.

Whiston. Tithe barn. Annual value £20.

² See Glossary, under *Acre*, *Cheshire*.

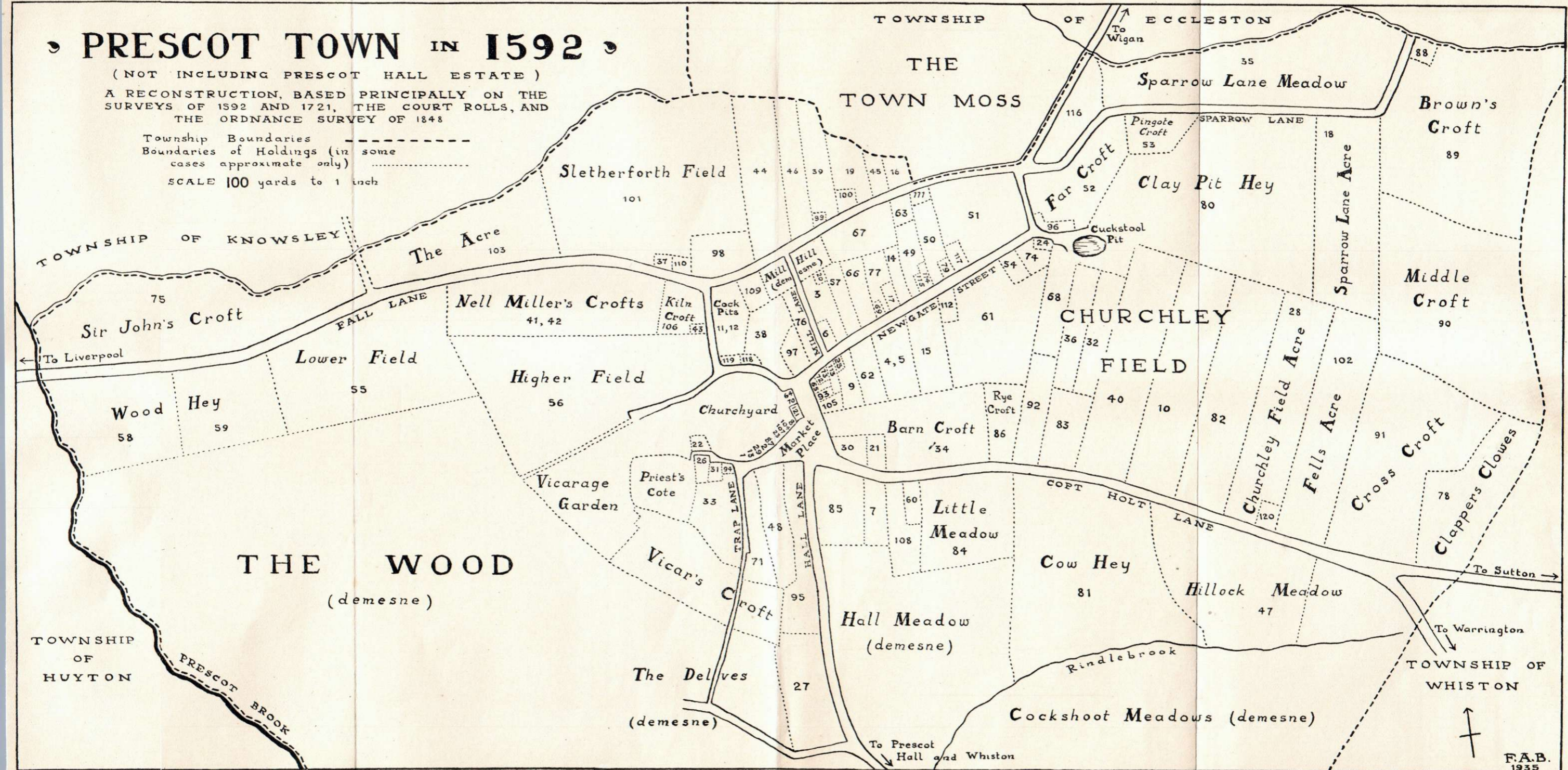
• PRESCOT TOWN IN 1592 •

(NOT INCLUDING PRESCOT HALL ESTATE)

A RECONSTRUCTION, BASED PRINCIPALLY ON THE
SURVEYS OF 1592 AND 1721, THE COURT ROLLS, AND
THE ORDNANCE SURVEY OF 1848

Township Boundaries	- - - - -
Boundaries of Holdings (in some cases approximate only)

SCALE 100 yards to 1 inch



IV.

CHURCHWARDENS' ACCOUNTS,
1538, 1553-4, 1562-70, 1574-8, 1582-3.

INTRODUCTORY NOTE.

Former writers have stated¹ that the extant series of Churchwardens' Accounts of Prescott Parish commences with the year 1637. Recently,² however, while examining the contents of a chest in Prescott Parish Church, I discovered the 16th century accounts printed below. They had lain undisturbed for about a century, wrapped up together with a mass of 17th and 18th century papers.

They are written on fifteen paper sheets of foolscap size, most of them inscribed on both sides. There were indications that the sheets had once belonged to a sewn book with thin vellum cover. Unfortunately, much of the paper had perished in consequence of damp and age, and what remained barely held together and was, moreover, tightly folded and creased. I therefore unfolded and separated the sheets, transcribing all that was possible as I went on; by this precaution, a considerable amount of text, which could not be expected to survive the subsequent handling and reparation of the MS., has been transcribed. The originals, repaired and bound, are now preserved in the church along with the later accounts.

A fragment of accounts of 1553-4 had, however, been independently preserved, being pasted in the end of the second volume of the later series of accounts. This has been inserted below in its due chronological order.

In order to avoid much unnecessary repetition, lists of receipts for burials are given below in a condensed form. In the originals, the formula in each case is: "Item, received for the burial of . . . , ijs."

Conjectural restorations of lost text are placed in square brackets.

ACCOUNTS OF 1538.

[The accompts of . . . and] John Kenwrycke, churchwardens . . . anno domini MD]xxxviiij^{mo}³

In primis, on Sanct Katheryns daye . . . Item, on Sanct

¹ e.g., F. G. Paterson, *Hist. of Prescott*, (1908), p. 41.

² In October, 1933.

³ This date, though incomplete, is borne out by the handwriting and internal evidence.

Stephans daye, xvjd. Item, to Our Ladeys Nuyers gyft on nuyers daye, xvijs. Item, on Sanct Anthon's daye, vjs. iiijd. Item, of the waxe syluer of this paryche, xxjs. xd. Item, of the waxe syluer of Farnorth syde, xjs. jd. Item, receyued of Wyndyll leye, ijs. iiijd. Item, of Raynforth leye, viijd. Item, of Parre leye, ijs. ijd. Item, of Raynell leye [blank]. Item, of Ecclyston leye, jd. Item, of Whyston leye, iiijd.

. . . John¹ . . . gyrdyls . . . ijd. Item, to Elsabeth Lathum, for amending a vestment, jd. Item, *vxor* Jams Talyor, for candyls to the lygt and matyns, ijd. Item, fyr to the lygt, iiijd. Item, to Edward Holland, for gresse and weke, xijd. Item, to Thomas Eden, for ij dosand of waxe, xvs. Item, to Rafe Baron, for iij dosand of waxe, xixs. vjd. Item, for amending the rode lygt, vd. Item, *vxor* Robert Webster, for meate and drynke at the lygt making, ijs. iiijd. Item, Mergett Deane, for helpe at lygt making, viijd. Item, to Robert Webster, for making Sanct Mary candyll and other smale candels, xd. Item, to the wyfe of Rafe Houghton, for bredde and ale at pascall making, ijd. Item, *vxor* George Plumpton, for gresse to the pascall, and her mayde to temper it, jd. *ob.* Item, *vxor* Laurens Holt, for wassing kyrke clothes, xvijjd. Item, to Sir Ryc Potter, for a payntyd² to the sepulcre, viijd. Item, Sir Ryc Potter, for making church lygt, vjs. Item, for bredde and wyne, ijs. ix. Item, for bredde and wyne, xvjd. Item, for amending the best sute, vjd. Item, for halowyng ij corporas, ijd. Item, to Edward Holland, for mending ij bell rops, vjd. Item, in bredde and wyne, ix. Item, in bredde and wyne, xvd. Item, for wrytyng the boke, viijd. Item, for shaklyng the bells, xvjd. Item, for mending ij bells in the hedds, vjd. Item, for bredde and wyne, xijd. Item, for iiij sacks of wyte lyme, xvjd.

ACCOUNTS OF 1553-4.³

. . . the space of iij yeres . . . Item, ffor the dynyers of the churche [wardens and] the churche wardens of Farnorth syde [and] syche as came with thym to here the accountys, and to se what reparasyons the churche ded wante.⁴ *Summa*, xvijjs. vjd.

¹ This word is all that remains of the heading of a new page devoted to the statement of the Wardens' expenditure.

² i.e., a painted-cloth. See Glossary.

³ Separately preserved. See Introductory Note.

⁴ An episcopal order, dated 5 Aug. 1555, alludes to "so great ruins and deformities and delapidations in the roofs, ornaments, walls and windows, that unless speedy remedy be taken the said church is in a short time likely to fall down to the ground." This order, due to disputes with Farnworth

The parochie is indetted vnto Jamys Watmoughe, as apereth by [this] boke, *vli. iijs. vd. ob.*

The accountns taken of Jamis Watmough, Roger Cowley, Rawff Howghton and van Pyke, churchwardens of Prescot, hard, allowed and concluded by theyght men whose names be vnderwritten, for ij yeares past, that is to say MDliij and MDliiij. Edward Parre, Richerd Denton, John Terbocke, Hugh Wygan, Rawff Heyward, Henry Co[nney], John Accurs, Hugh Grene.

ACCOUNTS OF 1562-4.

Payments payd by John Leadebeter, Hug Grene, Wyllm Cowper and Henry Roughley, churche wardens of the parochie churche of Prescott, the yere aforesayd.

Item, for a bootell of wyne, *ijd.* Item, to Alys Dycundoughter, for wasshyng of the syrplys and on alter cloth, and mendyng the surplys . . . Item, for a bootell of wyne, *ijd.* Item, for ij echys¹ ffor the bells, to Hug Grene, *vjd.* Item, for a bootell of wyne, *ijd.* Item, for washyng the surplys, *ijd.* Item, to Edward Stockeley, for syttyng at Est[er] . . . for breade and wyne . . . Item, to Master Deane, for an homelye bo[ok] . . . Item, for a bootell off wyne . . . Item, for a lock to the batellyng dorre . . . Item, for mendyng the churche dorre . . . Item, for a bootell off wyne . . . Item, spend by Hug Grene and Wyllm Cowper] at the tyme thay were at Chester [to see my] lord bysshoppe² concernyng the chu[rche], on them selves and theyre horsys . . . Item, payd at the same tyme for feys to the offycers there, *ijs. viijd.* Item, for a bootell off wyne, *ijd.* Item, spend when the alters were takyn downe, *jd.* Item, payd for on to go to Farnorth to se when John Lytherlond wold cum qwyttte lyme the churche, *jd.* Item, for qwyttte lymyng the churche, and for lyme, *iijs. viijd.* Item, spend by Mathew Travas³ in goyng to Chester [to see] wether the roode lofte cold haue ben lycensyd [and le]ue stand for the ease of the parochie, *ijs.* [Item, for two bo]otells of wyne, *iiijd.* [Item, to Tho]mas Eltunhed, for takyng the . . . the roode lofte downe, *iiijd.* [Item, for a bootell of] wyne, *ijd.* [Item,

side (see p. 1) about contributions towards repairs, provides that eight men be yearly elected to assess church rates, appoint the Churchwardens and examine their accounts. The liability of Farnworth side is affirmed by a decree dated 25 June 1291. An order of 15 Jan. 1619/20, embodying the text of the orders of 1291 and 1555, and amplifying the latter, is quoted in full by F. G. Paterson, *Hist. of Prescot* (1908) pp. 83-90.

¹ i.e. H-frames for supporting the bells.

² The new diocese of Chester was created in 1542. Previously Prescot had been in the see of Lichfield.

³ This man became a notable papist recusant (see p. 161 n.).

spend on men] to take the roode lofte [down, their] hyre and meate and dryngke, ijs. viij*d.* [Item,] . . . *quorum nomina* to Thomas Grene, ijs. iiij*d.* [Item, . . .] gyng brede that Laurence Gorsuche . . . hester, vjd. [Item, for a boo] tell of wyne, ijd. [Item, to Richar]d Holland, for wrytyng of owr [book] . . .

And so the church wardens have layed owt more then they haue receyued this yere, xxs. ijd.

25 *die Novembris, Anno domini 1564.* At whiche daye, all thyngs accompted and allowed for the thre yers last past, the said church wardens were in dett to the parishe ijd., whiche to thym is allowed by the whole parishe, besids viijs. for the burialls of the wiffe of Ric Rigbie, the wiffe of John Traves, George Livesey and Robt Wudfall jun., whiche is remytted to be receyued by the church wardens the next yere. And so the said John Ledbeter, Hugh Grene, Wm Cowper and Henry Roughley *quieti sunt*.¹

Owyng to the parishe for burialls, as appereth vpon the accompts befor, viijs. Item, for old lyes, xj . . . as foloeth: Sonke . . . Humphrey Tayler . . . Penketh . . .

ACCOUNTS OF STOCKS.²

Rec. off Edward Berns, ffor Raynfforth, quit, for the stocks, vs. vjd. Item, off Robart Cowper, for Eccleston, quit, iijs. viij*d.* ob. Item, off Henry Potter, for Wyndyll, ijs. ijd. Item, off Henry Houghtun, ijs. xd. Item, off Thomas Justice and Ryc Accurs, for Suttun, quit, viijs. vjd. Item, off Henry Conay, ijs. Item, off Edward Henrysun, ijs. iij*d.*

. . . Jacsun, iij*l.* xvs. . . . [Web]ster, viijs.³

. . . es of the church⁴ wardens of . . . the x day of *Februarii, Anno [domini MD]lviiij.* [Edward] Berns, vs. vjd. [Henry] Coney, xvjs. vjd. Thomas Justice and Ryc Ackers, xvjs., [Henry] Roughley, ijs. viij*d.*, [Edward] Henryson, iijs. iij*d.*, . . . iijs. iij*d.*, . . . iijs. . . .

ACCOUNTS OF 1565-6.

Receyved bie Edward Stocleye, Brian Hayward, John Rigbie and Henrye Garnett, church wardens of the

¹ i.e., they are quit.

² These appear on a separate page, and perhaps relate to the chantry stocks that were converted to the use of the Grammar School (see Appendix F).

³ These two items appear after a blank space of about one-third of the page.

⁴ The word *churche* is cancelled, suggesting that these wardens were *not* Churchwardens, but perhaps wardens of chantry stocks (cf. pp. 87, 98, 132), or of the school (cf. pp. 140, 161, 166, 168, etc.).

parisshe of Prescott within the countie of Lanc., for the space of tow whole yeares, *Anno domini* 1564, begynning at Saynt Katerens daye and endinge that daye towe year[es].

Fyrst, receyved of Jackeson, in part of a lee that was behind, ijs. *xd.* Item, for the buryall of Hyds wiffe, the wiffe of John Travas, Thomas Pemberton, tow chyldren of Robt Woodfall, *vxor* Wynstanleye, Sir Rauffe Richerdson, Elsabeth Travers, a chyld of Symons Garnett, [ijs. each.] Item, receyved at Easter, vs. Item, rec. at Easter, iijs. [*vijd.*] Sum, xxxs. *vd.*

Payments payed bie the saide Edward St[ockley, Brian] Hayward, John Rigbie and Henrye Gar[nett, church wardens] of the said parisshe in the yeare [MDLxiii].

First, payed for wyne at iiij sundrye tymes, [*viijd*] Item, payed to Thomas Potter for ix yard . . . holland clothe, to make a surplesse, after *xvd.* the [*yard*]¹ . . . Item, p. to Ales Dickonsdoughter, for makinge the surplesse, *xiijd.*¹ Item, p. to Richerd Holland, for getheringe the Easter moneye, ijs. Item, p. for the expenses of Brian Hayward and Henrye Garnett at the visitacion at Wygan, *xijd.*¹ Item, p. for the costs of the foure men at the same visitacion, *xvjd.*¹ Item, p. for threde to sowe the surplesse with, *ijjd.*¹ Item, p. for wyne at towe sundrye tymes, *iiijd.*¹ Item, p. for wyne at on other tyme, *ijjd.* Item, p. for ffetching wyne dyvers tymes, *ijjd.* Item, p. for wyne at on other tyme, *ijjd.* Item, p. for the costs and expenses of the churche wardens metinge abowt the churche busynesse divers and sundrye tymes, *viijd.*¹ Item, p. for paper, *j^d.*¹ Item, p. for writinge the boks, vnto Edward Stocleye, *vjd.*¹ Item, p. for wasshinge the surplesse, *ijjd.*¹ Item, p. for pullinge downe of ollers growenge vppon the sclats, and feyenge the gutters of the battlements, *ijjd.*¹ Item, p. to Hughe Greene, ffor a bell rope, ijs.¹ Item, p. to Edward Stockley, for makyng the [Ea]ster booke and gethering the same money, iijs. Sum, vjs. *vijd. ob.*

Accompts taken by the eyghte men of the [churche] wardens aforesaid, the laste of Januarye *Anno domini* [MD]lxxvj,² for ij wholle years endinge at St. Caterins [day] laste paste, at whiche daie the said churche [wardens] are in dette to the parishe the some of ix s. *j^d.*

Buryalls behind vnpayed. Henrye Gerrard gent., for

¹ This and other items similarly marked are cancelled in the original, as though disallowed. ² i.e., 1566/7.

his wiffe. Thomas Kenwrycke, for his wiffe. Thomas Assheton, for his sone. John Travas, for his suster. Wyllm Colleye, for Anne Lathum.

ACCOUNTS OF 1567.

The accompts of Bryan Arrowsmyth, Edward [Holland], Thomas Sherlock and John Nayler, church wardens [of the] parishe church of Prescott, in the yere of our Lorde [God] MDlxvj, begynning at Saint Kateryns daye and endyng that day twelvemonth.

Furyst, resavid at Ester of the parisenors, to by breed and wyne with other nesesarys, xxiijs. ijd. Item, for the buryall of the wyf of Robt Worsley, the wyff of Thoms Kenwrek, John Ayscou, Anne Traves, Merget Lathum, Sir Roger Wyttyld clerk, Kateryn Tayler, Anne Lathum, the wyf of John Ledbeter, [ijs. each.] Item, resavid of Edward Stockeley, that was remaning of thayre accompts, ix. jd. Sum, ljs. iijd.

Payments mayd by the fornamyd church wardens, Bryan Arrowsmyth, Edward Holland, Thomas Sherlock and John Nayler, in the yere of our Lord God MDlxvj, begynning at Sanct Caterins Day and endyng that day twelvemont.

Imprimys, to Henry Coney, for syttyng at Ester for the resaving of the parishe money for breade and wyne, ijs. Item, for a tree bought of Hugh Ley to be for the roffe of the revestre, with the carege of the same tree, vjs. jd. Item, paid to Jamys Waynewryght, for makynge the revestre roffe new, upon his one table,¹ xvjs. Item, expsent upon seche company as dyd hellpe vpe withe the somer in the revestre, viijd. Item, Thomas Sherlock, for his charges being with the wryghts and the plommer, what tyme the revestre was makynge, the roff,² ijs. vd. Item, for careage of claye to the plommer, ijd. Item, spent at wat tyme the revestree was sclated where the lead dyd [wa]nt, iiijd. Item, to Van Gernet, for castynge of claye to the beddyng of the lead when the plommer [*sic*], ijd. Item, for a hundrethe of spykynge to the revestre, vijd. *ob.* Item, payd for a hundreth of stone nales, ijd. Item, payd to Van Dowson, for covering the revestre with leade, xvs. Item, paid for soder for the same work, iijs. ix. d. Item, for nales to nale the bords

¹ i.e. providing his own meals.

² The last two words are added as an afterthought.

where the leade dyd want apon the revestre, *jd.* Sum, xlvjs. *vjd.*

ACCOUNTS OF 1568-9.

The accompts of Bryan Arrowsmythe, Edward Holland, Thomas Sherlock and John Nayler, church wardens of the parishe church of Prescot, *Anno domini* MDLxvij, begynning at Sanct Caterin Day and endyng that day twellmonthe.

Imprimys, resavid for the buryall of Mrs. Hallsall, a chylde of Mr. Parre, the wyf of Rauff Fletcher [*ijs.* each.] Item, apon newyeres day, towards a syrpples, which was gevyn by the paryshners, *iijs.* *iiijd.* *ob.*

Item, exspent going to Ormeschurche to hyre a pryst, *xijd.* Item, for one that went to Lathum for Rauff Sutton about the church busynes, *ijd.* Item, to John Nayler, exspent at dyuers tymes, *xvjd.* Item, the day of our accompts, exspent on the eyght men and the church wardens, *xijd.* Sum, *ijs.* *vjd.*

The accompts of Bryan Arrowsmyth, [Edward] Olland, Thoms Sherlock and John Nayler, church wardens of the [parishe] church of Prescot, taken by the [eyght] men, the xxv of November, being Sanct [Catherine's] Day, for ij holle yeres endyng this [day], at which day the church wardens where indetted to the parishe, all thyngs allowed and accompthed, the som *xs.* *vijd.* *ob.*

ACCOUNTS OF 1570.

The accompts of Wyllm Turner, Robt Wyke, Peter Birchall and John Dyke, church wardens of the parishe church of Prescott, *Anno domini* MDLxix, begynnning at Saynt Kateren Daye and endinge at that day twelmont.

First, receyved for the buriall of Clemense Traves, Otewell Houghton, the wiffe of John Tunstall, the wiffe of Mr. Henrie Gerard, Edward Wainwright, a daughter of Rauffe Hayward, Thomas Pemberton, a daughter of George Bower, Mr. Wetherbie, Rauffe Halsall, ij children of John Traves, a daughter of Rauffe Halsall, a child of Robt Wyke, Margaret Worsleye, the wiffe of Edmund Turner, John Tunstall, George Wasshinton, Van Garnet and his wiffe, the wiffe of Thomas Leye, Richerd Stocklye, a child of Mr. Henrie Gerard, Mrs. Laton, the wiffe of Robert Croper, Andrew Lathum, Peter Houghton, Roger Blondel [*ijs.* each.] Thes buryalls ar unpayd, [Mr.]

Edmond Geylybrand, ijs., Robt. Laton, ijs. [the wife of] Henry Roughley, ijs. Sum resept', iiijl. ijs.

[Exspende]d by the church wardens for a syllver cope to have in the church, weche cost iiijl. vijs. iiij*d*. Item, for labering to Chester abowt the same, ijs. viij*d*. Sum, iiijl. xs.

So the parishe is in dett to the church wardens at this Saint Katerin Day, *Anno domini* [MDlxx], the some of viijs.

ACCOUNTS OF 1574.

Resaved by Edwarde Holland, John Williamson, Edmund Loont and Rawffe Fennay, church wardens of the par[ish] church of Prescott in *Anno domini* MCCCClxxiiij, beginninge at Sainte Catherynes Day and endinge that daye twelmonth.

Imprimis, for the buriall of the wif of Robarte Robie, the wif of Adam Allerton, Cecely Tunstall, the wif of Peter Cowper, a childe of Symon Garnet, the wif of Omfreye Roughley, the wif of James Worsleye, a child of Master Lancasters, [ijs. each.] Vnpayd, for the buriall of a child of Adam Hayworth, [ijs.]

Paymentes made by Edwarde Holland, John Williamson, Edmund Loonte and Rawff Fennaye, church wardenes of the parishe church of Prescott in *Anno domini* MCCCClxxiiij, begininge at Sainte Catherynes Day and endinge that day twelmonth.

Imprimis, to Thomas Stanley, for mendinge of the clocke . . . Item, to Thomas Sherlocke, for sclatyng vppon the reuestrie wh . . . withe leade, by the space of a daye, hymself and his two seruantes, vppon theyre owne table, xxiij*d*. Item, for nayles to the same, j*d*. Item, to the wyf of Edwarde Goldicar, for gettinge sande [to] make mortar to the reuestrie, j*d*.

Vpon the accompte mayde to the viij men by the church wardens, the xth of Januarie 1574,¹ there remayneth in theyre hands, all charges allowed, the some of vs. viij*d*., besyds ijs. owynge by Adam Haworth, as apereth before in this boke.

Payd to the constables of Wydnes and Penketh theyr allowance of the cariage of rogges to Ormschurch and Wigan, which was allowed them [by] Master Halsall, ijs. iiij*d*.

¹ i.e., 1574/5.

ACCOUNTS OF 1575.

Receaved by Bryan Haywarde, Hughe Greene, William Tunstall and Thomas Justice, churche wardens of the parishe church of Prescotte, *Anno domini* MDlxxiiij, beginnunge at Sayncte Katherens daye and endinge at that daye twelmonthe.

Imprimis, receaved for the buriall of a childe of Adam Haywarde, Mr. Richarde Ecleston, Edward Stocleye, George Awen, the wyef of William Leadebeter, William Ascrofte, William Hollande gentleman, [ijs. each.] Vnpayed, for the buriall of Richarde Cowper, Isabell Robie, John Leye, [ijs. each.] Receaved for burialles of the last yeare affore, as appeareth by the accomptes in this booke

Vppon the accomt mad to the [viij men] and part of the gentelmen by the ch[urch] wardenes, the ij of December 1575, remaineth in their handes xxj . . . besydes iiij s. leys as ap . . .

ACCOUNTS OF 1576.

Receaved by John Pyke, Robarte Kenwricke, Rycharde Traves and John Dyke, church wardens of the parishe church of Prescotte, *Anno domini* MCCCClxxv, beginnunge at St. Katherins Daye and endinge at that daye twelmonthe.

Imprimis, for the buriall of Edward Wolfall, the wief of Robt Garnett, Nycholas Wirrall, Bryan Hayworthe, Thomas Kenwricke, Clemens the wief of Edward Stocleye, John Leye, Mergerett Hollande, the wief of Rychard Dyke, John Leadebetter, the wief of Thomas Sherlocke, Isabell Robye in tholde church wardens accompte, [ijs. each.]

Vpon the acownt made to the viij men and other of the gentilmen by the church wardens, the xvij of Desember 1576, and so remaneth in there handes ix s. . . . and xs. to be gethered for burials, as apereth by this bock.

ACCOUNTS OF 1577.

Receaved by William Greene . . .¹ Edward Lyon and Nycholas Ellum, chur[ch] wardens of the parishe church of Prescott, *Anno [domini]* MDlxxvj] beginnunge at St. Katheryns Daye [and ending] that daye twelmonthe.

Imprimis, receaved of the xs. that did [remain unpaid] . . . Vnpayde of the same, in the handes of Thomas Sherlocke, for the buriall of his wyff, ijs. Vnpayde in the

¹ One name has fallen away.

handes of John Dyke, for the buriall of his mother, ijs. Item, receaved for the buriall of the wyff of Thomas Terbocke, the wyeffe of Thomas Pemberton, the wyffe of Rodger Hayworthe, the wyffe of Ellyce Gleaste, Rawff Haworthe, the wyeff of Rycharde Dobson, [ijs. each.]¹

ACCOUNTS OF 1578.

Receaved by Hugh Webster, William Sutton, John Glover and Robarte Billinge, church wardens of the Parishe Church of Prescotte, the yeare of our Lord God a thowsande fyve hundrethe three score and seventeene, begynnynge at St. Katheryns Daye and endinge at that day twelmo[nth].

Imprimis, receaved of Thomas Sherlock for the buriall of his wief. . . . Item, receaved of John Dyke for the buriall of his mother, ijs. Item, for the buriall of Em [*sic*] Cropper, the wief of James Tunstall, Edward Holland, Cunstance the wief of John Burton, Richarde Watmogh, a childe of the goodman of [the] Scholes, [Rau]ffe Webster, [ijs. each.] Vnpaide, in the handes of Richarde Worsley, for the buriall of a childe of William Smithe his sonne in lawe, ijs. Sum, xxs.²

ACCOUNTS OF 1582.

1582. The accompts of Edmund Turner, Thomas Justice, Thomas Garnett and Edmund Mosse, Churchwardens of the parishe church of Prescotte, of their receipts, taken bye the eightmen the xiiijth of December, beginninge at Saincte Katherins Daie and endinge at that daie [twelmonth].

Imprimis, receyved for the buriall of a childe of Robt Woodfall, [and] the mother of James Ackers the yonger, [ijs. each.]

The accompts of Edmund Turner, Thomas Justice, Thomas Garnett and Edmund Mosse, church wardens afforenamed, taken beffore and bye the eightmen, and in the presence of Thomas Lancaster esquier and diuerse of the parishners, the xiiijth of December, *anno domini* 1582 *predicto*. At which daie it doth appere that the seid Churchwardens are indebted to the parishe, as apperethe bye this booke, the some of iiijjs.

¹ The usual statement of account to the Eight Men here follows, but it has mostly fallen away. The date 1577 appears, and the sum remaining in the Churchwardens' hands seems to be ix. s. viij d.

² Other writing below has nearly all gone. A date, 1578, survives.

ACCOUNTS OF 1583.

Anno domini 1583. The accompts of John Webster, Alexander Fraunce, Hugh Barnes and Bryan Martin, Churchwardens of the parishe church of Prescott, of their receipts, taken bye the Eightmen, the vjth of December, 1583 *predicto*, beginninge at Saint Katherins Daie¹ and endinge at that daie thelvemonethe [*sic*].

Imprimis, receyved for the buriall of Robt Cropper of Rainforth, a childe of Thomas Gerrarde, the wief of Thomas Garnet of Whiston, the wief of John Marshall of Rainehill, James Garnet of Sutton, a childe of W[illm Whit]lowe, Christopher . . . of Rainforth, Mr. John Tr . . . of . . . nt, William Turner of . . . [ijs. each.]

The accompts of the Churchwardens aboue named, taken beffore and [by] the eightmen, in the presence of diuerse parishners, the vjth of December . . . At which daie it dothe appere that the seid Wardens are indebted to the parishe, as apperethe bye this booke, the some of xviijs., whereof is allowed of this some aboue said ijs. vnpaid in the handes of William Turner of Parre.

¹ November 25th. The foregoing accounts reveal this to be the regular date, at this period, for the commencement of the Prescot Churchwardens' year of office. No special reason is apparent for the choice of this particular date. In different parishes, prior to the Elizabethan poor-law legislation, a great variety of dates prevailed; any of the church feasts or saints' days may have been used. (J. C. Cox, *Churchwardens' Accounts*, 1913, p. 10.)

PART TWO

THE TOWN AND MANOR OF PRESCOT

I.

THE PRESCOT CHARTER, 1 SEPT. 1447.

INTRODUCTORY NOTE.

Strangely enough, the following document does not actually mention Prescott, though it may justifiably be termed the Prescott charter on account of the part it has played in securing important privileges to the town (see p. 63). It is in the form of an order of King Henry VI, addressed to his local representatives, and to his subjects generally, for the allowance of certain privileges granted to King's College, Cambridge, and the tenants and other occupants of its estates. The original is preserved at Prescott,¹ in the custody of Mr. W. A. Cross, Deputy Steward. The text is lengthy, consisting of 80 lines of writing and approximately 5,600 words, upon a sheet of parchment measuring 30 by 18 inches. The seal, which was attached to a horizontal strip cut in the base, has been lost. Essentially, the charter seems to be in the form of Letters Close. It is not enrolled on the Charter, Patent or Close Rolls, nor, apparently, on any extant roll of the Duchy or Palatinate of Lancaster.²

The privileges, which this charter recites at length, are all stated to have been granted by authority of Parliament. The Act in question,³ passed on 16 March

¹ The charter was found at Prescott in 1927, together with the two similar documents described on p. 62, in a small deed box inscribed "Messrs. Heyes and Pemberton, Prescott." John Heyes was Steward of Prescott, 1825-56, and William Pemberton Deputy Steward. The box contained also a receipted bill for £10. 10s. due to John Hammet from the Town of Prescott, 31 Jan. 1826, "for copying, translating and examining three deeds belonging to the town-chest," and a full transcript of the charter of 1614, made by William Beamont, 24 Nov. 1843.

² The Palatinate Close Roll for the year in question, 26 Hen. VI, seems however, to be missing. (37th Rep. of Dep. Keeper, App. 1, p. 172, and 33rd Rep., App., pp. 38, 42.) There seems to be considerable confusion regarding both Duchy and Palatinate records.

³ The text of this Act, in Latin, is printed at full length in the *Rolls of Parliament* (1783), vol. V, pp. 87-102. It is not included in *Statutes of the Realm*, since the editors regrettably decided to ignore all Acts which had never

1445/6, is in favour of King's College, and contains, first, confirmation of many grants of land already made to the College by Letters Patent, secondly, a few fresh grants of land, and thirdly, many grants of privileges.¹ A comparison of the text of this Act with that of the Prescott charter shows that all the privileges set out in the charter are extracted, with no material alteration, from the Act, and, further, that the Act contains a number of privileges, interspersed among the others, which are not included in the charter. The latter privileges, contained in the Act but not in the charter, all concern the College alone rather than its tenants. The Prescott charter may therefore be described as an extract of so much of the Act as relates to the College tenants.

This charter seems, as far as we can tell, always to have been kept at Prescott. No corresponding document exists, apparently, for any other of the College manors,² and this is not surprising in view of the fact that all *except Prescott* were annually visited by the Provost. The College of course possessed, in the form of a charter, the whole of the Act of Parliament described above, and Prescott, occupying an exceptionally independent position, was the only College manor in need of a separate charter.

Unfortunately, we know very little about the origination of the Prescott charter. It is dated exactly six weeks after the licence of 14 July 1447, empowering the College to receive the profits of the Rectory (see p. 2), when the men of Prescott became virtually tenants of the College, although the appropriation of the Rectory was not formally completed until 1448. We cannot say if the Rectory had by that date been let to farm.³ Whether, therefore, the charter was procured at the instance of the College, or of some influential lessee such as Sir Thomas Stanley, or of the townsmen of Prescott themselves (who certainly, as shown below, procured a

appeared in any of the printed editions of the Statutes. We cannot say whether it was entered upon the MS. Statute Roll, as the Roll is missing from the commencement of the 9th to the end of the 23rd year of Hen. VI. Very possibly it may have been regarded as what would now be termed a "Private Act," and so might never have been entered upon the Statute Roll, though none the less effective on that account.

¹ Some of these privileges, including those contained in cl. 1-9 and cl. 14 of the Prescott charter, had already been granted by Charter dated 24 Feb. 1444/5.

² Mr. J. Saltmarsh, Fellow of King's College, informs me that no other such document is known to him.

³ The earliest recorded lease of the Rectory by the College was made in 1453 (see p. 4). Since, however, the Rectors from 1393 onwards were non-resident, the Rectory may have been farmed out by them.

confirmation of it in 1614), we cannot determine. The privilege of exemption from Liverpool tolls, which was very soon enforced, alone must amply have repaid any charges that may have been borne.¹

Two similar documents of later date are also preserved at Prescott. The first, issued by Henry VIII on 26 March 1534, alludes in a preamble to the Act of 16 March 1445/6 and to a confirmation of the same granted to the College on 3 July 1512, but contains only those clauses numbered 4, 13 and 14 below, which seem, therefore, to have been then deemed the most essential of the grants. The court roll of 1533, which might have shed some light on its origination, is unfortunately missing. It is dated five months after the first lease of Prescott Rectory to Edward, third Earl of Derby (see p. 7). The second, issued by James I on 1 Oct. 1614, alludes in a preamble to the same Act of Parliament, and contains all the clauses of the original Prescott charter of 1447. The court roll of 1613 records that a special meeting of the "copyholders of inheritance,"² held on 29 March 1613, unanimously consented to the imposing of special town leys, amounting to £10 or more, "to be ymployed towards confirmacion, enablinge and puttinge in use the benyfytt of the charter of the Kinges Colledge, so far as yt may concerne them as the Colledge tenants." These documents were both issued at Lancaster under the Palatinate seal.

The Prescott charter may be identified with the "privilege" that was to be kept in the town chest by an order of 1597 (p. 265). In 1646 it was exhibited in Liverpool in support of the claim to exemption from tolls.³ In 1685, in an address of loyalty to James II, the tenants of Prescott referred to their "having long enjoyed the benefit of a charter from your Majesties royal progenitors, so great that sometimes wee wave the claiming of all its rights and good as not having been made use of, to destroy the end for which all charters are granted, the security of the established government."⁴

¹ The farm of Liverpool was reduced in 1451 "because it is at present made worse by the liberties granted to the tenants of Prescott, of whom many, under colour of these liberties, pay no toll." (Duchy records, cited by J. Touzeau in *The Rise and Progress of Liverpool*, 1910, vol. 1, p. 211.)

² The whole manor of Prescott was copyhold, save for Prescott Hall estate, the vicarage and the "mill hill" (cf. the Survey of 1592, p. 32).

³ J. Touzeau, *op. cit.*, vol. 1, p. 212.

⁴ From a copy entered into the Court Leet Memorandum Book in 1754.

There seems to be a good deal of truth in this passage, for if the Prescott tenants had exercised to the full their rights under the charter of 1447, they would indeed have occupied an extraordinarily privileged position; as it is, the Prescott tenants enjoy exemption from jury service outside the manor, exemption from the jurisdiction of the county coroner, and exemption from tolls in the markets of Liverpool and elsewhere.

Certain other privileges enjoyed at Prescott, namely, the holding of pleas without limitation of the amounts involved (see p. 76), and the licensing of alehouses by the Steward (see p. 151), are not included in the Act of Parliament of 16 March 1445/6, and are therefore not in the present charter. These were exercised apparently by virtue of a separate charter¹ granted to King's College on 3 March 1445/6, which bestowed a number of extra privileges not contained in the Act, including the right to set up gallows on College manors, with infangthief and outfangthief;² the assizes of bread and ale, weights and measures; the right to hold all pleas, real, personal and mixed, all pleas of trespass, debt and contract, and pleas of *novel disseisin* and *mort d'ancestor*; and the appointment of Justices of the Peace.

As no translation or calendar of the Act of Parliament³ of 16 March 1445/6 has hitherto been published, a translation of the Prescott charter is given below, with footnotes indicating the nature of those privileges which, though contained in the Act, are omitted from the charter. An effort has been made to reduce the mass of constant repetition which burdens the original charter, whilst preserving in full the substance of the text. The pronoun *they* is used throughout, after clause 1, as a substitute for *the Provost and Scholars and their successors*, and the pronoun *us* is likewise used for *us, our heirs and successors*. The original charter is not actually paragraphed, but a small cross has been inserted to mark the beginning of each clause, and the number of the clause, in roman numerals, written in the margin; these additions are

¹ This charter, although apparently supplementary to the Act, is dated 13 days before the date of the formal passing of the Act. It is totally distinct from the College charter that was based upon the Act.

² There is no evidence that gallows were ever erected at Prescott, and only petty cases of theft are ever recorded to have been dealt with by the Court Leet.

³ Although this Act, in the form of a charter, was issued to King's College, where it is now preserved (Mun. Cat. vol. 2. A. 10), it was not entered upon the Charter Roll, presumably because it was already on the Parliament Roll.

in red ink, and seem to be of very early date. The same enumeration of clauses is retained here, though clause 1 has rather the nature of a preamble introductory to clause 2.

THE TEXT OF THE PRESCOT CHARTER (TRANSLATED
AND SOMEWHAT CONDENSED).

Henry, by God's grace King of England and France and Lord of Ireland, to all and singular the admirals, captains, castellans, customs-officers, wardens of seaports and other maritime places, justices, escheators, sheriffs, coroners, mayors, reeves, bailiffs, constables, purveyors and all other ministers and faithful subjects whatever, both within liberties and without, to whom the present letters shall have come, greeting.

1. We, by the advice and consent of the Lords Spiritual and Temporal and the Commons of our realm of England in our last Parliament at Westminster assembled, through our charter, have taken into our special protection our beloved in Christ the Provost and Scholars of our Royal College of Our Lady and St. Nicholas of Cantebrigge (Cambridge), their farmers, men and tenants, whether holding entirely or not entirely,¹ resident or non-resident, and all other resiants whatever; also the lands, tenements, fees and possessions hitherto or hereafter granted to them; also the goods and chattels of them, their farmers (etc., as above), wherever the same may be within our realm of England:

Lest among other things the said goods and chattels be seized or dissipated by purveyors, buyers or takers of victuals or other things for the accommodation (*hospicio*), use, requirement or other advantage of us, our heirs or successors, or by the purveyors (etc., as above) of the queen our consort, or of the queens of our heirs or successors, or of any of the sons of us, our heirs or successors, or of any of the magnates of our realm or elsewhere, or of any others of whatever rank, status or condition.

2. We therefore will and grant, by the same authority, that no corn, hay, horses, oxen, cows, sheep, lambs, pigs, foals, or other victuals, or carts (*carectis*), wagons

¹ i.e., whether tenants solely of the College, or tenants of other landlords as well.

(*bigis*), ships, boats, conveyances (*cariagiis*) or any other goods, chattels or possessions of them, their farmers (etc., as cl. 1), shall in any way be taken by such purveyors (etc.) or any other officers or bailiffs of us, our queen, sons, magnates or others as aforesaid, against the will of them, their farmers (etc.), or any of them:

Also . . .¹ that if such purveyors (etc.), or any of them, enter upon the lands (etc., as cl. 1) of them, their farmers (etc.), wherever the same may be within our realm of England, both within liberties and without, to remove thence their goods and chattels for any such purveyances or provisions, and in any way take such things against the will of them, their farmers (etc.), then the said purveyors (etc.) shall for such entry and removal be punished before us in our bench, or before the justices of our common bench, at the suit and instance of them, their farmers (etc.), or any of them, from whom such victuals or other things shall have been taken:

And that process shall lie against such purveyors (etc.) by writ *de transgressionem vi et armis*; always provided that, after the return of the first writ of *capias*, any such purveyors (etc.) as shall not have made appearance in such suits shall at once be put in the exigent and for such non-appearance be outlawed; and that letters patent of protection from us, whether with a clause *volumus* or a clause *nolumus*, shall in no way avail such purveyors (etc.) in such suits or actions; nor shall the same be allowed any manner of aid by us, nor enjoy or obtain any excuse by reason of royal service or any cause whatever in such case; and if such purveyors (etc.) or any of them be convicted at such suit or prosecution . . . then the same shall render threefold damages to the injured party.

3. Also . . . that they, their farmers (etc.), shall have and hold all and singular their houses, dwellings and buildings, hitherto or hereafter obtained, quit of the livery of stewards, marshals, procurers and providers of lodging (*hospitatorum, hostiariorum*) and other ministers of us, our queen (etc., as cl. 1); so that the said stewards (etc.) shall not carry out any manner of livery in the same against the will of them, their farmers (etc.) or any of them:

¹ The terms "we have granted, with the assent and by the authority of the said Parliament" are omitted here and at the beginning of succeeding clauses.

And that no duke, marquis, count, baron or magnate of our realm or elsewhere, nor the stewards, marshals, escheators, sheriffs, coroners or other bailiffs or ministers of us, nor the bailiffs and ministers of the same escheators, sheriffs, coroners or any others of whatever status or condition, shall lodge or dwell in the said houses (etc.) upon any pretext, against the will and consent of them, their farmers (etc.) or any of them.

4. Also . . . that they shall be for ever quit of all manner of aids, subsidies, contributions, tallages and quotas whatever which by reason of their lordships, lands, tenements, rents, fees and possessions, or their goods and chattels, hitherto or hereafter obtained, would have been exacted from them by us or any of our bailiffs or ministers whatever, if no such grant had been made to them:

And that, whenever the Clergy of our realm of England, of the province of Canterbury alone, or of the province of York alone, shall have granted a tenth or part of a tenth, or any quota or subsidy whatever of the goods and possessions, whether ecclesiastical, spiritual or temporal, or annexed to the temporalities or spiritualities, of the same; or whenever the Commons (*communitates Communium*) of our realm, or the citizens and burgesses of the cities and boroughs of the said Commons, shall have granted any tenth, fifteenth or other quota whatever of temporal or movable goods, lands, tenements, rents or persons,¹ to us; or whenever we shall have levied a tallage upon our lordships in England; or whenever the most high lord Pope for the time being shall have imposed a tenth or other quota or subsidy upon the Clergy of our realm, or of the province of Canterbury or York separately, and shall have granted the same, or any portion of it, to us;

Then the lordships (etc., as above) of them, and all goods and chattels whatever of their farmers (etc.), and the persons also of them, their farmers (etc.), shall not be taxed to the use of us, nor shall such tenths, fifteenths or other quotas, subsidies or tallages in any way be levied, nor shall they, their farmers (etc.) on these occasions be distrained, molested or in any way burdened in their lands, tenements or goods;

But they shall be for ever quit and exempt from all such tenths (etc., as above) hitherto or hereafter granted to us;

¹ *De personis suis*. A poll-tax is presumably intended.

even if they, their farmers (etc.), or any of them, shall have been acting and consenting parties to the making of such grants; and even if such grants shall have been made to include in express terms the places to be exempted or not exempted, or any other terms of like force or effect.

5. Also . . . that they shall have for ever the chattels of all their men (etc., as cl. 1), who shall have become felons, fugitives, outlaws, condemned, attainted or convicted; so that if any of such men (etc.) shall have forfeited life or limb by his crime, or fled and not stood his trial, or committed any other offence whatever for which he ought to lose his goods and chattels, wherever justice shall have been done upon him, whether in a court of us or in any other court, the said goods and chattels shall belong to them; and they or their servants may, without hindrance from us, our justices, escheators, sheriffs, coroners or other bailiffs or ministers, take possession of the said chattels, and keep the same to their own use, even if the same shall have previously been taken by us or our ministers.

6. Also . . . that they and all their men, tenants and resiants shall be for ever quit of toll, pavage, pontage, quayage, murage, passage, payage, lestage, stallage, tallage, carriage, pesage, picage, terrage, scot and geld, hidage, scutage, works in the building of royal castles, parks, bridges, closes and houses, suits of counties, hundreds and wapentakes, all manner of aids (*auxiliis*) of kings and their sheriffs and bailiffs, vigils, fixed fines and arrented contributions (*prestationibus*), view of frankpledge and pence due thereupon, and all manner of pence, sums, rents or exactions in lieu of any of the same payable to us, together with *murdrum*¹ and all communal amercements of counties or towns when they fall due before us in Chancery, or before our justices of the bench or in eyre, or in forest pleas, or before our steward and marshal or the clerk of the market of our household, or before any other justices, officers or ministers of us; and all other such customary payment throughout our whole realm and dominion.²

7. Also . . . that they shall have for ever view of

¹ i.e. the penalty upon a district for an undetected murder.

² Here the Act (see p. 60) includes clauses exempting the Provost and Scholars from service as assessors and collectors of taxes; from contributions for military equipment or coastal defence; and from all manner of charges, annuities, rents and exactions.

frankpledge and all that appertains to such view, all goods and chattels known as waif and stray, and treasure trove, within their lordships, manors, lands, tenements and fees hitherto or hereafter obtained, together with the goods and chattels known as mainour¹ disavowed by any person within the said lordships (etc.) before any justice whatever; and they shall have the chattels of felons however condemned or convicted, suicides, escapes of felons, and all manner of fines for the same escapes imposed in all courts whatever of us; and also the chattels of all persons whatever put in the exigent for felony, and the chattels of persons outlawed or waived, and all confiscated chattels whatever, of any of their men, tenants and resiants, even if the same be officers or ministers of us.

8. Also . . . that they shall have for ever wreck of sea in all coasts and sea-arms whatever adjoining their lordships (etc., as cl. 7) both spiritual and temporal, however the same shall befall, with all that appertains to such wreck: and they or their ministers may take possession of all such chattels . . . (defined as in cl. 7 and 8 above), to their own use, without disturbance, molestation or hindrance from us, our justices (etc., as cl. 5), even if the said chattels shall have been previously seized by us or any of our bailiffs, officers or ministers.

9. Also . . . that they shall have the return and execution of all our writs, precepts, mandates and bills whatever, by their own bailiffs, within their lordships (etc., as cl. 7), even if such writs (etc.) shall affect us; and no sheriff, coroner or other minister of us, in making return or execution of such writs (etc.) shall in any way enter upon the said lordships (etc.), and no clerk of the market of our household shall in any way enter therein in the exercise of anything pertaining to his office.²

10. Also . . . that they shall have and hold for ever all their lands (etc., as cl. 1), whether in wood or in plain, in our fees or in those of others, disafforested, and beyond the power of all justices, stewards, wardens, foresters, verderers, regarders, bailiffs and other officers or ministers of all our forests and chases whatever:

And that they, their ministers, and their tenants resident

¹ *manuopera*, i.e. stolen goods found upon the thief.

² Here the Act includes clauses allowing to the College all writs, charters, letters patent, warrants and mandates without fee; pardoning all breaches of the Statute of Provisors regarding Papal bulls; and permitting the delivery of all such bulls without interference by royal officials.

within their said lordships (etc.) shall not in any way be compelled to come or appear before any justices (etc., as above) of our forests or chases, for anything hitherto or hereafter done within the said lordships (etc.); nor shall they, or any of them, be brought into any trial (*iure*) or inquisition before such justices (etc.); nor shall they, or any of them, on any such occasion be disturbed, molested or otherwise burdened, or rendered liable for any manner of penalty or loss; but they shall be completely exempt and quit for ever:

And that they and their ministers, tenants and resiants shall be for ever exempt and quit of chiminage, lawing of dogs, provision and puture for our foresters and other officers of our forests and chases, and from the use and service of all other burdens, fees and courtesies, hens, eggs, and other things which in any way pertain to forests or chases, or to the foresters, verderers and their ministers, or which these may claim in any way to pertain to themselves, or have been accustomed to exact or sell, or may be able to do hereafter.

11. And that they, their men, tenants and resiants . . . shall not be bound to observe or obey any precepts or mandates of the admiral of England, or of any of his officers or ministers, or in any way to appear before them for any matters pertaining to their office, in any place, but shall be in all respects quit and exempt for ever; so that such admiral for the time being, or any of his officers or ministers, shall in no way enter upon the said lordships (etc., as cl. 7) to hold any pleas there, or to do anything else that pertains to the admiralty:

And they shall have and hold all such pleas and all other things that appertain in any way to the office and court of the admiralty, in all and singular causes, disputes, actions and demands affecting them, their lands (etc.) or their men, tenants and resiants, in their own courts, by their own stewards and bailiffs, with all manner of fines, amercements, issues and profits arising or emerging therefrom, as fully as our admirals would have had, held and exercised the same if our said grant to them had not been made.

12. Also . . . that they shall have for ever all manner of deodand and wreck of sea and all that appertains to the same, in all their lordships (etc., as cl. 7); so that they may take full seisin and possession of such wreck and

deodand as often as the same may befall, themselves or by their bailiffs and ministers, without impediment or hindrance from us, our almoner, our admiral of England, or any other of our ministers whatever.

13. Also . . . they, their men, tenants and resiants, or any of them, shall not be summoned, distrained, attached or taken by any sheriffs, bailiffs or other ministers of us, outside the said lordships (etc.), by virtue of any writ, precept, warrant or mandate of us; and that there shall be no execution of such writ (etc.) against them outside the said lordships (etc.), so long as execution . . . may be made otherwise, within the said lordships (etc.), by their own bailiffs; even if our said sheriffs, bailiffs or other ministers shall find them residing outside the said lordships (etc.) within the county where these have office; but command shall be given to their bailiffs to make such execution, so that the latter may not make default.

14. Also . . . that they shall have for ever all fines for trespasses, offences, misprisions, negligences, ignorances, falsities, deceptions, concealments and all other delicts whatever, fines for licence to concord,¹ all amercements, redemptions, issues and penalties hitherto or hereafter forfeited, year and day, wastage and estrepement (*annum diem vastum et streppum*) from all their men, tenants and resiants in all their lands (etc., as cl. 1) in whatever courts of us the same shall be sentenced to pay such fines (etc., as above), whether before us in our Chancery, or before our Treasurer and Barons of Exchequer, or our justices of the bench, or the steward and marshal and clerk of the market of our household, or the justices in eyre, in pleas of the crown, common pleas or pleas of forest, or any other our justices and ministers whatever, whether in the presence of us or in our absence; as fully as such fines (etc.) would have belonged to us, had not our grant been made to them:

So that they, themselves or by their bailiffs and ministers, may levy, receive and have for ever the said fines (etc.) of their men (etc.), without hindrance or impediment from us or our justices (etc., as cl. 5); even if the said men (etc.) be officers, ministers or tenants of us, or hold elsewhere of us or of others.

¹ i.e., for permission to agree in a collusive action brought merely for the purpose of effecting or assuring a transfer of lands.

15. Also . . . that they shall have for ever all manner of escapes of felons and murderers in their lordships (etc.), and all other profits that might or should pertain to us . . . from all and singular their men (etc.), whether ministers or officers of us or any other, or whether holding of us or any other; all profits of townships and hundreds within the said lordships (etc.); and all manner of fines, amercements, redemptions, issues and penalties hitherto or hereafter forfeited, whether from themselves or from all and singular their townships, lordships, fees and possessions, in all and singular places and courts of us, before any of our judges or justices, or our Barons of Exchequer, as fully as the said fines (etc.) would have pertained to us if our grant to them had not been made;

So that . . . (similar to the conclusion of cl. 14).

16. Also that they, their officers, ministers, men, tenants and resiants . . . shall in no way be drawn into any plea before the steward and marshal of our household, or either of the same, even if the matter should affect us or our person; and they, or any of them, shall not be arrested, attached, molested or in any way burdened by the said steward and marshal or their ministers;

And they, their officers (etc., as above) shall not in any way be bound to appear before the said steward and marshal by reason of any presentment or dispute taken before the same, or by virtue of any writ, precept or mandate whatever.

17. And that they shall have and ordain for ever for themselves coroners in all and singular their lordships (etc.), with full power and authority to do and exercise, within the same, all things pertaining to the office of any coroner of us; so that no coroner of us shall enter upon the said lordships (etc.) for the performance of anything pertaining to such office.

18. And that they shall have for ever free warren in all their lordships and demesne lands hitherto or hereafter obtained, wherever the same may be, and also free chase in all their lordships and woods hitherto or hereafter obtained, even if such lordships, demesne lands and woods be within the bounds of our forests; so that no forester, officer or minister of us or any other shall enter the same lordships (etc.) to pursue or take in the same anything that pertains to warren or chase, or to his office of forester or other officer or minister of our forests or chases, without licence from them.

19. And that they shall have for ever the wardship and custody of the lands and tenements of all and singular their tenants holding by military service when the heirs shall be under age, together with reliefs, escheats, forfeitures and all other profits, issues and emoluments whatever; even if the same tenants shall hold from us in chief, or from others elsewhere in any manner.¹

20. Also . . . that upon the exhibition of a certain Act of our said Parliament . . . or any other letters patent respecting the gifts, grants and confirmations of the aforesaid liberties, franchises, privileges, exemptions and immunities granted by us to them in form aforesaid, or an enrolment of the same in our court of record, or an exemplification of the same, whether before us in our Chancery or before the justices of either bench, or before the Treasurer and Barons of the Exchequer, or before any justices and commissioners whatever of us, in all and singular our courts and places of record, and also in all other courts and places whatever throughout our realm of England, on account of any matter or matters contained or specified in the same, such gifts (etc., as above) shall at once and immediately have force and be allowed:

And that they shall be quit of all manner of charges and demands made upon them in and by such courts and places in respect of such exhibition, without any delay or further process.²

21. And for the greater security and stability of the liberties (etc., as cl. 20) granted by us to them as aforesaid, and in order that they may in the future the more quietly and securely use, enforce and enjoy the same, we have granted, by our abundant grace, and by the same consent and authority, on behalf of us, our heirs and successors. to them, that even if in any contingency they shall not have made use of the said liberties (etc.) hitherto or hereafter granted by us, our heirs or successors, nevertheless they may afterwards use and enjoy the same without objection, impediment, disturbance or molestation from

¹ Here the Act includes clauses allowing the College to have all writs, charters etc. without fee (as after cl. 9, p. 68 *n*); to punish minor breaches of the peace among the fellows, clerks, scholars, choristers and servants of the College; to have its estates free of all charges notwithstanding the Statute of Leicester respecting the estates of Alien Priories, the Statute of Mortmain, and other impediments; and to have recovery of all annuities, pensions and other payments due from abbots, priors, deans, rectors and their vicars.

² The concluding passages of this charter vary considerably from the Act.

us, our justices (etc., as cl. 5), as is more fully contained in our said charter.

We command you and each of you that you permit them, their men (etc., as cl. 1), to have, use and enjoy the said liberties (etc.) according to the tenor of our said charter, without in any way molesting or burdening them or any of them contrary to the tenor of the same.

Teste me ipso at Westminster, on the first day of September, in the twenty-sixth year of our reign (1447).

II.

ROLLS OF PRESCOT COURT LEET, 1510—1600.

INTRODUCTORY NOTES.

(a) *The Court Leet*. The Prescott court was not officially styled "Court Leet" until 1559 (p. 143). The earliest surviving roll (1510) calls it "Court with View of Frankpledge." Nevertheless, "leet jurisdiction" and "view of frankpledge" were, in this period, synonymous expressions, signifying the jurisdiction of the sheriff in the hundred court, or an equivalent jurisdiction exercised in a manor by prescription or special grant.¹ The manorial court (i.e., the combined Court Baron and Court Customary) did not as a rule possess this jurisdiction. In the case of Prescott, since "view of frankpledge" was one of the privileges granted by Henry VI to King's College and its tenants (see pp. 67-8), leet jurisdiction was probably introduced shortly after 1447.²

(b) *The Rolls*. In the following pages an account is given of the contents of all the original Prescott Court Rolls of the 16th century known to be extant. No rolls of any date prior to 1510 appear to have survived, and, as will be seen, the records do not become at all continuous until after 1534. Even after this date, the rolls of 1543, 1544, 1554 and 1560 are missing, and several other rolls are incomplete. One roll, that of 1569, has been preserved at King's College, Cambridge, and appears to be the only 16th century roll to have been sent there, in

¹ See *Leet Jurisdiction in England*, by Prof. F. J. C. Hearnshaw (1906).

² This inference is supported by the Palatinate Plea Roll of 1400-1, which records that the Sheriff of Lancashire held "his turn of Prestecote" at Prestecote, 25 Oct. 1400. (Chet. Soc. N.S. vol. 87.)

spite of the express injunction inserted in the grant of the Stewardship in 1568 (see p. 290). All the other 16th century rolls are preserved at Prescott, in the custody of Mr. W. A. Cross, Deputy Steward and Coroner of the Manor.

Up to 1597, the rolls, with the exception of that of 1569, are all on paper sheets, measuring 12 by 16 inches, which are filed at the head. The watermarks are all of either the "pot" or the "glove" type, the latter being almost entirely confined to the earliest years (1510 and 1514) and to the period 1537-1565. Usually, the rolls are filed together in bundles of two or more, up to as many as twelve rolls; in some cases, this filing has evidently been done at a considerably later date, since later material has been incorporated. The rolls of 1531 to 1546, for instance, form one bundle, which also contains a petition (see p. 289), written apparently c. 1560. From 1597 on, a single large sheet of parchment is used, and, in cases where this is insufficient, the roll is completed by means of paper sheets filed with the parchment.

The language of the rolls lacks uniformity, particularly before 1550. Commonly, both Latin and English are employed, the former predominating. Some rolls of the reigns of Henry VIII and Edward VI, however, are almost entirely in English; others are entirely in Latin, although English phrases are quite frequently introduced into Latin passages in order to make clearer the meaning, or, perhaps, to meet emergencies in which the clerk's Latin is inadequate. Orders are commonly in English, as drafted by the court.

(c) *The Abstract Book.* My present task was in some degree anticipated as early as 1642, when the Clerk of the Court, Edward Stockley, was directed to compile an Abstract Book of the rolls then extant.¹ The work thus started was carried on by successive clerks to 1712, and occupied two volumes. Unfortunately, only the first volume, dealing with the period 1510-1681, has been preserved. It is a leather bound book of 188 numbered leaves, or 376 pages. It begins as follows: "Prescott 20^o April, 1642. A perfect Abstract of all the rowles of the courts held for the mannor of Prescott now remayninge

¹ The order of 1642 is printed at length in my paper, *The Court Leet of Prescott* (Historic Society's *Transactions*, vol. 84, 1932, p. 67), which gives also some account of the general history of the Court and its records.

in the Chest for that purpose provyded at the charges of the towne, with the orders and other proceedings at every court, as heireafter ffolloweth."

The rolls from which the Abstract Book was compiled are, for the 16th century, precisely those which are still extant, save that it contains no record of the roll of 1569, sent to King's College (see p. 73) without, apparently, a duplicate having been made. The Abstract Book, however, is far from being a complete epitome of the contents of the rolls. It provides a summary of only the admittances and some of the most notable orders and presentments. The earlier portion, dealing with the rolls of 1510-1558, is very brief, hastily written and mainly in Latin. From 1559, however, it is written in a much neater hand and almost entirely in English.

(d) *Methods here employed.* Since a full rendering of the original text would run to excessive length, with a vast amount of needless repetition, a condensed and summarized version only is intended here. Care has, however, been taken to include all information worthy of record. In all cases where the original text is reproduced, the fact is indicated by quotation marks (in the case of passages of some length) or by italics (in the case of short phrases or single words).

"Surrenders" of copyhold, from about 1550 on, are formally set out at great length in the rolls; the essential details only are given here. The common form of surrender may be briefly summarised as follows: The grantor, on a given date, out of court, and in the presence of two, three or (most commonly) four tenants, in consideration of a specified sum of "lawful money of England" paid him by the grantee, has surrendered into the lord's hands the property in question, with the intention that the lord shall grant the same to the said grantee, according to the custom of the town; proclamation having been made, and no objection raised, the grantee is admitted as tenant, doing fealty (*fidelitatem*). The surrender might be made at any time, though it required to be confirmed by the court. There is nowhere any mention of any ceremonial procedure such as "passing the rod."

The records of Pleas, which occupy much space in the rolls, are here greatly curtailed. Details are given of only those cases which contain information worthy of note. Actions for amounts exceeding 40s. were fairly common;

some such cases are noted, but many more are omitted.¹ The lists of "others named" in the Pleas do not include persons mentioned elsewhere in the roll of the same year, except when coupled with additional information of place, occupation or relationship. Apart from this, no names have been suppressed.

Christian names, which in the rolls are usually latinized, are here given, as a rule, in modern spelling. Surnames and place-names are unaltered. The expression "wife of" translates the Latin *uxor*, and often, no doubt, should be read as "widow"; such cases can only be decided by comparison of references.

English passages from the rolls are as a rule given in full, with the original spelling, but subject to some modernization in punctuation and the use of capital letters. Marks of abbreviation are put into extended form. In translating the Latin, the Abstract Book is quoted, where possible, in preference to the use of modern English. All quotations from this source are distinguished by the note (A.B.); within them, additional information from the rolls is inserted in square brackets. Occasional errors which occur in the Abstract Book are indicated by footnotes; all quotations from the Abstract Book have been carefully checked in the rolls, and may be regarded, unless otherwise stated, as adequate and correct.

The arrangement here followed is, in the main, that of the rolls, though the latter contain frequent individual variations which, for convenience, are here made to conform to the normal plan. The title of the Court, which shows considerable variation, is translated as exactly as possible. The headings "Amercements," "Orders," "Officers," "Pleas" and "Jurors between Parties" (*inter partes*), are frequently given in the rolls. Under the heading "Admittances" are here included both *post mortem* inquests and surrenders of copyhold, since the admittance of a tenant was the outcome in each case. Overlapping between "amercements" and "orders" occurs when, as often, an order is made upon a case presented for amercement.

The numbers given after the Admittances correspond to those given with the Survey of 1592 (pp. 34-46), and are for reference on the plan.

¹ For the number of such cases, compared with the total number of pleas recorded in each roll, see Appendix H.

It has not been found possible to divide the records into "court leet" and "court baron" business; in practice, the two were run together without differentiation. The work of the court was thus much simplified.

ABSTRACT OF THE ROLLS, 1510-1600.

1510.¹ COURT WITH VIEW OF FRANKPLEDGE (*Curia cum Visu Franci Plegii*) of the Town of Prescote, held before Sir Richard Bold and William Leylond, Esq., Receiver-General and Commissioner of Thomas, Earl of Derby. 4 April,² 1 Hen. VIII.

JURORS. Robert Weynwright, Ralph Guldecar, Ralph Holland, Henry Bellurby, William Eltonhed, Henry Birchall, John Wodis, William Weynwright, Evan Webster, Robert Collay, Henry Webster, John Morecroft, James Gresse, Henry Standisshe, Robert Holt.

AMERCEMENTS. In breaches of the peace: Henry Standisshe of Scolles, Gilbert Gresse, Ralph Bower, Edward Tirehare and Thomas his son, John Esthed, Brian Sutton, James Porter, Brian More of Sutton, James Holt, Robert Derbishire of Sutton, Richard Pyke, Lawrence Lee of Sutton, Ralph Busshell, Isabella wife of Thomas Travers, Alice Collay, Johanna Smythe *alias* Gresse. (Amounts not given. Pledges:³ John Ogle, Edward Bower, Henry Birchall, William Conay, James Gresse.)

ORDERS: That no inhabitant of the town shall harbour any players of unlawful games, namely dice and cards, after 9 p.m., on pain of 12*d.* each time.

That all tenants shall sufficiently cleanse *theyre myddyngstids* before Corpus Christi, on pain of 12*d.* each.

1510. COURT OF THE FAIR (*Curia Nundinarum*),⁴ held before John Ogle, Deputy Steward for Thomas, Earl of Derby. Friday following Corpus Christi (31 May) 2 Hen. VIII.

¹ A.B. incorrectly assigns this roll to 1509.

² An exceptional date. The court was held, normally, on the Friday following Corpus Christi, a movable feast falling on the Thursday after Trinity Sunday.

³ These acted as sureties for offenders in breaches of the peace. The pledges are only rarely named in the rolls.

⁴ This is the only known instance of the use of this title, although the court was normally held in conjunction with the fair, originally established by Letters Patent, 30 Jan., 1332/3, to be held yearly on the eve, day and morrow of Corpus Christi.

JURORS. Ralph Guldecar, foreman, otherwise as before.

AMERCEMENTS. In breaches of the peace: Hugh Burtonwood, Seth Holland, Gilbert Gresse, Ellen Feney, James Porter, the wives of James Gresse, Edward Platt and James Porter. (Pledge: Evan Webster). For felling and removing a *saplyng plont*: Edward Bower, William Waynwright. For harbouring card-players at night, contrary to the order made at the last court: Ralph Bower, Robert Collay, John Morecroft.

ORDERS. That Henry Bellerby shall cleanse the ditch adjoining his land, leading along the highway (*regiam viam*) by *Slaterford Fild*; and that Edward Bower, Robert Collay, Ralph Bower, Evan Webster, William Waynwright, Gilbert Gresse, Lawrence Holt, and the wives of Adam Burtonwod and Thomas Trauers, shall cleanse their *middyngs*, before St. James' Day, on pain of 12*d.* each.

OFFICERS. Constables: Ralph Holland, William Eltonhed. Aletasters: Robert Waynwright, James Porter. *Havselokers*: Ralph Guldecar, Robert Collay, Evan Webster, Henry Bellerby. *Berlamen* and overseers of enclosures (*supervisores parcorum*): Edward Bower, Oliver Morecroft.

PLEAS. Thomas Garnet *v.* Nicholas Holt, for 5½*d.* debt, for a quarter of the flesh of a calf. (Acknowledged.) Henry Alcock of Caer¹ *v.* James Gresse and Agnes his wife, for 3*s.* debt, for wine. (2*s.* only acknowledged; case continued). Sibyl Holland *v.* the same, for 12*d.* debt, for money lent (Acknowledged and paid in court), 16*d.* lent (15*d.* only acknowledged; case continued), and 10*d.* for *stipendium*. (Acknowledged.) Johanna Bower *v.* Brian Sutton, for 2*s.* damages, for trespass with geese in her corn (6*d.* awarded; both are in mercy). The same *v.* Henry Bellerby and Elizabeth his wife, for 9*s.* debt, for sundry merchandise. (Not proceeded with.) Edward Bower *v.* Isabella Trauers widow, for 8*d.* debt, for part of the *score* of two cows. (4*d.* awarded; both in mercy.) James Porter *v.* Ralph Bower, for 16*d.* damages, for trespass with geese in his corn (2*d.* awarded); and 6*s.* 8*d.* for like trespass with his horse. (8*d.* awarded.) George Pike *v.* Thomas Garnet of Sutton, for trespass, in taking a horse worth 10*s.* (Not proceeded with.) William Eltonhed *v.* Henry and Elizabeth Bellerby, for 5*s.* 5*d.* debt, for sundry merchandise. (3*s.* 5*d.* only acknowledged; 12*d.* more awarded.)

Others named include: John Eltonhed, Roger Alcock,

¹ *Sic.* Perhaps Carr Houses in Ince Blundell.

Henry Standisshe of Prescote, William Fleccher, John Bancroft, Richard Webster, Catherine widow of Henry Twisse, Catherine Burges widow. (22 cases in all.)

JURORS BETWEEN PARTIES:¹ Ralph Guldecar, Robert Collay, John Wodis, John Morecroft, Henry Webster, Peter Prescote, Richard Garnet, Thomas Fleccher, John Esthed, Henry Ledebeter, Oliver Morecroft, Thomas Potter.

1514. COURT WITH VIEW OF FRANKPLEDGE of the Town of Prescote, held before the Lord Provost² and Ralph Eccleston, Esq., Deputy Steward for Thomas, Earl of Derby. Wed. after Assumption (16 Aug.) 6 Hen. VIII.

JURORS. Ralph Holand, Ralph Guldicar, Robert Waynwright, Edward Bawer, Oliver Morecroft, Peter Prescot, Richard Gernet, Evan Webster, William Waynwright, James Worseley, William Fleccher, John Wodds, Henry Standisshe.

TENANTS AND UNDERTENANTS. Edward Bawer is tenant to the lord of the tenement in which he now lives, and Richard Bawer has no claim upon it.

A list of those who have undertenants, by licence, upon their lands: Ralph Guldicar, Edward Bawer (2), Evan Webster (1), John Boydel (1), (John Sale, cancelled) the widow of Oliver Sale (1), Richard Gelibrond, Eleanor Lathum (3), Lawrence Lathum priest (1), the widow of Robert Colley, Henry Hulgrev (1), Oliver Fennay.

Eleanor Lathum has a certain house, late in the holding of William Eltonhed, for which the lord has nothing.

Memorandum that at this court there have been admitted as tenants all those who are included in a certain Rental shown in court, namely: John Ogles, John Lathum, Eleanor Lathum, John Sherdley priest, Lawrence Lathum priest, Ralph Holand, Richard Gelibrond, Edward Platt, Catherine Burges, Ellen Milner, Alice Eccleston, John Birom, Henry Webster, Ralph Guldicar, James Porter, Robert Waynwright, Henry Hulgrev, Edward Bawer, Oliver Morecroft, John Boydel, William Fleccher, Oliver Fennay, Peter Prescot, John Holand, Ralph Bussell, Catherine Colley, Evan Webster, Richard Gernet, Ralph Bawer, William Waynwright, John Morecroft, Elizabeth

¹ This Jury, unlike the major Jury or Homage, was not restricted to tenants holding directly from the lord.

² For the Provost's correspondence, etc., relating to this period, see pp. 282-8.

Crost, Henry Bellerby, Robert Holt, Henry Birchall, James Gresse, Lawrence Holt, John Wodds, Margaret Shagh, Robert Webster, Henry Standisshe, James Worsley, Agnes Couper, Robert Tovres and John Sale.

AMERCEMENT. Ralph Holand *carpenter* has felled and removed an oak.

ORDERS. That no man shall fell any wood within the demesne without licence from the overseers, on pain of 20*d.* each oak. The overseers of the wood are: Ralph Holand, James Porter, Ralph Guldicar, Evan Webster.

That whosoever shall build any houses upon their holdings shall do service to the lord, at the view of the Steward, on pain of forfeiture of their holdings.

That no one shall sell any holding, or any part of his holding, without the lord's licence, on pain of forfeiture.

1531.¹ COURT OF PRESCOTT, held before John Eccleston, Esq., Steward. Frid. after C.C. (9 June), 23 Hen. VIII.

JURORS (*pro domino*): William Lathum gent., Henry Hollond gent., Robert Bethum gent., Edward Heytun gent., Ralph Guldicar, James Tayleour, (Robert Waynwrygth, *cancelled*), Thomas Wodds, Oliver Morcroft, Thomas Fleccher, Ralph Hogthtun, Edward Stockeley, William Gylson, James Worsley.

ADMITTANCES. It is agreed that Richard Bellerby and Elizabeth his wife shall not alienate any of their lands and tenements, except to Henry Brokefeld.

Edward Ascroft and Sibyl his wife, daughter of Henry Standisshe, surrendered a bay to the use of Thomas Gerard of Bryn, Esq., paying 12*d.* yearly to the lord. 2

Edward, son and heir of Richard Gelibrond, is admitted as tenant of a tenement and garden, paying 2*d.* yearly to the lord. 26

William Conay surrendered a messuage to the use of his son Henry and his heirs, failing which, to Henry's sister Isabel and her heirs, paying 6*s.* yearly to the lord, 12*d.* to the Rood stock (*stipiti*), and 12*d.* to Our Lady stock. 33

AMERCEMENTS. "Jane Smeth, for delyng with charms and sorcores contrary to gud ffaith, and callis hir a wise woman. Item, the Barlemen, for no executyng thair

¹ Though the rolls of 1515-1530 are missing, a record of an order made in 1517 has been independently preserved (see p. 287).

office by Ryc Bellerby and Jhon Bordman [*Id.*] Item, Ryc Bellorby, for noo sclansyng of his dich ner the hegh waye; amend *citra* [before] medsomer day *pen* [on pain of] *xijd.* Item, John Wobster, for noo sclansing of his dich, and stoppyng of the water ner the fall yate.

"Marger Baylif and Alle Balif, for pullyng downe of wodds and bren thaym. Lawrans Holte and his wyffe, lyke. *Vxor* [wife of] John Deyn, lyke. Chyldur of Raufe Guldicar, like. Kateryn Bower, lyke. Elyn Morcroft, like. *Vxor* Henr Awte and hir dorghter, like. *Vxor* John Crosbe, lyke. Kateryn Prescott, lyke. Elyn Esthed, like. Raufe Stocke, lyke. *Vxor* John Raynforth and hir serunt, lyke. Esabeth Wobster, lyke. Seth Wobster and his wyfe and his chylder, lyke. [*Id.*, 2*d.* or 3*d.* each.]

"Robt Wobster, for mak yng of affraye appon Omfray Farhurst, and on hym drew blod, and fled the towne withowt obeying hym to the lord and his offecers. [Forbidden to reside on pain of 6*s.* 8*d.*] Edward Ellum, for a fraye appon Seth Suttun, [pledge] Ewan Pyke. [12*d.*] The said Seth appon the said Edward, lyke, hym defendyng. [3*d.*] Henr Whitfeld, for a fraye appon Jams Tayleor. [8*d.*] Raufe Stocke, for a fraye appon on Dyke of Wegan paroch. [4*d.*] The said Dike, for a fraye vppon the said Raufe Stocke, lyke." (Forbidden to reside on pain of 6*s.* 8*d.*)

ORDERS. "And wher we ar shewit of the consayling of the lords rents and rentalis for the same, the said rentalis doo not agre in sertan placs, wherfor we rest withowt any triall therein, and referre it to fforther records."

"Also we ar agreit that Raufe Hollond, wrygth, shall con affor Mr. Steward and the fermer,¹ and he to swere afore thaym whether his kylne, or any parte thereof, stond vppon the lords wast or nott."

"It is ordeignet and proclamed at this present Curtt of Prescott, that if any of the inhabitants of Prescott be takyn or perset fallyng or cuttyng any wodde aithur gro yng or lying in Knowesley parke, [they] shall forfeit and pay for euery tyme *ijd.*, that is to say, to the lord thereof *jd.*, and to the taker of thaym *jd.* [each time], and for euery pale staffe ther taken *iiijd.* in lykewise."

OFFICERS. "The *iiij* men: Raufe Hollond, Jams Worsley, Edward Stockeley, Ryc Garnett. Cunstable: Tomas Wodds, Oleuer Morcroft. Barlemen: John Esthed, John Deyne. Alefounders: Oleuer Fryth, Ryc Garnett. Afferors: Raufe Hollond wrygth, Wyllm Gylson."

¹ i.e. the lessee of Prescott Hall and mills.

1534. PRESCOT. COURT held before William More Esq., Steward. Frid. after C.C. (5 June) 26 Hen. VIII.

JURORS. Henry Holand, Edward Hegton, Ralph Guldicar, James Worseley, Thomas Woods, James Taleor, Oliver Morecroft, George Plumpton, Evan Pyke, Richard Garnet, Ralph Houghton, Edward Stokkeley, Thurstan Ferehurst.

ADMITTANCES. William Lathom is next heir to a house of James Holte, and is three years of age. 20

George Plumpton is next heir to a house of William Waynwright.¹ 97

AMERCEMENTS. In breaches of the peace: Richard Garnet, James Taleor, Thomas Fleccher, Ralph Stokke, Henry Houghton of Eccleston, Edward Stokkeley. (4*d.* each.) For felling timber without licence: Edward Stokkley, James Taleor, Ralph Houghton, Evan Pyke, Ralph Holand's wife, Robert Bethom, Evan Blanchard, Thomas Woods, Robert Waynwryght, James Worseley. (1*d.* to 20*d.*)

ORDERS. "That noe widow shall sell or giue any parte of her howse or land from her heire, except such as doth descend to her or be geuen her." (A.B.)

"That noe man shall ffall any ashes, young oakes or other trees in the lords wood without consent," on pain of 40*d.* "Also that none shall break hedges" on pain of 2*d.* (A.B.)

"That euery man that assalteth another shall forfayte iijs. iiij*d.* Also euery one that draweth blood shall forfayte vjs. viij*d.* Also euery one that maketh a rescow vpon the lords bayliffe doinge his office to forfayte ijs." (A.B.)

That John Croks, Margaret Bent and Margaret Hunter are unfit to remain within the town; they are to leave within 15 days, on pain of 6s. 8*d.*, and no one may harbour them thereafter on like pain.

That the house in which Ralph Bower now lives rightfully is and ought to be *le Tolle Bothe*. 121

That Brian Sutton shall restore a watercourse that he has stopped up with a *middyng*; that Robert Bower shall remove a *middyng* from the high street (*alta strata*), where

¹ This property seems to have been in dispute (see p. 111). On 15 Sept. 1533, Lord Derby ordered that Robert Wainwright be allowed to surrender a tenement in Prescott to George Plumpton, unless a Jury of inhabitants decided otherwise (Chet. Soc., N.S., vol. 19, p. 101); possibly, however, this order related to the Tolbooth (see above, and pp. 288, 99, etc.).

none should be, to a place less noxious to all the people; and that Richard Bellerby shall restore a watercourse at the end of his house; each on pain of 3s. 4d.

That the following persons shall fell sundry aspen, beech, hazel, holly, ash, elder and apple trees growing upon their ground, which are detrimental to the lord's windmill: John Eccleston Esq., John Webster priest, Henry Colley priest, Hugh Lathom, Thomas Fleccher.

OFFICERS. Constables: Robert Bethom, George Plompton. Burleymen: John Deane, John Glover. Overseers of the Wood: Richard Garnet, Edward Stokley, James Worseley, James Tayleur. Aletasters: Ralph Guldicar, Evan Pyke. Affeerors: Evan Pyke, Oliver Morecroft.

PLEAS. Edward Garnet priest *v.* Henry Colley priest, Robert Coney and Henry Coney (executors for William Coney), for the profit (*mercede*) for ten years of a cow, given by Henry, brother of the said William, to the use of *le Rode Stoke*. (Amount not given. Continued.) Elizabeth Porter widow *v.* Jane Cherey, for detinue of a candlestick and *stonde* worth 7s. 6d. (20d. allowed.) Elizabeth Birchaw widow *v.* Edward and Robert Bower, for 5s. damages for trespass, for occupying a shop in her tenure. (Not guilty, because def. paid a sum of money for the shop to Humphrey Birchaw, son of pl. Henceforth, pl. to occupy the shop as she pleases for life, with remainder to the right heirs of Henry Birchaw. Pl. in mercy.) Edward Bower *v.* Isabel Autye widow, for 9s. 4d. debt, for a gown (*toga pannis*). (Adjourned to Feast of St. John Baptist.) Isabel Autye *v.* Thomas Alcock, for payment for 6 gangs of spokes (*ffelis*) and 8 axles (*axidibus*). (2s. 8d. awarded.) Edward Bower *v.* Elizabeth Birchaw, for trespass, in diverting water from its right course by his meadow. (Not guilty.)

Others named include: Robert Bower and Margaret his wife, Alice Ferhurst widow, Ellen Glest, Richard Rigby, John Ledbeter, William Gilson, Ralph Ley of Raynhill, John Estheyd, James Rigby, Thomas Knollis of Terbok, John Crosby, Richard Holand, Nicholas Cartewryght, Roger Denton of Eccleston, John Singleton, Evan Webster dec. (18 cases in all.)

PLEA OF LAND. Ellen Glest *v.* Henry Coney, in an assize of *novel disseisin*, for a tenement in Prescott. (To be heard at the next court.)¹

33, 94

¹ For later developments of this case, see pp. 94, 106, 288.

1535. COURT OF PRESCOT, held before William More, Esq., Steward. Frid. after C.C. (28 May) 27 Hen. VIII.

JURORS: Henry Holand gent., Hugh Lathom gent., Edward Heyton, Richard Garnet, Edward Bower, Evan Pyke, Ralph Guldicar, Edward Stokley, George Plumpton, Thomas Woods, James Wurseley, James Taleor, Richard Bellerby, Thurstan Ferehurst.

AMERCEMENTS. Ralph, Henry and Otwell Houghton, for an affray with bloodshed upon Richard Tomson, whose life was long despaired of, on account of two blows on the head. (3s. 4d. each). Ralph Stokke, for an affray on Christopher Waynwright (12d.) For rescues upon the bailiff: Henry Colley priest, Margaret Rigby (3d. each.) Ralph Houghton and Alice Colley, for not scouring the ditches by their houses along the highway (3d. each.) Ralph Bower, for stopping a watercourse in consequence of not scouring his ditch by Thurstan Ferehurst's shop; also, for not having left *le Tolle Bothe*, thus preventing it from being used as such, to the harm of all the tenants.

John Deane, for depredations in the lord's wood. John Esteheyd, for receiving apprentices, servants, etc. into his house at night for gaming. Ralph Houghton, for not making his hedge (*sepes*) between him and Edward Bower, though many times ordered by the Burleymen (20d.) Elizabeth Oyte, for the same between her and James Rigby (6d.) Henry Colley priest, for stopping a common way in *le milne lane* (2s.) For neglect of *youkyng and ryngyng* pigs, though ordered by the Burleymen: Ralph Houghton, Evan Pyke, George Plumpton, John Frodsham, [torn] Busshell, Henry Oyte's wife, James Porter's wife, Rixton's wife. (4d. each.)

ORDERS. "That none shall suffer mens prentices or servants to play at cards or dyce in their howses . . . after ix at night"¹ (A.B.) on pain of 12d.

"That none shall keepe Elizabeth Robie" (A.B.) on pain of 2s. each time.

"That none shall grynd any corne from the milne" (A.B.) on pain of 3d. each time.

OFFICERS. Constables: Robert Webster, Thomas Woods. Overseers of the Wood: Richard Garnet, Edward Stokley,

¹ The full version in A.B. runs: "That none shall suffer mens prentices or servants to play at cards or dyce in their howses, and that after ix at night none shall suffer them to be in their howses." The roll, however, does not warrant this. The order was framed to deal with the presentment of John Esteheyd (see Amercements above), to which it is appended.

James Wurseley, James Taleor. Burleymen: Brian Sutton, Thomas Alcok. Aletasters: Edward Heyton, Oliver Frythe. Affeerors: George Plumpton, Richard Garnet.

PLEAS. Persons named include: Margaret Standische, John Webster priest, Henry Colley priest (executor for William Coney). (3 cases.)

1536.¹ PRESCOTE. LEGAL COURT (*Curia Legalis*) held before William More Esq., Steward. Frid. after C.C. (16 June) 28 Hen. VIII.

JURORS. Henry Holland, Edward Heton, Edward Bower, Richard Gernet, Ralph Guldicar, Evan Pike, James Taillor, George Plumton, Thomas Woods, James Worsley, Ralph Houghton, Evan Blanchard, Richard Webster.

ADMITTANCES. "That Olyuer Morecrofte ys deede sith the last Cort, and that Sibbill his doughter ys next heire to hym, and of the ayge of xxx yeres and more."

Jane Chere, who was wife of William Eltonhede, surrendered a messuage and garden, now in her own occupation, to the use of herself for life, after to Nicholas her son and his heirs; also a messuage in the occupation of Isabel Bower, formerly held by Oliver Fenney, to the use of herself for life, after to Henry her son and his heirs. 16, 17

AMERCEMENTS. Robert Bower, for felling 2 trees without licence (10*d.*) Edward Stockeley, for one tree (5*d.*) Edward Waynwright and Thomas Kerley, for *sappling plonts* (3*d.*) Henry Houghton, for making *lymepitts* in *le Sparro lane*. John Estehede, for unlawful gaming; also for harbouring *vacabunds* both by day and night (To pay 12*d.* for every such offence in future.) Thomas Fletcher, for harbouring Richard Browne and his wife, they being *vacabunds*. Ellen and Margaret Beodell, for harbouring Elizabeth Lathum. (They are not to receive her, "or eny other myslyffing persone," otherwise "they shall avoyde the towne, and forfeite for euery tyme iijs. iiij*d.*")

"The said Jur' douth present Edward Estehede to be a regrator of the merketh, in biyng of ffileysshe, and sell yng

¹ Two rolls of this court are filed together in the same bundle. They are duplicates, save that one has a larger number of entries in English, and the other has additional material concerning pleas. The present version borrows from both.

it agene for a more some,¹ therefore ys in the mercyment of ijd. [Also] Brian Sutton, for myss vsyng of hym self in spekyng of vnlaful words in the Corte to Henry Halsall, the Stewards depute. [Also] that Evan Pike hath made and sette a new crose chamber fferther in the strete by a foote and more then he owght."

ORDERS. The house in which Ralph Bower now lives is presented to be a *Tolbouth*, as in former times. 121

"The Jur' present the way from Prescote towarde the parsonage² to be unsauue ffor nyghburce to passe, and ffor the mending thereof."

"Yt ys ordained that all myddyngs and dungehills shalbe scoured and caryed owt of the towne iiij dayes afore the faire, vppone payne of xijd."

"Yt ys likewise ordanit by the said Inquest and Jur' that Rauf Guldicar and James Taillor shall clense theyre diches in conenyent hast."

"That all the tenants and vnder tenants in Prescote shall ffrom hensforth make theire mydyngstyds in the towne by the councell of the iiij men of the towne ap-
poynted for the same and other thynges."

"That John Eccleston esquier, Sir³ Henry Colley, Sir John Webster, Hugh Lathom, Thomas Fleccher, and all other that haue eny woode or trees that shaddowe the wyndemyll ffrom the wynde, shall ffall and dubbe theym athisside Myghelmas, at the sight of the said iiij men, vppon the payne of euery person xijd."

"That if eny tenante or vnder tenante or tenants doe reseyte eny vacabunds or mysse ruled persones, that they and euery of theym so ressettyng shall for euery tyme fforffette xijd."

"That no tenante nor tenants of Prescote shall carre eny mooche or dungge ouer the Churchefeld⁴ after the xiiij day of Maye, but ouer theire awne lande, vppon payne of vjs. viiij. for euery tyme so doying contrary to the true entent of this said ordynance."

"That Rauf Bussell shall not keepe from hensforth eny hande myll within the towne of Prescote, vppon payne of euery tyme vjs. viiij. to the lords vse."

OFFICERS. Constables: Richard Holland, Brian Sutton. Overseers of Houses⁵ etc.: Evan Pyke, George

¹ The duplicate roll adds, "to the detrement and hurttyng of the Kyngs subiects." ² Prescott Hall. (See p. 12). ³ See p. 92n.

⁴ The duplicate roll has *Churcheleyfeld*.

⁵ The duplicate roll adds, "and Euelookers."

Plumton, Thomas Woods, Edward Stockeley. *Berlamen*: John Crosby, Thomas Anglesay. *Ale tasters*: Edward Heiton, Richard Gernet. *Corte Ferers*: John Deane, Evan Pike.

PLEAS. Thomas Woods of Prescote *v.* Elizabeth Porter, for 3s. 9d. debt, for 6 bushels¹ (*modii*) of groats (*granamellum*). (Allowed). Matthew Stryngfelow of Sutton *v.* Thomas Woods, for 9s. 10d. debt, the price of a horse (9s. 8d. allowed). Hamlet Mawrer of Knollesley *v.* Robert Bower of Prescote, for £3 damages for forcible entry into a close called Knollesley Parke, held of Edward, Earl of Derby, and seizure of 3 cows; also for £5 damages for forcible entry into his close and house at Knolley and destruction of his corn by means of certain oxen, cows and other beasts. (Put to the arbitration of Henry Holland, Richard Gernet, Evan Pike, James Tailor, George Plumton and Evan Blancherd, to be decided by Michaelmas.)

Richard Gernet and Evan Pike, wardens of the goods and cattle of Holy Cross² of Prescote, *v.* Richard Holland of Prescote and Elizabeth his wife, executrix for Henry Auty her late husband, for 20s. for a cow worth 10s. which Henry Auty had on 20 Oct., 1529, on which a *stipendium* of 12d. a year ought to have been paid, but has been denied. [Here part of the leaf is torn away.]

Henry Brokefield of Langbarow *v.* Richard Bellurby of Prescote, for 39s. 11d. for breach of covenant, alleging that on 20 Feb. 1535-6 Bellurby alienated an acre in *le slederford hey* to Robert Bethum, "that ys to saye sette to fferme vnto thende and terme of xxx yeres," in violation of a covenant, made on 20 June, 1533, that he would not alienate any of his lands and tenements except to Brokefield. (12d. allowed.)

Others named include: Edmund Gelibronde of Lathum, Lawrence Watmough, Robert Haredene of Whiston, William Foreshaw, Evan Pike's wife, Thomas Hughson, Ralph Busshell miller. (12 cases; others torn away.)

JURORS BETWEEN PARTIES: Henry Holland and his colleagues as above.³

¹ The precise nature of the local measures is uncertain. The bushel, also called *windle* and *met*, was apparently large. See Glossary, *Windle*. Possibly, too, *modius* was used to signify peck as well as bushel (see p. 103n).

² A chantry fund, usually called the Rood Stock (see Index).

³ An exceptional instance of the use of the major Jury for hearing pleas.

1537. PRESCOTE. COURT held before William More Esq., Steward under Edward, Earl of Derby. Frid. after C.C. (1 June) 29 Hen. VIII.

JURORS. Henry Holland, Edward Bower, James Tailor, Evan Pyke, Richard Gernet, Thomas Woods, George Plompton, Ralph Guldycar, Ralph Houghton, Evan Blancherd, Thurstan Fairehurst, Richard Webster, James Worseley.

ADMITTANCES. "Johana Leadbeter wid. surrendered one messuage [or burgage] and garden, to the vse of her selfe for lyffe, remaynder to Ann [Leadbeter] for liffe, remaynder to Robt. Prescott and John Leadbeter and theire heires, savinge Margrett Byroms estate for lyffe." (A.B.)

Ralph Guldycar, Richard Gernet and George Plumton, free and customary tenants, surrendered a messuage or burgage with a garden and croft in *le bakeside* thereof, containing about one acre, together with a burgage of land in *le Churchefeld*, and a croft called *Sparolane croft* containing about 2 acres, to the use of Henry Brokefeld and his heirs, owing the same rents and services as when surrendered to their use by Edward Heton.

AMERCEMENTS. "That Edward Bower, one of the Jury, did absent himselfe from his ffellowes without licence of the Court" (A.B.) thus setting a most serious and pernicious (*permissioem*) example. (Fine erased.) Brian Sutton, for a watercourse stopped a long time by his house. (3s. 4d.) For taking wood and underwood without licence: Nicholas Cartwright, Ralph Webster, Richard Tomlynson (3s. 4d. each). Richard Tomlynson, for breaking and carrying away his neighbours' hedges (3s. 4d.) Edward Heiton and John Webster priest, for a watercourse stopped a long time in *le falle lane* leading from Prescott to Knol' [Knowsley] between the parishes of Prescote and Hiton (6d.).

ORDERS. That no one henceforth shall winnow corn in the highway, unless he remove the chaff, on pain of 3d.

That Brian Sutton shall scour and cleanse the watercourse by his house before the feast of Annunciation, on pain of 3s. 4d.

OFFICERS. Constables: Richard Holland, Thomas Woods. Overseers of the Wood and of Houses: Evan Pyke, James Tailor, Thomas Woods, George Plumpton. Burlyemen: Edward Waynewright, George Webster.

Aletasters: Evan Pyke, Richard Bellurby. Affeerors: Evan Pyke (substituted for Richard Gernet), Thomas Woods.

PLEAS. Thurstan Fairehurst of Billynge *v.* Richard and Isabel Holland, for 20s. damages, for detinue of a *ledefornes* (*vnus plumbi*) worth 8s., received by them at Prescote, 13 Aug. 1532, for an annual rent of 12*d.*, which has never been paid. (Continued.) John Accres of Wolfall *v.* John Croseby, for 19½*d.* debt, for groats. (10*d.* allowed.) Thomas Woods of Prescote *v.* Matthew Acton of Prescote by 19*d.* debt, for groats. (Def. acknowledged the debt by Henry Halsall his attorney.) Thomas Mathewe of Prescote *v.* Robert Bower of Prescote, for 10*d.* debt, for 1 bushel (*modius*) of barley. (Allowed.) Alice Stockeley widow *v.* Matthew Acton, for 4s. 7*d.* debt. (Def. acknowledged same by Henry Colley priest, his attorney.) Ralph Perpunt of Weryngton *v.* Robert Bower, for detinue of woollen cloth worth 15s. (Acknowledged.) Thomas Gorsuche of Ormyskyrke gent., son and heir of William Gorsuch dec., *v.* Richard Bellurby of Prescote, son and heir of Henry Bellurby dec., for 10s. owed to the father of the one by the father of the other, as shown by an indented writing. (Continued.) (No other cases.)

1538. PRESCOTE. COURT held before William More Esq., Steward. Frid. after C.C. (21 June) 30 Hen. VIII.

JURORS: Henry Holland, Henry Brookefield, Edward Bower, Evan Pyke, James Taillor, Thomas Woods, James Worsley, George Plompton, Ralph Houghton, Evan Blanchard, Ralph Guldicar, John Ledebetter, Richard Rygbe, Richard Webster.

ADMITTANCES. Alice Burges, daughter and heiress of Richard Burges dec., surrendered all her messuages and lands in Prescot, to the use of herself for life, and after to Edward her son and heir, paying accustomed rents and services.

Evan Blanchard surrendered all his messuages and lands in Prescot to the use of himself for 8 years, after to Richard Stockeley and Ellen Blanchard,¹ daughter and heiress of the said Evan, and their heirs, paying accustomed rents and services. (This entry is cancelled, and noted as void.)

Margaret Holland, widow of Ralph Holland, died seised

¹ This lady ultimately married Thurstan Canner (see p. 163).

of sundry messuages and lands, and Edward Holland their son is next heir.

Richard Gernet died seised of sundry messuages and lands, and Evan Gernet his son is next heir, saving the small messuage and garden next the house of Ralph Houghton, which was given to Edward Gernet priest by Richard his father for life.

73

Laura, widow of Henry Webster, and Seth her son, surrendered all their messuages and gardens to the use of Richard Webster jun. her son, in the presence of Henry Halsall, Deputy Steward, and many others.

AMERCEMENTS. In breaches of the peace: Thomas Fleccher, Richard Bellurby, James Porter's wife, George More's wife, Henry Houkynson, John Colley, George Standysse, Richard Derndluff. (12*d.* for common assault; 5*s.* for an assault made on the fair day.) Edmund Jelybronde, for stopping the way¹ between his house and that of Henry Holland (3*d.*). For receiving *vacabundes*: John Estehede, Thomas Woods, Brian Sutton, William Foreshaw. (2*s.* each.) For taking wood without licence: Margery Baliff and Alice her sister, Edward Waynewright, Edmund Smyth, William Forreshaw, John Croseby. (4*d.* to 12*d.*) For evil conduct: Ellen Webster, Emma Houghton, Margaret Bennte, Alice Diconsdoughter. (To leave the town.)

ORDERS. That Robert Bethum shall amend, at the oversight of the four men, the watercourse stopped by him between the midden and Hugh Lathum's hedge.

That the house in which Ralph Bower lives, is and ought to be *le tolle both*.

121

"That none shall reare any trees to the hurt of the wynd milne" (A.B.) on pain of 12*d.*

That Robert Bower shall make and keep up a way for wagons and carts, from between his house and that of John Esthede at the one end, to the way called a *Foote Pathe* on the other, on pain of 2*s.* a year.

OFFICERS. Constables: Evan Pyke, Richard Holland. Overseers of the Wood and Town: Evan Pyke, James Taillor, George Plumpton, Ralph Houghton. Burleymen: Robert Webster, John Ledebetter. Aletasters: William Gilson, James Worseley. Affeerors: Robert Bethum, Richard Holland.

¹ Called Turnpike Lane (p. 36). The houses in question are 26 and 22 on the plan. cf. presentment on p. 97.

PLEAS. Roger Tecle *v.* Thomas Alcoke and Richard Holland, for 21*d.* debt, for *saplyngwoods* lying in *le Burtonhede*, bought from him. (12*d.* allowed; def. in mercy 3*d.*) Margery Morecroft *v.* William Foreshawe and Sibyl his wife, for detaining j *pare de bedstooks*, j *le matras*, ij *couerletts*, ij *blanketts*, ij *shetts* and j *bolster*, worth 15*s.* (Allowed.) Edward Wainwright *v.* Edward Bower, for trespass, in stopping a watercourse and causing the water to flow into plaintiff's house. (To be remedied before 1 Aug. on pain of 3*d.*) Richard Holland *v.* Elizabeth Porter, for trespass, in killing a pig worth 16*d.* (4*d.* allowed.)

Others named include: Henry Houghton, Richard Laythewethe, Nicholas Dey, John Terboke, James Rygby, James Law of Haydok, (the last two have bought leather from Hugh Barker of Newton), John Frodsam, Richard Tomasson, Ralph Burrey, Alice Colley dec. (11 cases in all.)

1539. PRESCOTE. LEGAL COURT, held before William More Esq., Steward. Frid. after C.C. (6 June) 31 Hen. VIII.

JURORS. Henry Holland, Henry Brokefeld, Robert Bethum, Richard Rygbe, Evan Blancheard, Evan Pyke, Thomas Woods, James Talliour, Ralph Guldicar, George Plumptton, Richard Holland, James Worseley, Robert Worseley, Thomas Shawe, Ralph Houghton, Richard Webster, Edward Holland, Thurstan Fairehurst.

ADMITTANCES. John Eccleston Esq. surrendered a messuage or burgage called *le Cage* or *le Newhall*, with buildings, gardens, orchards, etc., to the use of himself for life, after to Isabel his wife for life, after to Henry his son for life, after to Thomas, son and heir of the said John, and his heirs, failing which, to the right heirs of the said John. 6

Edward Holland, son of Ralph Holland of Prescote, surrendered a messuage with buildings, gardens etc., late in the occupation of Margaret Holland his mother, and now in the occupation of Edward Gorsuche, to the use of Margaret his wife for life, after to himself and his heirs. 44

It is presented that Ralph Bower has a house which ought to be *Tollebouth*, or else the inheritance of Robert Waynewright. 121

AMERCEMENTS. (Amounts not stated.) In breaches of

the peace: William Ellum of Wyndill, Thomas Bolton, Henry Webster, Maister Trafforde *mynstrell*, Hugh Parr, Edmund Ferour, Richard Coppull, Thomas Fleccher, Brian Haydoke. Robert Worsley, for felling a tree in the lord's wood. James Taillor, for not cleansing the ditch by his house.

For making rescue on the bailiff: Thomas Fleccher, William Forreshawe, John Esthede, John Croseby's wife, James Porter's wife. (3*d.* each.)

OFFICERS. Constables: Robert Worsley, James Taillor. Overseers of Houses: Evan Pyke, George Plumpton, Ralph Houghton, James Taillor. Burleymen: Robert Bethum, Edward Holland. Aletasters: William Gilson, Oliver Frith. Affeerors: George Plumpton, James Taillor.

PLEAS. Richard Bower is in mercy 3*d.* for a false plea of debt against William Wakefield and Thomas Woods. Robert Webster *v.* Sir¹ Henry Colley, for 14*s.* debt, as appears by a rental of the time when John Eccleston was Steward.² Humphrey Roughley *v.* John Marrall, for 12*d.* debt, for a *yerde de kerseye*. (Allowed.) William Huchion *v.* Ralph Burry jun., for detinue of an *eglefoote*³ of silver. (7*d.* awarded.)

Others named include: Peter Bower, Thomas Ledebetter, John Crosby, Hugh Shepley, Brian Dyke, William Terbok, Robert Bower, John Terbok, Richard Laywhite, Thomas Angulsaye, John Frodsum, Robert Stooke, Lawrence Ledebetter, Thomas Alcock, William Racchedale, Robert Worsley and Alice his wife, Richard Hyne, George Orme, Richard Bellurby, Humphrey Denton, Edward Bower, Edward Esthede, Catherine Hunter (has a cow valued at 18*s.*). (Each party losing his case is in mercy 3*d.* There are 25 cases in all.)

1540. PRESCOTE. LEGAL COURT, held before William More Esq., Deputy Steward for Edward, Earl of Derby. Frid. after C.C. (28 May) 32 Hen. VIII.

JURORS. Henry Holland, John Ogle, Hugh Latham, Thomas Woods, James Taillor, Ralph Guldicar, George Plompton, James Worsley, Robert Worsley, Thomas Shawe, Ralph Houghton, Richard Webster, Edward Holland.

¹ This title might be accorded by courtesy to a priest who was not, as a Master of Arts, entitled to the style of "Magister."

² John Eccleston was Steward in 1531 (p. 80).

³ Perhaps this was a brooch.

ADMITTANCES. John Eccleston Esq., Ralph Houghton, Evan Pyke and James Taillor, attorneys for Anne Conney, daughter of William Conney dec., surrendered a messuage or burgage, to the use of the said Anne for life, after to her heirs, failing which, to William Webster, son of Robert and grandson of Richard Webster. 74

Henry Brokefield surrendered a messuage or burgage to the use of himself for life, after to Elizabeth his wife for life, after to their heirs. 34

AMERCEMENTS. Edward Ferror is a misordered person, and a harbourer of misordered persons. For harbouring *vacabunds*: Brian Dyke, William Foreshaw. (12*d.* each). In breaches of the peace: Edward Ferror, Thomas Fleccher, Edward Waynewright, Thomas Angulsay's wife, Robert Derbishire, William Trauers, Ralph Houghton, Thomas Pyke, Ralph Potter, Evan Pyke. (6*d.* for each assault, 12*d.* for each affray, 2*s.* for each affray with bloodshed.) Thomas Fleccher's wife "a common chider and braller" (2*s.*). For taking wood without licence: Richard Holland, John Frodsam, Thomas Woods, Richard Worsley (3*d.* each). Hamlet Gursuche, for felling *a sayplyng plonte* in the wood (2*s.*). Nicholas Dey, for taking *pale stauens* from *parca le Knolley*¹ (*Nil*). Elizabeth Bisshoppe is a woman of ill fame, and unfit to be amongst honest people.

ORDER. It is agreed by the Steward and Jury, that if any undertenant is presented to be of ill fame, and does not reform, then 4 honest persons may, with the Steward's consent, expel such person from the town.

OFFICERS. Constables: Robert Worsley, George Plumptton. Burleymen: Thomas Woods, Robert Burtonwode. Aletasters: James Taillor, George Plumptton. *Levelokers*: Robert Bethum, James Taillor, Ralph Houghton, Robert Worsley.

PLEAS. Charles Waryng and Jane his wife *v.* Henry Houghton and his wife, for detaining 39*s.* 11½*d.* cash entrusted for safe custody by Jane to Houghton's wife on 20 July, 1530; also two further sums of 39*s.* 11½*d.* and one of 20*s.* (Defendants appear, deny the charges, and appeal for trial by the homage. The bailiff is ordered to obtain 12 lawful men without delay, and the parties are called. Plaintiffs make default and are in mercy 12*d.*)

¹ i.e., Knowsley Park. See order on p. 81. This park was not in Prescott, but in Lord Derby's manor of Knowsley.

Thomas Heyward *v.* James Tailor, for breach of contract, 30s. (Jury say that def. has held goods worth 40s. borrowed from pl. for a year, and pl. is to be given sufficient security.) Henry Holland and Henry Halsall claim 13s. 4*d.* for detinue of a cow belonging to *le Rodestooke*. (Name of def. omitted. 8s. allowed *pro stipite*.) Thurstan Fairehurst *v.* Richard Holland and Elizabeth his wife. for detinue of a *lede* (*vacis*) worth 20s. 4*d.* (6s. 8*d.* allowed.) William Trauers *v.* Robert Derbyshire, for the occupation of a *smythe*. (Jury say that def. is entitled to occupy for a certain term, therefore plaintiff is in mercy 3*d.*)

Others named include: Richard Leythwete, Hamlet Stockley, Richard Bellurby, Elizabeth Brethargh, John Webster priest, Ralph Webster, Cecilia Hesketh, Thomas Mathew, Robert Roughley, George Byrchall, Thomas Angulsay, Jane Ballard. (26 cases in all.)

JURORS BETWEEN PARTIES: Evan Pyke, Evan Blancherd, Robert Burtonwode, Edward Bower, Matthew Acton, John Glover, John Waynewright, Robert Webster, Oliver Frith, James Rygby, Henry Pendulton, Robert Stooke, Edward Waynewright, John Ledebeter.

PLEA OF LAND. John Gyllor and Ellen his wife *v.* Henry Conney son of William Conney dec., for a messuage in the tenure of John Rayneforth. (Bailiff is directed to summon def. to appear at the next court. Robert Webster and Isabel his wife put in a separate plea for the same messuage).¹

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PROFITS. Sum total of the amercements, 43s. 6*d.*

1541. PRESCOTE. LEGAL COURT, held before William More Esq., Steward under Edward, Earl of Derby. Frid. after C.C. (17 June) 33 Hen. VIII.

JURORS. Edmund Gelibronde, Robert Bethum, Edward Holland, George Plompton, Ralph Houghton, Evan Blanchard, Evan Pyke, Robert Burtonwoode, James Tayllor, James Worseley, Richard Holland, Richard Webster, Edward Bower, Ralph Guldicar.

ADMITTANCES. Jane Chere widow, who was in her lifetime seised of 2 messuages or burgages, left the one which she occupied to Nicholas Eltonhede and his heirs, and the other to Henry her son and his heirs; Nicholas and Henry both having died without heirs, Richard

¹ This case was the subject of orders by Lord Derby's Council, 1546 (p. 288), and by Prescott court, 1547 (p. 106). See also p. 83.

Eltonhede of Eltonhede is next heir, and admitted. 16, 17
 Thomas Woods is dead, and [Henry¹] his son is heir, of full age.

Henry Byrchall is dead, and Humphrey his son is heir, of full age.

Richard Bellurby surrendered all his messuages or burgages and lands, in accordance with a deed of marriage made between himself and Edmund Bolton, 29 July, 1540. Robert Bethum objected, and was given a day at the next court to state his case, on which day he said nothing.

Evan Denton and Margaret his wife surrendered all their part of a messuage or burgage, which they held in right of Margaret, to themselves for life, after to their heirs. 50

The house where Ralph Bower lives ought to be a *tolle bouth*. 121

AMERCEMENTS. In breaches of the peace: Edmund Ferror, John Mersshe, Thomas Fleccher and Robert his son, Henry Plymmer, John Glover of Prescote, John Glover of Knollesley, Grissella wife of Thomas Mathew, Edward Bower, Henry Houghton, Robert Hey. (12d. or 2s. each.) For encroachment on the highway in *le well gate*: John Ledebetter, Edward Haydok. (12d. each.) Edward Haydok a *registrator* of the market. (3d.) For taking wood without licence: Thomas Mathew (10s.), Richard Robertson *alias* Thomlynson, John Frodsam, William Frosshawe, Edward Haydok. (3d. each.) Richard Guy, for stopping a watercourse in *le trape lane*. Thomas and Jane Busshell, and Edmund Highhins, are unfit to dwell among their neighbours. (To leave the town.) For harbouring *vacabunds*: John Glover of Prescote, Thomas Fleccher, William Foresshawe. (12d. each.) Robert Derbishire, for nightwalking. (To forfeit 3s. 4d. each time in future).

ORDER. "That noe person shall be admitted to inhabit as an vndertenant in the towne vntill he shall be admitted by the true tenants, and six vndertakers for him." (A.B.)

OFFICERS. Constables: William Scotte, James Taillor. Overseers of houses and woods: James Taillor, George Plumpton, Ralph Houghton, Richard Holland. Ale-tasters: Evan Pyke, Oliver Fryth. Burleymen: John Frodsam, John Webster. Affeerors: George Plumpton, William Scoote.

PLEAS. John Lane *v.* Brian Dyke of Prescote, for 7s.,

¹ In the roll, a space is left blank.

the price of a cow. (Acknowledged.) Evan Ledebetter *v.* Thomas Mathew, church warden (*procurator ecclesie*) for detinue of a cow worth 15s. 4d. (Def. pleads by John Webster his attorney. Jury allow 8d. damages and 4d. costs. Def. in mercy 3d.) Robert Holt of Parr *v.* Matthew Acton, for 2s. 8d., for the *stipendium* of a cow. (Pledge, Lawrence Holt.)

Others named include: George Lion of Quiston, Thomas Molyneux priest, Edward Leey sen., Jane widow of Richard Gernet and George her son (Edward Gernet priest their attorney), Thomas Leddebeter of Raynehill, Giles Lion of Wyndill, James Derbishire of Assheton, Thomas Denton of Eccleston, Henry Dichefield, John Smyth of Haydok, Richard Bate, Thomas Angulsaue, Thurstan Fairehurste of Byllyng, Elizabeth Porter widow, George Eccleston bailiff of Prescote. (19 cases in all.)

JURORS BETWEEN PARTIES. William Scote, Thomas Shawe, Richard Bellurby, Peter Roughley, Thomas Alcok, Robert Webster, Thurstan Fairehurst, Robert Worsley, Edward Waynewright, John Waynewright, John Frodsahm, John Crosby, Henry Pendulton, Oliver Frith.

PROFITS. Sum total of the perquisites of this court, 27s. 9d.

1542. PRESCOTT. LEGAL COURT held before Edward Maynewaryng, Deputy Steward for Edward, Earl of Derby. Frid. after C.C. (9 June) 34 Hen. VIII.

JURORS: Henry Holland, John Ogle, Hugh Lathum, Henry Brokefield, Robert Worsley, James Taillor, James Worsley, William Scotte, Thomas Shawe, Edward Wayne-wright, Oliver Frith, Richard Holland, Richard Webster.

ADMITTANCES. John Eccleston Esq. of Eccleston before his death was seised of the new messuage or burgage called *le Cayge* or new hall, which in 1539 he surrendered to himself for life, after to Isabel his wife for life, after to Henry his younger son, and after to his right heirs. 6

Edmund Bolton received from Richard Bellurby 2 bays of a house, namely *le west ende*, in which he now lives, and the fourth part of a rood of land adjacent, to the use of him and his heirs. 90 (pt.)

Richard Bellurby, with the consent of Edmund Bolton of Derby, surrendered a parcel of land *in le Churcheley fild*, measuring 27 feet,¹ to the use of Robert Worsley and his heirs. 28 (pt.)

¹ The roll has "continenta xxvij pedes terre."

Ralph Goldicar surrendered the messuage and burgage where he now lives, with all buildings, gardens, lands, etc., to the use of his elder son George and his heirs. 80-86

AMERCEMENTS. In breaches of the peace: George Ley, Richard Hey, Richard Laythewhete, John Frodsam, Ralph Bell. (16*d.* or 20*d.*) Edmund Gelibronde, for encroaching on a common entry between him and Henry Holland. John Ledbeter, for encroaching on the highway. For taking wood without licence: Nicholas Dey (2*s.*), Humphrey Penyngton (5*s.*). For breaking hedges: John Williamson, Alice Baly, Catherine Smyth, Emma Houghton, Richard Tomson *alias* Blewhycche, Ellen Morecrofte, Robert Burtonwoode. (8*d.* each.) For begging: Emma Houghton, Catherine Smyth. (To be expelled from the town, together with John Williamson, Edmund Ferror's wife, Agnes Morman, Edward Haydok, and Alice Morres.)

ORDERS. "A payne of xxs. vpon the inhabitants of Prescott for makinge of a cuckestoole before Michalmas next" (A.B.) to be levied from the goods of the tenants.

"A payne of xxs. vpon them also for makinge a pare of butts" (A.B.) in the place anciently used, before St. John Baptist.

"A payne of xls. for makinge a pare of stocks before midsomer." (A.B.)

"That all persons admitted to brewe and sell alle shall sell of the best a gallon for 2*d.*, and of the second a gallon for 1*d.* ob. [$\frac{1}{2}$ *d.*], and a quart of the best ob., duringe such tyme as they shall continew to sell alle." (A.B.)¹

"That eny person or persons adnulled and put doune by the Justices of Pease and quorum by virtue of the Kyngs comysson, do not set vppe bruyng agayne except [by] special licence of the Kyngs maieste or of his Justices of peace and quorum which put theym down" on pain of forfeiture of their goods, etc.

That the house where Ralph Bower lately lived is *le tolle bouthe*.

121

"The Jurie pray that it may be ordered that the fower men may not deliuer any tymber out of the wood without consent of the steward" (A.B.) or his deputy. Also that no true tenants may admit any undertenants within the town except with consent of the steward or deputy and 4 other of the most honest tenants.²

OFFICERS. Constables: Evan Pyke, Edward Bower.

¹ The object was probably to prevent people from charging *less*.

² cf. the order of the previous year (p. 95).

Overseers of houses and woods: Robert Worsley, James Worsley, James Taillor, Oliver Frith. Aletasters: William Scotte, Robert Worsley. Burleymen: Ralph Houghton, John Ledebeter. Affeerors: Hugh Lathum, Richard Holland.

PLEAS. William Scotte and Robert Worsley, wardens of the stock (of Our Lady?)¹ v. Thomas Alcock, for the profit (*merces*) of a cow for 6½ years, 7s. 6d. The same, v. Elizabeth Porter widow, for the profit of a cow for 3 years, 12d. (substituted for 3s.) James Taillor v. Thomas Heyward, for detinue of a *kyrtalclouth* valued at 10s. (No others mentioned. 5 cases in all.)

1543 or 1544. LISTS OF JURORS.²

"THE LORDS QWEST: John Ogle, Hamlet Stockley, Edmond Golybrand, (Robert Worsley, cancelled) William Gilson, Robert Bortynwod, George Godecar, Jamys Tayler, Thomas Shagh, George Plompton, Edward Bower, John Ledbeter, Van Blanchard, (Van Denton, cancelled) Rauf Horghthon, Richard Bellowbe."

"BETWIX PARTS: Mr. (Lanc, cancelled) Eltynhed, William Scott, Edward Holland (William Gilson, cancelled) Van Pyke, Rauf Fleccher, Edward Waynwregh, Richard Worsley, Henry Coney Junior, Richard Webster, Richard Rigbe, Robert Webster of Prescott, Van Glest, Van Denton, Richard Hyne, Thorstan Fairhyrst."

1545.³ PRESCOTE. LEGAL COURT. Frid. after C.C. (5 June) 37 Hen. VIII.

JURORS: Richard Eltonhede, George Plumpton, James Talier, James Worsley, George Guldicar, Thomas Shawe, Ralph Houghton, Edward Bower, Richard Bellerby, John Ledebeter, William Scote, Robert Webster.

ADMITTANCES. "That Robart Waynwrygt hath gyfhyn and surrendert hys howse and lond in Prescott, after hys desesse, to the vse of Anne Plumpton, hys dougters cheld, the said Anne gyfhyng to hyr brother Robart Plumpton

¹ The MS. is torn. The words "capellanum de beate Marie" appear after a gap.

² These lists are on a slip of paper filed with the roll of 1546, but appear to belong to one of the above dates. The rolls of these years are missing.

³ This roll is on smaller sheets of paper and filed between the rolls of 1531 and 1534. A.B. incorrectly includes it in the roll of 1531. The name of the presiding officer is not given.

xxs., and if the said Anne dye withowte heires of hyr bodye lawfully geton, then the said Robart Plumpton to haue the said howse and lond to hym and hys heires. 38-40

"That Jhon Lathum, son and heir of Wylliam Lathum, is tennant to the lord of all the londs in Prescott that was hys grondfathers, and hys fathers after the desesse of hys grondmother. 19-21

"That Rauff Flecher is tennant to the lord for the howse of hys fathers, with all the howsyng and yardhyng on the backe syde, exept one baye and a pese of the hexte of the yord next to the myllyn hyll, with the halffe of the wodd hey, yeldyng hys father yerely xiiij. and his dets, the lords rent, etc. 57, 58

"That Thomas Eccleston, son and heir to Jhon Eccleston esquier, is tenant to the lord of the newe hawlle, and fre to by and sel within the towne of Prescott, by reson of howr priuelethe. 6

"That the havse that Ryc Laytwayt dwellyth in is a cummen bothe, and soe to be maid afore Mykyllmas next to cumm, or ellys George Plumpton to be tenant to the same, and to enter on it at Martynmas next." 121

AMERCEMENTS. "That Jhon Wylson mayd a fraye apon Ryc Lathwayt. That Van Ledbeter mayd a fraye on Wylliam Carter, and apon hym drewe blod. That Wylliam Rachedale made a fraye apon the wyffe of Thomas Wodds and hyr dougter.

"That Robart Derbeshyr doth mysorder hym selue with blowhyng hornys and knowkyng at the wyndows and dowers of Jamys Haryngton in the nygth, and ffrayhyng thym in theyre bedds.

"That such fawts as were presentyt att the last Cort ar not execute, as pottyng forth of the towne suche as were nott layfull, wether it be in fowt of the offysers, or thay that haue the howses, we can not tell.

"That Davyt Creche destyeth the lords wod. That Jamys Haryngton dystyryth the lords wod. That Mr. Henry Halsall, by hys seruants, hath cutt down sertayn sappelyng plonts in the lords wod.

"That Thomas Anglesay mayd a reskow apon the bale. That Rauff Bell mayd a reskow on the bale. That Thurston Fayrehurst maid a reskowe on the bale, and cawsyd hys seruant to take the stresse away.

"That the wyffe of Wylliam Carter dyd pul dowe the butts, for to lay apon her hempe."

ORDERS. "That ther shall be no wassying of clothys ner pudhyngs at the clay pett, apon payn of iijs. iiij^d., and the wassying stonys shalbe takyn away afor mydsomer and in the same payn.

"Order on Sunday. That ffrom holye water castyng, ther shall no mon bye ner sell vntell the hy masse be done."¹

OFFICERS. "Cunstablys: Van Glest, George Plumpton. The iiij men: Edward Bower, Robert Worseley, Rauff Houghton, Jhon Ledbeter. Berlawmen: Ryc Webster, Van Garnett. Alefounders: Hugh Lathum, George Plumpton. Ferers of the Cort: Edward Bower, Robert Worsley."

1546. PRESCOTE. COURT held before Edward Maynewaryng, Deputy Steward. Frid. after C.C. (25 June) 38 Hen. VIII.

ROLL OF SUITORS.² "Tenants to the lord, *anno* xxxviij: Thomas Gerard knyght, Henry Halsall, John Lathum, John Ogle, Henry Holland, Edmond Golibrand, John Sergaunt, Rychard Eltynhed, Henry Brockfeld, Henry Coney juneor, Richard Webster, John Ledbeter, Edward Bawer, Van Denton, Elyn Boydell, Thomas Fleccher, Van Blanchard, Rauf Horghon, George Plompton, Van Pyke, Hamlet Stockley, (Henry Brockfeld, cancelled), Richard Bellorbe, Edward Birchall, Robert Bortynwod, (Robert Waynwreght, cancelled), George Godecar, Jamys Worsley, Jamys Taileor, [Wife of] Thomas Gyee, Thomas Shagh, Edward Stockley, William Gilson, Hugh Lathum, Robert Bethum, Edward Holland, Richard Rigbe, Van Garnet, The same Van, Henry Woddiss, Robert Webster of Eccleston, Merget Standish, Thorstan Fairhyrst, Anne Coney, [Wife of] Henry Ledbeter, William Forshagh, (John Webster, cancelled), Henry Colley, Edward Gernet, Richard Potter, Anna Plumpton.³

Vndirtenants: Jamys Harynton, Robert Derbeshire, Van Glest, John Webster, Henry Shorlacors, William Carter, Daue Crench, Thomas Lathum, Henry Dichfeld, John Glouer, Petre Rorghley, Rauf Stock, William Wackfeld, Robert Bawer, John Irland, Jamys Rigbe, John

¹ Compare with the order of 1557. See also the Vicar's disclosures concerning the Sunday market on p. 301. An informal Sunday market existed at Prescott in 1324. (See Appendix A).

² This list is neatly written on a small slip of paper filed with the rolls. Dots are placed against nearly all the names, no doubt to signify attendance.

³ The last name is added to the original list.

Bawer, Thomas Alcock, John Crosbe, Robert Webster, John Frodsam, Nicholas Rachdale, Thomas Angolssay, Richard Laithwait, [blank] Heyee, Robert Webster, Brian Dike, Lawrens Holt, Thomas Shagh, John Raynforth, John Ledbeter, William Rachdale.

Women: Alys Deconsdorghter, Alys Balyf, Merget Rorghley, Merget Hergham, Elisabeth Webster, Lor' Webster, [Wife of] Robert Stock, [Wife of] John Esthed, [Wife of] Busshell, Elyn Pendilton, Anne Shagh, Margere Balyf, Katryn Acton, Elisabeth Waynwright, Jenet Godecar, Elyn Morcroft."

JURORS. John Ogle, Henry Holland, Richard Eltonhede, Hugh Lathom, Edward Holland, Evan Blanchard, George Plompton, Richard Bellurby, George Guldicar, James Taillor, Richard Rigby, Edward Bower, John Ledebeter, Thomas Shawe, Robert Burtonwode.

ADMITTANCES. "That Hamlet Stockeley is tenant to the lorde of all suche mesuages, lands and tenements as were Thomas Owtyes, according to a gifte and surrender made by the said Thomas Awtye before the deputy stuard of the same towne and the balyff and other iiij of the lords tenants,¹ to the said Hamlet and his heyres for euer, as apperith by a bill therof made, assigned with the hands of the said deputy stuard and baliff and other iiij tenants."

"That Jamys Worsley, tenant to the lord, is deade syns the last courte, and that Richard Worsley is his sonne and next heyre, and of full age. Savyng all his lands and tenements to Elyne Worsley, wyff of the said James, duryng hir naturall lyff, as by the will of the said James Worsley dothe appere."

"That Robert Waynwryght, tenant to the lord, is dead syns the last courte, and that Anne Plumton, doughter of George Plumton, owe to haue all his lands and tenements, accordyng to a surrender before made by the said Robert Waynwryght, as in the courte bokes dothe appere.² And the said Anne Plumton is of the age of xiiij yeres."

"That Margery Shaw, tenant to the lord, is deade syns the last cowrt, and that Anne Shaw owes to haue all hir lands and tenements, savyng on lytyll howsse and a

¹ A second draft of the same surrender names these persons, as follows: John Ogle gent., Robert Bethom bailiff, Edward Gernet priest, Edward Bower, Robert Worsley and George Plumpton. Apparently John Ogle acted as Deputy Steward, in addition to Edward Mainwaring, and also Henry Halsall (pp. 86, 90, 103, 118).

² See p. 98.

parcell of a garden that Richard Gye and Elyn his wyff now dwelleth in, to haue and hold to the said Richard and Elyn, and to the longer lyver of them, paying for the same . . . yerly to the said Anne Shawe and hir heires xij*d.*, and the said Anne Shawe and hir heires to pay the said xij*d.* yerly to the churche of Prescot, that is to say, to the Rode Stoke yerly iiij*d.*, to the vse of Sancte Kateryn Stoke yerly iiij*d.*, and to the vse of Owr Ladye Stoke yerly iiij*d.*,¹ the remayner of the said litill howsse and garden to the said Anne Shaw and hir heirs for euer." 71

AMERCEMENTS. "That Edmund Gelybrond, Thomas Gerrard knyght, Gavther Leygh, Thurstan Fayrehurst owe their apparance at the lords courte and haue made defaulte." In breaches of the peace: Ralph Bell, James Hunter, Ralph Stoke, Brian Dyke, John Irlond, Thomas Anglesay, Robert Derbyshire, James Taylior, Thomas Hyton the yonger, Thomas Longley, the wives of Thomas Wodds and John Richardson. "That Jane Goldycar, Issabell Raynfforth, the wiff of Robert Webster the tailior and hir doughter, Augnes Laithwayt, Lowre Webster, Alis Balye, the wiff of Henry Pendilton and Jane Forshawe arre trespassers to Knowseley Parke."

ORDERS. "Hit is ordered and agreed by the Jury, with the assent and consent of Mr. Stuard, that all suche persons that will sue for eny dett, duety, trespasse or other thyngs at this courte, that they shall come to the Baliff of the towne for the tyme beyng, and shall gyue hym knolege of the names of suche persons as they will sue at the nexte court, to the intent that the said Baliff may haue vj dayes leysur to gyue monysson to the partes to appere at the nextst court to be holden; and in case that eny vnder tenant or tenants within the towne be sued by eny person, and recouery is hadd agaynst hym or them in the courte, and the Baliff do returne nichill² vpon eny suche vnder tenants hedes, then it is orderyd and agreyd by the Jury and Stuard that the londelord of suche vnder tenant or tenants shall make answare and pay all duets [*sic*] recoueryd in the courte agaynest suche vnder tenants, or els to expullsse and putt forth suche vnder tenant or tenants so returned nichill by the baliff owt of his howsse with the aide of the Stuard or his deputy; and if any other tenant or vnder tenant within the towne will resett or socur eny

¹ In 1592, this property paid 1s. yearly to the Grammar School (p. 41).

² i.e., nothing, there being no chattels to distrain on.

suche vnder tenant or tenants after suche expullssion, that then suche resetters and socores of suche persons shall make answare and pay in like wise as is afforesaid."

"That all tenants and inhabitaunce within the towne and lordship shall bryng their corne to the lords mylne to be groundyn, and not to go with their corne to eny foreyne mylne if they may be sped in conveyent tyme at the lords mylne."

"The xvij daye off Septembre, yt ys ordered beffoure the stuard off Prescote and his depute there, Henry Halsall, that Robart Webbestare and Esabell his wyff shall paye vnto Huen Glest and Alyce his wyff, beffoure All Sowle Daye nexte comyng, the sum off vijs. iij*d*. wiche whas in vervence bytwixe them ffor suche rekenyng as dyd apere by byll beffoure the said stuard, and if they ffayle, yt ys ordered that the bayle shall make lewye ffor the same dutye."

OFFICERS. "Constables: Nicholas Rachedale, John Ledebeter. Ouerseers of the lords wodd: Van Pyke, Robert Worsley, George Plumton, Rauff Houghton. Alefounders: Edward Bower, Hughe Lathum. Berlaymen: Thomas Alcoke, (John Webster, cancelled), George Plumpton. Feyres of the courte: Robertus Worsley, Edward Bower."

PLEAS. Henry Waynewright priest and John Waynewright *v.* George Plumpton, for debt, viz. 24*s*. for 6 *busshell le owts*, 5*s*. 8*d*. for $\frac{1}{2}$ *busshell le barlemalt* and $\frac{1}{2}$ *busshell rye*, 12*s*. for a cow, and 16*d*. for a *paire of bedstoks*. (Continued.) Robert Webster *v.* Henry Colley priest, for detinue of a cow worth 16*s*. (14*s*. allowed.) John Bower *v.* William Ellum, for 20*d*. debt, for *white fustian*. (Acknowledged.) George Stokley and James Potter *v.* John Frodsam, for 5*s*. 4*d*. debt, for *j busshell le barlee*. (Acknowledged.) Evan Glest *v.* Evan Denton, for detinue of *ij busshell le owts and j pek*, worth 7*s*. 4*d*. (Def. is to deliver 5 pecks¹ (*modii*) of oats before *All Sayncts next*.) Robert Webster *v.* Evan Glest, for detinue of 10 bushels (*modii*) *le barle* worth 11*s*., and 3 *busshell le owts* worth 5*s*. (Continued.) Robert Webster *v.* the executors of Robert Conney, for a box (*trunca*) of *hert ffelles* worth 10*s*., a *coffer paynted clothes* worth 10*s*., and 14*d*. for *ledyng of clee and stownes*. (Continued.) James Tayllor *v.* Robert Bethom, for 12*d*. debt, for *pepre and sauffrom and other spices*.

¹ In this instance *modius* appears to mean "peck." See p. 87*n*.

Others named include: Margaret Morecroft, William Foreshaw and Sibil his wife, Robert Webster of Prescote *weyn'*, Brian Assheton, John Richardson of Lee, Grace wife of Thomas Woods, William Trauers, George Gernet of Whiston, Richard Holland. (27 cases in all.)

JURORS BETWEEN PARTIES. Evan Denton, Evan Gernet, Richard Hyne, Evan Glest, Robert Worsley, Lawrence Ledbeter, Thomas Lathum, John Webster, Peter Roughley, John Bower, Nicholas Rachedale, Ralph Stoke, William Carter.

1547. PRESCOTE. COURT AND PLEAS OF LAND (*Curia et Placita Terrae*) held before Edward, Earl of Derby, Steward. Frid. after C.C. (10 June) 1 Ed. VI.

ADMITTANCES.¹ Evan Gernet surrendered a cottage or burgage, with a small garden or parcel of land, measuring 9 yds. 1 ft. in length, and 5 yds. 1 ft. in breadth, lying by the said cottage, to the use of Thurstan Parre of Laughook (i.e. Laffog) his heirs and assigns for ever; paying 4*d.* yearly to the lord. 73

Ralph Houghton, George Plompton, John Leddebeter, Robert Burtonwode and Robert Webster of Prescote *weyn'*, customary tenants and attorneys of Anne Conney, widow of John Jurdan, surrendered a burgage or messuage, with gardens and orchards, to the use of Catherine Stokeley, her heirs and assigns, for ever. 74

Richard Bellurby surrendered a small cottage with a small place (*loco siue placia*) of land adjoining, in *Churcheley fild*, now in the holding of Robert Worsley, to the use of himself, his heirs and assigns, for ever; paying 2*d.* yearly to the lord. 120

Ellen Bodell, before marriage (*in virginitate sua*), surrendered all her part of a messuage or burgage and garden, to the use of herself and Henry Washington, and their heirs lawfully to be begotten, for ever. 79

Henry Brokefild of Langbarwe surrendered a burgage or messuage, with buildings, lands, etc., in the holding of William Scotte, to the use of himself and Catherine his wife for their lives, after to the heirs of the said Henry. 34

Richard Bellurby surrendered a burgage or messuage, with buildings, lands, etc., in the holding of James Rigby,

¹ The names of the Jurors are omitted from this roll.

cordwainer, to the use of Edmund¹ Bolton and his heirs for ever, paying 2s. yearly to the lord. 27

Richard Bellurby surrendered² an acre of land in *le Churcheley fild*, with appurtenances, now in the holding of Robert Bethen for a term of years, to the use of Edmund Bolton (Evan Gleste, cancelled) paying 12*d.* yearly to the lord. 102

Richard Bellerby surrendered half an acre of land in *le Churcheley fild*, in the holding of Robert Bethum for a term of years, to the use of Robert Worsley and his heirs, 10*r* ever: paying 12*d.* yearly to the lord. 28 (pt.)

Robert Webster, *veyn'*, and Isabel his wife, surrendered³ half a burgage or messuage, with buildings, lands, etc., in the farm of John Rayneford, to the use of John Webster, priest, and John Ogle, gent. and their heirs, to the use of themselves and their heirs, paying half of the accustomed rents and services to the lord, and 6*d.* each to the Rood Stock and Our Lady Stock. 33 (pt.)

"That Richard Webster is departed syns the last courte, and the sayd Richard hath made surrendre vnto his wyffe duryng hyr lyffe; and we fynd Hughe thayre sonn lawfull tenant after his fathers wyll, and after the custum of the Lordshyp; and for defaute of his lafull eyres it shall remayn to Henry his brother; and then the said Henry shall paye vnto his ij yong brether xls." 54, 61, 102

"That Thomas Fletcher is departed syns the last cowrt, and that Robert his sonn is next heyr of his barn at [street] ende in new gate; and half of the wood hey, with a baye of a howse on the [hext]⁴ of the yarde next the myln."

AMERCEMENTS. "Also we fynde that Robert Wursley hath takyn in of the Lords wast. [Grace Woods, likewise. They are to restore the same before Michaelmas, or pay 4*d.* yearly to the lord.] Also . . . that all the town hath stopped the watercourse and the kyngs strete afore the scholehowse. Also . . . that Sir Edward Garnet toke on tre without deluyurance. And also that Vuan Garnet toke on tre not deluerid. [3*d.* each.] And also that Alis Balyff dyd snagge ij plonts. [2*d.*] And that the wyffe of Richard Webster did snagge plonts. [William Schote, likewise. 3*d.* each.] And that George Godicar did spoile

¹ A.B. incorrectly has *Edward*.

² A.B. omits this surrender, but it is not cancelled in the roll.

³ The anomalous wording of this surrender follows the sense of the Latin original. A clearer presentment was made at the next court (p. 108).

⁴ MS. torn, but cf. p. 99. A.B. gives "in the vpper end of."

and destrie wood [Cancelled.] And forther Edward Sutton dyd fall a plont. [3*d.*] Also Thomas Latheum dyd snagge plonts. [3*d.*]

"Also . . . that Sir Henry Waynwryt made a ffraye on Raffe Bell, and the sayd Raffe on hym agayn. [12*d.* each.] Also Van Blanchard made a fraye on James Rigbe. [12*d.*] Item John Richardson mad a ffraye on Thomas Woods wyffe, and drewe blode on hyr. [12*d.*] Also Robert Derbyshyre made a ffraye on Oliuer Rigbie and his brother, and strocke them. [6*d.*] And the sayd Oliuer and his brother dyd stryke hym agayn. Allso Raffe Fletcher made a fraye on his stepmother and drewe blod on hyr. [3*d.*] Also Rodger Hylton made a ffraye on Alis Bayle, and dyd geve hyr stroks. [3*d.*] Also Edward Boyer made a ffraye on Henry Lake. [6*d.*]

"Also we do present that Henry Hollont is absent be the leve of the quest." [Nul fyne made by the Affeerors.]

ORDERS. "Also we fynde that the lord shuld make a payre of stocks, and a kucstole."

"That Sir John Webstar shall have a myddyng sted from the wyndow cheke donwart toward Garnets by the waye of neyghburship, kepyng the stret clene."

"That the stable sted, and the stable, is Thurstan Farest."

72

"That thentre at thend of [torn] howse is perteynyng vnto his sayd howse. And . . . that thentrie bytwexe Catryn Stockle and Hughe Webstar shalbe bytwexe them devyded."

74, 54

OFFICERS. "Cunstable: Robert Webstor, Robert Wursley. The fowr men: John Ledbeter, Robert Wursley, Edward Boyer, Richard Wursley. Burleymen: John Ledbeter, Van Glest [John Webstar, cancelled.] Alefownders: William Gilson, Van Pycke. Ferers of the court: Raffe Houghton, George Plumton."

PLEA OF LAND.¹ "The Jurers do present and are agreed: That one Ric. Gleest, of the towne of Prescott, was sole and right tenante to one tenement with it appurtenances, lying in Prescott afforsaid, now in the tenure of John Raynforth, and dyed tenante, after whose decease one Annes Gleest, wif of the said Ric., was tenante of right in the said tenement: And the said Annes made sale of the said tenement with it appurtenances, to one Isabell

¹ This verdict is on a separate half-sheet filed with the roll. For an order relating to this case, see p. 288. See also p. 94 and n.

Braban, otherwise called Isabell Hardware, whiche said Isabell did gyve the said tenement [etc.] to Jane Conay, wif to one William Conay, whiche said William was broght in tenant of the same by an enquest, and therof the said William made a surrendre of the same to Henry Conay, son of the said William: Also the said Jurers do present and fynde that the said Isabell Braban did gyve the said tenement [etc.] to the said Jane Conay duryng her naturall liff, and after her decease to Isabell Webster, goddoughter to the said Isabell Braban: Whervpon the said Jurers are agreed and do present that the sayd Henry Conay and Isabell Webster his syster shalbe from hensfirth ioynt tenants to the said tenement [etc.] yeldyng and paying yearlye to the lord the rent therof dew and accustomed: And also the said tenement to yelde and pay yearlye to the Rode stocke of Prescot xij*d.*, and to Our Ladye stocke xij*d.*: Also the said Jurers are agreed that the arrerages of the said tenement remaynyng in the hands of the said tenante to be devyded betwixe the said Henry Conay and Isabell Webster his syster equally." 33

OTHER PLEAS. James Taillor *v.* Robert Burtonwode, for detinue of a *brase panne* worth 10*s.* (4*s.* allowed.) Robert Derbishire *v.* Richard Derbishire, for 2*s.* 4*d.* debt for one week's board (*mensale.*) (12*d.* allowed.) Edward Gorsuche sen. *v.* Robert Bethum, for detinue of an *erne* [iron] *brendereth* worth 12*s.* (8*s.* allowed.) Thomas and William Byrshall, executors for George Byrshall their father, *v.* Cecily Webster, widow, for detinue of a *dissheburde* worth 2*s.* 4*d.* (2*s.* allowed.) Ralph Fletcher *v.* Robert Fletcher, for trespass with his geese in *le wode heyas.* (Continued.) James Rygby *v.* Thomas Bell, for 6*d.* debt. (Def. failed to appear, and is condemned to pay 4*d.*, and is quit of the residue.) William Scotte *draper v.* James Hareyngton and Ellen his wife, for 4*s.* 4*d.* debt, for woollen cloth. (Allowed.) Richard Bellurby *v.* Robert Bethum, for 5*s.* 4*d.* damages for trespass, in occupying a kiln for 8 years. (Continued.) Ellen Esthede *spynster v.* Edward Waynewright, for 2*s.* debt, for *wollyn yorne.* (8*d.* allowed.) Robert Bethom *v.* George Gernet, for 4½*d.* debt, for trespass in *le Sowverydyng* and *Carre.* (Continued.) Robert Bethom, late bailiff of Prescote, *v.* Thurstan Fairehurst, for a rescue made on him, and seizure of the distress. (Continued.)

Others named include: William Makyn, Henry Conney

jun., Charles Waryng of Assheton, Henry Colley priest, George Wode of Knollesley, Margery Gill of Huyton, Thomas Angulsaye, Alice Estheade, Richard Bower, William Grenehalght, Anne Shawe, Elizabeth Lathum, Edward Estehede. (28 cases in all.)

JURORS BETWEEN PARTIES. James Tailor, Edward Holland, William Carter, Ralph Stoke, William Wakefield, Richard Guy, Brian Dike, Thomas Alcock, Edward Wayne-wright, John Frodsam, Thomas Lathum, John Bower, James Rigby.

1548.¹ PRESCOTE. LEGAL COURT. Frid. after C.C. (1 June) 2 Ed. VI.

JURORS. "The namys of the qwest: Edward Bower, Van Pyke, Jams Tayleor, Rauff Houghton, John Ledebeter, Ryc Worsley, Goerge Guldecar, Robart Webster, George Plumpton, Robart Burtunwod, Van Garnet, Henry Wodds, Edward Holland."

ADMITTANCES. "That Roger Aspys ys tenant of the howse with yt appurtnance, the whyche was Anne Shawe for euer, by the gyfte of his wife." (The Latin version shows that Anne Shawe surrendered a burgage or mesuage, to the use of herself and Roger Aspes her husband [*mariti suo*], and their heirs for ever.) 71

"We fynd that at the last cowrt that the wyfe of Robart Webster made a lafull surrendur to the sayd Robart of hallfe a tenement [or burgage], the whyche John Raynforth dyd dwell in then. 33 (pt).

"That Rychard Bellerbe hath made a surrendur byfore the face of the court to Robart Webster of Eccleston [of] a howsested of ij bays, eyther bay of lenghte xviijth fote and in brode eyther xiiij fote, lying betwyx the howse that he dwell in, in the west, for euer, paying ij*d.* by yere to the lord." 37

AMERCEMENTS. "That John Webster hathe snaghyt plants in the wode. [3*d.*] . . . That John Crosbe dothe trespas the lords wood, and that he fall nothyng there without lysence of the iiij men. [3*d.*] Robart Webster doth present hym selfe for fallyng a lytyll plant in the wod, to make iiij garthys to a turnell of. [2*d.*] That Wyllm

¹ Two records of this court, one mainly in Latin, the other entirely in English, are filed together. The English roll is given here. The Pleas appear only in the Latin roll; otherwise, the matter is the same.

Tarleton and Hamblett Heltonhedd made a sawte. [6*d.*]
That Van Pyke made a fray apon John Ledebeter. [6*d.*]

"We present Henry Tomasson and Edward Esthed for grosyng [engrossing] vp hyds¹ in the margeth [market] contrary to the statute. [8*d.* each.] We present Alys Dychonsdowghter for a nesying dropper,² and that she wyll not kepe hyr owne howse at due tyme. [12*d.*] We present the wyfe of Henry Shurlakers for kepyng bodry in hyr howse."³ (Mergett Rygbe,⁴ likewise.)

ORDERS. "We fynd that Van Glest haht had a mydyng in the hyght way, and stoppyth the wayne gate, and that yt to be amendyth."

"We fynd that the howsse that Ryc Laythwayte doth dwell in owght to be a bothe betwyx thys and Mychaellmas day next comyng, or ells hyt to be Georg Plumpton, accordyng as hyt hath byn brought before tyme by a qwest."⁵

121

"We present that wo so euer kepyth Alys Dawber fro thys day forth, for euery nyght after mydsomer day, shall forfet xij*d.*, or any suche."

OFFICERS. "Constabyls: Van Pyke, George Plumton. The iiij men: Jamys Tayleor, [Van Pyke, cancelled], Rauff Houghton, Ryc. Worsle, Robart Worsley. Berley men: John Webster, [Thomas Alcocke, cancelled], George Guldicar. Feyrer: Robart Webster, Edward Holland. Ale fonder: John Ledbeter, Wylliam Skhott."

PLEAS. Robert Worsley *v.* George Plumpton, for 10*d.* debt. (Jury say he detained half a *bussshell le ots.*) John Webster and Nicholas Bethum, executors for Robert Bethum, *v.* Richard Worsley, executor for James Worsley, for detinue of a *irne* [iron] *spyte* worth 4*s.* (Adjourned to the next court.)

Others named include: Alice Crosby, Robert Webster of Prescote, Margaret Wods, Alice Webster widow, Nicholas Rachedale, Robert and Cecily Webster (executors for Richard Webster), Margaret Cowper, Thomas Tarleton, Henry Houghton, Thurstan Arrosmyth, Henry Forster, Edmund Bolton, Alexander Roughley, Ralph Boterworth *chapman*, Thomas Assheton, John Terbok, Henry Wilcok, John Leyland. (21 cases in all.)

¹ Duplicate roll has "regrators of oxen hyds."

² Duplicate roll calls her "a herkerner vnde mens wendowes."

³ Duplicate roll has "douth kepe bordelhouse."

⁴ Duplicate roll has "*vxor* James Rigby."

⁵ See p. 99.

JURORS BETWEEN PARTIES. Evan Blanchard, John Bower, Evan Gleaste, Thomas Shaw, Henry Pendulton, Richard Guy, Thomas Alcok, William Scote, James Rygby, John Richardson, Lawrence Ledebeter, Henry Wasshyngton, Edward Waynwright, John Webster, Ralph Stok.

1549. PRESCOTE. COURT held before Edward, Earl of Derby, Steward. Frid. after C.C. (21 June) 3 Ed. VI.

JURORS. James Taillor, Evan Pyke, Robert Worsley, Robert Webster, Evan Gernet, John Ledebeter, George Guldycar, Richard Worsley, Ralph Fleccher, Henry Wodds, George Plumpton, Robert Burtonwode, Edward Stockeley, Edward Holland, Ralph Houghton.

ADMITTANCES. Thomas Eccleston Esq. is tenant of a shop in *le maketh* place, surrendered by Robert Webster of Eccleston. 8

Ralph Fleccher is tenant of half *le woode hey*, surrendered by Robert Fleccher. 59

Maud Fleccher is tenant, for term of her life, of a garden (? *orto*) lying between the house in which Henry Shurlercres now lives, and the house of William Carter, with remainder to Ralph Fleccher. 57 (pt.)

John Bower, *mercier*, is tenant of *a berne de iij bayes* at the end of *newgate strete*, by the *clay pyte*, by sale and surrender of Robert¹ Fleccher, son and heir of Thomas Fleccher dec. 24

George Plumpton is tenant of the messuage late in the holding of Margaret Cowper, and Jane Waynewryght has no right in the same. 97

The house in which Richard Laythewete now lives is and ought to be *a Tolle Bothe* and *Corte house*, or else the rightful inheritance of George Plumpton. 121

AMERCEMENTS. Sundry persons unknown are presented for felling *saplyng plonpts* between *le wode* and the land of Mr. Penyngton. James Rygby and John Webster, for the like. (3*d.* each.) For default of appearance: Edmund Gelibronde, Edward Bower, Thurstan Tillesley Esq. (executor for Gowther Legh, late tenant of a certain heritage of John Sergeant.) (3*d.* each.)

Alice Dyconsedoughter is a liar and listener under

¹ A.B. incorrectly has *Ralph*.

windows. In breaches of the peace: John Bower of Prescote, James Webster, William Rachedale, William Hyne, John Watson, Henry Bower, Ralph Howghton, Richard Hareden, Richard Parre, Ralph Raynescrofte. Henry Wasshynton, for allowing *cardyng* and *dicesyng* in his house. John Webster for the like, and for *bollyng* in his garden. A watercourse called *our lade well* has been stopped, the same being of old a lawful watercourse between the *Vikeraige meadow* and James Tailer's hedge on the east, and the house of Richard Worsley on *le west side*.

OFFICERS. Constables: Evan Gernet, Robert Wursle (Webster, cancelled.) Overseers of the Wood and of Houses: Edward Holland, Robert Worsley, George Goldicar, Richard Worsley. Burleymen: Ralph Fleccher, William Wakefield. Affeerors: Ralph Houghton, George Plompton. Aletasters: Evan Pyke, Robert Worsley.

PLEA OF LAND. Jane Waynewryght, daughter and heiress of William Waynewright, *v.* George Plompton, for a messuage, by inheritance from her father. (It is put to the homage, by consent of both parties, and verdict given, that the said George does not hold or have any messuage of the said Jane.)¹ 97

OTHER PLEAS. Seth Webster *v.* Cecily Webster widow, for trespass, *in caryyng of wode* worth 40s. from his house. (Not guilty.) Edward Bower *v.* Robert Webster of Prescote and his wife, for *gd.* debt, for *spice* and earthen pots. (The jurors say he owes nothing.)

Others named include: Edward Gernet curate (*capellanus parochialis*), John Webster priest, John Webster of Wolfall, William Skyllington, Hugh Webster, Evan Glesté, James Hareyngton, Hamlet Stokeley, Edward Cowper. (8 cases in all.)

JURORS BETWEEN PARTIES. Henry Coney, Richard Rigby, William Scote, Thomas Lathom, Henry Wasshyngton, Thomas Alcock, Richard Guy, Edward Waynwright, John Webster, Henry Pendulton, William Carter, Ralph Stoke.

1550. PRESCOTE. LEGAL COURT OR VIEW OF FRANKPLEDGE, held before Edward, Earl of Derby, Steward. Frid. after C.C. (6 June) 4 Ed. VI.

JURORS. Edward Bower, James Taylor, Evan Pyke,

¹ This finding is also included among the Admittances (p. 110).

Robert Worseley, George Plumpton, Evan Gernet, George Guldicar, John Bower, Robert Webster of Prescote, Ralph Houghton, Edward Holland, Henry Woods, Richard Worsley, Robert Burtonwode, John Ledebeter.

ADMITTANCES. "Richard Belleobe hath geuen his wyff Catren the baye of the howse in the yest end, with the garden on the backsyde, for terme of hyr lyff, paying to the Lord *ijd.* by yere." 98 (pt.)

"Edward Boyer hath geuen to his sonn, John Boyer, the shoppe in the Marketh styd after the decease of the sayd Edward Boyer, to him and his heyres for euer, paying the rent to the Lord accustomed, *xxd.* by yere and yerely." 23

AMERCEMENTS. "Jur' present John Sherdle, for fall-
yng a plant to make a payr of rathes to Anes Mosley [*4d.*]
. . . Raffe Fletcher, for falling of vij plaunts to make by
his yate [*6d.*] . . . John Boyer, for fallyng a plonnt to
make a charage [Nil.] . . . John Boyer, for snagying of
many plaunts . . . [Henry Dicchefeld and Edward
Couper, for the same. *3d.* each.] . . . Hugh Glouer and
Robert Gorsege of Knowsle, for falling ij burn of saplyng
yards [*12d.* each,] . . . William Johnson of Wyston, for
fallyng of sappling yards and sowls [*6d.*] . . . Raffe
Fletcher, for fallyng wood owt of tyme, to make a hedg
abowt his corn in the Wod Heye [*3d.*] . . . Raffe Stocke,
for fellyng wod owt of tyme, and brvnnynge it owt in
wynter [*3d.*] . . . John Sherdle, for makynge a fraye on
Edward Stockle [*2s.*] . . . Edward Stockle, for makynge
a fraye on Robert Byrschall, and on hym drew blodd [*2s.*]

"That the wyff of Bryan Dicke dowth receyte vaca-
bunds and beggers [*12d.*] . . . Edward Sutton in lyke
maner [*6d.*] . . . The wyff of Nycolas Ratchedale, for
recettyng of vacabunds and beggers [*2s.*] . . . Edward
Couper, for stoppyng the right curse of the water anendes
his douere, and mavryng the lane . . . James Tayler, for
stoppyng the right course of the water in the hallane, and
it to be amended bytwyx this and saynct James day, or
ells the sayd James to abyde the lords mercement, whyche
is vjs. viij*d.*"

"Thomas Alcock, for dychyng and vndermynyng the
cawsse [causey or causeway] of stonis, and the sayd stonis
arre fallin down, and the sayd Thomas to amend the sayd
cawsse bytwix this and St James day, or ells to forfett to
the lord iij*s.* fowr penc."

ORDERS. "Jur' present that Edward Goodicar shall

have the borage in Churchele fyld geuyn by his fater and George Goodicar his brother, to byld a howse of ij bays apoun the sayd borage, of the sayd George costs, for terme of Edwards lyff, payng vnto the sayd Georg or his assignes iiij penc by yere, bylded bytwexe this and Wytsoned, and for lack therof Edward shall have the parlor till it be bylded." 83

"That the hedge that is in varienc bytwexe the wyffe of Richard Webstar and Van Garnet, ether of them to occupie as they have done in tyme past."

"That Robert Webstar shall have the entre to the coost [*sic*] vpon the backe syd of the howse of William Nayler, bytwexe the howse of Edmund Gillbronnd and Henry Hollaunt, as it hath ben accustomed afforetyme."

"That Thurstan Fayrest shall have the stable as he hath had affortyme."

"That wosoeuer dowth laye any caren [carrion] in the waye vnburied shall forfett to the lord ijs."

OFFICERS. [Names of Constables torn away except for one surname, "Wursle."] "Burlamen: Edwayrd Waywright, Wylliam Cartter. Alefounders: John Ledbeter, Raffe Hoghuton. The fowre men: George Plumton, Robert Wursley, Rycherd Wursle, Van Pycke."

PLEA OF LAND. Robert Prescote *v.* Jane Ledebeter, John her sone and others. (A verdict given by the above-named Jurors, on Friday before St. John Baptist, 4 Ed. VI. [1550] "The saied Jur' saieth and presenteth that Robt. Prescote ys heyre and tenante ffor the reuercion of all the house and lands that ys vnsold which was John Byrons, that ys to saye, the old house with ij littill houses on the bakeside, and the greate yorde wyth the kylne, and the littill yorde, to hym and his heires for euer, payeyng to the wif of Henr Ledebetter for terme of her lyf ijs. by yere. And all former bargeynes made by Henr Ledebetter and Jane his wif to stande in full strength and vertue.")¹

1551. PRESCOTE. COURT WITH VIEW OF FRANKPLEDGE, held before Edward, Earl of Derby, Steward. Frid. after Trinity² (29 May) 5 Ed. VI.

JURORS. James Tailor, Evan Pike, Robert Worseley, George Plumton, Evan Gernet, George Goldicar, John

¹ For later developments of this case, see pp. 116, 120, 153, 165, 172, 188-9, 293.

² This feast coincides this year with Corpus Christi.

Bower, Robert Webster, Ralph Hoghton, Edward Holland, Henry Wodds, Richard Worseley, Robert Burtonwodd, John Leadebeter, Evan Glest, Ralph Fleccher.

A PETITION. The Jurors say that everything written herein, and presented by them, is true: they therefore pray that all things which have been presented may be set down, and afterwards entered, in no other form, since they themselves have presented them as their own act: for it has been done at their instance, and they do not wish to present it differently.¹

ADMITTANCES. "The Jure present that Henre Brokefild, whiche did hold certen lands and tenements of the lord accordyng to the custome of the towne of Prescotte, is decessed syns the last courte, and that Catharyne his wiffe is tenant of all the said lands and tenements ffor terme of her lyve by surviur, accordyng to a surrender thereof heretofore made by the said Henre in the secunde² yere of the reigne of our soueraigne lord the kyng that now is, the remaynder thereof to Rauf Brokefild, sonne and heire of the said Henr and Catharyne, and his heires ffor euer, accordyng to an order therein taken betwene the doughters of the said Henr Brokefild and their ffrends upon the one partie, and the said Catharyne, Rauf her sonne and their ffrynds on the other partie, by the Right Honorable Edward, Earle of Derby, and none other wise, or ells the parties to be at libertie as they were before this presentement."

"That William Forshay is decessed syns the last court; and we fynd Thomas Forshaye his heire ffor the reuercion after the decesse of his mother; and that he shall make none encombrance thereof so longe as his mother lyveth." 66

"Evan Denton and Margaret his wife came into the face of the courte in their proper persons, and there did make a lawfull surrender of their howse and yorde in Prescote to Mergett Denton their doughter and her heires ffor euer." 50

"The Jure presenteth James Taylor, Evan Pyke, Robert Worseley and Richard Stockeley to be tenants of the bothe howse in Prescote, by the graunte of my lord of Derby and his officers, payng to the lord iijs. by yere, and keepyng hit to be ffor a courte howse and a boothe." 121

¹ This translation follows closely the original Latin.

² Apparently a mistake. Read *first* (see p. 104).

" To this court did Richard Bellerbie come in his owne proper person, and in full court did surr' into the lords hands, to the vse of Clerice Bethum widowe and her heires for euer, all that clause or clausure or land in Prescott aforesaid called Sletherford fild, and all and singler his howses, buyldyngs, burgages, gardynes, orchards, lands, tenements, medoes, lesoes, pastures, rents, reuercions, seruices and hereditaments in the said towne of Prescott, except and reserued to the said Richard Bellerbie and his heires one baye of an howse where the said Richard now dwellith, that is to saye in the est end of the same howse ffrome the dore vpward, and also one entre into the same baye called the lower floer, that is to saye ffrome the woghe of wall vpward to the same baye, and all that parte of one burgage one the backside of the same howse as it is now inclosed, whiche is in the holdyng and occupacion of the said Clarice for certen terme of yeres yet enduryng, that is to say all the said burgage savyng one gardyn stede in the west end of the same, adioynyng to the comen strete vpon the west, and now in the holdyng and occupacion of the said Clerice Bethum, and excepted also the reuercion of the kylne standyng on the myll hill, whiche the said Clarice now hath and holdeth for terme of her lyffe, the said Richard payng ffor all the premisses yerely to the lord *ijd.* Whereopon the said Clerice came into the said court, and in the same did take of the lord all and singler the premisses, except before excepted, to have and to hold to her and to her heires ffor euer, according to the custome of the manor, yeldyng and payng therefore the rents, services and custome thereof before tyme due and accustomed, that is to saye *xjs.* yerely; and furthermore the said Richard Bellerbie acknowlegeh hymself in full court to have receyued of the said Clarice . . . the some of *xj li.* of lefull money of England." 98-101

Evan Blauncherd surrendered a messuage, lands, etc. in *le Sparowe lone*, which he held for term of his life by Courtesy of England, to the use of Thurstan Cannor and Ellen his wife, and the heirs of Ellen, for ever. 18

AMERCEMENTS. " For snaggyng of plants in the wodde ": James Taylor's servants, Hugh Latham's servants, Henry Wodds. (*2d.* or *3d.* each.) " For snaggyng wodde owt of tyme ": Henry Washyngton, Brian Dike's wife. (*3d.* each.) " Elen Pendelton, ffor ffallyng wodde and burnyng hit " (*3d.*). In breaches of the peace:

Robert Derbyshire, John Bower, Roland Gernet, Cecily Hychemoghe, Brian Dike, Hamlet Tayleor. (3*d.*, 4*d.* or 6*d.*)

Cecily Hichemogh and James Hunter are "no lefull to be in the towne; and that who so euer resetteth her [or him] after middesomer daye next ffor to fforfett euery nyght xij*d.*" John Glouer, "ffor resettyng vacabounds and beggers" (2*d.*). Robert Bethum's wife "for layng her mucke in the hie waye; and that she shall not forbarre the kyngs hie waye opon payne of iijs. iiij*d.*"

ORDERS. "That Robert Worseley shall diche his ditche annends his lower heye betwix this and Mychellmas day next, opon payne of iijs. iiij*d.*"

"George Goldicarr to skowre the ditche in the halle lone betwix this and Mychelmas day next" on like pain.

OFFICERS. Constables: Ralph Hoghton, George Plumton. "Townships": Robert Worseley, Richard Worseley, Evan Gernet, Evan Pyke. Burleymen: Henry Wodds, Robert Webster. "Alefounders": Evan Pike, William Caressonne. Affeerors: Edward Holland, Robert Worseley.

PLEA OF LAND. "At this Court it is ordred by the Stuard of the said court, concernyng the lands and matter in variance betwene Robert Prescott, partie demaundaunt, and Richard Eltonhened and John Lathum gent., Clarice Bethum and Johanne Ledebeter widowes, partie defend', with the full assent and consent of the said parties, that the said parties defend', and euery of theyme, opon one monethes warnyng to theym before hand gyvon by the baylie of the said court, shall be and appere in their proper persons, or by their seuerall attorneys lefully authorised in that behalf, before the Stuard of the said courte, or his lefull deputie, at suche daye and place within Prescott as shalbe to theym by the said baylie assigned and appoynted, then and there to make answare to suche thyngs as shall be obiected and layd agaynst theym and euery of theym by the said Robert Prescott concernyng the lands and matter aforesaid. And further, to procede and obeye suche order therein as shall stand with equitye and justice, accordyng to the due course of the lawe and custome of the said court. And that the said lands now in variance in the holdyng of euery suche of the said parties defend' as shall make defaut in performyng and accomplishyng the said order, to be seased into the lords

hands till suche tyme as he making default shall and will be conformable and agreable to stand to and obeye the order aforesaid."

OTHER PLEAS. Thomas Edwardson *v.* James Tailor and others, pledges for James Slacke, for 6s. debt, part of a payment of 12s. for a horse. (To be distrained for.) John Dichefeld *v.* Brian Dyke's wife, and Robert Worseley her pledge, for 2s. 4d. debt, for part of a pig. (Acknowledged.) Richard Halsall, *parson* of the church of Halsall, *v.* Thomas Alkoke, for 10s. debt, for a *stonne of wolle*. (Acknowledged; def. is to have a month's grace to pay, before levy is made.) Robert Webster *v.* James Taylor, for 8d. debt, for making up his books (*conscribendo libros*) while he was churchwarden (Allowed); also for 2s. debt, for the pasture of a cow for one year (Allowed); also for 10s. damages for continuous trespass with geese upon his grass and corn (8d. allowed). (13 cases in all.)

JURORS BETWEEN PARTIES. Evan Blauncherd, Thomas Shawe, Edward Cowper, John Raynforth, Edward Waynwryght, William Scotte, John Webster, Thomas Latham, Henry Dichefeld, William Wakefield, William Ellome, William Caressonne, Ralph Stocke, William Carter, Henry Wasshynton.

1552. PRESCOT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward, Earl of Derby, Steward. Frid., 17 June, 6 Ed. VI.

JURORS. James Tayleor, Robert Baweor, Evan Pyke, John Baweor, George Plompton, Ralph Hoghton, Robert Wurseley, Robert Webster, Evan Gernet, Richard Wurseley, Edward Holland, Henry Wuddys, John Ledebeter, Ralph Fletcher, Henry Wasshynton.

ADMITTANCES. George Guddycarr died seised of one messuage or burgage, and John Guddycar is his son and heir, saving the right of Ellen, widow of George, for her life, in consideration of the education of their boys, as appears more fully in the will of the said George; saving also the right of Edward, Jane and John Guddycarr. 80-86

Edward Baweor died seised of two messuages or burgages, and Robert Bawer is his son and heir, and of full age; saving the right of Richard Baweor in one messuage or burgage and garden for life, as is shown below. 4, 5

Richard Hyne died seised of one messuage or burgage, and John Hyne is his son and heir. 87

Evan Pyke, George Plompton, Edward Holland and John Ledebeter testify in full court, before Henry Halsall gent., Deputy Steward, that Edward Baweor, in their presence, and out of court, according to the custom of the town, surrendered into the lord's hands a messuage or burgage and garden, intending that the lord, through his Steward, should regrant the same to the use of Richard Bower his younger son, to hold for his life, paying 4*d.* yearly to his brother Robert Baweor, with remainder to the said Robert. Upon proclamation, Robert alleged himself, as heir, to have the prior claim; admittance is stayed till the next court for Robert to plead his case. 4

AMERCEMENTS. Ellen Guddycarr, for demolishing a *shepon* belonging to a messuage or burgage of John Guddycarr. Robert Wurseley, for felling a *plant* without licence (4*d.*). John Webster, for felling 2 *plantis* and making his fences with them (2*s.*). Thomas Alkocke, for felling wood and underwood, and cutting down branches of *plantys* in *le Kocke Glade* (2*s.*). James Tayleor, John Baweor and Henry Wuddis, for the like. For taking for firewood (*ignivit*) their neighbours' hedges, and pillaging the lord's wood both by night and day: William Rachedale's wife (8*d.*), William Caryson and his family (12*d.*), James Harynton's wife (6*d.*). For felling trees out of time: Brian Dyke's wife (3*d.*), John Ledebeter's tenants (6*d.*). For felling *plantis* without licence: Robert Brasse clerk, Henry Halsall gent. (No amount given.)

In breaches of the peace: Edward Waynwright, William Gorsuche, William Rachedale, Roland Gernet, John Standysse, James Turner, Nicholas Fynne, Henry Colley priest, James Hoghton, Roger Asmoll, Henry Coney (12*d.* or 2*s.*). Richard Bradley, for an affray with bloodshed upon the constable (3*s.* 4*d.*); also, for breaking the king's gaol (*gaolam*), namely *the Stockys* (2*s.*). Henry Colley priest, for harbouring Cecily Hechemogh for 11 months contrary to a former order (40*s.*). Evan Gernett, for harbouring the said Cecily for 2 nights (3*s.* 4*d.*).

For encroaching on the lord's waste: Alice Bayle, Thomas Lathom, Henry Shurlakers. (To restore, on pain of 3*s.* 4*d.* each). William Ellum and Thomas Fleccher's wife, for suspicion of incontinence. (*Attenduntur si aliquid etc.*). Brian Dyke's wife, for receiving *vagabundos* and

dishonest persons (4*d.*). Edward Cowper, for a midden in a certain way leading down from *le Sletherforth Feld*. (To remove, on pain of 3*s.* 4*d.*) William Skotte, for stopping a watercourse by his barn. (To amend on pain of 3*s.* 4*d.*) John Webster, for taking up the pavement (*paviamentum*) at the end of the messuage or burgage of Robert Heyes. (To amend, on pain of 12*d.*) Henry Wuddys and his mother, for stopping a watercourse between their house and *le Cockeshotys*, by the *lane*, and another between *le medow* and *le Cockeshot*. (To amend, on pain of 6*s.* 8*d.*)

For harbouring players of unlawful games: John Raynforth, Evan Gernet, John Baweor, Henry Wasshynton, Thomas Lathom, Evan Gleyst, Henry Shurlakers. (12*d.* each.) For harbouring lewd persons: Richard Laythewat, Henry Shurlakers. (3*s.* 4*d.* each.) James Tayleur, for a midden at the end of his *shope*. (To amend, on pain of 6*s.* 8*d.*) William Sergeaunt, for spoiling and obstructing the way with muck, clay and stones, and disobeying the lawful orders of the Steward. (8*d.*, and to amend on pain of 6*s.* 8*d.*) William Careson, for spoiling and obstructing the way with a midden. (To amend, on pain of 3*s.* 4*d.*) Ellen Guddycarr, for not making up her hedge at the command of the Burleymen (3*d.*) James Taylor, for not yoking his swine at the command of the Burleymen (3*d.*); also for stopping a watercourse between *le viccars medow* and *Jamys medow*, and another in *le halle lanze*. (To amend, on pain of 3*s.* 4*d.* and 13*s.* 4*d.* respectively.)

ORDERS. "That a well called our Ladies well is a comon and ffree well for all the inhabitants of the towne of Prescottt, and that noe man or person shalbe hindered from the comoditie and easment of the said well vpon payne of iijs. iiij*d.*" (A.B.)

"That noe person shall sett any stone or tresle [*tripodem*] to wash clothes within xx ffoote of the well, nor scower any vessells to corrupt the water of the said well, vpon payne of vjs. 8*d.*" [*sic*] (A.B.)

"That none shall place any dunge hill within xx ffoote of the well, *sub pena* 3*s.* 4*d.*" (A.B.)

That the water which flows from *le Claye Pytt*, *le Barkers Croft* and other places shall have passage by the ditch between *le Myddyll Croft* and *le Crosse Croft*, and so to *Clappers Cloghe*.

"That noe person shall receive into theire howses seuerall persons beinge of vn honest fame" (A.B.) *viz.*

Cecily Hechemogh, Ellen Orme and the widow of Gilbert Wulse, on pain of 3s. 4d. each time.

OFFICERS. Constables: Robert Baweor, Robert Wurseley. Aletasters: Robert Wurseley, Evan Gernet. Overseers of the Wood: Richard Wurseley, James Tayleur, Ralph Hoghton, John Baweor. Burleymen: Ralph Fletcher, Henry Wasshyngton. Affeerors: Ralph Hoghton, Robert Baweor.

PLEAS OF LAND. Robert Prescott of Eccleston, son and heir of Elizabeth, widow of Edward Prescott, dec., and daughter and sole heiress of John Byrom of Prescott, dec., v. Richard Eltonhead gent., for a burgage with buildings and a garden, in an assize of *novel disseisin*. (To be tried at next court, on the day after Corpus Christi next.) 16

The same Robert v. John Lathom of Mossebarow gent., for a rood of land, in an assize of *novel disseisin*. (As above.) 19

The same Robert v. Clarice, widow of Robert Bethom of Prescott, dec., for a garden and a *berne*, in an assize of *novel disseisin*. (As above.) 100

Peter Baweor of Eccleston v. Robert Baweor of Prescott, for 2 messuages or burgages, one in the occupation of the said Robert, the other in the occupation of Richard, brother of Robert, in an assize of *mort d'ancestor*. 4, 5

OTHER PLEAS. Evan Pyke and George Plompton, churchwardens (*Gardinarii bonorum Ecclesiasticorum de Prescott*), v. Edward Gernet priest, for 6s. 8d. debt for goods belonging to the church which he has detained. (Allowed.) James Tayleur v. Grace, widow of Thomas Wuddys, for 7s. 4d. debt, for wool. (Acknowledged. It is noted that the tenants of Prescott say they ought not to pay an amercement in the case of acknowledgment of a debt.)¹ William Skelyngton v. Robert Bawer (executor for Edward Baweor his father), for detinue of a *Buckeler* (*perme*) worth 3s. 4d. (The parties make agreement; the tenants say that in this case they ought not to pay an amercement.)¹ Richard Coke v. Robert Baweor, for 30s. debt, for 6 bushels (*modii*) of barley malt. (25s. acknowledged, for 5 bushels. Both parties plead for examination of their books.)

Evan Blanchard v. Richard Bellerbe and Evan Pyke his pledge, for 8s. debt, for a mare. (Acknowledged.) Thomas

¹ These notable statements of custom appear quite incidentally; cf. the statements similarly recorded on pp. 122 and 125.

Wethyngton *v.* Robert Webster and Isabella his wife, for 18s. 8*d.* debt, for 8 bushels of barley malt. (Agreement made; def. in mercy 3*d.*) Edward Esthed *v.* Evan Pyke and Evan Gleyst, pledges for Isabel Holland, for 21s. debt, part of a greater sum, for a cow. (Acknowledged.) Edward Gernet priest *v.* Evan Pyke and George Plompton, for 5s. debt, for services rendered. (Allowed.) Richard Wurseley *v.* John Baweor, pledge for Thomas Heye of Waryngton, for 3s. 4*d.* debt, for the hide of a cow. (Acknowledged.) Hamlet Law and William Nayler (executors for Richard Law) *v.* Evan Gernet, for detinue of *a stone trogh* worth 4s. (2s. allowed.); also a round stone called *a gryndylston* worth 3s. (6*d.* allowed.) Evan Gernet *v.* the said Hamlet and William, for detinue of 7 cartloads of coals worth 3s. 6*d.*, which Richard Law had in his lifetime. (Paid in court.)

Others named include: William Henreson, Henry Browne, Lawrence Ley, Thomas Wulfall, Baldwin Bold, Ralph Alan, Henry Derbyshire, Evan Ledebeter, Robert Baweor and Margaret his wife, Humphrey Cartwright priest, Evan Gernet and Agnes his wife, Robert Heye *barker*, Richard Stockeley, Margaret Laton, Thurstan Canner and Ellen his wife, Richard Denton, James Hoghton, Robert Fletcher, Henry Tayleor, Elizabeth Lathom, Margaret Wudds, Ralph Sutton, Edward Esthed and Elizabeth his wife, William Gylson, John Baron of Wegan, Hugh Lathom (bailiff of Prescott), Hamlet Stockeley. (45 cases in all).

JURORS BETWEEN PARTIES. Henry Coney, Thurstan Farehurst, Evan Blanchard, William Scott, John Webster, John Raynforth, Thomas Lathom, Ralph Stocke, Edward Sutton, John Crosby, Henry Pendylton, William Ellom, Edward Waynewright, Henry Dichefeld, William Carter, William Wakefeld, Peter Rughley, Richard Lathewat.

PROFITS. Total: £4. 11s. 9*d.*, made up as follows: from fines and amercements for transgressions, £4. 9s. 8*d.*; from amercements in pleas, 2s. 3*d.* [*sic.*]

1553. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward Manwaryng gent., Deputy Steward for Edward, Earl of Derby. 2 June, 7 Ed. VI.

JURORS. James Tayleor, Evan Pyke, George Plompton, Robert Webster, John Boweor, Edward Holland, John

Ledebeter, Ralph Hoghton, Evan Gernett, Ralph Fletcher, Henry Wuddys, Edward Stockeley, Richard Wurseley, Edmund Bolton, Evan Gleyst.

ADMITTANCES. Sir Thomas Gerrard, knight, died seised of one messuage or cottage, and Thomas Gerrard Esq. is his son and heir, and of full age. (It is noted that the tenants say that, according to the custom of the town, they ought not to make fine¹ to the lord for their lands within the town.) 2

Henry Wuddys surrendered all his messuages, lands, tenements, burgages, etc., to the use of himself and Anne his wife for their lives, after to their heirs, failing which, to the heirs of the said Henry; provided that, if the said Anne should marry again after Henry's decease, the heir of Henry and Anne shall have thereupon half of the premises; further provided that such heir shall have reached the age of 21. 46-8

Robert Baweor surrendered a messuage or burgage with lands, etc., in his own occupation, to the use of himself and Margaret his wife for their lives, after to George Boweor, son of the said Robert. (Peter Boweor, by Richard Boweor his attorney, laid claim to the premisses; admittance therefore respited to the next court for the hearing of the claim.)² 5

Robert Boweor surrendered a messuage or burgage with lands etc., in the occupation of Richard his brother, to the use of Jeremy his younger son after the death of the said Richard, for term of his (Jeremy's) life, paying 12*d.* yearly to George, his elder brother; with remainder to the said George. (Respited similarly.) 4

Robert Boweor surrendered 3 shops, to the use of George Boweor his son. (Respited similarly.)

Thurstan Canner and Ellen his wife, daughter and heiress of Alice Blanchard, late wife of Evan Blanchard, (she being solely examined), surrendered a messuage or burgage in *le Sparrow lane*, with lands etc., together with the reversion of all the messuages, lands etc. now in the holding of Evan Blanchard for life, to the use of themselves for life, after to their heirs, failing which, to the heirs of Ellen. 18, 9, 10

Richard Bellerbe surrendered a bay of building, in his

¹ i.e. upon the conveyance or inheritance of copyhold land. The tenants' claim to exemption by custom, though not admitted by King's College, prevailed in practice. See also pp. 299 and 305.

² This claim had been made in 1552 (p. 120).

own occupation, and the ground on which it stands, being at the east end of a house in the occupation of Clarice Bethom widow, and also a burgage of land in the occupation of the said Clarice, to the use of Robert Webster, his heirs and assigns; saving the right of Catherine, wife of the said Richard, in the said bay and in one garden for life; also the right of the said Clarice for a term of years.¹

John Ledebeter surrendered a messuage or burgage, with lands etc., in the occupation of himself and Ralph Stocke, to the use of himself and Margaret his wife for their lives, after to the heirs of the said John. 49

Edward Byrchall applied for licence to enter into a messuage or burgage, with lands etc., and a shop in the market-place in the occupation of Edward Wanewright, saving the right of Elizabeth, wife of the said Edward Warmysham [*sic*], for life. (Admitted.) 60, 107

Evan Gernet and Edward Holland testified that Henry Colley, priest, in their presence, out of court, surrendered all his messuages or burgages, lands etc., to the use of John Rigbye, his heirs and assigns.

Henry Eccleston, son of John Eccleston Esq., applied for licence to enter into a messuage or burgage called *le Cage*, with buildings, gardens and orchards, as granted to him for life, after the death of Isabel, late wife of Henry Halsall gent., in a surrender made by the said John in 1539, with remainder to the use of Thomas Eccleston Esq., his heirs and assigns. (Admitted.) 6

Edmund Bolton surrendered half of a messuage or burgage, with buildings, gardens etc., and half of a garden, to the use of himself and Agnes his wife for their lives, with remainder to Jane Bolton, daughter of the said Edmund, her heirs and assigns. 27

Ralph Hoghton surrendered 3 bays of barn, and the ground on which they stand, to the use of James his son, his heirs and assigns, paying *2d.* yearly to Evan Blanchard during his life, after to Thurstan Canner and Ellen his wife, and the heirs of the said Ellen. 24

Ralph Hoghton surrendered a messuage or burgage, with lands etc., to the use of Isabel his wife for life, after to the said Ralph for life, after to James his son, his heirs and assigns, paying 4 marks in cash to Edward, brother of the said James, within 2 years after the death of Ralph, if the said James and Edward be still living. 113

¹ See Bellerby's surrender to Clarice Bethom in 1551 (p. 115).

AMERCEMENTS. Richard Wurseley, for felling and taking 3 saplings lately growing in *le Prescot Wudde*, for building his house, beyond the oaks already allowed him by the Four Men. (4*d.*) For pulling down their neighbours' hedges: William Carison's family, William Rachedale's wife, Ellen Pendylton. (3*d.* each.) John Rigbye, for harbouring sundry undertenants who destroy the lord's wood and are harmful to their neighbours. (Fined¹ 2*s.* 8*d.*) In breaches of the peace: Thurstan Pyke, John Parr of Parr. (Fined 2*s.* each for bloodshed.) Thurstan Canner, for harbouring dishonest persons for the purpose of committing excesses (*luxuria*). (Fined 3*s.* 4*d.*) Alice Balye, for harbouring persons suspected of committing excesses. (Amersed 3*d.*)

William Sergeant, for disobeying an order of the court, in not cleansing the way by his house. (8*d.*) Edward Cowper, for the like, in not carting away (*explaustravit*) his midden. (3*d.*) William Rutterforth, for buying flesh in the market to sell again. (4*d.*) Humphrey Penyngton for trespass in *Prescot Wudde* with geese. (6*d.*) James Tayleor, for stopping a watercourse in *le halle lane*. (3*d.*) Robert Boweor and Richard Stockeley, for prosecuting their quarrels or actions against each other in outside (*extraniis*) courts, contrary to the liberties granted to the tenants of this town. (12*d.* each.) For harbouring vagabonds and beggars: Margaret Wuddys, John Esthed's wife. (4*d.* and 3*d.*)

ORDERS. "That William Charyson and William Rachedale shall laye thayr donge or mucke joyntely together in place most convenient nere thayr howses, and the one of thaym to haue it one yer, and the other an other, or ells to sell it joyntely together, and parte the money hade therfore indifferently betwene thaym."

"It is ordred at this courte by the Stward, with thassent and consent of the tenants theare, that the tenants and inhabitants of Prescot aforsayd shall not one sue an other at any tyme hereafter for any matter or cause amongs thaym or any of thaym dependyng or hereafter to depende, in any other covrte but onely in the covrte holden at Prescot aforsaid for the lorde, vpon payne of fforfettyng for euere tyme that thaye or any of thaym do to the contrare vjs. viij*d.*"

¹ The distinction between "fines" (imposed by the Steward) and "amercements" (determined by the Affeerors) was recognised by the legal theorists of the age.

" That the tenants and inhabitaunts of Prescott aforsayd within xiiijne dayes next after the date of this covrte, shall erecte, make and sett vppe one ffayre payre of buttys of sufficient lenthe heght and brede for men to shote at, and in place most convenient for the purpose, apon payne of fforfetyng to the lorde vjs. viij*d*."

OFFICERS. Constables: Edward Holand, James Tayleor. Overseers of the Wood: Richard Wurseley, Henry Wudds, Ralph Hoghton, Evan Pyke. Burleymen: Henry Wuddys, Evan Gleyst. Aletasters: Evan Pyke, John Ledebeter. Affeerors: Richard Wurseley, George Plompton.

PLEAS. Richard Halsall clerk (pledge, Henry Coney,) *v.* Henry Wasshyngton, for 13*s.* 4*d.* debt, for a stone of wool. (Allowed.) Ralph Hoghton (pledge, James Hoghton,) *v.* Robert Wurseley and Alice his wife, and Ralph Hoghton [*sic*] and Richard Wurseley their pledges, for 26*s.* 8*d.* for a yoke of oxen. (Acknowledged; the tenants say that by their custom they ought not to pay an amercement upon confession of a debt, for theirs is different from all other courts.) Ralph Hoghton, *v.* William Wakefeld, for 4*s.* debt, for 2 sheep. (Acknowledged.) Richard Thomasson and Jane his wife (pledge, John Ledebeter) *v.* Robert Prescott, for 6*s.* debt, for the farm of a messuage for 3 years, at the rate of 2*s.* a year. (Adjourned till the next court, because the said land is in dispute.) Edward Gernet priest *v.* James Hoghton, for detinue of a gold piece called *an old Ryall* worth 20*s.* (15*s.* allowed.) Ralph Heye (pledge, Richard Stockeley) *v.* Robert Webster and Isabella his wife, for 8*s.* debt, for 2 bushels (*modii*) of rye (*siliginis*.) (Acknowledged.)

Richard Harden (pledge, William Carter) *v.* Evan Pyke, pledge for Evan Ledebeter, for 39*s.* 11½*d.* debt, for an ox. (Allowed.) Henry Eccleston *v.* Edward Sutton, for 2*s.* debt, being the *stipendium* of a cow. (Allowed by default; amercement excused by the Steward.) John Crosse *v.* Robert and Isabella Webster, for 2*s.* debt, for a sheep. (Acknowledged.) John Bawer *v.* Henry Pendylton, for 3*s.* 4*d.* damages for breach of contract, in not cutting his meadow. (3*d.* allowed, beyond 8*d.* already received.) Ralph Fletcher *v.* Evan Denton, for 14*d.* debt, for a *sue* [sow?]. William Whittakers and Henry Heyton *v.* Henry Wasshyngton, for 15*s.* debt, for 12 bushels of oats (Allowed.) John Terbocke *v.* Ralph Stocke, pledge for

Richard Lathewat, for 3s. debt, for *barked lether*. (Acknowledged.) Richard Hill (pledge, Hugh Lathom *v.* John Webster and Margery his wife, for 12s. 8d. debt, for 4 bushels of barley malt. (12s. acknowledged.) Henry Pendylton and Elizabeth his wife *v.* Isabel [MS. torn] for destruction of a bushel of *lynse* worth 3s. 4d. (6d. allowed.) Evan Blanchard *v.* Evan Gernet and Agnes his wife, for 5s. debt, for one *le bale flaxe* sold for pl. by def. to John Gande. John Bawer *v.* Robert Webster, for 12d. debt, for carrying 2 cart-loads of oats from *le Tounffeld* to the said Robert's house. (6d. allowed); also for detinue of a *brydyll* worth 2s. (2d. allowed.)

Others named include: Thomas Chaydocke and Jane his wife, Margery Ley, Alice widow of Thomas Fletcher, Paul Lathom, George Dycheveld, Ellen late wife of Ralph Hoghton, Thomas Eccleston Esq. and Ellen his wife, Thomas Merse, John Bawer and Anne his wife, James Pembrton, Emily widow of (and executor for) William Henreson, Robert Heye, Matthew Colley, Catherine Acton, Jane wife of Henry Travers, George Plompton and Ellen his wife, Thomas Hoghton, Maud Ogles, Robert Hychemogh, Richard Gye, William Standyshe, Ellen widow of George Godecarr. (68 cases in all).

JURORS BETWEEN PARTIES. Henry Coney, Thurstan Farehurst, William Scott, Henry Pendylton, Thomas Shaw, Edward Wanewrigh, John Rigbye, William Carter, John Webster, Ralph Stocke, Edward Cowper, Thomas Lathom, Henry Dycheveld, Roger Aspys, William Rachedale, Evan Blanchard, Robert Prescott.

1555.¹ COURT WITH VIEW OF FRANKPLEDGE held at Prescott before Edward Manwayringe,² Steward under Edward, Earl of Derby. Frid. after C.C. (14 June) 1 & 2 Phil. & Mary.

JURORS. James Tailior, John Bower, Evan Pike, Richard Worseley, Edward Hollond, Robert Webster, John Ledebeter, Henry Wodds, James Houghton, Robert Worseley, Edward Stockeley, Edmund Bolton, Evan Glest, Evan Blauncherd.

¹ The roll of 1554 has not survived, and is not dealt with in A.B. A.B. dates the rolls of 1555-1558 wrongly by two years, assigning them to 1553-1556, then proceeding to 1559. Consequently, A.B. assigns two rolls to 1553.

² Edward, sixth son of Sir John Mainwaring of Peover, Cheshire, m. Alice, d. and heiress of Robert Boughley of Whitmore, Staffs. He died in 1586. See *The Mainwarings of Whitmore and Biddulph*, by Major J. G. Cavenagh-Mainwaring (William Salt Arch. Soc., 1933).

ADMITTANCES. Evan Denton is dead, and Margaret his daughter is next heir to a messuage and garden, and of full age; saving the right of Margaret his widow for life. 50

Anne Plumpton is dead, and Robert Plumpton her brother is next heir to a messuage with lands, etc., and of full age. 38-40

William Sergeant is next heir to a burgage or messuage in the occupation of Edmund Ticle, by reason of a grant made by Walter Leigh gent., and is of full age. 30

"[Henry]¹ Wassington, who holds a burgage etc., hath noe tytle therein but for lyffe." (A.B.) 79

AMERCEMENTS. For default of appearance: Richard Jolibron, Thurstan Fairehurst (12*d.* each.) In breaches of the peace: James Garnet of Raynehill, James Tailior, Ellen wife of John Rayneforthe, Alice Fletcher, Matthew Sutton, Alice Dickonsdoughter, Robert Sutton, Richard Stockeley (4*d.*, 6*d.* or 12*d.*) For taking saplings from the wood: Edward Stockeley (6*d.*), Ralph Saunderson (12*d.*). Robert Prescott of Eccleston, for taking out of the town timber allowed him for his repairs within it (3*s.* 4*d.*)

Thurstan Canner, for encroaching on the lord's waste in *le Sparrow lane*, at the east end of his house (To pay 2*d.* rent yearly *de novo*.) Cecily Hitchmoughe an evil living woman (To be expelled, and none to receive her on pain of 2*s.* each day or night.) Robert Prescott, for harbouring Margaret Gernet contrary to a former order (2*s.*) Robert Burtonwood, for harbouring Jane Mayken (12*d.*) For unlawful gaming: John Tommes, Thomas Lathome, John Rayneforthe, Henry Wassington (12*d.* each.) For property in disrepair: Sir Thomas Gerrard, Robert Prescott (To amend, on pain of 20*s.*)

The family of John Tommes, for cutting their neighbours' grass and corn (6*d.*) Anne Mayken, for throwing stones in the house of John Tommes, to the great peril of him and his family (To be punished at the Steward's pleasure.) John Rigbie of Eccleston, for keeping five undertenants, contrary to a former order (3*s.* 4*d.*) Henry Holland of Sutton, for keeping two undertenants in spite of frequent warning (6*s.* 8*d.*) "Ales Dickonsdaughter a comon tale bearer and lyer" (A.B.) (12*d.*) Alice Fletcher a scandal-monger and a great provoker of discord between husbands and wives (2*s.*)

ORDERS. *No sommonyng pence.* Since the bailiff

¹ A.B. incorrectly says *William*.

desires to have pence for summoning defendants to answer to the suits of plaintiffs, the Jurors present that it is not the custom of Prescott, and ought not to be, for any bailiff to receive such pence from tenants or inhabitants within the town, but that it is to be done *gratis*.

"That the Towne shall erecte and make one sufficient paire of buttes for shooting, of reasonable heght, lengthe and bredthe, in place most convenyent and where they haue byn accustomed to be made, that they may be comen buttes for all men to shoot [before 1 Aug.] on payne to loose to the lords vse vjs. viij*d*."

"That the Towne is distute [*sic*] of a cookestole for the ponnyshement of vnrule persons, therefore ordre is taken that the Towne, with some helpe of the Steward, shall erecte, make and sett in place convenyent where hit hath been accustomed, a sufficient cookestole, with all fit appurtenances" by 1 Aug., on pain of 6s. 8*d*.

"Shoppe next the Courte Howse. Hit is ordred concernyng the said shoppe, beinge out of reparacion and in decay, contrarie to thordre of the Towne, that Thomas Eccleston Esquyer shall reedifie and repare the same dewlie as hit ought to be, and to kepe the same sufficientlie repared and tenantehable, paying the lords rente therefore, with the arrearages of the same if any be, before and on thisside the nexte courte . . . vppon payne of fortune [*sic*] . . . And this present ordre was taken bie Mr. Steward with the consent of the said Thomas Eccleston bie his attorney Roberte Webster, vnder penaltie afforsaid." 8

"Touchinge Canner and Maykens children. Hit is ordred by Mr Stewarde, for the refuge of the onlie children of William Mayken decessed, as well by the consents of Thurstan Canner as also bie the assentes of Roberte Webster, webster, of Eccleston, and Van Blauncherd of Sutton, frends to the said children, as ensueth, that is to say that the said children . . . shall from the feast of Michael tharchangell next to come . . . frelie, without any maner of rente paying, haue and occupie one bay on the west ende of a howse late in the holden of Jane Mayken, mother vnto the said children, and the same to be well and sufficientlie repared tenantable before the said feast. . . vppon the proper costs and charges of the said Thurstan Canner: To haue and to holde the same to the said children for their refuge and succur, vntill the said

children be otherwise and better provided of helpe and herbor: So that the said Roberte Webster and Van Blauncherd doe maynteyne and vphold vppon their costs the said bay in as good state as the said children founde the same, during all the tyme of occupacion . . . bie the said children: Provided alwayes that if dew prove be that the said Jane Mayken, being alreadie proved not of good conversacion, haue any maner of succur, herbour, lodging, refuge, interest, title or anything to doe in the said bay during all the tyme of the childrens title, then this present ordre shalbe of none effecte, and that the said children shall loose the benefite, having and occupacion of the said bay for ever, and the said Thurstan Canner to reenter and haue the same agayne without any maner contradiccion or gaynesayinge of the children, their frends, or any other person or persons."

PLEAS OF LAND. Richard Bower of Eccleston *v.* Margaret Bower widow of Robert Bower dec., George Bower, son, Richard Bower, brother, and Jeremy Bower, younger son, of the said Robert. (Assize of *mort d'ancestor*.) To be heard at the next court.¹

"Concernyng the varience betwene Robert Worseley, Ales his wiewe and Richard Stockeley . . . concernyng a messuage with appurtenances in Prescott now in thoccupacion of the said parties, hit is ordred bie Henrie Coney, John Ledbeter, Edward Cowper and Van Glest, indifferentlie electe Arbitrers in that behalf bie the consents of the said parties, for the performance of whiche said dome and award the parties weare sworne vppon tholie Evangeliste in open Courte." (The award follows, in English, at length, and partly torn away.) "Hit is ordred and awarded the xvij day of June . . . before the Steward afforsaid, bie the said Arbitrers, that the said mesuage and tenemente, with all edifices, buildings, lands, orchardes, yords and gardens . . . shalbe equallie devided and separated into ij partes, at the reasonable request of the said Ales, to haue, holde, occupie and peacablie enioy the one moytie and parte . . . to her awne proper vse and behove, for the rente and service dew and payable for that porcion . . . the other moytie and parte to the said Roberte Worseley . . . So that the said Roberte nor Ales doe commytte nor make no wilfull wast . . . nor permitte the howses and buildings of the said mease to fall in deokay for

¹ No reference appears later. See, however, pp. 120, 122.

wante of dew reparacions . . . [When the property is divided] Ales shall choose to whether parte she likethe. And also that there shalbe equall devicion made into two partes of the corne groinge this yere, wherof the said Roberte and Ales shall haue equallie betwene theym the one half, and that Richerd Stockeley affore named shall haue and take the other half clerely to hym self . . . and exceding his said half so moche and suche porcion as shalbe lymtyed and appoyneted vnto hym bie the said Arbitrers out of the porcion of corne of thafforsaid Roberte and Ales . . . And . . . that the said Roberte shall not in any wise at any tyme . . . sell, giff, graunte, alienate, demise, sel or lett his parte . . . nor any parte or parcell therof, to any maner of person or persons other then to the said Ales his wiefte, [she in such case] paying yerelie therefore to hym, . . . his sufficient attorney or assigns . . . the some of throytyne shillings fourepence of lefull money of Englund . . . [and] discharging the lordes rente, suete and service, and sustayninge all reparacions of the whole . . . And . . . that the kilne cestron and sellors for drying and withering of malte onlie, and other necessities concerning the making of malte and belonging to the said kilne, shalbe indifferentlie occupied and vsed . . ." (torn away.)

OTHER PLEAS. Evan Glest *v.* Henry Wasshington, for £3, being the value of an acquittance paid by pl. as pledge for def. (Acknowledged.) Peter Stanley Esq. of Bickers-taythe *v.* Robert Webster and Isabel his wife, for 20s. debt, for two gold *soueraignes*. Margaret Bower widow *v.* Richard Bower, for £4 debt. (Stayed for an order from Henry, Lord Strange,)¹ Robert Worseley *v.* Richard Stockeley, for £6 3s. 4d. debt. (£3 allowed.) John Fenney of Whiston *v.* Robert and Isabel Webster, for 3s. debt for coals (*carbonibus*). Richard Stockeley *v.* Robert Worseley, for detinue of 40 *wyndels barlie* worth £5 6s. 8d. (£3 allowed.) Ralph Traves *v.* Agnes Rachedale, for 8d. debt, for a pair of shoes.

Others named include: William Carter (executor for Lawrence Carter), Thomas Halsall, Henry Tailior, John Crossebie, William Davison, Edward Garnet of Eccleston, George Plumpton and Eleanor his wife, Evan Garnet and Agnes his wife, George Webster and Margaret his wife, Baldwin Hill of Bold, Edward Glover, Edward Cowper (executor for Jane Rotherforthe), Robert Knolles of

¹ Son and heir of Edward, third Earl of Derby.

Tarbocke, Thomas Hulme of Malehull (Maghull), Richard Ledbeter, William Ledbeter of Prescott, Elizabeth Lathome, Thomas Pie of Lidiate, Robert Hay, John Roughley of Eccleston (executor for Robert Roughley), Edward Estehead, Henry Dichefield, Ralph Sutton, Alice Fletcher widow, Ralph Sanderson and Margaret his wife, Grace Woodds, William Henrison of Terbocke, Richard Burges of Terbocke, Thomas Wolfall gent., Henry Cockeran of Whiston, Jane Assheton of Eccleston, Robert Wike of Raynehill, John Webster and Margery his wife, William Scotte, Henry Browne of Whiston, Thomas Houghton of Cronton, Hugh Lathome, George Wetherbie of Whiston, John Travers of Whiston, Margaret Woods of Prescott, Ellen Hayward widow of Parr, Henry Pendleton, Edward Garnet priest, Thomas Mobbayne, Robert Forsher of Rayneforthe, James Woods, George Woods. (66 cases in all).

1556. COURT WITH VIEW OF FRANKPLEDGE, held before Ralph Sutton gent.,¹ Steward under Edward, Earl of Derby. Frid. after C.C. (5 June) 2 & 3 Phil. & Mary.

JURORS. James Tailior, John Bower, Evan Pike, George Plumpton, Roger Aspes, Thomas Shawe, Edward Stockely, Richard Worseley, Evan Gleast, Richard Stockeley, Henry Woddes, Evan Garnet, Richard Bellerbie, Edward Wainwright.

ADMITTANCES. Robert Worseley surrendered all his part of *le booths*, otherwise *the shoppes*, to the use of John Terbocke of Wyndle, *barkar*, his heirs and assigns, paying accustomed rents and services, with nothing to the lord for a fine.

121

Robert Worseley surrendered a messuage or burgage, with lands etc., in the occupation of Robert Hay, to the use of James Watmoughe of Eccleston and Thomas Garnet of Whiston, churchwardens, and their successors, for the benefit of the parish church. (Part of the property is claimed by Edmund Bolton, but as he shows no evidence, admittance is granted to the wardens, saving the right of Bolton if he shall be able to prove it.)

120

John Bower surrendered a newly-erected barn and a

¹ This is doubtless the "Raufe Sutton of Rishton Spenser, co. Staff.," who m. Margaret, d. of Henry Lathom of Mossborough (Chet. Soc., O.S., v. 82, p. 107). He does not appear in the published *Heralds' Visitations of Staffs*. He acted in Liverpool as an officer of Lord Derby, 1560-2 (*Liverpool Town Books*, v. 1).

new house by *le clay pytte*, in his own occupation, and a shop on the south side of the churchyard by *le Churche Steele*, in his own occupation, to the use of himself and Agnes his wife for their lives, and after to Edward his eldest son or (in the event of his prior decease without heir) to his son Antony or (in like event) to his son Thomas or (in like event) to his son John or (in like event) to his son Robert or (in like event) to his next heir, paying accustomed rents and services, but nothing for a fine. 23-4

Henry Conney, Thomas Shaw, James Watmoughe and John Accors, wardens of the stock of Our Lady (*beate Marie*), pray to be admitted to the use of the profits of a messuage in the occupation of Edward Holland, in accordance with the will of John Sherdeley, priest. (A true copy of this will is enrolled. It is dated 4 Sept. 1514, and is in Latin. He desires to be buried in the chancel of All Saints¹ of Prescott. He appoints Peter Lancaster and Henry Shardeley, priests, as executors, and Peter Wetherbie as supervisor. He bequeathes the profits of his house, after his mother's death, to the stock of Our Lady, with an annual payment of 4s. to the lord provost of Cambridge (i.e. presumably of King's College.) The residue of his goods is to be used for the salvation of his soul. John Ogle, Peter Wetherbie and Lawrence Lathum, priest, are the witnesses named.) 119

Ellen, wife of Thurstan Canner, surrendered all her title and interest in a messuage or burgage, with lands, gardens, orchards etc., in the occupation of John Bower, and another messuage or burgage etc. in *le Sparow lane*, in the occupation of her husband, to the use of the same Thurstan and the heirs of him and the said Ellen, or (failing such) to his heirs, or (failing) to Edward, brother of Thurstan, and his heirs, or (failing) to Margaret, sister of Thurstan, and her heirs, paying accustomed rents and services to the lord, and 2s. yearly to the Rood Stock, Our Lady Stock and St. Catherine Stock in equal portions. (Upon proclamation, Evan Blauncherd laid claim to this property, and is to be heard.) 9, 18

Robert Prescott of Eccleston surrendered all his messuages, lands, burgages etc., in the occupation of John Thoms and Margaret Garnet widow, to the use of Thomas

¹ The present dedication of Prescott Parish Church, to St. Mary, was adopted probably after the rebuilding in 1610. There is other 16th century evidence of its former dedication to All Saints (e.g., Rec. Soc., v. 30, p. 184).

Eccleston Esq., for warranty of £7, payable within 6 years on the font in Prescott church, between 8 and 12 a.m. on Christmas Day. (This entry is cancelled, and a marginal note dated 17 June 1557 declares the surrender void, the money having been paid.)

George Plumpton surrendered a messuage or burgage, with orchards, lands etc., excepting a burgage of land lying between the mill hill and *le drownepitcher*, in the occupation of John Exham, to the use of James Garnet, his heirs and assigns, for term of 24 years, paying accustomed rents and services, but nothing for a fine. 38-9

John Hyne, son and heir of Richard and Maud Hyne, surrendered a messuage or burgage in the occupation of Elizabeth Anglesdale, widow of Thomas Anglesdale, to the use of himself and his heirs, or (failing such) to Agnes and Catherine Hyne for 12 years, then to Hugh, brother of the said John, and his heirs, or (failing) to Thomas Hyne and George his brother and their heirs, or (failing) to the next heirs of the said John. 87

AMERCEMENTS. In breaches of the peace: George Ley of Huyton, Richard Stockeley, Arthur Bower, Robert Prescott, Peter Lee, Humphrey Denton, Robert Sutton, George Tapley, William Sergeant, Mr. Bannester. (Pledges: Evan Pyke, Hugh Lathom, James Houghton, Evan Garnet, George Plumpton.) (12*d.* each assault, 20*d.* each affray, 3*s.* 4*d.* each affray with bloodshed.)

Edmund Bolton, for harbouring a disreputable woman suspected of evil intercourse with his son (8*d.*, and 12*d.* every week during which he, or any other, shall harbour her.) Cecily Hitchemoughe, although presented at former courts for infamous behaviour, and ordered to be expelled with the assent of the then Steward, nevertheless has been allowed to remain. (To be referred to the Earl.) Henry WASHINGTON, for keeping *baldry* in his house (8*d.*, and 12*d.* each week in future.) George Guldicar, for harbouring Ellen Orme "commenlie called a pitie mycher" (3*d.*) Robert Prescott, for harbouring Margery Webster and Margaret Garnet, who formerly were expelled (6*d.*) John Crosbie and his wife, as common evil-doers and breakers of hedges (6*d.*) Isabel Sutton, for harbouring a small girl whom she employs in breaking hedges for firewood (3*d.*) Elizabeth Lathum and Ralph Fletcher's wife, for harbouring Isabel Taylior, a breaker of hedges (3*d.* each.) John Rigbie, for harbouring dishonest

persons formerly presented and not reformed. (To be referred to the Earl.)

Robert Worseley, for not scouring his ditch by *le falle lane* (to remedy before 1 Aug. on pain of 6s. 8d.) John Rayneforthe, for stopping the way to *our ladie well*, and allowing pigs to defile it (3d.) William Rachedale and William Haryson, for setting their midden in the street before Thomas Busshell's window (3d. each.) Robert Worseley and Richard Stockeley, for messuages fallen into disrepair (To remedy before Michaelmas on pain of 40s.) George Guldicar's wife and Edward Sutton, for not sufficiently closing their fences and ditches (3s. each.) Edmund Bolton and John Exham, for admitting under-tenants without licence (3d. and 6d.) Ralph Stocke and William Wackefild, for keeping unlawful and harmful dogs (3d.)

For taking firewood and underwood from the lord's wood, when forbidden by the overseers: Edward Holland, William Carter, Margaret Garnet, Thomas Lathom, Henry Dichefild, Edward Glover, Peter Rougheley, William Wackefild, Webster's wife, Stock's wife, Edward Sutton, Richard Bower, John Estehead's wife, Ralph Fletcher, Henry WASHINGTON, Evan Garnet, George Plumptre, John Exham, Thomas Anglesdale's wife, Nicholas Rachedale's wife, Richard Bellerbie, and the families of all the abovenamed, Anne Wulcie, Edmund Bolton and his tenants, Robert Burtonwood, Brian Dyke's wife (3d. each.)

ORDERS. That John Ledbeter shall amend his ditch by the cross at *le Townes ende*, that it may be crossed without too great danger and trouble, before St. James' Day, on pain of 5s.

"An ordre for the lordes milne." Whereas John Webster, miller of Prescott, has not been properly discharging his duties, and many tenants and inhabitants of the town have been taking their corn to outside (*forensa*) mills, at all of which they can obtain more flour; it is ordered that if any such tenants and inhabitants are proved not to have brought to be ground at the mill within the town all their grain, whether malt for liquor (*pro potu*) or other corn for bread (*pro pane*), except in cases of necessity, when they cannot be dealt with owing to an excessive amount of corn already taken to the mill, or to a deficiency of wind, or any other reasonable impediment, they shall forfeit to the lord's use 6s. 8d. for every windle of corn ground at any

outside mill, if convicted by sufficient evidence; and if the miller take excess of multure, or otherwise be proved deficient in the discharge of his duties, he shall not only satisfy the injured party, but also forfeit 6s. 8*d.* to the lord's use for each delinquency.

"The Jurie presenteth one hollen in Roberte Websters hedge, ij asshes in John Rigbies hedge, one eller in Mr. Ecclestons hedge, an asshe on the backside of Thomas Halsals howse, an asshe on the backe side of Edward Hollonds howse, hurtfulle to the lords mylne, to be reformed on thisside the Feast of Midsomer next vnder payne of vjs. viij*d.* a peece."

BLANCHARD *v.* CANNER.¹ "Note that for as moche as Van Blauncherd reported that he cold not haue justice, nor be hard, nor suffred to exhibite suche munyments and evidences as he was hable to lay fourthe, for thavoyding of all maner surrendres and conveighaunce heretofore in the courte rolles aswell made by hymself as bie Elen his doughter, and Thurstan Canner, husband to the said Elen; and proclamation in open courte was made that the said Blaunched shuld bring fourthe and shew if he had any iust cause or matter to travers and adnulle actes heretofore done; but the said Van made defalte herin, and came not to shew or exhibit any evidence or other specialtie, but bie his awne wordes onlie."

PLEAS. Henry Orme *v.* Robert Webster, for 5s. debt. ("Hit is ordered in this matter that levie of iij*s.* iiij*d.* be made befoe saynt James day, or els after that feast vs. to be levied.") William Robie *v.* Robert Webster, for detinue of an angel (*angeli*) worth 10*s.* (Acknowledged.) Edward Woods *v.* Evan Garnet, for £4 damages for breach of covenant. (Referred to friends, *ad amicos*.) Evan Blauncherd *v.* Thurstan Canner, for £20 damages for breach of covenant. (Adjourned.) Margaret Bower widow *v.* Richard Bower, for £5 debt, for building and repairs done to his house. (Adjourned.) Thomas Gobben *v.* Isabel Bolton *alias* Sutton, for detinue of a cap (*pili*) worth 4*s.* (The cap is returned, and 4*d.* allowed in addition.)

Others named include: Ralph Tonstall of Rayneforthe, Thurstan Ferehurst, Henry Holland, Thurstan Conbridge of Melling, Robert Webster and Isabel his wife, Rowland Barwicke, Ellen Scott widow (executrix for William Skott), Robert Rathebon, John Smalshaw, William Garnet

¹ For later developments of this case, see pp. 149, 158, 162, 289.

of Whiston, Edward Glover (executor for his mother), Richard Hodson of Hardayne (Hawarden?), Hugh and Cecily Thomson *alias* Hitchmough, Thomas Mersche of Ditton, Edward Couper, James Stacke of Bold, James Tailior and Catherine his wife, Henry Tailior, Margery Bailie (executrix for Alice Bailie), Eleanor Orme, George Woods, Robert Webster of Eccleston, Isabel Dike, Thomas Pie of Lidiате, Jane Mayken, Henry Johnson of Robie, Edward Guldicar, Thomas Orme (executor for George Orme), Alice Dickonsdoughter, Matthew Sutton, Dulcea Skott. (41 cases in all).

JURORS BETWEEN PARTIES. John Ledbeter, John Webster, James Houghton, Thomas Lathome, Henry Pendleton, William Ellam, Thomas Halsall, William Rachedale, George Webster, Thomas Busshell, John Rigbie, Robert Prescott.

ALEHOUSES.¹ "Prescott. Recognisances [MS. torn] taken the viijth day of Aprill, in the yeres of the Reignes of our Soueraignes Philip and Marie etc. the seconde and thirde [1556], before Rauff Sutton, Depute Steward vnder the Right Honorable Edward therle of Derby.

That all suche persons and howseholders inhabytante within Prescott afforsaid, whiche are admytted to keepe Alehowse and vitalling howses, shall kepe dew ordre and rule, without any vnlefull games, as gardes, dice, tables and all other games inhibited by the Statutes of this Realme, nor furthermore shall not harbor or lodge any vacabounds or suspecte persons within their howses, nor also shall not suffre any excessive drynking or companye keeping after tenne of the clocke in the nyght tyme, and finallie shall vse theym selves in all poyntes touching honest ordre according to the Statutes therof ordyned for alehowse keeping, that is to wytte, euery person admytted offending to the contrarie to forfeite *vli*."

A list of alehouse-keepers follows, viz., Robert Webster, Evan Garnet, Evan Pike, James Houghton, Eleanor Skott widow, John Webster, George Plumptre, Ellen Guldicare widow, Thomas Halsall, Elizabeth Lathome, Richard Bower, Anne Stocke widow, Edward Hollonde, James Tailior, Sibyl Anglesdale, John Rayneforthe, Margaret Cowper, Henry Woods, Anne Rachedale, Evan Glest, Edmund Bolton, John Exam. (Each has two *maynprizes* for 33s. 4d. apiece; these are named, and include, besides

¹ What follows is on a separate sheet filed with the roll. See also p. 215n.

the above, Robert Prescott, Henry Coney, Edward Garnet *chaplain*, Robert Worseley, Richard Worseley, John Bower, Evan Blauncherd.)

1557. COURT WITH VIEW OF FRANKPLEDGE, held before Ralph Sutton, Steward under Edward, Earl of Derby. Frid. after C.C. (18 June) 3 & 4 Phil. & Mary.

JURORS. John Ogle gent., Richard Eltonhead gent., John Lathom gent., Henry Hollond gent., Hamlet Stockeley, Hugh Parr, Roger Aspes, John Bower, Evan Pike, James Tailior, Richard Worseley, George Plumpton, Edward Stockeley, John Ledbeter, Henry Woods, Thomas Shawe.

ADMITTANCES. Robert Burtonwood is dead, and John his son is heir to all his lands, burgages, etc., saving the right of Margery, widow of Robert, for life.

Robert Fletcher died seised of a bay of building, and Maud Fletcher his sister is heir, by reason of a surrender formerly made by him. (See p. 110.) 57 (pt.)

Sibyl Forshaw widow died seised of a tenement with orchard, etc., and Thomas her son is heir. 66

Robert Prescott¹ of Eccleston, yeoman, on 8 Feb. 1556/7, before witnesses, surrendered all his messuages, lands, etc., (as in the roll of 1556), to the use of Thomas Eccleston Esq., the latter paying 13s. 4d. "in full contentacon and laste payment of the purchasse" of the property, for warranty² of £9. 6s. 8d., payable to Thomas Eccleston (Henry Heyton of Knowsley, interlineated) between 9 a.m. and 2 p.m. on Corpus Christi day on Prescott Church font. (Endorsed: "The some within wrytten was payed and discharged in the presence of Henrie Coney of Ditton, gent., Robert Williamson, Henry Heaton, Roberte Hide and Richerd Denton.")

Roger Aspes surrendered a messuage, with a burgage adjacent, in the tenure of Isabel Dike widow, and a tenement with a garden in the occupation of Richard Guy, to the use of himself for life, after to Jane his wife, after to his heirs, saving the right of Richard Guy and Ellen his wife for their lives, paying 12d. yearly to the stocks (*stipitibus*) of the Rood, Our Lady and St. Catherine. 71

¹ This is recorded in English on a separate paper filed with the roll. In the roll itself, it is entered in Latin, but with "Henry Heaton" substituted for "Thomas Eccleston," and "morgage" substituted for "purchase."

² This term is commonly used in A.B. in the entries relating to mortgages.

Margaret Bower, widow of Robert Bower, surrendered all the messuages, orchards, lands, burgages, etc., held by her late husband and now by herself, to the use of Thomas Eccleston of Eccleston Esq., for term of her life; "And the said Thomas Eccleston hathe demised, set and to ferme let to the said Mergaret, during her naturall lieff, the howse that the said Mergaret now dwellethe in, with a nother howse called the wyne seller belonging to the same, paying therefore yerelie to the said Thomas *ijd.*, if hit be lefullie asked, at the feastes vsuell to be payed in Prescott; And further the said Thomas promesithe to vphold and maynteyne the said howse during the naturall lieff of the said Mergret."

4. 5

Margaret Denton, widow of Evan Denton, and Margaret Denton, daughter of the same, surrendered all the messuages, burgages, lands, etc., in their joint or separate occupation, to the use of William Ledbeter of Prescott.

Evan Garnet of Prescott, and Agnes his wife, surrendered a messuage or cottage, with orchard and gardens adjacent, in the occupation of Peter Rougheley, and a burgage of land in *Churcheleyfild* by the said cottage, late in the occupation of Peter Rougheley and Evan Garnet, to the use of Richard Denton of Eccleston, his heirs and assigns, paying 2s. yearly to the lord.

68

"Md. that at this Court came Thomas Eccleston of Eccleston, Esquyer, in his proper person, and prayed to be admitted tenante of certayne meases and burgages within Prescott, surrendered vnto his vse by one George Bower, viz., of one mease or tenement in the occupacon of Mergret Bower widow, and a nother mease or tenement in the holding of Richerd Bower, as apperethe more plenelie bie a certayne surrendre within this Courte Rolle remaynyng and not entred,¹ whose said admission was bie the Steward stayed and respited, because the said George² was supposed to be vnder age and in mynoritie, vntill such tyme as the homage of this Courte did inquire and fynde whether that hit did stand with the custome of the Towne that a surrendre made bie a person in mynoritie shuld stand good and effectuell or not: And vppon this hit was

¹ An original deed of surrender, indented and sealed, written on paper by Edward Garnet clerk, is filed with the roll. The formal surrender in Latin is followed by a declaration in English on the part of George Bower, that his action is "wyllynglye and deliberatlye done by hym withoute any inveyglyng of the said Thomas or any other person."

² He is the son of Robert and Margaret Bower, and Richard Bower is his brother.

concluded bie the consente of the said Thomas Eccleston, that the custome therin shulde be at this Courte and bie the Inquysicion and Jurars afforsaid presentlie¹ tried, whiche said Jurars vppon their othes say and present that no person being in mynoritie hathe byn vsed heretofore bie the custome of this Towne to make sale of any lands within the same Towne."

AMERCEMENTS. For default of appearance: William Sergeant gent., Thurstan Ferehurst, Richard Hyne (3*d.* each.) In breaches of the peace: Evan Blanchard, Cecily Canner widow, Richard Marshall (16*d.* or 2*s.*) (Pledges: James Tailior, James Watmoughe.) Ralph Fletcher, William Wackefild, Edward Cowper, Thomas Woodes's wife, William Carter, Thomas Anglesdale's wife "haue not payed their dewtie² towards making of the buttes as is accustomed in the Towne" (3*d.* each.) For felling *sapling plontes* in the wood: William Traves, John Exton's daughter, Richard Bower, Henry Wasshington (1*s.* for each sapling.)

ORDERS. "That none shall carie wood out of the lordes parke³ without licence of the keepers."

"That no person nor persons shall sell any victualles or other wares vppon the Sonday from the begynnyng of mattens vntill the highe masse be ended, vppon payne of euery person so offending to lose xs."

"Hit is ordered bie Mr. Stewarde and the gret Inquest and Homage of this Courte, that no head tenante having landes within this Towne shall not admytte but one vndre tenante to euery one tenement: And that all suche other vnder tenants that be at this present admytted or suffred to dwell in any of the howses or tenements within this Towne contrarie to this ordre, shalbe expulsed and aveyded out of the same bie Mr Stewarde and the officers, before and on thisside the Feast of Michaelmas next comyng: And that all presentments and ordres before tyme made towching the same may be observed and put in dew execucion, vppon payne of euery tenante offending the contrarie to forfeit vnto the lorde xiijs. iiij*d.*"

"That no vndre tenante shall reset or take into their howses to dwell any other person or persons then their

¹ This word then meant "at once."

² This is the first mention of the imposition of a town rate or "ley."

³ Probably Knowsley Park, adjoining Prescott, belonging to Lord Derby, is referred to, rather than Prescott Wood, though the designation might also apply to the latter (e.g., see p. 29).

awne howseholde, children and manuell servaunts, vppon payne of . . . vjs. vii^d."

"That wheare there weare certayne faltes and presentments presented at the last Courte, and that the same shulde be reformed and amended vnder certayne paynes apoyneted bie the said Courte, which are yet vnreformed, wherefore the said Jurie requyres that all suche faltes as be not alreadie amended and reformed, may be amended and reformed before the Feast of the Na'tie of Saynt John Baptist nexte to come, vppon payne of euery falte not being so amendet vjs. vii^d., over and besides the paynes conteyned in the last Courte bookes."

OFFICERS. "Constables: Robert Webster, Evan Glest. iiij men: James Tailior, Evan Pike, Richard Worseley, Edward Holland. Barlawmen: William Carter, George Webster. Alefounders: John Ledbeter, George Plumpton. Ferers of this Court: Edward Holland, Henrie Coney."

PLEAS. William Gill of Halewood *v.* Robert Webster, for 5s. 4^d. debt, for a windle (*windela*) of wheat. (Acknowledged.) Catherine Stockeley *v.* Robert Worseley, for detinue of a cow worth 40s. (30s. allowed.) Hamlet Stockeley *v.* John Thomse, for 2s. debt, for the herbage of a cow. (Cancelled.) Peter Stockeley and Hamlet Rachedale, wardens of the school stock (*gardiani stipendii ad ludimagistrum debiti*) *v.* Richard Bellerbie, for 11s. debt, for the profit (*stipite et mercede*) of one cow. (Acknowledged.) George Plumpton *v.* James Garnet, for £10 damages for breach of covenant. ("Hit is ordred bie Mr. Steward in this matter that this accion shall cesse, and day reasonable be givon to the said James to repayre his howses tenanteable.") Robert Worseley *v.* Richard Stockeley, for £3 debt. (30s. allowed.) John Listre of Widnes *v.* James Houghton, for 2s. 8^d. debt, for certain writings and muniments made by pl. (Cancelled.) James Tailior *v.* Richard Stockeley, for 2s. debt *for alam* (Acknowledged); also 3s. 4^d. for skins (6^d. allowed.) William Ledbeter *v.* William Carison, 13^d. for half a *windele* of malt of oats (*brasei aveni*) (8^d. allowed.) Catherine Stockeley *v.* Richard Stockeley, for 24s. debt, the price of a cow. (Allowed.) Lawrence Glest of Eccleston *v.* William Wackefild, for 19^d., the price of a sheep. (Acknowledged.) James Tailior *v.* James Houghton, for 4s., the price of a calf (Allowed); also for 22^d. for 2½ yards of linen (Con-

tinued.) Margaret Garnet widow *v.* James Garnet of Raynehill, for £20 for two horses and other things. (Adjourned on application of def.) Thurstan Canner *v.* Evan Blanchard¹ of Sutton, *whyte tawer*, for 20s. damages for forcible entry into his lands on 4 Sept. 1556, with destruction of fencing, hay etc. (1s. allowed.)

Others named include: William Travers of Eccleston, Richard Ledbeter, George Wasshington of Eccleston, Edward Glover, Robert Knoll of Terbocke, Thomas Sherlocke of Raynehill, Alice Dickonsdoughter, Matthew Sutton, Peter Standishe of Standishe, Gilbert Rayneforth of Rayneforth, John Frodesam, Edward Guldicar, Henry Tailior, Arthur Bower, Thomas Orme, James Accors of Whiston, Henry Pendleton, Ralph Thirlewynd of Bold, Thomas Lathom, John Dayne of Whiston, Thomas Halsall, Robert Hay of Eccleston, Thomas Busshel, William Sadler of Wulfall, Edmund Bolton, James Rigbie of Whiston, Edward Eastehead. (Richard Stockeley, Thomas Slynehead, Robert Prescott and Ralph Molyneux acted as attorneys.) (56 cases in all).

1558. VIEW OF FRANKPLEDGE WITH GENERAL COURT, held before Ralph Sutton gent., Deputy Steward. Frid. after C.C. (10 June) 4 & 5 Phil. & Mary.

JURORS. Hugh Parr, Evan Pike, Roger Aspes, Edward Stockeley, Henry Wooddes, Evan Gleast, John Ledbeter, Edward Holland, Evan Garnet, Edward Birchall, Robert Prescott, Richard Stockeley, Robert Plumpton.

ADMITTANCES. James Tailior died² seised of a messuage, to which Catherine his widow succeeds, to hold for her life, with remainder to Henry their son. (Henry is admitted as tenant of a fourth part of the building called *le bothe*, with the shops belonging to the said part.) 95, 121

Thurstan Ferehurst died seised of a shop, and his daughter Alice Wynstanley, wife of John Wynstanley gent., is next heir. 72

John Bower died seised of a barn by *le clay pitte*, and a shop on the south side of the churchyard, to be held by Agnes his widow for her life, with remainder to Edward his eldest son. 24, 23

¹ This action is recorded on a separate sheet filed with the roll.

² The plague of 1557-8 (see *Liverpool Town Books*, v. 1, p. 104) doubtless accounts for the exceptional number of Post Mortem Inquisitions recorded in 1558 and 1559.

George Plumpton died seised of a messuage in the holding of William Karyson, and Robert his son is heir. 97

John Terbocke of Wyndle died seised of a fourth part of *le bothe*, and Peter his son is heir. 121

Robert Webster died seised of a messuage in the holding of Eleanor Skott widow, and John, son of Robert and Isabel his wife, is next heir and of full age. Ralph Houghton and Thomas Kenwright, executors for George Litherland of Sutton, produced a deed of mortgage upon the property. Time is given to pay, and admittance postponed. 32

Richard Eltonhead gent. died seised of two messuages, orchards etc., and Richard his son is heir and of full age. Upon proclamation, protest was made by Robert Prescott of Eccleston, *yoman*; nevertheless, admittance was granted. Prescott then claimed one of the messuages, late in the tenure of Thomas Lathom dec. 16, 17

It is certified that Ralph Houghton surrendered 3 bays of barn to the use of James his son, and that James surrendered them to the use of John Bower, son of Edward Bower. John Bower having died, his son Edward is admitted as tenant, paying accustomed rents and services, and 2*d.* yearly to Evan Blanchard and his heirs; saving the right of Agnes, widow of John, during her widowhood. 25

Ellen Rigbie of Eccleston, widow of Richard Rigbie, surrendered a messuage with gardens, orchards etc., in the holding of Edward Glover, to the use of Catherine Rigbie her daughter for life, after to the said Ellen for life, after to John, son of the said Richard, and his heirs. Catherine is admitted by Robert Prescott her attorney. 63

Edward Birchall surrendered a shop on the south side of the churchyard, in the holding of Edward Waynewright, to the use of the latter, his heirs and assigns. 107

Ellen Rigbie widow surrendered all her messuages, lands etc., to the use of herself for life, after to John Rigbie her son, his heirs and assigns, saving the right of Catherine Rigbie to one messuage (as above).

AMERCEMENTS. In breaches of the peace: Robert Bayne, John Webster, Agnes Garnet, Sibyl Anglesdale, Edward Waynewright, Anne Halsall widow, Edward Garnet, Roger Whitefield, Humphrey Anglesdale, Henry and Edward Tailior. For taking wood without licence: George Webster, Edmund Bolton, Margery Beylie, Ellen Guldicarr, John Rayneforthe, Henry Tailior. John Rayneforthe, for impeding the way to *our ladie well*.

Henry Tailior, for disturbing a watercourse in *the hall lane*, to the danger of passers-by. (To amend on pain of 3s. 4d.) Richard Bower, for making a midden unlawfully in the street, of unseemly aspect and unhealthy odour, to the great disturbance of neighbours and others. (To amend expeditiously on pain of 3s. 4d.)

OFFICERS. "Constables: Richard Worseley, Edward Holland. Birelawmen: Thomas Busshell, Rauff Fletcher. Ferars: Ric Worseley, Hugo Parr. Alefoundors: John Ledbeter, Van Garnet. iiij men: Ric Worseley, Van Gleast, John Ledbeter, Henrie Tailior."

PLEAS OF LAND. Henry Webster of Prescott *v.* Hugh Webster of Prescott, in an assize of *novel disseisin*, for a messuage in the holding of Cecily Webster. (Def. appeared but stood mute, and left the court without licence of the Steward.) 61

Arthur Bower of Prescott *v.* Evan Garnet of Prescott, in an assize of *mort d'ancestor*, for a messuage and garden lying between a shop late in the holding of Thurstan Ferehurst and a house occupied by the said Evan. (Bailiff to summon a jury.) 72 (pt.)

OTHER PLEAS. Catherine Stockeley *v.* Richard Stockeley, for 10s. debt, for the profit (*mercede*) of a cow for 5 years. (Allowed.) Edward Tailior *v.* Henry Tailior, for £3 debt. (Def. asks to wage his law, but consents that the case be referred *ad amicos*, viz., Robert Hide, Thomas Asseton, Thomas Shaw and John Webster.)

Others named include: Robert Worseley, William Rachedale, Ralph Houghton of Sutton, Thomas Kenwright of Raynehill (executor for George Litherland), Gilbert Rayneforthe, Edmund Bolton, Robert Webster of Eccleston, Edward Cowper, William Skotte, John Hay of Whiston, William Wackefild, Thurstan Canner. (18 cases in all).

1559. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Darbie. Frid. after C.C. (26 May) 1 Eliz.

JURORS. Richard Eltonhead gent., Richard Worseley, John Rigbie, Henry Woodes, Robert Plumpton, Evan Garnet, Edward Stockeley, Edward Birchall, Robert Prescott, Thurstan Canner, Ralph Fletcher, Richard Stockeley, Peter Terbocke.

ADMITTANCES. Thomas Shaw died seised of a messuage in the holding of Thomas Busshell, which Margaret his widow is to have for life, with remainder to Ralph his son and his heirs, failing which, to Richard his son and his heirs, failing which, to Thomas his son and his heirs. 31

Henry Hollond died seised of a messuage or burgage in the holding of Brian Jackeson. William his son is heir. 22

Hamlet Stockeley died seised of a messuage or burgage in the holding of John Webster, and Cuthbert his son is heir. 105

Catherine Parr, wife of Hugh Parr, and sometime wife of Henry Brockefild, died seised of a messuage which she held for life by grant of the said Henry, and Ralph Brockefild, son of Henry, is heir. 34

Clarice Bethom, widow of Robert Bethom, died seised of two bays of housing, in the holding of Ellen Anglesdale and the said Clarice, and two closes called *Sletherforthe fild*, and Nicholas Bethom her son is heir, saving the right of Cuthbert Stockeley and Margaret his wife, to whom the property was granted for a term of years by Richard Bellerby and his wife. 100, 101

Edmund Bolton died seised of a bay of building in the occupation of Anne his widow, and a half-acre in *Churchele-fild* in the holding of Nicholas Bethom, which Anne is to have for life by grant of Edmund, with remainder to Agnes Bolton his daughter. 29, 28 (pt.)

"Thomas Eccleston Esquyer hathe [given] bie his last will and testament, all his title and interest of one howse with appurtenances in Prescottt, now in the occupacion of Thomas Potter, vnto Mr. Edward Halsall for terme of his naturall lieff. And also . . . all his right and title of and in thry seuerall howses with appurtenances, vnto Elen his wieff for terme of her lieff, wherof one is in tholding of Mawde Fletcher, the other in the holding of Richard Bower for terme of his lieffe, the third howse being nere vnto the Courte House and fallen into ruyne; so that the said Elen shuld discharge thexecutors of the said Thomas Eccleston of suche dettes, legacies and dewtes as weare oughing or due to any person or persons bie reason of the last will and testament of Mergaret Bower widow, decessed, or otherwise concernyng the goodes of the said Mergaret." 9, 3, 4-5, 8

AMERCEMENTS. In breaches of the peace: George Tapley of Whiston, Elizabeth Butler, Robert Plumpton,

Jane Tapley, John Sherdeley, John Pike, Edward Tailior, Henry Tailior, Brian Watmough, William Carter's wife, Henry Wasshington, Robert Nelsum priest, Ralph Stocke. John Thonse's wife, for hedge-breaking.

ORDERS. "That . . . an entrie to our Lady Well must be in the old way accustomed, vppon the backe side of John Rayneforthes howse, and that a sufficient way must be made throughe the hedge streight to the well bie the honors of the said hedge, and for wante of a sufficient way throughe the hedge before midsomer nexte, the honors therof to forfet to the lord xs."

"Hit is ordered that the birelawmen shall se gud nebirhud done touching hedging and making fenseable euery man his ground at convenyent tyme of the yere, and to se swyne ringed, and in fence tyme yowked, and to set and assesse paynes to the parties to doe this, and at the next courte to present the paynes broken, vndre payne that the birelawmen being negligent herin, shall forfet for euery defalte vjs. viij*d*."

OFFICERS. "Constables: Thomas Potter, Evan Garnet. Foure men: Richerd Worseley, Edward Stockeley, Cuthbert Stockeley, Henrie Tailior. Ferars: Edward Stockeley, Henrie Coney. Alefounders: Edward Stockeley, William Carter. Birelawmen: John Webster, Edward Cowper."

PLEAS OF LAND. "A verdict given by the Jurie vpon a plea of land betwixt Richard Bellarby plt. and Cuthbert Stockley and Margrett his wife def., for detaininge of a kilne."¹ (A.B.) Richard Bellarbie and Henry his son received 6s. 8*d*. from the said Margaret before her marriage, but no alienation was made, therefore Margaret holds from them.

99

"A verdict likewise given vpon a plea of land, *nove disseisin*, betwixt Henry Webster plt. and Hugh Webster def." (A.B.) for all the messuages etc. now in the holding of the said Henry, of which Richard, father of Henry and Hugh, died seised. It is in favour of Henry, saving the right of Alexander Webster for life in a house in the occupation of John Peacocke, and of Elizabeth Webster, sister of Henry, for life, in a bay of building now in occupation of Elizabeth Webster his aunt. Ralph Webster, son of Seth Webster of Whiston, then laid claim to half the property,²

¹ In a reference given among the Other Pleas, the kiln is said to be at the foot of the mill hill. (The case was referred to the major Jury.)

² This case is also noted among the Other Pleas as postponed.

and pending trial, Henry was admitted as tenant of the rest.

54, 61, 112

"A controuersie betwixt Nicholas Bethom and Cuthbert Stockley and his wife, about land in Prescottt [a messuage, garden etc. in the holding of the said Cuthbert] which the Jury beinge not prepared to determine, desire continuance of the Steward till the next Cort, which is granted by consent of parties." (A.B.)

105

OTHER PLEAS. George Bower *v.* Henry Tailior, for detinue of a brooch worth 10s. (He detained "the forsaid broche as a pledge and a pawne for ijs., and therefore to take the broche, paying ijs.") Edward Waynewright *v.* Edward Birchall, for detinue of *one disshe burde and a gret arke with a swyne troughe*. (Amount not stated.) Ralph Sekarston¹ of Liverpool (attorney, Christopher Marcer) *v.* Evan Blancherd, for 12s. debt. for *alam*. (9s. allowed.) Robert Prescottt *v.* Catherine Tailior widow, for detaining *a paire of beedes* worth 8s. (Jury declare "the said beedes to lye in pawne for ijs. viij*d.*, and the said Katheren to pay *xxd.* for certayne beedes lacking.")

Others named include: Ralph Houghton of Whiston, Emmota Houghton widow of James Houghton, Peter Terbocke of Wyndle (executor for James Pemberton), William Wackefeld, John Harington Esq., Eleanor Scott widow, Edward Glover, Thomas Hutchen of Darbie, Thomas Kenwright (executor for George Lidarland), Richard Denton, Evan Pike, William Ledbeter, Elizabeth Ticle, Edward Guldicar, Ellen Pendleton, Edmund Turner of Holland, William Ratchedale, Thomas Syngleton of Eccleston, Anne Sadler widow, William Sadler of Wulfall, Robert Sutton, Grace Sutton (Henry Sutton her attorney), Jane and Agnes Bolton (executrixes for Edmund Bolton), Henry Jamesson and Jane his wife. (19 cases in all).

1561.² PRESCOTE. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (5 June) 3 Eliz.

JURORS. Richard Heltonhed, William Holaund, William Serunt, John Rigbie, Richard Parr, John Leydbeyter,

¹ Mayor of Liverpool (1550-51, 1560-61) and M.P. (1559-83). See *Liverpool Town Books*, Vol. I, Index.

² The roll of 1560 is not preserved, and no record of it is in A.B. The roll of 1561 is in a new and very angular hand.

Richard Wurseley, Henry Taleer, Henry Wuddes, Edward Burchall, Roger Arspeshaye, Robert Plomptone, William Leydebeyter, Edward Stockley, Peter Terbocke, Richard Stockley, Edward Waynewright.

ADMITTANCES. "That Raph Houghton dyed, who in his life surrendred all his copyhold land in Prescott to the vse of James Houghton, his heyres and assignes foreuer, vpon condicion hee should pay to Edward Houghton his younger brother fflower markes, within the tearme of two (?)¹ next after the death of the said Raph." (A.B.)

"That George Wright [of Derby] and Johan his wife (shee being examined) did surrender to the vse of Richard Worsley, his heyres and assignes foreuer [a messuage with burgage adjacent, and] halfe an acre of ground in Churchley feild then in the occupacion of Margrett Stockley." (A.B.) 27, 28 (pt.)

"Agnes Bolton, daughter and heyre of Edmund Bolton dec., did surrender to the vse of Richard Worsley, his heyres and assignes foreuer, one bay of a house in Prescott in his occupacion, and halfe an acre in Churchleyfeild,² in the occupacion of Margrett Stockley." (A.B.) 29, 28 (pt.)

"Where as by a former Jurye, Mergaret Stockley wydo, late wife of Cuthbert Stockley dec., was brought in tenant, bie her fathers last will, of and in one measse or tenemente, and of all the landes to the same belonging, now in the tenure of the sayd Mergaret, wee . . . do ratyfy and confirme the same: and also yt aperyth by suche evydens as wee haue herde, that the twenty pondes was payde and gyven for the sayd howses and landes by Claris Bethome to the vse of Nicolas her sonn." 105

"Richard Denton [of Eccleston], who held one messuage [with land, etc. adjacent, in the holding of William Ellum], dyed therof seised, and George Denton his sonne next heyre." (A.B.) 68

"John Rigby [of Ecclestonn] did surrender a messuage and tenement [with land adjacent], in the occupacion of Richard Leadbeter, to the vse of himselfe for life, afterwards to the vse of Agnes his wife for her life, and after to the right heyres of the said John foreuer." (A.B.) 67

¹ The roll is undecipherable. A.B. leaves a blank.

² This is apparently the same half-acre of land as that which figures in the preceding surrender. Possibly Jane, wife of George Wright, was the d. of Edmund Bolton (see p. 123). The roll of 1561 also includes a surrender, by Agnes, widow of Edmund Bolton, of all claims upon these holdings (nos. 28 and 29), in favour of Richard Worsley.

"Euan Pyke, who held one messuage and tenement, and certaine lands therunto belonging, dyed therof seised, and that Margrett Pyke his wife ought to haue the said messuage and lands for tearme of her life, as may appeare by the last will and testament of the said Euan." (A.B.) 78

"Euan Garnett did surrender one stable at the [north] end of his howse called a smythie, to the vse of Robert Wyke, his heyres and assignes foreuer," (A.B.) paying 12*d.* yearly to the lord. 70 (pt.)

"John Webster, sonne and heyre of Robert Webster and Izabell his wife, did surrender all his tytle and interest which hee had or might haue to certaine howses, lands and tenements which the said Robert Webster held in right of Izabell his wife, and which the said Robert and Izabell did morgage to one George Litherland [of Sutton], to the vse of Henry Conney [of Knowsley, uncle of the said John], his heyres and assignes foreuer." (A.B.)

"Robert Plumpton did surrender one messuage, one garden, one orchard and all other lands and tenements therunto belonging [lying between the lands of the said Robert and those of John Webster priest], together with a peece of land parcell thereof [4 ft. in width, and in length from the north of the said orchard to *le mylne hill*], for a way to the mylne hill, to the vse of Edward Halsall gent., his heyres and assignes foreuer. Rent to Robert Plumpton ijs." (A.B.) To hold at the will of the lord. 97

AMERCEMENTS. In breaches of the peace: George Webster, James Heringtonn's widow, Lawrence Webster, Robert Nelson clerk, Humphrey Anglesdale, Evan Blanchard. (12*d.* each assault, 20*d.* each affray, 3*s.* 4*d.* each affray with bloodshed.) John Crosbe, for a rescue on Henry Wuddes, constable (2*s.*). Henry Wasshingtonn, for a rescue on Edward Hollaund, deputy bailiff (12*d.*). For not obeying the lawful orders of the Burleymen: John Webster, Richard Webster, Henry Taleer, John Burghe, Thomas Anglesdale's wife, Mr. Rachedale's wife, Edward Stockley. (3*d.* each.) Ellen widow of George Guldicar, for stopping a watercourse (3*d.*), for not repairing her *ringe yerde* in *Churchley fyld* (3*d.*), and for not obeying the Burleymen (3*d.*).

ORDER. "Hit is presented by the homage of the lordshippe of Prescott, that Mergaret Garnet is an evell dissposed woman, an therfore it is orderett . . . that the said Mergaret shall avoyde her selff and all her gooddes out of the towne" on pain of 20*s.*

OFFICERS. Constables: Henry Taler, Edward Stocley. *Four men*: Edward Stockley, Henry Wuddes, Henry Taleer, John Leydbeyter. Aletasters: Richard Parr, Richard Bellerbey. Burleymen: Robert Plomptonn, Thomas Potter. Affeerors: William Serunt, Edward Cowper.

PLEA OF LAND. Evan Blanchard *v.* Thurstan Canner, for a messuage with gardens, orchard, lands etc. in *Sparowe layne*. 18

OTHER PLEAS. Alice Diconsdoughter *v.* Evan Garnet, for 5s. debt, for the *stipendium* of a cow for a year. (Allowed.) Others named include: Simon Garnet of Rainhill, Evan Garnet and Agnes his wife, Elizabeth Potter, Edward and Peter Bernes (executors for Edmund Bernes), John Webster clerk and Margaret Picke widow (executors for Evan Picke), John Cowper, Alexander Garnet¹ of Lierpole, Edward Glover, Hamlet Webster of Prescott, John Starckie, Richard Bower and Anne his wife, William Kenwright of Rainhill, John Travas of Wiston, Henry Pendiltonn, Edward Guldicar, Robert Anderton, Margaret Webster widow, Thomas Busshell, Henry Jamysson, Margaret Garnet of Prescott (widow of George Garnet of Wiston), Blanche Webster, Henry Terbocke, William Price, Evan Webster of Prescott, Alexander Webster of Prescott, Ellen Smythe, John Knyghtley, Elizabeth Tule. (33 cases in all).

1562. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (29 May)² 4 Eliz.

JURORS. Richard Parr gent., Thomas Potter, Henry Tayler, Richard Wurseley, Henry Wuddes, John Leadebeter, George Denton, Edward Hollande, Edward Stockeley, Edward Waynwright, Ralph Fletcher, Roger Aspes, John Rigbye, Edward Birchall.

ADMITTANCES. "That Ellen Rigbie widdow, the late relicte of Richard Rigbie dec., who held for tearme of her life certaine messuages, lands and tenements in Prescott in the seuerall occupacions of Edward Wainwright, James

¹ Mayor of Liverpool (1559-60, 1564-65). See *Liverpool Town Books*, Vol. 1, Index.

² The roll, curiously, says *June*.

Ditchfeild and the late relicte of Thomas Lathom, dyed since the last Cort, and that all the said messuages, lands and tenements doe discend and come vnto John Rigbie of Eccleston [*yoman*], as sonne and heyre of the said Richard Rigbie," (A.B.) saving the right of Catherine Rigbie, sister of the said John, to a messuage in the holding of James Ditchfeilde.

"That Robert Prescott dyed seised of one messuage or burgage in Prescott, in the occupacion of Ellen Harrington [widow], and that William Prescott is his sonne and next heyre." (A.B.) 45

"That Henry Conney [of Knowsley] gent. did surrender three messuages or burgages in Prescott, in the seuerall occupacions of the late relicte of John Rainforth, Edmund Turner, Margery Baylie and Ellen Pendleton, with all howses, edifices, buildings, lands and hereditaments therunto belonginge, to the vse of [Edmund]¹ Turner, his heires and assignes foreuer," (A.B.) saving the right of the widow of John Rainforth in one messuage for life. 32, 33, 94

"Margrett Stockley widdow, the late relicte of Cuthbert Stockley [of Prescott] dec., did surrender one messuage or burgage in Prescott, late in the occupacion of Clarice Beethom dec. [mother of the said Margaret; and now in her own occupation], one other messuage or burgage, and one clawsure of land therunto belonginge, contayninge by estimacion one acre of land, lyinge in Chesley feild, in the occupacion of Margery Webster widdow [of John Webster], and all other her lands, tenements, howses, buildings and hereditaments in Prescott [granted to her by the said Cuthbert, and by Nicholas Bethom her brother], to the vse of John Layton [of Prescott, *yoman*] his heyres and assignes foreuer." (A.B.) 98, 102, 105

"Edward Stockley did surrender one messuage or burgage in Prescott, and one clawsure or parcell of land in Chesley feild, contayninge about one acre of land, in the occupacion of Margery Webster widdowe, and the reuercion and reuercions therof, to the vse of John Laton, his heyres and assignes foreuer." (A.B.) 98, 102

AMERCEMENTS. "That Euan Garnett, Edward Glouer and the late relicte of Bryan Dyke euery of them haue kept and sold bread and ale and other victualls in their howses from tyme to tyme since the last Court: And have not found and putt in safe pledges before the Steward for the

¹ A.B. incorrectly says *Edward*.

observinge of good and honest order in theire howses accordinge to the forme and prouision of the Statute, nor were admitted by the Steward accordinge to the custome of Prescottt afforesaid.¹ [20*d.* each.] John Knowles, John Hey, the late wife of Hugh Lathom, Raph Stocke, Alexander Webster, Robert Sutton, Parciuall Croston, William Leadbeter, William Wackefeild, Henry Pendleton, John Crosby, the late wife of Nicholas Ratchdale, Margrett Whalley, Richard Leadbeter, Robert Bane, Ales Dickonson, the late relicte of Thomas Ainsdale, the late relicte of Edmund Bolton, Margery Baylie, the late relicte of (?)² Cornett, Richard Guey, William Pryce, George Webster, and the late relicte of James Taylor, for committinge the like offence att the faire tyme [6*d.* each.]” (A.B.)

“That Richard Bower hath not brought his corne and graine to Prescottt mylne, accordinge to the auntyent manner and custome of Prescottt, but hath transported the same to other mylles out of the towne. [6*d.*] That the miller hath neglected his office in not beinge ready to receaue corne and graine when it hathe beene brought to the myll. [6*d.*]” (A.B.)

“That Homphrey Angsdale made an assalt vpon Edward Stockley, cunstable, and of him drewe blood. Therefore it was ordered hee should suffer three [full] daies punishment of his body in such manner [and with such diet] as the Steward shall appointe, which if hee refuse, hee shalbee in mercy ijs. ii*d.*” (A.B.) In other breaches of the peace: George Sadler, Robert Sutton, Edward Houghton, John Pecke, Evan Blanchard, Thurstan Canner. (As in 1561, with 6*d.* for a *hoble shove*.)

“That the late relicte of Thomas Lathom, the wife of Edward Glover, and the late relicte of James Harrington, are comon brawlers and scoulds, and hurtfull to theire neighbours. [12*d.* each.] That John Rigbie hath kept three tenants in one messuage, contrary to the auntyent custome of the towne. [26*s.* 8*d.*]” (A.B.) For keeping two tenants in one messuage: Catherine Stockeley, Ralph Houghton, Henry Wuddes, the widow of Robert Burtonwoodde, the widow of George Gooddicarre. (13*s.* 4*d.* each.) The widow of Edmund Bolton, for keeping an *innmake* (6*d.*). For default of appearance: Sir Thomas Gerrarde,

¹ Normally, ale-house licences were granted by the county Justices; the practice in Prescott was exceptional.

² Blank in the roll and A.B.

Edward Halsall Esq., John Ogle gent., William Sergeante gent., Thomas Stanley gent.

That the way to *our Ladye wall* has not been amended and enlarged, despite an ancient order, but remains in its first state.

ORDERS. "That no tenant of Prescott shall at any tyme after the feaste of the Nativitie of saint John Baptist next ensuinge, or within x days then next after, have, kepe, suffer or permitt any more tenantes or fermors in euery one howse in Prescott then only one, vppon payne of forfayture if the conterary for euery offence xiijs. iiij*d*. to the Lords of this Francese, as the same shall be evy-
dently knowen."

"That Richarde Bower, one of the customary tenants of Prescott, and his heires, shall from hence furthe doe, yelde and paye to the lordes of this franchise for euer, all and euery suche bounes, dewtyes, customes, auerages and services for his landes and tenements in Prescott, as other the customary tenants of Prescott aforeseide shall yelde, doe and paye for their tenements of lyke quanty-
tye and value, and at suche tymes as the same have ben heretofore vsed and accustomed." 4, 5

"That no fforen person, with horse or caryage or otherwise, shall fetcche or carrye owte of the towne of Prescott, any manner grayne of corne or malte, to grinde at any forrein milne, whereby the lordes milne of the seide towne, and the fermor of the same, shall or maye be dampnyfied by reason of the losse of multure and tolle of the same, but that the person or persons so offendinge . . . shall forfaytt to the lorde for euery wyndell so caryeing or conveyinge owte vjs. viij*d*., and the guddes of the offenders and caryors away beinge founde within the same towne, shall be arreasted by the baylyffes or constables there, to satisfie the lorde of the forfayture."

"That from hencefourthe non inhabytant within Prescott shall in anye place nere and adioyninge to the same towne, in their owne persons or otherwise, bye or take vpp, or otherwise cause to be bought or taken vpp, by theym selfs or any other, by their meanes, names or procures, anye maner of victualles which wolde, shoulde or mighte be broughte to the seid towne, their openly to be solde, to thentent to sell the same agayne for anye maner of lucre, gayne or increase, except the same person or persons so byeing or takinge vpp shall and will,

withowte fraude or collucion, occupie, bestowe and vse the same things and victualles in theire owne dwellinge howses, and not otherwise to vse, employe, delyuer or bestowe the same, or to and for any other purpose, vppon payne of fforfayture for euery offence so conterary comytted xijd."

"That from hencefourthe no maner of person or persons beinge an inhabitant of Prescottt aforeseid shall take, gett, repe or sheere, or cause to be taken, gotten, reaped or shorne, anye grasse belonginge to any of the seide towne, withowte the speciall licens and consent theireof of suche person and persons to whom the same grasse shall belonge and of right apperteyne, vppon payne of forfayture for [every] seuerall offence so comitted to the conterarye vjd."

PLEAS OF LAND. William Prescottt, son and heir of Robert Prescottt of Eccleston yeoman dec., v. John and Margaret Layton, for a barn and a piece of land. (*Donacio in le descender.*) (Continued.) 100

Arthur Bower v. Evan Garnett, for a building and garden. ("A day is given bie the Steward, with the consent of both parties, that the said homage shall haue respecte to haue better evydence vntill Cristemas next for their verdicte giving.") 72 (pt.)

OFFICERS.¹ Constables: Edward Waynwrighte, Edmund Turner. Aletasters: Henry Tayler, Evan Garnett. Burleymen: Henry Pendylton, William Carter. Affeerors: Richard Parr gent., Thomas Potter.

1563. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (11 June) 5 Eliz.

JURORS. William Hollande gent., Richard Eltonhead gent., Edward Stockley, Richard Worseley, Roger Aspes, John Ledbeter, Edward Holland, Henry Woodes, Henry Tailior, Peter Terbocke, Ralph Fletcher, William Ledbeter, Edward Birchall, Evan Gleast, Robert Wike.

ADMITTANCES. "John Ogle [gent.], who held seuerall messuages, buildings, lands, orchards and gardens therunto belonginge, in the seuerall occupacions of Euan Glest,

¹ This list appears on a paper filed at the end of the roll of 1564. On the same sheet is the record of a plea of land between Oliver Garnett of Lyuerpoole *taylor*, and Evan Garnett, upon which a verdict is given in the roll of 1563. The names of the Four Men are not included.

Edward Sutton, Robert Sutton and Henry Woods, dyed therof seised, and Edward Ogle his sonne next heyre." (A.B.) Henry Coney is attorney for Edward Ogle. 11-15

"That Richard Bellorby dyed seised of a bay of buildinge and a garden therunto belonginge and that Katherin his wife ought to haue the same for her life" (A.B.) by a former grant of the said Richard (see p. 112.)

"That Euan Glest [of Parr] did surrender a parcell of land in the east parte of Chesley feild, called the halfe acre, vnto Richard Worsley, for tearme of 21 yeares." (A.B.) 28 (pt.)

"William Sergeant [of Newton in Mackarfield, gent.] did surrender a messuage or cottage in the occupacion of John Peacocke [or William Wackefild], to the vse of Richard Worsley, his heyres and assignes foreuer." (A.B.) 30

"Nicholas Beethom [of Mawdesley, *yoman*] did surrender a messuage, consisting of two bayes of buildinge and a garden [on the west side], lyinge neare the heigh way leadinge toward Liuerpoolet [between the highway on the south and the rood land in the occupation of John Thomson on the north; the said bayes being in the holding of Thomas Carter], and all those clawsures of land called Sletherforth feild and the acre, and all rents and reuercions of any his lands in Prescott, and all his tytle and interest to a messuage and tenement in the occupacion of John Thompson [late in that of John Laton], to the vse of John Layton, his heyres and assignes foreuer." (A.B.) 100-1, 103

"A generall releasee² from the said Nicholas Beethom to the said John Layton, of all accions, debts and demands whatsoever," (A.B.) dated 25 Nov., 5 Eliz., and attested by Edward and Richard Stockeley, Richard Mershall, Edward Holland, Henry Tailior and Edward Waynewright.

"Ales Winstanley widdow [of John Wynstanley] did surrender one shop in Prescott with thappurtenances, to the vse of Thomas Tarleton [of Halewood], his heyres and assignes foreuer." (A.B.) 72

"Edward Holland did surrender one messuage and [a piece of land adjacent, called] a burgage, now in his occupacion, to the vse of Izabell Holland his mother for tearme of her naturall life, and afterwards to the vse of the said Edward, his heyres and assignes foreuer." (A.B.) 106

¹ The roll has *Liverpoll*.

² This document is given in full in the roll, immediately after the surrender, and in English.

"Euan Garnett [of Prescott] did surrender a bay of a house called a smythie, now in his occupacion, together with a little howse att the end therof, to the vse of Robert Wyke, his heyres and assignes foreuer: Evan Garnett to haue the same for his life, payinge xij*d.* rent to the said Robert Wyke, and xij*d.* rent to the lord." (A.B.) 70 (pt.)

AMERCEMENTS. In breaches of the peace: Henry Woods, Thomas Tailior, George Pike, Jane Holte, Roger Whitfeld, John Webster, Robert Sutton, Edward Cowper's servant. (3*d.* or 6*d.* for a *hubleshoff*, 6*d.* or 12*d.* for a *fray*, 2*s.* for bloodshed, 3*s.* 4*d.* for a *fray* on the constables.) Edward Halsall gent., for allowing his house by *le market stid* to fall into disrepair. (To amend before the next court, on pain of 20*s.*) William Prescott, similarly, for a building by the mill bridge (*pontem molendini*). "Thurstan Canner, for taking suete vppon John Ledbeter in foren courte, contrarie to the ordre therin." (6*s.* 8*d.*).

For trespass with their swine: Richard Marshall, the wives of Hugh Lathom, William Cornet, William Rachedale and Edmund Bolton. For not making their hedges: Evan Garnet, Edward Halsall, John Bourghe, Robert Plumpton, William Ledbeter. Percival Croston, for not ringing his swine. For not yoking their swine: Robert Plumpton, Edward Sutton, William Pryse, the wives of Brian Dike, Richard Bower and Hugh Lathom.

"A certayne course of water in the fall lane . . . turned out of his olde course . . . to be amended bie John Laton and the wieff of Hughe Lathom" before Michaelmas, on pain of 3*s.* 4*d.* John Webster, "for not scowring his diche betwix Henrie Watmoughe and hym." (To be amended similarly.) Thomas Potter, "for not making a gappe at his well betwene hym and William Ledbeter."

"For making a rescow vppon the baliff": Richard Ledbeter, Brian Jackson, Jane Corbet. (20*d.* each.) "Edward Sutton, for cutting downe yonge plantes in the lords wood, xv*d.* . . . Sibell Anglesdale and Alice Diccondoughter, for pilling of saplings and cutting downe of oller sprinke, for to color withall." (12*d.*, and to all others so offending "vppon dew prove.") "Mergret Lathom widow, for making a midding in the highe way, and that she doe ley mucke no more in that place" on pain of 6*s.* 8*d.* Anne Bower likewise, "wherefore hit is ordered . . . she shall not purpresture the hie way with her midding stid any longer" on pain of 6*s.* 8*d.*

ORDERS. "That the ordres of vndretenants heretofore made shalbe revived and stand in full force; and further hit is agreid that all vndre tenants that are not hable to live vppon theym selves shalbe expulsd furthe of the towne before the feast day of saynt John Bapt. next to come, or within xx dayes aftre, vppon payne of euery over tenant herboring or receyting the same contrarie to this ordre shall lose and forfeit xiijs. iiij*d*."

"That a pounce shalbe made vppon the milne hill in the place where the¹ haue ben vsed to brake lyme, before and on thisside the feast of All Sayntes next to come."

"That former ordres touching the entrie to our Ladie well shalbe revived and stande in force: And that there shalbe course and recourse at all tymes to and from the same, according as hathe byn vsed before tyme: And the person or persons stopping, hyndring or letting the said course, shall forfeit euery tyme so offending vjs. viij*d*."

"That if John Crossebie at any tyme herafte be taken in the wood getting prickles or wyndings, that he shall forfeit for euery tyme so offending xij*d*. And if he be taken or knowen to get wyndings or prickles in any mans hedge, to be avoyded out of the Towne."

"That a certayne measuage, with all howses, edifices and buildings, lands, easements and comodities to the same belonging, situate in Prescottt afforsaid, now in tholding of Evan Garnet, and late in varience betwene the said Evan Garnet and Oliver Garnet of Liverpoll . . . tailor, shall remayne, come and be vnto the said Evan Garnet, his heires and assignes for ever, vndre suche condicion as foloweth, that is to say, if he the said Evan Garnet, his heires or assignes, doe content and pay, or cause to be contented and payed, vnto the said Oliver Garnet or his assignes, vppon the fonte standing in the parishe church of Prescottt . . . or in place where the fonte now standethe, at one entyre and holle some, the some of foure poundes thretyne shillings foure pence of lefull money of Englund, at and vppon the feast day of Penticost next ensuyng the date herof, betwene the howres of tenne of the clocke and twelve of the clocke before none of the same day."

65

Jane Higham "a petie micher and a stayler of pullen: wherefore hit is agreed and ordered that whom so ever dothe recept or herbor the same Jane ether [by] nyght or day within Prescottt shall forfeit for euery tyme" 12*d*.

¹ A word seems to have been omitted.

"Mage Webster [having been presented] for not providing of fuell and fying to live withall in the wynter . . . shall yerelie provide sufficient fuell and fying to serve her, at the oversight of the iiij men, and if she refuse so to doe, to be expulsed furthe of the Towne." (Jane Holte, similarly.)

"Margaret Whalley, for myngling good malte and ill malte together, and degging drye malte aftre that hit is dried: And hit is agreid the said Mergret and euery other person or persons so offending aftre the date herof, being treulie proved or convicte bie any honest person or persons, shall forfet for euery tyme" 6s. 8d.

OFFICERS. "Ferars of the court: Richard Worseley, William Carter. Constables: Rauff Fletcher, Robert Plumpton. Barlamen: John Webster, Edward Cowper. The iiij men: Edward Stockeley, Henrie Woodes, John Ledbeter, Edward Holland. Alefounders: John Ledbeter, Rauff Stocke."

1564. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (2 June) 6 Eliz.

JURORS. Edward Ogle gent., John Laton, Edward Stockeley, Edward Hollande, Henry Tayler, Roger Aspes, Edmund Turner, John Rigbye, George Denton, William Prescott, Henry Wuddes, Robert Plumpton, Edward Waynwrighte, Ralph Fletcher, Peter Torbocke.

ADMITTANCES. "That Van Pyke, one of the customary tenants foreseid, is deadd since the laste Courte, and that George Pyke is sonne and heire of all those lands and tenements which the seid Van helde the daye of his deathe; and the seid George the daye of taking of this inquisicion of full age. Savinge the righte of Margaret Pyke, late wiffe of the seid Van, for terme of her liffe; and also reseruing the righte of euery other person or persons."¹

"William Leadbeter did surrender a messuage consistinge of one bay and a crosse chamber together with a kill [*a kylne*] therunto belonginge [adjoining it on the south side] together also with a yeard and a little garden now in the occupacion of the said William: To the vse of Robert

¹ The last provision is exceptional. As a rule the *post mortem* concludes with a formal notice of admittance of the heir as tenant.

Hitchmough [of Bolde], his heyres and assignes foreuer." (A.B.) 62

"Euan Garnett did surrender one bay of buildinge with an outshowfe [*an owte showffe* or *an owte caste*] and a swyne coate [*a little swine howse*], with a parcell of land beinge 13 yards in lenght and 5 yards in bredght, to the vse of Thomas Tarleton [of Halewood] his heyres and assignes foreuer." (A.B.) 72 (pt.)

"The same Euan did surrender an other parte of buildinge wherin hee liues [on the east side] and an other parcell of land beinge [in all] in lenght 13 yards and in bredght 5 yards, to the vse of himselfe and his heyres, vntill one Arthur Bower should recouer the same, if any such recouery should happen, and after such recouery to the vse of the said Thomas Tarleton and his heyres foreuer." (A.B.) 72 (pt.)

"Edmund Turner did surrender a messuage or tenement with thappurtenances in the seuerall occupacions of John Hey and Margery Bayliffe, to the vse of John Hey, his heyres and assignes foreuer." (A.B.) 94.

"William Prescott did surrender a messuage or tenement and a garden in the occupacion of John Holt, to the vse of Henry Ferrar [of Litle Crosseby], his heyres and assignes foreuer." (A.B.) 45

"Hugh Webster did surrender one cottage and garden in the occupacion of Alexander Webster [his brother] for his life: To the vse of Lawrence Webster his younger brother, his heyres and assigns foreuer" (A.B.) paying 7*d.* yearly to the lord. 54

"Margrett Pyke [widow], George [son and heir of Evan Pyke dec.] and John Pyke, brothers, did surrender a shopp on the south syde of the Court Howse, in the occupacion of Roger Hayward [of Whiston, *bocher*] and the fowerth part of a bay on the north syde of the Court Howse, to the vse of the said Roger Hayward, his heyres and assignes foreuer" (A.B.) paying 2½*d.* yearly to Peter Torbocke and his heirs for the portion of bay. 121

BLANCHARD *v.* CANNER. "Whearas variaunce, discorde, controuersie and sute hathe heretofore bene hadd and longe tyme depended before Thomas Carus¹ esquier, seriant at lawe, vice chauncelor of the county palatine of

¹ Of Halton, Lancs. He became Serjeant-at-Law in 1559, and Judge of Queen's Bench in 1566. D.N.B. does not record that he held the office of Vice-Chancellor of the County Palatine of Lancaster. See also p. 289.

Lanc., in her graces courte of Chauncery theire, betwene Van Blanchard pl. and Thurstan Canner defend., for and concernge the righte, tytle, enterest, possession and occupacion of one messuage and certen landes and tenements with thappurtenances in the Sparrowe Lane in Prescott aforeseid: And vppon the longe debatinge of the seide matter yt was ordered and decreed by the seid Chauncelor, that the seide matter in variaunce shoulde be dismissed owte of the seide Courte of Chauncery for ever, and be tryed by the homage of the customary or copye holde courte of Prescott to be holden nexte after the makinge of the seide order; and that ether of the seid parties at the same courte shoulde be ready to mynister and shewe for theym selves suche matter in evidence vnto the Steward and homage of the seide courte as ether of them hadd or could avarre and prove, for the seuerall maintenance of their seuerall rights and tytles in and to the same, as by the record of the saide order, decree and dismission, a true copie wherof beinge then and their shewed to the seid steward and homage, it dothe and maye more at large appere:¹

Whereapon aswell the seide Van Blanchard partye pl. as the seide Thurstan Canner defend. beinge in their propre persons at the seide courte of Prescott, and shewinge for theym suche matter in evidence as ether of theym then and their hadd for the maynteynance of their seuerall rightes and tytles in and to the premisses, which evidence, beinge well and indeferently herd, veid and examined, aswell by the steward of the same court their for the tyme beinge, as by the seid homage of the same courte; therefore the seide Jurye and homage doe saye, ffynde and present vppon their othes, that the seide Van Blancharde did at the courte of Prescott their holden in the vth yeare of the raigne of the late kinge of famous memorye kinge Edwarde the sixte [1551], lawfullye surrender and gyve vpp vnto the seide Thurstan Canner and his heires for ever, accordinge to the custome of Prescott aforeseide, all his right, tytle and enterest which he the seide Van then hadd or of righte oughte to have, of, in and

¹ On another page, a statement in English that the case is to be tried at this court is followed by: "The copie of the said order taken for that purpose at Lanc . . . For the matter in varyaunce between the seid parties, yt is ordered by their owne assents that the same matter shalbe tryed and ended in the nexte copie hold courte at Prescott withowte any delaye or sinister practises to be vsed by ether of the seid parties, and no further to proceed in this courte."

to the premisses in Sparrow lane aforeseide now in vary-
aunce, which seide premisses the seide Van then hadd for
terme of his liffe as tenante by the Curtesye of Englande
accordinge to the custome aforeseide, by vertue of which
seide surrender, the seide Jurye and homage do saye
farther that the seide Thurstan hathe all the righte and
tytle of the seid Van in and to the premisses, and is thereof
lawfully tenante accordinge to the custome of Prescott
aforeseide; and that the seide Van nothinge therein
hathe, nor of right oughte to have, in anye wise." 18

AMERCEMENTS. For non-appearance: Sir Thomas
Gerrarde, the heirs of John Lathum of Mossebaroe, Ed-
ward Halsall Esq., William Holland gent., Constance
Jolibrand widow, John Hyne, Edward Birchall, Thomas
Forshawe. Evan Garnet, for taking saplings from the wood.
"John Crosby is found to bee vnworthy to liue in the
towne for committinge trespasses not onely in the wood but
in his neighbors hedges." (A.B.) Margery Garnett, for
harbouring idle *vacabundes*. Margaret Pyke, for impeding
a foote pathe way in Churcheley feilde by le barne (to amend,
and to repair *le stele* at the end of the barn, on pain of
3s. 4d.) Edward Halsall Esq., for neglect of an order to
repair his property (20s.).

In breaches of the peace: Peres Walcheman, Robert
Nelson clerk, Richard Stockeley, George Pyke, Matthew
Sutton, John Pyke, Robert Sutton, Percival Croston's
wife, Humphrey Angesdale, Edward Stockeley, Margaret
Pynnington, George Pyke's mother, John Burtonwood,
Edward Chaydocke, Anthony Tyldesley, William Ruttor-
forthe. (Amercements as in 1561.) John Pyke and
Anthony Tyldesley, for making affrays with bloodshed
after having been bound over by the Steward to keep the
peace, £5 each.

ORDERS. "That Richard Stockeley shall repayre and
amend all the howse sufficientlye and tenanteablye now in
the occupacion of the seide Richard and Ales Wursey
wydow, his mother, before and on thisside Christemas . . .
vppon payne of xxs."

"That all former orders concerninge vndertenants and
the advoydinge of the same shalbe [effectually? MS.
torn] executed accordinge to former orders heretofore
made."

"That Edward Goldycar shall laye agayne so muche
ground as he hathe taken awaye with his ploughe from the

ground of Edmonde Turner " before the feast of Annunciation, on pain of 3s. 4d.

" That no person or persons shall delve or digge vppon the towne mosse¹ of Prescottt aforeseid at anye tyme hereafter," on pain of 3s. 4d. each time.

" That no person or persons shall delve or digge gravell at anye tyme hereafter vppon the milne hill, withowte the consent of the ffoure men and the fermer;² on pain of 3s. 4d. each time.

OFFICERS. Constables: Edward Holland, Richard Wurseley. *Barlemen*: John Webster, John Leadebeater. Four Men: Edward Stockeley, Henry Wuddes, John Leadebeter, Edward Holland. Aletasters: Edmund Turner, William Carter. Affeerors: John Rigbye, Thomas Potter.

PLEAS. George Deane, Edward Holland, Matthew Travas,³ Henry Coney, Thomas Assheton and Richard Parr, feoffees of the free Grammar School of Prescottt, *v.* Edmund Turner, for 4s. arrears of rent. The same *v.* Margaret Pyke, executrix for Evan Pyke, for 15s. debt. (Acknowledged.) The same *v.* Edward Sutton, for 6s. 6d. arrears for cattle. (Acknowledged.) The same *v.* Richard Guye (Cancelled.) Edward Cowper *v.* John Pyke and Margaret Pyke widow, for £4 debt. (Acknowledged.) Edward Glover *v.* Margaret Pinington, widow of Thomas Pinington, for 3s. 10d. debt, for pots bought from him. (2s. 6d. allowed.)

Others named include: John Rigbye of Eccleston, George Tapley, George Webster, Henry Tayler and Jane his wife, Maud Fletcher, Jane Heye of Rainhill *spinster*, Ralph Stocke, Ellen Croston, Perceval Croston and Margaret his wife, James Dichfeilde, John Beseley of Huyton, Lawrence Gorsuche, Thomas Potter and Anne his wife, Evan Webster, Richard Rainforth, John Leye of Rainhill *botcher*, Hamlet Hutchin of Knowsley, Evan Garnet and Agnes his wife, Evan Glest of Parre, William Prise, Anne Rachedale, Katherine Stockeley, Henry Washington and Isabel his wife, John Atherton of Whiston, Oliver Rigbye, Richard Leadebeater, Cecily Webster. (27 cases in all).

¹ Under the terms of the grant made by Ralph Eccleston, Esq. (p. 281).

² i.e. John Layton, the lessee of Prescott Hall and mill. (See p. 12).

³ This man, who petitioned, c 1563, against the removal of the rood loft (p. 51), soon became a determined recusant (Rev. T. E. Gibson, *Lydiat Hall*, 1876, pp. 199, 238, etc.).

1565. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (22¹ June,) 7 Eliz.

JURORS: Richard Eltonhedd gent., William Holland gent., Henry Gerrard Esq., Edward Holland, Henry Taylior, John Rigbye, William Prescott, Henry Wuddes, Edward Birchall, Robert Plumpton, Roger Aspes, Edward Stockeley, Evan Gleast, Robert Hichemoughe, Edward Waynwright, Peter Torbocke.

ADMITTANCES. "John Hyne is dead, and Thomas Hyne [of Assheton] his brother, and George Hyne, son of the said Thomas, next heyres to a messuage with thap-purtenances now or late in the occupacion of Izabell Angedale widdow, by vertue of a surrender hertofore made [1556] by the said John Hyne." (A.B.) 87

A surrender by Edmund Turner to William Turner of Billynge *yoman*, of a messuage or burgage with lands etc., in occupation of the said Edmund and Ellen Raynefforthe widow, is declared null and void by agreement of the parties. 33

"Evan Blancharde [of Sutton] did surrender a messuage or tenement in the occupacion of Thomas Potter, and all buildings, lands and hereditaments therunto belonging, to the vse of Raph Sutton [of Knowsley, gent.], his heyres and assignes foreuer." (A.B.) 9

BLANCHARD *v.* CANNER. "Whearas matter in variaunce hath heretofore depended before John Walsse, one of the quenes Justices of the comen pleas at Westminster, and Nicholas Powtrall, seriant at lawe, the quenes majesties Justice of Assise, at Lanc. there for the tyme beinge, betwene Van Blancharde pl. and Thurstan Canner defend. for and concerninge the righte, tytle and enterest of, in and to one messuage and certen landes and tenements in the Sparrowe lane in Prescott aforeseide, beinge customarye or copie holde landes, and by the seide Justices remitted to be tryed at this daye by the homage of the same courte, before the stewart theire for the tyme beinge, and to be dulye harde and examyned at the same present by Edward Halsall esquier and Alexander Rigbye gent., especiallye appointed by the seide Justices for that purpose; Therefore the seide Jurye, beinge chardged with the seide matter in varyaunce, the seide xxjt. [*sic*]

¹ The roll incorrectly says the twenty-first.

daye of June in the seide seventh yeare of the quenes majesties reigne, and adiornd over vntyll the [blank] day of [blank] then nexte folowinge, for the better vnderstandinge therof; And that daye geven aswell to ether of the seide parties to attend to the courte with their better and further evidence, and then and their to here the verdict of the seide Jurye, as also to the seide Jurye to attend to the same at their perilles, and likewise the seide daye prefixed by the seide Edward Halsall and Alexander Rigbye for the same purpose, doe now the seide [blank] day of [blank] vppon their corporate othes, touching the seide matter in varyaunce, saye; That one Alice, the late wiffe of the seide Van Blancharde pl., was seased of the landes and tenements in Sparrowe lane now in varyaunce, as tenant by the custome, who maryed the seide Blancharde nowe pl., and that one Ellen the late wiffe of the seide Thurstan Canner defend. survived the seide Alice and was her daughter and foole heire, which said Alice by and with the consent of the seide pl. maryed the seide Canner defend.; And further the seide Jurye doe saye that the seide Thurstan Canner defend., in consideracion of a maryage hadd betwene the seide Canner and the seide Ellen, hath [all] thestate, righte and tytle of the seide pl. in and to the seide landes and tenements now in varyaunce, by vertue [of a] surrender to the seide Jurye, shewed in evidence, made by the seide Van Blancharde pl. vnto the [said] Thurstan Canner defend. and the seide Ellen his wiffe."

18

AMERCEMENTS. "That Edward Halsall Esq. shall reedifie and repayre the howse which hee hath suffered to goe to decay [before the next court], otherwise the same to be forfayted to the Lord." (A.B.) For carrying away turves from *le parke mosse*: (John ?) Bourghe and his wife, Sybil Angesdale and her family, and others. (MS. torn.) In breaches of the peace: Roger Whitseide clerk, Edward Chaydocke, John Pike, Richard Mersshall, Richard Stockeley, Robert Nelson clerk, Evan Webster, John Webster, John Leadebeater, Thomas Taylior, Edward Taylior, Henry Godicarr, George Wuddes, Edmund Turner, John Whitehed.

ORDERS. "That Margrett Glouer, Jane Heigham and [the wife of] Robert Bane, beinge hurtfull to the towne and to their neighbors by scandalous words and deeds, shall auoyde the towne before the feast of St. John

Baptist next, and any person that shall receaue them or any of them into their howses, shall forfeite xij*d.* a night."

"That all and euery suche person and persons as shall fortune or happen or fortune at any tyme hereafter to be imprisoned in Prescott aforeseide, for or by reason of any manner of matter or thinge, shall paye and satisfie to the constables of Prescott for the tyme beinge and their successors . . . for euery seuerall tyme of their seuerall imprisonment iiii*d.* of lawfull money of England, before the tyme of the departure or delyuerie of the seid person or persons, for and in the name of their fees, accordinge to certen antient orders and prouisions heretofore made and provided in this courte, as by the antient records¹ may appear."

"That Edmund Turner shall make and laye furthe an open waye to our Ladye wall, accordinge to his former promes and consent, on thisside and before the feaste of saint Michaell tharkeangell now nexte ensuinge; And that the seid Edmund shall not at any tyme hereafter defile or purposely corrupte the water of the seide wall with wondings or otherwise," on pain of 3*s.* 4*d.* each time.

"That the late wiffe of John Raynfforth shall scoure and scence the dicke lyinge by the waye side towardes the sell [*sic*] wall" before 1 Aug., and "that she shall not fromhencefourthe caste the yearthe in or vppon the seide waye," on pain of 3*s.* each time.

"That the enterie and waye betwene Edmund Turner and Ratchedales wiffe shall be made, hadd, vsed and ordered as appeareth by sundry former orders and presentements heretofore made, found and presented. . ."

"That Alexander Webster shall take downe the owte showinge which is latelie sett vpp betwene him and the howse of Katherine Stockeley, ffor that the seide Jurye doe ffind that the seide enterie dothe whollye belonge to the howse of the seid Katheryne, the owners and inhabitants of the seide howse wherein the seid Webster now dwelleth havinge ffree lybertie to tache and dowbe for their necessary vse at all tymes."²

54, 74

OFFICERS. Constables: Richard Stockeley, Ralph Stocke. Burleymen: Robert Sutton, John Thomasson. Aletasters: Edward Stockeley, Henry Wuddes. Four Men: Edward Holland, John Leadebeater, Edward

¹ The records in question are not extant.

² This appears to be inconsistent with a former order (p. 106).

Stockeley, Henry Wuddes. Affeerors: Edward Stockeley (Henry Wuddes, cancelled), Richard Wurseley.

PLEAS OF LAND. William, son and heir of Robert Prescott of Eccleston *yoman*, *v.* Richard Eltonhedd gent., for a messuage, garden and orchard. (For defendant.) 16

Arthur Bower of Kings strete, Middlesex, *barbor v.* Thomas Tarleton of Halewoodd, *yoman*, for a messuage and garden. (For defendant.) 72

OTHER PLEAS. Adam Ollerton *v.* Robert Wyke, for detinue of 2s. (Guilty of detinue of 2d. only; both parties in mercy.) Lawrence Webster *v.* John Pyke, for 6s. 8d. debt. (Not guilty. "It is ordered notwithstanding, by the consent of the parties, that the seid John Pyke shall without fraude or gyle paye to the seid pl. the seid vjs. viijd. before Michelmas nexte.")

Others named include: John Beseley of Huyton, John Webster of Prescott, William Carter, Margaret Pyke, Ralph Fletcher (executor for Maud Fletcher), Anne Johnson widow of William Johnson, George Tapley, Anne Rachedale widow, Jane Denton widow, Edward Glover, Humphrey Denton, Henry Tayler (executor for James Tayler), Hugh Webster, John Atherton, Percival Croston and Margaret his wife. (17 cases in all).

1566.¹ Foreman of Jury: John Layton gent.

ADMITTANCES. "William Holland did surrender a messuage in Prescott in the occupacion of John Knowle, to the vse of Alexander Holland his sonne for tearme of his life, afterwards to the said William Holland and his heyres foreuer." (A.B.) 22

"Richard Eltonhead gent. did surrender two messuages in Prescott in the seuerall holdings of Edward Glouer and George Sadler, to the vse of William Eltonhead his younger brother for tearme of his naturall life, afterwards to the said Richard Eltonhead, his heyres and assignes foreuer." (A.B.) 16, 17

"That Euan Blanchard did surrender all his estate, tytle and interest of and in all that messuage, lands and hereditaments in Sparrow lane in the occupacion of Thurstan Canner, to the vse of the said Thurstan Canner, his heyres and assignes foreuer." (A.B.) 18

¹ The first sheet of the roll is missing; A.B. therefore is the sole authority.

AMERCEMENTS. "That Elizabeth Webster is suspected for a fornicator [6*d.*] That George Sadler is a comon drunkard [6*d.*] That the wife of George Sadler is a theefe or pettie mycher." (A.B.) "That one messuage [in the holding of] Edward Halsall [Esq.] and an other messuage or shopp neare the church yoard syde are wasted and fallen into the Lords hands by reason of wast." (A.B.)

97, 104

Edward Cowper, for felling 12 trees in the wood without licence. (4*s.*) In breaches of the peace: John Sefton, Thomas Holland, Edward Glover, Edward Stockeley, Adam Allerton, Alexander Webster, Lawrence Webster, Robert Wosye, George Pyke, Evan Webster, the widow of Evan Stopforthe, George Sadler and his wife, Evan Stocke, the widow of William Rachedale, the widow of John Tommes, William Smythe, Roger Colley. Humphrey Anglesdale, for a *howle shove* on the constable, to suffer corporal punishment. For disobeying the Burleymen: John Webster, the widow of John Raynforth. That Jane Higham is a thief or *pyker*, and of evil converse. (To leave the town.) Margery Webster, for harbouring others' servants (3*d.*) For evil conduct: Elizabeth Webster (6*d.*) George Sadler's wife (6*d.*) Katherine Corleis (3*d.*) Margaret Whalley (12*d.*). Percival Croston and his wife, for harbouring unlawful and dishonest persons (12*d.*)

ORDERS. "That the gardians of the free Schoole of Prescott, in right of the said Schoole, ought to haue six foote and a halfe from the north wall att the east end of the howse of Richard Worseley, and soe forth to the greene sparthe or byland betweene the lands of Euan Glest and Richard Worsley in Churchley, contayninge in bredght att the west¹ end, from the vtter side of the copp of the ditch into the feild, vij falles, and to bee meared from end to end, which the said Richard hath enchroached." (A.B.)

"That thenhabitants of the howse of Thomas Potter . . . Henrye Wasshington and . . . William Leadebeater, shall have fire lybertie to fletche water at the well on the backside of the howse of the seide Thomas Potter; and that non of the seide inhabitants or their servants shall not wasshe anye thinge at the seide well, or otherwise corrupte the water . . ." on pain of 12*d.*

9, 113, 62

¹ Read *east*. A.B. (the sole authority) has *east*, but cancels it in favour of *west*. The ground in question abutted S on Copt Holt Lane, W on the house (no. 120), and E on the "sparth" (see Glossary) which ran N to S between the half-acres of Worsley and Glest (later united as Churchley Field Acre, no. 28). This ground is the subject of a further order on p. 187.

"That no person or persons inhabiting within this Jurisdiction shall forstall, receyve or kepe any breadde or other victuall broughte to be solde, in theire handes, to thentent to sell the same agayne, excepte the seide breadde and other victuall be firste allowed and abled by the Alefounders," on pain of 3s. 4d.

"That the well called our lady wall shalbe comen to all thenhabitants of Prescottt aforsed, and that suche and so waye and passage be kepte open to passe and repasse to and from the same well as nowe is lymitted and appointed; and that the same waye shalbe made by suche as moste accomablye [*sic*] vse to fetch water thereat; and that all the stones which before tyme have ben abowte the same well be restored to make steppes to fetch water at the same."

"That Margaret Latham shall make a soughe over the lane from the ende of the Aker of John Laton vnto the ffall dyche, so that the water maye issue according to the old course; and that Edward Cowper, occupier of the seid Aker, shall dyche his dyche after the Aker syde vnto the soughe so farr as nede requires for the water course," before Michaelmas, on pain of 3s. 4d. 103

"That the situacion of the hedge betwene Rauffe Fletcher and John Rigby on the mylne hill shall remayne and contynue as they be nowe sett and standing." 57, 67

"That the wiew of George Goldicar shall make the hedge in the claye pitte heye, and fence from the claye pitte; and that the ground which she hathe encroched from the seide claye pitte shall be restored as heretofore it hathe bene, by and with the consent of the ffoure men," on pain of 20s. 80

"That John Hey and his heires shall make and defend the gutter betwene his howse and the howse of Edmund Turner ffor ever, that the water maye have issue betwene the seide ij howses: And also that the seide Edmund Turner, his heires and assignes, maye have lybertye at all tymes to thatche and dowbe betwene the seide howses, withoute denyall, troble or vexacion of the seid John Hey, his heires or assignes." 94, 33

OFFICERS. Constables: Richard Stockeley, Ralph Stocke. Burleymen: Robert Sutton, John Thomson. Aletasters: Edward Stockeley, Henry Wuddes. Four Men: Edward Holland, John Leadebeater, Edward Stockeley, Henry Wuddes. Affeerors: Edward Stockeley, Richard Worseley.

PLEAS. Cuthbert Thomasson of Westderby *v.* Richard Leadebeater, for detinue of 2 *windelles of barlye* worth 4s. 4d. (Agreement made by the parties; def. in mercy.) John Lawton and William Pearle, both of Dytton, *v.* George Tapley, for detinue of 10 *tonne of coles* worth 14d. per ton. (5s. 6d. allowed.) Thomas Taylior *v.* Henry Taylior, executor for James Tayler, for detinue of his goods valued at £6. 13s. 4d. (Adjourned.) Lawrence Webster *v.* Alexander Webster, for 20s. debt, for a horse bought from him (Acknowledged); also 5s. for the *stipendium* of a cow. (Allowed.) Hugh Webster *v.* Lawrence Webster, for 3s. 7d. debt, for arrears of 6 years' rent for a house, (Not guilty; plaintiff in mercy.); also 16s. for a horse. (Not guilty.) Lawrence Webster *v.* Hugh Webster, for 3s. 10d. debt, for a bale of linen. (Acknowledged.) Henry Coney gent. and Matthew Traves, wardens and governors of the goods, cattle, lands, tenements and rents of the Grammar School of Prescott, *v.* Edmund Turner, for 6s. arrears of rent. (Acknowledged.)

Others named include: Thomas Foxxe, Thomas Carter and Emma his wife, Edward Glover and Alice his wife, William Ellome, John Beseley of Hyton, Henry Wasshyn-ton and Isabel his wife, George Webster and Margaret his wife, Evan Garnett and Agnes his wife, William Thomas-son alias Edwardson, John Williamson, Ellen Stopforthe widow, Thurstan Pynnington of Aghton, Humphrey Halghton, Edward Mosse (Richard Mosse, his attorney), Margaret Pynnington, Isabel Dike widow of Brian Dike. (24 cases in all).

1567. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (30 May), 9 Eliz.

JURORS: Edward Ogle gent., Thomas Stanley gent., Edward Stockeley, William Eltonhed, Richard Wursey, Thomas Potter, Edward Birchall, John Leadebeater, Henry Talior, Roger Aspes, Evan Gleaste, Edward Wayn-wrighte, Edward Hollande, George Denton, Richard Stockeley.

ADMITTANCES. "John Webster [priest] is dead, and Margrett Pyke widdow is his [sister and] next heyre of two messuages in Prescott in the seuerall ocupacions of John Pyke and Henry Pendleton." (A.B.)

" Henry Woods is dead, and Thomas Woods is his sonne, and next heyre of three messuages with thappurtenances, in the severall occupacions of Grace Woods widdow, William Carter, and the late relicte of the said Henry " (A.B.) saving the right of the said Grace for life, and also the right of Anne Woods widow, by a surrender made to her by Henry Woods, 2 June, 7 Ed. 6. 46, 48

" Hugh Webster did surrender a parcell [or close] of land, as the same is meered out, in the occupacion of the said Hugh Webster, to the vse of Alexander Webster his younger brother, his heyres and assignes foreuer " (A.B.) paying 6*d.* yearly to the lord. 112

" Euan Garnett did surrender two bayes of buildinge called a smythie, in the occupacion of Robert Wyke [of Whiston, botcher], to the vse of the said Robert Wyke, his heyres and assignes foreuer." (A.B.). 70

" Margrett Pyke widdow did surrender all those messuages, cottages, lands and hereditaments, which late were the land customary of John Webster clerke dec., to the vse of John Pyke, younger sonne of Euan Pyke [late husband of the said Margaret], his heyres and assignes foreuer " (A.B.) saving to Margaret for life the rent of a messuage in the occupation of Henry Pendleton. 76, 77

AMERCEMENTS. Hugh Webster, for felling timber without licence. (3*d.*) In breaches of the peace: Humphrey Anglesdale, Edmund Turner, Richard Stockeley, Catherine Stockeley, Edward Glover, Henry Wooddes, Robert Sutton, Edward Sadler, Alice Glover, Robert Nelson, priest, Margaret wife of Percival Croston, Henry Tayler, Robert Wusye, Ellen wife of John Knolles.

PLEAS. William Leadebeter *v.* Evan Garnet and Agnes his wife, for 4*s.* debt, for a bale of linen. (Acknowledged.) Isabel Webster of Whiston *v.* Alice Rachedale, for £5 damages, for slanderous words, viz. " Thowe theffe, bringe those stollen carcheffes to Sefton which thou haste stollen." (Continued.) Henry Coney and other wardens and governors of the lands, tenements and hereditaments of the Grammar School of Prescott, *v.* George Tapley and Edward Stockeley, for 11*s.* (Acknowledged.) Edmund Turner *v.* Henry Wasshington, for 12*s.*, the price of a *fornice of leade*. (11*s.* 8*d.* allowed.) Oliver Frodsham *v.* Edward Stockeley, for detinue of a charter or indented writing and a deed, worth £10. (Def. found guilty.) George Wetherby of Whiston gent., *v.* John Laton gent., for £10 debt. (Verdict for def.).

Others named include: John Chadocke of Whiston, Percival Croston, Anne Rachedale widow, Robert Lawrence of Farneworth, Alexander Webster and Katherine his wife, Henry Wassington and Isabel his wife and George his son, Jane Smythe of the parish of Huyton, Richard Wellen and Jane his wife, John Tomson, John Houghton of Eccleston, Richard Newasse of Magna Crosseby, Thomas Badkyn, Edward Anglesey, Hugh Wellen of Wyndle, Ralph Fletcher, Jane Higham of Wyndell, Brian Jackson, Ralph Sekerston and Alice his wife, Richard Hyde of Knowsley, Agnes widow of Thomas Prescott of Eccleston in Lelandshire,¹ Roger Hayward, Evan Garnett and Isabel his wife, Edward Houghton, John Knolle, Ellen Raynforth widow, Ellen Stopforthe widow, George Tapley and Elizabeth his wife, Anne Grene widow, Thomas Singleton bailiff. (28 cases in all).

1568. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (18 June) 10 Eliz.

JURORS: Edward Stockeley, Richard Worseley, Henry Taylior, John Leadebeater, William Prescott, Edmund² Torner, Robert Plompton, Ralph Fletcher, Roger Aspes, John Pyke, Richard Stockeley, Robert Hichemoughe, Edward Birchall, John Rigbye.

ADMITTANCES. "That Margrett Lathom widdow is departed since the last court, and that Margrett Symon ought to haue all her messuages, lands and tenements in Prescott for tearme of her naturall life." (A.B.) 109-11

"Edward Ogles is dead, and John Ogles his sonne heyre of fower messuages or cottages with thappurtenances, in the seuerall occupacions of Richard Stocley, Edward Sutton, Robert Sutton and Jane Corbett." (A.B.) 10-14

"Richard Parr is dead, and Thurstan Parr [his eldest son] is heyre of a messuage in Prescott in the occupacion of Mathew Sutton." (A.B.) 73

"Alexander Webster did surrender [for £6] a messuage, cottage or buildinge, now in his occupacion, which hee hath of the grante of Hugh Webster his [elder] brother: To the vse of George Webster, his heyres and assignes foreuer" (A.B.) paying 6d. rent yearly to the lord; with proviso

¹ i.e., Leyland Hundred in Lancashire.

² The roll says, incorrectly, *Edward*.

that Alexander and Catherine his wife may occupy for their lives as tenants of George and Margaret his wife and their heirs, paying to the latter 5s. a year as well as 6d. to the lord; also that George and Margaret shall give up all title and interest in a messuage of the heritage of John Lathom Esq. to Alexander and Catherine. 112

"Margrett Pyke widdow and John Pyke her son did surrender one messuage or cottage in the occupacion of Henry Pendleton, to the vse of the said Henry Pendleton, for tearme of seauen yeares [paying a yearly rent of 1d.], afterwards to the vse of the said John Pyke, his heyres and assignes foreuer." (A.B.) 77

"Raph Sutton [of Knowsley, gent.] did surrender all those messuages, buildings, lands and hereditaments, the late inheritance of Euan Pyke [and granted to him by George Pyke, son and heir of Evan], to the vse of John Pyke, younger sonne of Euan Pyke, his heyres and assignes foreuer" (A.B.) upon condition that if John or his heirs should grant any of the property to any person except Ralph his heirs and assignes, he is to pay £30. 10s.; the only exception being a messuage in the occupation of Lawrence Gorsuche. 75-8

"John Leadbeter [of Prescott] did surrender all those messuages, lands and tenements in the occupacions of himselfe and Raph Stocke, and all other his howses, buildings, croftes, closes, lands and hereditaments in Prescott, to the vse of himselfe for life, after parte [i.e. two crofts called *le claye pitte croftes* along *le Sparrow lane*, two bays at the west end of the house in which he now lives, one bay to the east of the barn adjoining the last, a bay at the east end of the building called a *shippon*, and a third of the orchard belonging to the same messuage] to his wife [Jane, for life, paying 4s. yearly for the clay pit crofts], remainder to William Leadbeter his kinsman [*consanguineo*] and the heyres of his body." (A.B.) 49-53, 114-5, 117

"Thurstan Canner [of Eccleston] did surrender one messuage or cottage [commonly called *Sparrow lane howse*] in the occupacion of Thomas Badkyn, and all gardens, lands and hereditaments therunto belonging, to the vse of Lawrence Webster [of Prescott, *carier*] for tearme of xv teene yeares" (A.B.) rent free, "except one Englishe penny to be payed yearelye . . . at the feast of the birth of our lord God, if the some be ever lefullye asked and demanded." 18

AMERCEMENTS. "Edward Halsall gent. for letting downe of his howses . . . Edward Earle of Derby and Henrie Eccleston, for letting downe of towe shoppes in the markt . . . Thomas Stanleye, for letting downe of his howses . . . John Heye, for letting downe of his howse." (To amend by Christmas, on pain of forfeiture.) 97, 104, 8, 4, 94

ORDERS. "That Anne Rachedale shall laye out an entrie for Edmund Turner into his ground before Myghelmas next, accordinge as bye former presentments she hath ben appoynted to do, vppon payne of xs."

"That the widowe Holme shall shift hur hedges, according as the foure men shall thinke reasonable."

"That the course of water shall passe throughe the backesyde now in occupacion of Brian Fells, according as it hath ben accustomed afforetyme."

"That Thomas Tarrelton, his heyres and assignes, ought to have the entrie now in varience betwene the sed Thomas and the heyers of Richerd Parre of Laughocke [Laffog] departed." 72, 73

OFFICERS. "Cunstables: Jhames Ditchefeld, Edward Birchall. Foure men: Thomas Potter, Edward Stocleye, Edward Holland, Henrie Tayler. Barlowmen: Hughe Webster, John Knowes. Feyrers: Thomas Potter, Edmund Turner. Alefounders: Henrie Pendleton, John Leadbetter."

PLEA OF LAND. William Prescott, son and heir of Robert Prescott of Eccleston dec., *v.* William Eltonhed gent., for a messuage containing two bays, a garden, an orchard etc., in the tenure of Edward Glover. (To be tried at the next court.) 16

OTHER PLEAS. Richard Rayneforthe *v.* John Corbett, for payment of 5s. for the agistment of a cow. (4s. 8d. allowed.) Edward Terbocke Esq. and Alice Harington widow, executors for John Harington Esq. *v.* John Webster, for trespass, 13s. 4d., for an oak. (6s. 8d. allowed.) Edward Deane of Raynhill *v.* Henry Taylior, for 15s. debt, for 20 *wyndells of otes*. (Acknowledged.) George Chorleton of Kirkeby *v.* John Webster, for 7s. 6d. for a *peare of sylver howks*. (Allowed.) Alexander Webster *v.* John Heye, for 20s. debt, for a horse. (Acknowledged.) Margaret Pinington widow *v.* Evan Garnet and Agnes his wife, for 48s. debt, for *malte*. (44s. allowed.)

Others named include: George Tapley and Elizabeth his

wife, Oliver Hey of Eccleston, George Denton, Evan Webster (attorney for Lawrence Webster), Anne Wooddes widow, Richard Fayrehurst (executor for Anne Grene), Richard Wellen and Jane his wife, Evan Gleaste of Eccleston, Edward Glover and Margaret his wife, William Ellam, John Burtonwood, Richard Marsshall, Henry Tayler and Jane his wife, Edward Cowper and Margaret his wife, Cuthbert Stockeley, John Corbet and Catherine his wife, William Rainforthe, Margaret Croston widow, Thomas Foxxe. (21 cases in all).

1569.¹ VIEW OF FRANKPLEDGE WITH COURT OF THE LORD, held at Preskott before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (10 June) 11 Eliz.

JURORS: Thomas Potter, William Preskott, Edward Stockeley, Richard Stockeley, Edmund Turner, Edward Holland, Henry Tayleur, John Rigby, John Ledebeter, Robert Plumpton, Ralph Fletcher, Edward Waynewright, Thomas Tarlteton, William Eltonhed, John Pyke.

ADMITTANCES. John Laton died seized of sundry messuages, lands and tenements in the occupation of Brian Fellys, John Williamson, Margaret Whalley, William Prise, Edward Cowper and Richard Mershall; Thomas Laton his son and heir (under age) is to have the same, saving the right of Margaret, widow of John and mother of Thomas, for her life. 98, 103, 105

Richard Wurseley of Preskot, *tanner*, gave to farm (*tradidit et ad firmam dimisit*)² one messuage or tenement, with appurtenances, in occupation of John Peycocke, to Thomas Potter of Preskot, for term of 21 years; paying yearly to the lord and others such rents and services as are specified in an indenture between the said parties. 30

Thurstan Canner surrendered a messuage or tenement, with appurtenances, in the occupation of Thomas Potter, to the use of Ralph Sutton of Knowseley, his heirs and assigns, for warranty of £17 payable within 2 years after the death of Evan Blanchard; saving the right of Evan Blanchard for term of his life. 9

¹ No roll of this year has been preserved at Prescott, and no record is given in A.B. Curiously, the roll has been preserved at King's College, and is the only 16th century roll of Prescott court to be found there (see p. 73). It is on parchment, whereas all the other 16th century rolls are on paper.

² A very exceptional form of expression in connection with a surrender at Prescott.

AMERCEMENTS. For felling and carrying away the lord's wood and underwood without licence of the four men appointed and sworn yearly by the court for supervising and guarding the same: Edward Stockeley (4s.), Evan Gernet (2s.) William Ledebeter jun., for felling a *yonge plante*. (12d.) John Peycocke's wife, for peeling one *le plante* in the lord's wood. (6d.) Richard Mershall's wife, for breaking the assize in selling bread. (6d; and 3s. 4d. for each time so offending in future.) John Guddycarr, for encroaching upon the lord's waste by *le claye pyttes* to the hurt of his neighbours. (10d., and to amend before Michaelmas on pain of 6s. 8d.) Edward Halsall Esq., for keeping his hedges and ditches unlawfully between his land and the lands of Richard Ledebeter (16d.); also for not sufficiently repairing his *le pale* between the mill hill and his garden (6d.). Edward Sutton, for not sufficiently repairing his hedge between his garden and that of the widow of Alexander Webster. (6d.) Richard Bawer's wife, for not ringing her pig as ordered by the Burleymen (*Byrelegos*). (6d.)

In breaches of the peace: William Frodsam, John Guddyker, Oliver Frodsam, Evan Stocke, Nicholas Gorsuche, John Byllinge's boy, Humphrey Whitfeld, Peter Accres (pledge, John Burtonwud), Brian Fellys, William Allerton, John Webster, John Pyke, Edward Stockeley's wife, Edward Glouer's wife, Evan Webster, Edward Gernet. (6d. to 3s. 4d.) George Tapley's wife, for beating and illtreating Anne Holte. (12d.) Anne Rachedale, for an assault with bloodshed on her sister Isabella (12d.); also for an affray on James Shurlacres (6d.)

William Ledebeter sen., for disobeying the lawful orders of the Constables, in not having a bow and arrows according to the statute.¹ (12d.) John Ledebeter, for not having prepared the bow and arrows for William Ledebeter before a certain appointed day. (12d.)

ORDERS. That Grace Wuddys widow shall restore what she has encroached from the lord's waste at the west end of her house, before Michaelmas, on pain of 6s. 8d. 46

That John Guddycarr shall amend his ditch in *le Churcheley Feld*, in places where it is too wide, by means

¹ Statute 33 Hen. VIII, chap. 9 (1541) enacted that every able man of 17 to 60 years should have a longbow and four arrows, and that every boy of 7 to 17 years should have a longbow and two arrows (*Stat. Realm*, v. 3, pp. 837-41).

of a certain measure made for such purpose now remaining with John Ledebeter, before All Saints, on pain of 6s. 8d.

That Margaret Laton widow shall scour and amend her ditch in *le Falle lane* before Michaelmas, on pain of 2s.

OFFICERS. Constables: Thomas Potter, John Pyke. Overseers of woods: Thomas Potter, Edward Stockeley, Edward Holland, Henry Tayleur. Burleymen: Robert Wanewright, John Webster. Aletasters: William Carter, John Knolles. Affeerors: Richard Wurseley, William Carter.

PLEAS.¹ Margaret Pycke *v.* Evan Gorsuche, for detinue of a rug (*stragulum*) valued at 10s. (6s. allowed.) Others named include: Robert Rawlynson, Thomas Tayleur, Edward Glouer, John Burgh, George Tapley, Ellen Godecarr widow, Ellen Boydell, John Cowper, Alexander Fraunce, Ralph Gorsuche, John Dyke, Ralph Godecarr, John Corbet, Richard Raynforth, Anne Rachedale widow and Isabella her daughter. (20 cases in all).

JURORS BETWEEN PARTIES. William Carter, William Price, William Ellom, Edward Hoghton, Anthony Jacson, Henry Pendylton, Ralph Stocke, Robert Sutton, Brian Jacson, Edward Sutton, Lawrence Gorsuche, George Denton.

PROFITS. Total of this Court, 32s. 2d.

1570. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton, gent., Steward under Edward Earl of Derby. Frid. after C.C. (26 May) 12 Eliz.

JURORS. Thomas Standeley, Edward Stockeley, Richard Wurseley, Edward Holland, Edmund Turner, Henry Taylour, John Rigby, Edward Birchall, Robert Plumpton, Roger Aspes, Peter Terbocke, Thomas Tarleton, Edward Waynwright, Evan Gleaste, Ralph Fletcher.

ADMITTANCES. "Katherin Rigbie [widow] is dead, and John Rigbie [of Eccleston, her son] heyre of one messuage or cottage, and certaine lands therunto belonginge, in the occupacion of James Ditchfeild." (A.B.) 63

"Edward Halsall [Esq.] did surrender one messuage or cottage and one parcell of land in breadght fower foote [leading from *le mylne hyll*, by a building of Robert Plumpton called a *kylne* or a *shepecote*, to the north end of

¹ Mostly, this is a mere list of plaintiffs and defendants, and the amounts (3d. in each case) forfeited by the losing parties.

Edward Halsall's orchard], to the vse of Henry Backster " of Terbocke, *blackesmythe*, (A.B.) paying 2s. yearly to Robert Plumpton. 97

" Euan Garnett did surrender one messuage or tenement with thappurtenances now in his occupacion, to the vse of Thomas Tarleton [of Halewood *yoman*], his heyres and assignes foreuer." (A.B.) Admittance was objected to by Edward, son and heir-apparent of Evan, and granted provisionally, the claim of Edward being reserved for examination. 65

" Roger Aspes did surrender one messuage with thappurtenances, in the occupacion of the late relicte of Bryan Dyke, to the vse of William Aspes and his heyres foreuer " (A.B.) saving the right of Roger for his life. 71

Surrender¹ by Evan Garnett to Thomas Tarleton, for 20 marks, of a messuage or cottage in the occupation of the said Evan, provided that Evan and Agnes his wife may continue to occupy the same for their lives, paying the accustomed rents and services to the lord, and 4*d.* yearly to Thomas Tarleton and his heirs; and if Agnes his wife survive him, she is to have " one chamber, parcell of the premisses, at the west end of the said cottage, now in occupacion of Roger Tarrelton, and all the loft over the same to the loer floore," paying 4*d.* yearly. 65

AMERCEMENTS. John Pyke, for allowing gaming in his house. (12*d.*) For felling saplings in the wood without licence; Edward Stockeley, Henry Mathew, Evan Garnett. (4*d.* to 12*d.*) In breaches of the peace: Edward Stockeley, Robert Sutton, Thomas Lancaster gent., Humphrey Angesdale (the last two fought *in le hawle medow*), Roger Tarleton, Thomas Carter, Peter Ackers, Evan Stocke (the last two fought in Henry Taylior's shop), Ralphe Stocke, Catherine Angesdale, John Almarke, Henry Smythe, Robert Wudfall, John Litherland. (6s. to 2s.)

" The barlemen present² thes persons vnder wryton ": " Rawffe Flecher, for kepinge his shype in Cheslefeld." (6*d.*) William Rachedale's wife, " for kepinge open yorte."³ (6*d.*) The same, with John Corbet, Evan

¹ This appears to be another draft, in English, of the surrender already recorded in the same roll.

² This is written in another hand on a separate, smaller sheet filed in the roll. The 17th century rolls contain many such examples of paper chits bearing the presentments of particular officers; this is the only 16th century example in these rolls.

³ In the Latin text, this is rendered as (translated): " for not repairing or maintaining her fences, to the injury of her neighbours."

Garnet, John Burghe, William Ledbeter, Henry Halyar and Edward Goldicar, "for keping hyr swyne vnrिंगte." (3*d.* each.) Edward Sutton, "for kepinge open yorte to Hughe Webster." (3*d.*) Percival Croston's wife, for the like to Richard Ledbeter. (6*d.*) "Robart Plomton, for openynge the gate in cheslefeld and tetheryng his horse after the tyme apoynted."¹ (12*d.*) The same, "for kepinge open yorte." (3*d.*) Henry Halyar, and Richard Stockle, "for vnlawfull swyne." (3*d.* and 6*d.*)

ORDER.² "Wheras diuers younge men within this towne doe misorder themselues diuers tymes with brawlinge, fightinge and otherwise, which haue noe money to paye theire amerciaments; It is ordered that all such persons hereafter soe offendinge shall sitt in the stocks three dayes and three nights euery tyme, and haue nothings but bread and water, and if any one releuee them to sitt in the stocks in theire steads." (A.B.)

PLEAS. Hugh Webster *v.* Lawrence Webster, for 16*s.* debt for a horse. (Def. wages his law by the hands of William Ledebeter, Edward Glover, John Heye, and Richard Ledebeter.) John Webster *v.* Oliver Froddissham, for detinue of a piece of gold called *an old angell*, worth 10*s.* (Jury find that it was given in payment of 2*s.* for certain pieces of timber called a *gange of spokes*.) John Guldicar *v.* Robert Plumpton as pledge for William Plumpton of Thingham, for 3*s.* 4*d.*, the price of 2 bushels (*modii*) of barley. (Allowed.) Edmund Turner *v.* John Guldycar, for trespass upon the case, viz. for thefts, £5. (Adjourned.)

Others named include: Hamlet Layland of Huyton, Robert Sutton of Prescott, John Corbett of Prescott, Humphrey Halghton of Bylling, Henry WASHINGTON, William Thomasson of Whiston, Richard Guye, James Caton of Eccleston, Margaret Symon widow (Robert Leighe of Prescott her attorney), Anne Becke of Prescott, Margery Mosse of Sutton, Alice Mydleton widow, Evan Webster, George Tapley, John Bowrghe and Isabel his wife, Margaret Pynnington widow, Margaret Pyke widow, John Dychefeld of Prescott, Matthew Sutton, William Hayward jun. of Terbocke, Robert Wyke, Richard Wellen and Jane his wife, Thomas Garnett of Whiston, George

¹ Cp. an order of 1536 regarding the use of Churchley Field.

² This notable order is not now to be found in the original roll, so that A.B. is the sole authority. (One sheet has probably been lost).

Denton, Margaret Formeby, Ralph Guldicar, Anne Bower widow, Roger Parr of Par, Thomas Foxxe, Thomas Potter, John Traves of Hardshaghe in Wyndell gent. and Alice his wife, Thurstan Pemberton of Wegan *braseor*, Nicholas Tyldesley. (35 cases in all).

JURORS BETWEEN PARTIES: Brian Jackeson, William Carter, Antony Jackeson, William Ellam, Lawrence Gorsuche, Ralph Stocke, Henry Pendelton, John Williamson, William Pendelton, Robert Callye, John Knowlles, Richard Marsshall.

PENKETH DEED.¹ A draft of a bill, certifying that William and Henry Penketh, younger sons of Richard Penketh of Penketh gent., dec., have received from John Grymsdyche of Grymsdyche Esq. the sum of £7. 9s. 8d., being the residue of the profits of Penketh Hall and demesne, raised by him as one of the feoffees in trust of the late Richard Penketh for certain uses, as set forth in a certain conveyance.

1571. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (15 June) 13 Eliz.

JURORS: Alexander Holland gent., Thomas Potter, Richard Worseley, Edward Holland, Henry Taylior, John Leadebeater, Edward Birchall, Robert Plumpton, Roger Aspes, Edward Stockeley, Peter Terbocke, John Pyke, John Rigbye, Thurstan Canner, Ralph Fletcher.

ADMITTANCES. "Richard Stockley is dead, and Edward Stockley his sonne next heyre of a shopp in the occupacion of James Wilcocke, and the fowerth parte of a smithy in the occupacion of John Taylor" (A.B.) saving the right of Ellen, widow of Richard. 121

"Thomas Tarleton is dead, and William Tarleton his sonne next heyre vnto three cottages, in the seuerall houldings of John Peycocke, Edward Chadocke and Euan Garnett. Thomas Tarleton, yonger sonne, is to haue that cottage in the occupacion of Euan Garnett," (A.B.) by a surrender made in the previous year. 72, 65

"Edward Wainwright dead, and Robert Wainwright his sonne heyre of one shopp etc." (A.B.) 107

¹ A draft or copy of this document is hastily scribbled on the back of the roll, and is apparently quite extraneous.

"John Leadbeter did surrender one messuage or cottage, in the occupacion of Raph Stocke and Elizabeth Leadbeter, to the vse of William Leadbeter, his heyres and assignes foreuer." (A.B.) 49

"Edward Birchall did surrender a messuage with thap-purtenances, to the vse of Margrett his wyfe for her life, if shee live a widdow chast and vnmaryed." (A.B.) 108

AMERCEMENTS. For taking wood without licence: Lawrence Webster (3s. 4d.), Robert Woosye, Oliver Froddissham's wife (4d. each), Thomas Potter (6d.). Ellen Guldicar widow, for an encroachment on the waste by *le cley pytt hole*. (To restore on pain of 3s. 4d.) In breaches of the peace: William Allerton, William Reid, George Webster, Edward Birchall, Ralph Pyke, Henry Halewoodd, William Ascroft, Henry Whitfeild, Thomas Brockes, Robert Webster, George Tapley, Humphrey Angesdale, Richard Houghton, James Wackfeild, William Leadebeater, Evan Webster, Adam Orton, Percival Croston's wife, Ellen Sutton, Evan Stocke, John Peycock. (Amounts not stated.)

For keeping alehouses without licence: Adam Orton, Edward Chaydock, John Corbet, Dyke's wife, Oliver Froddissham, [? torn] Wasshington, James Dychefeild. (6d. each) For allowing unlawful gaming in their houses: Thomas Potter, Henry Taylior, Brian Felles, John Pyke. (12d. each.) For neglect of hedges and ditches: George Gooldicar's wife, John Guldicar, John Webster, John Bourghe, Catherine Stockeley. (2s. each.) The same, for swine unyoked and unringed. (3d. each.)

OFFICERS. Constables: Henry Tayler, Edward Stockeley. Overseers of the wood: Thomas Potter, Edward Stockeley, Edmund Turner, Edward Holland. Burleymen: Robert Lee, Edward Birchall. Aletasters: Brian Jackson, John Knolles. Affeerors: Richard Worseley, Edmund Turner.

PLEAS. The wife of Edmund Tycle of Whiston *v.* Robert Sutton, Catherine his wife, and Ellen Eastehed, for detinue of *a brasse panne*, a *possenet* and 2 pieces of *pewter*. (Def. ordered to pay the value, 4s. 4d., to the executor for Alice Eastehed.) Robert Houghton of Wulfall *v.* James Wakefeild, for 4s. debt, for a calf. Henry Gorsuche of Kirkdale *v.* John Hey, for 24s. debt, for a bullock (*boviculo*). John Pyke *v.* Edward Glover, for 40s. damages for slanderous words. (Not guilty; plaintiff in mercy.) John Hey *v.* Evan Webster, for £5 damages for wood taken.

(Not guilty.) John Hey *v.* John Knowlles, for detinue of a *scale*, one *wayne spire*, and 5 *yate trotters* valued at 13s. 4d. (To be returned.) Ellen Eastehead *v.* Richard Worsley and Catherine Stockeley for £3 damages, for breach of covenant. (Plaintiff to enjoy the messuage and land until Pentecost or pay 6s. 8d., and is in mercy.) Elizabeth Brokefeild (by Robert Jolibrand her attorney) *v.* Anne Bower widow, for 4s. 8d. debt, for the *stipendium* of a cow. (Allowed.)

Others named include: Thomas Singleton bailiff, John Traves and Jane his wife, William Sergeant and Anne his wife (executors for Jane Taylior of Gartiswoodd), John Williamson, Hugh Webster, George Denton, Robert Brooke of Raynhill, Jane Wellen widow, Edward Fletewoodd and Jane his wife, Henry Taylior (executor for James Taylior), Edmund Turner and Margaret his wife, Oliver Froddissham and Catherine his wife, Thomas Carter, Edward Chaydocke and Anne his wife, Nicholas Tyldesley gent., Richard Leadebeter, Adam Allerton and Margaret his wife, Richard Cowper, Jane Gorsuche, Henry Whitfield. (26 cases in all).

1572. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (6 June) 14 Eliz.

JURORS: Alexander Holland gent., Richard Wurseley, Edward Stockeley, John Rigbye, Evan Gleaste, John Pyke, John Leadebeater, William Prescott, George Webster, Edward Birchall, Robert Plumpton, Roger Aspes, Peter Terbocke, Edward Holland, Ralph Fletcher.

ADMITTANCES. "Henry Ferrar is dead, and Margery Ferrar his daughter next heyre of one messuage or cottage in the occupacion of Thomas Latham." (A.B.) 45 (pt.)

"That George Denton did surrender one messuage or cottage in the houldinge of William Ellam, to the vse of Edward Houghton, for tearme of xxj yeares." (A.B.) 68 (pt.)

"Raph Fletcher did surrender the moyetie of all his messuages, lands and tenements in Prescott, to the vse of Elizabeth his wife, for tearme of her widdowhood, afterwards to the right heyres of the said Raph foreuer." (A.B.)

AMERCEMENTS. In breaches of the peace: William Parr, William Heaton Esq., Thomas Heyton, Hugh Parr,

Ralph Guldicar, John Tayler, Henry Halewoodd, Thomas Hayward, John Porter, John Traves, Peter Wudfall, Richard Grene, Thomas Taylior, Thomas Feysant, William Heye, John Corbet, William Williamson, Robert Woseye, John Stevenson, Edward Sutton, Robert Webster, Arthur Wynstanley, Edmund Turner, Peter Tunstall, William Feysant, George Wasshington, Christopher Derbyssshire. (Amounts not stated.) John Bourghe, for neglecting to repair his house. (To amend on pain of 6s. 8d.) For keeping two tenants in one house: Edward Holland, John Leadebeater, John Rigbye, Thomas Tarleton. For keeping *an innmake*: The widow of George Guldicar, Catherine wife of Alexander Webster, William Pendelton, Matthew Sutton, Peter Warren gent. (To amend on pain of 10s.) For not grinding their corn at the lord's mill: Ralph Stocke, Edmund Turner, Adam Allarton. For baking unwholesome bread: Adam Allerton, John Peycocke and his wife. Edward Halsall Esq., for neglect of hedges and ditches, to the harm of Richard Leadebeater. (3d.) Robert Plumpton for the like, to the harm of John Corbet. Edward Sutton for the like, to the harm of Hugh Webster. Henry Taylior, for not yoking and ringing his swine. Henry Wasshington, for disobeying the Burleymen. Robert Waynwright, for taking a tree in the lord's wood.

OFFICERS. Constables: Ralph Stocke, Robert Callye. Overseers of the wood: Edward Stockeley, Thomas Potter, Edward Holland, John Pyke. Burleymen: John Goldicar, John Knolles. Aletasters: Henry Pendelton, William Carter. Affeerors: Edward Holland, John Williamson.

PLEAS. John Orme of Bold *v.* Edmund Turner, for 6s. debt for a *bussshell* of corn¹ (*frumentum*). (Withdrawn). Anne Rigby of Rainhill *v.* Richard Leadebeter, for 6s. debt for the *stipendium* of a cow. (Cancelled.) William Leaye and William Tyrer, of the parish of Hyton, wardens and governors of the goods and chattels of the free Grammar School (*ludi liberi literarum*) of Hyton, *v.* Henry Fayrehurst, for 10s. rent. (Allowed.) Henry Taylior *v.* John Hey, for detinue of a tree valued at 8s. (4s. allowed.)

Others named include: Henry Halewoodd of Lyuerpoole, Thomas Singleton, Henry Taylior of Bold, Edward Glover, James Dycheffield, William Carter of Roby, Robert Mylner, Henry Backster, William Hychen of

¹ Perhaps malt. The roll of 1570 has "*frumentum, anglice vocatum malte.*" The more usual word for malt was, however, *braseum*.

Knowseley and Margaret his wife, Agnes Taylior of Knowseley, Ellen Eastehed, Catherine Stockeley, Robert Sutton, Evan Garnett, Lawrence Gorsuche. (15 cases in all).

1573. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Ralph Sutton gent., Steward under Edward, Earl of Derby. Frid. after C.C. (22 May) 15 Eliz.

JURORS. Henry Latham gent., Alexander Holland gent., William Eltonhedd gent., Richard Worseley, Edward Stockeley, John Rigbye, Edward Birchall, Robert Plumpton, Ralph Fletcher, Peter Terbocke, Edward Holland, Roger Hayward, Lawrence Webster, George Webster, John Burtonwoodd, Thomas Tarleton.

ADMITTANCES. "Euan Gleast is dead, and John Gleast his sonne [of full age] next heyre of the moyetie of one acre of land in Chesley feild," (A.B.) saving the right of Richard Worseley for a term of years. 28 (pt.)

"Margrett Ferror [daughter of Henry Ferror, late of Parva Crosseby] did surrender a kilne on the mylne hill, to the vse of William Prescott, his heyres and assignes foreuer." (A.B.) 45 (pt.)

AMERCEMENTS. In breaches of the peace: George Wooddes, Thomas Latham, Jane WASHINGTON, William Leadebeater's wife, Edward Stockeley, John Guldicar, Edward Glover, Evan Webster, Thomas Carter, John Orton, Roger Orton, John Corbett, William Hayward, Thomas Faysant, Humphrey Denton, William Faysant, Peter Tunstall. For playing unlawful games: Oliver Froddissham. For permitting unlawful games, namely *carding*, *dissing* and *bowlyng*, in their houses: Edmund Turner, Thomas Potter. John Guldicar, for encroaching on the waste by *le claye pyttes* without licence. For not maintaining fences although ordered by the Burleymen: William Pendelton, John Webster (to the harm of Brian Felles and George Webster respectively.) (3d. each.) Thomas Potter, for keeping an unlawful dog, namely *a grehond*. For keeping 3 tenants in one house: Peter Warren gent., John Pyke. James Ley, for harbouring persons of doubtful character, namely *one Bucke and his wiefte*.

For keeping alehouses without having given sureties before a Justice of the Peace: Robert Plumpton, Henry

Taylor, Brian Felles. For ploughing up part of a highway in *le Chesseley ffeild*: John Webster, Edward Guldicar, John Pyke. (To amend on pain of 2s.) For not scouring their ditches in *le Sparrow lane* to the harm of the highway: John and Richard Leadebeater. (To amend on pain of 3s. 4d.) Ellen Guldicar widow, for not scouring her ditch in *le lytle medowe*, to the harm of Edward Birchall. (To amend on pain of 3s. 4d.) John Webster, for an encroachment on John Rigbye in *le Sparrow lane*. (To restore on pain of 3s. 4d.) Arthur Wynstandley "for vttering false and scandalous wordes" (A.B.) in contempt of the Jury and of the court.

ORDERS. "That one greese, lately erected by John Heye vpon the landes of Rauffe Shawe, shall be removed and taken away before the feaste of the natiuitie of St. John Baptiste" on pain of 6s. 8d.

"That ffor asmuche as the seid John Heye hathe lately erected and builded one parte of his howse over the end of the howse of the seid Rauff Shawe, now in the tenure of Henrye Haward; That the seid John Heye and his heires ffor euer shall at their proper costes and chardges ffrom tyme to tyme, maynteyne, repayre and kepe vpp soe muche of the seid howse . . . as the easinge of the howse of the seid John Heye shall hereafter ffall or droppe vppon, by occasion of any rayne showres or water descending and lyghting vppon that parte of the same howse onelye, and not otherwyse, soe often as occasion or nede shall require."

94, 31

"And ffor asmuche also as it is at this courte presented that the sed John Heye hathe builded and joyned his howse to the howse of Edmund Turner, to the anoyauce of the sed Turner, yt is thereffore also ordered that the same offence shall be conveyently amended at or before the feaste of St. Mychaell tharkeangell next ensuinge, vppon payne of xxs."

94, 33

OFFICERS. Constables: Edward Chaydocke, George Webster. Overseers of the wood: Richard Wurseley, Edward Stockeley, Edward Holland, John Pyke. Burlyemen: John Tompson, Henry Pendelton. Aletasters: George Tapley, Edward Birchall. Affeerors: Richard Wurseley, William Prescott.

PLEAS. John Gleaste of Cronton, *yoman*, and Lawrence Gleaste of Eccleston, *husbandman*, executors for Evan Gleaste, *v.* Brian Felles of Prescott, for 10s. arrears

of rent for a house for 3 years. (9s. allowed.) Robert Gyller of Eccleston *v.* John Pyke, pledge for James Wackeffield, for 2s. debt for *a fatt wether*. (Acknowledged.) John Orme *v.* Brian Felles and Ellen his wife, for 6s. debt for *a bussshell of malte*, of the measure of Werington. (Continued.) Ellen Wasshington widow *v.* James Wackeffield, for 4s. debt for *one ffatt calf*. (12d. acknowledged; 2s. 8d. more allowed.) Thomas Tarleton *v.* Evan Webster, for detinue of *one cheste* valued at 6s. 8d. (Not guilty.) John Burtonwood *v.* John Goldicar, for 10s. debt for leather bought from him. (Case dropped.) Isabel Whiteaccers widow *v.* James Wackeffield, for 4s. debt for 2 *rammes*. (2s. 10d. acknowledged; remainder allowed.) Elizabeth Garnet *v.* Brian Felles, for detinue of *one ffelt hatt* priced at 2s. 6d. (16d. allowed.) John Taylior, William Hychen and Margaret his wife, Agnes Taylior and Alice Taylior *v.* Henry Taylior, executor for James Taylior, for £5. 13s. 4d. debt. (Continued.) Edward Holland and Edward Stockeley *v.* John Rigbye, for 6s. 8d. debt. (Acknowledged; the sum is to be used to repair *le falle lane*.) John Taylior of Bold *v.* Henry Taylior, for £6 debt for a cow and its profits for 16 years. (Continued.)

Others named include: Thomas Barton of Whiston, Thomas Singleton bailiff, Robert Bybbye of Knowseley, William Carter of Prescott, Thomas Waringe of Scaresbrecke *husbandman*, Adam Allerton, Hamlet Layland of Huyton, Richard Eltonhedd gent., Peter Birchall of Raynfforthe and Oliver his son, Catherine Stockeley, Thomas Becke, Thomas Taylior, Robert Smalshawe of Vpholland *yoman* (John Webster his attorney), Henry Wasshington and Isabel his wife. (34 cases in all).

JURORS BETWEEN PARTIES: Brian Jackson, William Pryse, Robert Waynwright, Anthony Jackson, James Standisse, Robert Leeye, Edward Chaydock, James Dycheffelde, Lawrence Gorsuche, Richard Guye, John Knolles, William Tarleton.

1574. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Nicholas Tyldesley¹ gent., Steward under Henry, Earl of Derby. Frid. after C.C. (11 June) 16 Eliz.

¹ Apparently of Dam House, Huyton, Lancs. (V.H.L., v. 3, p. 174). He m. Margaret, widow of John Layton of Prescott Hall (see p. 219).

JURORS: Alexander Holland gent., William Eltonhedd, Richard Worsley, Edward Stockeley, Thomas Potter, Edmund Turner, Edward Holland, Henry Taylior, William Tarleton, Robert Wyke, George Webster, Robert Plump-ton, Roger Aspes, (Henry Baxter cancelled), Robert Waynwright, Ralph Fletcher, Lawrence Webster.

ADMITTANCES. "John Burtonwood is dead, [and Roger Kenyan son and heir of Ralph Kenyan and Margaret his wife, daughter of Richard Burtonwood]¹ is next heyre of a messuage and tenement with thappurtenances in Prescott" (A.B.) saving the right of Margery Burtonwood for her life. A challenge by Richard Burtonwood, claiming the inheritance, is cancelled. 7

"Raph Sutton is dead, and Edward Sutton his sonne [of full age] heyre of the tytle and interest of a messuage and tenement in the ocupacion of Thomas Potter." (A.B.) 9

"John Glest [of Cronton] sonne [and heir] of Euan Glest, did surrender halfe an acre of land in Chesley feild,² in the ocupacion of Richard Worsley, to the vse of the said Richard Worsley, his heyres and assignes for-euer." (A.B.) 28 (pt.)

"William Prescott [of Eccleston] did surrender one messuage or tenement in the ocupacion of Euan Stocke, to the vse of the said Euan Stocke for tearme of six yeares, afterwards to remaine to the said William Prescott" (A.B.), the said Evan to give yearly two persons' service for one day at reaping for the said William. 45 (pt.)

"John Rigby did surrender one messuage or cottage [late] in the ocupacion of Elizabeth Hoome³ widdow [dec.]: To the vse of Ann Hoome daughter of the said Elizabeth for tearme of her life, afterwards to remain to the said John Rigby." (A.B.) 3 (pt.)

"Raph Brookefeild did surrender one messuage or tene-ment in the ocupacion of John Webster, to the vse of the said John Webster and John Webster his sonne for tearme of their liues vpon certaine condicions," (A.B.), namely, that the Websters "shall take downe the seid dwelling howse, beinge fflowre bayes, and . . . shall erect and sett vpp agayne, at his and their owne chardges and proper costes, soe wyde and soe longe as the same now standethe,

¹ The text of A.B. is incorrect, and is here rectified. See also pp. 191, 206.

² The original roll says, in Latin, "as the same is now enclosed and separated from a certain large close called Chesseley Feilde."

³ The original roll has "Holme."

being made all of saplinge woodd, and shall cover the seid dwellinge howse with sclates; And lykewise shall cover the parlor with sclats . . . The seid buildinges to be made within fflowre yeares . . . And . . . that the seid Rauffe Brokeffeild . . . shall, with his . . . owne cariages, bringe tenne lodes of sclates, being provided by the seid John Webster, to Prescottt, towards the covering of the said messuage, parlor and buildings; or ells in defalte of cariage of the seid tenne lodes . . . the seid John the father and John the sonne shall be clerely dischargd to sclate the seid parlor; and . . . that the seid dwelling howse shall be made with prycke postes and peterell bandes,"¹ the Websters paying 14s. yearly rent to Ralph, his heirs and assigns. 34

"Thurstan Canner did surrender a messuage and all his coppihold lands in Sparrow lane, in the occupacion of Lawrence Webster, to the vse of Henry Conney [of Knowseley, gent.] his heyres and assignes foreuer," (A.B.) saving the right of Lawrence Webster for a term of yeares. 18

AMERCEMENTS. Edmund Turner, for impleading Ellen Eastehedd of Prescottt in the court of Farnewoorthe, contrary to a former order of this court.² (12d.) Evan Webster, for causing a writ of attachment to the same court to be issued to Henry Wasshington. (6d.) For taking wood without licence of *le woodlokers*: John Knowles, Thomas Taylior, Anthony Patton, Richard Worseley. (3d. to 8d.) Oliver Froddissham, for burning wood allowed him for maintaining his fences. (6d.) Anthony Patton, for taking stones from the Queen's highway in *le Fall lane*. (3d.) John Hey, for erecting a *privie* in the highway. (To amend on pain of 3s. 4d.) John Webster, for ploughing up *le sperth* or *le ffoote way* in *le churche ley ffeild*. Robert Callye, for uttering abusive words in contempt of the Deputy Steward. (2s.) "That John Hey procured furth a Replevie³ at Lanc', and commensed an accion against Edmond Tvrner." (3s. 4d.)

ORDERS, "taken and established . . . by the seid Jurye and homage by the adsent and consent of the seid Steward theire."

"That fromhenceffourthe theire shall not be anye myddinges in the highe wayes in the stretes, but only

¹ The above passage is inserted in English, the beginning and the end of the record being in Latin. ² See the roll of 1553.

³ A writ for recovery of goods distrained.

suche as shall be allowed by the Steward for the tyme beinge and the fflowre sworne men."

"That noe person or persons from henceforth shall not carrye anye gravell, earthe or slutche, and sett the same vppon the towne mosse, vppon payne to fforfayte for everye suche offence ijs. And . . . that those persons which in this present yeare have laid anye slutche or gravell vppon the seid mosse shall remove or carye the same awaye agayne before Mychelmas" on pain of 12*d*.

"That from henceforth¹ noe person or persons shall laye any carron in the waye in any place vnburied, vppon payne to forfeit and lose for every tyme so offending ijs."

"Whereas Adam Allerton hathe taken stones from our Ladye well and setting parte of them in his oven, and we do order that so many of them shalbe brought agayne as can be had, and the rest to be bought and caried from the Holt² before Myghelmas next, at the sight of the foure men, vppon payne of ijs. iiij*d*."

"Memorandum, it is at this courte ordered and decreed, as well by the assent of all the Jurors before mencioned, as by the Steward afforesaid, that all fformer orders which weere made by the assent of the Jurye at the last courte shall stand and contynue in ffull fforce and effecte, and that the paynes and fforffaytures therein or therevppon lymytted or appointed shall be as fforffaytures to the lordes vse."³

SCHOOL LAND. "Memorandum, that yt is agreyd betwene Henry Coney of Knowsley, gentilman, and other gardyners of the freescole of Prescott . . . and Richard Worseley of Prescott aforesaid, tanner, that, for as muche as ther was certeyne lands conteyning certeyn yordes or fotes, lyinge at the southe ende of one half acre of grownd, parcell of thenherytaunce of the said Richard Worseley, which yords or fotes of land belonge to a howse of the said freescole, now in occupacion of one John Pitche-forke, which yordes or fotes of land shalbe from henceforth to the said Richard Worseley and his heires for ever, in consideracion wherof the said Richard Worseley hathe

¹ A change of handwriting, and of spelling, occurs here.

² The Ogle Roll, a MS. collection of early records of the manor of Whiston, now in the custody of Mr. W. A. Cross of Prescott, contains an order of 1521 for the getting of a "certen" of stones upon the Copped Holte, for mending the "high waye nighe Prescott." Stone is still quarried here at the present day.

³ This order is entered separately near the end of the roll. For a list of "former orders" confirmed in the following year, see p. 292. See also p. 279*n*.

geven, graunted and surrendred (to) the said freescole the like quantitie of yords and fotes in the southe ende of the said half acre, nowe beinge enclosed within a garden belonginge to the said churche [*sic*]¹ howse for ever." 120

COW HEY. "That John Goldicar receyved and had of Rauf Sutton, late steward of this towne, in the presentes of Thomas Potter, Edward Stocley and Edmonde Tvrner, thrie cvstomary tenants . . . the some of tenne poundes of leefull Englishe money, and for the sure payment of a leveue poundes agayne Ellyn Goldicar wedowe, mother of the said John, and lickewyse the said John Goldicar, before the said tennants, surrendered to the said Rauf Sutton and his heires one clausure of land . . . comonly called the Cowe hey, for the terme of twentie and one yeres, yf and in casse the said some were not discharged vppon one daye nominated before the said tenants. And further yt was agreyd that the sayd John Goldicar nor Ellyn Goldicar should not allienate, demyse, sell or lett the premyses or any parte or parcell therof but onelye vnto the said Rauffe Sutton or his heires." 81

OFFICERS. Constables: Edmund Turner, John Webster. Aletasters: William Carter, Edward Chaydocke. Burleymen: William Pryse, James Dycheffeild. Overseers of woods and houses: Edward Stockeley, Richard Worseley, Edward Holland, John Pyke. Affeerors: George Webster, Henry Taylior.

PLEAS OF LAND. Catherine and Anne Hyne of Assheton in Makerfeild spinsters, daughters and heiresses of Richard Hyne and Matilda his wife, *v.* Thomas Hyne, for a messuage or burgage in the holding of Henry Mathewe. (Def. in mercy 3*d.* for non-appearance.) 87

Alexander Webster *v.* Lawrence Webster, for a messuage or burgage in the occupation of John Peycocke. (The parties agree to arbitration by Thomas Potter, Richard Worseley, Edmund Turner and Roger Haywarde, to be made by 1 Aug., to be carried out on pain of £20.) 54

William Prescott, son and heir of Robert Prescott (son and heir of Edward Prescott and Elizabeth his wife, daughter and heiress of John Byrome dec.) *v.* William Eltonhed and Richard Eltonhed gent., for one messuage, one garden and one orchard, with appurtenances, now in the holding of Edward Glover. (Assize of *novel disseisin*.) 16

¹ Perhaps an error of transcription from the Latin original, where *scole* may have been misread as *ecclie*, the abbreviated form of *ecclesie*. But see also Appendix F.

The same *v.* Henry Latham gent., for a croft containing one rood, in the holding of William Carter. ("It is this daye ordered that the defend' shall appeere and answare to these accions the next courte peremptorily.") 19

OTHER PLEAS. Elizabeth Sutton widow of Ralph Sutton gent. and administrator of his goods and chattels, *v.* Ralph Stocke, for 12s. debt, for *one stone of woolle*. (Acknowledged.) The same *v.* John Leadebeter, for 24s. for *tooe stonne of woolle*. (Acknowledged.) The same *v.* William Price, for 2s. for the agistment of a cow in a pasture called *le missees*. (Continued.) The same *v.* Richard Leadebeter, for 16*d.* for the pasturage of a cow in *le owte woodd*. (Continued.) Roger Hayward *v.* Thomas Taylior, for 3s. debt, for 6 *shepe skynnes*. Ralph, Hugh and George Hayward, administrators for Catherine widow of Miles Hayward, *v.* John Leadebeter, for detinue of *one brasse pot* priced at 26s. 8*d.* (Put to arbitration, and both parties in mercy.) William Orton *v.* Robert Sutton, for 12*d.* damages for breaking a *hand sawe*. (6*d.* allowed.) Robert Sutton *v.* Evan Webster, for £20 damages for slanderous words. (Adjourned till next court on defendant's petition.) Richard Norres of Kirkeby *v.* James Wackeffield, for 7s. debt for 2 sheep. (Acknowledged.) Evan Gleaste *v.* Edward Glover, for 3s. 6*d.* debt for turves (*sespidibus*) bought from him.

Other named include: William Hayward, Margery Hayward widow of Henry Hayward, William Prescott late of Kirkedale *tanner*, Robert Wooseye, Hamlet Hichon of Knowseley *husbandman*, John Orme of Bold *showmaker*, Thomas Singleton, John Williamson, Hugh Tyrer, Catherine Stockeley. (19 cases in all).

JURORS BETWEEN PARTIES: John Rigbye, George Denton, Henry Pendelton, William Carter, James Dicheffield, Anthony Jackson, Edward Birchall, Lawrence Gorsuche, Brian Felles, John Knowles, Richard Marshall, John Dychffilde.

1575.¹ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Nicholas Tyldesley gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (3 June) 17 Eliz.

JURORS: Henry Latham gent., Thomas Standley gent.,

¹ In this year a number of former orders were confirmed by the Jury and entered into a Memorandum Book. (see p. 292).

Alexander Holland gent., William Eltonhedd, Ralph Brokeffeild, Richard Wurseley, Edmund Turner, Henry Taylior, Robert Hichemoughe, William Tarleton, Robert Wyke, George Webster, Edward Byrchall, Robert Plump-ton, Edward Holland, Henry Baxter, George Denton, Robert Waynwrighte.

ADMITTANCES. "Henry Washington is dead, who held a messuage and tenement in Prescott for tearme of his naturall life, and William Leadbeter and Margrett his wife [daughter and heiress of Evan Denton and Margaret his wife, otherwise called Margaret Boyddell¹] ought to haue the same to them and the heyres of the said Margrett for-euer." (A.B.)

"John Leadbeter and William Leadbeter his sonne² did surrender all those messuages, burgages, howses and hereditaments in the occupacion of the said John Leadbeter, and one croft or clawsure of land therunto belonging, except one bay of buildinge [in the holding of Thomas Bateman] and the moyetie of a [barn],³ to the vse of Anne [Holland, daughter of Edward Holland of Prescott, and intended] wife of the said William, for tearme of her life after the death of the said William, afterwards to the right heyres of the said William" (A.B.) paying 3s. yearly to the said John and his heirs during the life of Anne.

"Edward Bower [of Coventry] did [for £25] surrender one barne contayninge three bayes of buildinge [standing near *le clay pitte*; also a building of 3 bays between the lands of Ralph Houghton in the holding of Brian Jackson, on the west, and a messuage late in the holding of Thomas Potter of Prescott, merchant (*mercator*), on the east] and a shopp or stalle with a sellar therunto belonginge [by the churchyard] in the occupacion of [the said] Thomas Potter, and all other the lands and hereditaments of the said Edward Bower in Prescott, to the vse of the said Thomas Potter, his heyres and assignes foreuer." (A.B.)

24, 25, 23

"Lawrence Webster [of Eccleston] did surrender⁴ one messuage or tenement in the occupacion of Oliuer Orrell [clerk], to the vse of Evan Webster his [younger] brother

¹ The original roll is not clear as to which of the two Margarets is here referred to. The holding had been surrendered by Ellen Boyddell, 1547 (p. 104).

² The roll does not state any relationship.

³ A.B. incorrectly says "garden," *horrei* being misread as *horti*.

⁴ This surrender is entered under 1574 in A.B., because a rough draft of it appeared in the earlier roll.

for tearme of his naturall life, and after to the vse of Elizabeth Allerton [daughter of Adam Allerton] for tearme of her naturall life, if shee carry her selfe honestly" (A.B.) paying a silver penny yearly during the life of the said Evan, and 3s. 4*d.* yearly after. 54

AMERCEMENTS. For permitting unlawful games: Thomas Potter, Henry Taylior, Brian Fells, Anthony Patton, John Corbett, John Pyke, Robert Plumpton, Edward Chaydocke, Edmund Turner, Richard Bower, James Dichfeld. (4*d.* to 16*d.*) For selling ale and victuals in their houses without licence: Evan Webster, George Washinton, Oliver Orrell clerk. (6*d.* each.) In breaches of the peace: Thomas Talior, William Ledbeter (sen. and jun.), Hugh Webster, George Tapley's wife, Anne Bower, John Goodicar, John Smithe, John Marshe, Robert Henrison, John Pyke, Gilbert Jackson, William Wylson, Robert Sutton, James Dichfeld, Henry Mathew, Robert Mylner, Robert and Nicholas Tyrer, John Bowker, Edward Chaydocke, John Dyke, William Cowley. (3*d.* to 20*d.*)

"That¹ Jane Higham is a misordered woman, and whoe soe euer dothe resette her hereafter shall forfeite for euery night xij*d.* according to an order made before tyme. We doe fynde that Robert Plomton dothe kepe one inmake called Elisabeth Whalley . . . William Leadbeter, for kepinge one inmake called Elisabeth Leadbeater. John Heye, for buldinge vpon the land of Edmonde Tvnrner." (To amend, on pain of 20s.)

OFFICERS. "Cvnstables: Thomas Potter, Bryane Jackson. [William Carter cancelled.] Barlamen: Edward Birchall, John Knowles. Alle founders: Robert Wainwrigth, John Tompson. The fower men: Richard Worsley, Edward Holland, John Pyke, Edmond Tvnrner. Ferrers of the court: Richard Worsley, Edmund Turner. Coronator:² Edmund Turner."

PLEAS OF LAND. "James Traves [by Thomas Gerrard and Robert Jolybrand his attorneys] pleadeth that

¹ The following amercements, in English, are on a separate slip of paper filed with the roll, and in a different, less practised hand.

² The first record of the appointment of a Coroner for Prescott, a privilege still exercised at the present day. The privilege is included in the Charter of 1447 (see p. 71), but does not seem to have been actually exercised before this date. The position prior to 1575 is illustrated by an order of King Edward IV, dated 1 Dec. 1480, addressed to the Coroner of Lancashire, complaining that no inquest had been held on the death at *Prescote* of the driver of a cart of eight horses, and ordering that an inquest be held forthwith, to determine whether the cart and horses ought to be forfeited as deodand (Duchy of Lanc. Misc. Books, 19, f. 84*d.*).

Margery his wife¹ is eldest daughter and next heyre of Richard Burtonwood dec., and not Margrett [wife of] Roger Kenion, as was found the last Court." (A.B.) 7

"Edward Halsall Esq. pleadeth that hee hath an estate for his life in the messuage and tenement in the occupacion of Thomas Potter, wherunto Edward Sutton, sonne of Raph Sutton, was formerly presented and found heyre." (A.B.)

OTHER PLEAS. Elizabeth Sutton widow, executor for Ralph Sutton gent. *v.* Richard Leadebeter, for 6s. debt, for the agistment of a cow for a half-year. (Acknowledged.) The same *v.* John Webster, for 10s. damages, for felling a tree. (16*d.* allowed.) George Stockeley *v.* George Tapley, for 2s. 8*d.* debt, for a bushel (*modius*) of barley. Robert Derbisshire *v.* James Wackeffeild, for 5s. debt, for a calf. (Allowed.) Edward Holland of Terbock, warden and governor of the goods and chattels of the free Grammar School of Huyton, *v.* Thomas Taylior, for 5s. 6*d.* debt. (Acknowledged.) James Waynwright *v.* George Tapley, for 2s. 4*d.* debt, for a bushel of barley. (Acknowledged.) George Kenwright *v.* Edward Chay-docke, for 16s. debt, for *six wyndelles of malte* and two sacks (*saccis*). (12s. allowed.) Henry Blundell of Bold *v.* Thomas Talior for 9s. debt, for *one bussell of malte*. (Acknowledged.) Henry Coney and Edward Holland, wardens and governors of the goods and chattels of the free school of Prescott, *v.* Edward Sutton, for 6s. 6*d.* debt; also *v.* George Tapley, for 13s. debt. (Acknowledged.)

John Hey *v.* Edward Byrchall, for 3s. 4*d.* damages for felling a tree called *an aspe*. (Not guilty.) John Taylior *v.* William Pendelton, for 10s. for damages to his house in Prescott, occupied by the said William. (12*d.* allowed.) William Leadebeter *v.* James Standisse, for detinue of a measure called *one half wyndell* priced at 10*d.* (Allowed.) Ellen Eastehedd *v.* Edmund Turner for £5 damages, for unjust vexations. (Continued.) John Heye *v.* Edmund Turner, for £3. 6s. 8*d.* damages, for trespass upon the case. (Not guilty.) John Guldicar *v.* Robert Callye, for 40s. damages, for a horse. (30s. allowed.) John Heye *v.* Brian Jackson, for 4 marks damages, for detinue of a cow. (Not guilty.) Edmund Turner *v.* Ellen Eastehedd, for £10 damages, for slander. (Continued.) John Worseley *v.* James Wackeffeild, for 3s. debt, for a sheep. (Allowed.)

¹ An error. The original roll says that James Travas is son and heir of John Travas and Margery his wife, eldest daughter of Richard Burtonwood.

Brian Jackson *v.* John Hey, for £4 damages, for trespass upon the case. (Not guilty.) John Hawarden *v.* James Standishe, for detinue of 100 marks.

Others named include: John Rigby, Thomas Singleton, John Williamson, Evan Stocke, Oliver Froddissham, William Garnet of Whiston, Brian Hayward, Thomas Chatterton, Catherine Stockeley, Thomas Forshawe, Alexander Smythe and Ellen his wife, Ellen Rainfforthe, Henry Pendelton, Ralph Guldicar, Robert Lee, Edward Houghton, Richard Gillor, Edward Stockeley, Edmund Holme, Edward Glover. (55 cases in all).

1576. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Nicholas Tildisley gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (22 June) 18 Eliz.

JURORS: Henry Lathome gent., Richard Wooresleye, Robert Hytchemoghe, William Eltonhedd, Edward Hollande, John Pyke, Edmund Turner, Henry Tayler, Robert Wyke, Lawrence Webster, George Webster, Robert Plumpton, Edward Byrchall, Ralph Fletcher, Roger Aspes, Peter Terbocke, John Leadebetter.

ADMITTANCES. "Edward Holland did surrender one messuage, one kilne, one cottage [between the messuage and the kiln] and one parcell of a croft adioyninge to the said messuage and kilne, in the occupacion of Richard Holland his sonne, to the vse of George Kenwricke [of Raynhill] maltman, for tearme of one and twentie yeares" (A.B.) paying yearly to the said Edward 26s. 8d., and allowing him one *le kylne ffull of malte* yearly. 106

"Raph Shawe [of Whyston] and Margrett Shaw widdow did surrender one messuage or cottage in the occupacion of William Hayworth [*webster*], to the vse of Richard Shawe [of Prescott, *tenner*] brother of the said Raph, his heyres and assignes foreuer." (A.B.) 31

"Alexander Webster [of Prescott] did surrender one messuage or tenement in the occupacion of Lawrence Webster, to the vse of the said Lawrence, his heyres and assignes foreuer." (A.B.) 54

"John Rigbie [of Eccleston] and Ann his wife did surrender one messuage or tenement in the occupacion of Richard Leadbeter, and one croft therunto belonginge [extending from the said messuage to the windmill] and

one other cottage [adjacent] in the occupacion of Ann Holme, to the vse of Henry Eccleston of Eccleston Esq., his heyres and assignes foreuer." (A.B.) 3

"John Rigby did surrender one messuage or tenement in the occupacion of Robert Wainwright, to the vse of the said John Rigby for tearme of his naturall life, afterwards to his heyres and assignes foreuer, paying 6s. rent per annum vnto Ann Rigby," wife of the said John. (A.B.) 67

"Raph Brookefeild gent. did [for £31] surrender a messuage or tenement in the occupacion of John Webster, and all lands and hereditaments therunto belonging, to the vse of John Webster and John Webster his sonne, theire heyres and assignes foreuer." (A.B.) 34

"Edward Stocley, George Stocley [of Hyton, *yoman*] and Ellen Stocley widdow did surrender all theire messuages, cottages, lands, rents and hereditaments in Prescott to such vses, intents and purposes as are mentioned in a schedule contayninge the last will of the said Edward Stocley. The Schedule is written att large vnder the surrender" (A.B.) as follows:¹ "Immediatlye after my decesse, to the vse of Clemence Stocleye, nowe wief of me the said Edwarde Stocleye, for tearme of her naturall lieffe, yff she so longe and by all that tyme doe keepe her self wydowe soole and vnmayed, for the rentes and services accustomed. And yff she the said Clemence at any tyme hereafter doe or shall fortune to marye and take to husbände any person or persons . . . then it ys my will that the said Clemence shall have and enioye the one moytie or one halfe of all the said messuage, landes and tenements for tearme of her naturall lieffe, she yealdinge and payeing thereffore yearelie the one halfe of the said lordes rents and services accustomed, vnder and vppon this condicion, that the said Clemence and her assignes doe and shall well and trulie contente and paye . . . to the said George Stocleye,² his executors and assignes, the some of xj *li.* of good and lawfull moneye of Englande, at, in and vppon the ffeaste daye of the Annunciacion of our ladye St. Mary the virgen next ensuege the daye of the decesse . . . in the parisshe church of Hyton . . . betwene the howres of tenne of the clocke beffore none and twoe of the clocke at after none of the same daye. And further yt is my will and mynde that all the said messuage [etc.]

¹ What follows is quoted from the roll, which omits the commencement.

² The relationship of George Stockley is not stated.

. . . ymmediatlye after the determinacion of the said estate of the said Clemence by deathe, marriage or otherwise, shall reverte, remayne, ffall and come to Edwarde Stocleye my nephewe, son of Rycharde Stocleye my brother decessed, and to the heyres masles of the bodye of the said Edwarde . . . lawfullie begotten . . . And for defalte of such issue, then to the vse of Edwarde Stocleye, sonne of the said George Stocleye, and of the heyres masles . . . of the said Edwarde . . . and for defalte . . . to the vse of John Stocleye, yonger sonne of the said George Stocleye, and of the heyres masles . . . of the said John . . . and for defalte . . . to the vse of the righte hayres of me the said Edwarde for ever. Neverthesse . . . yff the said Clemence Stocleye or her assignes doe fayle in paymente of the said some of xj *li.* . . . that then all the said estate of the said Clemence shall vtterlye scease and be vtterlie voyde in the lawe. And that then all the said messuage [etc.] shall ymmediatlie be and remayne to the said Edwarde Stocleye my nephewe, and the heyres masle of his bodye . . . vppon the same condicion afforesaid. And yff the said Edwarde . . . ffayle or make defalte of paymente . . . that then all the saide messuage [etc.] shall be and remayne to the said Edwarde Stocleye, son of the said George Stocleye, and his heyres for ever. Provyded alwayes . . . that yff the said messuage [etc.] doe or shall fortune to come, ffall, descende or remayne to the said Edwarde Stocleye and John Stocleye, sonnes of the saide George Stocleye, or to eyther of theym, or theyre heyres, by force of the lymittacion of these presentes, that then the said Edwarde and John . . . and theyre heyres shall withowte ffrawde well and trulie paye or cause to be payde to Anne Stocleye, doughter of the said Rychard Stocleye, the some of x *li.* within one whole yeare next after the descente or possession of the same landes or any parte thereof, yff the said Anne be then in full liefe. And yff any defalte be made in the said paymente, that then all the said messuage [etc.] shall be and remayne to the said Anne and her hayres for ever. Provyded also . . . that Issabell, Edwardes doughter, shall have and enioye for terme of her lieffe, one kilne, parcell of the premisses, rent ffree; And that Jane Prescott, after the decesse of the said Issabell, shall have and enioye for terme of her lieffe the same kilne . . . rente ffree also. And that also Thomas Taylier and Catheryne his wiefte

shall also have and enioye, ffor tearme of theyre naturall lyves, and the survivor of theym, one baye of a howse and an owteshowffe with one garden with thappurtenances to theyme heretofore appoynted ffor the yearlie rente of xs. . . . to the said Clemence my wieffe, and to suche other person or persons to whom the same messuage [etc.] be beffore appoynted . . . And that also John Standisse and Henry Taylier shall have and holde, for tearme of vj yeares next after my decesse, one halfe acre of medowe in the Harr Heye for the yearelie rente of xij*d.*, to be payde to the said Clemence and others as is afforesaid. And . . . that the said George Stocleye, in consideration of the said estate lyMITTED to the sonnes of the said George, shall paye vnto the said Clemence, . . . yff she be then wydowe and livinge, and yff she be not, . . . to the said Edwarde Stocleye my nephewe, the some of v *li.* within one weke next before the feast of the Annunciacion . . . next ensuenge . . . And further I will that Ellen Stocleye wydowe shall yearelie, after that the possession of the premisses or any parte thereof shall come to the said Ellen as garden to the said Edwarde Stocleye my nephewe, paye vnto the poreste inhabitants of Prescott xs., to be distributed in suche maner and forme as John Laton did appoynte a certeyne some by his wyll¹ . . . And of this my last will and testamente I make Clemence my wieffe my soole executrix, these beinge witnes: Nicholas Tildesleye, William Wade vicar of Hyton, Henry Tayller, Thomas Foxx and others.”

55, 56

“Thurstan Canner did surrender one messuage or burgage with thappurtenances, late in the occupacion of John Bower dec., and a parcell of land in Chesley feild² [late in occupation of the said John Bower] contayninge about a large acre,³ to the vse of Edward Sutton [gent.] his heyres and assignes foreuer.” (A.B.)

9, 10

¹ A copy of John Laton's will, made in 1567, is preserved at King's College (i. v. 25). He bequeathes his estate to Margaret his wife for life, with remainder to Robert his brother for eight years, then to his eldest son Thomas and his heirs, failing which, to his son Philip and his heirs, failing which, to his daughter Elizabeth; save that his brother Robert is to have the messuage in the holding of John Thomson, with its orchards and gardens, “with Scletherforthe field and the Aker neere adioynning.” He wills that there shall be distributed “to the poore people of Prescotte parishe, within one moneth next after my decease, xxx*tie* wyndles Barley, fourty yards linnen clothe of vjd. a yard, xx yards of playne white wollen”; also, that 30*s.* be given yearly for 10 years to “tenne of the poorest persons in Prescotte towne” at All Saints, “Christmas” and “Good Fridaie,” to be levied if necessary by the Constables of the town.

² The roll has *Churcheleyfeild*.

³ See Glossary, under *Acre, Cheshire*.

" John Hey did surrender a messuage in the occupacion of thafforesaid John Hey, to the vse of himselfe and Ann his wife for their naturall liues and the longer liuer of them: afterwards to William Hey their sonne, and the heyres of his body lawfully begotten, and for want of such issue to Ann Hey their daughter, and the heyres of her body lawfully begotten, and for want of such issue to the right heyres of John Hey foreuer." (A.B.) 94

" William Leadbeter thelder and Margrett his wife did surrender one messuage or tenement [late] in the occupacion of Henry Washington: To the vse of themselves for their liues, afterwards to Henry Leadbeter [their son] and the heyres of his body lawfully begotten, and for want of such issue to Edward Leadbeter [their younger son] and the heyres of his body lawfully begotten, and for want therof to the right heyres of William and Margrett foreuer." (A.B.) 79

AMERCEMENTS. John Rigbye, for encroaching on the waste without licence, and building thereon. John Heye, for building on the land of Edmund Turner. Robert Sutton, for a midden in the street. (12*d.*) Robert Woosey, for a midden in the highway. (6*d.*) William Pryse, for destroying the wall of Henry Olyuerson with *an oven*. (To amend on pain of 3*s.* 4*d.*) John Knolles, for making a fence in the churchyard. (To amend on pain of 3*s.* 4*d.*) Adam Allarton, for taking *eighte asshele stones* from *le ladye well* by order of Edmund Turner. (Turner to make them good on pain of 3*s.* 4*d.*) Edmund Turner, for having his corn ground away from the lord's mill without licence. (6*s.* 8*d.*) For the same: Anthony Patton, John Corbett, George Wasshington, William Horneby.

In breaches of the peace: Robert Sutton, Edwad Chaydocke, Richard Cooke, Ralph Gooldicar, John le Scottissheman, William Patton and Richard Hoteson his servant, Henry Hasylden, William Singleton, Ralph Dyke, Alexander Wackeffeild, David (*Davus*) Walcheman, Evan Stocke, George Tapley, William Leay of Hyton, William Ascrofte, John Sefton, John Standisshe, (blank) Paver, Henry Coney of Dytton, Thomas Laton, Robert Wakeffeilde of Wegan, James Dyke, John Taylior *smythe*, Thomas Carter, Edward Rachedale, Edmund Turner. (12*d.* to 3*s.* 4*d.*) For not repairing fences: John Webstar, William Patton (between himself and Hugh Webstar.) (12*d.* and 6*d.*) For unlawful gaming: Thomas Potter,

Henry Taylior, John Pyke, Edmund Turner, William Horneby, Brian Felles, Giles Lion, Edward Chadock, James Dychefeld, John Corbet, Evan Webstar, Anthony Patton, John Taylior. (6*d.* to 2*s.*)

ORDERS. "That euery howseholder within Prescott shall, soe often as nede shall require, scence and make cleane all that parte of the strete which dothe lye and border next and betwene theire dwelling howse and the chanell,¹ vppon payne to forfayte" . . . 6*d.*

"That yf any person doe in anye wise corrupte the water at the lady well, to forfayte for euery offence v*j d.*"

"That a pynnefold shall be made and ffynished, and to be erected in place conuenient, at the chardges of the inhabytants of Prescott, within one moneth now next folowinge, *pena* xls., to be levyed and forfayted by the seid inhabitants to the lordes vse."

"Whereas defalte hathe [been] made in the execucion of the estatute for amending of hye wayes,² yt is theirefore now ordered, that all the inhabitants within Prescott shall, at the appointment of the Surveyors, diligently with effect endeavor theym selves aswell in the amending of the hye wayes theire, as in gathering of stones to be emplyd in the paving the stretes of Prescott, by the space of sixe dayes sonne after Mychelmas next," on pain of 12*d.* each.

OFFICERS. Constables: John Guldycar, James Dychefeld. Burleymen: Ralph Fletcher, William Carter. Aletasters: George Tapley, John Smythe. Overseers of woods and houses: Thomas Potter, Robert Plumpton, Edward Birchall, George Webstar. Coroner: Thomas Potter. Sealers of leather:³ William Patton, Ralph Stocke. Affeerors: Richard Worseley, Lawrence Webster.

PLEAS OF LAND. Jeremy Bower late of Prescott, *laborer*, v. Thomas Standley gent. and Ellen his wife in a plea of land, for a messuage or burgage etc., in the holding of Richard Bower. (On the day assigned for trial, plaintiff did not appear, and is in mercy.) 4

¹ i.e., the gutter running down the middle of the street.

² Statute 2 and 3 Phil. and Mary, chap. 1 (1556). This enacted that two Surveyors be appointed yearly in each parish, at a Parish Meeting held in Easter week; that four days be appointed before the Feast of St. John Baptist (24 June), to be devoted to the repair of the highways; that every one with 120 acres of ploughland send a cart, two men and the necessary tools; that every one holding less answer for one labourer and his shovel and pick. By Statute 5 Elizabeth, chap. 6 (1562), the term was increased to six days.

³ The first record of the appointment of Sealers of Leather at Prescott. Note that they do not appear regularly in the lists of officers until after 1590.

OTHER PLEAS. Brian Charles of Westdarby, *husbandman*, v. John Hey, for 26s. 4d. debt, for a mare. (Acknowledged.) Richard Shawe v. George Denton, for 10s. debt, for 3 sheep. (2s. 8d. allowed.) Henry Coney gent. v. John Hey, for £5. 3s. 4d. debt, for wood and trees. (Acknowledged.) Henry Eccleston Esq. v. John Hey, for 19s. 6d. debt, for wood and trees. (Acknowledged.) John Rose of Waretrey and Anne his wife v. George Tapley, for 3s. debt for 2 tons (*doliis*) of coals. (8d. allowed.) Margaret Lyon widow v. Jane Wellen, for detinue of a *syilver pynne* priced at 6s. 8d. (Acknowledged.) Ellen Eastehedd *spinster* v. William Leadebeter jun. and John Ledebeter, for £3. 6s. 8d. damages for trespass. (8d. allowed.) William Ledebeter sen. v. James Standisshe, for 11d. debt, for a measure called a *half wyndell*. (Not pursued.) Robert Wolsey v. Hugh Webster sen., for 14d. debt, for a pair of shoes. (Acknowledged.)

Others named include: Richard Houghton, John Lyuezaye, Richard Whalley of Vpholland, William Thomasson *alias* Edwardson, George Tapley and Elizabeth his wife, James Shirlacurs, Richard Fennay, Hugh Tunstall, William Wylson, Edward Glover, Giles Lyon and Isabella his wife, Henry Taylior and Jane his wife, Thomas Chatterton. (31 cases in all).

JURORS BETWEEN PARTIES: John Rigbie, John Williamson, William Price, William Carter, Anthony Jacson, Richard Mershall, John Tayler, Henry Pendleton, Giles Lyon, John Knowles, Robert Wanewrighte, William Pendleton.

1577. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Nicholas Tildesley gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (7 June) 19 Eliz.

JURORS: Alexander Holland gent., William Eltonhedd, John Webstar, Richard Worseley, Thomas Potter, Henry Taylier, John Pyke, Thomas Tarleton, Robert Wyke, George Webstar, Edward Birchall, Robert Plumptton, Roger Hayward, Henry Baxter, Edmund Turner, Lawrence Webstar, Ralph Fletcher, Peter Tarbocke.

ADMITTANCES. "Clemence Stockley widdow, who held certaine lands and hereditaments for tearme of her life, is

dead, and Edward Stockley, sonne of Richard Stockley, next heyre therunto." (A.B.) 55, 56

"Jeremiah Bower, sonne of Robert Bower dec., did surrender one messuage or tenement now in the occupacion of William Horneby [and late in the occupacion of Richard Bower] to the vse of Thomas Stanley and Ellen his wife, for tearme of the said Ellens life, afterwards to the vse of Henry Eccleston Esq., his heyres and assignes foreuer." (A.B.) 4

"Roger Aspes [of Kirkebye] did surrender a messuage and tenement in the seuerall occupacions of Izabell Dyke widdow and Richard Guye, to the vse of William Aspes, sonne and heyre apparent of Roger Aspes, his heyres and assignes foreuer." (A.B.) 71

"Robert Hitchmough [of Farneworth] did surrender a messuage or tenement in the occupacion of William Leadbeter, to the vse of Richard Leigh husbandman, for tearme of xxj yeares" (A.B.) paying 6s. 8d. yearly to the said Robert. 62

"John Goodicar did surrender one burgage in Chesley feild, in the houlding of Edward Goodicar, to the vse of Margrett Goodicar his sister, for tearme of her life [for a rent of 18d. a year], afterwards to the said John Goodicar and his heyres foreuer." (A.B.) 83

"George Denton [of Eccleston] did surrender [for £19] a messuage or tenement in the occupacion of Edward Houghton, to the vse of John Rigby [of Eccleston] his heyres and assignes foreuer." (A.B.) 68 (pt.)

"Libertie¹ granted to Nicholas Tildisley gent. to build a shopp vpon a wast parcell of land belonging to the Kings Colledge, wherupon a shop had formerly stood, payinge the auntyant rent of xvd." (A.B.) 104

It is certified that Thomas Potter rightfully has three yards of land on the south side of his barn, extending from end to end, as marked by a certain *le hollyn*.² 24

AMERCEMENTS. In breaches of the peace: John Sefton, Richard Gleaste, Lawrence Frythe, Davyd the Walssheman, Henry Hasleden, Edward Glover, George Crosse, Anthony Patton, Henry Whyttfeilde, John Lyvezay, Edward Birchall, Edmund Turner, Alexander Warde, Oliver Froddyssham, Robert Woosey, Hugh Webster, Evan Stocke, William Wilson, John Standisse, Richard

¹ See the Provost's letter of 9 Sept. 1575 (p. 291).

² The ground was needed to enable a yoke of oxen to enter (see p. 36).

le Mylner, John Pyke, Edward Henrison, James Wakefeilde, John Angesdale, Gilbert Cropper, William Leadebeter jun., James Atherton. (12*d.* each for a *tustell* or a *howblesshowffe*, 3*s.* 4*d.* each for an affray, 6*s.* 8*d.* for an affray with bloodshed.) For unlawful gaming: Thomas Potter, Henry Taylier, John Pyke, Edmund Turner, Robert Plumpton, James Dychefeilde, William Hornebye, John Goldicar, Brian Felles, Ralph Stocke, Anthony Patton, Giles Lyon, John Corbett, Evan Webstar, John Taylier, Oliver Orrell, Edward Chaidocke. (6*d.* to 2*s.*) For keeping *ale howse* without licence: Robert Waynwright, Robert Woosye, Robert Sutton. (6*d.* or 12*d.*) John Corbett, for harbouring Giles Makon, a *vacabonde* or a *loyteringe person*. Robert Woosye, for harbouring William Singleton of similar character. John Rigbye, for encroaching upon a piece of waste without licence. (He is to pay 1*d.* yearly rent to the lord.) Matthew Sutton, for receiving Elizabeth Whalley as an *inmake*. (To remove on pain of 3*s.* 4*d.*) John Webstar, for ploughing up land of John Pyke, Edmund Turner and Edward Houghton. (To restore to the satisfaction of the overseers of woods, houses and lands, on pain of 3*s.* 4*d.*)

OFFICERS. Constables: Henry Tayler, George Kenwright. Burleymen: John Webstar, Robert Waynwright. Aletasters: William Pendylton, Edward Caydocke. Overseers of houses and woods: Thomas Potter, Robert Plumpton, George Webstar, Edward Byrchall. Coroner: Thomas Potter. Affeerors: Richard Worsley, Thomas Potter.

PLEAS. John Evans of London, *merchant taylior*, and Alice his wife, executrix for Robert Browne her late husband, *v.* John Allerton and Catherine his wife, for £6 debt. (Acknowledged.) William Harden *v.* William Pryse and Alice his wife, for detainue of 2 *le blancketts*, 1 *le pyllow*, a *sheete*, 4 *le shewtes of apparell* for children, and 1 *le cather clothe*, of value 10*s.* (Allowed.) Letitia Chamberlayne, executrix for Thomas Chamberlayne, *v.* Richard Leadebeter, for 5*s.* 2*d.* debt, for the profit (*stipendium et merces*) of a cow. (Acknowledged.) William Edwardson *v.* John Pyke, for £3 damages for trespass on the case. (Acknowledged.) Edmund Turner *v.* John Knolles and Ellen his wife, for 5*s.* 4*d.* debt, for cloth bought from him. (Continued.) The same *v.* Edward Chaydock, for 20*d.* debt, for a *ladder*. (Continued.)

Nicholas Tyldesley (and Henry Coney, cancelled) gent., warden and governor of the lands and tenements of the Grammar School, *v.* George Tapley, for 15s. debt. (Acknowledged.)

James Catton *v.* Edward Glover, for 30s. damages for trespass on the case, namely for *an oven full of earthen pottes*; also 18*d.* for two loads of turves. (Acknowledged.)

William Harden, executor for Clemence Stockeley widow, *v.* Thomas Taylior, for detinue of 3 yards of linen cloth valued at 3s. 3*d.* (Continued.) The same *v.* Oliver Froddisham, for 9s. debt, for *a bussell of malte*. (Def. in default of appearance.) Robert Leighe *v.* Thomas Taylior, for 9s. debt, for a mare. (Continued.) Lawrence Webster *v.* John Webster, for 38s. 4*d.* debt for a bullock. (Acknowledged.) William Leadebeter *v.* Ellen Guldicar widow, for £20 damages for trespass on the case. (Continued.) Peter Leighe *v.* Robert Sutton, for 6s. damages for *2 woorke of cooles*. (Put to arbitration.)

Others named include: William Webster of Halewoodd *yoman*, James Sharlacars, Edward Holland, Roger Percyvall of Werington, James Wynstanley, William Washington, John Hey, Henry Blundell, Edmund Tunstall, Richard Raynfforth (executor for Ellen Rainfforth), Jane Johnson (Johnsdaughter, cancelled), Alexander Webster and Catherine his wife, Elizabeth Sutton widow, Robert Mylner, Edward Scaresbreck, John Cowper, John Pitchford, (? MS. torn) Cockeram (executor for Henry Cockeram). (48 cases in all).

1578. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (30 May) 20 Eliz.

JURORS: Alexander Holland gent., Richard Wurseley, John Webster, Edmund Turner, Thomas Potter, Henry Taylier, Robert Wyke, William Prescott, Lawrence Webster, Edward Birchall, George Webster, Robert Plumpton, William Aspes, Ralph Fletcher, Peter Tarbocke, Henry Baxster, William Leadebeater sen.

ADMITTANCES. "That Hugh Webster is dead, and Richard Webster his sonne next heyre of certaine lands and hereditaments in Prescott." (A.B.) 61

"That Joan Prescott spinster did surrender a kill

[which was bequeathed to her by Edward Stockeley dec.], to the vse of Ellen Stockley [widow] for tearme of the naturall life of the said Joan." (A.B.) 56 (pt.)

"That Nicholas Tildisley gent. did surrender a shopp steed [*stydd*] or a place to build a shopp [*or a stalle*] on, [granted to him by King's College], to the vse of Thomas Layton, sonne of John Layton [dec.] his heyres and assignes foreuer." (A.B.) 104

"That Robert Waynwright did surrender a stalle or shopp in the markett steed [adjoining a shop in the holding of Thomas Potter] to the vse of Henry Blundell [of Bolde, *malteman*] his heyres and assignes foreuer, for warrant of 50s." (A.B.) payable at Michaelmas next between 9 a.m. and noon, in the house of Brian Felles. 107

"That Edward Holland did surrender a messuage or tenement in Prescott wherin hee liveth, standinge neare the wynd mylne, [together with buildings, barns, orchards, gardens, burgages etc.], to the vse of Ann Holland his wife for tearme of her life, afterwards to Richard Holland his sonne and heyre, and the heyres males of his body" (A.B.) failing which, to Anne, eldest daughter of Richard, for life; after to the right heirs of Edward. 44

"That thafforesaid Edward Holland did surrender those seuerall messuages and cottages called the slated howse, the kill, the little cottage and the howse wherin one Robert Miller did then inhabitt, and three crofts and parcells of land therunto belonging, [all in the occupation of the said Edward, or George Kenwicke, or Robert Mylner], to the vse of Richard Holland, sonne and heyre apparent of the said Edward, his heyres and assignes foreuer." (A.B.) 41-3, 106

AMERCEMENTS. In breaches of the peace: Thomas Gorsuche, John Pyke, John Gooddes, John Marsshe, John Angesdale, Edward Chadocke, John Lyvezay. (12*d.*, 20*d.* or 2*s.*) William Wade, clerk,¹ for an assault on Henry Taylior, constable. (3*s.* 4*d.*) For unlawful gaming: Thomas Potter, John Pyke, Edmund Turner, Giles Lyon, John Taylier, Brian Felles, Henry Taylier, William Hornebye, Anthony Patton, John Corbett, Robert Plumptton, James Dycheffelde, Ralph Stocke, Evan Webster, Robert Woosey. (6*d.* to 2*s.*) For not ringing their swine at the order of the Burleymen: James Atherton, William Allerton, Ralph Stocke, Edmund Turner. (3*d.* to

¹ Vicar of Huyton, 1569-1587.

9d.) Brian Felles, for not repairing fences between him and John Pyke. (6d.) John Webster, for not repairing *le stelle in le chircheley ffeilde*. (3d.) William Leadebeater jun. for having his corn ground at foreign mills. (6s. 8d.)

ORDERS. That the water which flows down through *le Sparrowe lane* shall be diverted before Michaelmas, on pain of 3s. 4d.

That the widow of George Gooldicar shall scour her ditch at the upper end of *le Hall lane*, so that *le springe water* may be carried away by it, before St. James' Day, on pain of 3s. 4d.

"That Edward Sutton, defendant againste Edward Halsall in a plea of land, shall answare vnto a barr pleaded by the said Edward Halsall, and remayninge of record in the Rolle *de anno* xix Elizabeth . . . which answare shall be exhibited and entered by the seid Edward Sutton on thisside and before the feaste of Ste. Mychaell the Arke-angell next etc. And that the seid Edward Halsall shall vpon reasonable request thereof have a true copie of the same answare, delyvered vnto hym [MS. torn] the teste of the same courte."

That John Hey shall demolish the building which he erected on the land of Edmund Turner, at the oversight of the overseers of houses and woods. 94 (pt.)

That John Webster shall restore *le sparthe* upon a certain way, at the oversight of the said overseers, on pain of 3s. 4d.

OFFICERS. Constables: Robert Plumpton, Edmund Turner. Overseers of houses and woods: Thomas Potter, Robert Plumpton, Edward Byrchall, George Webster. Burleymen: William Leadbeater sen., William Carter. Aletasters: John Webster, Edward Byrchall. Affeerors: Richard Wurseley, Thomas Potter. Coroner: Thomas Potter.

PLEAS. Henry Coney of Knowseley *v.* Lawrence Webster, in a plea of waste of a messuage or burgage in Prescott. (Adjourned to the next court, held on 19 June, when plaintiff failed to appear and so was in mercy.) Henry Dwarren of Hale Wood *yoman v.* George Tapple, for 12d. debt for *a lode of coles*. (7d. allowed.) John Evans of London, *merchant taylior*, and Alice his wife, *v.* William Allerton, for £6. 13s. 4d. damages for detinue of goods and chattels. (Not guilty.) Thomas Potter,

warden of the goods and chattels of the Grammar School (*ludi literarum*) of Prescott, *v.* George Tapley, for 16s. debt. (Acknowledged.) Lawrence Webster *v.* George Tapley, for 40s. damages for the occupation of a messuage in *le Sparrow Lane*. (Not guilty.) Henry Guldicar of Prescott *v.* Thomas Taylier *webster*, for 11s. debt, for a mare bought from him. (Acknowledged.) Henry Taylior *v.* Lawrence Webster, for 4 marks damages for trespass, namely *a gelding*. (Not guilty.) George Denton of Eccleston *v.* George Tappley, for 18*d.* debt, for *a payre of shoves*. (Acknowledged.) John Cowper of Eccleston *v.* John Guldicar, for 12s. 6*d.* debt, for *fflaxe*. (Acknowledged.) Henry Taylier *v.* John Guldycar, pledge for Ralph Guldycar, for 45s. debt, for money lent. (Allowed.) Oliver Orrell clerk and Dorothy his wife *v.* George Tapley for repayment of 5s. for coals. (Allowed.) Edmund¹ Turner *v.* John Hey, for 20s. damages to a certain house. (The parties agree to arbitration before Michaelmas, and are both in mercy.)

Others named include: John Taylor of Prescott *blacksmith*, Edward Glover of Prescott, Thomas Holland of Parr *yoman* (*balieffe*), Thomas Tarleton of Prescott *husbandman*, Henry Farehurst *sheremon*, Henry Whytfeild of Hayle Wood, Robert Carr of Walton, Thomas Singleton, Humphrey Lyon of Raynfforth, John Houghton of Eccleston, Oliver Froddissham, Edward Houghton of Prescott, Margaret Tyrer of Knowesley widow, John Rigbye, Brian Felles and Ellen his wife, John Banester, George Wassington, Evan Stocke, Robert Sutton, Robert Corbett of Lyuerpoole merchant, Lawrence Webster and Margaret his wife, Edward Anglesley, James Wakefeld, William Ley of Knowseley, Robert Stocke, William Pryse, Thomas and William Harden, Catherine widow of Alexander Webster, Hugh Webstar of Prescott, Margaret Waynwrighte, James Dichefeilde of Prescott, Thomas Lyon of Whyston, Anthony Jacson, Evan Webstar of Prescott, John Roughley of Eccleston. (54 cases in all.)

1579. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (19 June) 21 Eliz.

¹ The roll says, incorrectly, *Edward*.

JURORS: William Eltonheade, Richard Wurseley, Robert Wyke, John Webstar, Thomas Potter, George Webstar, Edward Birchall, Ralph Fletcher, William Aspes, Roger Hayward, Peter Terbocke, Henry Baxstar, William Leadebeater jun., Ralph Houghton, Lawrence Webstar, John Guldycar, William Leadebeater sen.

ADMITTANCES. "John Rigby is dead, and Richard Rigby his sonne [of full age] heyre of seuerall messuages, lands and hereditaments in Prescott to him and his heyres foreuer." (A.B.) (Saving the right of Anne Rigbye to a messuage and certain lands and tenements for life, according to a surrender made by the said John, her late husband.)¹

63-4, 67-8, 116

"Thomas Hyne [of Assheton in Makerffelde, *husband-mane*] Catherin Hyne and Ann Hyne did surrender certaine cottages and buildings [comprising three bays; with shops and cellars,] in the seuerall occupacions of Henry Mathewe, Oliuer Frodsham, John Porter, and the late relicte of John Traues: parte therof [in the occupation of Mathew, Porter and Travers] to the vse of Catherin Hyne and Ann Hyne for tearme of their liues: afterwards that parte and all the rest of the premisses to the vse of the said Thomas Hyne, his heyres and assignes foreuer." (A.B.)

87

"Richard Burtonwood, kinsman and next heyre of John Burtonwood, and Roger Kenion, sonne and heyre of Raph Kenion and Margrett his wife daughter of Richard Burtonwood the grandfather [of the said John], did surrender one messuage or tenement, the late inheritance of the said John, to the vse of Henry Eccleston Esq., his heyres and assignes foreuer." (A.B.)

7

"Henry Blundell did surrender one shopp with thappurtenances in the markett steed, to the vse of Margrett Tildisley, the late relicte of Nicholas Tildisley, her heyres and assignes foreuer." (A.B.)

107

"Robert Plumpton did surrender a killne [and a piece of land adjoining, at the west end of a certain garden] neare the myll hill, to the vse of Thomas Lathom [of Prescott] and [Jane] his wife, for tearme of their liues, yealdinge 11s. rent to thafforesaid Robert." (A.B.) 38 (pt.)

AMERCEMENTS. In breaches of the peace: Evan Stocke, a stranger called Harken Kerver, Robert Sutton, Nicholas Gorsuche, George Thomason, John Anderson,

¹ See p. 195.

Roger Wynstanley, John Guldycar, Henry Taylior, William Singleton, Robert Shamon, Thurstan Cowper, Thomas Dene, Henry Haslam, John Taylior, Robert Forbar, George Tappley jun., Thomas Taylior *webstar*, William Tyrer, William Leadebeter jun., James Dycheffelde. (12*d.*, 2*s.* or 3*s.* 4*d.*) For unlawful gaming: Thomas Potter, John Pyke, Thomas Byesley, Henry Taylior, Brian Felles, Anthony Patton, Robert Plumpton, Edmund Turner, William Hornebye, John Dycheffelde, James Dycheffelde, John Corbet. (6*d.* to 2*s.*) For keeping an *ayle howse* without licence of the steward: Giles Lyon, Ralph Stocke, Evan Webstar, Edward Holland's wife, John Smythe, Edward Chadocke. (2*s.* each.)

ORDERS "taken and sett downe dewlie to be heareafter for ever observed at the will and pleasure of the lord . . . condescended by the homage and jurors afforesaid of the rest of the inhabytants of the same manor, and by theym prayed to be allowed and confirmed by the lorde of the manor afforesaid."

"That John Hey shall leave one yarde in brede betwene his howse and the chamber of Edmund Turner, and the same to be lade owte betwyxte this and Mychaellmas daye next, on payne of fforfyture to the lorde" . . . 20*s.* 94

"That William Pendelton shall not make nor kepe anye myddinge stydde in the strete" on pain of 3*s.* 4*d.*

OFFICERS. Constables: Thomas Beysley, William Leadebeter. Burleymen: Ralph Fletcher, Henry Pendelton. Aletasters: William Leadebeter sen., William Carter. Appraisers (*appreciatores*) for the Queen and the lord: Richard Wurseley, Robert Plumpton, George Webstar, Edward Byrchall. Coroner: Thomas Potter. Affeerors: Richard Wurseley, Thomas Potter.

CONSTABLE'S ACCOUNTS.¹ "Anno xxj^o Regine Eliz. The Accompt of Edmund Turner, being then Constable, for money disbursed and collected by hym that yeare.

Fyrst, collected, gathered and receyved by the seid Edmund Turner of the inhabytants of Prescott, x*v.* v*ijd.* ob. Whereof payed by hym as foloweth, viz. Fyrst, for a Church Leay towards the making of a Bell, x*s.* Item, paid towards thexpences and ffurniture of the soldiars then trayned at Bolton, i*s.* ix*d.* Item, for the reparinge of the Buttes, i*s.* vii*ijd.*

¹ This is on a separate sheet filed with the roll, and is the only 16th century constables' account of Prescott preserved.

Summa xvs. vd., and remayneth xiiij*d*.¹ Which xiiij*d*. is pad and delyuered by the sed Edmund Turner to his successor, Wm. Ledebeter and Wm. [sic] Beseley, Constables.

PLEAS. Nicholas Gorsuche of Prescott *webster v.* Robert Sutton of Prescott, for 40s. damages for trespass on the case. (6s. 8*d*. allowed.) Jane Fenna of Whyston, *spinster, v.* John Williamson *alias* Tompson, for detinue of a piece of gold called *a tenne shillinges*, worth 10s. (Not guilty.) Henry Roby of Raynfforth *v.* Brian Felles, for 13s. 4*d*. debt, for $\frac{1}{2}$ *bushell* of wheat. (Acknowledged.) Richard Leadebeter of Hale *v.* Edward Houghton, for 2s. 4*d*. debt, for a pair of shoes. Henry Bybby *v.* Edward Glover, for 5s. 8*d*. debt, for *turves* bought from him. (Acknowledged.) Robert Sutton *v.* Evan Stocke, for 13*d*. debt, for work done, namely weaving a cloth. Hugh Parr of Knowseley gent. *v.* John Lyuezay, for 2s. 6*d*. debt, for the agistment of a cow. (Acknowledged.) Thomas Beeseley *v.* John Hey for 3s. 4*d*. debt, for a pair of shoes. (Acknowledged.) Henry Guldicar *v.* James Leighe, for 10s. 4*d*. debt, being the residue of 24s. for a gelding. (Acknowledged.) Richard Leighe *v.* Edward Glover, for repayment of 8s. for *half one oven of yearthen pottes*. (8s. 8*d*. awarded.) John Webster *v.* Henry Guldycar, for 6s. 8*d*. damages for trespass upon his corn. (4*d*. allowed.) Edmund Turner *v.* William Leadebeter sen., for 6s. 6*d*. debt, for one *le quarter de beefe*. George Kenryck of Prescotte *v.* John Levezay, for 3s. damages for *a woork of coles*. (Allowed.) John Hey *v.* John Webster, for detinue of a piece of timber valued at 16*d*. (The parties agree to arbitration by John Standisse.) John Hey *v.* John Allerton and Catherine his wife, for 2s. 4*d*. debt, for *a bedd stedd*.

Others named include: Edmund Turner and Margaret his wife, Edward Sutton, Richard Warburton, Thomas Prescott of Vpholland, John Knolles, Henry Shirlacars of Whyston and Elizabeth his wife, Robert Woosey, William Hychon of Cronton, Henry Coney, Margery Webster widow (executrix for Hugh Webster), Thomas Jackson of Prescott, Richard Holland and Anne Holland widow (executors for Edward Holland), Robert Waynwright and Margaret his wife. (44 cases in all.)

¹ If the figures given above are complete, the surplus should be only 2*d*. Perhaps, however, a surplus of 11*d*. had been left over from 1578.

JURORS BETWEEN PARTIES: Henry Pendleton, Brian Jackson, William Carter, Lawrence Gorsuche, Anthony Patton, John Corbett, Robert Leighe, Edward Chaydocke, John Dichefeld, Edward Houghton, Alexander Ward, Richard Guye.

1580. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (3 June) 22 Eliz.

JURORS: Richard Wurseley, John Webster, John Pyke, Edmund Turner, Henry Taylior, Richard Rygbye, Robert Wyke, Thomas Woodds, Lawrence Webster, George Webster, Edward Birchall, Robert Plumpton, Ralph Fletcher, William Aspes, Roger Haward, William Leadebeater sen., William Tarleton.

ADMITTANCES. "Thomas Woods did surrender all his messuages, lands, tenements and hereditaments in Prescott, to the vse of himselfe and Ellen his wife, for tearme of theire naturall liues; afterwards to the heyres of the body of the said Thomas vpon the body of Ellen lawfully begotten; and for want of such issue, to the right heyres of the said Thomas foreuer. Prouided if Ellen marry againe, it may bee lawfull for the heyres of Thomas Woods to enter into the moyetie of the premisses." (A.B.) 46-8

"Richard Holland did surrender one messuage or teneement in the occupacion of George Kenwricke, and one kill therunto belonging, and a close called the kill croft [upwards of $\frac{1}{4}$ acre in area, in occupation of Richard Holland] to the vse of Margrett Tildisley widdow, her heyres and assignes foreuer, for warranty of twenty marks" (A.B.) payable at Michaelmas in the south porch of the parish church between 10 a.m. and 2 p.m. Saving the right of George Kenwricke in the messuage and kiln for a term of years, by a grant of Edward, father of the said Richard.¹ 106

"Edward Sutton [gent.], sonne and heyre of Raph Sutton gent., did surrender a messuage, burgage or teneement in the occupacion of Thomas Potter, together with a parcell of land in Churchleyfeild therunto belonging, to the vse of Henry Eccleston Esq., his heyres and assignes foreuer." (A.B.) 9, 10

¹ See p. 193.

"Henry Baxter [of Warterye, *blackesmythe*] did surrender [for £17] one messuage or cottage in the occupacion of John Corbett, and a parcell of land contayning a way which leadeth from the mylne hill through the lands of Robert Plumpton, [in which Thomas Latham now or late lived], to the vse of Thomas Foxe [of Sutton, gent.], his heyres and assignes foreuer." (A.B.) 97

"Robert Plumpton did surrender all his messuages, cottages, lands and hereditaments in Prescott then or late in his owne occupacion, together with a yearely rent of two shillings for a way belonginge to a messuage or tenement the inheritance of Thomas Foxe gent., to the vse of himselfe and Margrett his wife for their liues, after to the vse of Margrett Woods, wife of Henry Woods [of Wydnes, *yoman*], daughter of the said Robert, and the heyres of her body lawfully begotten by the said Henry Woods, and for want of such issue to the heyres of her body lawfully begotten, and for want of such issue to the right heyres of the said Robert Plumpton foreuer." (A.B.) 38-40

"Henry Lathom [of Mosbarrowe, gent.] did surrender a messuage or tenement in the occupacion of George Webster, to the vse of George Plombe his seruante, for tearme of one and twenty yeares" (A.B.) paying 10s. yearly to Henry and his heirs. 20

"Margrett Symond widdow did surrender all her messuages, burgages, howses, lands and hereditaments in Prescott, to the vse of herselfe for life, afterwards to Thomas Symond her younger sonne, his heyres and assignes foreuer." (A.B.) 109-11

AMERCEMENTS. In breaches of the peace: James Wackeffeilde (for an affray on the constable, 12*d.*), Evan Stocke, Elizabeth Garnet, Henry Golden, Ralph Assheton, Ralph Goldycar, Thomas Taylior, Robert Sutton, George Orme, George Gorsuche, Brian Felles, Edward Aynsdaye, James Leighe, Richard Warburton, Richard and John Whalley, David (blank), James Turner, John Rigbye, Robert Orrell, John Marsshe, Thomas Barker, Gilbert Jackeson, Henry Haslome, Robert Forbar, Edward Chadocke, Anne Hey, John Chadocke, Margaret wife of William Allerton, Thomas Fasand, Ellen Patton, John Worsley, Peter Glover, Robert Wosey, Thomas Garnet, Thurstan Cowper, George Wassington, Richard Sherrocke, John Hunte. (12*d.* or 2s.) For unlawful gaming: Thomas Potter, Henry Talior, Brian Felles, John Taylior,

Anthony Patton, Giles Lyon, Thomas Beyseley, John Corbett, Edward Chadocke, John Pyke, James Gerrard, Evan Webster, Edmund Turner, William Hornebye, Ralph Stocke, James and John Dychefeilde. (6*d.* to 3*s.* 4*d.*)

ORDERS. "That at the ffayre tyme the buyers and sellers shall equallye paye the tolle¹ betwene theym, excepte the parties doe other wyse agree betwene them selves in expresse wordes."

"That Henrye Taylior hath erected, builded and made an oven, whereof parte . . . standeth of [*sic*] the landes of Thomas Wooddes, the which the said Henrye Taylior can not lawfullye doe without the goodwyll and consent of the seid Thomas Wooddes his lycence and of his heires fyrst obteyned and gotten; and that he the seid Henrye Taylior can not nor of right ought not to builde the same but duringe the pleasure of the seid Thomas and his heires and noe longer."

95, 48

"The Jurye doe present Mrs. Tyldesley, because she hath suffered and caused her servantes to fall, cutt and take, owt of dewe season and convenient tyme of the yeare, at her owne handes, without the consent or delyuerie of the ffoure men of the towne appoynted by the courte for that purpose, diuers plantes and other tymber and woodde."

"That theire hath ben stoopes longe since standinge and beinge nere vnto the place where the stoopes and yat nowe stande vpon the delveste parcell of the demesne of the halle of Prescott, thorowe which of right ought to be a lawfull waye and passage to carrie, convey and leade, with carte and cariage, on horse backe and foote, woodd, tynsell and tymber deliuered to the customarye tenants by the foure men for the amendament of theire edifices, howses, hedges and other defenses, owte of the woodde of Prescott, throwe and by the same waye; and that theire ought noe stoppage or molestacion of right to be made in anye wyse."²

"That the nowe dwellinge howse of James Dychefeilde, his kechin and garden all the same stande vppon the lordes wast, and are encroched and vnlawfullye taken in of the same waste."

63

¹ The Prescott tenants were themselves, however, exempt (see pp. 99, 244).

² A contemporary copy of this order is preserved at King's College (i.v. 14), having been sent, apparently, in response to the Provost's letter of complaint (p. 296). The order was also added to the Memorandum Book of 1575 (see p. 295).

"That William Pryce hath encroched of the lordes wast in buildinge of tooe bayes of a howse or shuppon, and a pece of a garden." 110

"A piece or noke of a lytle cotage or howse vsed as a shuppon, in the tenure of the late wieffe of George Kenwright late decessed, standeth and is encroched and erected of the lorde[s] waste." 106

"That William Pryce shall skifte [*sic*] one hedge by hym made betwene the lands of Mrs. Tyldesley in his tenure and the landes of Thomas Webster, one yearde in the breddest place, and soe lyniallye from the noke of the howse to the hathorne," before the feast of Annunciation, on pain of 3s. 4d. 101, 37

"That Ratchedales wieffe shall make vp a hedge she hath pulled downe betwene the howse where she dwelleth and the messuage or cotage of Richard Shawe, and that the entrye shalbe hereafter vsed as heretofore yt hath ben" on pain of 12d. 26, 31

"That theire shalbe noe myddinge hereafter made, nor dounge layde nor cast, in the streetes nor high wayes, and that euery tenant and enhabiter shall euery weeke carrye awaye theire mucke and dunge, and not swepe the same into the stretts nor chanell."

OFFICERS. Constables: John Webster, Richard Marshall. Burleymen: Richard Marshall, Edmund Turner. Aletasters: Brian Jackeson, William Leadebeater jun. Affeerors: Richard Wurseley, Thomas Potter. Overseers of the streets:¹ John Corbett, William Leadebeater jun. Overseers of the wood: Richard Wurseley, Edmund Turner, Thomas Potter, Edward Byrchall.

PLEAS. George Garnett late of Raynhill, *carpinder*, v. Ellen Kenrycke widow, executrix for George Kenrycke of Prescott, her late husband, for £5 debt. (Put to arbitration; both in mercy.) William Pryce and Alice his wife v. Anne Rachedale, for 40s. debt, namely 26s. 8d. for a marriage-portion (*maritagio*), and 13s. 4d. for a *kyrtell*. (Not guilty.) John Standisshe v. Richard Sherington, for repayment of 2s. 2d. for *one wyndell of barleye*. (Def. in default of appearance.) Robert Sutton v. Nicholas Gorsuche and Jane his wife, for detinue of a silver ring worth 3s. 4d. (12d. allowed.) Anthony Patton v. Robert Sutton, for 100s. damages for trespass on the case, viz. for

¹ This is the first record of the appointment of these officers, usually called *Streetlookers*. One of their duties would be to enforce the last order above.

slander. (12*d.* allowed.) Elizabeth Garnett *v.* Evan Stocke, for £5 damages for trespass. (6*s.* 8*d.* allowed.) Robert Chadocke of Whyston *v.* Margaret Tyldesley widow, for 4*s.* 8*d.* debt, for 4 loads of coals. (Allowed.) Henry Raynfforthe of Raynfforth *v.* John Knowles, for repayment of 12*d.* for a *pare of showes*. (Acknowledged.) Robert Smythe of Hyton *v.* Thomas Taylior, for detinue of one *reede* valued at 2*s.* (18*d.* allowed.) John Guldycar *v.* Ellen Kenwright widow, executrix for George Kenwright, for 2*s.* 6*d.* debt, for a *brydell*. (20*d.* allowed.) Edward Glover *v.* Edward Houghton, for 6*s.* 8*d.* damages for trespass on the case, in taking a tree belonging to him from the wood. (3*s.* 4*d.* allowed.)

Others named include: Thomas Standisse, Ralph Houghton, Robert Foster of Parr, Margaret Tapley, Catherine Cranshaw *alias* Sylkewoman, George Tapley, Robert Bybby, Thomas Singleton, Henry Holland of Sutton, Richard Guye, Henry Blundell, John Fennay of Whyston, John Williamson *alias* Tompson, William Darbysshire of Wyndell, Lawrence Gorsuche, Elisha Bourghe of Eccleston and Maud Bourghe (executors for Elisha Bourghe), Evan Fynnye, Elizabeth Webster, Richard Leighe and Margaret his wife, Robert Scott and Elizabeth his wife, Margery Webster, Catherine widow of Alexander Webster, William Bancke of Wygan. (46 cases.)

JURORS BETWEEN PARTIES: Peter Terbocke, William Carter, Anthony Jackeson, Brian Jackeson, Giles Lyon, John Corbett, John Knowles, Richard Marshall, William Horneby, Henry Guldycar, James Atherton, Edward Houghton.

1581. PRESCOT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (26 May) 23 Eliz.

JURORS: William Eltonhedd, Richard Wursey, Thomas Potter, Edmund Turner, Robert Wyke, Roger Hayward, Richard Shawe, Lawrence Webster, William Prescott, Edward Birchall, Robert Plumptre, Peter Terbocke, William Aspes, George Webster, William Leadbeater sen., Ralph Houghton, Richard Rigbye.

ADMITANCES. "John Hey is dead, and William Hey his sonne next heyre of one messuage or cottage with

thappurtenances in Prescott." (A.B.) He is admitted, saving the right of Anne Hey, widow of the said John, for her life. 94

"Henry Eccleston. Esq. did surrender a messuage, burgage or tenement in the occupacion of Thomas Potter, and a parcell of land in Churchleyfeild [appurtenant], to the vse of the said Thomas Potter, and Ann his wife, for tearme of the naturall life of the said Ann: rent to the said Mr. Eccleston, ix*s*. ij*d*.: rent reserued to the lord, 7*s*. 2*d*." 1 (A.B.) 9, 10

"Henry Lathom gent. [and George Plombe his servant] did surrender [for 5 marks] one messuage or tenement in the occupacion of George Webster, to the vse of the said George Webster, for tearme of xxj yeares: without committinge of wast, and to bee repayed by the said George Webster." (A.B.) 21

"Richard Holland did surrender a messuage or burgage and a garden therunto belonginge, in his owne occupacion, and two crofts called Nell Myllers Crofts, to the vse of himselfe and Ann his wife for theire liues, afterwards to the heyres of the body of the said Richard vpon Ann, and for want to his right heyres; provided if Ann mary againe, Richard and his heyres to enter vpon the whole." (A.B.) 41-3

"Richard Holland did surrender [for £20] a messuage or tenement in the occupacion of Ellen Kenwricke widdow [of George Kenwricke] and a kilne therunto belonginge, and a croft called the kilne croft, to the vse of Margrett Tyldesley [widow of Nicholas Tyldesley], her heyres and assignes foreuer" (A.B.) saving the right of Ellen Kenwricke in the said messuage and kiln, for a term of years, by a grant made to her late husband by Edward Holland dec., father of the said Richard.² 106

"Richard Worsley did surrender a messuage or cottage in the occupacion of Robert Ewde [and late in the occupation of Edward Goldicar], to the vse of Thomas Lyon of Whiston [*bocher*], his heyres and assignes foreuer." (A.B.) 69

"Richard Rigbie did surrender a messuage, burgage or tenement, in the occupacion of Edward Houghton, wheelwright, to the vse of Joane Rigby his daughter, for tearme of her life." (A.B.) 68

AMERCEMENTS. In the breaches of the peace: Henry

¹ Both arabic and roman numerals are used on the same line.

² See p. 193.

Mathew, Brian Felles's wife, Thurstan Cowper, George Caldwell, William Guye, Edward Parr, Richard Berrye, Gilbert Jackson, William Turner, George Tapple, Robert Sutton, William Leadebeater jun., Henry Leadebeater, Richard Bothewell. (12*d.*, 2*s.* or 3*s.* 4*d.*) For unlawful gaming: John Pyke, Thomas Potter, Thomas Beesley, John Taylior, James Dychefeilde, Giles Lyon, Henry Taylior, Brian Felles, Anthony Patton, John Corbett, Edward Chadocke, James Gerrard, Evan Webster, Edmund Turner, William Horneby, Ralph Stocke, John Dychefeilde. (6*d.* to 8*s.*) For not ringing their swine: Ralph Stocke, Thomas Beyseley, John Smyth, James Atherton. (12*d.* each.) Robert Wainwright's wife, for harbouring her sister, to the harm of her neighbours. (3*s.* 4*d.*) Evan Webster, for keeping a tenant in the end of his house. (3*s.* 4*d.*) William Leadebeater jun., for keeping 4 tenants in one house. (10*s.*) George Webster, for keeping 2 tenants in one house. (3*s.* 4*d.*) John Pyckeforke, for harbouring vagabonds. (3*s.* 4*d.*) Thomas Wooddes, John Guldicar, Eustace Leye, Ralph Fletcher, for harbouring William Clarke, Edward Betson, one Evans's wife and one Marsshe and his wife respectively. (3*s.* 4*d.* each.) The widow of William Rachedale, for not repairing the hedge between her and Richard Shawe. (12*d.*, and to amend on pain of 2*s.*)

ORDERS "taken at this Courte by the Enquest and homage, and confirmed by the assent of the Steward."

"That Thomas Taylior shall remove Katherin Waywright owt of his howse before mydsomer next, and that he shall place noe other theire, in payne of vs."

"That the butts shall be made before the sixte daye of June" on pain of 6*s.* 8*d.*

"That noe inabytance within this towne doe carry any hedge stykes¹ for [*sic*] any theire neightbours ground, in payne that soe ofte as ether they or any of theire howshoulde to theire knowledge and by theire assent be taken with the same, thei shall lose xij*d.* for euery suche defalte."

"That from hence fourth noe inhabitance within this towne doe brewe ale to sell withowt lycence of Mr. Steward, in payne of euery wyke soe breawinge to forfyte ijs."²

¹ i.e., sticks for making fences.

² Ale-house licences were normally issued by Justices of the Peace (cf. order of 1542, p. 97). At Prescott, the right of the Steward to issue all such licences may have been first exercised in 1556 (see p. 136). In the 17th century, persons were occasionally amerced for obtaining licences from Justices.

"That the owners or tenants of the courte howse, and of all the edifices and buildings¹ therevnto belonginge, shall sufficientlye repayre the same courte howse and buildings on thissyde and before the next courte here to be holden, vppon payne and forfeiture of xxs. to be levied of the said owners."

121

"That suters which made defalte in theire apparence withowte lycens or cause reasonable shall be amerced at at the consideracion of the Steward and the Fayrers [i.e., Affeerors] of the Courte."

"That one Mrs. Catheryn Cranshawe *alias* Sylkewoman, for greate suspicions of diuers disorders, shall departe and advoyde her habitacion and dwellinge within Prescott" before the Nativity of St. John Baptist, "and noe further ffrom hence fourth to inhabyte, on payne of xxs." (In the margin: "Richard Worseley to be excepted from this.")

OFFICERS. Constables: John Wurseley, John Taylior. The Four Men called *le howse lokers* and *le woodd lokers* and appraisers for the Queen and the lord: Richard Wurseley, Thomas Potter, Edmund Turner, Edward Byrchall. Burleymen: George Webster, Edmund Turner. Aletasters: Anthony Jackson, Edward Byrchall. *Supervisores de le streyte*: William Leadebeater sen., Robert Woosey. *Affayratores*: Thomas Potter, Edmund Turner.

PLEAS. Hugh Webster *v.* Anthony Patton, for repayment of 2s. 8d. for the profit (*merces*) of a cow. (Allowed.) Robert Sutton *v.* William Ledbeater jun., for 20s. damages for trespass on the case. (Put to the arbitration of Thomas Potter, Edmund Turner and Edward Sutton gent.) George Tapple and Elizabeth his wife *v.* Edmund Turner and Margaret his wife, for detinue of a silver *whystell* valued at 5s. (16d. allowed.) John Goldicar and Ellen his wife *v.* James Gerrard and Maria his wife for 100s. damages for trespass on the case, viz. for slander. (Put to the arbitration of Thomas Potter and John Pyke.)

Others named include: Thomas Wuddes of Prescott, John Lyvezay of Prescott, William Lea of Knowseley, John Webster, Edward Glover, George Lyon of Raynforth, Roger Devias clerk and Ellen his wife (executors

¹ i.e., the shops beneath it. The rolls of 1534-48 reveal that the town was reviving its claims upon the ancient Court House or Tolbooth (see Index). In 1551, with the help of Lord Derby, the building was restored to its former uses, and four prominent townsmen were recognised as tenants of the shops (p. 114). We may suppose that these men undertook any rebuilding or restoration then necessary, and that their successors were expected to go on keeping the building in repair.

for Richard Stockeley, and guardians of Edward Stockeley, heir of Edward Stockeley dec.), Edward Betson of Prescott, Brian Watmought of Sutton in Cheshire *husbandman* (Hamlet Webster, his attorney), Richard Leyghe, Alice Harrington widow, Catherine Stockeley, John Houghton of Whyston *husbandman*, Henry Haslam, Giles Lyon and Isabel his wife, George Lyon of Eccleston *tanner*, John Hey of Whyston *husbandman*, Margaret Tappley, Elizabeth Webster, Henry Guldycar of Prescott, Edward Chadocke and Anne his wife, Ralph Stocke and Anne his wife, Alice Swasebye of Prescott *spinster*, Brian Felles and Ellen his wife, Thomas Singleton, Robert Dychefeilde of Sutton and Margaret his wife, John Lusey, John Cowper of Eccleston *webster*, Edward Guldycar and Christabel his wife, Henry Coney, William Darbysheire of Wyndell *husbandman*. (38 cases in all).

JURORS BETWEEN PARTIES: William Horneby, Evan Stocke, Edward Houghton jun., John Knowles, Henry Pendelton, Brian Jackson, Giles Lyon, Richard Guy, James Dychfeilde, John Dychfeilde, Robert Ewyoodde, William Pryce.

1582. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (15 June) 24 Eliz.

JURORS: Henry Latham gent., Alexander Holland gent., William Eltonhedd, Thomas Potter, Robert Wyke, Lawrence Webster, Roger Hayward, William Tarleton, Peter Terbocke, William Aspes, Robert Plumpton, Edward Byrchall, Ralph Houghton, Edmund Turner, Thomas Lyon, John Webster, George Webster, Thomas Forshawe.

ADMITTANCES. "John Pyke is dead, and Euan Pyke his son [aged 15 years and upwards] nexte heyre of seuerall messuages, cottages, lands and hereditaments in the late occupacions of thafforesaid John Pyke, John Taylor, Lawrence Gorsuch, Henry Pendleton, and Robert Wyke: [all which] John Pyke did in his life tyme surrender to the vse of himselfe for life," (A.B.) after to Ellen his wife for 8 years, "for the educacion, mayntenance and bringing vpp of all the chylderen of the seid John"; afterwards the moiety of the property to Ellen; the messuage, landes etc. in the occupation of John Taylior to his son Evan and his male heirs, failing which, to his second son Thomas and

his male heirs, failing which, to his youngest son Edward and his male heirs, failing which, to the right heirs of the said John; the messuage, lands etc. in the occupation of Lawrence Gorsuche to Edward, Evan and Thomas similarly, paying 2s. 10d. to the lord; and if the said Ellen should marry again the property granted to her shall surcease, and she shall receive instead a yearly rent of 20s. from the same, viz., 13s. 4d. from the messuage and lands in the holding of John Taylior, and 6s. 8d. from the messuage and lands in the holding of John Pyke and Robert Wyke.

75-9

"Raph Fletcher [*husbandman*] is dead, and Raph Fletcher his sonne heyre [and of full age], which said Raph Fletcher the father did in his life tyme surrender¹ all that messuage or tenement then in his owne occupacion, and all howses, buildings, lands and hereditaments therunto belonging, to the vse of himselfe for life; afterward a moyetie to Elizabeth his wife for her life, and diuers other remainders and lymitacions" (A.B.) viz., the other moiety to his son Ralph and his heirs, "one cottage or howse, edifices and buildings nowe in thoccupacion of Rauffe Fletcher, sonne of me the seid Rauf in the sed countye, webster, and one parcell of land in the hempe yorde vpon the bakesyde of the howse nowe in thoccupacion of me . . . the father, abbuttinge from a place theire comonlie called the mudwell or a crabbe tree, from thence vnto thende of the seid parcell of land nere adioyning vnto the windmille . . . onely excepted"; these he bequeathes² to his daughter Anne for life, "withoute anie maner of rents, services, leyes, gelds, exaccions and demaunds whatsoeuer," saving the use of "one bedrowme" to his daughter Margaret; a moiety of the messuage in his (the father's) occupation, after the death of Elizabeth, to his daughter Anne for life, on condition of paying £5 within two years to Margaret, and upon the default or decease of Anne, to Margaret for five years or to his son Ralph on payment of £5 to Margaret, saving to Anne for life the cottage now in occupation of Ralph the son and the said parcel of land; remainder of the whole "to Rauffe Fletcher my sonne and to Rauffe Fletcher my nephewe, sonne of the same Rauf the yonger," and their heirs; provided that, if Elizabeth do not reside in her moiety of the estate, or if she sublet it to any save the said Ralph, her title is to be void, and

¹ See p. 180.

² In the roll, the will is transcribed in full.

she is to receive only 20s. yearly and "one chamber in the lower floer, comenly called the shopp chamber, for in the name of her dower and joyncture"; Ralph his son and Anne are to be his executors; Thomas Garnet of Whiston is to be supervisor; witnessed by Edmund Turner, Edward Sutton, Roger Devias *clerke* and others. 57-9

"Thomas Layton, sonne and heyre of John Layton, is dead, and Dorothy Laton and Margrett Laton are daughters and next heyres of the said Thomas Laton [Anne their mother being their guardian] of diuers messuages, lands and hereditaments in Prescott . . . Margrett Tildisley widdow [of John Laton] did remyse and release to the said Dorothy and Margrett all her tytle and interest of and in the said lands and tenements, sauinge her right in an acre of land in Chesley feild" (A.B.) i.e. *le Chesseley Feild Acre*. 98-105

"John Ogle gent. did surrender [for a certain sum] one messuage or tenement, with all lands and hereditaments therunto belonging, in the seuerall occupacions of Edward Sutton [of Prescott, *husbandman*] and Roger Deuias, to the vse of the said Roger and Ellen his wife, for tearme of their naturall liues" (A.B.) paying 4s. 8d. yearly to John Ogle and his heirs. 15

"William Leadbeter thelder, Margrett his wife and Henry Leadbeter his sonne, and Robert Woosie (the said Margrett beinge solely examined) did surrender [for £4] all those messuages, buildings, gardens and hereditaments in Prescott then or late in the occupacion of the said William Leadbeter, to the vse of George Lyon [*tanner*] his heyres and assignes foreuer" (A.B.) provided that if William and Henry Leadbeter pay £4 to George Lyon on *Corpus Christi daye nowe abrogat* in 1583, between 11 a.m. and 1 p.m. in the house of George Webster in Prescott, the said William and Henry, and Margaret and Susanna their wives, are to have possession of the premises, but are not to alienate any part without consent of the said George, and failing the said payment of £4, the said William, etc., are to have the premises for a rent of 8s. a year. 62

"William Aspes did surrender all that messuage or tenement in the occupacion of the late relicte of Bryan Dyke and Oliuer Frodsham, to the vse of Thomas Smyth of Bicarsteth¹ [*husbandman*] for tearme of xxj. yeares." (A.B.) 71

¹ The roll has *Bycerstath*.

AMERCEMENTS. In breaches of the peace: Thomas Carter jun., Henry Hasselam, Edward Sutton, Edward Goldinge, Robert Sutton, George Tapley, Oliver Froddisham, Edward Angesdale, Richard Warberton, Evan Pyke, Robert Ledebeter, Roger Hurst, William Barbowe, William Heye, Edmund Winstanley, Nicholas Ball. (6d. to 3s. 4d.) For unlawful gaming: Thomas Potter, Ellen Pyke widow, James Dycheffield, John Talior *alias* Smythe, Giles Lyon. (2s. to 6s. 8d.)¹

PLEAS. Anthony Patton of Prescott *yoman v.* John Taylior, for 2s. 7d. debt, for one *le hatchet* worth 14d., *syxe pounds of iron* worth 9d., and $\frac{1}{2}$ lb. *de le brasse* worth 8d. (Parties are agreed; both in mercy.) Peter Harte of Wygan *v.* John Lyvezay, for 9s. 2d. debt, for *flax*. (Acknowledged.) Brian Felles *v.* Margaret Tyldesley widow, for 46s. 8d. damages for trespass on the case. (Not guilty.) George Lyon of Eccleston *v.* Ralph Stocke, for 22s. 8d. debt, for *le lether*. (Cancelled.) Robert Sutton *v.* Anthony Jackson, for 3s. 10d. debt, for *le weaving*. (Acknowledged.) John Wetherbye of Knowseley *v.* George Tappley, for 14d. debt, for *one dole of beyfe*. (Acknowledged.)

Others named include: Dalcia Patton of Warington *spinster*, Richard Cartwright of Warington *yoman*, Anthony Patton and Ellen his wife, Richard Fenney of Whyston *husbandman*, Hugh Webster, Thomas Shorte of Hyton (executor for Thomas Shorte dec.), Richard Leighe, Robert Wycke of Whyston *yoman*, John Taylior and Ellen his wife, Henry Olyuerson, Thomas Harker of Lyuerpoole *carpinder*, John Corbett, Henry Hyde of Knowseley *bachelor*, James Leighe, Edward Glover, Richard Eltonhedd, James Gerrarde, Edward Bettson, Evan Webster, William Allerton, James Wackefeilde, Francis Hamlem, Hugh Cropper of Hale *shomaker*, Thomas Woodds, Ellen Cowper of Eccleston *spinster*, John Goldycar, Evan Stocke, Thomas Beyseley and Cecilia his wife, Thomas Taylior *webster*, Henry Blundell of Whyston, Margaret Tapley *spinster*, Edward Chadocke. (29 cases in all).

1583. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (31 May) 25 Eliz.

¹ In the roll, this section is left incomplete.

JURORS: John Ogle gent., Alexander Holland gent., William Eltonhedd gent., Richard Worseley, Thomas Potter, Thomas Symond, John Webstar, Edmund Turner, Thomas Tarleton, Robert Wyke, Lawrence Webstar, Edward Byrchall, William Aspes, Roger Haward, Thomas Wuddes, Richard Shawe.

ADMITTANCES. "Richard Rigbie, sonne and heyre of John Rigbie, did surrender [for 46s. 8d.] one messuage or tenement in the occupacion of Henry Hunte [and late in the occupation of Robert Waynwright], beinge neere the mill hill, and one croft therunto adioyninge, to the vse of Richard Marshall thelder, for tearme of 3 liues, viz., his owne life, Richard Marshall the younger and Nicholas Marshall, both beinge his sonnes, and the longest liuer of them" (A.B.) paying 2s. yearly during the life of Agnes, widow of John Rigbie, and 8s. after; saving to Robert Waynwright and Margaret his wife for life the occupation of a cottage called *a Barne* of 2 bays, and a piece of land measuring 20 feet at each side, at a yearly rent of 12d. 67

"William Tarleton [dec.] did surrender two messuages or cottages in the seuerall occupacions of Edward Chad-docke and Margrett Gorsuch [wife of Oliver Gorsuch of Hyton] to the vse of George Tarleton, younger brother of William Tarleton, his heyres and assignes foreuer. (A.B.) This was objected to by Richard Garnett, but allowed. (The original surrender and objection took place on 19 April, and a day was appointed before Easter for Garnett to present his case.) 72

"John Ogle gent. did surrender two bayes of a howse with a gennell betwixt them and a parcell of land adioyn-inge . . . [in the holding of John Dycheffelde] to the vse of Robert Poughten¹ [of Childwall *cowper*] for tearme of 3 liues viz., the life of the said Robert, Margrett his wife and Margrett their daughter, and of the suruiuor and longest liuer of them" (A.B.) paying 5s. yearly to John Ogle. 12

"John Ogle gent. did surrender one messuage and tenement in the occupacion of John Ditchfeild [*skynner*], to the vse of the said John Ditchfeild, Ellen his wife and James Ditchfeild their sonne, for tearme of their three liues and the longest liuer of them" (A.B.) paying 5s. yearly to John Ogle. 11

"William Leadbeter thelder and Margrett his wife and

¹ The roll has *Powghden*.

Henry Leadbeter theire sonne and heyre apparent did surrender [for a certain sum] one messuage or tenement then or late in the occupacion of the said William and Margrett, and all howses, lands and hereditaments therunto belonginge, to the vse of George Lyon [*tanner*] his heyres and assignes foreuer . . . provided William Leadbeter and Margrett his wife, Henry Leadbeter and Susan his wife, may haue the premisses, exceptinge one chamber [at the east end, in the occupation of George Lyon] for tearme of theire liues, yealdinge 8s. rent per annum to the said George Lyon." (A.B.) 62

"Roger Deuias clerke did surrender two bayes of buildinge [*comonly called the tooe newe bayes*] and one little garden, [in occupation of Edward Sutton of Prescott *husbandman*], to the vse of the said Edward Sutton, for tearme of his life, provided if Edward demyse the same to any person or persons without the lycense and consent of the said Roger Deuias, then this surrender to bee voyd." (A.B.) 15

AMERCEMENTS. In breaches of the peace: George Gorsuche, Gilbert Jackson, Thomas Bylling, Ralph Assheton, George Cobbon, [blank] Ball, Alexander Ward, Richard Burye, Ellen Guldicar jun., Margaret Byrchall, the wife of William Leadbeter jun., Thomas Dycheffeld, Evan Pyke, Robert Leadebeter, Alice Pryse, Margaret Hayward, John Tayler, Ralph Hylton, Ralph Heaton gent., George Tapeley, Henry Leadbeter. (6d. to 3s. 4d.) For unlawful gaming: Thomas Potter, William Greene, Anthony Patton. (12d. or 3s. 4d.) For permitting card-playing for ale: James Atherton, Edward Chadocke, Evan Webster, Edmund Turner, William Hornebye, Ralph Stocke's wife, Giles Lyon, James Dycheffeld, John Dycheffeld, John Corbett, Brian Felles. (3d. each.) For keeping a house for the sale of bread, ale and other victuals without a licence from the Steward: Oliver Froddissham, George Tapeley. (6d. each.) For not cleaning the street at the bidding of the Streetlookers: William Leadbeter jun., Edward Sutton, Robert Plumpton, John Corbett, Brian Felles, John Webster, Henry Hunt, William Hey. (3d. each.) For evil-doing, to the hurt of their neighbours: Margaret Hayward, Ellen Froddissham, Elizabeth Glover, Anne Bower, Anne Garnett. Margaret Tyldesley, widow of Nicholas Tyldesley gent., for felling 60 *saplinge trees*¹ without leave. (Amounts not stated.)

¹ Probably for the rebuilding of Prescott Hall. See pp. 21, 22.

ORDERS. "That the Cooke Stoole hole shalbe sufficiently scoured betwixt this and Mychaelmas next, in payne of vjs. viij*d*."

"That noe person shall washe any manner of clothes, yorne or any other vncleane thinge ether at Slytherfort well or at Oure Lady well, in payne of ijs."

"That from henceforth noe person doe ley any mucke vpon the bancke before the howsse of Thomas Woods, in payne of euery ffawlte soe made xij*d*."

"Katheryne Semster, for that she is a stranger borne in respect of the Statute,¹ and knownen to be of evell government . . . shall avoyde the Towne betwyxt this and mydsomer next, in payne of twenty shillings, and euery person that shall resett her in his howsse after that daye to paye for every nyghte xij*d*."

OFFICERS. Constables: John Corbett, Edward Byrchall. Overseers of woods and houses: Richard Worseley, Thomas Potter, Edward Byrchall, Robert Plumpton. Burleymen: Edward Houghton, William Greene. Aletasters: John Webster, John Knowll. Coroner: Thomas Potter. Affeerors: Richard Worseley, Edmund Turner. Streetlookers: Richard Marshall, Edmund Turner. Sealers of leather: Evan Stocke, Robert Yowoodd.

PLEAS. Robert Malbon and Eleanor his wife *v.* James Wakefeild, for 3*s*. debt, for a fat young bullock. (Not guilty.) William Thomasson *v.* Edward Chadocke, for 6*s*. debt, for coals. (4*s*. allowed.) James Allanson of Magna Wolton *v.* John Webster and John Tayler, pledges for Alexander Warde, for 46*s*. 8*d*. damages for trespass on the case. (34*s*. allowed.) Robert Letherbarrow *v.* Edward Chadocke and Anne his wife, for repayment of 2*s*. 8*d*. for a *jerken*. Richard Leyghe *v.* John Lyvezay, for repayment of 3*s*. for coals. (Allowed.) Henry Litherland *v.* Robert Waynwright for repayment of 43*s*. 4*d*. for a cow and its calf. (Acknowledged.) William Leay of Knowsley *v.* Anthony Jackson and Robert Plumpton, for repayment of 53*s*. for *le Free Scole*. (Acknowledged.) Robert Yode *v.* William Leadbeter sen., for detinue of a *sheete* worth 2*s*. (1*s*. allowed.) William Grene and Ellen his wife *v.* Cecily Guldicar, for detinue of one *le pyllow beare* worth 3*s*. 4*d*. (Not guilty.)

¹ Stat. 14 Eliz., c. 5 (1572), which codified previous legislation respecting vagrancy and poor relief. Each district was liable for the relief of persons either born there or resident there for 3 years. (*Stat. Realm*, v. 4, pp. 590-8).

Others named include: James Leigh, Margaret Tapley *spinster*, Edward Glover, Thomas Beseley, Ralph and Nicholas Gorsuche, Thomas Sherlock of Rainhyll, Richard Wylkinson, John Guldicar, Humphrey Waynwright, George Webster, William Turner, Henry Hasselham, Margaret Stocke, John Bodon, John Kyrffoot, Thomas Taylior *webster*, George Wakefeild, Ellen Kenwrick, James Gerrard, John Tayler *smythe*, Edward Guldicar, Edward Angsdale, James Atherton, Anne Stocke widow of Ralph Stocke, Alice Hayward widow, Henry Latham gent. (47 cases.)

JURORS BETWEEN PARTIES: William Horneby, Richard Marshall, John Corbett, Evan Stocke, Henry Pendelton, Lawrence Gorsuche, Ralph Fletcher, John Knolles, Henry Guldicar, Richard Warberton, Edward Scaresbreck, Edward Houghton.

1584. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (19 June) 26 Eliz.

JURORS: John Ogle gent., Richard Jolybrond gent., Alexander Holland gent., William Eltonhedd gent., Richard Wurseley, Thomas Potter, Edmund Turner, Richard Rigbye, Thomas Tarleton, Richard Shawe, Thomas Wuddes, Lawrence Webster, George Webster, Ralph Houghton, George Lyon, Robert Plumpton, William Aspes, Roger Hayward.

ADMITTANCES. "Thomas Woods and Ellen his wife (shee beinge solely examined), did surrender one messuage or tenement in the occupacion of Edward Angsdale, and a parcell of land lyinge neere the said messuage, as the same is meared out, [bounded by certain *les Staks et Meares*,] to the vse of Thomas Glouer, sonne of John Glouer [of Raynhill] his heyres and assignes foreuer" (A.B.) saving the right of Anne, wife of Henry Dwarryhowsse, for her life; paying 8*d.* yearly to the lord. 46

"William Aspes did surrender a messuage or tenement in the seuerall occupacions of Izabell Dyke widdow and Oliuer Frodsham, to the vse of William Cockett [of Kyrkeby, *husbandman*] for tearme of xxj yeares" (A.B.) paying a silver penny yearly to Aspes, and 2*s.* 8*d.* to the lord. 71

"Richard Rigby did surrender fower messuages or tenements in the seuerall occupacions of James Ditchfeild, Richard Leadbeter, Richard Marshall and Roger Winstanley, to the vse of Elizabeth Rigbie his wife for tearme of her naturall life, afterwards to remaine to the said Richard and his heires foreuer," (A.B.) saving the rights of the occupiers, by force of a former surrender.¹ 63-4. 67

"William Leadbeter the younger did surrender one messuage or cottage in the occupacion of Robert Woosie, and a parcell of land wherupon to build a bay of howsinge, to the vse of Robert Woosie and Catherin his wife for tearme of their two liues" (A.B.) paying 2d. yearly to the lord and 10s. to Leadbeter. 114

"Thafforesaid William Leadbeter did surrender one messuage or tenement contayninge 3 bayes, together with an oven howse, and a garden or orchard therunto belonging, with free passage to the well neere to the said messuage, to the vse of Richard Sothworth [of Kyrkeby, *blackesmyth*] and Katherin his wife for their two liues" (A.B.) paying 3d. yearly to the lord and 19s. to Leadbeter; saving the right of Richard and Catherine to return the property at will to Leadbeter or his heirs. 62

"Thafforesaid William Leadbeter did surrender one messuage lately erected by Evan Stocke, with a garden or orchard therunto belonging, to the vse of thafforesaid Evan Stocke, Cecily his wife and Raph Stocke their sonne, for tearme of their three liues" (A.B.) paying 8d. yearly to the lord and 12s. to Leadbeter. 49

"Richard Shawe did surrender one messuage or tenement in the occupacion of Margrett Hayward *spinster*, to the vse of Ellen wife of the said Richard Shawe, for tearme of her life, after to the heyres of the said Richard Shawe vpon the body of the said Ellen lawfully begotten, and for want of such issue to the heyres and assignes of the said Richard foreuer." (A.B.) 31

"Katherin Ollerton *alias* Stockley did surrender one messuage or tenement in the tenure of Robert Woosie showmaker, to the vse of George Gorsuch, sonne of Lawrence Gorsuch claypotter, for tearme of eight yeares" (A.B.) paying 10s. yearly to the said Catherine. 74

"Henry Taylor did surrender one shopp [called *le Bochars Shoppe*, next adioyninge to the churche yord syde] late in the occupacion of John Gleast [of Cronton] to the

¹ See p. 221.

vse of Peter Torbocke [of Wyndell] his heyres and assignes foreuer" (A.B.) paying *ii*d. yearly to Henry Taylor; James Taylor son and heir apparent of Henry¹ objected to this surrender, but without effect. 121 (pt.)

PLEAS.² Henry Eccleston Esq. *v.* Edmund Turner, for £5 damages for trespass on the case, and for 40s. debt. (Continued.) John Ogle gent. *v.* George Tapley, for 4s. 8d. debt, for *coles* etc. (Acknowledged.) Mathew Heron *v.* Ralph Fletcher, for £5 damages for trespass on the case, (Continued), for 22s. 6d. debt, and for detinue of *a boord* worth 3s. 4d. (Acknowledged.) Edmund Turner *v.* Alexander Ward, for 12s. debt, for a bull. (Acknowledged.) Edmund Turner *v.* George Tapley, for 13s. 6d. debt, for three quarters' rent of a house. (Continued.) Thomas Wuddes *v.* John Davye, for 25s. 6d. debt, for leather. Ralph Fletcher *v.* Matthew Heron, for 7s. debt, for coals. John Tailor *v.* Edmund Turner and Margaret his wife, for 20d. debt, for a sickle (*falco*).

Others named include: Thomas Parvis of Chester (*Civitate Cestrie*) gent. (Robert Malbon his attorney), James Lye of Prescott, Christopher Kenwryght (William Kenwryght his attorney), John Guldicar, Francis Watmough and Jane his wife, John Webster, Thomas Sherlocke, Richard Lye, Edward Houghton of Whiston, Nicholas Gorsuch, Anthony Jackson, Brian Felles and Ellen his wife, William Grene, James Wakefeild, Henry Latham gent. (George Webster his attorney), John Kenyon of Dytton, Edward Glover, Catherine Stockeley *spinster*, John Bodon, Richard Berye and Elizabeth his wife (executors for Evan Webster dec.), Roger Parr, Robert Waynewright, John Cowper, Edward Guldicar, Roger Devias clerk, John Lyvezay, Thomas Tailior, William Ley, George Tapley jun., Edward Chadocke. (43 cases.)

JURORS BETWEEN PARTIES: Thomas Lyon, James Atherton, Richard Marshall, Edward Houghton, Richard Warbarton, William Pendelton, Richard Soothworth, John Knowell, Anthony Patton, William Cocket, George Tarleton, Henry Hunte.

1585. PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (11 June) 27 Eliz.

¹ The roll has *Peter*.

² This roll contains no amercements or orders.

JURORS: William Eltonheade gent., Thomas Potter, Richard Worsley, Thomas Lyon, Richard Rygby, Robert Plumptre, Edward Byrchall, Robert Wyke, Peter Tarbocke, Thomas Tarleton, Thomas Wooddes, George Lyon, John Webster, Edmund Turner, Lawrence Webster, George Webster, William Leadbeter jun.

ADMITTANCES. "John Goldicar is dead and John Goldicar his sonne [about 5 years of age] next heyre of two messuages or tenements in the occupacion of the said John and Alexander Withington, and also of [three gardens, two orchards and] certaine parcells of land called the Kill Croft, the Rye Croft, the little meadow, the Cow Hey, Goodicars Acre, the Claypitt feild or hey; Ellen his mother admitted his gardian till hee come to age," (A.B.) paying 28s. yearly to the lord. 80-86

"Margrett Tildisley widdow did surrender one messuage or tenement and one kill [adjacent] and one shopp [next the shop of Thomas Potter of Prescott] to the vse of herselfe for life, afterwards to Phillip Layton and the heyres of his body lawfully begotten, and for want of such issue to Elizabeth [sister of Philip] Layton and the heyres of her body lawfully begotten, and for want of such issue to the right heyres of the said Margrett foreuer," (A.B.) saving the right of Richard Shaw and Ellen his wife, for a term of years. 106, 107

"Richard Rigby did surrender [for £24] all those messuages, buildings, gardens, parcells of land and hereditaments, in the occupacion of Edward Houghton, to the vse of Thomas Glover [elder son of John Glover of Raynehill] his heyres and assignes foreuer," (A.B.) paying 2s. yearly to the lord; saving the right of Jane Rigby, daughter of Richard, for life, and of Edward Houghton for a term of years. 68

"Richard Rigbie and [Elizabeth] his wife did surrender [for £6. 13s. 4d.] one messuage or tenement in the occupacion of Richard Leadbeter, to the vse of Hamlett Webster [of Knowesley, *tanner*] his heyres and assignes foreuer," (A.B.) paying 4d. yearly to the lord. 64

"Richard Rigby and Elizabeth his wife (shee beinge solely examined), did surrender [for £15] two messuages or tenements, two gardens and two crofts with thappurtences in the seuerall occupacions of James Ditchfeild and Roger Winstanley, to the vse of thafforesaid James Ditchfeild [of Prescott, *Clay Potter*] his heyres and assignes foreuer," (A.B.) paying 6d. yearly to the lord. 63

"Evan Pyke [after being privately questioned as to his age] did surrender [for £15] seuerall messuages and tenements in the seuerall occupacions of William Greene and John Taylor, to the vse of thafforesaid William Greene for tearme of fower yeares." (A.B.) 88-93

"Richard Rigbie did surrender one messuage or tenement in the occupacion of James Atherton, to the vse of Elizabeth his wife for her life, and after her decease to his owne right heyres foreuer" (A.B.) paying 2s. yearly to the lord. 116

"George Tarleton did surrender one messuage or tenement in the occupacion of Edward Chaddocke, and one cottage or howse in the occupacion of Margrett Gorsuch widdow, to the vse of Katherin Tarleton for her life, afterwards to the right heyres of the said George foreuer" (A.B.) paying 20d. yearly to the lord. 72

"Thomas Tarleton did surrender one messuage or tenement in the occupacion of James Atherton, to the vse of Elizabeth Tarleton his wife for tearme of her life, afterwards to remaine to the said Thomas and his heyres foreuer" (A.B.) paying 4d. yearly to the lord. 65

"Richard Rigbie and Elizabeth his wife did surrender all and singular those messuages or tenements, crofts, closses, lands and hereditaments in the seuerall occupacions of Richard Marshall and Robert Wainwright, to the vse of Thomas Glouer, eldest sonne of John Glouer [of Raynehill], his heyres and assignes, for warranty of those messuages, lands and hereditaments in the occupacion of Edward Houghton [*Whylewrighte*] formerly surrendered to the said Glouer" (A.B.) paying 6d. yearly to the lord; saving the rights of Richard Marshall and Anne Rigby, widow of John Rigby of Eccleston. 67

AMERCEMENTS. Richard Warberton, for harbouring Anne, widow of a Welshman named Evan, a woman of evil repute. (3s. 4d., and none to harbour her henceforth on pain of 12d. a night.) Anne Holland, for harbouring Anne Pryce, likewise. (2s.) Hugh Webster's wife, for harbouring Anne Garnett, likewise. (12d.) John Webster, for an unlawful hedge made between him and Thomas Potter. (To amend on pain of 3s. 4d.) William Greene, for diverting a watercourse at the top of *the crosse crofte*. (To restore the old course through *the Claper Cloughe* on pain of 10s.) Henry Hunte, for building 1½ feet into the street towards the house of Edmund Turner. (To amend on

pain of 3s. 4d.) Thomas Woddes, for not scouring *a dyche* beyond the house of John Lyvesley and also against his own workshop. (To amend on pain of 6s. 8d.) Catherine Stockeley, for using untrue measures to cut cloth, of which many have complained. (To cease to use them on pain of 6s. 8d.) For unlawful gaming: Thomas Potter, William Greene, James Dychfeld, Robert Wollsy, Edmund Turner. (12d., 2s. or 3s. 4d.) For selling ale without licence from the Steward: Robert Wollsy, Evan Stocke, Robert Yowde, Robert Poughton, Henry Hunte, Oliver Frodsam. (2s. each.)

In breaches of the peace: Ralph Goldicar, John Davye, Henry Jolybronnd, William Edwardsonne, Hugh Webster, Gilbert Jacksonne, Anthony Patton, Edward Byrchall, Edward Angedayne, Evan Phynnye, Matthew Heron, Robert Sutton, Robert Browne, John Kenion, Thomas Dychffeld, William Shingleton, Richard Warberton, Thomas Parker, Evan Pyke, Matthew Herne, Andrew Hey. (12d., 2s. or 3s. 4d. Pledges: Henry Goldicar, William Greene, John Webster, James Atherton, Edward Chadocke, Robert Wollsy, William Leadbeter jun., Evan Stocke, George Gorsuche, Edward Glover, Robert Yowde, William Hornebye, Philip Layton, Henry Hunt.) For trespass with their swine: Richard Southworthe (to the hurt of Evan Stocke), William Heye (to the hurt of Roger Devias clerk). (3d. each.)

OFFICERS. Constables: Lawrence Webster, Ralph Fletcher. Burleymen: Evan Stocke, Henry Goldicar. Aletasters: Richard Marshall, Henry Pendleton. Overseers of houses and woods: Richard Worsley, Thomas Potter, Robert Plumpton, Edward Byrchall. Street-lookers: Henry Hunte, Robert Yowde. Coroner: Thomas Potter. Affeerors: Thomas Potter, Edmund Turner.

PLEAS. Thomas Latham *v.* Richard Warburton, for £5 damages for trespass on the case, for slanderous words uttered publicly, viz. "Thou art a thief and hast stollen my goods." (20d. allowed.) Richard Warburton *v.* Thomas Latham, for £5 damages for breaking boughs in his orchard and taking apples. (20d. allowed.) Henry Tayleur *v.* John Webster, for £5 damages for trespass, for *one turfue wayne*. (16d. allowed.) John Livesley *v.* Edmund Turner and Margaret his wife, for 4s. 4d. damages for trespass on the case, for *a syeth*. (2d. allowed.) William Prescott *v.* William Leadbeter, for 2s. 8d. damages

for having sold him a *pare of whells* which were *worn out*. (Not guilty; but def. in mercy.) Robert Chadocke v. James Atherton for 4s. damages for having killed a sheep. (Not guilty.) Catherine Stockley v. Brian Fells, for 8s. 9d. due for 21 lbs. of *flax*. (Allowed.)

Others named include: John Worsley, Henry Gouldicar and John Roughley (executors for John Gouldicar dec.), Richard Leigh, Thomas Whittfeild, Henry Blundell, Thomas Foxe, Lawrence Farclough, Thomas Blundell, Henry Ellam, Robert Williamson, Thomas Steward, William Turner (executor for William Turner dec.), Richard Canner, Jane Gorsuche, Richard Burie, Elizabeth his wife and Anne daughter of Elizabeth (executors for Evan Webster dec.), Roger Devias clerk, Thomas Biessley, George Washington, Edward Gouldicar, Isabella and George Gorsuch (executors for Lawrence Gorsuch dec.), Ralph Shaw, William Hey, Anne widow of Richard Holland, Richard Soothworth, Ralph Barker, Robert Dittchfeild, Jane Wellon. (38 cases in all.)

JURORS BETWEEN PARTIES: James Dittchfeild, Thomas Hyne, Ralph Flettcher, Anthony Jackson, Edward Houghton, Richard Marshall, Richard Burie, Henry Pendleton, Henry Hunt, Lawrence Pendleton, John Dittchfeild, John Knowells.

DISTRESS WARRANT. A note that John Allcock, bailiff, has returned the distress warrant for the fines, amercements and recovery of debts made at the last court. (This is repeated at the end of several subsequent rolls.)

1585. PRESCOOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid., 22 Oct.,¹ 27 Eliz.

JURORS: Thomas Potter, Lawrence Webster, Robert Plumpton, George Lion, Robert Wike, George Webster, John Webster, Edmund Turner, Edward Birchall, Ralph Flettcher, Richard Shaw, Hamlet Webster, Peter Terbocke, James Dittchfeild, Thomas Woods, William Leadbetter jun.

¹ An exceptional date. Comparison with the Deputy Steward's letter of 1587 (p. 303) indicates that an attempt was being made to hold two courts each year, as was sometimes the practice elsewhere. The law permitted not more than two Courts Leet in the year, though the Court Baron might be held every three weeks. See also p. 277ⁿ.

ORDERS. "That noe person hereafter shall sell ale without the lycense of the Steward, vpon paine of forfaytinge vs. for euery defalte." (A.B.)

"That noe person shall wash att Sletherforth Well, vpon paine of forfaytinge iijs. 8d. [*sic*] for euery defalt." (A.B.)

AMERCEMENTS. For unlawful gaming: Thomas Potter, William Green. (2s.) Thomas Mead, vicar, for felling trees in the wood for repairs to the Vicarage (3s. 4d.); also for felling *plants or little polls*, "ffor the scowring off tow pipes to cock glades." (3s. 4d.) In breaches of the peace: John Kenion, William Robertson, George Gorsutch, Edward Glover, John Glover, Richard Lee, Evan Pike, John Tayleur *alias* Smith. (12d. or 2s.) William Alarton, for stopping a watercourse in *le sparow lane* at *le backside* of his garden. (To remedy, on pain of 10s.) Edward Sutton, for neglect of his hedge between him and Richard Webster. (To remedy, on pain of 3s. 4d.) John Corbett, for altering a watercourse at the west end of his house. (To remedy, on pain of 6s. 8d.) George Wilcocke, for buying a quarter of *biffe* in Prescott market and selling the same again there at a higher price. (3s. 4d.)

PLEAS. Persons named include: Isabel and George Gorsutch (executors for Lawrence Gorsutch dec.), Henry Gouldicar, Ralph Biram, Richard Shaw and Ellen his wife (executors for George Kenwright dec.), Edward Chadock, William Hey, Henry Tayleur, Anne Hey, Margaret Haward, John Laland, Edward Anglesdall, Nicholas Gorsutch, Anne Holland widow, Anthony Patton and Ellen his wife, John Poalt, Thomas Ormsham, John Knowlles. (14 cases in all.)

JURORS BETWEEN PARTIES: Richard Burie, Richard Marshall, James Atherton, Lawrence Pendleton, Evan Stocke, John Livesley, John Bower, Edward Houghton, Anthony Jackson, Richard Warburton, Henry Hunt, Thomas Carter.

1586. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after after C.C. (3 June) 28 Eliz.

JURORS: John Ogle gent., William Eltonhead gent., Richard Worsley, Thomas Potter, John Webster, Edmund Turner, Robert Plumpton, Peter Tarbocke, Robert Wicke,

Roger Haward, Thomas Woods, Richard Shawe, James Ditchffield, Hamlet Webster, George Lion, Edward Birshall, Ralph Houghton.

ADMITTANCES. "George Webster is dead, and Hugh Webster his sonne next heyre [of full age] of one messuage or tenement with thappurtenances in Prescott." (A.B.) 112

"George Webster did surrender one messuage or tenement in his owne occupacion [surrendered to his use for a term of years by Henry Latham gent.] to the vse of Margrett his wife for tearme of her life if his tearme last soe longe, afterwards to remaine to Hugh Webster and the heyres of his body lawfully begotten" (A.B.) failing which, to Silvester Webster and the heirs of his body, failing which, to Thomas Webster and the right heirs of the said George. 21

"George Webster did surrender one messuage or tenement in the occupacion of Katherin Webster and Silvester Webster, to the vse of Margrett wife of the said George for her life, afterwards to remaine to Hugh Webster and the heyres of his body lawfully begotten [failing which, to Silvester Webster and the heirs of his body, failing which, to Thomas Webster and the heirs of his body, failing which, to Anne Webster and the heirs of her body, failing which, to the right heirs of the said George], provided that Hugh Webster, or such in remainder as it shall soe fall vnto, shall pay 20s. to the next in remainder to him." (A.B.) 112

"William Hay did surrender [for £6. 2s.] one messuage or tenement then or late in the occupacion of Ann Hay widdow [his mother] to the vse of Roger Joanson [of Sutton, *husbandman*] and his heyres" (A.B.) saving the right of Anne Hay for her life, by a former surrender made by the father of the said William, paying 6d. yearly to the lord. 94

"John Ogle gent. did surrender a messuage or tenement [with an adjacent garden or close of land] in the occupacion of Robert Sutton [of Prescott *webster*] to the vse of William Wade, Vicar of Huyton, and Jane his wife, for tearme of theire naturall liues" (A.B.) paying 5s. yearly to the said John Ogle. 14

"John Ogle gent. did surrender one messuage or tenement in the occupacion of Roger Deuias, curate of Prescott, and Edward Sutton, to the vse of thafforesaid Roger Deuias, Ellen his wife and Raph Fletcher, sonne of Raph

Fletcher, and the longest liuer of them " (A.B.) saving the right of Edward Sutton to two bays of new building and a garden; paying 4s. 8d. yearly to the said John Ogle. 15

" Peter Torbocke did surrender a butchers shopp with thappurtenances [by the churchyard] in the occupacion of Roger Parr, and the half of a bay aboue¹ the Court howse neere the Court howse stares, to the vse of himselfe for life, afterwards to John Torbocke and the heyres of his body lawfully begotten, and for wante of such issue to the right heyres of thafforesaid Peter foreuer " (A.B.) paying 11d. yearly to Henry Tayleor and his heirs; Edward Sutton, Deputy Steward, put in a claim on behalf of King's College, to be heard at the next court. " Hee [Peter Tarbock] did alsoe surrender one yearly rent of iijd. issuinge out of the buildings belonginge to the Court howse [payable by Roger Haward] and one yearly rent of iijd. issuinge out of buildings belonginge to the Court howse and payable by Edward Stockley, to the vses afforesaid." (A.B.) 121

" Henry Eccleston Esq. did surrender one messuage or tenement comonly called [*le Cage or*] the New Hall, one chamber [*over the new parlor*] and one closet [*within the said parlor*] onely excepted, to the vse of Edward Parker [late of Ormechurch] for tearme of xxj yeares [paying 2d. yearly to the lord and £3 yearly to Mr. Eccleston] provided hee may not lett the same to any person againe savinge to Mr. Eccleston." (A.B.) 3

" Euan Pyke did surrender [for £26. 13s. 4d.] all his messuages, tenements, lands and hereditaments, thinheritance of the said Euan, to the vse of William Greene, for tearme of eight yeares, after to the said Euan Pyke and his heyres foreuer." (A.B.) 88-93

AMERCEMENTS. For default of appearance: Sir Thomas Gerrad, Richard Golibrand gent., Robert Hytchmough, Thomas Simond. (12d. each.) John Corbett, for receiving into his house stolen goods and fugitive persons. (6s. 8d.) The widow of John Gouldicar, for harbouring a woman of ill fame. (2s., and not to harbour her after Sunday next on pain of 2s. 6d. each night.) John Corbett, for taking trees from the wood. (12d.) For unlawful gaming: Thomas Potter, William Green. (3s. 4d. each.) Ellen, daughter of Anne Frodson, for taking *turfes* from *le Parke Mosse*, not having a place there. (6d.) The wives of Richard Leigh and Richard

¹ This should read *below*. The roll has "sub le Booth sive Court howse."

Holland, likewise. Ralph Farehurst's wife, for taking turves from James Atherton's *turfte stacke*. (6*d.*) In breaches of the peace: William Lion, Evan Stock, Richard Worsley, Thomas Tarbocke, Gilbert Ireland gent., Evan Pike, Edward Parker, Rowland Houghton, James Atherton. (12*d.* or 2*s.*) For receiving *innmaks*: Richard Warburton, Hugh Webster's wife. (6*s.* 8*d.* each.)

ORDERS. That John Webster shall restore certain land taken from the footway (*semita*) in *le Chessleffeild* before 1 May, on pain of 6*s.* 8*d.*

That George Webster's wife shall restore *one bond hedge*, at the direction of the four men, on pain of 6*s.* 8*d.*

That the midden by Pendleton's house be removed before Christmas next, on pain of 3*s.* 4*d.*

That the "saw pitt das and other ffielth" by William Hay's house be removed, on pain of 5*s.*

That Edmund Turner shall scour his ditch leading from *le Ladi Well*, on pain of 5*s.*

That Richard Gay shall cut *his hollen hedge*, on pain of 2*s.* 6*d.*

That John Corbett shall conduct his water in a straight line to Robert Plumpton's gutter (*gurgil*), and Plumpton to conduct the same behind his house to the kiln (?).¹

That all who have had trees allowed them for the repair of their houses shall remove them before Michaelmas, otherwise the overseers may grant them to others; and that all who shall have trees allowed them hereafter shall use them within four months, otherwise the overseers may grant them to others.

OFFICERS. Constables: John Webster, William Horneby. Burleymen: Edward Scasbreeck, Edmund Turner. Aletasters: Edward Birshall, Anthony Jackesson. Four men: Thomas Potter, Edmund Turner, James Dychffeild, Edward Birshall. Streetlookers: John Webster, Richard Southworth. Coroner: Thomas Potter. Affeerors: Thomas Potter, Richard Worsley. Sealers of leather: Evan Stock, John Davie.

1587. COURT OF PRESCOTT WITH VIEW OF FRANKPLEDGE, held before Henry, Earl of Derby,²

¹ The roll has *platras*. According to Du Cange (Glossary of Mediaeval Latin) *plateia* means a gypsum pit or kiln. (Fr. *platrière*). Possibly, however, *platea*, a street or open space, is intended.

² This was the only occasion on which the fourth Earl of Derby presided at Prescott Court Leet. The *Stanley Papers*, however, mention that "my

K.G., P.C., Steward. Frid. after C.C. (16 June) 29 Eliz.

JURORS: Henry Latham gent., Alexander Holland gent., Richard Worsley, Thomas Potter, Robert Plumpton, Lawrence Webster, Richard Shawe, George Lion, James Dytchfeild, Roger Haward, Peter Tarbocke, Hamlet Webster, Robert Wicke, William Aspes, George Tartleton, Thomas Woods, Thomas Tartleton.

ADMITTANCES. "Raph Houghton did surrender one messuage or tenement in the occupacion of William Lyme, with a bay of buildinge comonly called the parlor, to the vse of thafforesaid William Lyme and Elizabeth his wife for theire liues: way to the kill and to the well excepted for the said Raph" (A.B.) paying 12s. 6d. yearly to Ralph Houghton, and 2s. 6d. to the lord. 113

"William Leadbeter the younger did surrender a parcell of land wherupon to erecte a [bay] of buildinge neere the streete syde aboue the well lyinge neere [the east of] the dwellinge howse of the said William, to the vse of Robert Woosie and Catharin his wife for theire two liues" (A.B.) paying £1 yearly to Leadbeter. 114

"Roger Johnson did surrender one messuage or tenement with all lands and hereditaments therunto belonging in the occupacion of Ann Hey widdow, to the vse of William Hey [of Darby] his hayres and assignes foreuer" (A.B.) saving the right of Anne Hey, and particular remainders made by John Hey. 94

"William Leadbeter, Robert Woosie and Katherin his wife did surrender a parcell of land contayninge eightene yards in lenght [from a certayne hathorne by le mosse] and eightene foote in bredght [from the gate downe-wards] one way, and one and thertie yards in lenght and ten yards and a halfe in bredght an other way, to the vse of John [Tayleur]¹ blackesmith, his heyres and assignes foreuer" (A.B.), paying 10d. yearly to the lord. 96

"Henry Leadbeter did surrender one messuage or tenement, and a parcell of land therunto belonging, in the occupacion of William Leadbeter thelder, to the vse of George Lyon, his heyres and assignes foreuer." (A.B.) 49

L. rydde to Prescott" on Tuesday, 23 May 1587, about 3 weeks before this Court (Chetham Society, o.s., vol. 31, p. 29). Several circumstances account for his interest in Prescott at this time, namely, the revision of the terms of his lease of the Rectory on 28 Jan. 1586/7 (see pp. 9, 30), the attempt to establish a new market (see p. 301), and the crisis in the affairs of the Grammar School (see p. 300, and *Prescot Grammar School in Elizabethan Times*, Hist. Soc., v. 86. In preparation).

¹ A.B. incorrectly says *Tarleton*.

" Edward Birchall did surrender two bayes of buildinge, and a parcell of land therunto belonginge [*meared and marked out*], to the vse of Alexander Fraunce [of Whiston] his heyres and assignes foreuer " (A.B.) paying 12*d.* yearly to the lord. 60

" Richard Rigby did surrender one messuage or tenement with all crofts, gardens, lands and premisses therunto belonginge, in the occupacion of James Atherton, to the vse of thafforsaid James Atherton, his heyres and assignes, for sauinge harmeles the said James Atherton from one obligation wherin the said James stood bound with the said Richard to Thomas Webster, Schoolemaster " (A.B.) viz., for the joint payment of £42 at the feast of Purification, 1587, to Thomas Webster. 116

" Robert Hitchmough did surrender [for £12] all those messuages, howses, buildings, lands and hereditaments in the occupacion of Richard Leigh [*husbandman*] to the vse of George Lyon [of Eccleston, *tanner*] his heyres and assignes foreuer " (A.B.) saving the right of Richard Leigh. 62

" William Leadbeter did surrender a cottage [being one bay, in the occupation of Ralph Farehurst] and garden [measuring in length from the cottage to 3 yards from the dwelling house of William Leadbeter, and in breadth 6 yards at the west end of the said house and 5 yds. 1 ft. at the east end, in the occupation of the said William] to the vse of Henry Glest [of Halewood, *yeomann*] and Margery his wife, for tearme of their liues " (A.B.) after to William, elder son of Henry, and the heirs of his body, failing which, to John, younger son of Henry, and the heirs of his body, failing which, to Margaret, daughter of Henry, and the heirs of her body, failing which, to Thomas Woods and the heirs of his body, failing which to the right heirs of the said Margery; paying 4*d.* yearly to the lord. 117

AMERCEMENTS. For unlawful gaming: Thomas Potter, Edward Parker, William Green, Robert Woosey, James Ather [*sic*], Giles Lion, Anthony Patten, John Dychffield, Thomas Biesley, John Smith, James Dychffield, Henry Tayleur, Edmund Turner. In breaches of the peace: Henry Smith, Christopher Briekeman, Evan Pike, Richard Wilcocke, Robert Sutton, Giles Lion, Richard Buri, Lawrence Farclough, William Robertson's wife, Nicholas Gorsutch's wife. (3*s.* 4*d.* or 6*s.* 8*d.*)¹ For trespass with

¹ The amercements in this year are exceptionally large, but are in accordance with an order made in 1534 (see p. 82). Doubtless the presence of Lord Derby accounts for this.

swine: Henry Taylor, John Webster, James Atherton. (6*d.* each.) For insufficient fences: John Gouldicar, Richard Warburton, George Gorsutch. (12*d.*) For grinding with *whernes*: William Green, Henry Taylor, Edmund Turner, John Smith. (2*s.*) For refusing suit of mill: Henry Taylor (3*s.* 4*d.*) Edmund Turner (6*s.* 8*d.*) Thomas Bisley (1*s.*). William Williamson *alias* Robertson, for harbouring his sons, who are of evil conduct. John Gorsutch and his mother and sister, for committing felonies under the value of 12*d.* Roger Devias, for admitting an undertenant into his kiln. For ill conduct: George Gorsutch, Lawrence Pendleton, Elizabeth Garnett.

OFFICERS. Constables: John Dyschffeld, James Dytychffeld. Burleymen: Edward Houghton, Richard Marshall. Aletasters: Robert Plumpton, Edward Birshall. Affeerors: James Dytychffeld, Thomas Potter. Streetlookers: Oliver Frodson, Evan Stocke. Overseers of woods: Thomas Potter, James Dytychffeld, Edmund Turner, Edward Birshall. Clerk of the Market:¹ James Atherton. Coroner: Thomas Potter.

PLEAS. John Tallier *v.* Edward Glover, for detainue of *one mayer* worth 26*s.* 8*d.* Others named include: Richard Aspinwall *alias* Asmowle, Henry Halsall, Edward Houghton, Nicholas Rigby, Matthew Fennay, Edward Chadock, George Garnett, Edmund Turner and Margaret his wife, John Pyke of Eccleston, Isabella widow of Lawrence Gorsuche, Elizabeth widow of John Travers of Whiston, Katharine Stockley, John son of Henry Ballarde of Hyton, Henry Haslom of Prescott, Thomas Tallier, James Tallier, Ellen widow of John Knowles, Edward Angesdall, Anne widow of Richard Leighe, William Scaith, Henry Hunte, Hugh Webster, Jane widow of James Wackfyeld, Elizabeth Garnett, Janet widow of Nicholas Gorsuch, Robert Waynewright, Herbert Bolton, Thomas Singleton, Anthony Patten and Ellen his wife, Henry Goldicar and John Rogheley (executors for John Goldicar), John Worsley, John Webster of Prescott, Edward Goodicar, Elizabeth widow of William Pendleton, George Wane-wrighte, Evan Fynney, Richard Canne, Robert Cowper, Edward Canner, Roger Parre, John Cowper, Richard Sothworthe, Henry Blundell, Oliver Frodsham, Geoffrey Winstandley, Henry Tallier and Jane his wife, John David,

¹ This is the first record of the appointment of a Clerk of the Market at Prescott, and is evidence of the attempt to establish a Tuesday market in place of the old market on Sundays (see Appendix A).

Joan widow of William Wade clerk, George Gorsuche and Isabel widow of Lawrence Gorsuche (executors for Lawrence Gorsuche), John Alcock, George Damme, Alice Burghe, Brian Felles. (84 cases in all.)

JURORS BETWEEN PARTIES: Edward Parker, James Atherton, Ralph Fletcher, Richard Marshall, Evan Stock, John Lyvesley, Robert Powghten, Anthony Jackson, John Dycheffeld, William Lyme, Henry Mattheuwe, Thomas Bysley.

1588. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (7 June) 30 Eliz.

JURORS: Thomas Foxe gent., Richard Worsley, Thomas Potter, George Lyon, Robert Wycke, Thomas Woodes, Lawrence Webster, Ralph Fletcher, Thomas Tarleton, Hamlet Webster, Richard Shawe, Edward Birchall, Thomas Lyon, Alexander Franc, Roger Hayward, Edmund Turner, George Tarleton.

ADMITTANCES. "Alexander Holland gent. is dead, and Richard Holland his sonne [aged about 11 years] heyre of seuerall messuages, lands and hereditaments in Prescott." (A.B.)

"Thurstan Parr dead, and William Parr his brother [of full age] next heyre of one messuage or tenement in the tenure of Mathew Sutton." (A.B.)

"Richard Rigbie and James Atherton did surrender [for £23] one messuage or tenement lying neare the Sparrow lane, and all crofts, gardens, lands and hereditaments therunto belonging, in the occupacion of the said James Atherton and William Ollerton [miller], to the vse of thafforsaid James Atherton and Izabell his wife for their liues, afterwards to Jane Kenwricke¹ [of Eccleston] her heyres and assignes foreuer" (A.B.), James and Isabel paying 16s. yearly to Jane Kenwright.

"William Aspes did surrender [for £20] two messuages or tenements in the seuerall occupacions of Henry Hunte and widdow Guy, to the vse of William Norres [of Kerkbie, yeoman] his heyres and assignes foreuer, for warranty of 20 l. 2s. 4d. to the said William Norres" (A.B.) payable at the feast of Purification, 1594; saving the right of widow

¹ The roll has *Kenwright*.

Guy, or, in the event of her death, William Aspes, in one messuage for seven years. 71

"Raph Fletcher did surrender [for 40s.] one messuage or cottage in the occupacion of John Farrar, to the vse of Thomas Hayward [of Sutton, *husbandman*] and Jane Leadbeter [of Prescott, *spinster*] for tearme of theire liues" (A.B.) paying 4*d.* yearly to the lord, and one peppercorn yearly for 5 years, and thereafter 8s. yearly, to Ralph Fletcher. 57 (pt.)

"Edward Sutton gent. [son and heir of Ralph Sutton gent. dec.] and Euan Pyke [son and heir of John Pyke dec.] did surrender [for 100 marks] all those messuages, cottages, buildings, killnes and hereditaments in the occupacion of John Taylor [of Prescott, *blacksmith*], and three closes called the Browns Croft, the Middlest Croft, the Crosse Croft, one burgage and a buildinge in Chesley feild, and one cottage neere the Brownes Croft, all in the occupacion of William Greene [of Prescott] to the vse of John Worsley [of Prescott, *tanner*] his heyres and assignes foreuer." (A.B.) Thomas Pyke, younger brother of Evan, claimed the said tenements, and a day was given for a hearing. 88-93

"Raph Fletcher did surrender [for £5] a parcell of land called Fletchers Heigher Croft, containyng about an acre of land, to the vse of Richard Shawe [of Prescott; *to pasture, herbage and mowe only*] for tearme of seaven yeares" (A.B.) paying 1*d.* yearly to the lord. 58

"Hugh Webster did surrender [for £6] one messuage or tenement in the occupacion of Katherin Webster [widow of Alexander Webster] and one bay of buildinge in the occupacion of Siluester [Webster,¹ brother of Hugh] and the reuercion of a messuage or tenement in the occupacion of Margrett Webster [mother of Hugh], to the vse of Thomas Webster [brother of Hugh] his heyres and assignes, for warrantie of 6 *li.* to be paid att fower dayes [in 1588, 1589, 1590 and 1591, between 1 p.m. and 3 p.m. on Christmas Day, in the south porch of the parish church] by equall porcions" (A.B.) paying yearly to the lord 6*d.* for the first tenement and bay, and 3s. 2*d.* for the other messuage, and 3s. 2*d.* yearly to Henry Latham gent. 112

"William Leadbeter the younger did surrender one messuage or cottage in the occupacion of George Washington [of Prescott, *laborer*], to the vse of Edward Pyke,

¹ A.B. incorrectly says *Siluester Haward*.

sonne of John Pyke [of Prescott, dec., *yeoman*] his heyres and assignes foreuer" (A.B.) paying 2*d.* yearly to the lord.

79

Confirmation of an agreement made between Richard Webster of Prescott and Margery Webster his mother, "that shee the said Margerie should for her parte or porcion of the messuage or tenement of him the said Richarde in Prescott afforsaide, haue, hould and enioy only these parcells, liberties and profitts followinge, duringe her naturall lyffe, to witt: All the lower end of the house from the lower flowre, savinge one chamber havinge a dore openinge into the streete; Item, six buttes of lande lyinge after Churchley feeld syde, from the one end to the other; Item, one garden steed in the orcharde; Item, free libertie to goe thorow the orcharde to the buttes afforsaid; Item, ffree libertie to goe thorowe one gate at the howse ende, when just cause shall require: yealdinge and paing to the lorde yearly xvii*d.* at the ffeast dayes accustomed: And makinge the halffe of the hedge after Churchley feeld afforsaide."

61

AMERCEMENTS. In breaches of the peace: George Orme, Robert Leadbeter, Matthew Fenney, Thomas Hardman, John Glover, Thomas Houghton, [blank] Brombill, Thomas Worsley, William Alcocke, Nicholas Marshall, John Worsley, Thomas Fletcher, John Bennet, Gilbert Jackson, Thomas Biesley, Henry Haslom. (12*d.*, 2*s.*, or 3*s.* 4*d.*; 4*s.* for an assault on the constable.) For unlawful gaming: Thomas Potter, Edward Parker, William Greene, John Smithe, James Dychfeelde, Richard Berie, Edward Chadocke, James Atherton, William Hornbie, Robert Wowsie, Evan Stocke, Robert Yeowde, Giles Lyon, Anthony Patton, John Dychfeelde, Robert Poughden, Thomas Biesley, Edmund Turner, Henry Hunte. (6*d.* to 3*s.* 4*d.*) John Webster, for taking 6 trees in the wood without licence. (13*s.* 4*d.*) Thomas Meade, Vicar, for insufficient fencing in his tenement. (12*d.*) Ralph Ashton, for receiving as an undertenant George Tapley, who has been forbidden to reside in Prescott. William Greene, for *an inmake* harboured by Henry Leadbeter his undertenant.

ORDERS. "That John Webster shall, at his owne charges, sinke and make a convenient well in a convenient place before his dwellinge howse, before our Ladyes day in Lent next; the same well to be and conteyne in depthe

vj yardes, and to be furnished at the charges of thinhabitants, before Pentecost next; at the consideracion and ouersight of the foure men; vppon payne of xxs., to be levied vppon the said Webster if he make defaulte." 34

"That whosoeuer dothe hereafter receave or accept George Tapley into his house to inhabite, without the assent of the foure men, shall forfayte for euery yeare he there continuethe vjs. viij*d*."

"That An Garnet, now resetted and remayninge at one tenement in the tenure of Henry Leadbeter, shall departe and remove out of the towne before midsomer next; and if any person do harbor or permitt her to continue after that tyme, to forfaite for euerye night xij*d*."

OFFICERS. "Cunstables: Thomas Biesley, James Talier. Alefounders: Edward Birshall, Richard Marshall. Barleymen: Raphe Fletcher, Richard Shawe. Coroner: Thomas Potter. Woodlokers for the Lord: Thomas Potter, Edward Birchall, Edmund Turner, James Dychfeeld. Streetlokers: Edward Chadocke, John Davie. Fearers: Richard Worsley, Thomas Biesley."

PLEAS. Alice Pryce *v.* Ellen Knoles and Henry Haslom, for £5 damages for trespass on the case. (Not guilty.) Others named include: Peter Wetherbie, Richard Southworthe, Edward Glover, Catherine Olerton *alias* Stocley, Edward Scarsbricke and Isabella his wife, William Devias, William Leadbeter jun., Edward Houghton, Nicholas Rigbie, Hamlet Woodes, Thomas Talier, John Alcocke, Thomas Marche, George Gorsuche, William Hollande, Lawrence Farecloughe, William Greene and Ellen his wife, Ellen Gouldicar, Margery Blundell, James Caton, Ellen Hoult, John Glover jun., Elizabeth Wackfeeld, Richard Gleaste, Geoffrey Winstandley, Anne Formbie, William Rutter, Ralph Forde, John Lienesley, Roger Hawarde, Anthony Jacson, Richard Warburton, Hugh Talier. (34 cases in all.)

JURORS BETWEEN PARTIES: Edward Parker, William Hornbie, John Davie, Richard Marshall, Henry Gouldicar, Richard Berie, Anthony Patton, John Plume, Henry Mathew, Evan Stocke, Thomas Carter, James Talier.

1589. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (30 May) 31 Eliz.

JURORS: John Ogle gent., William Eltonhead gent., Richard Worsley, Thomas Potter, Lawrence Webster, Thomas Woods, Thomas Lyon, George Lyon, Thomas Symond, Hamlet Webster, James Dychfylde, Roger Haward, Richard Shawe, Edmund Turner, Peter Tarboke, Robert Wycke, John Worsley.

ADMITTANCES. "John Webster is dead, and John Webster his sonne heyre of one burgage with certaine lands, orchards, gardens and hereditaments therunto belonging." (A.B.) 34

"Edward Birchall is dead, and John Birchall his sonne heyre of a burgage" etc., as before. (A.B.) 108

"John Taylor is dead, and John Taylor his sonne next hayre of a parcell of land with thappurtenances in Prescott." (A.B.) 96

"Margery Gleast is dead, and William Gleast her sonne next heyre of one cottage and a parcell of land with thappurtenances in Prescott." (A.B.) 117

"John Worsley did surrender all his messuages, lands, tenements and hereditaments in Prescott which hee bought of Edward Sutton gent. and Euan Pyke, in the occupacion of the said John Worsley and James Taylor, to the vse of himselfe for life, afterwards to Ann Fells his supposed [*sic*]¹ wife [daughter of Milicia Felles of Bidston in Cheshire, *yeoman*] if they happen to marry together, for her life, if shee soe longe keepe her selfe a widdow [and of good conduct], afterwards to the heyres of the body of the said John vpon the body of Ann lawfully begotten, and for want of such issue, to the heyres and assignes of the said John." (A.B.) 88-93

"Thomas Woods and Ellen his wife (the said Ellen beinge solely examined), did surrender one messuage or tenement in the occupacion of Edward Edwardson [*blacksmith*], to the vse of the said Edward Edwardson, for tearme of the liues naturall of the said Thomas and Ellen" (A.B.) paying 16s. and *tow daies shearinge* yearly to the said Thomas and Ellen. 47 (pt.)

"Edmund Turner did surrender [in consideration of the marriage between Thomas Orell of Orell, *yeoman*, and Jane, the natural daughter of the said Edmund] two tenements with thappurtenances, the one in the occupacion of the said Edmund, the other, called Cookestow howse, in the occupacion of Thomas Hardman; to the

¹ Perhaps "espoused" is meant.

vse of himselfe for life; afterwards that tenement in his owne occupacion to the vse of Thomas Orrell and Jane his wife, and the heyres of theire bodyes lawfully begotten, and for want to his owne right heyres; the other tenement to the vse of Margrett his wife for her life, afterwards to the said Thomas and Jane, and the heyres of theire bodyes, and for want to his owne right heyres." (A.B.)

32-3

"Richard Worsley did surrender one messuage or tenement in the occupacion of Thomas Potter [*merc*er], one other in his owne occupacion, one cottage in the occupacion of Edward Goodicar, and one acre in Churchleyfeild¹ [in his own occupation], to the vse of himselfe and Ales his wife for theire liues, afterwards to John Worsley his sonne and Ann, wife of the said John, and the heyres of John vpon her body lawfully begotten, and for want of such issue, to the said John, his heyres and assignes; prouided Thomas Potter and Ann his wife may enioy theire estate for theire liues," paying 20s. yearly. (A.B.)

27-30

"Richard Holland did surrender one messuage or tenement called Mill hill howse [in his own occupation], to the vse of Margrett Tildisley widdow and Henry Conney the younger [of Knowsley, gent.], for tearme of the said Richard Holland's life; prouyded if Ann Holland [daughter of Richard] doe pay 6*l.* [before Michaelmas next, to the said Margaret and Henry], then the same to remaine to her." (A.B.)

44

"Jane Kenwricke did surrender one messuage or tenement in the occupacion of William Allerton [of Prescott, miller], to the vse of her selfe for life, afterwards to Thomas Kenwricke [eldest son of George Kenwricke of Prescott, *moltmaker*, dec.] and the heyres males of his body lawfully begotten; and for want to Peter Kenwricke [son of the said George] and the heyres males of his body lawfully begotten; and for want to John Kenwricke [youngest son of the said George] and his heyres foreuer" (A.B.) paying 2s. yearly to the lord.

116

"William Leadbeter did surrender one yard and a halfe of land in bredght, and in lenght from the garden to the cottage of Margery Gleast [of Hailewoode], to the vse of the said Margery, her heyres and assignes foreuer" (A.B.) paying 1*d.* yearly to the lord.

117 (pt.)

Thafforesaid William did surrender the messuage or

¹ The roll has *Chrughleyfylde*.

tenement aboue which hee liueth in,¹ to the vse of the said Margery, her heyres and assignes foreuer, for warrantie of 48s. to the said Margery." (A.B.) 51

AMERCEMENTS. In breaches of the peace: Thomas Houghton, Ralph Ashton, Gilbert Jacson, Henry Haslam, George Ackers, George Wanwright, Matthew Woodfall, John Glouer, Evan Picke, Edmund Windstandley, Thomas Talior, Henry Goldikar, Evan Stocke, Edward Choner, Richard Dychfeld, Richard Sharock, Richard Bury, William Skate (also called Scathe), John Bold, John Bennett, Edward Chadocke, Thomas Garnett, Henry Halsall, Richard Male, Peter Bradshawe, Robert Leadbeter, Hugh Webster, Thomas Sutton, Robert Lee, James Kennion, Richard Houghton, George Wilcoke. (12*d.*, 2*s.* or 3*s.* 4*d.*) For unlawful gaming: Thomas Potter, Edmund Turner, James Dychfelld, Thomas Bisley, Anthony Patten, Richard Burie, Edward Parker, Richard Warbutton, William Hormbie, Robert Woosie, Richard Dyschfelld, John Dychfelld. John Heye's wife, "for receitinge Ales the Mankswoman"; and Anne Holland, "for receitinge of vacabonds or vagrant persons." (2*s.* "and to sitt in stocks on markett daye" at the Deputy Steward's pleasure.) Birchall's wife, "for receitinge iij wermen which be nowe in hould." John Webster, "for keepinge vnlawfull hedges." (3*s.*) John Goldikar's wife, "for keepinge open hedges betwixt Katharene Wanwright and her, and stryinge her gardene." (2*s.*) The names "of thom the Baliffe can fynd no goods to leaue on": Henry Haslam, George Gorsuche, William Leadbeter sen. "The wyfe of Thomas Hardman, to haue receaued a certaine quantitie of wheat flower of a seruant of William Hormbie."

ORDERS. "That noe inhabitaunce or theire servants shall cast anie broken peeces of potts into the heighe waies or open strets, for hurtinge horses or other cattell trauelinge the heighe waies or streats," on pain of 12*d.*

"That noe customarie tennants or vndertennants shall defraude the lord or other officer of there lawfull toule, in byinge of anie cattell, stufte or other wares for anie forreners or strangers, which ought not to be towle free by the custom of Prescottt," on pain of 12*d.*

OFFICERS. Constables: Richard Marshall sen., Thomas Bisley. Burleymen: Henry Goldiker, Edward Houghton.

¹ The roll has "*supra* quod ipse nunc habitat."

Woodlookers: Thomas Potter, Richard Shawe, Edmund Turner, James Dychfelld. Aletasters: Robert Plumptton, William Leadbeter. Affeerors: Lawrence Webster, Thomas Potter. Streetlookers: Thomas Carter, William Hormbie.

PLEAS. William Olerton *v.* Philip Atherton, executor for James Atherton dec., for £4 debt. ("This some beinge due by bill, the Jurars doe finde it dewe debt.") Lawrence Webster *v.* Richard Berie and Thomas Talier, executors for John Talier dec., for £3 debt. ("Of this some xlviijs. is founde dewe debt.") Edward Houghton *v.* Anne Webster, executrix for John Webster dec., for detinue of *one paire of wheels* worth 8s. (Acknowledged.) William Lyme *v.* William Leadbeter jun., for detinue of *one worke of colles to the valew of iijs.* (2s. 8d. allowed.) John Dychfelld *v.* Thomas Talier and Richard Berie (as above), for detinue of *one saddle and sursingle* worth 5s. Richard Rigbie *v.* George Wainwright, for detinue of *2 works of colles* valued at 6s. (5s. 4d. allowed.)

Others named include: Roger Bullocke, Catherine Southworthe widow, Richard Fairhurst, Henry Fairhurst, Edward Angsdayle, William Mullinex, Thomas Lyon, Anthony Jackson, Margaret Webster, Margery Blundell, Hugh Greene and Thomas Webster (executors for William Greene dec.), Roger Parr, Edward Scarsbricke, Evan Finnie, Anne Rutterforthe, John Corbett, Thomas Cokeran, George Gorsuche, John Tildsley, John Gorsuche, Elizabeth Greene, Thomas Pycke, Jane Kenwright, Edward Glover, Godfrey Atherton, William Answorthe, Peter Knowles, Hugh Webster and Alice his wife, John Pearte, Thomas Blundell's wife, Ellen Gouldicar, Anne Martindaile, Henry Leadbeter, Ralph Orrell, Henry Pendleton, Edward Chadocke and Anne his wife, Ellen Knowles, Edward Birchall, John Alcocke, Anne Holland. (70 cases in all.)

1590. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE, held before Edward Sutton, gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (19 June) 32 Eliz.

JURORS: Hugh Jollibrand gent., Richard Worsley, Thomas Potter, Robert Plumptton, Thomas Woods, Lawrence Webster, Ralph Flescher, Richard Shawe,

George Lyon, James Dychfyld, Thomas Lyon, Robert Wycke, Roger Haward, William Leadbeter, John Worsley, Thomas Symond, Edward Stockeley, Alexander Fraunce, Ralph Houghton, George Tarleton.

ADMITTANCES. "William Prescott is dead, and Robert Prescott his sonne heyre of seuerall messuages, lands and hereditaments." (A.B.) 45

"Henry Taylor is dead, and James Taylor his sonne heyre of seuerall messuages" (A.B.), saving the right of Jane Taylor, widow of Henry, in one messuage by a former surrender. 95

"Thomas Hyne is dead, and Richard Hyne his sonne next heyre of certaine shoppes and one cottage with thappurtenances in Prescott" (A.B.), saving the right of Catherine and Anne Hyne for their lives. 87

"Richard Rigbie did surrender all those messuages, gardens, orchards, lands and hereditaments in the seuerall occupacions of Richard Marshall and widdow [of Robert] Wainwright, to the vse of Thomas Glover [of Rainhill] his heyres and assignes foreuer" (A.B.) saving the right of Richard Marshall in part of the premises. 67

"James Ditchfeild did surrender one messuage, tene-ment and garden in the occupacion of William Allerton [miller], to the vse of Thomas Ditchfeild [his son] and Ann his wife, and the heyres of their bodyes lawfully begotten, and for want of such issue, to the right heyres of James Ditchfeild foreuer." (A.B.) 63 (pt.)

"John Webster did surrender the third parte of his messuage, lands and tenements, to the vse of Ann Webster his mother, for tearme of her life, if shee soe longe liue a widdow sole and vnmarried." (A.B.) 34 (pt.)

"Thomas Potter [*marcer*] did surrender [for £25 paid to Richard Potter his son by John Boyer, one of the sons of John Boyer of Prescott dec.] one barne of three bayes [near the clay pytt], one shopp and a sellar vnder it [by the churchyard], and three other bayes of buildinge neare the tenement of William Lyne, to the vse of himselfe and Ann his wife, for tearme of the naturall life of the said Ann, afterwards to the vse of John Boyer and his heyres foreuer." (A.B.) 23-5

"James Dychfeild did surrender three bayes of buildinge comonly called the workehowse,¹ [one] lower flower excepted, and the yoards, orchards and gardens therunto

¹ The roll has, in English, the same name.

belonginge, to the vse of himselfe and Margrett his wife for theire liues, after to Richard Ditchfeild [his son] and Katherin his wife and the heyres of the said Richard lawfully begotten, and for want to John Ditchfeild [another son of James], and the heyres of his body lawfully begotten, and for want to the heyres of James foreuer." (A.B.) 63

" Henry Conney the younger and others¹ did surrender one messuage or tenement called the myll hill howse [in the occupation of the said Henry Conney, Margaret Tyldsley and Anne Hollande or their assigns], to the vse of Edward Parker, his heyres and assignes foreuer." (A.B.) 44

" Richard Holland did surrender his tytle and clayme of and in one messuage or tenement in the occupacion of Ann Holland [late his wife], to the vse of Ann Holland his daughter, his heyres and assignes foreuer." (A.B.) 43

" Hugh Webster and Thomas Webster did surrender [for £4] one messuage or tenement in the late occupacion of [the wife of] Alexander Potter, to the vse of Thomas Woods and his heyres foreuer, for warranty of 4*li.* to the said Thomas Woods " (A.B.) to be paid on 1 Aug. following, in the south porch of Prescott Church, between 1 and 3 p.m. 112

" William Leadbeter the younger did surrender [for £11] one messuage or tenement in the occupacion of Robert Woosie [of Prescott, *showmaker*] to the vse of James Cropper [of Eccleston, *claypotter*] his heyres and assignes foreuer " (A.B.) saving the right of Robert Woosie and Catherine his wife; paying 4*d.* yearly to the lord. 114

" Richard Webster did surrender [for £10, and a further £20 to be paid in 1594] one messuage or tenement in the seuerall occupacions of Richard Webster and Margery Webster widdow [his mother], to the vse of Thomas Lyon [of Wooffall, *tanner*] his heyres and assignes foreuer, for warranty of *xli.* to the said Thomas Lyon " (A.B.) payable within 4 years, saving the right of Margery Webster as before defined.² 61

AMERCEMENTS. In breaches of the peace: George Tapley, Henry Hasalam, William Abote, Richard Taylier, Matthew Cowley, John Bennet, John Whitechers, Hugh

¹ The roll gives Margaret Tyldsley, but is then torn away. See the surrender by Richard Holland in 1589.

² See p. 240.

Webster, Evan Stocke, William Lyon, Edward Jamson, Nicholas Laylande, Thomas Lathum, Ralph Heyton, Gilbert Prayse, Evan Pycke, Thomas Dychfelld, William Leadbeter, Richard Warbutton, Richard Dychfelld, William Turner, Humphrey Raylaunce, Thomas Darbishire. (12*d.* or 3*s.* 4*d.*) Evan Finie ("by direction from the foure men") "for fallinge a powle in Prescott Wood vpon Easter day last."

ORDERS. "That Ellen Knowles shall make the hedge directly in the accustomed place, to the sight of the foure men, betwixt this and Candellmas," on pain of 13*s.* 4*d.*

"That no tenant or inhabitant within the Towne of Prescott shall gett ani stones vpon anie wast grounde within the Towne of Prescott, vnder anie mans wall or hedge, to the anoiaunce of his neighbour," on pain of 2*s.* 6*d.*

OFFICERS. Constables: Thomas Woods, John Davie. Burleymen: Edmund Turner, John Plumbe. Woodlookers: Thomas Potter, James Dychfelld, Edmund Turner, Richard Shawe. Aletasters: Alexander Wythington, Robert Poughden. Affeerors: Richard Worsley, Thomas Potter. Streetlookers: Robert Wooseye, Richard Leadbeter.

PLEAS.¹ "Lavrance Pare shall mende his worcke to Ketyryn Stocley, and then to reseve of Kateryn xiiij*d.*" "Crysell Goodacker wydowe her accyon agaynste Ellyn Goodacker widowe. We finde that Ellyn shall paye Crysell xxijs." Others named include: Thomas Taylor, George Orme, John Sutton, William Hornebe, Robert Prescott, Ellen Frodsam, John Kenyon, John Webster's widow, Grace Ellam, Edward Canner, [blank] Pery, Richard Gleaste, Edward Chadocke. (15 cases in all.)

BILL OF DEBT dated 25 June, 30 Eliz. (1588) sealed and signed by Ellen Goodacre of Prescott widow, acknowledging a debt of 20*s.* to be paid to Edward Goodacre of Prescott, *husbandman*, on or before the feast of St. John Baptist next. It is also signed by Crysell Goodacre, and bears a note of execution "By me Ry Boyar." (Original document, filed with the roll, perhaps bearing on the case noted above.)

¹ These are written very hastily, in irregular form, and in English.

1591. PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE held before Edward Sutton gent., Deputy Steward under Henry, Earl of Derby. Frid. after C.C. (4 June) 33 Eliz.

JURORS: Thomas Potter, Edmund Turner, Robert Plumpton, Robert Prescott, Thomas Wooddes, Lawrence Webster, Edward Stockley, Ralph Fletcher, Richard Shawe, George Lyon, Roger Haywarde, Robert Wycke, Alexander France, John Tarbocke, Hamlet Webster, James Talyor, John Worseley, Thomas Lyon.

ADMITTANCES. "Henry Conney thelder gent. is dead, and Henry Conney his sonne next heyre of a messuage and tenement, and an acre of land" adjacent. (A.B.) 18

"Peter Torbocke is dead, and John Torbocke his sonne heyre of diuers lands and tenements with thappurtenances in Prescott." (A.B.) 121 (pt.)

"Edward Edwardson did surrender one messuage or tenement in his owne occupacion, to the vse of Thomas Halsall [of Prescott, *blacksmith*] for tearme of the liues naturall of Thomas Woods and Ellen his wife" (A.B.) as limited by a surrender made by them to Edward Edwardson.¹ 47 (pt.)

"Thomas Forshaw [*laborer*] did surrender one messuage or tenement, to the vse of himselfe for life, after to Jane Hey his sister [wife of Thomas Hey] her heyres and assignes foreuer." (A.B.) 66

"William Leadbeter the younger [*yoaman*] did surrender [for £4. 6s. 8d.] one messuage or tenement in the occupacion of John Kenion [or his assigns], to the vse of Gilbert Cropper [of Whiston, *salter*] his heyres and assignes foreuer." (A.B.) Gilbert Cropper having died since the making of this surrender, John Cropper is found to be his son and heir, and is admitted as tenant to the lord. 115

"Richard Webster [*talyor*; having made void the surrender of the previous year by payment of £10 as provided] did release [for £20] all his tytle in the messuage and tenement in the occupacion of the said Richard and Margery his mother, vnto Thomas Lyon [of Wulfall, *tanner*] his heyres and assignes foreuer; and did alsoe surrender all his howses, buildings and hereditaments now or late in the occupacion of Elizabeth Webster, to the vse of thafforesaid Thomas Lyon, his heyres and assignes foreuer." (A.B.) 61

¹ See the roll of 1589 (see p. 242).

AMERCEMENTS. In breaches of the peace: George Stanley, John Alcoke jun., Thomas Carter jun., Henry Hasleman, George Waynewright, Giles Lyon, William Leadebeter, John Webster, Thomas Garnet, Evan Stocke and Ralph his son, Edward Chadocke. (12*d.* for each *huble shoffe* or *tusle*; 2*s.* for each affray, and for a *tusle* in the churchyard; 3*s.* 4*d.* for each affray with bloodshed.) John Goldycar's wife, for neglect of fencing between her and Philip Laton gent. (12*d.*) Robert Poughton, for the like between him and John Alcocke. (6*d.*) The wife of Thomas Crosse of Hyeton, for selling *vnleavened breade*, contrary to statute. (6*d.*) Thomas Meade gent., Vicar, for causing divers *younge ploynts* in *le Prescott Woodd* to be felled by his then servant William Sceethe. (2*s.*) Thomas Dychefeyld, for settling two women in his house in Prescott by *le Prescott Mosse*, without licence of the Steward or the Four Men of the town. (3*s.* 4*d.*) John Knowle's wife, for harbouring a woman as *an inmake* without licence. (12*d.*) Matthew Sutton and Ellen Frodshame, for the like. (12*d.* each.) Thomas Talyor, for settling a man named Howclyff in a cottage without licence. (3*s.* 4*d.*) John Davye, for settling Henry Farehurst in his house without licence. (3*s.* 4*d.*)

ORDERS "set downe and establysshed by the Jurye afforsed."

"That William Eltonheade shall repayre, or cause to be repayred, the house wherein the wyef of Nicholas Gorsuche inhabytethe," before "the feast of the byrthe of our lord God" on pain of 13*s.* 4*d.*

"That John Davye shall repayre . . . the house of Edward Pyke," likewise.

"That Thomas Talyor shall advoyde and put owte of his house one fellowe caled Howclyeff," before Michaelmas, on pain of 6*s.* 8*d.*

"That John Davye shall advoyde . . . Henry Farehurst," likewise.

"That Ellen Frodshame shall advoyde . . . one certeyne woman," likewise.

"Whereas the Balyef of Prescott hathe bene dyuers tymes at the house of the wyef of John Knowle, to thentent to have made leavye for certeyne debts agaynst her heretoffore in this court recouered, and could not at any tyme fynde any goodes at all to make leavye vpon, yt ys therefore further ordered by the Jurye that the owner and

landlorde of the same house shall paye all the same debts soe recovered, orels shall advoyde and put the sed Knowles wyf owte of and ffrom the same house " before Michaelmas, " accordinge to the custome and orders heretofore sett downe."¹

OFFICERS. Constables: John Worseley, Thomas Beeseley. Burleymen: Henry Hunt, Richard Marshall. Aletasters: Henry Mathewe, Edward Chadock. Street-lookers: Thomas Haywarde, Edward Leadebeter. Four Men: Thomas Potter, Edmund Turner, James Dyche-feylde, Richard Shawe. Coroner: Thomas Potter. Sealers *de le Lether*: John Davye, Evan Stocke. Affeerors: Edward Parker, Thomas Potter.

1592.² PRESCOTT. COURT WITH VIEW OF FRANKPLEDGE held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby, and Roger Goad, Provost of King's College, Cambridge, with his colleague Mr. Hill. Frid. after C.C. (29 May) 34 Eliz.

JURORS: John Ogle gent., Thomas Potter, Edward Stockley, Lawrence Webster, Alexander France, Thomas Woods, James Talier, Henry Coney gent., Ralph Houghton, Robert Plumpton, James Dychfeild, Thomas Lyon, Edward Parker, John Webster, William Elton-heade.

ADMITTANCES. " Richard Symond is right heyre of all those messuages, lands and tenements which Margrett Symond his mother held for her life " (A.B.), paying 2s. 2d. yearly to the lord.

109-11

" Robert Wyke is dead, and Peter Wyke his sonne next heyre [aged above 20] of one burgage or cottage " (A.B.) paying 2s. yearly to the lord.

70

" Ann Hey is dead, and William Hey her sonne next heyre [aged above 21] of one burgage or cottage " (A.B.), paying 6d. yearly to the lord.

94

" William Parr [of Leuerpole] did surrender one messuage or tenement in the occupacion of Mathew

¹ See the order of 1546 (p. 102).

² For the Provost's memoranda in connection with this court, see p. 304-5. This is the first record of the attendance of a Provost at Prescott court since 1514 (p. 79), for Prescott was not included in the Provost's annual circuit (p. 3). No such visitation occurred again until 1721. Dr. Goad had received sundry complaints, from 1578 on, respecting the state of Prescott (pp. 295-304). In a letter dated 18 Jan. 1591/2, preserved at King's College (1. V. 24), the Vicar had urged an appeal to Lord Derby "to loke to the good order of the towne of Prescott, for his deputie steward dothe vs littell good."

Sutton, to the vse of John Alcocke of Eccleston [*yeoman*] and his heyres foreuer, for warranty of 6*l.*" (A.B.) payable in Prescott church at Pentecost, 1598. 73

" Thomas Lyon [of Woofall, *tanner*] did surrender one messuage or tenement in the seuerall occupacions of Richard Webster and Elizabeth Webster, to the vse of George Lyon of Eccleston [*tanner*] for his life, remainder to Richard Lyon [younger son of George] and the heyres of his body lawfully begotten " (A.B.), failing which, to William Lyon, elder son of George, and his heirs, failing which, to the heirs of George Lyon hereafter begotten, failing which, to John Lyon, son of George, and his heirs, failing which, to George, son of the said Thomas Lyon, and his heirs, failing which, to the right heirs of the said George Lyon the father; saving the right of Margery Webster, mother of the said Richard Webster, to part of the premises surrendered to her use by Richard Webster.¹ 61

AMERCEMENTS. " The Jurie doth present one howse, one kytchen and a garden erected and builded vpon the waste called the mylne hyll." Thomas Talier and Catherine his wife, " for mainteyninge and keapinge a man called Houcliffe, contrarie to an order made the last Court, vpon payne of 6*s.* 8*d.*" " Mr. Thomas Meade, his servants and workemen, for falling of trees in Prescott woode to cover cole pitts and make stakes for hedges." (6*s.* 8*d.*) " Mr. Philip Layton his colliers, for fallinge of trees in Prescott woode for timberinge of cole pitts, propps and stakes." (6*s.* 8*d.*)

In breaches of the peace: Evan Stocke, Richard Burie, John Davie, Richard Aspes, Evan Finie, William Leadbeter, Robert Prescott, Thomas Mathew, Hugh Webster, Robert Wilson, Edward Angsdaille, Richard Webster, Nicholas Worthinton, Richard Marshall, John Glover, Henry Haslom, Ralph Asley, Evan Pyke, Edward Standishe, William Wainwright, Thomas Pyke, Peter Bradshaw, Alice Pryce, Richard Aspes, Andrew Hey, Thomas Orrell. (12*d.*, 2*s.* or 3*s.* 4*d.*)

" The Court doth awarde that Raffe Houghton, for his misdemanor in the face of the Courte, shall paye iijs. iiij*d.*" Lawrence Webster and Richard Worsley likewise. (3*s.* 4*d.* each.)

ORDERS. " That John Ogle gent. shall repaire one

¹ See p. 240.

howsse standinge in the churchyarde syde," before 1 May, on pain of 6s. 8d. 13

"That Ellen Goldiker widow shall repaire the decayd howse wherin she dwelleth, with the barne there vnto belonging," before 1 May, on pain of 10s. 85

"Thomas Symonde to repaire his howsinge" likewise.

OFFICERS. Constables: Edward Stockley, James Talier. Four Men: Thomas Potter, James Dychfeild, Richard Shawe, James Talier. Burleymen: Robert Plumptre, Richard Marshall. Aletasters: Edward Angsdayll, John Plum. Streetlookers: John Webster, Richard Marshall. Coroner: Thomas Potter. Sealers of Leather: John Davie, Nicholas Marshall. Affeerors: Lawrence Webster, Thomas Potter.

PLEAS. Henry Goldiker *v.* Richard Worsley and Ellen Goldiker, for 26s. 8d. for trespass. ("Henrie to have the meadowe till Candemas, paying for the same as his promys was.")

Others named include: George Lyon of Rainforth, Edward Glover, John Whitikers, John Worsley, Thomas Carter, Ellen Hault, Jane Barnes, Geoffrey Winstandley, Roger Devias, Edward Sutton, Nicholas Yate, George Sumner, Edmund Lyon, Catherine Frodsom, Ellen Knowles, Richard Houghton, Anthony Patton, Thomas Glover, William Spencer, Giles Lyon, Francis Watmoughe, Edmund Turner, Richard Dychfeild, Thomas Beisley, William Foster, Roger Hurste, James Kerkdoe, Anne Chadocke, the executors for John Webster dec., Ellen and Isabel Par (executors for Hugh Par dec.), Robert Wosie, Henry Ledbeter, Crissala Gouldiker, Robert Gorsuch. (49 cases in all.)

JURORS BETWEEN PARTIES. Ralph Fletcher, Richard Warburton, William Hornby, Richard Burie, Richard Marshall, John Dychfeild, Thomas Dychfeild, William Lyme, John Plum, Alexander Whithington, Edward Houghton, Anthony Jacson, Richard Shawe.

1593. COURT OF PRESCOTT AND VIEW OF FRANKPLEDGE, held before Edward Sutton gent., Deputy Steward for Henry, Earl of Derby. Frid. after C.C. (15 June) 35 Eliz.

JURORS: Thomas Fox gent., Henry Coney gent., William Eltonhead gent., Thomas Potter, John Webster,

Robert Plumpton, Thomas Woodes, Hamlet Webster, John Worsley, Thomas Lyon, George Lyon, Thomas Glover, Ralph Fletcher, James Dychfeeld, Richard Shawe

ADMITTANCES. "William Hey is dead, and George Hey his sonne [aged 6 years] and next heyre of one messuage or cottage with thappurtenances in Prescott." (A.B.) 94

"Robert Prescott [late of Prescott] did surrender two messuages or tenements in the seuerall occupacions of Anthony Jackson and Robert Whitlowe, to the vse of George Jackson [son of Anthony] for xxj yeares" (A.B.), paying 12*d.* yearly to Robert Prescott.¹ 45

"Thomas Hey and Jane his wife [she being solely examined] did surrender one messuage or tenement in the occupacion of Richard Marshall thelder, to the vse of Nicholas Marshall [of Prescott, shoemaker], his heyres and assignes foreuer" (A.B.), saving the right of Thomas Forshaw for life. 66

"Richard Symond did surrender all his messuages, lands, tenements and hereditaments in Prescott, to the vse of Thomas Symond his younger brother, for tearme of xxj yeares." (A.B.) 109-111

"John Ogle gent. and Roger Deuias clerke [who holds for his life] did surrender one messuage or tenement with thappurtenances in the seuerall occupacions of Edward Sutton [of Prescott, *husbandman*] and Richard Bury [of Prescott, *clockmaker*],² to the vse of Roger Deuias and Margery his wife for their liues, afterwards to the said John Ogle, his heyres and assignes foreuer" (A.B.), paying 4*s.* 8*d.* yearly to John Ogle; saving the right of Edward Sutton for life in two bays of new building with a small garden, paying 2*s.* yearly to Roger and Margery Devias. 15

AMERCEMENTS. In breaches of the peace: John Dychfeeld, John Gouldicar, Thomas Webster, Evan Pyke, Richard Webster, William Leadbeter, Evan Fynie, Edward Andsdaley, Ralph Barker, Richard Aspes, Anthony Patton, Nicholas Marshall, Evan Stocke, John Marsh, John Houghton, Thomas Derbishyre, William Washington, Evan Pyke, Gilbert Jacksonne or Pryce, Richard Rigbie, Henry Jolibrand, William Eccleston, George Wilcocke, Isabel Sumner, James Smythe.

¹ A.B. incorrectly says "to the lord."

² This reference seems to dispose of the theory that the clock and watch trade was introduced into the district by a Huguenot refugee. (V.H.L., iii, 353 n.)

(12*d.*, 2*s.* or 3*s.* 4*d.* Richard Atherton, for an affray on James Taylor, constable, 6*s.* 8*d.*) John Aspes, for calling out [*proclamavit*] the name of God in open court, fined by the Steward 12*d.*

OFFICERS. Constables: Thomas Dychfeeld, Henry Gouldicar. Four Men: Thomas Potter, James Taylor, James Dychfeeld, Richard Shawe. Burleymen: Richard Warburton, Edward Houghton. Aletasters: Richard Marshall, Alexander Wythnington. Streetlookers: Thomas Carter, William Leadbeter. Coroner: Thomas Potter. Sealers of Leather: John Davie, Nicholas Marshall. Affeerors: John Worsley, Thomas Potter.

PLEAS. Persons named include: Robert Bootle, Alice Chorleton, William Spencer, Henry Leadbeter, Richard and Cecily Denton, Edward Glover, Anthony Patton and Ellen his wife, Edward Fynie, George Sumner, Richard Wood, John Alcocke, John Livesley, George Gorsuch, Ralph Ashton, George Washington, Edmund Turner, Robert Woosey, Anne Chadocke, Thomas Orrell, Mary Ascrofte, William Williamsson, Edward Canner. (24 cases in all).

JURORS BETWEEN PARTIES. Ralph Houghton, John Dychfeeld, William Lyme, Thomas Dychfeeld, Thomas Halsall, John Davie, Ralph Terbocke, John Plume, Anthony Jacksonne, Thomas Jacksonne, Thomas Heyward, Richard Warbarton.

1594. VIEW OF FRANKPLEDGE AND COURT OF PRESCOTT, held before Edward Sutton gent., Deputy Steward for William, Earl of Derby. Frid. after C.C. (31 May) 36 Eliz.

JURORS: Henry Coney gent., William Eltonhead gent., Thomas Potter, John Webster, Lawrence Webster, Thomas Woods, Nicholas Marshall, Hamlet Webster, John Worsley, Thomas Lyon, George Lyon, Thomas Glover, Ralph Fletcher, Richard Shawe, Alexander France.

ADMITTANCES. "William Leadbeter is dead, and John Leadbeter his sonne [aged about 24] heyre of diuers messuages, lands and tenements in Prescott." (A.B.)

"Thomas Foxe gent. did surrender [in consideration of a covenant made between Thomas Lancaster Esq. of Rainehill and the said Thomas Foxe] one messuage or

tenement in the occupacion of Anthony Patton [of Prescott], to the vse of himselfe for life, after to the heyres of Ursule his daughter by Gabriell Lancaster gent. lawfully begotten, and for want of such issue, to the right heyres of the said Thomas Foxe foreuer, prouided it may be lawfull for Mr. [Foxe]¹ to graunte the premisses for 3 liues or 21 years [or under] in possession." (A.B.) 97

"Thomas Pyke [of Prescott, shoemaker] did surrender [for 20s.] one messuage or cottage in the occupacion of Edward Leadbeter [of Prescott, *colier*], to the vse of the said Edward Leadbeter, for his owne life and his wyues" (A.B.), paying 8s. yearly to Thomas Pyke. 77

"John Ogle gent. did surrender one messuage or burgage cont. 3 bayes [adjacent to the churchyard] in the occupacion of James Taylor [of Prescott], to the vse of the said James Taylor for 3 liues, [namely], Henry, James and William Taylor his sonnes" (A.B.) paying 6s. yearly to John Ogle. 13

"Richard Webster [son and heir of Hugh Webster dec.] did release all his estate vnto Lawrence Webster [of Eccleston] which hee had in any the lands or tenements which the said Lawrence had from the graunte of Hugh Webster." (A.B.) 54

"William Leadbeter did surrender one messuage or tenement in the occupacion of George Sumner, to the vse of Henry Prescott [of Eccleston, *taylor*] his heyres and assignes foreuer, for warranty of 3*li.* vjs." (*sic*) payable at Corpus Christi next in the church porch. (A.B.) John Leadbeter, son and heir of William, objected, and is to be heard at the next court. 50

"William Parr did release [for a certain sum] all his tytle and interest of and in all that messuage and tenement in the occupacion of Mathew Sutton, which hee had formerly surrendered to John Alcocke of Eccleston [for warranty of £6 payable at Pentecost, 1598], vnto the said John Alcocke, his heyres and assignes foreuer." (A.B.)

"Att this Court Phillipp Layton [gent.] assignee of Richard Fallowes, prayes leaue of entrance into certaine parcells of land" (A.B.) called waste demesne (*terre decassate dominicales*) lying in Rainforde, Sutton and Widnes within the parish of Prescott, under a warrant of the lord, made by Roger Goad, Provost of King's College,

¹ A.B. incorrectly has *Lancaster*.

Cambridge, under the seal of his office; holding the same to him and his heirs for ever.¹

AMERCEMENTS. For default of appearance: Henry Eccleston Esq., Richard Holland gent., John Taylor. (3*d.* each.) Philip Layton gent., for felling trees in the wood and with them making *rayles* in Ralph Fletcher's field. (3*s.* 4*d.*) In breaches of the peace: Hugh Webster, Richard Webster, Robert Prescott, Peter Bradshaw, Thomas Jackson, Thomas Byrom, James Smyth, Edward Edwardson, Thomas Rymer, George Washington and William his son, Edward Leadbeter, John Dychfeeld, John Barton, Richard and George Wilcocke, Richard Browne, John Browne, Philip Layton gent., George Houlme. (12*d.*, 2*s.* or 6*s.* 8*d.*; Pledges: Edward Angsdaye, Thomas Biesley, John Aspes, William Lyme, Philip Layton gent., Edward Leadbeter, Thomas Dychfeeld, Thomas Hardman, John Worsley, Edward Stockley.) Evan Pyke, for not repairing Catharine Stockley's house. (6*d.*)

ORDERS. Whereas Gilbert Pryce *alias* Jackson is a *comon drunkard and brawler*, the constables for the time being shall not allow him to carry any sword or dagger within the town.

"That noe person shall digg sand or earth² in the Sparrow lane, in paine of xij*d.* a tyme for euery default." (A.B.)

OFFICERS. Constables: Richard Warbarton, Evan Pyke. Burleymen: Thomas Carter, Robert Plumpton. Aletasters: Thomas Jackson sen., George Gorsuch. Streetlookers: Edward Angsdaye, Thomas Hardman. Woodlookers: Thomas Potter, James Dychfeeld, Richard Shawe, James Taylor. Coroner: Thomas Potter. Sealers of Leather: John Davie, Nicholas Marshall. Affeerors: Thomas Woods, Thomas Biesley. Clerk of the Market: Thomas Potter.

PLEAS. Persons named include: Thomas Bannester, Richard Holland, Thomas Derbyshire, Robert Plumpton (executor for William Leadbeter dec.), Robert Woosie, Catherine Dychfeeld, Edward Glover, Ellen Houlte, Henry Leadbeter, William Makyn, Robert Poughden, Evan Stocke, Richard Berie, John Singleton, Thomas Orrell and

¹ A.B. gives the above passage in the Latin of the roll. For particulars of these lands, see the Survey of 1592 (p. 46-8).

² *arenam*.

Jane his wife, Richard Aspes, Jane Higham, Thomas Dychfeild. (16 cases in all).

JURORS BETWEEN PARTIES. James Cropper, Anthony Jackson, William Lyme, Edward Leadbeter, William Orton, Richard Warbarton, John Lyveszey, Alexander Wythington, Thomas Jackson, Peter Wyke, Edward Andsdaye, George Gorsuch.

1595. VIEW OF FRANKPLEDGE AND COURT OF PRESCOTT, held before Edward Sutton gent., Deputy Steward for William, Earl of Derby. Frid. after C.C. (20 June) 37 Eliz.

JURORS: John Ogle gent., William Eltonhead gent., Thomas Potter, Thomas Woods, Lawrence Webster, Edward Stockley, John Worsley, Thomas Lyon, George Lyon, Ralph Houghton, Richard Shawe, James Dychfeild, Nicholas Marshall, Thomas Glover, Ralph Fletcher, Hamlet Webster, Alexander France.

ADMITTANCES. "James Ditchfeild and Thomas his sonne did surrender [for £11] one messuage or cottage and a garden in the occupacion of John Hey [of Prescott, *laborer*; late in occupation of William Olerton, late of Prescott, miller], to the vse of Richard Harrington [of Hyton Hey, gent.] his heyres and assignes foreuer." (A.B.) 63 (pt.)

"Richard Webster [of Prescott, *taylor*] Robert Cooke [of Prescott] and Anne his wife (shee beinge examined), Jane Webster and Cicely Webster [sisters of Richard] did surrender and releasse vnto George Lyon [of Eccleston, *tanner*] all theire tytle and interest of and in one messuage or tenement in the occupacion of the said George Lyon, Margery Webster [mother of Richard] and Margrett Birchall [widow] or somme of them" (A.B.), saving the right of Margery Webster to her part for life. 61

"Alexander France did surrender one messuage or cottage with a garden, in the occupacion of Katherin Wainwright spinster, to the vse of Hamlett Webster [of Knowsley, *tanner*] his heyres and assignes foreuer" (A.B.), paying 12*d.* yearly to the lord. 60

"Edward Parker did surrender one messuage or tenement in his owne occupacion, to the vse of Margrett Tildisley widdow, her heyres and assignes foreuer, yealdinge to the vse of Prescott Church¹ ijs. a yeare rent." (A.B.) 44

¹ According to the Survey of 1592, this rent was paid to the Grammar School (p. 38).

"William Cockett [holding for a term of years] did surrender and releasse vnto William Norres [of Kerkbie, *yeoman*] all his tearme and tittle of yeares of and in one messuage or tenement in the occupacion of Ales Hunte widdow." (A.B.) William Aspes objected, and a day was given. 71

"George Jackson did surrender all his tittle and interest of and in one messuage or tenement in the occupacion of Anthony Jackson [his father], to the vse of Robert Prescott [of Eccleston, gent.], his heyres and assignes foreuer." (A.B.) 45 (pt.)

"Phillip Layton gent. hath entered into the lord's free lands in Rainforth, Sutton and Widnes,¹ and converted them into coppinghold lands, to hould to him and his heyres foreuer." (A.B.)

PLEAS OF LAND. "At this Court Henry Prescott desires admittance of one messuage or tenement in the occupacion of George Sumner, which John Leadbeter gainesayed the last Court." (A.B.) John Leadbeter was called upon, and showed an old copy of a surrender to support his plea; Henry Prescott then asked for a trial by the homage, and a day was given.

Thomas Holcrofte and Anne his wife (widow of Ralph Bruckfeeld) *v.* John Webster, in a plea of dower, for the third part of a messuage and 6 acres of land in Prescott. At the defendant's application, the hearing is adjourned to the Friday following St. Bartholomew's day next.

AMERCEMENTS. In breaches of the peace: Robert Sutton, Richard Webster, William Ashton, Richard Taylor, Evan Stocke, John Rigby, William and Henry Winstandley, Robert Roughley, James Washington, Ferdinand Fells, George Tapley, Richard Johnstone, Thomas Standish, William Washington, Gilbert Pryce, John and George Dam, Robert Ratcliff, James Dychfeeld jun., Alice Pryce, John Marshe, Evan Fynie, Richard Baxster. (12*d.*, 2*s.* or 3*s.* 4*d.* Thomas Amond, for a tusle on Richard Warburton constable, 2*s.* Thomas Dychfeeld, for bloodshed on Gilbert Pryce,² 12*d.* only.) (Pledges: Thomas Biesley, Robert Cooke, Edward Stockley, James Dychfeeld, George Gorsuch, William Webster,

¹ See p. 257.

² This man was a public nuisance (see p. 257). An inquest upon his body, held by Thomas Potter, Coroner of Prescott, is included in the roll of 1602. He had been killed in an affray.

John Worsley, John Terbocke, Peter Bradshaw, Evan Stocke, Ralph Houghton, Thomas Pyke, Philip Layton, John Alcock, Hugh Webster, John Dychfeeld sen., Anthony Patton, Thomas Jackson sen., Edward Leadbeter, Thomas Carter jun.) For unlawful gaming: Thomas Potter, Evan Pyke, Richard Warburton, Thomas Dychfeeld, John Dychfeeld, William Lyme, Anthony Patton. For swine *unringed*: William Lyme, James Taylor, Mary Parker. (12*d.* each, assessed by the Burley-men.) Isabel Lyon widow, for the same. (6*d.*) Edward Angsdayle, for not repairing his fences. (6*d.*)

ORDERS. "That the Towne shall make a Pynfould in some convenient place within Prescottt, before the next Court."

"That the Towne shall lyckwise make a style and a brydge to make the way seuerall [*sic*] vnto the well called Lady Well, and that to defraye the charges bothe of the Pynfould and this, the Foure men shall assesse and laye a ley thorow the Towne."

OFFICERS. Constables: Nicholas Marshall, James Dychfeeld. Burley-men: Ralph Fletcher, Richard Marshall. Four Men: Thomas Potter, James Dychfeeld, Richard Shawe, James Taylor. Aletasters: Thomas Hardman, Alexander Wythington. Streetlookers: John Harryson, Evan Stock. Sealers of Leather: Nicholas Marshall, Thomas Jackson. Affeerors: James Dychfeeld, Thomas Potter. Coroner: Thomas Potter. Clerk of the Market: Thomas Potter.

PLEAS. James Tayler *alias* Smyth *v.* Elizabeth Burie widow, for detinue of a piece of cloth worth 16*d.* (Allowed.) John Aspes and Anne his wife *v.* Richard Browne and Elizabeth his wife, for £5 damages for trespass on the case. (Not guilty.)

Others named include: Elizabeth widow of Robert Wosie, Edward and John Glover, Ellen Knowles widow, Alice Pryce, Catherine Dychfeild widow, Edmund Turner, Margaret Tapley, William Standishe gent. and Margaret his wife, Philip Atherton, Thomas Halsall, Robert Leadbeter, Catherine Orton, Geoffrey Winstandley dec., Anthony Jackson, John Ackers, Evan Webster *alias* Phinie, Margery widow of John Smyth, Anthony Patton and Ellen his wife, Henry Pie, Robert Tipsie, Robert Poughden. (29 cases in all).

JURORS BETWEEN PARTIES. Robert Prescottt, Peter

Wyke, John Dychfeeld, Henry Gouldicar, Edward Leadbeter, Thomas Derbyshyre, James Cropper, William Hormbie, Thomas Jackson, George Gorsuch, William Orton, Edward Fynie.

1596.¹ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Edward Sutton gent., Deputy Steward under William, Earl of Derby Frid. after C.C. (10² June) 38 Eliz.

JURORS: Thomas Potter, Robert Prescott, Thomas Woodds, James Taylor,³ Edward Stockley, Ralph Houghton, Lawrence Webster, John Worsley, Richard Shawe, Hamlet Webster, George Lyonn, Nicholas Marshall, John Webster, Thomas Lyon, Thomas Webster, Thomas Tarelton, James Cropper, Ralph Flechere.

ADMITTANCES. "Phillipp Layton [of Prescott, gent.] and Margrett Tildisley [of Prescott] widdow did surrender [for several sums of money paid] one messuage or teneement and a parcell of land on the south parte therof in the occupacion of Richard Shawe [of Prescott, *husbandman*], to the vse of Henry Johnson [of Widnes, *yeoman*] his heyres and assignes foreuer, for warranty of 14*li.* 3*s.* 4*d.*" (A.B.) payable on 3 May 1598; paying 11*s.* yearly to the lord. 106

"Thafforesaid Phillipp Layton and Margrett Tildisley did surrender [for £5. 6*s.* 8*d.*] one shopp in the occupacion of John Aspe [of Prescott *showmaker*], to the vse of Hamlett Webster [of Knowesley, *tanner*], his heyres and assignes foreuer" (A.B.), paying 12*d.* yearly to the lord. 107

"Raph Houghton [of Whiston, *yeoman*] did surrender a kill on the backside of William Lymes howse, with a vsuall way or entry therunto belonginge ["through the nowe dwellinge house of Thomas Jackson of Prescott aforesaide, showmaker, or through an entrie or waye at thend of the same house of Thomas Jackson"], to the vse of thafforesaid William Lyme [of Prescott, *mercier*] and Elizabeth his wife for their liues" (A.B.), paying 2*s.* 6*d.* yearly to Ralph Houghton. 113 (pt.)

"Robert Prescott [of Gleast in Eccleston, gent.] did surrender [in the presence of Thomas Foxe of Sutton,

¹ Two rolls of this year are preserved; one of them, however, also contains original surrenders, presentments etc., of the court of 1597.

² Should be 11 June. The error occurs on both the rolls.

³ An original list of Jurors, on a separate slip of paper, shows that James Taylor was amerced 6*d.*, and not sworn.

gent. and George Lyon of Eccleston, *tanner*; "as well in consyderacion of a maryage hereafter to be hadd made and solemnized betweene the seid Roberte Prescottt and one Dorothy Hyde, doughter of Richarde Hyde of Knowsley . . . gent." all his messuages, lands and hereditaments in Prescottt to seuerall vses in taylor (A.B.) namely, one messuage in the occupation of Nicholas Holland to the use of the said Dorothy for life; the reversion of this, together with the residue of the premises, to the said Robert Prescottt or his assigns "for term of one hundereth yeres . . . yf the seid Roberte Prescottt doe or shall soe longe fortune to lyve," after to the male heirs of Robert and Dorothy, failing which, to the male heirs of Robert Prescottt, failing which, to Henry, younger brother of Robert, and his male heirs, failing which to "the heyres of the bodyes" of Robert and Dorothy, failing which, to the right heirs of Robert Prescottt for ever. 45

DOWER. "An order or agreement betwixt Ellen Goodicar wid. one part plt., and John Goodicar and Henry Blundell his gardian on the other parte, concerninge the dower of the said Ellen." (A.B.) The original order, filed in the roll on a separate paper, runs as follows: "Whereas the seid John Guldycar hath remayned in the custody of the sed Ellen his mother during his mynoryte, since the deathe of John Guldycar his flather decessed, late husband to the sed Ellen; and wheare also the sed John Guldycar the sonne, being nowe attayned to the age of xiiij yeares and above, and chosen for his gardener the sed Henry Blundell; and fforasmuche as the sed Ellen at this present Courte hath demanded her reasonable dower owte of all the messuages, lands and tenements of her sed husband decessed in Prescottt, of the nature of customary or copyehold; and to the end the sed Ellen maye thereof be satisfyed in reasonable maner, and the sed John the sonne maye enter and ffrom henceffourth enioye the rest of the sed landes . . . Therefore all the sed parties be agreed, and yt is assented vnto in the presens and by the consent of Ed. Sutton gent., now Steward of this Courte, and sundry others the customary tennants of the same towne, that the sed Ellen shall [have] ffrom henceforth during her lyeff these howses and parcelles of ground hereafter mencionned, as well for the releiffe and educacion of her and her young chylderen, as in recompence of her pretended demaund of in and to the

same lands, viz., [blank]; and that the sed John Guldycar the sonne shall ffromhenceffourth have and enioye all the rest of the same lands his sed late ffathers inherytance. And yt is ffurther ordered and agreed, by lyke assent, that yf the sed John the sonne doe or shall at any tyme hereafter sue or impleade the said Ellen of, for or concerninge the sed lands before appoynted to the sed Ellen, that then and in such case the sed Ellen notwithstanding shall hold and enioye the same landes, vntyll she shall or maye recouer her dower owte of the same lands by ordynary course according to the custome of Prescott, yf any suche custome be within the same manor.¹ And yt is lastely ordered that this order shall remayne of record as a testymy [*sic*] of this agrement for ever." 80-86

PLEAS OF LAND. Alice Washington, late of Prescott, widow, John Corbett and Catherine his wife, Humphrey Ridgewaye and Elizabeth his wife, Jane Webster, William Backester and Dorothy his wife *v.* George Lyon, Lawrence Webster and Hugh Webster (assize of *mort d'ancestor*) for 3 messuages, 3 gardens and 2 acres of land. The bailiff is directed to summon 12 of the homagers to determine on oath, at the next court, whether Seath Webster, father of the said Alice, Catherine, Elizabeth and Jane, and grandfather of the said Dorothy (daughter of Jane, another² daughter of Seath), was seised of the said messuages and lands at the day of his death; whether he died within the last 50 years; and whether the said Alice (etc.) are his nearest heirs. The defendants are to be summoned to hear the findings. 54, 61, 112

"John Leadbeter putteth in a plea to debarr Henry Prescott of his admittance." (A.B.) The roll contains a full statement in Latin of Leadbeter's case, filling 4 separate folio sheets, and signed at the end by Thomas Bolde; this states, on the evidence of the court rolls,³ that in 10 Eliz. (1568) a certain John Leadbeter surrendered the property in dispute, namely two messuages then in the occupation of himself and Ralph Stocke, to the use of himself for life, with remainder to his kinsman William and the lawful heirs of his body, failing which, to the heirs and assigns of himself for ever; that accordingly the said John and William were admitted as tenants at that court;

¹ The custom of Prescott Manor, as understood today, is that there is no "freebench" or dower. A declaration to this effect was made in 1721.

² Apparently Seath had two daughters named Jane.

³ For the references given in this paragraph, see pp. 171, 255, 256.

that upon the death of John, William was admitted as tenant in fee tail; that on 19 June, 35 Eliz. (1593) William made out of court, in the presence of 4 other tenants, a surrender of the said messuages to Henry Prescott, his heirs and assigns for ever; that at the next court seisin was not taken by the Steward or bestowed on Henry Prescott; that upon the death of William Leadbeter, John his son (the plaintiff) was admitted as heir to the said messuages, holding in fee tail, and entered into possession of the same; that the surrender made by William Leadbeter and Henry Prescott became null and void, and therefore the said Henry Prescott should not be admitted. The last sheet is endorsed: "xiiij *die Junii* 1598. Daie is geuen to Prescott either to plead to the plea in barre vppon Friday next, or elles Leadbeter to be admitted tenant accordinge to the custome."

OTHER PLEAS. Edward Stockeley *v.* Evan Stocke, for 29s. 4d. debt, for *six metts malte*. (Allowed.) Others named include: Richard Bever, Thomas Garnet, Evan Finy, Thomas Hardman, James Forster, William Hornbie, Roger Hayward, Richard Maghull jun. (executor for Anthony [Maghull ?] dec.), Richard Glest and Elizabeth his wife (executors for Richard Bury dec.), Edward Aspinall, John Dychfelld, Margaret Scath widow (executrix for William Scath dec.), Richard Browne, George Gorsuch, Henry Leadbetter, Elizabeth Wollsey, Catherine Wainwright, Robert Webster, George Wainwright, Richard Aspes, Alice Pryce. (27 cases in all.)

1597.¹ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Percival Harrington² Esq., Deputy Steward under William, Earl of Derby. (27 May) 39 Eliz.

JURORS: William Eltonheade gent., Thomas Webster, John Worsley, James Taylor, Thomas Woodes, Edward Stockeley, Richard Shawe, Ralph Houghton, Nicholas Marshall, John Webster, Thomas Glouer, Hamlet Webster, Thomas Lyon, Thomas Picke, Peter Wicke.

¹ This roll consists of a sheet of parchment, measuring slightly over 12 by 21 inches. The records of Pleas are continued on two sheets of paper filed to the parchment.

² Son and heir of John Harrington of Huyton Hey, Lancs.

ADMITTANCES.¹ "John Boyer dead, and Edward Boyer his brother next heyre" (A.B.) and of full age.

Margaret Tildesley widow surrendered, for a sum paid, a messuage or tenement in the occupation of Mary Parker of Prescott widow or her assigns, to the use of Robert Conney of Knowsley, gent., for 21 years, paying yearly to Margaret Tildesley 4s. for 3½ years, and 24s. yearly for the remainder of the term. 44

Margaret Tildesley² surrendered, for £10, a messuage or tenement in the occupation of Mary Parker widow or her assigns, to the use of Anne Hollande of Prescott *sempster*, her heirs and assigns for ever, for warranty of £10 payable on St. John Baptist's day 1600, in the church porch, between 1 and 3 p.m.

AMERCEMENTS. "Robert Plumpton, for fallinge yonge plants in Prescott wood, and carring them away without consente of the fowre men." (3s. 4d.) In breaches of the peace: John Rigbie, William Lyme, Gilbert Jackson, William Lyon, Andrew Heye, Thomas Jackson, Thomas Picke, Randolph Seffton, George Wanwrighte, John Livsey, Edward Angelsdale, James Taylor, Richard Mathewson *alias* Wilcoke, William Boweres. (Pledges: Evan Picke, Thomas Jacsone, Thomas Darbysheyre, James Talore, Thomas Beysley, John Aspe, Thomas Picke.) (12d. or, if with bloodshed, 3s. 4d.) "The Fowre men doe presente Henrie Blundell for takinge a tenant in to the kitchin vpon his backe side, without consente of the Fowre men." (3s. 4d.) Robert Prescott, Ellis Glouer, Henry Blundell and Henry Goodicare for admitting *inmakes* likewise. (3s. 4d. each.) "That Thomas Haywarde doth not repayer his hedginge, but keepeth it open, to the anoyance of his neighbors." (12d.) Margaret Leadbeter likewise. Henry Blundell, for keeping unlawful swine. (2s.)

ORDERS. "That before the feaste day of Saincte Michaele tharkangell nexte, ther shalbe provided one sufficient cheste³ bounde with irone, with fyue lockes vpon the same, to be placed in some convenient place in

¹ A.B. incorrectly includes a surrender by Robert and Anne Conney to John Ogle, which is entered in the parchment roll of 1599.

² A.B. assumes that these surrenders both relate to the same property, which the roll describes in exactly the same terms. See the surrenders of Mill Hill House, 1589 and 1590.

³ This chest was removed to King's College, with two later chests, in 1912. The chests contain many court rolls and other records of the 17th, 18th and 19th centuries, to about 1850.

the Towne by the consent of the Stwarde and tenants, to keepe the courte roules and privilidge in: And if anie ouer tenaunte doe refues to paye the some whiche shall be imposed vppon them by the foure men, then the cunstables shall levie the same vppon the goods and cattelles of the vndre tenauntes of such persones so refusinge, and the vndr tenaunts to stoppe it in their rents."

"That Thomas Tarelton shall repaier and amende one decayed chimlye at his house nowe in the occupacion of Tho. Dichfeilde, which lyeth vppon John Worsleyes house," before Michaelmas, on pain of 20s. 65. 93

"That wher as Raffe Flecher hath here to fore [had] deliuered vnto him diuers trees out of Prescott woode for repayeringe of his house, and hath not employed them, that hee shall bestowe them in repayeringe his house before the firste of Maye next insuinge, or elles the same trees to be employed to otheres vses tenants [*sic*] at the discrecion of the four men."

OFFICERS. Constables: Henry Blundell, Thomas Picke. Overseers of woods and houses: John Worsley, James Taylor, Richard Shawe, Edward Stockley. Sealers of Leather: Nicholas Marshall, Thomas Jakson. Burlyemen: John Webster, James Dichfeilde. Aletasters: Thomas Carter, Evan Stocke. Coroner: Thomas Potter. Clerk of the Market: Thomas Bysley. Streetlookers: John Henrison, Thomas Hardman. Affeerors: John Worsley, Thomas Dichfeild. Bailiff: John Alcocke.

PLEAS. Thomas Beysley *v.* Hugh Webster and Alice his wife, for £100 damages for trespass on the case. (3s. 4d. allowed.) Others named include: John Glouer, Elizabeth Wossie widow, Henry Farhurste, John Heginson and Anne his wife, George Gorsuch, Robert Tipsie, Robert Webster, Richard Warburton, John Browne, Edward Glouer, Lawrence Hayward, Richard Torbocke, John Birchall, John Yeat, Evan Fynie, William Hormbie, James Sorowcould of Newton, Robert Pogden, Alice Hunte (John Alcocke her attorney), Robert Berie, John Dichfeild of Prescott sen., Richard Gleaste and Elizabeth his wife, William Banester and Margaret his wife (she being executrix for Margaret Smyth dec.), Anthony Patton, Thomas Garnet, George Houlme clerk, Richard Boulton, Thomas Carter jun. and sen., Edward Whitlowe, Henry Ley, Richard Browne, Thomas Anderton, Richard

Rigbie, Richard Houghton gent., Thomas Boweres (executor for Ralph Boweres dec.), James Whicke *alias* Psalter, Mary Ascrofte, Thomas Halsall, Edmund Turner, Richard Maghull, Mary Parker widow (executrix for Edward Parker dec.), Hugh Flecher (executor for Richard Flecher dec.), Alice Chorelton widow, Hugh Shawe, Roger Sanckey, Jane Porter widow, Ellen Goodicare widow, Edward Justice, James Tomblinson, Richard Leadbeter, William Meakin, John Farhurste, William Smyth, William Jameson, Henry Lyon, Thomas Webster, Richard Harrington gent., William Olerton, Thomas Holand, Evan Ledbeter, Richard Holand, Robert Browne, Margaret Scathe widow, George Garnet, James Forster, John Shingeton, Richard Greene, Eliza Lyon, Isabel Lyon, Richard Wilkinson, Thomas Orrell and Jane his wife, Hamlet Ley, John Davie, Dorothy Taylor (executrix for Jane Taylor widow dec.), William Ley, Philip Layton gent. (John Marshe his attorney.) (112 cases in all.)

JURORS BETWEEN PARTIES. Henry Blundell, Thomas Tarelton, Evan Picke, George Tarelton, Anthony Jackson, Edward Houghton, Abram Hunte, Edward Fynie, Edward Ledbeter, George Washington, Robert Massie, Robert Plumpton.

PLEA OF LAND. Lawrence Webster, def. against Alice Washington, John and Catherine Corbet, Humphrey and Elizabeth Ridgwaye, Jane Webster, and William and Dorothy Baxstere, pleads that he alone is seised as a free tenant according to custom of one messuage and garden, in which George Lyon and Hugh Webstere have no title. Hugh Webster and George Lyon plead likewise, *mutatis mutandis*.

THE FAIR.¹ "Prescote. Memorandum, entries animalia, xxiiij die Maij, anno domini 1597." Before Percivall Harrington Esq., Deputy Steward.

"Randle Turner of Brereton in Com. Cestr., twoe black oxen. William Bingley and John Cifforth in Com. Eborn., fiftine oxen. James Berrie of Bowtle in Com. Lanc., for twoo twinters. William Gandie de Magna Budworth in Com. Cestr., for xxij beasts. William Garrard of Brindle in Com. Lanc., xxviiij beasts. John Worsley of Prescott in Com. Lanc., one black cow.

Lee fair jour, xxvj. Peter Blackhurste of Much Houle

¹ This is on one of the papers filed with the roll of 1596 (see p. 261 n.). It is not entered on the roll of 1597.

in the county of Lanc., husbandman, boughte one maier, coler blacke, price xliiij. viij*d.*, of Richard Woods of Bolde, and tould for the same acordinge to the statut. Nicholas Fazakerley gen. bought one mayer, price fouer markes and half a cowne [*sic*], coller graye, of Arthure Ladicke of Westham in the county of Esex, and payd towle for the sed maire accordinge to lawe.

Ralph Leye boughte one nage, price iij*li.* xiijs. iiij*d.*, blacke baye, of Humfry Gate of Hindley in paroch. de Wigan, and touled for him the said nage accordinge to law."

1598.¹ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Percival Harington Esq., Deputy Steward under William, Earl of Derby. Frid. after C.C. (16 June) 40 Eliz.

JURORS: William Eltonheade gent., Thomas Webstere, James Taylore, Edward Stockleye, John Worsley, Nicholas Marshall, Richard Shawe, John Webstere, Hamlet Webstere, Robert Plumton, Thomas Glouere, George Lyone, Ralph Houghton, Thomas Woodes, Thomas Lyone, Peter Wicke.

ADMITTANCES. "Henry Conney gent. is dead, and Robert Conney his brother next heyre of diuers messuages, cottages, lands and tenements in Prescott." (A.B.) 18

"Henry Eccleston Esq. is dead, and Edward Eccleston his sonne heyre of diuers messuages, cottages, lands, tenements and hereditaments in Prescott." (A.B.) He is of full age. 3-10

"Henry Eccleston Esqr. did surrender one shopp lyinge att the nooke of the Cowrte Howse [*and adioynninge to the Churchyorde*] to the vse of Peter Wyke [of Whiston] for the liues of himselfe, Robert Wyke his brother and George Wetherby [son of Peter Wetherby of Whiston, gent.]" (A.B.) paying 5*s.* yearly to Henry Eccleston, his heirs and assigns. 8

"Hugh Webster did surrender [for £6. 13*s.* 4*d.*] one messuage or cottage in his owne occupacion, to the vse of John Ogle [of Whiston, gent.] his heyres and assignes for euer" (A.B.) paying 6*d.* yearly to the lord. This surrender is objected to by John Corbete, and a day given for hearing. 112

¹ This roll is on a sheet of parchment, measuring 18 by 24 inches, with a supplementary paper sheet filed to it. There is also a separate bundle of original paper surrenders.

"Raph Houghton [of Whiston, *yoman*] did surrender one messuage or tenement in the occupacion of Thomas Jackson [of Prescott, *showmaker*], to the vse of himselfe for life, after to the vse of Ales his wife for her life" (A.B.) paying 2s. 6d. yearly to the lord. 113

"Edward Boyer did surrender [for 20s.] three bayes of buildinge ["standinge betwixt the now dwellinge howse of William Lyme and John Yate"] in the occupacion of Thomas Potter [of Prescott, mercer], to the vse of Henry Blundell [of Prescott, *yoman*] for tearme of xxj yeares" (A.B.) paying one peppercorn yearly to Edward Boyer during the first 4 years, and 5s. yearly afterwards. 25

"John Taylor did surrender [for 36s. 8d.] a parcell of ground ["lyinge in a close of one John Leadbeter, now in thoccupacion of one Richard Shaw . . . husbandman"] cont. in lenght xxxj yards and in bredght ten yards and a halfe, to the vse of Thomas Ditchfeild [of Prescott, *showmaker*] his heyres and assignes foreuer." (A.B.) paying 10d. yearly to the lord. The roll adds, "Wheras Jo. Leadbeter made clayme to the lands conteyned in this surrender, day is geuen to him to shew cause before Mich. next, or else Dichfeild to be admitted tenant." 96

"Robert Prescott [of Eccleston, gent.] did surrender [for £16. 15s.] one messuage, burgage and tenement, in the occupacion of Anthony Jackson, to the vse of Ellen Fareclough [of Eccleston, widow of Lawrence Fareclough] her heyres and assignes foreuer, for warranty of one close of ground vnto the said Ellen for 8 yeares, lyinge in Eccleston and commonly called the Cow hey" (A.B.) and measuring about 2½ acres. 45 (pt.)

(The paper roll also contains a surrender by John Worsley, *yoman*, of the three closes in his own occupation called *Crosse croft*, *Midles croft* and *Brounes croft*, of estimated area five acres, to the use of Thomas his brother, for term of 21 years, for warranty of £25. 3s. 8d. payable by John Worsley to Thomas Potter of Prescott, mercer, on St. James Day, in Prescot church porch, between 1 and 4 p.m. The surrender is noted as having become void.

There is also a rough draft in Latin of a surrender to be made by Alexander Rigbie, son and heir of Roger Rigbie of Ditton, gent., and Margaret his wife, a co-heiress of Thomas Layton gent., of all their portion of the messuages, cottages, burgages, stables, gardens, orchards, quarries, mines, lands etc. in the occupation of Margaret Tyldesley

widow, James Dichfeilde, John Davye, Alice Price widow, and Ralph Parre, to the use of the said Roger Rigby, his heirs and assigns for ever.)

AMERCEMENTS. As *petimichers*: Ellen Goodicare and Anne her daughter, William Frodsom, Anne Hey, Anne wife of John Henrison, Mary Price, Emma wife of John Price. For harbouring *inmakes*: Catherine Brovne, Ellen Goodicare, Thomas Haward, Alice Price (who has harboured Gilbert Price.) For keeping an undertenant without licence of the Four Men: Robert Webster. For felling timber in the lord's wood without licence: Thomas Picke, Robert Shamond (one tree, 12*d.*), Richard Browone (several trees, 20*d.*), John Scarisbricke (*a playne*, 20*d.*), John Dichfield (*a pole*, 2*s.*) In breaches of the peace: Evan Picke, Richard Bakere, William Boweres, Robert Martendall, Andrew Hey. (12*d.*, 20*d.* or 2*s.*) For allowing unlawful gaming: Thomas Picke, Henry Blundell, John Worsley, Evan Picke. (12*d.* or 3*s.* 4*d.*) For "beinge bucheres sellinge vnholosome meat": Ralph Parre, George Wilcoocke, Edward Anglesdalle, Robert Brookes, John Gysley. (12*d.* each.)

OFFICERS. Constables: John Webstere, John Davie. Burleymen: Richard Shawe, Edward Stockley. Overseers of Woods and Houses: John Worsley, James Taylore, Richard Shawe, Edward Stockley. Sealers of Leather: John Davie, Thomas Jackson. Aletasters: Robert Plumpton, Thomas Picke. Streetlookers: Thomas Carter jun., Alexander Withington. Coroner: Thomas Pottere. Clerk of the Market: Thomas Besley. Affeerors: James Taylore, Thomas Besley. Bailiff: John Alcocke.

PLEAS. Persons named include: William Bowers, Jane Orrell, Henry Antrobus, Thomas Johnson, John Leuesey, Richard Worthington gent., William Makine, Ralph Wilkinson and Alice his wife, George Georgson *alias* Daue, James Whicke, Thomas Bebbie, Richard Warberton, James Cropper, John Torbocke, John Sherte. Henry Woodes, Edward Fynie, William Thomason, Evan Fynie, John Farhureste, George Orme, John Listere, John Pollat, Hugh Pollat, Richard Wolfalle, Henry Sutton, John Atherton (executor for Humphrey Atherton), Thomas Lancastere Esq., Alice Goodicare, Richard Greene, James Sorowcoulede of Newton, Richard Holande, Margaret Tapley, Richard Webster, William Hornbie, Thomas Orrell and Jane his wife, William Sixsmith,

Isabel Stocke, John Yate, Robert Martland, Ralph Hunt. (52 cases in all.)

JURORS BETWEEN PARTIES: William Norris, John Birchalle, Edward Houghton, Alexander Wethington, Evan Stocke, Abraham Hunt, Edward Ledbeter, Ralph Fletchere, Roger Higenson, Thomas Jackson, Thomas Dichfeilde, Thomas Halsalle.

PLEAS OF LAND. Alice Washington, late of Fernwoorthe, widow, John Corbet and Catherine his wife, Humphrey Ridgwaye and Elizabeth his wife, Jane Webster, William Baxster and Dorothy his wife *v.* George Lyon of Eccleston, *taner*, for a messuage, garden and an acre of land. (Assize of *mort d'ancestor*.) An order is made, similar to that of 1596 (p. 263) for an inquest of 12 men to determine at the next court whether the plaintiffs are the right heirs to the said messuage (*etc.*), and for George Lyon, who now holds the same, to be summoned to hear the finding.

The same plaintiffs *v.* Lawrence Webster, *mutatis mutandis*. (Two applications, by George Lyon and Lawrence Webster respectively, for the hearing of their cases, at a court held 27 Sept. 1598, are recorded at the end of this roll.)

ALEHOUSE LICENCES.¹ Memorandum that, on 16 June 1598, Thomas Picke of Prescott *showmakere*, came before the Deputy Steward, and undertook, on pain of £10, in consideration of having been admitted to keep a common ale or tippling house according to the statute² of 6 Edward VI, not to allow in his house any playing of unlawful games, nor to harbour any *vacabundes* or idle or suspect persons, nor to maintain any ill government, so long as he shall keep the same; in default of which the above sum shall be levied from his goods and chattels, lands and tenements, to the lord's use. The following also gave the same undertaking: Thomas Halsall, Thomas Jackson Henry Blundell, Richard Gleaste, Evan Stoke, Anne Chadocke.

1599.³ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Percival Harrington

¹ See the Provost's letter, dated 28 June, on this subject (p. 307).

² Statute 5 and 6 Ed. VI. c. 25 (*Stat. Realm*, iv, pp. 157-8).

³ This roll is on a sheet of parchment measuring slightly over 13 by 25 inches. No supplementary paper sheets were needed. There is also a separate bundle of original paper surrenders of 1599 and 1600 (see p. 275 n.).

Esq., Deputy Steward for William, Earl of Derby. Frid. after C.C. (8 June) 41 Eliz.

JURORS: Thomas Webstere, John Worsley, James Taylore, Nicholas Marshall, Thomas Woodes, Edward Stockley, Ralph Flecher, Thomas Glouer, Thomas Lyon, Hamlet Webster, Richard Shawe, Peter Wicke, Robert Plumptre, Ralph Houghton, John Berchalle.

ADMITTANCES. "Thomas Tarleton [late of Rainforethe, *yoman*] and Elizabeth his wife (shee beinge solely examined) did surrender [for £30] one messuage [burgage] or cottage in the occupacion of Thomas Ditchfeild [of Prescott, *inkepere*], to the vse of James Pemberton [son and heir apparent of James Pemberton of Halsenade, gent.] his heyres and assignes foreuer" (A.B.) paying 14*d.* yearly to the lord. 65

"Robert Conney gent. and Ann his wife (shee beinge examined) did surrender [for £10. 13*s.* 4*d.*] one messuage or burgage with thappurtenances in the occupacion of Peerse Bannester [of Prescott, *taylore*], to the vse of John Ogle [of Wiston, gent.] his heyres and assignes foreuer" (A.B.) paying 1*d.* yearly to the lord. 18 (pt.)

"James Taylor did surrender [for £3], one messuage or tenement in the occupacion of Roger Higgonson [of Prescott, husbandman] to the vse of Richard Taylor his sonne for tearme of 3 liues, viz. Henry, James and William Taylor, sonnes of the said James the father" (A.B.) for which term the same had been surrendered by John Ogle gent.; paying 6*s.* yearly to John Ogle. 13

"John Worsley and Ann his wife did surrender [for 20 marks] one messuage or tenement in the occupacion of Thomas Beesley [of Prescott, *yoman*], to the vse of the said Thomas Beesley for xxj yeares" (A.B.), paying 7*s.* yearly to John and Ann Worsley, and 12*d.* yearly to the lord. 83 (pt.)

"William Plombe [of Mvch Woulton, *wever*] did surrender [for £5] one messuage or tenement in the occupacion of Margrett Leadbeter, to the vse of John Worsley and Thomas Besley [of Prescott, *yomen*] their heyres and assignes foreuer," (A.B.) paying 2*d.* yearly to the lord. 20

"Richard Webster did release [for £4. 10*s.*] all his interest and tytle in three bayes of buildinge and a garden therunto belonginge [in the occupacion of Hugh Webster of Prescott, *querrier*, and Robert Cooke, *tanner*] vnto Hugh

Webster, his heyres and assignes foreuer," (A.B.) paying 6*d.* yearly to the lord.

AMERCEMENTS. For default of appearance: Philip Layton gent. (2*s.*) Margaret Tyldesley widow (12*d.*), Edward Angelesdalle, Richard Warberton, Edward Sutton. (6*d.* each.) Richard Browen, for taking John Urmeston as an *inmake*. (3*s.* 4*d.*) Edmund Turner, for Manske Alice and Simon Brockes likewise. (20*s.*) The wife of Mathew Sutton, for Margaret Price. (10*s.*) Alexander Withington, for Margaret Tapley. (3*s.* 4*d.*) William Flecher, for Robert Webster. (Not to receive him after St. James' day next on pain of 10*s.*) Catherine Browen, for Nicholas Holand. (To remove him by St. James' day.) William Horenbie, for harbouring Dowece (*sic*) Horenbie, who is of ill fame. (To remove her before June 15.) The wife of Richard Browen, and Elizabeth Wosie, for damaging hedges. (3*d.* each.) The tenant of the Vicar of Hyton, for harbouring Elizabeth Wosie. (To remove her on pain of 10*s.*)

"That Abraham Hunte did arreast John Houghton in Liuerpoole court contrary to the custome of the mannor of Prescottt." (A.B.) Jane Jackson, for the same offence against Henry Goodicare. (6*s.* 8*d.* each.) Michael Doughtie gent.,¹ for felling two trees in the wood without consent of the four men.

In breaches of the peace: Robert Prescotte, Ralph Asheton, Thomas Picke, Richard Farecloughe, Elizabeth Burghe, Ferdinand Felle, John Worsley, Henry Edwardson, Hugh Barnes, Mr. Parre, William Lyon, William Beysley, Edward Angelesdalle, John Webster, James Sale, Percy Bannester, Evan Fynie, Thomas Garnet. (12*d.* or 3*s.* 4*d.*; 5*s.* for an assault on the constable.) (Pledges: Thomas Picke, John Davie, Edward Stockley, Evan Picke, John Worsley, Henry Blundell, James Taylore, Thomas Dichfeilde, Hugh Webster, John Berchalle, Thomas Hardman.) For unlawful gaming: Henry Blundell, Evan Picke, Thomas Picke, Thomas Beysley, John Worsley. (12*d.* each.)

ORDERS. "That Philippe Layton gent. shall fille vpp his coalpyte eyes in Prescotte Woode, which are in the heighways," before Aug. 1, on pain of 13*s.* 4*d.*

¹ Evidently Mr. Layton's proposed assignment (p. 22-3) had been carried into effect.

That John Webster shall repair his dwelling-house, on pain of 20s.

"That wheras heretofore ther hath bene falen in Prescottt Woode certeyne pooles¹ yearly to be set vpp in the townen, the Jurie doe order that ther shall not be anie falen hereafter in the like sorte with out the consent of the fover men, nor carie the same awaye, beinge so fallen and caried in to the Townen, with out licke consent for euerie one soe falen," on pain of 6s. 8*d*.

That Thomas Dichfeilde shall bring a sufficient case against John Leadbeter before Michaelmas next. And that the plea at issue between Corbete and Lyon, Webster and others shall be heard after Trinity term next.

OFFICERS. Constables: Thomas Besley, Evan Pycke. Burleymen: John Houghton, Thomas Halsalle. Ale-tasters: John Birchalle, John Webster. Coroner: Thomas Potter. Sealers of Leather: Nicholas Mershalle, Thomas Jackson. Clerk of the Market: Thomas Beysley. Street-lookers: John Henrison, Richard Warberton. Four Men: John Worsley, Richard Shawe, James Taylor, Edward Stockley. Affeerors: John Worsley, Henry Blundell.

PLEAS. Jane Jackson, *spinester*, v. John Worsley, for £8. 16s. debt. (Acknowledged.) Thomas Picke v. James Taylor, for 40s. damages for waste of a house (3s. 4*d*. allowed.) Others named include: William Harrington gent., Richard Boulton, Robert Poughden, Jane Oliuerson, William Makine, William Ley, Alice Wilkinson widow, James Sorocolde, William Olerton and Alice his daughter, Henry Berie, Thomas Eccleston gent., Evan Stocke, Lawrence Woodes, John Goodicare, Thomas Hunte gent., William Frodsame, Lawrence Sixsmyth, John Levsey, Ralph Wilkinson and Alice his wife, Thomas Laythwayte, Roger Devias clerk, John Yate, Peter Bradshawe, John Pollate, Ellen Goodicar, Thomas Laylande, William Turner. (38 cases in all.)

JURORS BETWEEN PARTIES: Henry Goodicar, William Lyme, Edward Leadbeter, Thomas Halsalle, Anthony Jackson, Hugh Webster, Roger Higanson, Thomas Carter jun., John Dichfeilde jun., Richard Browene, Anthony Pattone, Lawrence Webster.

¹ Apparently a reference to the May Day rites. In 1624, two men were amerced 5s. each for "cutting downe the may powles and carrying them away."

1600.¹ PRESCOTT. VIEW OF FRANKPLEDGE WITH COURT LEET, held before Percival Harrington Esq., Deputy Steward for William, Earl of Derby. Frid. after C.C. (23 May) 42 Eliz.

JURORS: William Eltonhead gent, James Taylor, John Worsley, Ralph Houghton, Nicholas Marshall, Thomas Woods, John Webster, Thomas Glouer, Thomas Webster, Ralph Fletcher, Edward Stockley, Richard Hyne, Thomas Lyon, George Lyon, Lawrence Webster (and others torn away.)

ADMITTANCES. "Robert Plumpton is dead, and Margrett his daughter, wife of Henry Woods [*yoman*], next heyre of diuers messuages, lands and tenements in Prescott. [She is admitted as tenant of the same] to her and her heyres lawfully begotten by the said Henry, and for want of such issue to the said Margrett, her heyres and assignes foreuer," (A.B.) saving the right of Margaret, widow of Robert Plumpton, for her life. (There follows a copy of the surrender made by Robert Plumpton in 1580.)

37-40

"Hamlet Webster did surrender one messuage or burgage in the occupacion of Richard Ledbeter [of Prescott, *taylor*, dec.], to the vse of Thomas Webster his younger sonne and his heyres male lawfully begotten, and for default therof to the vse of George Webster his eldest sonne and his heyres males lawfully begotten, and for default therof to the vse of the right heyres of the said Hamlett foreuer," (A.B.) paying 4*d.* yearly to the lord. 64

"Edward Eccleston Esq. [of Eccleston] did surrender [for 40 marks] a parcell of land cont' about an acre called Chesley feild acre ["in the est side of one certen close called Chesley feild"] in the occupacion of Thomas Potter [of Prescott, *merc*er], to the vse of James Taylor [of Prescott, *merc*er], his heyres and assignes foreuer," (A.B.) paying 3*s.* 4*d.* yearly to the lord. 10

"Thomas Beisley did surrender [for 30*s.*] his parte or porcion of a messuage and tenement [or cottage] in the occupacion of Arthur Wilson [of Prescott, *chapman*], to the vse of John Worsley [of Prescott, *yoman*] his heyres and assignes foreuer," (A.B.) paying 1*d.* yearly to lord. 83

¹ The only record of this year is a file of original surrenders on paper; the top right-hand corner of the whole has been torn away. A.B. heads this year "Paper Rowle," and apparently depended also on this source. Four additional surrenders, which are here put last, are not given in A.B., but occur in a separate file of paper surrenders along with certain surrenders of 1599.

" Hamlett Webster did surrender one messuage or burgage in the occupacion of Alexander Withington [of Prescott, *labourer*], to the vse of Ales Webster his daughter for her life (sauinge the estate of the said Alexander [for 10 years] therin) and afterwards to George Webster, eldest sonne of the said Hamlett and his heyres foreuer," (A.B.) paying 12*d.* yearly to the lord, and 1*d.* yearly to the said George Webster. 107

" Edward Pyke [*showmaker*] did surrender one messuage or tenement, with all lands and hereditaments therunto belonging, sometyme in the houldinge or occupacion of Lawrence Gorsuch [dec., and now in the holding of George Gorsuch and Richard Shawe], to the vse of himselfe for life, after to the heires of his body lawfully begotten, and for default therof to the vse of Thomas Pyke his brother and his heyres foreuer," (A.B.) paying 2*s.* 6*d.* yearly to the lord. Evan Pyke objected, and is to be heard before (*ante*) the next court. 78

" John Ogle [of Whiston] gent. did surrender [for £7] one messuage or cottage in the occupacion of Hugh Webster [of Prescott, *querier*], to the vse of the said Hugh Webster, his heyres and assignes foreuer," (A.B.) paying 6*d.* yearly to the lord. 112

" James Pemberton, sonne and heyre of James Pemberton [of Halsenade in Whiston, gent.] did surrender [for £4] one messuage, burgage or cottage in the occupacion of Thomas Ditchfeild [of Prescotte, *inkepere*], to the vse of Thomas Glouer [of Rainhill, *tanner*], his heyres and assignes foreuer," (A.B.) paying 14*d.* yearly to the lord. 65

John Ogle of Whiston, gent., surrendered, for £10. 13*s.* 4*d.*, a messuage or burgage etc., in the occupation of Percy Banister of Prescott *taylier*, to the use of Anthony Stockley of Knowesley *yeoman*, his heirs and assigns for ever, paying *one penie of siluer* yearly to the lord; provided that the said Anthony may not grant the same during his lifetime to any save the said John Ogle, who may recover the same by payment of the above-named sum. (Dated 26 June, 1599.) 18 (pt.)

Richard Shawe and Ellen his wife surrendered one messuage or tenement etc., in the occupation of Mary Parker of Prescott, *widowe*, to the use of the said Mary Parker and her assigns, for term of her life and of the lives of the said Richard and Ellen, paying 13*s.* 4*d.* yearly to the said Richard and Ellen. (Dated 30 June, 1599.) 31

Philip Layton of Prescott Hall gent., and Margaret Tildesley his mother, surrendered, for £4. 10s. 8d., one messuage or tenement etc., in the occupation of Richard Shawe, to the use of the said Richard and Ellen his wife, for their lives, paying *one peper corne* yearly to the said Philip and Margaret for the first four years, and 24s. 4d. yearly after; paying also 9s. yearly to the lord. (Dated 30 June, 1599.) 106

Edward Pyke surrendered, for £3. 6s. 8d., one messuage or burgage etc., in the occupation of George Washington of Prescott, *labourer*, to the use of Thomas Pyke his brother, his heirs and assigns for ever, paying 4d. yearly to the lord. (Dated 8 July, 1599.) 79

"Memorandum, that there were 3 Courts kept in this yeare." (A.B.)¹

III.

MISCELLANEOUS RECORDS,

1458—1598.

NOTES ON THE SOURCES, ETC.

1. The agreement concerning the vicarage house is from an original, indented and sealed, at King's College (1. V. 6). It is on parchment, and in English. Prior to this date, the Vicar seems to have resided in the "parson's chamber" at Prescott Hall (pp. 4-5).

2. The grant of the Moss is from an 18th century copy entered into the Court Leet Memorandum Book² in 1754. The original is lost. It is clear that this copy does not closely reproduce the original spelling, and various minor inaccuracies may well have crept into the deciphering of a document so much earlier in date. There can be no doubt, however, of its authenticity. The very

¹ There is no evidence to confirm or explain this statement. Only two Courts Leet could be held in one year (*Magna Carta*, c. 35). Courts Baron might be held, however, at intervals of 3 weeks, and many rolls of special Courts Baron held at Prescott in the 17th and 18th centuries are extant. In the latter period, too, the Court Leet was frequently prolonged by adjournment for periods of 3 weeks or more. The above statement may mean, therefore, either that separate Courts Baron were held or that the Court Leet was adjourned.

² This book (discovered in 1927) was begun in 1754, and carried on to 1815. A few copies of earlier records were entered at the beginning.

limited area of Prescott (see App. E), in contrast with the great extent of Eccleston, made such a grant most desirable. William Leyland, a near relative of the Ecclestons (see p. 281 *n*), an important officer of the Earl of Derby (see p. 77), and a lessee of the Rectory (see p. 6), was in a favourable position to advance the project. This land, known subsequently as the Town Moss, remained part of the manor of Eccleston, and was not included in the Survey of Prescott, 1592 (pp. 32-46). Nevertheless, the Court Leet assumed responsibility for preventing its misuse (see pp. 161, 187).

3, 4. The Provost's draft letter (3) is from an original written in a rapid cursive hand on the back of a paper MS. apparently relating to Exeter. It is undated. Lord Derby's reply by Mr. Morgan (4) is from an original in a rough cursive hand, also undated. Both are from a bundle of three papers preserved at King's College (1. V. 10), inscribed, in a later hand, "Papers concerning abuses by the tenants of Prescott in Provost Hacombles time." Dr. Hacumblen was Provost from 1509 to 1528; previously, he had been Vicar of Prescott from 1492 to 1509, and may have had a personal knowledge of the abuses which he describes. Fortunately, the roll of the court at which he presided in 1514 has been preserved (p. 79); accordingly, we may assign these letters (together with no. 5) to a period shortly before this visitation. The third paper of this bundle is referred to on p. 287, *n*.

5, 6. The second draft letter of the Provost (5), and the list of tenants and undertenants (6), are from another bundle preserved at the College (1. V. 13) inscribed "Injuries offered by the tenants to the College." The list of tenants closely agrees with that given in the roll of 1514 (p. 79), but the reference to the death of Henry Bellerby may indicate a slightly later date.

7. The order made by Lord Derby's Council is from what appears to be a contemporary copy, on a separate sheet of paper filed with the court roll of 1546. For the sequel, see the court roll of 1547 (p. 106).

8. Blanchard's petition is on two separate sheets filed in the bundle of court rolls of 1531-1545, between the two duplicate rolls of 1535. It is undated, but undoubtedly belongs to a somewhat later period, as is shown by the references to this case in the rolls of 1551, 1556, 1561, 1564 and 1565 (pp. 115, 132, 135, 149, 158, 162).

9. The appointment of Lord Derby as Steward is from a contemporary copy entered into King's College Ledger (Vol. II, p. 153). The Stewardship of Prescott was always in effect included in the leases of the Rectory; this is the only example of a special grant of this office to be found in the College Ledger.¹ The Provost's notes (p. 26) show that at this date the College was far from satisfied with the management of Prescott. The injunction respecting the sending of court rolls to Cambridge seems to have been observed for one year only (see p. 173, *n.*)

10. The grant of the site of a shop is from an original letter filed in the court roll of 1577. This property figures in a surrender of 1578 (p. 203).

11. The memorandum book contains copies of the more important orders extracted from the court rolls and confirmed by the Jurors of 1575, and a few similar entries of later date. All the rolls, from which these orders are taken, are extant today, and are included in the present volume. The roll of 1575 makes no mention of the confirmation of these orders, but, curiously, a reference to a confirmation of "former orders" appears in the roll of 1574 (p. 187).² The book is of paper, with 16 pages measuring 10 by 7 inches, of which only 8 bear writing.

12, 13. The complaint to the College (12) is from an original letter at King's College (I. V. 13.) It is apparently a communication from Thomas Layton of Prescott Hall; the additional notes seem to be in the hand of Dr. Goad, the Provost. The resulting demand for redress (13) is from an original letter filed with the court roll of 1579.

14. Mr. Trollope's letter is from the original at King's College (I. V. 16). Light is thrown on the writer and his motive by the following extract from a letter of Philip Layton to the Provost, dated 10 July 1583: "May it also please your worshipp, whereat on Mr. Trollope (of whom you and I talkt of the last tyme I was with you) hayth beene longe suter ffor the Archdeaconship of Manvnto my Lord of Darbie, to move my lord by your letters in his behalfe; and you shall find him therefore readie eyther to pleasure you or youres, as knoweth the Almightye, to whose blessed tuition I committ your

¹ In 1586, however, another separate grant of the Stewardship was under consideration (see p. 32).

² Since, however, this is on a separate paper, it may possibly have been filed with the wrong roll, and so really belong to 1575.

worshipp." (King's College Muniments, 1. V. 25.) For evidence of Layton's indebtedness towards Trollope, see p. 11. We can hardly regard this account of Prescott as altogether disinterested and unbiassed.

15, 16, 17. Mr. Meade's letters (15, 16) and Mr. Sutton's letter (17) are from originals at King's College (1. V. 23, 19 and 42 respectively). The first (15) sheds notable light on many aspects of the life of the town.

18, 19, 20. The Provost's memoranda (18, 19) are from original MSS. at King's College (1. V. 15 and 17). Both are undated, but clearly belong to 1592; the second was apparently written by Dr. Goad while presiding at the court leet of that year (see p. 251). The subsequent instructions to Lord Derby (20) are from a contemporary copy at the College (1. V. 22).

21. The Provost's letter on alehouses is from an 18th century copy entered into the Court Leet Memorandum Book (see p. 277 *n.*) in 1754. Though doubtless substantially accurate, it is obviously not a perfect transcription as regards the spelling.

1. 1458, July 17. AN AGREEMENT between King's College and the Vicar of Prescott, concerning the building of the vicarage house.

Thys indenture, made the xvij day of Jule, the yere of the regne of Kyng Henry the vj^{te}, xxxvj [1458], beryth witnesse that Mayster Rauffe Dukworth, Vicar of Prestecote,¹ hath resseyued and admytted for hys mansyon and vicryage of Prestecote, by the lyuere and assignament of the Provost and Scolers of the Kyngs College of Owre Lady and Seynt Nicholas of Cambryge, a place newe beldyd at the west ende of the Chyrche, to gedyr with a howse, gardeynes and crofte, that summe tyme William of Pemberton helde within the towne of Prestecote, in parcell of wiche crofte the said vicryage is beldyd, and with a wey of resonable brede for carte and caryage, in suche place as hit was aduysed by Roger Bothe, and assigned by the said Provost:

And the Vicar shall satysfye to the fermors of the Chyrche² of Prestecote yerely, by the space of v yeres next inmedyately folowyng theyse indentors, euery yere iijs. iiij^d.: and after the said v yere be finie, the said Vicary shall [take] the said howse, gardeynes and crofte,

¹ Ralph Duckworth, D.D. was Vicar of Prescott from 1448 to 1471.

² That is, the lessees of the Rectory.

summe tyme William Pembreton, into hys proper vse, and hys successoures Vicars for euermore: provyded allewey that the said Vicar nor his successors set nor make any tenant within [the said] place or land, but suche as shall obey and be agreable to the said Provosts courte¹ of Prestecote:

And in full satysfaccyon, fenysshement and recompence of the mansyon of the said Vicryage, as well in makynge of chemeneys, as of other nesessaryes and esiments of the said howse and mansyon, ouere ij steyres, a louere [louver] for the halle, trappe durres and wyndowes, wiche Henry Bold shall make, the said Provost and Scolers ben agrede to pay to the said Vicary v marke of mony, for the wiche v marke the said Vicar is agrede to take the said charge vppon hym, and so to dyscharge the said Provost and Scolers for alle other charges for euermore for the said Vicryage. In wittenesse wherof [etc.].²

2. 1508, May 10. A GRANT in perpetuity, by Ralph Eccleston Esq., to the town of Prescott, of part of Hackley Moss in Eccleston, for use as pasture only.

This Indenture made the tenth day of May, in the year of our Lord Jesus Christ a thousand [five]³ hundred and eight. Be it known to all trew Christian men to whom this present writing shall here or read, that Hen. Eccleston, son and heir of Gane⁴ unto R. Eccleston Esqr., when the said Henry was w[ithin] the yathis [gates] of death, then he meekly pet. and desired and requir'd the said Ralph, that he would grant to him, at the instants of the good Lord and our Blessed Lady St. Mary, a certain land forever, within the town and lordship of Eccleston, lying at the towns end of Prescott; it to be claused to the behoof of the tenents of Prescott, at the sight and deliverance of his most right and best beloved cousin Wm. Leyland, and to whom it pleased to call to him of the tenents of Prescott, and he and they to meere and that [*sic*] to clause as much

¹ This is the earliest specific reference to the Court Leet of Prescott.

² A further grant, dated 8th Sept. 1478, was made to Dr. Duckworth's successor, Richard Lincoln (Vicar 1471-92), for 10 years, of the tithe of *Reynhill*, a close called *Arowsmyth Felde* lying between *Prescote Parke* on the S. and the highway (*regiam viam*) on the N., and a messuage with adjacent close late in the occupation of John Gieste, priest; paying £4 14s. yearly (1. V. 7.)

³ Where this word should come, the edge of the page has fallen away in consequence of damp.

⁴ This seems to be a misreading of the original, and not (as the writer of 1754 doubtless supposed) the name of Henry Eccleston's mother, for, according to Flower's *Visitation of Lancashire*, 1567, this lady was Agnes, d. of William Leyland Esq. (Chet. Soc., O.S., vol. 81, p. 98.)

of a ground called Hattle Moss as the said Wm. and they shall think reasonable, to the behoof of the said tenents; whereupon he and they hath meered the ground, and the tenents of Prescott have claused it, as now by a new ditch plainly appears, made by the tenents of Prescott.

Wherefore it shall be lawfull to all the said tenents within the town of Prescott to enjoy and occupy all the ground betwixt the new ditch and the town's end of Prescott, as well the poorest as the rich, and all men, firm under condition, as the desire was of the said Henry when he had his grant of the ground of his said father (that is to wit), that no manner of man, woman or child of Prescott town should delf upon said ground, no flay terfes, no deep terfes nay rigging terfes, no cast no clay holes, break no ground, nay build upon it, nay close nay part of it, nay make no manner of waste upon it, but only to pasture it with their cattle (that is to say) horses, beasts, swine, sheep, lawfull yokt and rounge, with geese and digs, and that simplest shall have as great liberty as the best, and each one in likewise to their portion; also the said tenents shall keep up there ditch, and that it defend the tenents that hold on the ground of the said Ralph that joins next it, and not to trespass but against their will that trespass now in the life of the said Ralph, and likewise unto all it shall please Almighty God to make in time to come.

Also the said Henry desires and prays all the tenents and inhabitants dwelling within Prescott town that been releiv'd by the said ground, that they and each of them by the way of chart [*sic.* charity?] would say every Sunday and Friday *Deprofounds* [*sic.*], whosoever can say it, and they that cannot to say a *pater noster*, *ave* and *credo*, and when they look in church or church yard, to pray for the souls of his ancestors part [*sic.* departed?] and for the soul of Henry now late departed, and for all Christian souls that God would we pray'd for, and the welfare of the heirs that is now and all other when they come, and for the souls of them when they are departed.

Also, the said Ralph granted to the said Henry, and now grants unto the said tenents of Prescott, that if any man in time coming would wrong them or hurt them, or bring any other incustome upon the ground to hurt them by, except all only these points above rehearst, that then the said Ralph and his heires shall be forth coming with such evidence at all time or times if need hereafter, that shall

declare and prove the gift of the said grounds good and lawfull that is granted by the said Ralph unto the said Henry, and now to the tenants of Prescott; with a provise, that if the above said tenents of Prescott hold, keep or perform the premises above rehearst, then this gift to stand full for ever, or else to stand at the pleasure of the said Ralph and the lords of Eccleston such as please God to come after him.

Also, the said Ralph grants that one side [of these] indentures shall remain with whosoever is Vicar of Prescot, and the other, with the evidence of the said grounds, to be with the lord of Eccleston, to keep on behoof of the said tennants of Prescott, if they will keep and perform these points in these indentures above rehearst. In wittness whereof, I the said Ralph Eccleston and lord of Eccleston, Esqr. to the body of our Sovereign Lord King Henry the seventh, have set my seal of my armes the day and year above said.

3. c. 1513. DRAFT OF A LETTER from the Provost of King's College to Lord Derby, complaining of abuses of undertenants in Prescot.

Ista concernunt abusum tenencium apud Prescot.
 Wheras the tenants of Prescot on late tyme hath alteryt ther tenements, and haith devidyt them into diuerse tenements; and solde ther housez, and also grounde belongyng now or late to ther housez, and thervppon other haith byldet, and paith yerly rent for hit vnto soche person (Not to the lord, *interlineated*), as they have taken at: which is contrary to right agaynest our place. Also [they] haith takyn bothe be day and nyght tymbre in our wodds, withouten any licence, to bylde vppon soche grounde as they haith boght of them that neuer had right to sell, nee set them noon. Which tymbre that they haith takyn shuld have reperacionyt other tenements as ben lykely now to fall down for lacke of tymbre that they haith takyn: which shall be an vttur vndoyng vnto thos that payn rent to our place.

And [the] vndre tenants soo doying contrary to right and conscience, withouten any auctorite of any grant afore had of the furst founder, or sith that tyme be any chartur or cotype or court rolle granted vnto this day: noe at soche tyme as the parsonage was first founded, nee graunte made be ony parson or provost sithe that tyme.

Nee the said tenants nawther be spirituall laught [law] nee temporall; but by mysvsyng and sufferyng of graunts made by soche depute Stewards in tymys past for ther profyt. And haith broght it now at this day in to gret decaye. And withoute your good reformacion (having in somes and rent, *in margin*) accordyng to our olde possession and right, that is to sey, as mayny tenants as is now at this tyme or shalbe in tyme comyng, that ben hole tenants to the provost, to haue libertie as hath ben suffuryd afortyme in this forme. The hole tenant shall geve his good wyll to his sun or doughter if he haue any, or ellys to his brother, or ellys to summe of his ffreinds, so that the Stuard thynke hym or hir honest and hable of condicions to be a tenante, and to assyne with hym at ther first rents, as the Stuard thynke resonable: and thus hit hath ben suffured afortyme.

Providet alway that noo maner of tenants, inhabitants dwellyng withyn the town, shall nother sell nee set no maner of housez nee grounde belongyng to ther tenements, but allwayse to kepe his tenement hole to gether. And thus we woll consente, so that we may be restoryd agayn to our first astate. Hit is certayn in tyme commyng and it contynue, our place shall haue no rent, but our housez shall lye in decaye; and other housez that ben beldyt vppon our grounde agaynest ouer licence, contrary to right, to prosper and contynue, and the rent for them to be payd vnto them that haue noo right. And thus our town shalbe destrued in shorte space.

Wherefore we mekely besechen your honorable lordship to cease soche vndre tenants that have bilydt with our tymbre vppon our ground withouten any lycence, of payng other men thaire rents, contrary to right and conscience, the ground and the timbre beyng ours. Therfor, your honorable lordship beyng our Stuard and fermor ther, and our defender in all rightfull causez, we require your lordship in Godds name to se a remedy, that we may haue soch rents as any man payth within that town, because all maner of grounde withyn the same town belongs vnto our place.

Wherefor we all the said fflaship [of the] Coll. with all hole assent prayng your lordship to give your baylif in commaundement afor the next ferme day [due] warnyng, that the vndre tenants, which ben the nombre of xx etc., that they pay noo rents but only to [your] baylif from that

day fforthward; ffor and they do, hit shalbe agayns our wille, for hit is a plag [that is] disheretyng vnto our plac, which we must neds defend. And if any of thos xx vnder tenants (and that is the only way to reformation) will withstond hit, and not pay his rent vnto your baylif, to strayn them, and preyse ther stresses, and make leuwe of ther rent, and pay hit to your officers to your behofe, as ye haue the other rents: and that we trust verily your lordship will support vs in our right.

And if any will make title or clayme be any lawe vnto our grounde and housez biled with our timbre without thought our licence, we shall answer thaim accordyng vnto right; ffor we must neds thus doo in defendyng our right, or ellys our town will be distryet with vndre tenants dwellyng in the town, which shall make gret discorde and gret myschefe to be lykely dayly. But we, vearily trustyn in your lordship consideryng the premisses, that ye will provide that hit shall procede no farther, but so a reformation heryn be your Counsell er the next ferme day. And Mastres Lathum was the first, and wherfore we can not suffur hit no longer, except our town shall be destrued, etc.

And for euery man that haue made any cost vppon the ground, and dwellys vppon it, we will be content that he dwell styll, payyng vs (or to you, *interlineated*) the rent that he haue paid vnto hym that solde hyme the ground withouten any auctorite; in as moche as the grounde and the tymbre is ours, and they haue paid to vs nothyng therfor. Hit haue cost them noght that solde the grownd, but haue had a gret avauntage this mony yers past, contrary to right and conscience; ffor as long as the town is thus in division, hauyng thus mayny landlords, ther shall neuer be good ordre ne rewle, but euery man to maynteyn his tenant in wrong, and cause syng of the kinggs law vppon our tenants. And they that ben vndre tenants sette not by the law of the town, which shalbe to our pryvilege¹ a destruccion, except hit be reformed agaynest. And if your lordship will so for no reformation, we must neds defende the right of our place and sue the law vppon them that doith vs wrong theryn. But all we trust ye will provide a remedy, that we nede not to haue noo farther trowble etc.²

¹ See pp. 60-73.

² For a comment on the significance of this letter, see Appendix G.

4. c. 1513. A LETTER to the Provost on behalf of Lord Derby, apparently in reply to 3.

Right honorable Sir, I humbly recommede me vnto you. Sir, I deliuered your letter vnto my Lorde of Derby. He promysethe that all such rents of vnder tenants shalbe paid vnto hys bailly, as verey duty vnto you, being lords of the said howses and tenners [*sic*] in Prescod. How be it, my lorde will have you to be there personally, or other sum discrete persons of your college, suche as ye choose and truste, to geve aide and assistance vnto my said lorde, in shewyng youre titill and intereste in the same, and ye soo doing, my lorde will doo his duti to restore you to your right, and then nevar to have suche iniuries and wrongs as long as he is your stuarde there. And so fare ye well long to Godds pleasure. Writyn in hast at London, on Saynte Clementes day [23 Nov.],

By your lover, Ph. Morgan preste.

[Endorsed] To the right honorable Sir Maister Doctor Hacumbley, Provoste of the Kings College of Cambrige.

[Added] From Mr. Morgan, for the matier of Prescot etc.

5. 1514. DRAFT OF A LETTER from the Provost to Lord Derby, informing him of matters to be dealt with at a court at Prescot; with notes of two orders made at Prescot in 1514 and 1517.

Pleasith it your lordship to vnderstond that wher my duety is to se to the wele of the town of Prescot, which is ffollyn in gret dekey, and lykely to com to ruyn withoutht reformacion shortly be had; therfor by auctorite and assistance of your lordship, I have determyned a coort to be kept. And what thinggs nedyn reformacion, tharticles fologyng shall expose and declar.

First, to be inquired by what auctorite, withoutht licence and consent of the lord and his Stuard, ouer tenants do sell ther tenanttres, or ony part of them, to other men; and they to bylde howses vppon the lordds ground; and also with the lordds tymbre within the town of Prescot; and give no rent to the lord, ne knowlegyng ther self as tenantts, but to vse the said howse as ther herytayge, contrary to all right and good vsage and custom; by the abbusion wherof, if it be sufferd, the lord shall haue no howse of his owne within Prescot town, for ther howses be mayntened and lordds howses geyven away.

Also, I thynke it lefull to inhybet ouer tenantts to goo in to the lord's woode and ther to ffall treys withoutt the assignement of the lord or his stuard or his depute, vppon a grevous mersiment to be determyned by the courte hereafter, to be reysed vppon the fforfeters.

Also, if any of our tenantts of Prescot fallith in pouertie, that he is not able to repayre, kepe uppe and maynteyn his howse, that than by the licens and fauor of the lord and Stuard, he shall sell his good wyll, and take a relese of that parson which the Stuard shall be contented with: and so to put hymself fro the renttale and set thervppon the other man, so that ther be but on tenantte which shall dwelle vppon the lord's terrtry within the town of Prescot.

And also hereafter that ther be no more sellyng of howses, ne any part of the grownd belonggyng to the howse, ne to make vndertenantts as they haue abused befortyme, in payne of fforfeture of ther holdyngs.

Also, that all parsons (and vndre tenants, *interlineated*) that hath belded howses vppon the lord's grownd within the town of Prescot, that they com yn and knowlege duety to be done to the lord, vppon whos grownd they hath belded withoutt licence, in payn of forfeitng of ther howses into the lord's hands.

[Added] Also hit was ordeyned and commanded at that Coorte, and consentyd to be the Omayge and all the tenantts of the Town of Prescot, that no hole tenantte ne vndrentenant shall surrendre ther holdyng to any bastard, and all the tenantts at that Coorte war agreeable.¹

Also at a Coorte kept *xij die Junii, anno ix Regis Henrici Octavi* [1517] be Mr. Rafe Eccleston, than Stuard deputed vndre the yererl of Derby, be the consent of the men sworryn, and all the tenantts, hit was ordenyd and agreed, that all vndre tenantts that haith edyfyed howses or cotayge vppon the lord's grownde within the town of Prescot and contrary to the lord's wyll, shall be ordered at the lord's will and his Stuard her after.²

¹ This order is not entered in the roll of the court held by the Provost in 1514 (p. 79). This roll, however, does record orders respecting the division of holdings, and the taking of timber, such as the Provost suggests above.

² A separate paper at King's College (i. v. 10) bears a contemporary Latin transcript of this order, with the additional information that Bartholomew Hesketh, Commissioner of Lord Derby, was also present at the court in 1517. On the back is written, "Also that all persons that hath byldet howses vppon the lord's grounde within the towne of Prescott that thay cum yn and shew by what right they clayme the possessione of the howsez bylded vppon the lord's grounde withoutt licence, in payn of forfeitng thaire howsez in to the lord's hands." The roll of this court is not preserved.

[Endorsed in Latin.] Injunctions given in the court held at Prescott, 14 Aug., 6 Hen. VIII [1514], by the Provost there present with the Steward. John Byrkhed.

6. c. 1517. A LIST of tenants and undertenants at Prescott.

Tenantes of the lordship of Prescott, the wiche certain men setten and makyn tenants vntre at thaire pleasur, vsing thaym as thair awne.

Imprimis, John Ogle, owner hereof: the howse of Thomas Potter, the howse of Brian Sutton, the howse of John Esthed, the howse of Alan Perpooynt. Elenor Lathum, owner: the howse of Oliver Fennay, the howse of Rauf Cornes, the howse of the wif of John Fennay. Edward Bawer: the howse of Nic. Edmundson, the howse of the wif of John Prescott.

The howse of John Sale, in the holding of the wif of Ric. Lyon. The howse of Ric. Gelebronde, in the holding of the wif of Edmund Platt. The howse of Hugh Holgreyve, latly solde to Henry Webster, in the holding of George Pyke. The howse of Rob. Bethum, the ground therof latly purchased of Henry Bellerbye, and sith his decesse he hath purchased more ground of the said Henriez wif. The howse of Lawrence Lathum, in the holding of Nic. Holt. The howse of Willm. Waynwright, in the holding of Rauf Bower, wiche somtyme was the bothe.¹ The howse of Kateryn Collay, in the holding of Thomas Porter. The howse of John Byrom, in the holding of Ric. Browne. The howse of Ewan Webster, in the holding of Margeret Holt. The howse of John Lathum, in the holding of Thomas Fletcher. The howse of Oliver Fennay, in the holding of the wif of Edmund Robynson. The howse of Rauf Bower, in the holding of Thomas Laythewayte. With more that be not here spokyn of, etc.

7. 1546, June 29. AN ORDER by Lord Derby's Council for the trial of a disputed claim to copyhold property in Prescott.

At Lathum, the xxix day of June, *anno xxxviii* R.R. Hen. VIII.

Forsomych as it appereth that on Richard Glest was sumtyme tenant of a howse and tenement in Prescote; and that Elen Glest, now wif to John Gillor, claymeth title thereto as doghter and herez to the seid Richard; and that it is supposed by on Henry Coney, that on Else-

¹ i.e. Tolbooth or Court House. See p. 216 n.

beth Hardware and Sir Laurens Lathum prest, her son, shuld bye the seid howse and tenement owt of the court of the wif of the seid Richard Glest, and of on Robert Glest, his son, who is supposed to be an idyot; and that the seid Elsabeth and Sir Laurens shuld owt of the seid court sell their title to William Coney, fader of the seid Henry, whose interest in the same the seid Henry now hath:

And forsomych as Isabell Webster, doghter of the seid William, claymeth title to the seid howse and tenement, by reason of bargan and sale that the seid Elsabeth Hardware shuld owt of the court make vnto her; and forsomych as it dothe not appere to the stuard of Prescote and my lords counsell that any of the seid Elen, Henry or Isabell hafe conveyed to thaym any just title of inheritance in the same:

Therfor it is ordert by the seid stuard and my lords counsell, that the seid stuard shall, in the title of my lord, as tenant to the Provost, enter and occupy the seid howse and tenement, at such tyme as hereafter shall be thoght most convenyent by the stuard; and suffur an inquest to trye which of thaym shall be my lords tenant thereof (as fermor vnto the Provost, *interlineated*); and my lord and the Provost of their godenesse, and of no right, to accept hym or her to be tenant thereof, whom the seid Jury shall fynd etc.; and so to contynue from thensforth as tenant thereof to the Provost, accordyng to the custom of the towne, etc.

And as towchyng the arrerage of rent, to be ordert therein by the stuard, by the advise of the Jury, etc.

Edward Maynwaring. Alexander Barlow. Thurstan Tyldisley. [Endorsed] Mr Resayur order.

8. c. 1560. A PETITION to the Vice-Chancellor of the Duchy of Lancaster, by Evan Blanchard, for the restoration of copyhold property alleged to be fraudulently taken from him.

To the Right Worshipfull Mr Thomas Carus, Seriant att Law, and Vicechauncellor of the Duchie of Lancastre. In moste humble maner compleyning, shewith vnto your good mastership your suppliaunt and daylye orator Euan Blancher of Sutton in the Countie of Lancastre, husbandman, that wheare your said supplyaunt is lawfullye seased by good and sufficient conveyance and assurauns in the law in his demeyne as of fee, according to the custome of

the sayd manor of Prescott in the sayd Countie of Lancast^r, of one mese or tenement with thappurtenances in Prescott . . . being of the nature of copihold, and holden of the Master and Scolers of Trenitye Howse¹ in Cambrydge, att the woll of the Lord, according to the custome of the same manor of Prescott:

So it is, Right Worshipfull Sir, that dyuers courte rolles, evydens, escripts, mynuments and wrytings concerning the premisses be casuallie camen to the hands, custodie and possessyon of one Thurstan Canner and Henrye Conye, who by colour of having thereof, haue craftelye conveyed vnto theym selves dyvers feyned and secrett estates of and in the premisses, and haue dysturbed your oratours possession of the premisses, that he your pore oratour cannot take anye profetts of and in the same, by reason of the same court rolles and wrytings, and by the supportacion, meynenance, favor and ayde, aswell of the steward of the said Court, and also of the copyholders within the iurisdiccioⁿ of the same court, in so muche that your said orator cannot haue anye remedye for the same:

And although your sayd orator haith dyuers and sundrye tymes dyssyred the sayd Thurstan Canner and Henrye Coney not onelye to delyuer vnto your said orator the sayd courte rolles and wrytings, but to suffre your said orator to occupie and inioye the premisses according to his right, yet that to do they and aiyther of theym haue denyed and refused, and yett styll denye and refuse, contrarye to all right and conscens; In consyderacion wherof etc.

9. 1568, Apr. 22. A GRANT by King's College to Lord Derby, for ten years, of the office of Steward of Prescott.

To all men to whom this present writting shall come to be seene, hard or redd, Philip Baker, Doctor of Divynytye, Provost of Kings Colledge . . . and the Scollars of the said Colledge, send gretinge in our Lord God euerlastinge. Knowe you that we . . . have given and graunted . . . vnto the right honourable Edward, Earle of Derbye, Knight of the noble Ordre of the Garter, the office of Stewardshipp of our Towne or Mannor of Prescott in the County of Lancaster, and of all our tenauntes, lands and hereditaments in the sayd Towne or Mannor, and the kepinge of the fayres, marketts, courtes and leetes there, and all and singuler commodities and profectes thereof . . .

¹ An error. The writer should have said *King's College*.

To have, occupie, vse, exercise and enjoye the sayd office . . . to the sayd Earle, his executors and assignes, by him or them selves or by his or theire sufficient deputie or deputies, from the feast of the Nativitie of St Jhon Baptiste which shalbe in the yeare of our Lord God one thousande five hundred sixtie and nyne, vnto thende of the terme . . . of ten yeares then next followinge fullie to be complet:

Willinge and commaundinge all our sayd tenaunts, officers and resiaunts of and within the sayd Towne or Mannor, that they and euerie of them be at all tymes duringe the sayd terme aydinge, assistinge and obeyinge the sayd Earle [etc. as above] . . . for and in the exercisinge of the sayd office:

Provided alwayes that if the sayd Earle or his assignes shall nott deliver, or cause to be delivered, vnto the sayd Provost and Scollars and their successors yearlie duringe the sayd terme of tenn yeares, the courte rowles of such courtes as shalbe yearlie kepte and holden within the sayd Towne or Mannor by the sayd Earle [etc.], that then this presente graunte . . . shall cease and determyne, and from thenceforth be vtterlie and clearelie voyd, any formar graunt made to the contrarie notwithstanding.

In witnes whereof [etc.]. [Dated 22 April, 10 Eliz.]

10. 1575, Sept. 9. A GRANT by the College, to Nicholas Tildesley, of a copyhold site then vacant in Prescott, for the erection of a shop.

Prescot in the County of Lancaster.

Where there is a certaine plat of ground adioyinge vnto thest eand of Prescott church nowe lyinge wast and not buylded vpon (beinge of the quantity of fyve yerds in length and two yerds and half in breadth or ther about) belonginge vnto the Kings Colledge in Cambridg, wheron somtyme there stooode a shopp for the which was paid xvd. rent by the yere, which rent is now lost by reason ther is no buylding vpon the said ground; at the request of Nicholas Tildesley gent., fermer of the parsonage of Prescott for the tyme, beinge willing to buyld a shop vpon the said ground at his owne proper coastes and charges, I haue gyven my consent, and by theis presents do grant vnto the said Nicholas the said ground to buyld vpon as is aforesaid, so that it be of no greater valew and quantity then is before limited, he payinge thaccustomed rent of

xvd. by the yere; to haue and to hold the same according to the custome of the mannor, paying such fyne therfore as hath ben accustomed. In witnes wherof I haue putte my hand. At Cambridge the ixth. of September 1575.

[Signed] *Per me* Rogerum Goade."

11. 1575. A MEMORANDUM BOOK OF ORDERS made at former courts and ratified in 1575, with some later additions.

PRESCOT. William More [Steward]. *Anno Henrici Octavi* the xxviiijth. [1536]. Orders.

Myddyns. Friste, yt ys ordained that all myddings and dungehills shalbe scowred and caried owth of the towyne fflowre daies before the ffaire, vpon paine of xij*d*. for evore deffalte.

Myddingstids. Item, yt ys ordered by the said Inqueste that all the tenants and vnder tenants in Prescot shall frome hensforthe make their myddingstids in the towyne by the counsell of the iiij men appoynted for the same and other things.

Resceite of vacabunds. Item, it is ordered by the said enqueste that yf any tenante or vnder tenants doe resceite any vacabunds or mysruled persones, that they and evore of them so resettingte shall for evore tyme fforffette xij*d*.

PRESCOT. Manwareng. *Anno Edwardi Sexti Septimo* [1553].

Suyng in forren courte. Friste, yt ys ordered that no inabytant there shall not sue on another owt of this corte, vpon paine of vjs. viij*d*. for evore one so doienge.

Butts. Item, that the inabytants afforesaid shall erecte, maynteyne and kepe there butts in dwe reparacion etc., vpon payne of vjs. viij*d*.

PRESCOT. More. *Anno Henrici Octavi* xxvj [1534].

Assalt. Friste, for everie assalte etc., ijs. iiij*d*.

Blode. For blode drawn, vjs. viij*d*.

Rescowe. For evarie rescowe vpon the bayliffe, ijs.

PRESCOT. Sutton. *Anno Ph. et Marie* iij & iiij [1557].

Selleng of vittalls. Friste, that none shall sell any wares or vittalls vpon the Sondaie or holydaie in serves tyme, in paine etc. of xs.

Vnder tenants. Item, that none shall have but one vnder tenant for euerie tenement, *sub pena* etc. xij*s*. iiij*d*.

Inmaks. Item, that no vnder tenants shall take into

there howse any other then childe or servant etc., *sub pena* vjs. viij*d*.

PRESCOT. Sutton. *Annis Ph. et Marie ij et iiij* [1556].
Manwayring. *Anno Henrici octavi 38* [1546].
Sutton. *Anno 4 Eliz.* [1562]. *Consimile*.

For grindenge from the lords myllne. Fryste, that no inhabitant etc. shall grinde ffrome the lords millne any malte or corne, but that the same shalbe ffryste browght to the said millne and there to be grownde, vnlesse it be for want of wynd, vpon paine of forfeiture for euerie wyndell vjs. viij*d*.

Mylner. Item, that no mylner shall take tolle excessive lie, vpon lyke paine, for euerie wyndell vjs. viij*d*.

PRESCOT. Sutton. *Anno Eliz. octavo* [1566].

Forstalleing of vycualls. That no inhabitant shall forstall, receve or kepe any breade or other victualls browght to be solde, in there hands, to the intente to selle the same agyne, except the same be allowed by the ale-founders, vpon paine of evere offence iijs. iiij*d*.

PRESCOT. Sutton. *Anno Eliz. quinto* [1563].¹

Carieng to forren mylls. That no forren person, with horsse or otherwise, shall fetche or carre any malte or corne owth of the towne of Prescott, to grind the same in any forren myllne, on paine of vjs. viij*d*.

Towne mosse. That no inhabitant shall delve or digge vpon the towne mosse, *sub pena* for evere one so doying iijs. iiij*d*.

PRESCOT. *Anno Edwardi Sexti primo* [1547].

For myddings. The Jure saithe that Sir Jhon Webster shall have a mydding steed frome the wyndow cheeke downewarde towarde Garnets by the waye of neyghtbor-shipe, kepenge the streat cleane.

PRESCOT. *Anno quarto Edwardi Sexti* [1550].

For noyeng of the hee waye. The Jure presentethe that whosoever dothe laie ani carren in the waye vnberried shall fforfitte to the lord ijs.

The saile of Henri Leaddbeter and Jane his wyffe. The Jure presents the saile of all formor bargans maide by Henr Leaddbeter and Jane his wyffe to be gud, and to stande in ffull strenght and vertu. [In another hand] Memorandum that the tenauntes to these bargaines made by Henrye Ledbether are Henrye Lathom and Willm Eltonhed.

¹ These items do not occur in this roll, but in the rolls of 1562 (p. 152) and 1564 (p. 161).

PRESCOT. *Anno Edwardi Sexti quinto* [1551].

Tenants to the courte howsse. The Jure presenteth James Taylor, Evan Pycke, Robart Worsey and Ric. Stockeley to be tenants of the bothe howse in Prescot, by the grant of my Lord of Derby and his officeres, paieng to the lord iijs. by yeare, and keping hit to be a courte howse and a bothe.

PRESCOT. More. The xxviiijth. of Henry the viijth. [1536].

Resettyng of vacabonds. Item, it is ordered that yf any tennent or vndertenant do resett any vacabunds or mysruled persons, that they and evore of them so offendeng shall forfett to the lord for evore deffalte xij*d*.

PRESCOT. *Anno Eliz. primo* [1559].

That the Birelawmen shall see gud neighborhed done for hedging and makeng fenciabull evore man his grond in convenyant tyme, and present at the next cortte evore defalte, vpon paine of vjs. viij*d*.

MEMORANDUM that in the yeare of our lord a thousand fyve hundereth sevntie and fyve, these men whose names doth hereafter ensue, beinge of the Jury, doe confirme, allowe and establishe all these orders hertofore in this booke written. [The names of all the Jurors follow, as on p. 189-190.]

[Later additions.]

ORDER taken as afforesed before Edward Sutton gent., *anno Eliz. xxv* [1583].

Cockestowe hole. *Imprimis*, the Jury doth order that the cooke stoole hole shalbe sufficiencytly scoured betwixt this and Michelmas next, in payne of vjs. viij*d*.

Item, the Jury dothe order that noe person shall washe any manner of clothes, yorne or any other vncleane thinge ether at Slytherfort well or at oure lady well, in payne of ijs.

Item, the Jury doth take order that ffromehencefforth noe person doe ley any mucke vpon the bancke before the howsse of Thomas Woodes, in payne of euery ffawlte soe made xij*d*.

Item, the Jury present Katheryne Semster for that she is a stranger borne in respect of the statute, and knowen to be of evill goverment, that she shall avoyde the towne betwixt this and Midsomer next, in payne of twenty shillings, and eny person that shall resette her in his howsse after that day to pay for euery nyght xij*d*.

[The next five pages are left blank.]

[1580] Item, the Jurye present and saye that theire haithe byn stopes longe since standinge and beinge nere vnto the place where the stoopes and yat [gate] now stande vpon the delveste parcell of the demesne of the halle of Prescot, thorowe which of right ought to be a lawfull waye and passage to carrie, convey and leade, with carte and cariage, on horse backe and fote, woodd, tynsell and tymber delyvered to the customarye tenants by the foure men, for the amendament of theire edifices, howses, hedges and other defenses, owt of the woodde of Prescot, thorowe and by the same waye, and that theire ought noe stoppinge or molestacion of ryght to be made in anye wyse. The names of the Jurye: [the names of all the Jurors of 1580 follow, as on p. 209].

[On the next page.] A remembrance for our ladye well, and also for filthe and slutche caryed and layed vppon the mosse.

Itm, to remember that the inhabetance dwelling within the towne of Prescot shall make provicion for the fyre in the somer tyme.¹

[On the next page.] Edwarde Manvring. The ffirst and second of Ph. and Mari [1555].

Thomas Eccleston, for a both. Hit is ordered at this courte that the shoppe next the cowrte howsse, being owth of reparacion and in decaye, that Thomas Eccleston, Esquire shall repare the same sufficiently befor this and the next court to be holding at Prescot, vpon paine to fforfitt the same into the lords hands, and this order was taken by the Steward by the consent of the sayd Thomas Eccleston by his attorney Robart Webster.

The surrender of Van Blangherd to Thurstan Canner is in the role of Edward the vj *anno quinto* [1551].

12. 1578. COMPLAINTS made to the College concerning claims by the townspeople upon the wood and waste in Prescot; with a note of College grievances.

Memorandum to let youe vnderstande that, wheras youre worshipps haue granted me a lease to fale doune timbber for reparacion of the maner house, the tounedoste stande in contention, and dothe say that the Colledge hathe no souche authoritye to grante, for they clame the woodd to be there oune, and also the waste of the touned.

¹ Cf. orders made in 1563 (p. 157).

they doo clame, and that the Prouost ner Scholers haue nothinge to [do] with it; more ouer they doe clame to haue a way ouer the demaine from the woodd to fetche and recarye at there pleasure, which never was heretofore but by lycense. Item, 1 pece of timbber, whiche was not deliuered by the order of the courte, which I haue taken.

[In another hand follows a summary.] Iniuryes offred by the tenaunts of Prescott vnto the Coll. and ther fermer.

1. They claime a peece of wood, by estimacion xij acres, to be ther own, and also the wast about the toun.

2. Item, a way over the demayne, which neauer befor hath ben vsed.

3. Item, they deny ther customary woork at the tyme of sheering.

4. Item, they would abridg our fermer in taking wood for reparacion, according to our covenant.

[Endorsed.] "Prescott. Iniuries offred."

13. 1578/9, Jan. 24. A LETTER from the Provost to the Deputy Steward,¹ demanding that the complaints in 12 be investigated and remedied.

Vnderstanding, by credible informacion, that diuerse iniuries of late haue ben offred to our ffermer² of Prescott, and consequently to our Colledg, by the tenaunts of that mannor, as namely, the claymyng of the Colledg Wood ther to be ther owne, and also the wast about the towne (belonging peculierly to the lords of the soile), beside claymyng of an highe way ouer our demayne,³ denying their customary woorks at the tyme of sheering, abbridging our ffermer to take wood vpon our ground for the necessarie vse of reparacions, with such like new challenges and controuersies, as are straunge to heare of to be attempted by copiholders, and therfor I do not alltogether credit the same to be trew;

I haue thought good to write vnto you, being Steward of tha [*sic*] Mannor, with convenient speede, to make diligent enquire of the premisses, whether thei be trew

¹ Edward Sutton succeeded Nicholas Tildesley as Deputy Steward in 1578 (p. 202).

² i.e. the lessee of Prescott Hall estate.

³ An order relating to this right of way was made by the court leet in 1580 (p. 211). A full contemporary copy of this order, written on a separate paper, is preserved at King's College (1. V. 14), inscribed "Prescott. A presentment by the tenaunts of Prescott touching a hygh way from the wood ouer the Coll. demayne." It is headed by the title of the court, date, presiding officer and jurors, in Latin. The text of the order, in English, is identical with that in the roll. The paper is signed by Edward Sutton, Deputy Steward, and certified by Thomas Fox, Clerk of the Court.

or not; and yf you fynd such dealings emongest them contrary to custome, to reduce them to order againe; letting them vnderstand from me and the Colledg, that yf thei shall so contynew, thei shall give vs cause to vse such remedy against them as wee would be loth.

I thought to haue written to my L. of Derby about this matter, but that I hope you will take order herin. So looking to heare answeere from you againe so soone as you may, I byd you fare well. From the Kings Coll. in Cambridg, the xxiiijth of Januar. 1578,

Your loving ffreind, [signed] Roger Goade, Prouost.

[Endorsed] To my loving ffreind, Steward of the Kings Colledge Mannor of Prescott in Lankysheere.

14. 1583, July 1. A LETTER to the Provost from Andrew Trollopp, condemning the state of the manor of Prescott.

My due salutacions vnto your worshipp remembered: Whereas Mr. Layton hath geven me to vnderstand that you are desyerous that I should advertyse you of all such wronges as I knowe offered to the Colledge within the manor of Prescott, and of all such things there vsed, or as there have bene don, which are or maye be preiudicyall to your estate or royaltie:

Although I knowe I cannot satysfye your mynde therein without the dislykeing of many, yet considering I was sixe yers brought vpp in Eaton Colledge, the nurserye of your house,¹ and that there is and ought to be a specyall goodwill bytwene them, and that I knew you being a child there, worthye of every mans good likeing, and I am not ignorante, howe much sythence you have geven all men cause to increase their good opynyons of you, and, which is especyally to be preferred, that the lawe of God, the lawe of reason and the lawe of this realme requyre every man to indeavour hymselfe not onely *reddere cuique quod suum est*, but also to further justyce, maynetayne vertue, and punysh vyce, whereby God is gloryfied and serued, the commonwelth cheryshed, and every partyculer estate preserued:

I cannot but accomplysh your request in signyfyeing vnto you, that my L. of Darbey, stewarde of the said manor, doth not, nor is a man mete to, imploye hymselfe in so meane matters, and that the gentleman which he

¹ Eton and King's College were both founded by King Henry VI, on the model of Wykeham's foundations of Winchester and New College, Oxford.

hath there apoynted vnder hym,¹ as every man ought to adiudge other honest, except he know the contrary, I so esteme hym, but I cannot thinke hym mete to supplye eny such place, ffor he is a man altogether without learning and experyence, and putteth one Foxe² in trust vnder hym, which I cannot terme learned, for he can neyther speake or wryte trew latten, nor ever redd eny lawe, and the best place which ever he possessed was that of a lawyers clarke, and being covetously geven, hath gathered, or rather scratched together without care howe, sume worldly welth, whereof parte is a house houlden of the said manor by cotype, ffor the amendment of his interest wherein at every courte, he hath openly declared that the tenour [tenure] of the copyholders are so free that they can make no forfeiture, that the lords have no waste, that euery tenante maye pull downe, buylde and enlardge his tenement as hym lysteth, and including any particularytye in a generalytye, the troth is the preferment of the tenants, and enlargement of their libertyes and profytts, are sought and furthered, and the lords ryghts and ryalties hindered and impayered, as much as maye be, and the tenants shalbe sure to take no wrounge of the Colledge, or yt to gett eny right of them:

And also that within the said manour, there is no care or regarde hadd for good government, or scyvyll order, whereby if eny harlett or common whore wante harbour, she maye there have yt, and that if eny lewde man (whereof in this countrey are over many) be disposed to have such a hackney, reporte caryeth hym thether to seeke her, and yt is manifest that there are so many, that my harte and spyryt abhorreth them, and ech Christyan hath cause to lament yt; and there are more lewde typling houses, to serue such tornes, then I trust be to be founde in all Cambridge sheire; but I dought not but that your wisdom wyll waye howe much, and howe many vices increase, where they passe vnpunished, and that your much more desyre to maynetayne vertue, and abolish vyce, then God hath geven me grace to wish you, and that your wisdom and skyll so farr excelleth myne, as I maye blush to gyve you advyse howe to accomplyshment your good mynde therein:

And therefore leveing the redresse to your pietye, [I]

¹ Edward Sutton, gent., Deputy Steward, 1578-1596.

² Thomas Foxe, gent., Clerk of the Court (see p. 296 n).

thinke yt necessarye to give you to vnderstande, that the said Foxe, in buylding of his foresaid tenement, hath incroched vpon the strete, which I take to be the lords wast, that one Fletcher hath gotten coles, to the value of xx *li*, in a pece of copyhould grounde, which I thinke wast, one Turner (as yt is sayed) hath a pece of grounde,¹ which laye common, and not many yeres sythence was inclosed, without eny graunte from the Colledge.

The tenants clayme to take tymber in your woodd at their pleasures, and to have a waye thorough your demesne,² which I cannot thinke they ought to have; the tenants will paye no fynes³ for their copyhould, or as farr as I can here, graunte that the lords have eny thing to do there, but onely to have the vsuall rent; and if my skylle or experience serue me to adiudge of eny thinge, yt is necessarye for you to have learned counsell touching the premysse, and to kepe a courte of survey,⁴ and, for the better execucion thereof, to be sutors to my L. of Darbey for his honours assystance; ffor yt is sayed there be sume lands,⁵ parte of your glebe or demesne, lyeing in sundry places within the parish of Prescott, which fewe knowe how they are houlden, and that your Colledge hath no rent for them, the certentye wherof I cannot certifye you; but if I were able to do the Colledge, you, or eny of your company eny pleasure or servyce, I would suerly perfourme yt, as knoweth the Almightye, to whose blessed tuition I cummytt you, beseching hym to prosper you all in grace, wysdome and learnyng; Prescott, this fyrst of Julye, 1583. Your worshipp assured in all I may,

(Signed) And. Trollopp.

15. 1586, May 26. A LETTER to the Provost from the Vicar, discussing sundry matters relating to Prescott.

Sir . . . My Lord of Darby is purposed (if he hathe not done it alredie) to talke withe your w. concerninge the renewinge of his lease.⁶ And his L. is mynded to make this requeste, that he may enioye the three laste yeares of his olde lease without change of provision, and so have

¹ Apparently this was the "preests cote" (p. 37), and contained the common well called Our Lady Well (p. 119, 167).

² Cf. the complaint of 1578/9 (p. 296) and the order of 1580 (p. 211).

³ See the tenants' declaration of 1553 (p. 122).

⁴ This was done in 1592 (see p. 32).

⁵ The "Kirkland," see p. 24, 27, 46 and Index.

⁶ Lord Derby's lease of Prescott Rectory was revised in 1586/7 (p. 9-10, 31).

an newe lease within the three laste yeares, for tene yeares after the expiration of the three olde . . .

But if his L. receave anie extraordinarie favor, it is not given, ffor this poore towne of Prescote findethe him an honorable frend. Ther is in this poore towne one hundred and five severall families,¹ amonge which ther be scarce xx that be able to helpe themselves withoute begginge: vnto all whiche his L. is liberall bothe in mosse for fewell, preferringe them before all other, and in kie gates in his parke,² takinge of them but ijs. vjd. for a cowe wher he takethe of all other v or vjs. Moreover he is alwayes redie for the mayntenance of our priviledges, if his honor in time may be informed thereof.³ And this frendshipe and benevolence that his L. performethe is vnto your poore tenantes, in respect of that good will he receaveth of you. If therefore you shall continew and shew him favore agayne, you shall provoke him bothe to continew, and if it may be increase, his honorable frendshipe vnto them: and without his benevolence they are not able to live.

Sir, we have a free schole in this towne of Prescote, whiche is no smale commoditie to the towne, and a greate furtherance for religion. Scholemasters and ministers ether do or shold ioyne hande in hande for instruction of youth, to teache them the trewe feare of God, and to sett them in the trew way to the true service of God. Our gentlemen of this parishe, wherof I am minister, perceivinge my indevor hearin, of late, within this fewe dayes, entered consultation to remove the schole ij miles from the church, purposinge hearby to hinder my good corse, which God be thanked hathe not bene without some profite: my trust is greater will followe. I have withe some displeasure vnto myselfe stayed it for this time.

I beseeche you (good sir), as you tender the good proceeding in religion, be erneste with my L. of Darby, that it be not at anie time removed. The onlie reformation

¹ On this point, the Vicar gives the following further information, in a letter to the Provost, dated 18 Jan. 1591, on behalf of the Grammar School: "There is belonginge vnto the towne of Prescot but xxx acres of grownd, after the measure of our acre, every acre being almost ij of yours, and there livethe vpon thes xxx acres at the lest iiij hundred soules, three parts of them not able to live of themselves except they be releved by neighbours, and of this iiij hundred sixe score vnder the adge of xvj years." (The "Cheshire acre," to which the Vicar refers, is slightly *more* than double the statute acre).

² Knowsley Park, adjoining the town of Prescot.

³ Lord Derby's aid in securing the rights of Prescot traders in Liverpool, c. 1579, is recorded in Liverpool Town Books (vol. 2, p. 356-7, in the press).

that we can hope for in this corrupte contrie is, that children be truly and diligently catechized, for I thinke that superstition is so grownded in the adged, that without the rare mercie of God deathe must parte it. I doubt not but God will blesse our labors concerninge the instruction of youthe, whiche wilbe better and withe greater ease performed wen the minister and the scholmaster are one hand at the elbow of the other; and therefore our foorefathers seinge this have founded ther free scholes not far from the mother church. All our gentelmen are ether obstinate recusantes or verie cold professors, and wold gladly worke to hinder the good corse of the worde.

Our hope is that our market¹ vppon the Sabbothe day (a wikked abvse) will shortly be reformed, ffor we have from her maiestie, not without greate labor and coste, procured a market vppon Twesdaye: we have as yett kepte none, but do begine about a fortnight hence. God be our good spede. Whiche day appointed will do littell good, excepte ther may be verie strayght order for the clene puttinge downe of the other; whiche wilbe better brought to passe by your w. and the rest of the companies helpe, and erneste requeste vnto my L. that he, beinge steward vnder the Colledge, wold strayghtly charge and command his deputie stuarde to be paynefull at the beginninge, for old custome, although it be wikked, will hardly be altered.

Agayne, in a worldly respecte, the keepinge of this market vppon the now appoynted day wilbe greatly for the profitt and the inrichinge of this poore towne. The compassinge of this hathe coste a greate some of monie: manie are contributaries vnto it: my selfe do give towardes it xs.: beinge a thinge perteyninge vnto your tenantes, it wold be verie well accepted if your w. and the rest of the companie wold send your benevolence for ease hearof. It is the best dede that hathe bene performed since I came into the parishe. I cold not rest vntill it was ended. And I doubt not but, after the reformation of this, will follow the reformation of manie other abvs.es.

As I understand, Mr Phillipe Laton hathe made sute vnto your w. for ij thinges; the one, that ther may be a survey made of the glebe lande heare, whiche I thinke is needles, and the yonge man, havinge a runninge hedd, wold busie himselfe about somethinge, although to noe

¹ See Appendix A, "Prescot Markets."

purpose; the other, that whearas he hathe libertie to gett coale in his grownde that he hathe in lease for his owne burninge, he might gett [licence] to make his best commoditie therof. I cannot tell what answeere your w. hathe made him; but if I may give you counsell, be not over hastie in grantinge him his requeste. And yett, if he wilbe reasonable, it weare good to make a profit of that whiche, lyinge hid in the grownd, as yett dothe no bodie good. I knowe, before he will leve it, he wilbe brought to give you bothe a fine, and yearlie rente, and also to give provision of that he hathe alredie, although in right you cannot have it, this thirtie years; whiche wilbe a good commoditie to the Colledge. He will loke that in the consideration of this, he may have his release whiche he made be restored vnto him agayne, the keapinge wherof I am persuaded will do you litell good . .

[He refers to a difference with Mr. Lancaster, but gives no particulars] . . . I will have paid for a moitie of a subsidie xxjs. vjd., whiche I will not take from the Colledge, but do give it vnto the yonger Sharpe the batchelor. When I am before hand, I will dischargde the Colledge bothe of that and the like payments. Ther is demanded of me towards the makinge of soldiers into the low countries¹ xlvijs. jd., whiche as yett I have not payde, hopinge to ease myselfe hearin.

This countrie as yett is verie backward in religion. They that have the sword in there handes vnder her maiestie to redresse abuses amonge vs, suffer it to rust in the scabarde. Ther is some smale reformation, and we hope will shortly be greater, by reason of certeyne spirituall exercises in Lankeshire and Cheshire, wherof one is in Prescott towne once everie monethe, the three coldest excepted. We hope that greate reformation will follow the good and zelouse vse therof . . . [The Vicar concludes with purely personal matters.]

16. 1586, Aug. 18. A LETTER to the Provost from the Vicar, requesting the grant of certain copyhold property to the Deputy Steward.

Mr. Laton hath and is alwayes talkinge of a survey, but if you will follow my counsell, you shall do that whiche shalbe as good as a survey, and profit the Colledge somethinge yearlie, and pleasure a welwiller and frend vnto our

¹ The Earl of Leicester's expedition to the Netherlands, 1585.

Colledge and privilegedes. Ther be certeyne smale romes as shoppes, whiche as yett be in the lords handes, and ther might (now the towne havinge a market) be some smale commoditie made of them, and if anie be worthy the commoditie, [it is] I thinke he especiallie whoe takethe paynes in the behalfe of the Colledge.

My request then is that your worships wold grante vnto one Mr. Edward Sutton, deputie Stuarde vnder my lord, that he myght take vp in coppie all such houses, shoppes and tenementes whiche are conceled, and wherof the Colledge hathe noe profitt, yeldinge and payinge therfore vnto the Colledge some rente. And this, of my word and fidelitie vnto the Colledge, I must nedes say, that the thinges that are conceled, if they were rakked to the vttermost, will not yeld above an noble rente by yeare; notwithstandinge, how littell so evere they be, the gentelman will thinke him selfe muche plesured therein . . .

Remember, I pray you, to take [*sic*] withe Phillipe Laton aboute provision of that he hathe in lease: I thinke esie conditions wolde make him yeld therto: I knowe it wold greatly be profitable vnto the Colledge . . . [Purely personal matters] . . . Prescott in Lankeshire, this xviiiij day of Auguste, 1586. Your w. assuered in the Lorde, [signed] Thomas Meade.

17. 1587. 24 Oct. A LETTER to the Provost from the Deputy Steward, describing his attempt to hold a Court Leet at Michaelmas.

Right harti and due salutations vnto your worships presupposed: May it please the same to bee advertized that, whereas I intended (being thereunto deputed by my lord and master the Erle of Derby) to kepe a leet court according to your charter now at Michelmas last past,¹ and to that end gaue comaundment vnto the bayliffe to somon the copihoulders and others to giue their attendance: so it is that, being sett in court, and the copihoulders being solemplie called, som of the colledge tenants would not be sworne, being returned to be of that homadge: which gret abvse I thought good to certify your worship thereof: and the rather my lord being not in the cuntrie:² crauing hereof som speedi remedi, and of other causes which my cosin Phillip Layton can vtter vnto you: And

¹ Mr. Sutton had held an autumn court, in addition to the regular spring court, in 1585 (see p. 230 and n).

² Lord Derby conducted an embassy to the Netherlands, to negotiate a peace with the Prince of Parma, in the autumn of 1587.

thus comitting your worship to the tuition of thalmighti,
I end this xxiiij of October, 1587,

Yours most assured, [signed] Edwarde Sutton.

18. 1592. A MEMORANDUM by the Provost of things to be investigated on his visit to Prescott.¹

Prescott. Schoole. To move my L. of Darby for the settleinge of it in Prescott, and for the getinge in and mayntayninge the common stock.

Tolage.

Tax for purviers.

Demaines. Conceled lands without Prescott. The water mill decayed.

Leete. Alehouses to be examined of theyr licence and recognizaunce. Vndertenaunts to shew theyr licence accordinge to order sett downe *anno* [blank].

Courte baron. Waste. 1. Cole mines diged bi copie holders in theyr copie holds. 2. A shop in the markett place. Mr Eglestones. 3. A barne carried away by Mr Eglestone. 4. An house next the churchyeard, south. Mr. Ogles. 5. Robert Plumtons howse. 6. Weddow Goodikers howsinge. 7. Simons howsinge.

George Lion hath had timber allowed, and is purposed to carry his frame away.

Henry 8, 9. [Here follows a full copy of the order of 1517 quoted on p. 288.]

Henry 8, 6. [No entry.]

Encroachments. 1. A shopp built by Mrs Tilsley. 2. The foreparte of Mr Foxes howse in the which Anthony Potton dwelleth. (Not found.) 3. A shop of Rafe Howghtons howse, in which William Lime dwelleth. (Not found.) 4. Part of the howse of Jeames Ditchfeild in the eand of the towne. 5. An outcast of Mr Ogles howse, in which John Ditchfeld dweleth. 6. A garden plot of Robert Plumtons. 7. An howse at the mill hill in which Richard Ditchfeild dweleth. 8. A shop of Jeames Taylors. 9. Shops vnder the courte howse, which yeald the colleage noe rent.

Encrochment by an orchard vpon the demayne.

¹ Dr. Goad attended Prescott Court Leet on 29 May, 1592 (p. 251). In a letter dated 20 April, 1592, Philip Layton had informed him of Lord Derby's expected return to Lancashire, and had assured him of hospitality at Prescott Hall in the event of his making a visitation. Layton added that the Provost might bring with him the new lease (see p. 11) for sealing, and so save expense (1. V. 25). On 7 June Dr. Goad attended a meeting convened by Lord Derby at Knowsley to settle the future of Prescott Grammar School (see pp. 235ⁿ 300).

19. 1592. A MEMORANDUM by the Provost, apparently of findings of the court held by him at Prescott.

To be reformed at Prescott.

1. Sabots day. Negligence, specially at the after noone exercise.

2. Schoole. To be settled at Prescott.

3. Alehowses. 19, most without eny licence.

4. Vnder tenants. 76.

(Woods. Aboue 300 trees felled sence Christmas last; cancelled).

5. Copyholders to pay some fyne at every alienacion.

6. Priuileges. To be maynteynd.

7. Rents etc. decayed, to be found by Survey.

8. Woods. Spoyled.

Mr. Meade.

Coole myne.

[On back]—The names of the Alehowse Keepers: Thomas Potter, [the wife of] Hendry Tayler, Edmund Torner, Edward Parker, James Dychefeld, Anthony Patton, Tho. Beisley, John Dychefeld, Willm Hormbi, Ric. Warbarton, Henry Hunt, John Worsley, Evan Stocke, Ric. Bury, Gyles Lion, Richard Dychfild, Tho. Dychfeild, An Chadocke, Katherin Frodsome.

20. 1592, June 5. INSTRUCTIONS to Lord Derby respecting payment of fines by copyholders, the survey of glebe land attached to the tithe barns, restrictions upon undertenants and alehouses, maintenance of privileges and support of the School.

Remembrances to the right honorable therle of Darby, on the behalf of the Kings Coll. in Cambridge, and for the good of the poore towne of Prescott.

For the Colledge.

Fynes of Copyholders. Where the copyholders would be free from paying any ffynes at alienacions,¹ and would be bound to no more but to their quitt rent and service of court once a yeare: ffor that this is a wrong to the Coll: and none of their tenants in any part of their lands do challenge the like: that they be caused at every change, before the admittance of the tenant, to pay such reasonable

¹ This right had been asserted by the tenants in 1553 (p. 122), and was again asserted in 1680, when the Jurors declared "that according to the custome of this mannor (as farr as wee know or can informe ourselves of the same) there is not any fyne due to the Lords of the Mannor upon any alyenation or other change of tenants."

fyne as his Lordship or deputy steward shall sett. And this to be the rather rememberd, for that the sayd fynes are graunted from the Coll. to the right H. therle of Darby in his last lease.

*Glebe land*¹ *neere the tith barnes.* Item. Where there belongeth to every tyth barn within his lordships lease certain parcells of glebe land adioyning neare the sayd barnes, for which there are severall rents payd by the tenants of the sayd glebe, and divers parts of the said lands are unknownen where they lye and what quantity they contayne, that by his Lordships direction, be good helpe, with convenient speed, the same may be truely abutted out, and by Sturbridge fair next, sent vnto the Coll: to thend it may be ioyned with the survey of the Coll. land of Prescott now already taken.

For the towne of Prescott.

Vndertenants. Where it was found at the late court, holden when Mr Provost and the burser were present, that there were 76 vndretenants receyved into the tenements of the sayd town, tending much to the impoverishing of the sayd town, besydes occasion of divers disorders, yt would please his Lordship to give order to his vndre steward that the statute of the realme provyded in that behalf may be observed and executed.

Alehouses. Item. Where it was likewise found at the sayd court that there were 19 alehouses in the sayd towne, wherof fewe or none of them were orderly licensed: and the sayd number farre too many to be there allowed, and are knowen to bee nurseyes of many great disorders, and specially of great negligence of coming to the church on the saboth day, that it would likewyse please his L. to appoint his deputy steward to see the statute of the realm provided in that behalf put in execucion.

Priviledges. Item. Where all the Coll. tenants are by Charter, confirmed by Act of Parliament,² priviledged from towle, purveyors etc., yt would please his L. to afford the poore tenants of Prescott his honorable assistance in that behalf, and at some meeting vpon other occasion with the Justics of Peace, to make known vnto them the sayd priviledges, moving them (as occasion may serve) to give allowance thereof.

¹ Formerly known as the Kirkland (pp. 24, 27, 46 and Index).

² See the introductory notes to Part Two, Section One (p. 60-62).

The Schoole. Lastly, that it would please his L. from tyme to tyme to continue his honorable favor to the schoole of Prescott, as hetherto he hath voutsafed.

[Endorsed.] Remembraunces left with the R. H. therle of Derby, *Junii* 5, 1592.

21. 1598, June 28. A LETTER from the Provost to the Deputy Steward, demanding a drastic reduction in the number of alehouses in Prescot.

To my loving friend Mr. Percival Harrington, Deputy Steward of the King's Colleige manor of Prescott in the county of Lancaster.

Sir, for my hearty commendations of understanding that you are Deputy Steward, under the right honourable the Earl of Darby, of the King's Coll. manor of Prescot . . . I have thought needfull earnestly to move you to have a special care for reforming abuses and disorders there among the Coll. tenants and inhabitants in that town, growing specially by the excessive number of alehouses (about twenty, as I am informed, in that town), over many by two parts; whereby in those so many bad nurses of disorder, and in a priviledged place, no marvel that these and such like abuses do reign, breaches of the sabath, drunkenness, gaming, idle sitting and mispending both time and money, whereby their families should be maintained; and (that which is worst of all) even in the time of divine service, which evil I understand to be too usual in that town, and am sorry to hear so to continue and increase (notwithstanding order taken for reformation at my being there not many years past).

These therefore are to pray and require you, at your next Court and Leet, to take course for effectual and speedy redress in the premises; the cheif remedy whereunto, must be your calling before you all such as are alehouse keepers, to see their licences how they are according to law, to give streight charge of presentment of the number of them and of their disorders, thereupon to use your discretion for the penelties. But howsoever you deal, for that is past, to provide surety for hereafter, to cut of two parts of them at the least, and such as ye shall make choice of to allow, to have them surely bound with suretys, according to the late order of my LL. of the Counsell through the realm.

I am the rather careful on the Coll. behalf herein,

because the Coll. priviledges are greatly abused to be a shadow for such evils to the Coll. slaunder, which would not be so suffer'd in other places, nor may not be any longer there. If they will not be order'd by the Coll. officer the Steward, their then must be other remedy, less to their liking, to leave them to the authority of the Justices in the County, and the strict law; which they must look for if they submit not themselves unto you with effectual amendment, wherein I have taken order to be truly certified. I pray you have care hereof accordingly, that I be not urged to try other means for remedy. You may read this letter unto them at the next Court. And so I bid you farewell. From the King's Coll. in Cambridge, the 28th of June, 1598. Your loving friend, Roger Goade, Provost.

APPENDIXES.

A. PRESCOT MARKETS.

The Charter Rolls record two medieval grants of markets at Prescott, in 1333 and 1458 respectively. The first, a Monday market, was granted, together with an annual fair (see p. 12.), to William de Dacre, rector and lord of the manor. The second, a Friday market, was granted to King's College, Cambridge, by whom the Rectory had been appropriated in 1448 (p. 2). Nevertheless, the present volume reveals that during the sixteenth century, up to 1586, the market was actually held on Sundays and holy-days (p. 292). The Court Leet took cognizance of this market by making presentments and orders against forestalling, engrossing and regrating, and against trading during service-time. There are definite indications (pp. 109, 139, 292) that the statutory restriction to "necessary victual"¹ was not observed.

Sunday markets were not uncommon at this period in Lancashire.² Such a market had existed at Prescott in the early fourteenth century, for we are told that in 1322 no toll or stallage was taken "because the bishop forbids any market to be held there on Sundays."³ Where people assembled at a parish church from a wide area, Sunday trading must have been hard to prevent. The prohibition of toll-taking on Sundays doubtless added to the popularity of the practice, while depriving the manorial lord of a source of revenue. The Monday market procured in 1333 may therefore be regarded as an attempt to substitute a formal weekday toll-paying market for the older informal Sunday one. That this new market did become established, for a period, is shown by the attempt of the rector of Wigan, in 1355, to get it abolished, on the ground that it injured his Monday market at Wigan.⁴ Possibly acceptance of the new market, and abandonment of Sunday trading, were facilitated in consideration of the introduction of burgage tenure (see Appendix G). At what time, and through what causes, the Monday market fell into disuse, and Sunday trading revived, we cannot say. From 1392, when John of Gaunt acquired the advowson, to 1447, when the last rector resigned, there was an uninterrupted succession of non-resident rectors, mostly royal officials, and this circumstance may have caused some relaxation of manorial control.

The grant of a Friday market in 1458 was evidently procured by King's College in view of their lease of the Rectory to Sir Thomas Stanley and others (p. 4). The Stanleys, however, were playing an increasingly important part in political affairs, and the management of the manor was left in the hands of deputy-stewards, whose

¹ Stat. 27 Hen. VI, c. 5 (1449). *Stat. Realm*, vol. 2, p. 351.

² "Faires and marketes in most townes ar vsually keppe vpon the Sabboth" (c. 1590, in *Chet. Soc.*, O.S., vol. 96). See also *Markets and Fairs in Medieval Lancashire*, by Dr. G. H. Tupling, in *Historical Essays in honour of James Tail*, 1933.

³ *Rec. Soc.*, vol. 54, p. 208.

⁴ V.H.L., vol. 3, p. 353.

lenient regime eventually evoked condemnation by the College (p. 284). We may question, therefore, whether any determined effort was made to establish the Friday market in practice.

A building "wiche somtyme was the bothe" (i.e. tolbooth), but had passed into private hands, is mentioned *c.* 1517 (p. 288). The court rolls of 1534-49 record frequent orders for its restoration to its proper use, but these were apparently without avail until 1551, when certain individuals were recognized as tenants "by the graunte of my lord of Derby and his officers . . . keypyng hit to be for a courte howse and a bothe" (p. 114). These references may indicate an intention to regularize the market; nevertheless, the Court Leet still recognized the Sunday market in 1557, and again in 1575 (pp. 139, 292). Incidental references to the "market place" occur frequently in the rolls from 1549 on.

The "wicked abuse" was brought to an end towards the close of the sixteenth century through the efforts of a reforming vicar. The vicar's letter of 26 May, 1586, informs King's College that a grant or order for a *Tuesday* market had been procured from the Queen, and that a beginning was to be made "about a fortnight hence" (p. 301). Unfortunately, in spite of a thorough search at the Public Record Office,¹ no further information is forthcoming respecting the origination of this new market. A Clerk of the Market was first appointed in 1587 (p. 237). In 1589 an offender was condemned to sit in the stocks "on market day" (p. 244). The court roll of 1637 refers to a transaction made on Tuesday, 20 June, "the market day." There can be no doubt, therefore, that the Tuesday market did become established.² Possibly it was toll-free, as market tolls do not appear in the list of profits of the Rectory in 1592 (p. 32), or in the sundry memoranda of bailiffs' and stewards' accounts which appear occasionally in the court rolls of the seventeenth century.

One other detail may be mentioned. The roll of 1606 contains Constables' Accounts which give details of expenditure on ashlar, timber and workmanship "for newe making the crosse in the towne." This suggests that a market cross had previously existed, which had fallen into such disrepair as to require reconstruction. The same Accounts also mention the purchase of "a market bell rope."

B. THE SYSTEM OF BENEFICIAL LEASING.

The leasing of Prescott Rectory by King's College (see pp. 1-10) illustrates the system by which colleges and cathedral chapters farmed out the usufruct of their estates. During the period of this volume, the system was in course of development, but when it became fixed it was, for the estates of King's College generally,

¹ The following documents were examined: Patent Roll 27 and 28 Eliz.; Duchy of Lanc. Warrants for Patents, Draft Patents and Entry Books of Patents. There is no reference in the Calendar of State Papers Domestic. The Privy Council Register is missing between June, 1582 and Feb., 1585/6.

² Tuesday was still market day in 1795 (Aikin, *Country round Manchester*, 1795, p. 310). A Saturday market was added later (Baines, *Hist. of Lancs.*, ed. Croston, 1893), and the Tuesday market seems to have gradually died out.

as follows.¹ An estate was leased *en bloc* to a single lessee, always a man of substance and frequently a country gentleman of the district, at a rent fixed partly in money and partly in wheat and malt (as directed by Act of Parliament² in 1575), very low³ and never raised. The term of the lease was for twenty years, but it was customary for the lessee to surrender the lease at the end of the first seven years, and obtain a fresh twenty-year lease in return for a fine. This fine came to be fixed, in the seventeenth century, at one year's value of the estate at rack-rent, less the rent reserved to the College and other outgoings. At about 1740 the College raised it to one and a quarter years' value. The College was under no obligation to renew the lease in return for the fine, but made a custom of doing so, partly because it was dependent for its regular income on the punctual payment of the fines. The lessee usually sublet the estate in economic units to working farmers and millers. The system was discontinued in the years following the passage of the University Estates Act of 1858 (21-2 Vict., c. 44).

In the case of Prescott, certain special features are to be noted. From the outset the advowson of the Vicarage was reserved to the College (p. 4). From 1516 on, half the corn tithe of Rainhill, and from 1533 on the whole of this tithe, was assigned to the Vicar at a rent payable to the lessee (p. 7). In 1568 the stewardship of Prescott was made the subject of a separate grant (p. 290), but the arrangement was evidently not persisted in. From 1568, too, the leasing of Prescott Hall estate, together with Prescott mills and the corn tithe of Whiston, was taken permanently into the hands of the College, to whom the rent became payable (pp. 10-23). From 1612 on, the leases of Prescott Hall, etc., were nominally for terms of twenty years, though actually new leases were granted after about seven years; this accords with the usual practice of the College, as described above. The leases of the Rectory, however, continued to be for terms of ten years throughout the seventeenth and eighteenth centuries.

C. THE STANLEYS, EARLS OF DERBY.

The following is a list of the heads of the House of Stanley during the period of this volume, who were the principal lessees of Prescott Rectory (see pp. 3-10):

1. Sir Thomas Stanley, 1406(?) - 1458/9 (Jan.), grandson of Sir John de Stanley and Isabel, dau. and heiress of Sir Thomas de Lathom of Lathom and Knowsley. Created Baron Stanley in 1456.

2. Thomas, Lord Stanley, 1435(?) - 1504 (29 July), son and heir of 1. Created Earl of Derby in 1485.

3. Thomas, second Earl of Derby, b. bef. 1485, d. 1521 (23 May), grandson and heir of 2. His father, George, Lord Strange, d. in 1503.

¹ For this information I am indebted to John Saltmarsh, M.A., F.S.A., Fellow of King's College, Cambridge.

² Stat. 18 Eliz., c. 6. *Stat. Realm*, vol. 4, p. 616.

³ The lowness of the rent was due to the steady decline in the real value of money.

4. Edward, third Earl of Derby, 1508-1572 (24 Oct.), son and heir of 3. During minority he was in the wardship of the King, and Prescott Rectory was leased to his mother (p. 7). He received livery of his lands on 24 Jan., 1530/1.

5. Henry, fourth Earl of Derby, 1531-1593 (25 Sept.), son and heir of 4.

6. Ferdinando, fifth Earl of Derby, 1559(?) - 1594 (16 April), son and heir of 5.

7. William, sixth Earl of Derby, 1562(?) - 1642 (29 Sept.), brother and heir of 6.

D. THE PLACE-NAME "PRESCOT."

The earliest recorded forms of this name are *Prestecōta* (1178), *Prestecote* and *Prestecot* (c. 1190).¹ The first element is clearly from a form—apparently genitive plural—of O.E. *preost*, a priest. The second is less certain. Prior to Dr. Ekwall there was agreement in deriving it from O.E. *cot* or *cote*, a cottage. Dr. Ekwall, however, suggested the meaning "manor," from the use of the word *cot-lif*, apparently in this sense, in certain eleventh-century grants.²

The present volume reveals that in 1592 (p. 37) the name *preests cote* was attached to a particular piece of ground, one rood (of the large or Cheshire measure) in area, in the holding of Edmund Turner. This was described in 1583 (p. 299) as 'a pece of grounde which laye common, and not many yeres sythence was inclosed.' Within it lay the "common and free well" known as Our Lady Well (pp. 119, 167). It lay below the churchyard, on a steep southward slope descending into the region called *the common wood*, *preests wood* or *the parke* (pp. 33, 40). These observations suggest the possibility that in earlier times, before the enclosure of the wood, the name *preests cote* may have been attached to the whole hillside.

Turning to another body of evidence, we find clear indications that in the medieval period the name *Prestecote* was confined to the western side of the township, the remainder being known as *Churchley*—a name which in the present volume survives in Churchley Field (see Plan). A deed³ of 1286 records a grant by Richard de Churchelee, to his younger son Richard, of all his lands *in villa de Chirchelee*, which are held *de deo et de Sancta Maria ecclesie de Prestecota*. It is dated *apud Churchelee*, and bears a seal inscribed S. RIC. DE PRESTECOT. A statement of the bounds of Eccleston in 1384 starts from a certain "wellsyke, which is the division between Churchley and Eccleston," and ends by coming "to the bounds of Prescott, and so leading between the Healley moss and Prescott by the Liverpool gate to the

¹ Farrer, *Lancs. Pipe Rolls and Early Charters*, 1902, pp. 38, 350, 353, 354. Prescott, like most other Lancashire towns, is not specifically mentioned in Domesday.

² See Ekwall, *Place-names of Lancs.*, p. 108, and Bosworth and Toller, *Anglo-Saxon Dictionary*, Supplement, p. 132. In Dr. Ekwall's latest work (*Oxford Dict. of Place-Names*, 1936) the meaning "priests' cottage, parsonage" is favoured (p. 356), though the possibility of "manor" (*cotlif*) is also mentioned (p. 118).

³ Brit. Mus., Add. Ch. 52874 (Norris Deeds).

wellsyke."¹ The "wellsyke" may be identified with the stream which crossed the highway by Sparrow Lane Meadow (see Plan). In 1387, by letters patent, John Fairfax, the rector, was confirmed in the possession of certain lands formerly called *Chirchelegh* and then called *Prestecote*, which had been granted to Alan le Breton, a former rector, in mortmain, without licence, by Richard de Chirchelegh. Finally, the name *Church Lees* appears in a statement of the bounds of Whiston in 1523 (see Appendix E).

Originally, then, it would seem that the name *Prestecote* was attached to the long southward and westward slope crowned by the church and the manorial windmill, and that while on one hand it was extended to cover the land called *Churchley* to the east, on the other it was narrowed down through the enclosure of the hillside common until by 1592, in the form of *preests cote*, it had become a mere fading memory attached to the land immediately surrounding the ancient holy well.

Finally, I would suggest, as a mere hypothesis for the consideration of those more qualified to appraise the linguistic problems involved, the possibility of a derivation of the element *cote*, in this instance at least, from a late Celtic use of *L. costa* (cf. Fr. *côte*, a hillside). The district is one where Romano-Celtic influences survived until a late period of the English conquest; the neighbouring place-name *Eccleston* points, as Dr. Ekwall suggests,² to a Celtic church on this very spot; while the wooded hill-top site, the circular churchyard, and the sacred spring, are all confirmatory indications of antiquity.

E. THE WHISTON CLAIM TO PRESCOT HALL.

A Halmote Court of Whiston, held 28 March, 1523, made the following presentment (translated):

A certain hedge and watercourse marks the boundary between Prescott and Whiston, running between two closes, viz., a meadow called *Hall Meadows* on Prescott side to the north, and a close called *Cockshoots* on Whiston side to the south; the boundary then follows another hedge called *Clapps Cloughe*, along the same watercourse, and so to *Church Lees*.³

The watercourse is the "Rindlebrook" marked on our Plan, which flowed westward, round the south of the Wood, to Prescott Brook. The statement implies, therefore, that Prescott Hall and Estate (excepting the Wood, Delves and Hall Meadow) lay in *Whiston*. Extraordinary as this claim may seem, it was long upheld by Whiston, and not finally relinquished until 1843, when the matter was put to arbitration⁴ and an award made in favour of Prescott. Prior to 1843, published maps⁵ marking

¹ V.H.L., vol. 3, p. 363n.

² Ekwall, *Place-names of Lancs.*, p. 257.

³ From the Ogle Roll, a series of transcripts of documents relating to Whiston now in the possession of Mr. W. A. Cross of Prescott.

⁴ By Mr. William Mathew, Tithe Commissioner, at the Town Hall, Prescott, Dec. 6-9th, 1843. A contemporary printed account of the proceedings is in the possession of Mr. W. A. Cross.

⁵ e.g., Sheriff, *Map of the Environs of Liverpool*, 1816, and Greenwood, *Map of Lancashire*, 1818.

township boundaries actually showed the boundary between Prescott and Whiston to be as indicated in the above presentment.

The records in this volume contain no direct allusion to this question. The two surveys of the Hall Estate, taken *c.* 1580 and 1592 (pp. 28-30, 33-4), apparently assume that the land all formed part of Prescott. The King's College leases (pp. 4-22) refer to the Hall as the mansion house of the rectory or parsonage, and to the Estate as glebe.¹ In earlier times the Hall had presumably been the residence of the rector or (if non-resident) his representative (steward or proctor). Sixteenth century evidence (pp. 12-18) reveals that the occupant continued to act as tithe-proctor, and also farmed the manorial mills. Yet he did not have the management of the manor, since Lord Derby as a rule appointed some other local gentleman as deputy-steward.² The court rolls term him simply "the farmer" (pp. 81, 161). The Laytons, who occupied the Hall from 1558 on, took little part in the official life of the manor.³ In 1568 the College appointed Lord Derby as steward of the "town or manor" (p. 290), and farmed out the Hall Estate to John Layton as quite a separate unit, with no mention of any obligations respecting the manor save the collection of the tenants' quit-rents (p. 17).

Nevertheless, the Hall is called "the maner house" in 1578 (p. 295) and "the seat of the manor" (*situs manerii*) in the Survey of 1592 (p. 33). The Estate, usually described as glebe, is also called demesne (pp. 12, 23, 25, 39, 80, 211, 296). The tenants came into conflict with the farmer over the use of the Wood, and over the performance of harvest-work (p. 296). On the whole, the indications are that the Hall had once formed a normal and integral part of the manor, but that, perhaps when a seigniorial borough was formed (see Appendix G), it had become separated from the town.

Prescot town and the Hall Estate together occupied about 270 statute acres. The Estate itself covered about 148 acres, and of these about 124 were claimed by Whiston. Apart from the frequent presentments and orders respecting the Wood (see Index), a claim by the tenants to a way through the Delves (p. 211), and a case in which the Constables executed their office in Hall Meadow (p. 176), the court rolls afford no evidence that the jurisdiction of the Court Leet extended over the Estate. The Wood, Delves and Hall Meadow all lay on the Prescott side of the boundary claimed by Whiston.

The Prescott-Whiston disputes of 1758 and 1843 revealed that the tithes of the Hall Estate had from time immemorial been collected with those of Whiston, whilst the leys or rates due therefrom had been paid to Prescott. Neither fact seems conclusive. The Estate, being glebe, may not originally have paid tithe as part of either township. From 1568, too, the Estate and Whiston tithe had been farmed out together (p. 16). On the

¹ Before the erection of a vicarage house, an apartment (the "parson's chamber") was reserved here for the Vicar's use (pp. 4-5).

² Nicholas Tildesley, dep. steward 1574-7, who seems to have lived at the Hall (pp. 184*n*, 291), is an exception.

³ John Layton was a juror in 1564 (p. 157), and foreman in 1566 (p. 165). Philip Layton was foreman at the Court of Survey in 1592 (p. 32).

other hand, the imposition of leys may not have been a very early practice.¹

We are probably on surer ground in noting that in early times the advowson of Prescott had been appurtenant to the manor of Whiston.² Dr. Ekwall, indeed, supposed that Prescott had been "carved out as a rectory manor" from Whiston.³ This view, based on a somewhat doubtful point of etymology, is possibly too sweeping, but we may reasonably conjecture that some assignment of land had been made as an endowment for the rectory by an early lord of Whiston. Disputes about lands of Prescott, Churchley and Whiston occurred in the late thirteenth century, when the rights and property of the church were declared to have suffered through the negligence of earlier rectors.⁴ The separation of the advowson from Whiston, *c.* 1375, may have led to a revival of Whiston claims.⁵ An arbitration respecting lands called "Pirwall," *c.* 1437, went in favour of Whiston.⁶

The Hall Estate was rich in coal deposits, and this may (as it certainly did in 1758)⁷ have affected the situation. The College lease of 1568 granted the right to dig coals, apparently in any part of the Estate, for domestic use only (p. 16). Later, Philip Layton sought and apparently obtained from the College an unrestricted licence (pp. 11, 22, 23, 302). Any claim by Whiston to the manorial lordship of the Estate must have been a serious threat to the farmer of the Hall, who might expect to secure mining rights from the College on comparatively easy terms (see p. 302). This may account for Layton's agitation for the taking of a Survey (p. 301). This Survey, held in 1592, at which Layton acted as foreman of the jury, declared the whole Estate to be within the manor of Prescott (pp. 32-4).

F. THE CHANTRY FUNDS AND THE GRAMMAR SCHOOL.

The chantries of Prescott parish, according to the returns of 1546 and 1548,⁸ numbered three, namely, two Bold foundations,

¹ Church leys were collected from the townships in 1538 (p. 50). A "duty" was levied for repair of the butts in 1557 (p. 139).

² Thirteenth-century records state that Whiston, with the advowson of Prescott, was part of the fee of the Master Forester of Lancaster (Rec. Soc., vol. 48, pp. 43-4, 188).

³ Ekwall, *Place-names of Lancashire*, pp. 108, 257.

⁴ V.H.L., vol. 3, p. 343ⁿ.

⁵ Ranulf de Dacre, who held the Forest Fee, granted the advowson to Sir John de Nevill, lord of Raby, *c.* 1375. It was granted to John de Gaunt in 1391. The Travers family, who actually held Whiston, seem to have maintained a claim to the advowson until 1465, when John Travers released it to the College for £6 (K.C. Account Roll, 5 Edw. IV).

⁶ V.H.L., vol. 3, p. 349ⁿ. A "Pyrlwell," near the Rindlebrook, is mentioned on p. 16 of this volume.

⁷ Information respecting this case appears in the Court Leet Memorandum Book (see p. 277ⁿ) and among King's College muniments (i. v. 41). The College Bursar denied the Whiston claim, and referred to the Survey of 1592, of which no copy had been kept at Prescott.

⁸ Chet. Soc., o.s., vol. 59, pp. 76-9. These chantries are also mentioned in the returns of the Subsidy Commissioners, *c.* 1538 (Rec. Soc., vol. 33, p. 30).

at Farnworth and the "chapel of Jesu"¹ respectively, and a Gerard foundation at Windle. The endowments were in the form of annual rents of £4, £2 and £4. 16s. respectively, payable from the manors of Bold (in the first two cases) and Windle.

The present volume adds nothing to our knowledge of the above chantries, but it reveals the existence of three other funds, apparently for the maintenance of chantry priests (see below), called Our Lady Stock, Rood Stock and St. Catherine Stock (see Index). These consisted partly of cattle, hired out for an annual "stipend" (*stipendium*; see Index), and partly of rent charges on (or, as instanced on p. 132, actual copyhold tenure of) houses and land. Our Lady Stock is first mentioned in 1514 (p. 132), Rood Stock in 1531 (p. 80), and St. Catherine Stock in 1546 (p. 102). Each was in the care of lay wardens, who sued for arrears of payments (pp. 87, 94, 98), though in one instance Edward Garnet, priest, himself sued (p. 83). The Clergy List of 1541² names nine priests of this parish, three of whom (Edward Garnet, Henry Wainwright and Peter Lancaster) are noted as "living on stock" (*vivit de stipite*). The references to Edward Garnet confirm the impression that these priests lived on the proceeds of the abovenamed "stocks."

The latest references in the court rolls to these "stocks" occur in 1556 and 1557 (pp. 132, 137), prior to which the latest references occur in 1547 (pp. 105, 107). The rolls of 1548-55 contain no references—a fact which accords with the circumstances noted below.

A manuscript of c. 1592 tells us that, in the reign of Edward VI (1547-53), "divers stockes or sommes of money," previously used to maintain chantry priests, were "by the then Chancellor of the Duchie of Lanc., by his letters missive, converted for the mayntenance of a scoolmaster" at Prescott.³ Another manuscript, of c. 1556, records an order of Queen Mary (1553-58) for the restoration of "certen stockes of kyen and other things" to their former use of maintaining priests at Prescott.⁴

The earliest reference in the court rolls to Prescott school occurs in 1547 (p. 105), a "scholehowse" being noted as then standing—a fact which suggests that the school had existed *before* the grant of these "stocks." Various references to the school occur in the rolls during the reign of Elizabeth (see Index). For conclusive proof, however, that the "stocks" had really been transferred to the school, and that the restoration by Queen Mary had proved only temporary, is afforded by the Survey of 1592. The holding numbered 33 on our Plan, which had been charged with an annual payment of 2s. to the "stocks" (pp. 80, 105, 107), yielded the same rent to the school in 1592 (p. 37). Similarly, holding no. 71

¹ The situation of this chapel is uncertain. In 1546 it was stated to be "distant from the paroch church ij myles," but in 1548 it was stated to be "within the parishe church."

² Rec. Soc., vol. 33, p. 15. This list does not include the non-resident vicar or the priest of Windle chantry. The clergy list of 1548 names 11 priests, including the vicar (Chet. Soc., o.s., vol. 113, p. 81*n*).

³ King's College muniments, i. v. 24, printed at full length in Historic Society's *Transactions*, vol. 86, 1935, p. 12.

⁴ King's College muniments, i. v. 11.

yielded 12*d.* yearly, first to the "stocks" (pp. 102, 137), and in 1592 to the school (p. 41).

In view of these facts, it may seem remarkable that the Chantry Commissioners' returns, and the Schools Continuance Warrants, make no reference to a school at Prescott.¹ There is, however, no evidence that the revenues of the Bold and Gerard chantries were granted to the school, and on the whole it seems most likely that the school received only a portion of the chantry funds, namely, the "stocks" described above. Why these "stocks" were omitted from the Commissioners' returns we cannot say, but it may have been as a result of this omission that the Chancellor of the Duchy made them the subject of a separate grant.

G. BURGAGE TENURE IN PRESCOT.

In medieval Lancashire there were, as James Tait noted,² a considerable number of small seignorial "boroughs" (using this term in its widest sense) which, lacking favourable economic conditions, failed to develop, and were, from the sixteenth century on, only distinguishable by a certain survival of burgage tenure. The present volume reveals that Prescott also may be regarded as belonging to this class. The main points of evidence in favour of this conclusion are outlined below. Medieval records relating to Prescott are unfortunately very scanty. We have no knowledge of any borough charter or of any record which expressly entitles the place a borough or its inhabitants burgesses. The grant of the fair and market in 1333 (see p. 1*n*) describes Prescott simply as a manor.

The significant term *burgagium* occurs both in the court rolls (frequently up to about 1560, and more rarely after) and in the Survey of 1592 (pp. 34-46). The holdings called *burgagia* in the rolls are not always so called in the Survey, and *vice versa*. In the rolls, too, the same holdings are at different times variously styled *burgagia*, *messuagia* and *tenementa*. These differences in terminology, however, do not conflict with the view that many or all of the holdings may have been regarded as burgages.³ The rents vary greatly, and there is evidence that both these and the holdings themselves had undergone considerable alteration (pp. 81, 283).

The court rolls contain several instances of admittances made in accordance with the wills of deceased tenants. In 1546 (p. 101), the right of a widow to her husband's holdings for her life, in accordance with her husband's will, is recognized, although the son and "next heir" is actually admitted as tenant. In 1547 (p. 105) the son of another deceased tenant is admitted as "lawfull tenant after his fathers wyll and after the custum of the lordshyp," although the holdings had been surrendered to the use of the widow for her life. In 1552 (p. 117) there is a case similar to that of 1546. In 1556 (p. 132) certain chantry

¹ Leach, *English Schools at the Reformation*, 1896, pp. 115-26.

² *British Borough Charters 1216-1307*, 1923, p. lxxxviii. *British Academy Proceedings*, vol. 10, 1921-23, p. 213. *Medieval English Borough*, 1936, p. 352.

³ Hemmeon, *Burgage Tenure in England*, 1914, p. 92.

wardens are admitted as tenants in accordance with a will made in 1514, but this is rather of the nature of a devise to uses. In 1559 (p. 144) a clear case of devise of holdings, without any reference to surrender or uses, is recorded. In 1561 (p. 147) the act of a former jury, in admitting a woman as "tenant bie her fathers last will," is confirmed. The above cases are all subsequent to the Statutes of Wills of 1540 and 1543 (32 Hen. VIII, c. 1 and 34-5 Hen. VIII, c. 5); but, as these laws did not apply to copyholds, we may perhaps regard them as indications of a custom of devise of holdings anciently enjoyed by virtue of burgage tenure. If this was so, the custom was a dying one, as no further instances occur after 1561. The dubious legality of the practice, in view of the town's loss of any substantial burghal status, and the growth in many manors of the practice of surrendering to the use of one's will, may have influenced the process. The first instances of surrender to the use of a will at Prescott occur in 1576 (p. 194) and 1582 (p. 218).

The letters of Dr. Hacumblen, Provost, written c. 1513 (pp. 283-7), throw light on the attitude of King's College towards the town at that date. The Provost is concerned entirely with condemning the "abuses" of undertenants resulting from the division of holdings. This practice, he says, is an innovation "withouten any auctorite of any grant afore had of the furst founder, or sith that tyme be any chartur or cotype or court rolle granted vnto this day, noe at soche tyme as the parsonage was first founded, nee graunte made be ony parson or provost sithe that tyme." This passage is very vague, but may be paraphrased thus: *no such right had ever been granted since the creation of the Rectory, either by the "furst founder" or by any other rector or provost.* The phrase "furst founder" may refer either to the founder of the Rectory or, more probably, to the founder of the town, i.e., the rector who established burgage tenure. Hacumblen, as a former vicar (see p. 278), was probably well acquainted with the town, and we may therefore suppose him correct in his assertion that division of holdings was an innovation authorized by deputy-stewards (p. 284) without leave from the College. Nevertheless, in his spirited assertion of College rights, he makes no statement inconsistent with the view that Prescott was a town of more than ordinary manorial status.

In the late sixteenth century the College certainly took a strict view of the manorial obligations of the Prescott tenants. The complaints of Dr. Goad (pp. 296, 304) and Mr. Trollope (pp. 297-9) are much more comprehensive than those of Dr. Hacumblen, and indicate that, since 1513, a great change had occurred either in the state of Prescott or in the standpoint of the College. The latter alternative seems the more probable. Goad, unlike Hacumblen, apparently had no personal knowledge of the town before his visitation in 1592, while Trollope's observations seem to have been made in the course of a casual visit, and not without an ulterior motive (see p. 279-80).

One of the most notable "abuses" of Prescott, condemned by Trollope (p. 299) and Goad (p. 305), was the non-payment of fines on admittance. The court rolls show that the tenants declared this to be a "custom" in 1553 (p. 122). The rolls of

1540, 1541 and 1552 give particulars of the profits of court (pp. 94, 96, 121); these simply consist of the penalties incurred in presentments and pleas.¹ Exemption from fines was therefore an established practice at these dates. Further, the fact that Lord Derby himself presided in 1552 (as also at several preceding courts) indicates that the practice had his sanction. It could hardly therefore have been a recent innovation. Since Hacumblen did not include it among the "abuses" which he condemned c. 1513, we may suppose that he too was willing to countenance it as a genuine custom. If this was so, it may be regarded as another surviving feature of burgage tenure.

The anomalous position of Prescott Hall (see Appendix E) was probably due to its virtual separation from the town at the time of reorganization on a burghal basis, when the tolbooth may have taken its place as the administrative centre. The early sixteenth-century rolls show that the tolbooth had long been disused (see Appendix A), though the Hall had not recovered its former position as the manor seat. Where the court met, before the restoration of the tolbooth in 1551, is not stated. A message known as the "Cage" or "New Hall" is occasionally mentioned in the rolls as a holding of the Eccleston family, of Eccleston Hall, and here the courts were doubtless held during the period (presumably of considerable duration) when the Ecclestons acted as deputy-stewards.² The court itself, held in conjunction with the fair, and on a movable date more than four weeks after Easter, may well have been a continuation of the old court of the borough, with the addition of leet jurisdiction after 1447 (see p. 73). We cannot be sure when leet jurisdiction was actually introduced in practice. No court rolls earlier than 1510 have survived, and the extant rolls show no knowledge of earlier records. The earliest roll is of a "court with view of frankpledge" held before Lord Derby's Receiver-General (the only occasion on which this important officer is recorded to have made a visitation here). It seems not unlikely that a new departure may then have been made in the history of the court. A second court was held in 1510 only eight weeks after the first (see p. 77), indicating perhaps a desire to adhere to the traditional date. On the whole these circumstances, together with the survival of burgage tenure, and the acknowledgment by Dr. Hacumblen of the validity of former grants, suggest that the "borough" of Prescott had never been deliberately suppressed, but rather that, in the absence of favourable political and economic conditions, it had suffered decay.

In the earlier sixteenth century, the town certainly seems to have been passing through a period of some disorganization. The loss of the records before 1510, and the subsequent gaps;

¹ The "fines" mentioned on p. 121 are mulcts, the roll of 1552 being exceptional in using the term "fine" as well as "amercement." In theory, "fines" were imposed by the Steward for offences *in curia*, and not affeered (Powell, *Courts Leet*, 1642, p. 32), but the cases in question do not seem to be of this type.

² Ralph Eccleston held this office in 1514 (p. 79) and 1517 (p. 287), and John Eccleston in 1531 (p. 80). The grant of the "Town Moss" by Ralph Eccleston in 1508 (pp. 281-3) is notable in this connection, especially as it was made to the "tenants of Prescott" without any reference to King's College.

uncertainties about the lord's rents and waste (p. 81); the disuse of the weekday market and the tolbooth; the growth of trees detrimental to the windmill (p. 83); and the lack of butts, stocks and cuckstool (p. 97), testify to this. Abuses and irregularities, such as those of undertenants, were not effectively dealt with, and the regime of Lord Derby's deputy-stewards was apparently lenient, if not lax. The situation does not readily admit of explanation. Lord Derby's affairs in general were carefully administered under the supervision of his receiver-general and his council. The deputy-stewards were as a rule men of legal training and local standing, being themselves lords of manors. Prescott, however, was a town of peculiar character, both in economic structure and in administrative problems. The tenants were privileged not only by their customs associated with burgage tenure, but also by the extensive chartered rights which they might claim as tenants of King's College (see pp. 60-73). Mr. Trollope's assertion (p. 299) that the tenants refused to admit "that the lords have any thing to do there, but only to have the vsuall rent" is an exaggeration, for they did not deny suit of court once a year and suit of mill with reservations (pp. 103, 134); nevertheless, Dr. Goad's attempt to enforce the conception that Prescott was an ordinary manor, subject to the usual manorial incidents, met with no lasting success.

Prescot, like a number of other towns with burghal traditions, had a custom of electing a "mock mayor." The evidence is however confined to the eighteenth century, when the election took place on November 5th, and was the occasion of a popular carnival and a "town bonfire" in the market-place. The proceedings were abolished in 1755. We cannot tell how long Prescott may have had its "mayor," as the Court Leet naturally took no official cognizance of him.

H. THE HEARING OF PLEAS AT PRESCOT COURT.

The right to hear pleas without any limitation of the sums involved seems to have been enjoyed only very rarely by manorial courts.¹ It was not permitted even to the hundred-courts. In the case of Prescott, it was exercised apparently as the result of a royal charter to King's College (see p. 63).² The court heard both personal actions (e.g., debt, trespass, breach of covenant, detainue, slander) and real actions (pleas of land). The latter are at first usually recorded along with the former, but later are normally recorded separately, and seem to have been tried by the major jury or homage, not by the jury *inter partes*.

The following table will enable the reader to compare the number of personal actions for 40s. or more with the total number recorded in each court roll. The highest amounts over 40s., and the number of pleas of land (if any), are also stated.

¹ Maitland (Selden Soc., vol. 2, *Introd.*, p. lvi) suggests that the limitation of the jurisdiction of local courts to 40s. may have arisen from a judicial interpretation of a clause in the Statute of Gloucester (6 Edw. I, c. 8, 1278) which provided that suits under 40s. should not be brought in the king's courts.

² The privilege continued to be exercised until the hearing of pleas at Prescott ceased, apparently as the result of the establishment of a County Court at St. Helens in 1845.

<i>Court.</i>	<i>Total no. of pleas.</i>	<i>Pleas of 40s. & over.</i>	<i>Remarks.</i>
1510 (Apr. 4)	—	—	None recorded.
1510 (May 31)	22	—	Highest amount, 9s.
1514	—	—	None recorded.
1531	—	—	None recorded.
1534	18	—	Highest amt., 26s. 8d. One plea of land included with the others.
1535	3	—	The list appears complete.
1536	10	2	More torn away. Highest amt., £5. One plea is for 39s. 11d.
1537	7	—	
1538	11	—	
1539	25	—	
1540	26	—	3 pleas of 39s. 11½d., and one of 20s., between the same parties (see p. 93). 2 pleas of land incl.
1541	19	—	
1542	5	—	
1545	—	—	None recorded.
1546	27	—	One plea of 39s.
1547	28	—	One plea of land separate.
1548	21	—	
1549	8	1	Highest amt., 40s. One plea of land incl.
1550	—	—	None rec. One plea of land sep.
1551	13	—	One plea of land sep.
1552	45	—	Some amts. torn away. One plea for 39s. 11½d. 4 pleas of land sep.
1553	68	—	Some amts. torn away. 3 pleas of 39s. 11½d.
1555	66	8	Highest amt., £6. 3s. 4d. 2 pleas of land sep.
1556	41	5	Highest amt., £20. One plea of land sep.
1557	56	7	Highest amt., £20.
1558	18	3	Highest amt., £3. 2 pleas of land incl.
1559	19	1	2 pleas of land incl. and also men- tioned sep. One plea of land sep. only.
1561	33	1	Highest amt., 40s. One plea of land incl.
1562	—	—	None rec. 2 pleas of land sep.
1563	—	—	None recorded.
1564	27	—	One plea of land sep.
1565	17	—	More torn away. 3 pleas of land sep.
1566	24	2	Highest amt., £6. 13s. 4d.
1567	28	3	Highest amt., £10.

<i>Court.</i>	<i>Total no. of pleas.</i>	<i>Pleas of 4os. & over.</i>	<i>Remarks.</i>
1568	21	1	Highest amt., 48s. 10d. One plea of land sep.
1569	20	?	The roll is at King's College.
1570	35	1	Highest amt., £5.
1571	26	3	Highest amt., £5.
1572	15	—	More torn away.
1573	34	3	Highest amt., £6.
1574	19	1	Highest amt., £20. 4 pleas of land sep.
1575	55	9	Highest amt., £10. 2 pleas of land sep.
1576	31	5	Highest amt., £5. 3s. 4d. 2 pleas of land sep.
1577	48	5	Highest amt., £6. 13s. 4d.
1578	54	4	Highest amt., £20. Some amts. torn away.
1579	44	1	Highest amt., 4os.
1580	46	6	Highest amt., £5 (<i>ter</i>).
1581	38	4	Highest amt., £5.
1582	29	2	Highest amt., £4. 15s. 4d.
1583	47	4	Highest amt., 54s.
1584	43	5	Highest amt., £5 (<i>ter</i>).
1585	38	2	Highest amt., £5 (<i>bis</i>).
(June 11)			
1585	14	—	
(Oct. 22)			
1586	—	—	None recorded.
1587	84	1	Highest amt., 4os.
1588	34	2	Highest amt., £5 (<i>bis</i>).
1589	70	10	Highest amt., £5.
1590	15	—	
1591	—	—	None recorded.
1592	49	3	Highest amt., £4. 11s.
1593	24	—	
1594	16	—	
1595	29	2	Highest amt., £5. 2 pleas of land sep.
1596	27	5	Highest amt., £11. 2 pleas of land sep.
1597	112	16	Highest amt., £100. 2 pleas of land sep.
1598	52	7	Highest amt., £20. 2 pleas of land sep.
1599	38	4	Highest amt., £3.
1600	—	—	None recorded.

By an order of 1546 (p. 102), six days' notice of an action had to be given to the bailiff, to enable him to summon the parties; and the chief tenants were made responsible for debts recovered against any of their undertenants unable to pay, unless they evicted such undertenants. In 1553 (p. 124), the tenants and inhabitants were forbidden to sue one another in outside courts.

Presentments were made in 1553 (p. 124) and 1574 (p. 186) respecting such actions, brought at Farnworth and Lancaster. In 1555 (p. 127), the bailiff was forbidden to exact "summoning pence." A number of rolls, beginning in 1584 (p. 230), bear at the end a formal statement that the distress warrant has been returned by the bailiff.

J. THE SUBJECT-MATTER OF THE ORDERS AND AMERCEMENTS MADE AT THE COURT LEET.

Of the orders made by Prescott court, some are of a general character, such as may be termed by-laws, others deal merely with individual cases, and others are intermediate. The first class includes statements of customary practice, and also new rules to meet changing circumstances and requirements; the more notable of them are indicated in the following list of subjects and page-references. Special importance was apparently attached to those orders confirmed in 1575 (see pp. 292-94).

Ale, sale of, 97, 157, 215, 231	Middens, 77, 86, 186, 212
Attendance, default of, 216	Mill, 84, 86, 90, 103, 134, 152
Bailiff, rescue on, 82	Peace, breach of, 82, 177
— duties of, 102, 127	Pigs, care of, 145
Burleymen, duties of, 145	Pinfold, 156, 198, 260
Butts, 97, 125, 128, 215	Pleas, 102, 124, 127
Churchley Field, 86	Stocks, 97, 106, 177
Constable, fee of, 164	Timber, 80, 81, 82, 97, 139,
Court House, 82, 86, 90, 97,	211, 215, 234, 274
109, 114, 216	Tolbooth, <i>see</i> Court House
Cuckstool, 97, 106, 128, 223	Town chest, 265
Fair, 211, 244	Town Moss, 161, 187
Gaming, 77, 84	Undertenants, 93, 95, 97, 139,
Hedgebreaking, 82	152, 156, 160, 287
Highways & streets, 88, 113,	Vagabonds, 86
187, 198, 244	Waste, 161, 248, 257
Holdings, 80, 287	Water supply, 100, 119, 156,
Inmates, 139	167, 198, 223, 231, 240
Market, 100, 139, 152, 167	Widows, rights of, 82, 262

Other subjects of orders and amercements include the following:

Archery	Harlotry
Begging	Leys
Buildings, demolition or dis-	Measures
repair of	Meat, unwholesome
Court, contempt of	Nightwalking
Dogs, unlawful	Officers, neglect by
Eavesdropping	Orders not obeyed
Encroachments	Rents uncertain
Entries	Rescue on bailiff or constable
Evil conduct	Scolding
Evil persons, eviction of	Sorcery
— harbouring of	Stolen goods
Felonies, petty	Talebearing
Fuel for winter	Trespass
Grass, taking of	Turves, taking of

GLOSSARY

Words which do not appear in O.E.D., or are used in a sense not given in O.E.D., or which occur at a date earlier than the earliest reference in O.E.D., are printed in italics.

Variant forms of common words, such as *inmake* (*inmate*), *kill* (*kiln*), *milne* (*mill*), *vacabund* (*vagabond*), are not included in this Glossary.

- Acre, Cheshire (a large acre of 10,240 sq. yds.,¹ anciently used in Cheshire and S. Lancashire), 48*n*, 196*n*, 300*n*
 Advertize (to inform), 297, 303
 Affeerors (two Court Leet jurors appointed to "affeer" or assess the amercements, q.v.), *see* Index.
 Alefounders (two officers of the manor, enforcing the Assize of Bread and Ale), *see* Index.
 Aletasters (an alternative title of the Alefounders), 87
 Amercement (the forfeiture of chattels by a manorial offender),² *passim*
 Anenst (over against), 112, 116
 Angel (a gold coin, featuring St. Michael, first coined in 1465 as a new issue of the noble, q.v.), 135, 177
 Appraisers (*appreciatores*) for the Queen and the lord (a title applied to the Four Men, q.v., perhaps as the assessors of leys, q.v.), 207, 216
 Ark (a chest), 146
 Average (manorial service), 13, 152
 Avoid (to expel, remove or leave), 85, 139, 148, 156, 160, 163, 216, 223, 250, 251, 294
 Avoid (to render null), 135
 Baldry, bodry (bawdry), 109, 133
 Bark (to tan), 126
 Barker (a tanner), 121, 131
 Barlawmen and variants, *see* Burleymen
 Batelling (battlement), 51
 Bay (the structural unit of a timbered building),³ *passim*
 Bear (a pillow-case), 223
 Bedstock (a bedstead), 91, 103
 Berlawmen, *see* Burleymen
 Birelawmen, *see* Burleymen
 Bodry, *see* Baldry
 Boot (reparation), *see* Hay-, House-, Mill-
 Booth (the toll-booth, q.v.), 99, 109, 114, 141, 142, 233, 288, 294
 Booth (a shop), 131, 295
 Borage, burrage (burgage), 29, 38, 39, 43, 113
 Bordelhouse (a brothel), 109*n*
 Boune (boon, i.e., manorial service), 152
 Brandearth (a field-name, signifying burnt land),⁴ *see* Index
 Brandreth (an iron frame over or around a fire), 107
 Brether (brothers), 105
 Buche (? a form of buck, i.e., a carcase), 8
 Burleymen (two officers, whose duties are defined on p. 145), *see* Index
 Burn (a load or burden), 112
 Butt (a strip of land abutting upon a road, watercourse or other obstacle), 27, 28, 47, 48, 240
 Byland (land left unploughed in an open field),⁵ 47, 48, 166. *See also* Sparth
 Carding (playing at cards), 111, 182
 Carpinder (carpenter), 212, 220

¹ The essential difference between this and the statute acre of 4,840 sq. yds. was the use of a rod, pole or perch of 8 yds., as against the statute rod of 5½ yds.

² The offender was said to be in *misericordia*, i.e. mercy, because the lord permitted the penalty to be affeered. There seems to have been confusion in early medieval times between *misericordia* and *merces*, profit.

³ Buildings are commonly described as of one or more bays. Divisions of a bay are mentioned (pp. 158, 233). For theories of the bay as a unit of assessment, obligation, etc., *see The Evolution of the English House*, by S. O. Addy (Rev. ed. 1933).

⁴ Dr. Charles Leigh (*Nat. Hist. of Lancashire*, 1700, pt. 1, p. 65) describes the process thus: "They [the occupants of moss-land] frequently pare off with push-plows the tops of these [morasses], which they amass together in small heaps; when they are dry they set them on fire, and by their alcalious ashes the ground is made very fertile, but will not continue so above three years; after that it is very barren."

⁵ The word also occurs in *Manchester Court Leet Records*, 1890, vol. 1, pp. 145, 257, but without any editorial comment.

- Carr (a field-name, signifying a marshy meadow), 107
 Cather (a cradle), 201
 Cestron (cistern), 130
 Channel (a street gutter), 198, 212
 Chapman (a small trader), 109, 275
 Cheek (a side), 106, 293
 Childer (children), 81
 Closure (a close of land), 115, 150, 154, 188, 190
 Cockshoots (a field-name, orig. a glade where woodcocks were snared), *see* Index
 Condescend (to grant), 14
 Coost (coast, i.e. a side region), 113
 Cop (a hedge-bank),¹ 166
 Copyhold (land of a manor held by customary tenure), 290, 299
 Copyholder (a tenant of copyhold, q.v.), 290, 298, 303, 308
 Cordwainer (a shoemaker), 105
 Corporas (a cloth for the Eucharist), 50
 Cote (a shelter for sheep or pigs), 158, 175
 Courtesy of England (a tenure by which a husband, after his wife's death, holds for life an estate of which the wife had been seised, provided there is issue of the marriage to inherit it), 115, 160
 Cross-chamber (? a building at right-angles to the main building), 86, 157
 Cuckstool (a close-stool, *cathedra stercoris*, used as an instrument of punishment),² *see* Index
 Das (? a variant of *dust*), 234
 Defend (to maintain or protect), 167, 282
 Deg (to sprinkle with water), 157
 Dig (a duck), 282
 Dight (to winnow or dress corn), 19
 Dishboard (a dresser), 107, 146
 Dole (a piece or portion), 220
 Dome (doom, i.e., a judgment), 129
 Doundubb (? a kind of outcast, q.v.),³ 32, 46
 Dub (to crop a hedge or tree), 86
 Duty (a payment due), 139, 152
 Easing (the eaves of a house, or the rain-water falling therefrom), 109, 183
 Evelookers (a title applied to the Four Men (q.v.), perhaps equivalent to their other title of House-lookers, q.v.), 86n
 Eight Men (lay officers of the parish responsible for the appointment of the Churchwardens and supervision of their accounts), *see* Index
 Eller (an elder-tree), 135
 Escrip (a writing), 290
 Evangelist (the Gospel), 129
 Eye (a coal-pit mouth), 273
 Fall (a measure of length, the distance over which a rod falls), 166
 Fall (a square-rod), 48
 Ferors (Affeerors, q.v.), 87, 100, 103, 106, 109, 140, 143, 145, 157, 172, 191, 216, 241
 Fey (fay, i.e., to cleanse), 53
 Fine (a payment for renewal of a lease), 19, 22, 32, 302
 Fine (a payment on transfer of copyhold), 292, 299, 305
 Forbar (to obstruct), 116
 Foren, foreyn, forrein (foreign, i.e., outside the manor), 103, 152, 155, 244, 293
 Fornes, fornice (a furnace, boiler or cauldron), 89, 169
 Forstall (to forestall, i.e., buy up provisions on the way to market), 167, 293
 Four Men (principal officers of the manor,⁴ also called Appraisers, Evelookers, Houselookers, Leve-lookers, Overseers of the Town, Townships and Woodlookers, q.v.), *see* Index
 Frame (the timber framework of a building), 304
 Fray (to frighten), 99
 Gang (a set of articles working together, as spokes), 83, 177
 Gardes (cards), 136
 Garden-stead (a place for a garden), 115, 240
 Gardiner (a guardian or warden), 187, 262
 Garth (a hoop), 108
 Gate (a way), 95, 109. *See also* Newgate (Index).
 Geld (a payment), 218
 Gennel (a covered entry), 221
 Goodman (the master of a household), 58
 Greese (grece, i.e., a flight of steps), 183

¹ The following reference occurs in the roll of 1685; a man was presented "for encroaching on the lords wast by letting his *quickwood copp* and *dich* grow into the hall lane."

² The name *Cuckstool Pit* (*see* Index) indicates that it was also used as a ducking-stool.

³ This word occurs quite frequently in seventeenth-century Prescot court rolls, e.g. (1612) "a litle doundub adioyning to the west end of the nowe dwelling howse of J.G., nowe serving for the use of a hogge sty."

⁴ Later records reveal that, in theory, two of the Four Men represented the interests of the lord, being chosen by the Steward, and two represented the copyholders.

- Grindlestone (a grindstone), 121
 Gross (large), 14
 Gross (to engross), 109
- Hackney (a prostitute), 298
 Hext (the highest part or upper end), 99, 105
 Hay-boot (hedge boot i.e., allowance of wood for repair of fences), 12
Hobleshove, with variants (a minor assault or tussle), 151, 155, 166, 201, 250
 Hollen (a holly-tree), 135, 200, 234
 Homage (the jury of the Court Leet, or the suitors as a whole), 138, 139, 148, 153, 159, 160, 162, 186, 207, 215, 259, 287, 303
 Houseboot (allowance of timber for repair of houses), 16
 Houselookers (an alternative title of the Four Men, q.v.), 78, 216
 House-stead (a site of a house), 108
- Impeachment (hindrance), 23
Incustome (an innovation contrary to custom), 282
 Indifferently (impartially), 124, 129, 130, 159
 Inquest (the jury of the Court Leet), 86, 107, 139, 215, 289, 292
- Jerkin (a jacket), 223
- Kersey (a coarse ribbed cloth), 92
 Kie-gates (kye-gates, i.e., rights of pasture for cattle), 300
 Kirtle (a coat or gown), 98, 212
 Knowledge (to acknowledge), 286, 287
- Labour (to travel), 56
 Land (a strip or selson in an open field),¹ 48
 Lead (to carry or convey), 103, 211, 295
 Lede (a lead, i.e., large pot, cauldron or vat), 94
 Lede-fornes, *see* fornies
 Leet (a privileged jurisdiction; *see* p. 73), 290, 303, 304, 307
 Lesoe, lessoe (leasoe, i.e., pasture-land), 12, 115
 Levelookers (a title applied to the Four Men, q.v.),² 93
 Ley (a local rate assessed on houses and land), 50, 52, 53, 57, 207, 218, 260
 Livery (a grant or allowance), 280
 Louver (an outlet for smoke), 281
 Lucre (profit), 152
- Mainprize (a pledge or surety), 136
 Mark (a sum of 13s. 4d.), 21, 25, 26, 123, 147, 176, 192, 193, 205, 214, 268, 275, 281
 Market-stead (market-place), 112, 155, 203, 206
 Maur (? to mar or obstruct), 112
 Mear (a boundary-mark), 48, 224
 Mear (to mark a boundary), 166, 169, 224, 236, 281, 282
 Mease (a messuage), 129, 138, 147, 290
 Merciamment, merciment (amercement, q.v.), 26, 86, 112, 287
 Mett (a measure of capacity), 264
 Micher. *See* Petty-micher
 Middling-stead (a place for a midden), 77, 86, 106, 155, 207, 292, 293
 Mill-boot (allowance of timber for repair of the mill), 12, 16
 Misliving (ill-behaved), 85
 Monition (warning, notice), 102
 Multure (toll for grinding), 16, 152
- Neighbourhood, neighbourhood (a man's duty to others in a community), 106, 145, 293, 294
 Noble (a gold coin bearing the device of the king on a ship, first issued in 1344 at the value of half a mark, but re-issued in 1465 at the value of 10s.), 303
 Noy (to cause annoyance), 292
- Oller (an aller or alder-tree), 53, 155.
 Ordinate (to order), 292
 Outcast (an outshot, or projecting part of a building), 158, 304
 Outshowf (an outcast, q.v.), 158, 196
 Outshowring (an outcast, q.v.), 164
 Owe (to be entitled), 101
- Painful (painstaking), 301
 Painted-cloth (a substitute for tapestry), 50, 103
 Pale (a fence), 174
 Pale-staff (a rod for fencing), 81, 93
 Pascal (the Easter candle), 50
 Perceyve (receive), 13
Peterell-band (a petrel, i.e., a short horizontal beam connecting prick-posts, q.v., in the frame of a building),³ 186
 Petty-micher (a pilferer), 133, 156, 166, 270
 Picker (a thief), 166
Pike (a point, or pointed piece of land), 27, 40, 47
 Pinfold (an enclosure for stray or distrained beasts), 198, 260
 Plant, plont (a sapling), *passim*

¹ Richard Woodfall's rood (p. 28) contained 16 *lands* (p. 48); the latter therefore had a mean area of exactly $2\frac{1}{2}$ sq. rods (of the large measure) each.

² In some other towns, in Wales and N.W. England, Levelookers were supervisors of the market or collectors of tolls. There is no record that the Four Men of Prescott discharged these duties, though they may possibly have done so at an earlier period (see Appendix A).

³ See *Development of English Building Construction*, by C. F. Innocent, 1916, p. 112.

- Possenet (a posnet, i.e., a small metal vessel with handle and feet), 179
 Pound (a pinfeld, q.v.), 156
 Praise (to appraise), 285
 Prick (a staple of hazel or other tough and pliant wood, used in thatching),¹ 156
 Prick-post (a subsidiary vertical beam, not more than one storey high, between the principal posts of a building), 186
 Proctor (a tithe-collector), 9, 13, 15, 17, 18, 19, 30, 31, 34
 Puddings (pigs' intestines, used for sausage-skins), 100
 Pullen (poultry), 156
Purpresture (to encroach upon), 155
 Quest (inquest, q.v.), 98, 106, 108, 109
 Quorum (a bench of magistrates), 97
 Qwyte (white), 51
 Rathes, pair of (a frame fitted to a cart to increase its capacity), 112
 Receipt *with many variants* (to harbour), 86, 102, 112, 116, 139, 156, 191, 223, 241, 244, 292, 294
 Reed (part of a loom), 213
 Regrator (one who buys and sells again at a profit in the same market), 85, 95, 109n
 Revestre (the church vestry), 54, 56
 Ryall (a rial or Rose Noble, i.e., a noble, q.v., with the additional device of a rose, stamped upon the ship, first issued in 1465 at the value of 10s.), 125
 Rigging-turves (turves for thatching), 282
Ringyard (a rengard, or removable fence round an open field),² 148
 Sark (to cover a roof), 14
 Sawte (an assault), 109
 Scalance, scelence (to cleanse), 81, 164, 198
 Sclats, sclates (slates), 14, 46, 53, 54, 56, 186
 Score (agistment), 78
 Sea-coal (mineral coal, as distinguished from charcoal), 22
 Sempster (a seamstress), 265
 Sepulchre (the Easter Sepulchre, or recess where the Host was laid between Holy Thursday and Easter Day), 50
 Several (separate), 260
 Shear (to reap or mow), 153, 242, 296
 Shearman (one who removes the nap from woollen cloth), 205
 Shewte (suit), 201
 Shippon (a cowhouse), 118, 171, 212
 Shop-stead (site of a shop), 203
 Single (to shingle i.e., cover with oak tiles), 14
 Slutch (mud), 187, 295
 Snag (to cut branches from a tree), 105, 106, 108, 112, 115
 Soder (solder), 54
 Somer (summer, i.e., a principal beam), 54
 Sough (a drain), 167
 Sovereign (a gold coin first issued by Henry VII at the value of 20s., but later depreciated, and superseded in 1649 by the Broad or Twenty-shilling Piece), 130
 Sowl (sowel, i.e., a fence-stake), 112
 Sparro(w)-lane (a road-name, signifying, apparently, a lane closed by a *sparro* or bar), *see* Index
Sparth (byland, q.v.),³ 28, 166, 186, 204
 Spiking (a long nail), 54
 Spit (a long pointed iron bar),⁴ 109
Sprink (? a variant of *spring*, i.e., young growth or shoots),⁵ 155
 Stable-stead (place for a stable), 106
 Stall (a shop), 190, 203
 Stead (a place; usually in compounds, as garden-, house-, market-midding-, shop-, stable-, q.v.), 177
 Stipend (*stipendium*; *see* Appendix F), 78, 87, 96, 125, 149, 168, 180, 181, 201
 Stock (a fund for support of a chantry-priest or schoolmaster), 52, 83, 94, 102, 107, 304
 Stoop (a post of wood or stone), 211, 295
 Strain (to distract), 185
 Streetlookers (overseers of the streets), 212n, 241

¹ In 1614 a man was presented "for gettinge prickes in Prescott wood and sellenge them at Leverpoule seven hundreth at a tyme or theire abouts."

² See V.H.L., vol. 3, p. 427, and *Liverpool Town Books*, vol. 1, p. 5.

³ The etymology of *sparth* is discussed by Dr. Ekwall (*Place-Names of Lancs.*, 1922, p. 89), the meaning "a strip, a narrow piece" being indicated.

⁴ Such bars were used in Lancashire for probing in mosses for buried timber. Philemon Holland's translation (1637 ed.) of Camden's *Britannia*, p. 747, states that the people near Chat Moss "assay and try with poles and *spits* where they [the trees] lie hidden, and when they light upon them, marke the place, digge them out, and use them for fire wood."

⁵ This is borne out by the fact that the bark and young shoots of the alder are still used for dyeing. (Rev. C. A. Johns, *British Trees* (rev. ed. 1911), p. 127).

- Stress (distress, i.e., chattels distrained for non-payment of debts, amercements, leys or rents), 99, 285
- Stry (to spoil or injure), 244
- Surcingle (a pack-horse girth), 245
- Tables (backgammon), 136
- Tenantry (a tenement), 286
- Tenner (a tenement), 286
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¹ A statute of 1390 provided for a uniform measure and weight throughout England "except it be in the county of Lancaster, because in that county it hath always been used to have greater measure than in any other part of the realm" (Stat. Realm, vol. 2, p. 63; original text in French).

² In an unpublished MS., dated 1735, relating to Prescott coalmining, a "work" of coal is expressly defined as 3 tons, or 60 "baskets" of 1 cwt. each. For further discussion of this term, see *Rise of the British Coal Industry*, by J. U. Nef, 1932, vol. 2, p. 377.

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