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THE
Royalist Composition Papers,

BEING THE PROCEEDINGS OF THE

Committee for Compounding,

A.D. 1643-1660,

SO FAR AS THEY RELATE TO THE

County of Lancaster

EXTRACTED FROM THE RECORDS PRESERVED IN THE PUBLIC
RECORD OFFICE, LONDON.

VOL. VI., PART I, S—WE.

EDITED BY

JOHN BROWNBILL, M.A.

PRINTED FOR
THE RECORD SOCIETY

1941.

FOREWORD.

The sixth and last volume of the Royalist Composition Papers for Lancashire S to Z was promised to the Society as long ago as 1917, when the late John Brownbill, edited the fifth Volume of the series. Mr. Brownbill actually began the work on the sixth volume, but pressure of other literary work interfered with its conclusion. To expedite matters, a few years later the late Robert Gladstone offered to carry on the task and for some years made very extensive researches for the purpose of clearing up many obscure points in the methods of procedure employed by the Commissioners. After some time, however, Mr. Gladstone found it impossible to continue the work and as by this time Mr. Brownbill found himself free, the task was handed back to him. Mr. Brownbill completed the detailed editing of the manuscript and wrote his introduction, beginning this second period of editing in 1930. Unhappily a few months later, in May, 1931, he died and Mr. Gladstone once more took over the editing. Further delays occurred owing to Mr. Gladstone's devotion to exact scholarship which prevented his passing work which a lesser scholar would not have questioned. This period was succeeded by Mr. Gladstone's illness which led to his death last year. As the work then stood, 64 pages of the manuscript were in type and a good deal more in galley. Rather than that a further delay should occur the Council decided that the existing manuscript should be printed as it stood and I was asked to see it through the press. This I have done, limiting myself, however, to the mere mechanical work of correcting the proofs, making no attempt to annotate the original or check the work already done.

The size of the manuscript proved to be greater than the Society could afford to print in one volume so it is proposed to issue it in two parts: Part I covering the letters S. to We., and Part II, We. to Y. The pagination of the two parts will be continuous and a complete index will be found at the end of Part II.

To the many benefactions for which the Society is already indebted to the late Mr. Robert Gladstone is added contributions of £100 towards the cost of these two volumes made in his lifetime and £150 part of a grant of £300, generously made by Mr. Gladstone's Executors, in fulfilment of promises which he had made before his death.

W.F.I.

March, 1941.

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ROYALIST COMPOSITION PAPERS.

INTRODUCTION.

AN outline of the history of this collection of abstracts from the Royalist Composition Papers for Lancashire has been given in the introductory Note in Vol. V. It only remains to add that the abstracts were made by Mr. Edward Rowley Morris, F.S.A., who was born at New Hall in Kerry, Montgomery, on 22 April, 1828, and devoted himself to Welsh antiquities, especially to those of his native county. He moved to London in 1881, and died in 1893.¹ The abstracts, taken in conjunction with Mrs. Everett Green's *Calendar*, give an adequate view of the contents of the Papers, and the completion of the printing after so many unfortunate delays will, it is hoped, render useful service to the students of county history. The references in the headings agree with the present numbering at the Public Record Office. The notes in smaller type, showing the conclusion of many of the cases, are taken from the *Calendar* as cited.

At the outbreak of the Civil War in August, 1642, each side had to provide means to carry on the struggle. The king had most of the great landowners on his side, and they were able in many cases to enrol men and supply funds from their estates, land being then the chief source of wealth. Contributions could also be levied on such parts of the country as were in Royalist keeping. Parliament, which could draw regularly upon London and the Eastern Counties, very soon established a Committee for Advancing Money on loan, known as the Haberdashers' Hall Committee from its usual place of meeting. Next, it became possible to despoil those who were fighting for

¹ *Archaeologia Cambrensis*, 5th series, x, 363.

the king, at least such of them as had estates within the Parliament's influence. Hence in 1643 was formed a Committee of the Lords and Commons for Sequestrations, with subordinate committees in the various counties. These took possession of such estates as were in their power and used the rents and other issues as public revenue. A fifth part was allowed for the support of the "delinquent's" wife and family. No fresh legislation was needed against Catholics as such—though being notoriously royalist in sympathy and usually very active on the king's side, they laid themselves open to it—for the Elizabethan statutes sequestering two-thirds of their estates as recusants were sufficient if strenuously enforced. The war being to a large extent a religious war, Parliament did not disguise its intentions on this point, the "Declaration of both Kingdoms" of January, 1643-4 threatening as follows:

Because Papists and Popish Recusants, according to the principles of their Profession, have ever been plotting and contriving the change of Religion in this Island and the Ruin of all the Professors thereof; and after the Frustration of their attempts, having waited upon such a time as this, have alienated the Heart of the King's Majesty from his Protestant and Loyal Subjects, taken Armes against the Parliament and Kingdom, and by all their means and powers have maintained a bloody and unnatural War, presuming in the end to have their execrable superstition and Idolatry set up in the place of the true Reformed Religion, and the King and his Kingdoms to be brought under the Power and Tyranny of the Pope: We do hereby Declare, That all such Papists and Popish Recusants who have been, now are, or shall be actually in Arms, under the false pretence of defending the King's Person and Authority, are to look for no favour, but to be punished as Traytors, and professed and intolerable Enemies of Religion and their Native Country.¹

This truculence is the more noteworthy in considering the case of Lancashire, where, in the north and west, perhaps a majority of the squires and rural populations

¹ *Cal. Com. for Compounding*, v. p. viii.

were still Catholics, the decidedly Protestant portion being the hundreds of Salford and Blackburn, with their prosperous yeomen-weavers, and the port of Liverpool.

A list of the first Lancashire Committee, of whom three seem to have formed a quorum, will be found in the first part of the present work (p. viii), but other names were added from time to time, as will be found on studying the different cases. In June 1644 Robert Hyde was acting (iv, 85); in December 1645, Richard Hoghton, Richard Haworth and Henry Fleetwood (i, 33); in the following January, Sir Robert Bindloss and William Knipe (?) (ii, 105); in April 1646, Sir George Ireland and James Ashton (iii, 2); and a year later J. Booth and John Holcroft (ii, 27). From the sequestrators an appeal might be made to the Barons of the Exchequer.

Then to raise money more rapidly it was decided to offer "Delinquents" the opportunity to compound for their sequestrated estates, the above-cited "Declaration of both Kingdoms," while excepting "some few wicked and devilish spirits" who were charged with having fomented the division between King and Parliament, allowed others who were "not to be reckoned among the prime authors of this unnatural war" to compound, offering:

That all such forsaking their former Opposition, returning to their duty and endeavouring the good of Religion and the public Peace, shall as to their lives and liberties of their persons, be secured and shall be received into favour: But to the end that a just difference may be made betwixt such persons returning so late to their duty and those that never departed from it, they must expect that toward the payment of the public Debts, relieving the common burdens of the Kingdoms and repairing of particular losses . . . their Estates in some proportions should be liable.¹

Those who desired to take advantage of the "wisdom and discretion of the Parliament" in this manner were to come in before 1 March, 1643-4.

¹ *Calendar*, v, p. vii.

The work was given to the Committee for Compounding with Delinquents, which had been formed in 1643 to raise money for the Scots. Mrs. Green traces its development in the Introduction to the first volume of her *Calendar* of its proceedings, and gives many illustrations of its working in detail in that prefixed to the fifth volume, so that there is no need to enlarge on the general question here; but it is desirable to utilize her account to give a short summary of the business, in order to make many of the details in these Lancashire cases clear to the reader.

In the earlier cases the initiative was taken by Parliament, chiefly against those who were already prisoners in the Tower, but in practical working Parliament was soon superseded by the Committee, which, from its meeting-place, was known as the Goldsmiths' Hall Committee. In August, 1644, this Committee ordered Sir David Watkins, Jerome Alexander, Richard Shute, William Thompson and Samuel Moyer to examine and report on the estates and delinquencies of those who might offer to compound (*Cal.* i, 8). Next month, "under the stress of urgent want of money to be sent to Lord Fairfax's army," the principle of composition was adopted generally. Fuller powers were granted in the following March, and a regular system of dealing with would-be compounders was gradually elaborated.

In June 1646, when the "first war" was over and compositions became more numerous, those who desired to compound were required to take the National Covenant and the Negative Oath, for which see above, part i, pp. xv, xvi. The Covenant, as will be observed from certificates printed herein, was very frequently taken in St. John Zachary's Church, now pulled down, because it was close to Goldsmiths' Hall. Among the general conditions laid down was one that ministers of religion and lawyers must pay heavier fines than other compounders. An Order of the House of Commons of 8 December, 1646

(*Cal. i, 51*), that estates under £200 in value should be exempt, was very little regarded at any time¹, and after 1650 was quite obsolete. In reply to an inquiry from Lancashire as to whether the certification of *all* former discharges included those that had been granted for estates which were under £200 value, the London Committee wrote: "They are all to be certified, and the Commissioners here have not power to discharge any without composition, though their estates be under the value of £200" (*Cal. i, 362*). In accord with this, the same Committee wrote to the Norfolk Committee disapproving of the discharge of five estates because they were below that value (*Cal. i, 402*).

In the case of several surrenders to the Parliament's armies special terms formed part of the articles, and these had to be observed by the Committees. Thus Sir George Middleton of Yealand claimed the benefit of the articles agreed upon at the surrender of Dublin in 1647 (above, iv, 131), and Peter Heywood claimed the like (v, 188). Hugh Anderton's claim to do so was not allowed, he being a "Popish delinquent" (i, 54). Lord Molyneux came in on the surrender of Ludlow in 1646, when all by the articles had three months allowed within which to make their compositions (iv, 149); he seems to have been regarded as one of those too hostile to be allowed to do so, but the sixth article expressly stipulated that "no nobleman, gentleman, or officer of that garrison . . . should be made incapable of compounding for their estates." Sir Thomas Prestwich came in on the surrender of Truro (1646) as did Robert Halgh of Moston and William Radcliffe of Fox Denton (iii, 263; v, 94, 105), and claimed the benefit of the articles agreed upon with Fairfax.

The "Engagement" of 1649, which is sometimes mentioned as a cause of trouble, especially with the

¹ See, for example, the sequestration of very small estates "in the beginning of the wars," above, iv, 48-51.

Presbyterian ministers (see above, i, 38), was an undertaking to live peaceably under the Parliament's rule, without any king or House of Peers; this was ordered after the execution of Charles I. The Presbyterians objected to it because it was a measure of toleration, to which they were strongly opposed, as the Lancashire *Harmonious Consent* witnesses; also because it contravened the National Covenant, one professed object of which was "to defend the king's person and authority."

A radical alteration was made by the Act of 25 January 1649-50, which assigned the administration of sequestered estates to the Committee for Compounding. By another Act of 15 April, 1650, a new and much smaller Committee for Compounding was appointed and was authorised to act also as the Committee for Advancing Money. Much confusion arose in consequence,¹ though the separate offices and staffs were retained. The new Committee for Compounding consisted of seven members: Samuel Moyer, John Berners, William Molins, Richard Moore, James Russell, Arthur Squibb and Edward Winslow. Their initials may be seen appended to many of the orders herein printed (e.g. i, 233). One of the members is of local interest, for Arthur Squibb married Martha, sister of Gilbert Ireland of Hale, one of the leading Parliamentarians in Lancashire, though he was made a knight at the Restoration. Her elder sister Eleanor, it may be added, married Edward Aspinwall, one of the Lancashire sequestrators. In 3 June, 1651, the London Committee wrote to Squibb, then in Lancashire, saying:

We have told the County Committee to apply to you for directions touching the debts on sequestrations, and we beg you to examine the state of sequestrations in this and other counties on your way as you return, and advise the commissioners therein, especially touching Peter Ambrose, who has not brought in his accounts as ordered and has been reproved for his neglect. Also

¹ See, e.g. *Calendar*, i, 451.

assist in inducing them to act with Robert Massey. The sequestrations there amount to £13,000 a year, and only £1,635 is returned. Tell them of the Parliament's necessity, that their returns may be quicker. We hope your speedy return.¹

Accordingly in July we find him answering questions of the Lancashire Committee, though some points had to be referred to London (*Cal.* i, 468).

The new central Committee took over the existing officials,² of whom those most frequently named in the Lancashire cases are John Reading and Peter Brereton, two of the counsel employed, John Leech the registrar, Richard Sherwin the auditor and Thomas Fowle, the solicitor or agent. The last-named had, among other duties, to search the books to see whether any convictions for recusancy had been recorded against compounders (e.g. above, ii, 22).

The change in the central authority was accompanied by equally drastic changes in the counties. In particular the Lancashire Committee was reduced to three members; they were at first allowed only one agent, and in other ways also their powers were greatly restricted, the administration becoming centralized in London. Hence it will be noticed that various orders made, some even before 1650, had to be confirmed by the London Committee before sequestrations could be discharged. This caused much difficulty to compounders. William Abraham of Thornton in Sefton stated that his mother, a recusant, had, in June, 1649, taken the oath of abjuration and had obtained an order from the Lancashire Commissioners for discharge of her sequestration. Before her small estate could be cleared those commissioners were dissolved. In 1651 she petitioned again but died before the case was heard. He himself then petitioned in August, 1653 and discharge was granted in October. A year later he asked

¹ *Cal.*, i, 448.

² For their salaries see *ibid.* i, 439.

that arrears might be allowed him from the date of his mother's petition of 1651, but the answer was: "To have arrears since his petition and not since hers, unless it shall appear that her petition was not heard before her death by our delay" (above, i, 8). Another example will be found in the claim of Ann Anderton of Clayton (above i, 84).

All the counties, of course, were affected by the change, and the immediate result was that a very large number of inquiries on doubtful points were addressed to Goldsmiths' Hall by local commissioners. The decisions given were in February, 1650-1, formed into a very full code of instructions, which met most of the difficulties (*Cal.* i, 413).¹ In the preceding November the Committee had had to write thus to the Cheshire Committee: "Most of your queries are answered in our instructions. We thank you for the zeal which causes your frequent inquiries, but much of your trouble would be spared if you seriously perused and thoroughly understood your instructions" (*Cal.* i, 359). The first volume of the *Calendar*, which epitomises the correspondence and general working of the Committees from 1643 to 1659, occupies 777 pages, of which 222 are required for the single year 1650 and 134 for the year 1651. These two years thus occupy half the space.

The first Act for the sale of forfeited lands was passed in July, 1651. It contained the names of 73 "Delinquents," many of whom had absolutely refused to recognize the right of the Parliamentary authorities, and had suffered accordingly. Seven trustees were appointed to dispose of these estates and a Committee for Removing Obstructions was also appointed to solve difficulties arising through trusts and charges on them.

In December of the same year the Committee for Compounding sent out an order to all the counties to

¹ For questions by the Lancashire committee see *Calendar* i, 468, 505, 580.

"search diligently into the books and papers of the late committee for all discharges except by order of Parliament or ourselves, and order the parties concerned to produce the discharges in 28 days before us, on pain of resequestration if not allowed by us within six weeks" (*Cal. i*, 518). This order is said to have caused much unjust suffering, for many of these documents had been lost or mislaid in the mischances of the times, and the county committees could not remedy the grievance even when they knew that the old sequestration had really been discharged.

About the same time, however, Parliament afforded a measure of relief in the Act of Indemnity or Oblivion, whereby estates not sequestered before 1 December, 1651 were declared to be exempt. This Act had its difficulties. In March the Lancashire Committee wrote stating they had been importuned by old delinquents to discharge such parts of their estates as were not sequestered on 1 December, and asking if they were to sequester estates of old sequestered delinquents newly discovered since 1 December. And again, "Are we to proceed as formerly against Papists discovered since 1 December if they offer to take the oath of abjuration?" (*Cal. i*, 562). The reply was that estates discovered since December 1 could not be seized unless they belonged to persons whose lands were already ordered for sale; but recusants [i.e. those whose offence was religion only and not "delinquency" also] might be proceeded against as formerly, whenever discovered (*Cal. i*, 570).

Money being badly wanted, the recusants were specially attacked in September, the Committee sending to each of the county committees a list of recusants in that county and ordering: "You are to summon all in your jurisdiction and all others whom you know to be convicted of recusancy whose estates are not sequestered, and all whom you suspect to be Popishly affected, tender them the oath of abjuration and on refusal sequester two-thirds of their

estates, and certify their names to us" (*Cal.* i, 608). Two further Acts of Sale also were passed. The Second Act, of August, 1652, contained only 29 names, but the Third Act, which passed in November and is named frequently in the Lancashire cases, contained 678 names of sequestered delinquents who had either not compounded at all or had not paid their fines.¹ Under this last act the sequestered lands were placed in the hands of Trustees for Sale, who met at Drury House.² Though "delinquents" were allowed to compound for their estates, on paying a third of the full value, most of the estates were sold outright either in whole or in parcels. In this way the wives and families lost their fifths. This Act brought many to compound who had hitherto avoided any compliance with the Parliament, and among others, Thomas Gillibrand of Chorley. His request does not seem to have been granted, for in September, 1653, Robert Holt the younger purchased Chorley Hall and a large part of Gillibrand's estate (above, iii, 71).

The Recusants Act of 21 October, 1653, allowed Catholics who were not "delinquents" to compound for the sequestered two-thirds of their estates, and there was at first a great rush to take advantage of it. On examination of the conditions, however, these were found to be so onerous that out of 613 applications only 14 were prosecuted so far that fines were set and only 12 fines were paid to discharge estates (*Cal.* v, p. xxxiii). A petition addressed to Cromwell at the time by those affected set out the reasons for this failure:

The late Parliament has ordered us, within a very short time to contract for two-thirds of our estates sequestered for religion, at a proportion higher than imposed on general delinquents, and that without distinction of age or permission to enjoy them more than

¹ Fully indexed in Miss Peacock's *Index of Royalists*.

² Mrs. Green in her Introduction (v, p. xxx) draws attention to the fact that "careful surveys and valuations of the estates were made and are transcribed in two important volumes, which still exist in good condition [G. 58, 58A]."

one year, though we pay four years' value and the sequestration is to continue till the whole fine is discharged. These difficulties, with our extreme sufferings in the late war, wherein none of us were engaged against the Commonwealth, make it impossible for us to comply with the Act. We beg consideration, that we may be rendered as capable as we are willing to comply.

They added the following arguments to show how impossible it was for them to comply with the conditions:

(1) The proportion of four years is so high that they cannot raise the money, many being only tenants for life;

(2) One proviso makes the estate liable to penal laws if found after a year in the hands of a recusant, so that he is to pay four years' value for one year's profit.

(3) Most recusants can only raise money on their estates, and yet these estates are not to be freed from sequestration till all the money is paid.

With Cromwell's advent to the Protectorate on 16 December, 1653 the sequestrations virtually ended, and in the following March the county committees were dissolved, new ones being appointed, their operations, however, being limited to the management of estates already sequestered and others which might be sequestered in the cases then pending (*Cal.* i, 668). The London Committee for Compounding was at the same time reconstituted, as also again in 1659 to deal with cases arising out of the abortive Cheshire rising on behalf of Charles II.

In Lancashire the sequestrations began with the appointment of the county committee in 1643, but the earlier proceedings seem to have been very irregular, indistinguishable in fact from raiding and plundering the Royalists' lands. Being required in 1652 to certify the London Committee as to the proceedings found in the local records relating to the sequestration of the estates of Edward Rawstorne, deceased, the Lancashire Committee answered as follows:—

We caused all the books of orders remaining in our hands, beginning about the latter end of October, 1645—before which

time there was not any settled Committee for Sequestrations in this county, the county having till that time and some time afterwards from the beginning of the wars been pestered with the enemy's garrisons—to be searched, and not finding any order either for the actual sequestration of him, or discharge, the certificate of 15 July was returned [stating that the estate was sequestered in 1644, accounts being rendered for 1645 and 1646, and that the sequestration was undischarged at his death] . . .

And for the proceedings before that time [October 1645] we have informed ourselves from several agents that were then employed that the course of the committee then was to grant commissions to divers persons to sequester the whole estates of all delinquents [and] two-thirds parts of all recusants named in a schedule annexed to the said commission *without entering any judgement against them and for the most part without information*; it being then so publicly known who were in arms against the Parliament. And sometimes commissions issued to several persons to sequester all such delinquents and recusants (without naming any) as were within such division . . . although most of the grand delinquents . . . were sequestered before that time without any formal proceeding but that they were publicly known to be in arms.¹

The agent employed bore out this account. Edward Rawstorne was in 1644 reported to be governor of the garrison of Lathom, being a garrison for the king. The then Committee ordered the agent to seize, for the use of the Parliament's soldiery, all Rawstorne's estate, real and personal, within the Hundred of Leyland. This was done, and accounts were rendered for 1645 and 1646 but Edward Rawstorne dying before the profits for 1647 fell due and his brother Lawrence taking possession, nothing accrued to the State; for the then Committee allowed that Lawrence was in the right and that the estate belonged to him. About a year after the new Committee had been appointed, viz. on 9 January, 1650-1, the agent received an order to "secure" the estate and in November, 1652 it still remained under sequestration.² This is evidently one of the cases in which the new

¹ See above, v, 128.

² *Ibid.*, v, 126.

Committee reviewed and reversed the decisions of their predecessors. Afterwards (27 April, 1653) they decided that the estate was not legally sequestrated on 1 December, 1651 and therefore should be discharged under the Act of Oblivion.¹

As stated by the agent above the profits were to be applied to the payment of the soldiers. This was by an order of Parliament, dated 7 September, 1643, to the effect

That the deputy-lieutenants and committees of Parliament in the counties of Lancaster and Chester choose an able person in each county to be auditor and to perfect accounts of all money, goods and profits taken or seized under any order or ordinance of either House; and to that end the auditors are to have power to send for parties and writings. Also they are to choose a treasurer, to whom all moneys collected for maintenance of the soldiers in the said counties are to be paid and who is to issue the same on warrant from seven or more deputy-lieutenants resident in either county; which warrants shall not be paid until entered with one of the auditors and attested by him. Such deputy-lieutenants are to have special care that all the soldiers are indifferently paid, as well for their arrears as for the time to come.²

In 1648 the sequestrations were confirmed to the same purpose by order of Parliament, and, as Peter Harrison, the Committee's solicitor, declared (11 September, 1649), "upon this the late soldiery depend as their main security for the vast arrears due on their accounts. Although the revenue of sequestrations is very small, by reason of the great number of quality who have compounded, and is insufficient in a long time to satisfy their arrears, yet hitherto they have not been very pressing upon Parliament for larger security or speedier satisfaction."³

After the new arrangements of 1650 the London Committee asked for an account of arrears and profits, to which the Lancashire Committee replied thus:

¹ *Cal. iv*, 2652.

² *Cal. i*, 151.

³ *Ibid.* A copy of the Order in Parliament is added.

In the beginning of the war this county was looked upon by Parliament as one of the most dangerous, in respect of the interest which some great men had in it that went with the King's party, and of the many Papists that abound in parts of it. Notwithstanding, through a special divine assistance to some few who engaged against the common enemy, it not only first cleared itself but became serviceable to neighbouring counties. But this contracted a great debt to the soldiers; for pay of whom, and support of our ministry, we made use (by approbation of Parliament) of the sequestrations of the county.

This arrangement was to continue in force until 24 June, 1650, after which date, they add, "We shall desire your favour in respect to this poor exhausted county" (*Cal.* i, 213).

When in July the London Committee wrote complaining of remissness, no money having been received from Lancashire,¹ the local committee defended themselves as before in the following letter (24 July) to Col. Thomas Birch, which he was asked to present to the Committee for Compounding:

Consider the condition of the maimed soldiers and the widows and fatherless children in this county, who had an allowance out of the treasury here. But the money having now to be paid above, they will be debarred thereof, and most of them have no other subsistence. Procure our order for continuance of their former allowance of £2500 a year, or so much thereof as shall be thought fit.

At your instance we signed an order for £200 to Capt. Williamson and it is taken very discourteously that we have denied to sign others; but we are threatened that we shall make good the £200 to the soldiers of this county; therefore procure us some order for issuing it. There have been several Acts passed during your absence from the House, viz. for the Militia, the pulling down of the late King's arms in churches, the continuing of the pay to ministers, the better observance of the Sabbath, and divers others, copies of which we request that you will send down.

The letter they enclosed merely stated that the revenues up to 24 June being devoted to satisfying the soldiers and

¹ *Ibid.* i, 264.

ministers, there was nothing yet to account for (*Cal.* i, 280). The London Committee replied: "Though we did not expect the profits, you should have asked our allowance of that order and sent up the accounts. Do this at once" (*ibid.* i, 291).

This disposition of the sequestration money was raised once more in the following March, when the Militia Commissioners for the county wrote to the Committee for Compounding stating that it was impossible to raise or maintain the number required and already raised in the county, if sequestrated estates were to be freed from contributing ratably; if Parliament would not sanction this, the horse and foot then raised would have to be disbanded. The London Committee said they could not sanction anything of the kind, unless by order of Parliament, and "hoped they would not expect that in their county which was not allowed in any other in England" (*Cal.* i, 423).

The sequestration revenues of Lancashire were thus from the beginning until 1650 employed for the soldiers chiefly, and in part apparently for the ministers; this latter provision being no doubt derived from impropriated rectories belonging to Royalists. This separate administration will account for the paucity of references to the county in the first (or general) volume of the *Calendar* until 1650.

One of the earliest references occurs in 1645,¹ recording the order of the House of Commons that £8000 should be paid to the town of Lancaster from the estates of Papists and delinquents who were present at the burning of the place, and adding the names of the said Papists and delinquents, which, having been omitted in our text (above, iv, 47) may conveniently be supplied here.

James, earl of Derby
Richard, lord Molyneux

Mr. Hesketh of Mains
Thomas Singleton

¹ *Cal.* i, 21. A further order was made in December, 1647; *ibid.* 75.

Sir John Cansfield	Richard Greene
Sir John Girlington	Robert White
Sir George Middleton	Mr. Butler of Kirkland
Richard Kirkby	Edward Chisnall
Thomas Kitson	Mr. Standish of Standish
Thomas Carus	Mr. Anderton of Euxton
John Bradshaw	William Houghton of Park Hall
John Calvert	Richard Latham of Parbold
Thomas Dalton	Two sons of James Anderton of Clayton
Sir Gilbert Houghton	Sir William Gerard
Sir Thomas Tildesley	Mr. Blundell of Crosby
John Westby	

It may be noted that about two-thirds of these were "Papists" confessed or concealed.

One censure at least for excess of rigour the old Lancashire Committee received from the central authority, who wrote thus on 20 August, 1646:

We wrote you that all who did not come in before 1 August should lose the benefit of the favour intended by their composition; and thereon you have refused to stay the sequestration of those who have not sued out their pardons. That order was only for those who had paid no money or neglected their second half [payment of fine]; such as had paid all or half were not to be prejudiced for not taking out their pardons, as many have paid their fines whose ordinances are not yet passed. Therefore conform to our orders of suspension as to John Seddon and others in your county until further notice.¹

The case of John Seddon will be found in the present volume, but unfortunately the papers which have been preserved do not show precisely what action the County Committee took with regard to him in August, 1646.

The statement made above that no records were kept till the autumn of 1645 prepares us for the scantiness of the detached "Cases" from Lancashire recorded in the *Calendar*. In fact only two are entered before the end of October in that year—those of Robert Molyneux of the Wood in Melling (November, 1643) and of the Claimants to the tithes of Walton-le-Dale (August 1645), this latter

¹ *Cal.* i, 44.

showing only that a charity had been imperilled by the sequestration of certain persons in 1644. In the Molyneux case there is the following petition exhibiting the troubles of widows and others in those "turbulent times."

G. cxx, pp. 564-5.

To the Right Worshipful Sir Thomas Stanley knight one of the Colonelles for this County.

The humble petition of Elizabeth Secombe widdow & Relict of Raph Seacombe.

Sheweth that your petitioners husband in his lyfe tyme did sell unto Mr. Molinux of the Wood a tenement scituate and being in Melling the thurds whereof is due unto your petitioner by lawe she haveing done noe ackt to barr her thereof

Her humble petition is that in Regard the said Land is sequestred and soe in your Worships power, and that in these turbulent tymes she Can have no legall proseedng to obtayne her Right that you would be pleased to settle her in what of Right doth belong unto her. And she shall ever be bound to pray for your worships health and happiness.

23th November 1643

It is this day ordered that the sequestrators of Darby hundred shall allow the petitioner the thirdes of the lande that was sold by her husband to Mr. Robt. Mollineux of the Wood and for soe doinge this shall be your warrant.

T: STANLEY
RAPHE ASSHETON
RICHARD HOLLAND
JOHN MOORE
PETER EGERTON
ROBT. HYDE
THO: BIRCHE

To Mr. John Lathom
and the rest of the sequestrators.

By vertue of an Order dated the 23th day of November, 1643 under severall of the Deputy Liutenantes Handes of this County and vnto vs directed, These are herby to Certifie all whom itt may Concerne That wee (according vnto the said Order) doe allowe vnto Mr. William Strangewayes, in right of his now wife, late Elizabeth Seacome widdow the Thirdes of the land that was sould by her former husband Mr. Raph Seacome, vnto Mr. Mullineux of the Woodd now deceased, the which is now vnder

sequestracion being forfeited by the delinquency of the said Mr. Mullineux (according to the Ordinance of Parliament). As Witnes our Handes the third day of March, 1644.

JOHN LATHOME
PETER AMBROSE

The petition of Elizabeth's second husband (*ibid.*, p. 562) carries the story a little further:

To the Honoured the Commissioners for Compounding
The humble petition of William Strangwajs of Liverpoole, gent.
Sheweth

That your petitioner is possessed in right of Elizabeth his now wife of one third parte of Two Closes of Land in Melling in the County of Lancaster for and in part of her dower out of her former husbandes one Raph Seacoms estate who sould the same unto Mr. Robert Molyneux esqr. deceased a Papist delinquent for whose delinquency the said third parte togeather with the rest of the said estate became secured and sequestred.

That the said third part of the Closes was at the first securing by order from the then Commissioners for Sequestracions in the yeare 1643 allowed to your petitioners wife and ever since enjoyed by her and your petitioner there being noe cause of Sequestracion at all against his said wife or the petitioner.

And for that in August last the abovesaid 3d part is by the order of the Commissioners in the said County of Lancaster secured untill further order.

His addresses therefore are to your Honors for your order to the Commissioners in that County to examine the truth of the premisses, and if noe Cause for sequestracion be against your petitioner the same may be discharged from securing. Or your Honors' order for his enjoying the proffitts upon security untill the same be determined by you.

And your petitioner shall dajly pray, etc.

WILL. STRANGWAJS.¹

The defeat at Naseby in 1645 and the king's surrender to the Scots in 1646 ended the "first war," and then Royalists could think about making terms with the victors.

It must be confessed, however, that the dates in the *Calendar*, with its attempted arrangement in chronological

¹ In the margin, dated 28 September, 1652, is the usual order to examine and certify. See above, iv, 172.

order, are an unsatisfactory guide. The conspicuous case of the earl of Derby is an example. It is known from the Rawstorne case already cited (above, v, 128) that his estates in Lancashire were sequestered, as far as the Parliamentary party could effect it, in 1643 or 1644, before any records were kept; and the earl made his petition to compound at the end of 1648, after the failure of the Duke of Hamilton's invasion but before the king's death, his petition being received on 22 January, 1648-9 (*Cal.* ii, 1100).¹ Yet his case is entered under neither of these dates, but at 2 March, 1645-6, on the ground that the earl was then noted as owning land and having raised forces at Kirkby Malzeard in Yorkshire. Thus an arrangement under "first mention" does not seem much better than an alphabetical one.

Another noteworthy case is that of Sir Thomas Tildesley, the most gallant soldier that Lancashire produced in the war and certainly the animating force of the Royalists within the county. Ormerod in his *Civil War Tracts* (p. 306) thought that he had escaped sequestration altogether and points to his case as an example of lenient treatment secured by the respect the fighting Parliamentarians conceived for so admirable an opponent. But Ormerod greatly misconceived the spirit of that side, which was one of "Strike and spare not." Sir Thomas's estates, as the papers in the present volume show, were among the first to be sequestered, and as he never petitioned to compound and never relaxed his opposition until the end, when he died sword in hand in Wigan Lane, they remained under sequestration until his infant heir, by his guardians, in 1652 took the necessary steps to regain them, though

¹ The following is the text of the earl's petition (G. ccxv, fo. 607):

To the right ho'ble the Lords Comons & others Com'rs for Compounding with Delinquents. The humble petition of James Earl of Derby sheweth That having (during these late unhappie distracions) taken upp Armes against the forces raised by the Parliament your petitioners estate is sequestred for his Delinquency. His humble desire is that you wilbe pleased to admitt him to a favourable Composicion And he shall pray etc.

J. DERBY.

his wife had obtained her fifth in October, 1650. In the *Calendar* the case is introduced at this last date, a long way from the actual sequestration in 1643 and before the petition for the heir in 1652. It is noteworthy, by the way, that Sir Thomas is considered as a "delinquent" merely and not as a "recusant and delinquent," though his religion must have been at least suspected by his enemies. Possibly he may have escaped legal conviction and public penalties through his residence at Myerscough being some 13 miles distant from his "parish church" at Lancaster. He could scarcely be expected to attend that church very regularly and the churchwardens no doubt forgot to inquire about him! If there be any truth in the story (attributed to the Jesuit Fr. Clifton) of the Earl's reconciliation to the Roman church on his way to execution at Bolton, his previous visit to the burial-place of his dear friend "Thom"¹ in Leigh church may have had some connection with the change.

This and other instances reveal that many sequestrations are not noticed in these Papers, which, it is necessary to remind the reader, refer only to those who endeavoured to compound, although the county committees were sequestration committees. Those who made no attempt of the kind are sometimes noticed incidentally, and if living in 1652 should be found in the Acts of Sale. These Acts, however, did not extend to the religious offender "for recusancy only." An example of casual mention will be found in the *Calendar* (i, 490) at the date 16 October, 1651, the Lancashire Committee writing:

We have secured a tenement formerly sequestered for the recusancy of John Stansfield deceased, and now descended to Mary Howell, widow, who is conformable; we beg relief for her. We have also secured two-thirds of the estate of Geoffrey Melling, suspected of Popery, who has refused the oath of abjuration.

The London Committee replied ordering inquiry into

¹ The earl began a letter thus: "Thom—so I call you lest I offend you." See *Stanley Papers* (Chet. Soc.), p. clxxiv.

the title of the claimant to Stansfield's estate; ordering also the sequestration of Melling's. Neither of these cases is named elsewhere.

Just after the "second war" of 1648 an emissary of the Committee for Compounding travelled northward to observe the actual working of the sequestrations, the Committee being obviously far from satisfied with the amounts received. His description of his journey is sufficiently interesting to be given somewhat fully so far as it relates to Lancashire.

Itinerary of Capt. Richard Winch.

Add. MS. 5508, fo. 206.

He left London 31 August [1648], travelling by way of Barnett, Dunstable, and various other places named. He reached Nantwich on 14 Sept. and Chester 15th (Friday). On the 18th went on to Preston-on-the-Hill, 19 Wigan, 20 Preston in Andernes, and 21 Lancaster; 22 to Oct. 3 Back to Preston, "where I remained until the forces marched to Relieve Cockermouth Castell." Oct. 4th at Lancaster, 9th Cockermouth, 18 Lancaster, 19 Preston, 20 Wigan, 21 Preston on the Hill, 22 Sunday (Rest), 23 Chester, 24 Tarvin, 25 "Fast Day," 26 Nantwich, 27 "After the Solicitour," 28 Stafford, 29 "Sunday," 30, "my horse fell sicke." On Nov. 13 he reached London.

Fo. 207. "The account and Discovery of Capt. Richard Winch."

He first dealt with the County of Stafford; then—

COUNTY OF CHESTER AND CITY OF CHESTER.

I delivered the Letter for the County to Mr. Mawbourne and Mr. Wilckes at Nantwich. Their first Answere I referr you to my letter sent from Chester, Sept. 15th; the last Answere was in a slighting manner. [He] told mee though hee Received the letter yet never Read the ordinance, but posted mee over to Mr. Job Morcot their Sollicitor, whome I rid after a daye but could not finde him, and so was forced to Returne without any other satisfaction. The Sequestrations of this County are allsoe very Considerable, their being many persons of great quality who stand sequestred and have made theire Compositions.

I delievered your letter for Chester City to Mr. Samuell Bucke and Alderman Whittle, the saide Bucke beinge after at my Returne chosen treasurer instead of Mr. Croxton; and gave Answere

that hee had written you a Letter which hee doubted not but would give you satisfacion, and besides saide hee would use best of his endeavour speedely to fullfill the ordinance.

After reporting Derby he returns to——

THE DUCHY OF LANCASTER.

You have received an Answere of the letter from the Committee.

Gerrett Bancks of Wigan farmed the parsonage of Wigan, value 700*li. per annum*; never gave an Account of above 30*li.* Besides being an Agent farmed the Estates of 2 or 3 gentlemen and never gave any satisfaction to the state. Infor: Arthur Gibbons of Wigan.

One Lensley (?) a Sequestratour, formerly a Cann Maker of noe Estate, profered 4000*li.* in purchase for a Mannor. Inform: Mr. Cockshutt.

William Awdson of Preston in Andernes, a poore shoemaker, was made a sequestratour; since deserted; hath purchased a great Estate by abuse of sequestrations. Infor: Mr. William Bannister, one of the subcommittee of Accompts.

John Egglesall of Eggellsall, a Taylor and Sequestrator, never before worth 10*li.*, hath now an estate of £1500 by abuse of Sequestracion. Infor: Roger Finch *de eodem*.

One Mr. Clarkson of Preston in Anderness, a Sequestratour. 2 of his owne sonnes were prizers of Sequestred goods and landes, soe that it will appeare that they bought the worth of 60*li.* for 5*li.* Infor: Mr. Henry Tayler and Mr. Henry Leming and others of the same Towne.

Captaine Cleyton, liveing a mile from Preston, hath at least 3000*li* lyeing in his handes of the state's money and gives no account of it. Infor: Mr. Wm. Bannister of Preston, *etc., ut supra*.

Captaine Whitehead of Garstang, a poore capp maker and a sequestratour, hath by abuse of sequestracions gotten a very faire Estate. Miles Harding *de eodem*.

The Sequestracions of the Duchy of Lancaster are the moste considerable of any County in the Kingdom. There was an Account of 30,000*li.* brought to the Committee of Accounts their, of which their appeared but 3000*li.* to come to the state. One of the Clearkes of the said Committee informed Miles Harbin of the same.

There are above 12000 families of papists in the said Duchy upon Recorde.

A similar report touching Westmorland and Cumberland follows. At foot is the signature of RICHARD WINCH.

The following letter was written in the course of his journey.

Add. MS. 5494, fos. 309-10.

Gentlemen,

I am in pursuance of your commands gon as farre as Lancaster—the farthest point that I can, because of the Enemy Roueing all about Westmorland and Cumberland—where I found some of the Committee of both Counties fled thither for shelter (the Rest being prisoners in Carlisle). To whome I addressed myselfe (21 Sept.) and delivered the letter for Westmorland to Collonell Benton of the Committee, who complaines extreamly of the poverty of the Country, being wholly devoured by the Enemy; but hath promised his uttmost endeavour to inquire after and performe the ordinance; as likewise did Mr. Toulson and Mr. Mawson, two of the Committee for Cumberland, who waite upon Coll. Ashton, Commander in chiefe of the Lancashier forces, whom they report 2 daies hence, their to march for the Reliefe of those Counties. With whome they intend to goe and use their endeavour.

I should have begun with Lancashier, the letter for which County I deliver Tuesday next [last] September the 19th to Mr. Walles, the Clarke to their Committee of the County for Sequestrations, liveing in Preston; who told mee the Comittee liveing soe extreamly distant one from another (which I have found to my travell and Coste and yet have mist them) that they could not possibly be gotten together in 10 daies, at which time they had appointed a meeting at that Towne. But [he] hath promised to use such dilligence that they shall be informed and prepared to give an Answer at that time.

The abuse of sequestrations in this County are intollerable, as I hope by the next more fully to informe you; and by Credible informacion the sequestrations of this County amounts to above 6000*ooli. per Annum*, as may very well bee, for by the Cleark of the Peace his Booke their appears to bee above 12000 families of Papists and most of the Gentry of the County are likewise sequestred. The Clarke told mee that the sequestracions by an Ordinance went for paiement of Souldiers, but I will assure you the monthly assessments heare are more then to discharge that.

They were setting up a Subcommittee of accompts here, but now again extinguished. One of those told one of my informers that he perosed an Assessment of 3000*ooli.* of which their appeared

but 300*li.* paid to the state. Others of the sequestrators Rent sequestered lands themselves and give little or no accounte of it; as the Parsonage of Wigan, worth 700*li.* *per annum* Rented by one of them 2 yeares, and never gave but an Account of 30*li.* for it. Pardon mee if I cannot at present soe fully informe you, my time beinge soe short heare; but I hope by the next poste to give you such an Accompte as I hope you will not thinke the time caste away. Though indeed I am now necessitated to stay at Preston till I heare from you; for I professe in the presence of Gode that I have used the best husbandry I can, yett I have not five shillings left but unless you send mee sixe poundes I knowe not how to dispose of your business or myselfe. And if I give not you a good satisfactory Accompt I will by this oblige all that I have to double the money at my Returne.

Gentlemen I hope you will not leave, nor I trust I need not use any urginge for my supply. I have left a wife in London which is more deare to mee than all earthely busines, which I should bee loth to see in a condition worse then I went out, after all my paines and travell in a Country haunted with notheing but misery and ensueing famine. I cannot put bread and Chease in my mouth under sixe-pence, and I will assure you wheate is sold in this Country 2*6s.* 6*d.* a bushell and men of Reasonable Estates sometimes have not bread in two daies for themselves and families. I touch this onely by the way, to make you sensible of a deare Journey.

I shall bee at one Mr. Bannister's, an Inn Keeper in Preston, where I must remaine untill I heare from you, which I desire may bee by the poste, or else I shall be necessitated to sell my horse, to my utter Disparagement and Disgrace and the losse of your business. And whiles I am heare I hope I shall imploy my time soe as shall prove to your good advantage, the particulars whereof I shall informe you of by the next poste, by which time I hope to give you some satisfaction from Westmorland and Cumberland Committee. And not else but expectinge your Answere by the next poste, I committ you to God and Rest,

Yours to serve you,

RICHD. WYNCH.

I had almost forgotten to write such newes as this Country afford. Lt.-Generall Cromwell wrote (yesterday morneing the letter delivered) to Coll. Ashton to haste to Relieve Cockermouth and sent from Berwick that the Earle of Leven had seized upon Edinburgh with the whole Magazin, being well furnished by the

Prince's supply, for the Parliament; and that the Lord Argyle was marching to him with 10000 men to oppose the partie against the Parliament and to second Generall Lesley: which by God's providence may prove a diversion to the enemy in the partes here in these counties.

Preston, Fryday 12 a clocke, September 22th, 1648.

Addressed on the outside: " To the Treasurer for Sequestrations at Guild hall these present In London."

The sequestration agents—the working agents, not the committee-men—who were thus accused of turning their employment to their own personal advantage cannot easily be identified. " Lensley " may be William Kinsley or Kindersley of Bolton, who from a " chapman " ¹ became a " gentleman " ² and had an estate at Halgh. ³ " Awdson " is the Audland of these *Papers*; he was a Preston shoemaker. ⁴ John Eggesall may be an error for William Eccleston. Clarkson has not otherwise come under notice. Captain Cleyton is no doubt Thomas Clayton of Fulwood. ⁵ Captain Whitehead of Garstang raised a company for the Parliament in 1643 and was a member of the Presbyterian classis; he acquired an estate at Matshead in Cloughton. ⁶

Possibly as a result of this report Parliament in November ordered an audit of the accounts for the soldiers in Lancashire; the arrears to be paid out of the county sequestrations (*Cal.* ii, 133, 151). A general order to render accounts was issued by the Committee for Compounding to the county solicitors in August, 1649; Peter Harrison, the Lancashire solicitor, excused himself on the ground that the time allowed was too short (*Cal.* i, 146, 149).

¹ Above, iv, 62.

² Above, iii, 126.

³ Above, v, 142.

⁴ Above, iv, 30, 32.

⁵ Pedigree by Mr. R. Stewart-Brown in *Genealogist* (new series), xxvi, 136; see *Cal.* ii, 1551.

⁶ Pedigree in Fishwick's *Garstang* (Chet. Soc.), 253.

Under the new system of 1650, as already stated, the dependence of the county sequestration commissioners on the Committee for Compounding at Goldsmiths' Hall became much stricter, and the correspondence increased proportionately. Many doubtful points arose in Lancashire, which had to be referred to London, inconvenient delay being sometimes caused (*Cal.* i, 411); and there were also conflicts of authorities to be adjusted. One or two instances may be cited. The Lancashire Committee wrote thus on 21 September, 1650:

We are preparing the accounts required by yours of 3 April and shall return them as soon as possible. We continue as yet under sequestration those who have taken the oath of abjuration, though they were discharged by the late County committee.

The sheriff has lately received a charge on the lands of delinquents and Papists for arrears of rent due to the Court of Wards, and now transmitted into the Exchequer, and his officers are actively making seizures and compelling the tenants to pay not only the arrears but great fees for distraining, so that the profits of sequestration will be lowered and the farmers will be unwilling to contract unless they can be secured from the charge.¹

On 25 July, 1650 the justices at their meeting at Ormskirk had several complaints from persons under sequestration, whose estates were worth under £10 a year, that their wives and children were in great want and likely to be starved. The court being asked to intervene, desired the county committee to relieve them out of their own estates or to certify the cases to Goldsmiths' Hall. The justices could intervene because the persons affected were in danger of coming upon the poor rate. The county committee certified accordingly, but the reply was: "We would gladly comply with the request of the justices about relief for the poor people under sequestration, but we have no power to do more than allow one-third to Papists and one-fifth to delinquents" (*Cal.* i, 291).

The first county sequestrators under the new system

¹ *Cal.* i, 315.

were Peter Holt, of Bridge Hall, Bury,¹ Robert Cunliffe of Hollins, Accrington,² and George Pigott of Preston,³ who were appointed 30 January, 1649-50. They, with three of the Militia Committee, had power to issue moneys raised out of sequestrations until 24 June, as already stated; but whoever should receive any allowance or pay from them out of the sequestration money must first subscribe the Engagement (*Cal. i*, 168).

The Lancashire committee did not work very harmoniously with the central body, complaining especially that sufficient agents were not allowed for the working of the sequestrations. The former committee seem to have had unlimited powers in this matter, but now only one agent was permitted, viz. Peter Ambrose, who had been one of four agents for the single hundred of West Derby and who professed himself unequal to undergo the burden of the whole county (*Cal. i*, 194). Some further particulars of this officer will be found in the Appendix. By great persistence the county committee appear at length to have obtained much if not all the assistance they asked for. On 9 May, 1650 they sent up a list of twelve assistants they thought necessary, viz.:

G. ccli, no. 24.

Agents: Peter Ambrose and John Case, for Darbie Hundred;
Oliver Edge, for Salford Hundred;
George Hindle, for Blackburn Hundred;
William Eccleston, for Leyland Hundred;
James Smith and James Benson, for Amoundernes;
Richard Whitehead, for Loynsdale Hundred.

Clerk: Mr. Evan Wall.

Receiver: Mr. Randle Sharples.

Auditor of the accounts: Mr. Richard Kinge.

Doorkeeper and messenger: Mr. Rowland Gaskin.

Without these they declared the business would be "slighted" and the service prejudiced (*Cal. i*, 215). In

¹ Dugdale's *Visitation* (Chet. Soc.), 149.

² Whitaker's *Whalley*, ii, 259. He was M.P. for the county in 1653.

³ Dugdale's *Visitation*, 234.

July they sent up a slightly different list of eleven persons wanted, but the London committee allowed only one additional agent, John Case, saying, "that it is as many as are allowed in any place." Again in November the Lancashire committee wrote:

We send by Richard King, our auditor, the account of our yearly revenue. We represented the impossibility of carrying on the work without agents for the several hundreds and other officers, in regard to the multitude of sequestered estates here, and have received your order for two agents and a clerk only, but as these are insufficient we renew our suit for others, whom we have reduced to as small a number as possible; otherwise we cannot do the service expected. We have had such experience of the agents' service in discovering new delinquents and concealed estates, and the frauds daily used, and of the benefit accruing to the public by their residence in the several hundreds, that we are confident the taking any of them away will more prejudice the State than the payment of five times their salary. As the two agents named by you reside very near together one of them may well be spared and part of that division be supplied by William Eccleston, agent for Leyland Hundred, at 4s. a day; and the others would serve at the same rate . . . We cannot act further until we know whether we may have the necessary officers. If that cannot be granted, we desire our discharge.¹

In reply to this ultimatum the Committee for Compounding offered to allow six agents, at the pay of four, for six months, writing thus on 9 December:

We will gratify you as far as we can about officers, and though there are large counties (whose revenue exceeds yours) to whom we have allowed only three agents, we will for your encouragement approve the six returned, allowing them 16s. a day. You are to choose your clerk at 2s. 6d., but we have no power to appoint treasurer and auditor, so you must not urge it. A doorkeeper is needless, as some of the agents will always be there. There shall be allowances made to witnesses for the State, but let the charges be moderate.²

¹ *Cal.* i, 361. The list included Ambrose, Eccleston, Hindley, Smith, Wall, Sharples and King, with Lawrence Owen and Adam Sandes as additional agents and William Grundie as doorkeeper.

² *Ibid.* i, 370.

In consequence of this lack of officials the Michaelmas and Martinmas rents had not been collected, but the agents were busy with this work in January (*Cal.* i, 395). Even with the grudging concession made, the agents found themselves overworked, two of them writing thus to Robert Cunliffe in October, 1651:

Understanding that you are going up to London to the Committee for Compounding, we desire you will acquaint them what our undertakings are about the sequestrations. You know the largeness of our divisions and the great number of small estates and lease rents which belong to Papists and delinquents, and which are a greater charge than we are able to undertake for so small a pay as they allow. There were four times as many agents in the county as there are now, besides clerks, collectors and assistants, all taken away, and our charge is likely to increase by reason of the risings lately with the Scotch King and the Earl of Derby. Move the commissioners to allow each of us 3s. 4d. a day, or what more they please. Under that sum we cannot undertake the work, but desire to be discharged, as we shall be forced to spend our own money.¹

The matter of assistants being somewhat remedied, the London Committee stirred up the determined resistance of the Lancashire committee by forcing upon them as a fellow-commissioner one Robert Massey, a mercer of Warrington. Some of the documents will be found collected in the Appendix. It is clear that the three existing sequestrators regarded him as a person very inferior to themselves both in social standing and education, and of doubtful financial position also, a mere seeker of personal advantage. The reason the London committee had for insisting on this nomination does not appear; it seems inconsistent on their part to appoint an additional salaried commissioner while refusing to allow a full staff of minor assistants on the ground of expense.

Robert Massey had come into notice in 1650 as laying a complaint against the Earl of Derby. He had goods to

¹ *Cal.* i, 489.

the value of £327. 6s. 3d. on the ship *Mary* of Liverpool, bound for Carrickfergus. The Isle of Man was then held by the Earl, its lord or "king," and on 30 June one of his officers, Capt. George Bradshaw, with a long-boat from the Island, manned with sixteen oars and armed with two guns, one "murderer" and several muskets, seized the *Mary* some miles from the Irish coast and took Massey's goods to the Island as a lawful prize. On a petition to restore them, the earl replied that he had taken a fifteenth for the king, a tenth for himself and the rest for the captor.¹ Massey, who had ever been "a real and trusty friend of the Parliament of England and their party," had previously been kept prisoner for 25 weeks in the Earl's house at Lathom and by fire and otherwise had suffered loss to the extent of £1161. 10s.² It is not surprising, therefore, that he regarded the Earl as a personal enemy (see Appendix).

While the dispute over his appointment was going on—it lasted from April, 1651 until February, 1652-3—Holt died, and Pigott and Cunliffe one after the other refused to act with Massey and were discharged. Edward Aspinwall, appointed (October, 1651)³ during the conflict, wavered, but at last consented to act,⁴ and the third place was filled for a short time (August, 1652—March, 1653) by John Sawrey⁵ and then by Nicholas Cunliffe (18 March, 1652-3).⁶ These internal wrangles may explain the "distractions" at the October sitting at Preston in 1652, when Peter Ambrose was ready to present his account, but could not do so (*Cal.* i, 624). Edward Aspinwall's letter and oath on receiving appointment are as follows:

¹ Above, ii, 131; inventory, 132.

² Above, ii, 134; and for compensation, ii, 181.

³ *Cal.* i, 481.

⁴ *Cal.* i, 592.

⁵ *Cal.* i, 603; above, v, 151.

⁶ *Cal.* i, 633.

G. lxiv, fo. 502; *Cal.* i, 486.

To the Right Ho'ble

The Commissioners for Compounding
att Goldsmiths' Hall,
London.

Gentlemen,

I have received your Commission to bee one of the Commissioners for Sequestracions in this County, the which as with thankfulnes so with readines and cheerfulnes I have imbraced. And in pursuance thereof [I took] my selfe to the firste meeting of your other Commissioners att Preston that I might with more speed acquaint myself with your instructions. Your Commissioners cheerefull compliance hath added much to my encouragemente. The good opinion you have beene pleased to receive of mee I shall study to improve by fidelitie and activenes (so farre as God shall give abilitie) in the Publicke concernemente.

The Certificate of my Oath, according to the iniunction in the Act required, I have enclosed. To the carefull observance whereof, as also of your instructions, I shall apply the utmost endeavour of
Gentlemen

Warrington, October 7^o,
1651.

your humble Servant

EDW. ASPINWALL.

fo. 504. I doe Sweare That I will According to my Best Skill and knowledge faithfully discharge the trust Committed unto mee in Relacion to an Act of Parliament for Impowringe severall Commissions to put in Execucion all and everie the powers and authorities, heretofore given to the Commissioners for Compoundinge with Delinquents and for managinge of all Estates under Sequestracion and to the Committee for Advance of Money formerly sittinge att Haberdashers' Hall.

And that I will not for favour or Affection, Rewards or giftes or hope of Rewards or gifts, Breake the same.

These are to Certifie all whom it may concerne that Edward Aspinwall, gent., one of the Sub-Commissioners for Sequestracion within the County of Lancaster did this day come Before mee att Preston and did take the Oath above written accordinge to the Acte of Parliament of the fife of Aprill 1650. Given under my hand and seale the first day of October 1651.

THO. BIRCHE.

The new committee of 1654 consisted merely of Aspinwall and Massey (*Cal.* i, 673, 714). In September, 1659,

the following were appointed sequestrators for the county: Major Edward Robinson, Major Jos. Wigan, Capt. Edward French, Capt. John Case, John Sharpless, Capt. Boardman, James Johnson and William Dawges. In December the names of Col. William West, Major John Fox, Capt. Nicholas Rigby and George Pigott also appear (*Cal.* i, 745). Their orders were to be as good husbands for the State as they could; four and then six agents and other officials were allowed (*Cal.* i, 747, 753). One of the members was struck off (*Cal.* i, 747) and afterwards French and Boardman were declared suspected (*Cal.* i, 765). Among the instructions given to them is one which seems to be a concession to the Quakers, who had become numerous in the county: "As to those who are not free to the formality of an oath, if they solemnly aver that they will declare the truth, it will have the force of an oath" (*Cal.* i, 763). The only Lancashire composition connected with the rising of 1659 seems to have been that of Ralph Ashton of Middleton, thus recorded in the *Calendar* (v, 3253), under date 9 November, 1659:

His estate being sequestered for complicity in Sir George Booth's rising, and his son John begging allowance of a rent-charge of £30 a year on his sequestered estate, the county commissioners are to examine witnesses on oath to prove the deeds, and to take care that they are not abused by any personating the witnesses.

The object of the sequestrations being to raise money for the Parliament, there are numerous allusions to the matter in the correspondence. As will have been seen above the Lancashire committee urged that until 24 June, 1650 all the money raised from sequestrations was to be devoted to paying the soldiers, and as they speak of "arrears" it would seem that not enough was forthcoming for that purpose. The London committee demanded accounts and in time appear to have received them. In 1648 William Cottam of Preston had £3000 for the

Lancashire forces serving outside the county under Col. Ralph Ashton (*Cal. i*, 129, 130). In February, 1650-1, the county committee had £1650 ready to send to London, as receipts after 24 June; but the London committee expressed surprise as this, the revenue from sequestrations being £13000 a year (*Cal. i*, 411, 448). The accounts for 1650 were not, however, made up until 22 July, 1653, when Ambrose's accounts showed total receipts of £7693. 12s. 3d. for the year; there was also £6552 8s. 8½d. on a former account; and the balance due to the State was £1842. 19s. 3¼d. (*Cal. i*, 645). In November, 1652 the revenues from sequestrations were returned as £8269. os. 7¼d. from "delinquents" and £4926. 10s. 0¾d. from "Papists," making up £13195. 10s. 8d. (*Cal. i*, 619). It does not appear that this was the actual return in any one year. The Lancashire accounts seem to have remained unsatisfactory to the end, the following being a report made 4 May, 1655:

G. cxliv, fo. 492; *Cal. i*, 723.

There hath been several changes and alteracions made of the Commissioners of this County. There hath bin fiew severall Accompts exhibited, none of which are sworne unto nor subscribed, and all of them very imperfect.

There hath bin payd in by them 30,036*li.* 00s. 07*d.* The last payment was made 10 October, 1654. What moneys rests in their hands cannot be knowne till they come to Accompte and produce their vouchers.

In the margin are the names of the past and present Commissioners for the County: Peter Holt, Robert Cunliffe, George Piggott, Edward Aspinwall, John Sawrey, Robert Massey, Nicholas Cunliff.

There are, it might go without saying, a multitude of points interesting to the student of the past in these papers. In particular, one frequently notices the strict adherence of the Parliamentarians to the letter of the law. However much in matters of religion they might regard themselves as "not under the law," when property was

concerned they were rigorists. Hence the careful examination of the deeds which were produced and the decisions upon them—decisions which seem just even when they militated against the financial purpose of the Committee of Compounding. Reading's reports on the matters brought before him seem to have been fair and reasonable, and as they occur constantly there is no need to dwell upon them.

In some cases a difficulty was caused by the loss of records. It is easy to imagine what the local historian has suffered in this respect by the destruction of Lathom House. At Croxteth a considerable number of medieval charters are still preserved, yet we read that

In the time of the wars the houses of Lord Molyneux of Croxteth and Sefton were plundered, and the closets where his evidences lay were broken open and some of them were scattered about the houses, some cancelled and torn, other some carried away. They had searched for the counterparts of the leases [in question] but found none.¹

The widow of Thomas Morgan, a Northamptonshire Cavalier, desiring to claim her jointure, "found that a great part of the deeds and evidences concerning the estate of the said Thomas Morgan were violently taken out of his house by soldiers in the beginning of the wars and lost and embezzled."² Another example concerned the dower of Elizabeth Gorsuch, for "the writings connected with her had been lost when her house was sacked in the time of the wars" (above, iii, 89). More important from the official point of view is the statement that the records in the Crown Office at Lancaster had all been taken away and lost during the wars (above, v, 71).

The sequestrators' duty was to manage the estates of Royalists to the best advantage for their own side, and it followed that manor courts had to be held regularly. On 10 September, 1650 the Committee for Compounding wrote to Edward Moseley as follows:—

¹ Above, iv, 161.

² Above, v, 83.

We sent you a commission to keep all courts in sequestered estates in the county of Lancaster and are confident of your care and fidelity; but a mistake may arise about those in Clitheroe to which there is an unquestionable right. You are therefore to forbear to act for that manor.¹

The Clitheroe rolls for the period are preserved, though in some the parchment has decayed. Moseley's conduct did not at all satisfy the Lancashire Committee, who thus reported to Goldsmiths' Hall in the following January:

You authorized Edward Moseley to keep all courts upon sequestered estates. Some that are beneficial he has appointed his deputies to keep, but all the rest lie unkept and the country cries out for want of them. Let able men be appointed for keeping such courts, and salaries allowed them out of the perquisites of those courts, which otherwise will be lost.¹

It is not easy to decide in this and some other remonstrances how far zeal for the State was influenced by the feeling that the local committee ought to manage such parts of the business and not be set aside by the central body. A further complaint to the like effect was made in November, 1651:

You long since authorized Edward Moseley to be steward of all courts kept upon any sequestered estates here; but we receive complaints that in most places they have no courts at all, whereby the common nuisances between neighbours are not only unre-dressed but the public much prejudiced for want of presentments of the death of tenants of delinquent landlords, which cannot be prevented by any other means than the keeping of courts, unless we should continually make new surveys of their leases. Some few courts are kept by his substitutes, but so carelessly that the inhabitants complain that when they have attended on the days appointed they have waited all day and neither the steward nor his deputy ever came. Pray revoke your grant to Mr. Moseley, and we will see that the courts are better kept.³

This affords satisfactory evidence that manor courts were still useful in the small pleas of one neighbour against another, as well as in the more technical duty of

¹ *Cal. i*, 307.

² *Cal. i*, 397.

³ *Cal. i*, 503.

preserving the right succession to tenements in the manors. The remonstrance was effectual in procuring the recall of Moseley's commission and he left the county (*Cal.* i, 506). An allowance of £10 was, about 1650, made towards the repair of West Derby court house, where the manor courts were held (*Cal.* i, 388).

In November, 1651 we learn of some misdoings of the officials of Henry Wrigley the sheriff, for the Committee for Compounding wrote to him sharply:

The County Committee for Lancaster complain against your officers for distraining tenants for rents and rent-charges on sequestered estates. We understand you to have returned the money levied, but the officers detained their fees, which are very extravagant. The State should not pay, nor should the tenant; they are required not to pay any such rents without our allowance, Parliament having entrusted to us the examination of such charges. You must require the officers to return those fees, or you must appear here in fourteen days to show cause of your refusal.¹

The case of a border tenement reveals another class of difficulties. The county committee in October, 1650 wrote:

The farmers of the sequestered estate of Henry Doughty of Thornley complain that James Murgatroyd claims a rent-charge on the estate and threatens to distrain for it. He lives in Yorkshire, on the borders of this county, so that if he distrains he will quickly convey the goods away.²

In November they reported further:

James Murgatroyd of Yorkshire distrained the goods of Henry Sherburne, farmer of Henry Doughty's estate, for rent last year, and not being punished has done the same this year, so that the estate will not let at half its value.³

The religious interest of the Papers is very marked. The Church of England was then, it must be borne in mind, Presbyterian in discipline, and the "conformity" so often professed by compounders is to be understood in

¹ *Cal.* i, 507.

² *Cal.* i, 330.

³ *Cal.* i, 361.

that sense. Thomas Gerard of Aughton had been brought up in the Protestant religion, according to the laws of England; he was conformable to the Church and Commonwealth of England "as the same is now [1651] established," to the best of his knowledge, and he had taken the Engagement (above, iii, 29). There is scarcely any allusion to advocates for the former episcopal government, though it had a few earnest adherents in the county, as for example Edward Chisenhale. Yet in his case there is no allusion to his conformity or opposition, the only religious point arising being that his mother was a recusant (above, ii, 37). In 1650 the Committee of Compounding desired the Lancashire committee to let the College in Manchester (now the Chetham Hospital) to Edward Gathorne, "for the use of the congregation to meet in" (*Cal.* i, 254). This may refer to a separate meeting of the Independents. The Puritan objection to the old fonts is illustrated in the case of Prestwich (above, i, 29).

The ministers at least had a prosperous time, for the sequestrations in the county were turned to their benefit in various ways, particularly by the apportionment to them of sequestered impropriations (see Appendix). Hence poorly endowed chapels-of-ease became in a true sense "livings."¹ This subdivision of impropriated rectories of course came to an end at the Restoration, when the lay-rectors and bishops and chapters regained their ecclesiastical properties.

One class, on the other hand, had an extremely hard time. It has been remarked above that the Civil War, especially in Lancashire, was to a large extent a religious war;² and Catholics suffered accordingly. From the

¹ See, e.g., the list in *Plundered Ministers' Accounts* ii, 288-9.

² It was matter of reproach to the Earl of Derby and his family that "though outwardly they professed the Protestant doctrine" they associated themselves with its "desperate and unreconcilable enemies." *Warr in Lancs.* (Chet. Soc.), 77.

evidence of the Papers it is obvious that under stress of the sequestrations many of them abandoned their religion altogether. This for example seems to have been the case of John Crosse, of Mellor, son of John Crosse of Liverpool, who died in 1640. Being seventeen years of age in 1652, he freely took the oath of abjuration and was conformable in religion, having "frequented the church of Chorley and heard prayers and sermons several Sabbath Days there last part" (above, ii, 96). Cuthbert Halsall of Burscough, formerly a recusant, conformed himself and for twelve months had been a "constant Churchman" (above, iii, 146).

In other cases, where the father had died and the heir was a minor, the sequestrators made it a condition of allowing him to succeed to his full inheritance that he should be brought up a Protestant. One example is that of young Lawrence Ireland of Lydiate, who was "beyond the seas"—i.e. was being educated at one of the Catholic schools on the Continent. The Lancashire committee recorded Mr. Ambrose's "reasons which induced him to believe that young Mr. Ireland was being brought up in Popery," and it must be confessed that the first one was quite sufficient:

His mother demanding from him how her son should be maintained, he answered that if she would please he should be brought up in the Protestant Religion he might be provided for according to his rank and quality. She replied "She had rather see him hanged."¹

In the present volume is the case of Richard Walmesley; there was indeed evidence that he had once been seen at Protestant worship, but his constant residence in France and Spain was fairly conclusive the other way. The Committee of Compounding decided (28 January, 1651-2) that the Lancashire Committee must not dispose of his estate till further orders, but at the same time ordered:

¹ Above, iv, 19.

"Richard Walmsley to appear here within two months' time to take the oath of abjuration." He did not appear, on one plea or another, and on 8 September sequestration was ordered.

The dues and boon services to be rendered by tenants are occasionally mentioned. Robert Craven of Dinckley was bound by lease of 1636 to render to Sir John Talbot a rent of 33s. 4d. a year, "also six hens, one day's ploughing, one day's harrowing, six days' shearing [i.e. reaping] and one day's felling of wood," services estimated to be worth £3. 4s. 3d. (above, ii, 85). William Jump, for his leasehold tenement in Hesketh was bound to render yearly a rent of 35s., "two days' shearing, one day's harvesting, one day's leading of dung, and one day's leading of turves," and such other boons, suits, services and duties as other tenants performed (above, iv, 36). The terms of a lease granted in 1618 for the digging of "pit and cannell coals" in Aspull for 32 years required that after the lessees in one year had raised 20 wain or cart-loads of cannell they must pay £36 rent and 20 loads of cannell, but no rent should be paid if afterwards 120 loads could not be raised half-yearly. Should it turn out that after 7 years' trial 20 loads of cannell had not been gotten in one year, then the lease should be void. Six months before the expiration of the lease the pits were to be filled up and the ground "evened" (above, iii, 37). It was stated that the pits had not been filled up, though the lease had expired, and that in the last six months 1000 loads of cannell had been obtained there. Roger Nowell's coalmines in Accrington were said to be worth £13 a year, while John Robinson's three mines in Little Marsden and Old Laund were worth £2. 1s. yearly (above, iv, 235; v, 156). The coal miners' wages are recorded in the papers of Thomas Grimshaw (above, iii, 133):

G. clxi, fo. 167.

These are to Certifie whom it may concerne that the workeman's

wages in the Coalmyne in Eccleshill is [to] the hewers for getting of them for every Quarter *4d. ob.*, to the drawer for every Quarter *3d.*, and to the banksmen and his partner that helpeth to wynde, for wyndeinge and fyndeinge all necessaries for the said Coale pitt (as sledds, shoules and other things) *3d. ob.* That soe there Remaynes but of the profitts of the said Coale myne *4d. att* every Quarter to the owner of the said myne.¹

And that after this rate have wee made these accompts truely upon our oath.

THOMAS FISHE
JOHN LITHGOE
THOMAS RIDD
JOHN INGHAM

Two other accounts may be added:

G. clxi, fo. 171.

An account of the Coalmine of Eccleshill since Feb., 1649.

Quarters of Coal—				Clear Profits.		
192	Monday Feb. 11 to Apl. 13	..	..	3.	4.	0
143	Apl. 13 to July 15..	..	..	2.	7.	8
148	July 15 to Nov. 2	..	..	2.	9.	4
242	Nov. 2 to Feb. 8 ..	..	..	4.	1.	4
Since 1650						
127	Feb. 8 to May 3 ..	..	..	2.	2.	4
28	May 3, 1651 to May 30 ..	..	..	0.	9.	4
83	May 30 to Aug. 8 ..	..	..	1.	7.	8
144	Aug. 8 to Nov. 29	..	..	2.	8.	0
197	Nov. 29 to May 28, 1652	..	..	3.	5.	8
111	May 28 to Aug. 25	..	..	1.	17.	0
				23.	12.	4
Aug. 25, 1652 to Oct. 16 ..				..	13.	4
Oct. 16 to Nov. 13				..	10.	4

Attested by John Lithgow and John Ingham.

G. clxi, fo. 169.

Account of expenditure "for making of the Sough."

The smith for making screws, rods and other works—*3s. 4d.*

For pickhalines—(not legible).

Workmen paid at *9d.* or *10d.* a day.

To Leach for a wiskett—*6d.*

For Candles *2d.*

¹ It thus appears that the selling price was *1s. 3d.* a quarter.

For 2 monthes table for Robert Widdall £1.

For a new rope for the sayte—9s.

To the workmen for drying of 8 roodes and 3 yards in the Sayte—£9. 5s.

For a whele barrow—1s. 4d.

To Thos. Fish for spoiling his ground £1.

To John Ingham for 34 days at 1s. 1d. a day £1 16. 10.

To the winders and drawers—£2. 4. 0.

To Jo. Lygoe for 11 days work—11s.

There is no need to speak of the importance of these Papers to the genealogist, for they have long been known and used by him. Students of other portions of local history will also find material ready to hand, as in the examples of dialect words and names of fields and brooks which occur. Bells were "rung backwards" to give an alarm (above, i, 21). There are also personal narratives of interest, whatever allowance may have to be made for exaggeration in the telling, as in those of Richard Hodgson of Holme (above, iii, 233), and Randle Barnes of Sankey Bridge (above, i, 142). The greater events of the Civil War do not appear as conspicuously as might have been expected. The incursion of Prince Rupert into the county in 1644 is the most prominent; for one gathers that the Royalists, victorious for the time, took the opportunity to despoil those who had despoiled them, and their conduct was "tenderly considered" from the sufferers' point of view when the compositions were arranged at a later date.

On 8 August, 1651 the Lancashire Committee wrote from Preston to the Committee for Compounding:

This week we have been hearing the complaints of farmers of sequestered estates and taking examinations; but before we had finished we were taken up with a sudden alarm of the Scots' advance into England, confirmed by letters from divers well-affected persons and by the report of some ministers and other gentlemen who have fled out of Cumberland and Westmorland. All the commissioners and others that stood well affected to the present Government in Kendal have fled from their houses.

We have sent all our books to a place of more security and have hid £2000 of the sequestration money, which (if this broil had not happened) we intended to have speedily returned to your treasury; we desire your directions how to dispose of it. We are providing for our own security until this northern storm be over and then we shall fall upon business.¹

The "third war" was very soon over, for within four weeks of the above letter Cromwell had won his decisive victory at Worcester; and then, the "broil" being over, the sequestration committees, in Lancashire as elsewhere, could "fall upon business" again. It was on 10 September, only a week afterwards, that Aspinwall was appointed a commissioner for the county (*Cal.* i, 481). A letter from Aspinwall and Cunliffe dated at Preston 21 January, 1652-3 states that certain persons had committed acts of treason since 30 January, 1648-9, the date of Charles's execution, and were therefore excluded from compounding under the last Act for Sale; all of them had been in arms against the Parliament in 1651:

Hugh Anderton of Euxton, gent.
 Richard Chorley of Chorley, esq.
 Jervase Clifton of Stalmine, gent.
 Robert Shirburne of Little Mitton, esq.
 Edward Tildesley of Ashley, gent.
 George Westbie of Upp Rawcliffe, gent.
 Robert Grimshawe of Clayton, gent.

Richard Eyves of Bradley, gent., was dead, but Thomas his son and heir was in "the last war"; and so was James Anderton, younger son and heir of James Anderton of Clayton, esq.²

J. BROWNBILL.

¹ *Cal.* i, 473-4.

² *G.* cclix, no. 3.

Richard Sale of Hopker, Gent.

G. cxv, fo. 175; *Cal.* iv, 2701.

Petition, which disclosed that by the Committee's order dated Bolton, 20 June, 1649, they were to examine the cause of petitioner's sequestration directed by their Honours, and to allow him his thirds if sequestered for recusancy only. They found that he was a recusant only and not a delinquent. So they restored the third of his profits to him, and he now prayed for a confirmation of that order. This was granted (25 Feb. 1650-1).

fo. 177. Letter from the Lancashire Committee, dated at Bolton 20 June, 1649, signed John Moore, Peter Egerton, J. Bradshawe; matters relating to the above petition.

G. lxxi, fo. 95.

Petition of Roger Bradshaw, esq., of Haigh, which showed that petitioner was the son and heir of James Bradshaw, who was son and heir apparent of Roger Bradshaw, esq., which said Roger Bradshawe, the grandfather, with one John Poole, esq. of Pool in Cheshire in 16 James I [24 March 1617-8 to 23 March 1618-9] purchased from one Roger Downes certain lands in Poplewell, Yorks.; and afterwards (18 James) Poole released all his estate to Roger Bradshaw the grandfather, who thus became solely seised of the property to him and his heirs. He dying then lately, the premises descended to petitioner as grandchild and heir to the said Roger, James the father having died in the lifetime of Roger. Petitioner could not enjoy it because of the recusancy of one Richard Sale, son and heir of one William and Ann Sale deceased, who had an estate in the said premises during the life of one Edward Nevell, who also was then dead. Prayed a reference to examine his title etc. 21 Nov. 1651.—Referred to Mr. Brereton.

fo. 81. Decision dated 2 March, 1653(4), adverse to the petitioner.

See *Calendar* for further proceedings. The claim was allowed on 27 June, 1654, confirmed on 5 Dec. A petition in the matter has been printed above, i, 232.

G. cxviii, fo. 1129.

Petition [1652?] of Richard Spakeman of Bedford, co. Lancaster, yeoman, mentioning that petitioner had theretofore been farming the sequestered lands of Richard Sale of Hopker, being in Bedford and Pynnington. He now prayed to be admitted farmer of the premises for seven years then to come, either at his then present rent or at as high a rent as any one else would give. On the back of the folio is a particular of the land, with names of fields, but no acreage or value.

G. cxv, fol. 179; *Cal.* iv, 3176.

Richard Sale of Bedford petitioned to compound (under the late Act) for the two-thirds of his estate sequestered for recusancy. 30 Dec. 1653—Referred to Mr. Reading.

Margaret Sanderson of Winmarsley, Widow.

G. ccxxvii, fo. 524; *Cal.* iii, 1952.

Petition, stating that she had adhered to the forces against the Parliament in the first war and her estate had been sequestrated. She declared she was not worth £200.

fo. 525. Particular, by which she appears to have been seised of a cottage with an acre of land in Winimarsley, worth 12s. a year. Fine 36s. (11 May, 1649).

William Sanderson of Alston, Husbandman.

G. cxv, fo. 1063; *Cal.* v, 3194.

Petition, which showed that his estate had been sequestered for his recusancy only. He prayed to be admitted to contract for the same. 18 January 1653-4—Referred to Mr. Reading to report.

Samuell Sandys of Esthwaite, Gent.G. ccix, fo. 489 etc.; *Cal.* iii, 2046.

Delinquency: he was in arms against the Parliament. He petitioned 11 May 1649 and compounded upon a particular which disclosed that he was seised of a customary estate of inheritance of and in a messuage called Eastwaite and certain lands and tenements in the bailiwick of Hawkeshead of the yearly value of £10. 6s. 8d.; also in fee to him and his heirs of and in a mill called the Force (?) Mill and a standing pool in Eastwaite of the yearly value of £7. 13s. 4d. Personal property, £16. 14s. 4d. He claimed deductions of £5 a year issuing out of the mill, being an annuity bequeathed to Thomas Sandys, compounder's half-brother, by the last will of their father. Fine at a sixth, £50 (29 May 1649).

fo. 492. Petition. fo. 493. Particular.

Sankey Chapelry *see* **Earl of Derby** (above ii, 174).**William Saunders** *see* **Lord Morley** (above iv, 187).**Savoy Hospital** *see* **Christopher Anderton** (above i, 36).**Edward Scaresbrick of Scaresbrick, Esq.***Cal.* iv, 2492.

The first portion of the proceedings has been printed above, ii, 50-54. The date of the indenture (see below) should be 24 March, 6 Charles I (not James). The *Calendar* shows that in the result the deed was allowed, and the £1200 was ordered to be paid; the children were to be bred up in the Protestant religion (24 June, 1652).

G. cxxviii, fo. 251.

A petition on behalf of James Watkinson of Scarisbricke, and others, farmers of the demesne of Scarsbrick sequestered for the recusancy and delinquency of Edward Scarsbrick, then deceased. It showed that petitioners were for the years 1645-1649 farmers to the Commonwealth for the said estate and had duly paid their rents for the same according to contract; but that one Peter Ambrose, then late agent to the Committee for Sequestrations, had demanded of petitioners £120 as arrears

for the said years, and also for the year 1644, for the tithe corn of the said demesnes, besides £12 for a "prescription rent" payable in lieu of the said tithe corn for the said years at the rent of 40s. a year; and, as petitioners had been informed, he had charged them in his accounts with the said arrears and also with some other arrears which had not then been demanded of them. As the 40s. a year had time out of mind been paid only to the then late Earl of Derby and others as a prescription in lieu of the tithe of the said corn, and as the said prescription rent of 40s. had not in any of those years been demanded from petitioners but was included in the rent contracted for and as they conceived duly paid by them, they therefore prayed for an order discharging them from the arrears demanded as aforesaid or that an examination of petitioners and such witnesses as they might produce might be made, and that in the interim they might not be troubled concerning the said arrears or any other. 23 Nov. 1653—Ordered that the County Commissioners certify within three weeks; in the meantime a staying order to issue if they effectually prosecute the petition.

THE LESSEE OF THE ESTATE.

G. cviii, fo. 621.

Petition of Mrs. Osborne, relict and administratrix of Phillip Osborne of Eccles, gent., deceased, which showed that the Commissioners of Sequestrations for Lancashire having surveyed the estate of Edward Scaresbrick of Scaresbrick and having thereupon posted the same in order to the setting thereof for 7 years, petitioner's late husband had "bidd for the same at the box the somme of £120, being a full yearely value at a Racke Rent." He being the highest bidder a lease was granted to him, and he then expended £200 upon the premises in "marlinge," but had subsequently died. As his administratrix she prayed for a confirmation of the lease. 8 Sep. 1652—

This, on her giving security for due payment of the rent, was granted.

G. clix, fo. 387 etc.

Examinations taken at Preston 7 Oct. 1652, based on an order of the 8th Sept. 1652 in the case of Mrs. Osborne.

John Howard of Scarisbrecke, yeoman, deposed that after Mr. Phillipp Osborne took a lease of the estate of Edward Scarisbricke of Scarisbricke, esq., there had been disbursed by the said Mr. Osborne or his assigns the sum of £203. 19s. 10d. for the marling and amending of the said estate according to a note annexed and sworn to by deponent, he having paid most of the money therein mentioned.

John Fletcher of Burscough, yeoman, overseer of the said outlay, deposed the same. fo. 388. Particulars of the expenditure.

fo. 390. Letter from Preston, dated 8 Oct. 1652, referring to the order of 8th Sept. upon the petition of the relict and administratrix of Phillip Osborne of Eccles, gent., then deceased, touching a lease granted to him for 7 years. The order was that if the allegations in the petition were true, she was to enjoy the premises according to her bargain. Accordingly they had taken the above examination and generally they confirmed petitioner's allegations.

FRANCES SCARISBRICKE, THE WIDOW.

The *Calendar* states that on 5 Dec. 1650 was granted the petition of Frances wife of Edward Scarisbrick for an allowance of a fifth of his estate, sequestered for recusancy and delinquency, for herself and seven children.

G. cxvi, fo. 185, etc.

fo. 199. Petition of Frances Scarisbricke, widow and relict of Edward Scarisbricke, co. Lancaster, esq., deceased and of James Scarisbricke, eldest son of the said Edward, by William Halsall and John Hurst esq., his guardians,

which showed that the said Edward Scarisbricke by his indenture tripartite dated 24 March, 1630(-1) made between himself of the first part, Roger Bradshaw and James Bradshaw of the second part, and Richard Lord Molyneux and Sir Gilbert Houghton, knight, of the third part, and by other assurances thereupon, did convey the manor of Scarisbricke and all his messuages, lands, tenements and hereditaments lying in the towns, villages and hamlets of Scarisbricke, Hurleston, Bircarr, Aspinwall *alias* Asmall, Dromlesdale, Ormiskirke, Snape, Oakenhead, Fleetstreet, and Bairewaishill in the said county, to the uses following: part thereof to petitioner Frances for her life for her jointure, the reversion of the said lands after her death and all the rest of the said manor etc. to himself for life, with remainder to his first son upon the body of the said Frances begotten and the heirs males of his body, with like remainders to his second, third and so to every other son of the said Edward Scarisbricke and the heirs males of their bodies successively and respectively, with other remainders over; with a proviso whereby part of the said premises, in case the said Edward Scarisbricke should have daughters, was (after that his eldest daughter should have accomplished the age of 13 years) limited to Edward Ireland, William Bradshaw, esq. (subsequently deceased), and Alexander Breres and their heirs until they should have levied £1200 for such daughters equally among them, as by the said indenture more at large appeared. Now—in regard that the said manor and premises by the virtue of the said indenture and by the then death of the said Edward Scarisbricke were come unto and vested in petitioners, and that their titles and interests in and to the said manor etc. had been allowed by the Commissioners for removing of Obstructions in the sale of Delinquents' Estates as by their order appeared, and for that the said indenture had then formerly been allowed of by their Honours upon the report of their counsel made upon a

petition by the said Alexander Breres on behalf of the daughters of the said Edward Scarisbricke, as by the said report (remaining with their registrar) appeared—they prayed for an order to the Lancashire Commissioners directing them to discharge the sequestration of the said manor and premises, or otherwise to appoint a day to hear their claims made upon the report in the case of the said Alexander Breres.

13 July, 1653—Referred to Mr. Brereton to certify whether this were the same case as Mr. Alexander Breres' already stated by him, and thereupon the petitioners' case to be heard.

fo. 185. Report by Mr. Brereton based on this order, in which he found that the case of the petitioners and the case of Mr. Alexander Breres were not expressly the same but were both grounded upon the same indenture tripartite dated 24 March 1630(-1) and the same fine levied in pursuance of the said indenture at Lancaster in Lent then next following; by which indenture and fine the said Edward Scarisbricke, in consideration of a marriage solemnized between him and the said Frances his wife, daughter of Roger Bradshaw, esq., and in performance of certain articles of agreement, conveyed the manor etc. as stated in the petition above. John Howard and Henry Walters had deposed that the said Edward Scarisbricke died on 7 November, 1652, at his lodgings at the house of the said Walters in the parish of Andrew, Holborn, and the said John Howard deposed that he was present in the chamber when the said Edward Scarisbrick died. Howard further deposed that he had been a servant to the said Edward Scarisbricke for 15 years then last past and very well knew James, Edward, Henry, Thomas and Francis, and Anne, Dorothy and Elizabeth, the reputed sons and daughters of the said Edward Scarisbrick and Frances his wife; that the said James was his eldest son and then of the age of 16 years; that the said Anne was the eldest

daughter of the said Edward and of the age of 15 years, and that he believed all the sons and daughters of the said Edward were then alive and in good health, because within eight days then last past he had received a letter from their mother, and had heard from others of their good health. Brereton also found that the said Edward Scarisbrick was one of the persons comprised in the then late Additional Act for Sale. The said Frances his wife and her said sons and daughters and the said Alexander Breres had petitioned the Commissioners for Removing Obstructions for an allowance of their claims; and upon the reporting of Mr. Greaves they were allowed by the said Commissioners on 11 December, 1652. He also found that on the 18 December in the same year the said James Scarisbricke appeared in Chancery and elected William Halsall and John Hurst, esquires, his guardians and the Lords Commissioners for the Great Seal ordered that the said Mr. Halsall and Mr. Hurst should be assigned guardians to the said infants. He therefore submitted to judgment, whether the sequestration of the said manors etc., settled as above by the said indenture and fine, ought not to be discharged.

fo. 189. Order referring case to Mr. Brereton. fo. 191. Copy of petition (13 July 1653). fo. 193. Affidavit of John Howard of Scarisbrick, co. Lancaster, gent. fo. 195. Affidavit of Henry Walters. fo. 197. Lords and Commons order appointing the guardians. fo. 201. Petition (11 Jan. 1652-3). fo. 204 The like (5 Dec. 1650). fo. 205-6. Report of Mr. Brereton in former proceedings, dated 20 Aug. 1650.

On 11 Aug. 1653 the claim was allowed, the sequestration being discharged with arrears from 10 March, 1652-3.

G. lxxi, fo. 46, etc.

fo. 58. Petition (copy) of Roger Bradshaigh of Haigh, esq., and James Watkinson of Scarisbrook, yeoman, assignees of Frances Scarisbrick widow (11 April, 1654),

desiring that two-thirds of a capital messuage called New Hall, with several other messuages, lands, tenements, etc., lying in Scarisbrook, also certain goods "quick and dead," then lately seized or sequestered for the supposed recusancy of the said Frances, for that she refused the oath of abjuration, might be discharged.

fo. 55. Order of reference to the Lancashire Commissioners (same day).

12 Oct. 1654.—Report on the case by Mr. Brereton, who (fo. 47) upon the above order from the Commissioners in London, found that Frances Scarisbrick, widow, relict of Edward Scarisbrick, deceased, esq., by her indenture dated 12 Sep. 1653, in consideration of £5 and for the discharge of some debts demised to petitioners the property above mentioned then or lately in the several tenures of Edward Jump, John Whatton, Gilbert Jackson, John Grimshagh, Matthew Hurleston, Estor Leigh, Peter Barton,, widow, late wife of Edward Aspinwall, William Holme, his mother, James Watkinson, Robert Blundell, John Seffton, Henry Such, James Mawdesley, John Formeby, Edward Sompner, James Blundell, Peter Cropper,, widow, late wife of Gilbert Sefton, Gilbert Blundell, Edward Blundell, Thomas Gorsuch, John Balshaw, Richard Holmes, Robert Hankinson, Hugh Bickersteth and Robert Hankenson, to hold for 11 years (if Frances Scarisbrick so long lived) free of rent or service; with a proviso that she might at any time annul the bargain on paying to petitioners or the survivor of them £553 6s. 8d. towards payment of the debts referred to in a schedule annexed to the indenture, namely—

To Roger Bradshagh, esq.	..	..	£100 os. od.
„ William Halsall of Harleton, esq.	..	..	333 6 8
„ Edw. Jump of Scarisbrick, yeoman	..	..	30 0 0
„ William Watkinson of North Meale, yeoman			90 0 0

He also found that she by poll deed dated 12 Sep. 1653

(reciting the aforesaid indenture) for better enabling her to discharge her debts, did fully, freely and absolutely sell to petitioners all her goods both quick and dead, plate, household goods, &c., to hold the said goods for ever. In ratification of this bargain she with her own hand gave and delivered to petitioners one silver spoon and one cover in the name of the whole.

Christopher Bradshaw, sworn before the Lancashire Commissioners, deposed that he was present when she sealed, signed and delivered the indenture as her act and deed. He believed she was a Popish recusant at the time she signed the deed.

William Skipwith, gent., deposed to the same effect.

William Halsall, esq., deposed to the fact that there was £333 6s. 8d. due to him, of which he had since received £80 and £20.

John Bradshagh (petitioner) deposed that by his appointment James Watkinson (petitioner) and John Howard had received the profits of the estate and had paid some of the debts, but how much or which he could not say. The deeds were really made for the payment of Mrs. Scarisbrick's debts and for no other purpose.

James Watkinson (petitioner) deposed to the sums he had paid on account of the debts. In cross-examination he said the deeds were lawfully made for the purpose expressed and no other.

Frances Scarisbrick deposed that she executed the deeds for the purpose expressed.

The Commissioners of Lancashire in observation of orders of 11 April and 3 Aug. 1654, certified the above examination and that they found the yearly value to be £42 12s. 4d. Mrs. Scarisbrick being suspected of Popery they summoned her to appear before them on 27 January 1653 (-4) to take the oath of abjuration of Popery. She did not appear and they accordingly sequestered two-thirds of her estate for her recusancy. It was found by

the books of convictions delivered to the Lancashire Commissioners by the clerk of the peace that in 1640 she was convicted of recusancy. Other witnesses proved by extracts from public records other matters pertinent to the case.

Brereton hereupon submitted whether the debts ought not to be allowed and the sequestration of the personal estate discharged, and petitioners allowed to enjoy the premises demised during the residue of the said term.

fo. 60. Certificate signed by Tho. Fowle, dated at Haberdashers' Hall 10 Jan. 1653 (-4), that he had searched the books in his custody and did not find any conviction for recusancy entered against Frances Scarisbrick.

fo. 62. Similar certificate as to sequestration signed by Tho. Browne (July 20 1654).

fo. 63. Communication from the Lancashire Commissioners, dated Wigan 22 May 1654, enclosing copies of depositions, &c. fo. 65. Interrogatories administered. fo. 65-71. Copies of depositions of witnesses mentioned in the report. fo. 74. Communication from the same, Preston 28 Aug. 1654, enclosing copies of deposition. fo. 75. Interrogatories. fo. 78. Depositions sworn at Wigan 25 Aug. 1654. fo. 83. Petition of Roger Bradshagh and James Watkinson (3 Aug. 1654).

Cuthbert Scott of Pemberton, Yeoman.

G. cxvi, fo. 130; *Cal.* iv, 3174.

Petition, which showed that two-thirds of his estate had been sequestered for his recusancy only. He therefore prayed, according to the Act, to be admitted to contract for the same. 22 December 1653. Referred to Mr. Reading to report.

Ralph Scott of Pemberton.

G. cxvi, fo. 135; *Cal.* iv, 3105.

Petition for leave to compound, his estate being in the

last Act for Sale. Referred to Mr. Brereton to state and report (13 April 1653).

Robert Scruton of Catton.

G. cxli, fo. 90; *Cal.* iv, 3153.

Petition, showing that petitioner had been in arms against the Parliament in the first war and was under sequestration. He prayed to be allowed to compound for his delinquency under the votes of 3 September 1653, having done no act since 1648 (2 Nov. 1653). Referred to Mr. Reading.

G. ccxxvi, fo. 567, etc.

By his particular he appeared to have been seised in fee of a messuage with certain lands lying in Catton worth 21s. a year. fo. 569. Order of reference (3 Nov. 1653). fo. 571. Petition. fo. 573. Particular.

Fine at one-third £5 5s. (15 Nov. 1653).

John Seddon of Hindly, Badger.

G. clxxvi, fo. 71 etc.; *Cal.* ii, 1092.

fo. 71. Delinquency, acting with the Earl of Derby when he occupied Wigan. Petitioner took the National Covenant on 1643 before Thomas Tonge, minister of the chappelry of Hindley in the parish of Wiggen, and the Negative Oath 11th Feb. 1645[-6]. He compounded on a particular delivered. He was seised of a frank tenement for three lives of a messuage and lands in Hindley, value £9 10s. yearly. Fine £14 5s. Deductions claimed 40s. to the lord and an annuity of 20s. for the life of Peter Seddon. Personal property of his seized £28 16s. 4d.

Fine £10; paid 14 Feb. 1645[-6].

fo. 74. Petition. fo. 75. Petition from the minister of Hindly, constables and several inhabitants to treat the above leniently, for stated reasons.

fo. 77. Certificate from Peter Raylands and John Pendleton, agents for sequestrations in Darbey Hundred,

of the value of the real and personal estate of the petitioner, taken by Richard Greene of Hindley, gentleman, and William Haigh of the same, yeoman, sworn appraisers, dated 24 January 1645[-6].

fo. 79. Particular of the estate. fo. 81. Certificate by William Barton, minister of John Zecharias, London, that petitioner took the National Covenant before him Feb. 1654[-6]. fo. 83. Deposition of petitioner, sworn 11 Feb. 1645[-6] before Edwd. Rich.

G. clxxiii, fo. 195.

He rendered before December 1645. The fine at a 10th is £10.

Robert Seddon.

G. clxxiii, no. 7283.

“Destroyed by Damp.”

William Seddon *see* **Thomas Morris** (above iv, 228).

John Seed *see* **George Crooke** (above ii, 87).

Thomas Seed.

G. lxxviii, fo. 85, etc.; *Cal.* v, 3225.

Order of 2 January 1654[-5] to make inquiry and certify as to the petition of Thomas Beesley of Goosnargh, yeoman, who desired a title to certain lands conveyed to him by Thomas Seed, yeoman, for raising portions and to pay debts. The lands were under sequestration for the recusancy of Thomas Seed, uncle, and James Seed, brother, of the said Thomas Seed, who were both dead. Referred to Mr. Reading.

Mr. Readinge found that petitioner alleged that Thomas and James Seed, then deceased, were seised of several lands in Goosnargh and Thornley, which were sequestered for their recusancy, and by their deaths were rightfully in the said Thomas Seed, nephew of Thomas, and brother of the said James. He, being by the death of his uncle and brother right owner of the lands, did by indenture dated 8 December 1654 convey his interest therein to

petitioner for the uses therein expressed. It was certified by the Commissioners of Lancashire that two-thirds of the estate had been sequestered in the year 1645 for the recusancy of Thomas Seed and of Elizabeth Seed. The yearly value was £5 10s.

The Lancashire Commissioners transmitted copies of the depositions taken before them. On 19 January 1654[-5] Arthur Parker, sworn, deposed that he knew Thomas Seed, late of Goosnargh, and James Seed, late of Thorneley, both deceased, and that he was at both their burials and saw them laid in their graves; (fo. 86) that Thomas Seed died about three years then ago and James was buried on the 15 July then last; that he knew petitioner, who was nephew of Thomas Seed and brother to James and next heir to both, and was rightfully vested in the lands sequestered for the recusancy of the said Thomas Seed deceased, and in the lands of the said James; and other matters. In cross-examination he said he never heard that any one questioned the title of Thomas Seed the nephew to either estate. He found by an indenture dated 8 Dec. 1654, between the said Thomas Seed and the petitioner Thomas Beesley, that the said Thomas Seed for the performance of the trusts therein expressed and in consideration of 5s. demised to the said Thomas Beesley, his executors and assigns, all those his messuages, tenements, cottages and lands in Goosenargh and Thorneley and the reversion, reversions, remainder and remainders thereof, to hold to the said Thomas Beesley from the date thereof for 21 years at peppercorn rent, upon trust that he should out of the issues arising pay the several sums owing by Thomas Seed to several persons as mentioned in a schedule thereunto annexed; after which the said Thomas Beesley should pay the sum of £20 each to Elizabeth, Agnes and Mary, daughters of the said Thomas Seed, when they respectively attained the age of 21 years

or be married; after which the said messuages were to remain to and for the use of the said Thomas Seed, his heirs and assigns, for ever. The persons to whom sums of money were owing appear to have been Mr. Richard Dixon £40, and John Hodgson £10.

Hugh Wadsworth deposed to the sealing and delivery of the deed dated 8th Dec.; he believed the debts mentioned were really due, and that the creditors were Protestants.

Arthur Parker on cross-examination deposed that he believed the estate was made for payment of debts and payment of portions, and that Elizabeth, then aged 11 years, Mary, near 5 years, and Agnes, one and a half years, were then living.

fo. 89. Thomas Seed, sworn, deposed to the above facts, namely his debts, the indenture and the portions he desired to be raised. He did not expect to receive any benefit of either portion of the estate.

It was certified by Mr. Williams that there had been no seizures or contributions levied on the estate, nor did he find any Thomas Seed of Goosnargh convicted for recusancy, but he found a seizure upon the estate of Thomas Seed of Ribchester in the said county in August 1629 and another against the same person 8 September 1630.

It was deposed in 1655 that petitioner (living) and Thomas Beesley of Houghton (who died eight years previously) were different persons and that the latter had died 8 years then ago; that petitioner was living; that Thomas Seed was never styled "of Ribchester" nor owned any estate therein, for deponent knew him for 20 years; he followed the trade of a mason till the death of his uncle, to whom he was heir. Seed the uncle died 3 or 4 years then since and the aforesaid Thomas Seed was then about 38 years of age. He knew four other Thomas Seeds within the parish of Ribchester, then or very

lately living, and believed there were divers others there of that name not known to deponent; but whether Thomas Seed that had an estate seized for recusancy in Ribchester was dead or alive he knew not, but he believed that Thomas Seed the lessor would not in the 5th year of King Charles [27 March 1629 to 26 March 1630] have been capable of being seised of an estate.

Mr. Baylie certified that Thomas Seed of Goosnargh was sequestered for recusancy and so returned in the list from Lancashire of 24 March 1653[-4], and he found that Thomas Beesley of Houghton was in the then last Act for Sale (page 1780).

Certificates as to date of seizure and annual rental were produced by the auditor, the latter was £6 10s. 8d. but had been set by the Commissioners of Lancashire at £4 10s. to himself, and the said Commissioners in their accounts exhibited 3 Aug. 1654, being an account for the year ended 24 March 1653[-4], certified that two-third parts of the tenements in Chipping of Elizabeth Seed, a papist, not farmed, were worth about £1. Concerning James Seed it was certified that his estate had been seized about December 1646 and valued by Henry Clarkson and John Evans at £2 4s.

Finally Mr. Reading submitted as fit to be enquired into whether Elizabeth Seed had not an estate in the whole land, as the Lancashire Commissioners certified that the whole had been sequestered for the recusancy of Thomas and Elizabeth Seed. If it appeared she had an estate only in Chipping worth 20s. a year, then whether the rest of the lands should not be discharged.

fo. 93. Communication from Lancashire Commissioners dated 1 June 1655, stating that in obedience to an order they had taken examinations in the case and enclosed copies of four interrogatories submitted to witnesses.

fo. 97. Deposition of Hugh Wadsworth. fo. 101. Reference with instructions to the Lancashire Com-

missioners. fo. 103. Petition. Communication dated Wigan 16 January 1654[-5], signed by E. Aspinwall and Ro. Massey, stating that in obedience to the order they had taken evidence, &c. fo. 109. Evidence of Thomas Seed. fo. 111. Interrogatories to be administered on behalf of Thomas Beesley. Examinations and cross-examinations of Arthur Parker and Hugh Wadsworth. fo. 116. Certificate by Mr. Bayly as to the proceedings taken in the case.

fo. 120. Survey, giving names of fields, acreage and separate values of the land in the division of Richard Whitehead and William Audland, agents for sequestrations for Amonderness Hundred, taken by Henry Clarkson, George Crone, Richard Rawnson, John Evans, James Holme and Richard Carr, sworn appraisers for the said agents. fo. 121. Certificate as to the annual value of the estate of Elizabeth Seed in Chipping. fo. 190. Survey of James Seed's land.

G. lxviii. fo. 129.

fo. 129. Petition from Richard Cottam touching the lands of Thomas Seede, of Goosenargh (2 January, 1654[-5]).

It was ordered on report that the claim could not be allowed without inquiry as to what interest Elizabeth, mother of James Seed, had in the estate; if none, the claim is allowed (27 July 1655).

Thomas Seede of Goosnargh, Husbandman.

G. cxli. fo. 470.¹

Petition, which shewed that two-thirds of petitioner's estate had been sequestered for his recusancy. He therefore prayed that he might be admitted to contract for the same (22 Dec. 1653). Referred to Mr. Reading.

John Senhouse, Esq. of Seascale.

G. clxi. fo. 236, etc.; *Cal.* iii, 1703.

Letter dated at Preston 27 May 1653, signed by E. Aspinwall, Nicholas Cunliffe and Ro. Massey, mention-

¹ Omitted in the *Calendar*.

ing that in observance of an order of 5 April then last (which they received on 26 May) they had examined and cross-examined the witnesses touching the matters alleged in the petition (copies enclosed) and they certified that petitioner's estate in Lancashire was in the year 1644 sequestrated for his delinquency.

fo. 236. Interrogatories administered to witnesses at an examination held at Preston 26 May 1653.

fo. 240. Thomas Wilson of Tunley, gent., aged 58, sworn, said that he was present when Richard Lancaster, then late of Wrightington, gent., deceased, sealed and as his act and deed delivered an indenture tripartite made between him the said Richard Lancaster of the first part, William Farington of Werden in the said county, esq., and others of the second part, and John Brimpton of Shevington, gent., of the third part, bearing date 25 April 5 Charles I [1629]. Deponent witnessed it. Witness was also present when John Crooke, then late of Exton, gent., deceased, sealed and delivered to Ann Lancaster, widow, relict and late wife of John Lancaster esq., an indenture dated 2 Sep. 9 Charles I [1633]. and he was a witness to it. He said that the lands and tenements (fo. 241) mentioned in the said deed lying in Coppull, Wrightington and Heskin were then formerly and anciently the lands and tenements of Richard and John Lancaster his son, and that the lands in Coppull were by the deed of April 25 conveyed and settled for the use of the said Ann as for her jointure, and part of the lands in Wrightington and Heskin she enjoyed in lieu of dower, and did at the time of these proceedings enjoy them; and that another part of the lands in Wrightington, being the inheritance of Robert Hesketh of Rufforth, esq., held by lease from him for 99 years if 3 lives so long lived, she also then enjoyed as administratrix to John and Richard Lancaster his son, and that petitioner neither had nor ever had any estate, title or interest therein other than in right of his wife the said Ann.

fo. 242. Ann Senhouse of Seascale, aged 46, sworn, said that about 19 years then ago she intermarried with John Senhouse of Seascale, co. Cumberland, esq., and she having formerly had settled upon her by John Lancaster her former husband certain lands, &c., in Lancashire in lieu of dower and jointure, the same at her intermarriage came to petitioner, which he in her right enjoyed until the times of the then late war, at which time the premisses became sequestered for his delinquency and so continued. She further said that upon the said marriage several lands in Seascale aforesaid were settled upon her by her said husband (petitioner) in lieu of jointure or dower in case she should overlive him. She further said she had not remised, released, or otherwise discharged her right (fo. 243) and title to the said lands settled upon her by Richard and John Lancaster his son nor the lands settled upon her by the said John Senhouse, nor had she assigned them or in any way conveyed them to or to the use of the said John Senhouse, nor had she done or caused to be done any act or thing whereby to debar or hinder her from her right or title of jointure or dower to all the lands so settled upon her.

Hugh Cowper of Ormskirk, gent., aged 50, (fo. 244) Richard Bannister of Wrightington, yeoman, aged 52, were also examined.

fo. 248. Interrogatories administered on behalf of the Commonwealth.

fo. 250. John Willis, servant to petitioner, who had lived with him for 15 years, deposed that John Senhouse and Wrightington Senhouse, sons of petitioner, were both living and were being educated in the Protestant religion, and he said that ever since he knew them both his master and mistress were Protestants and conformable to the Protestant religion, together with the whole family.

fo. 250-252. Cross-examination of Thomas Wilson, Hugh Cowper and Richard Bannister.

JOHN KIRKBY OF KIRKBY, ESQ.

G. xcvi, fo. 165; *Cal.* iii, 1704.

Petition, which showed that Leonard Fell the father and Leonard Fell the son did by their deed dated 30 October 43rd Elizabeth [1601] sell their tenement at Stony Cragg in the Manor of Osmundderley in the county of Cumberland (*sic*) to Roger Kirkby, petitioner's great-grandfather, for a long term of years then to come; that petitioner's great-grandfather by his last will made petitioner one of his executors; that petitioner was then the only surviving executor, so that the said premises did of right belong to petitioner. But it so was, that one John Senhouse, a delinquent, laid claim to some part of the premises, or all, though he had no right to any part of the same; whereby the same had then lately been sequestrated. 19 July 1653. Referred to the Commissioners to certify and Mr. Reading to report.

Ralph Sephton *see* Robert Hulm (above iii, 306).

Elizabeth Serjeant *see* George Wetherby.

Geoffrey Shakerley of Shackerley.¹G. xciv, fo. 695, etc.; *Cal.* ii, 1446.

Delinquency: In arms against the Parliament. After the surrender of Carnarvon (April or May 1646) he went home according to his articles; took the National Covenant before William Barton, minister of John Zecharies (20 Aug. 1646) and Negative Oath (same day). Petitioned 6 Aug. 1646. In addition to his estates in Cheshire there would remain to him after the death of his mother, Mrs. Margaret Shackerly, the capital messuage of Shackerly with demesne lands, corn mill and tithes in Shackerly and Tilesly; value before these troubles £70. Also old rents there, value £15 7s. 2d. Also the reversion

¹ Described as Lieutenant-Colonel, but was under age when he joined the king's forces. His sisters Mary, Katherine and Elizabeth are named. His chief estate was Hulme near Nether Peover in Cheshire; he was afterwards knight, and governor of Chester Castle. He died in 1696 aged 78; Ormerod, *Cheshire*, iii, 152. From the text it appears he was born in 1625.

of 5 nail smithies, value £2 6s. 8d. a year. Also 13s. 4d. out of Mr. Hilton's lands in Farneworth.

Fine at a moiety, £1960 (26 Dec.).

On 13 March 1646-7 he petitioned for a reduction, stating that he had surrendered to Col. Mitton before May 1646, as soon as he came of age. Fine reduced to £784.

G. cxvii, fo. 468.

He petitioned that the Committees of Lancashire and Cheshire should not sell his estates, sequestered for some supposed new delinquency (30 April 1651). He had not acted against the Parliament since his discharge.

George Sharples of Freckleton.¹

G. clx, fo. 585; *Cal.* ii, 1109.

Letter dated at Preston 5 June 1651, mentioning that by an order of 11 February then last past, made upon the petition of the above, they were required to allow him out of the rent due for the messuage and tenement in the petition mentioned [in Mythorp] the monthly taxes charged upon the same and likewise to certify the contents of the petition. In reply they said they had allowed the monthly taxes out of the rent. The then late Committee of the County finding that the petitioner's father-in-law, Edward Veale, esq., then deceased, paid a full yearly rent for the same (which rent was then to be paid by petitioner) abated him a fourth part thereof which he had desired from them; but they, conceiving they were not empowered to allow the same without an order from the Commissioners above, humbly left the same to their consideration to do therein as they should see cause.

Henry Sharples.

G. xcvi, fo. 425; *Cal.* iv, 3025.

Petition, which showed that Lady Ann Lucas had purchased some lands, &c., in co. Lancaster, and divers

¹ This belongs to the earl of Derby's papers; see above ii, 139.

of the tenants holding their takings for lives or for certain years if the lives mentioned in the leases so long continued, some of these were determined and of right should have come to her. Some of the deceased tenants had been recusants when living, particularly one Henry Sharples of Samlesbury and Robert Fowle of Billington,¹ by and with whose deaths their interest and claim ended. The Lancashire Commissioners well knew this, yet they refused to allow petitioner to enjoy the profits without an order from their Honours. She therefore prayed for the usual order to examine the matter (11 April 1652). Order: The Commissioners of Lancashire to examine and certify and Mr. Reading to report. W.M., E.W. [i.e. William Mullins and Edward Winslow].

G. xcvi, fo. 507, etc.

Report by Mr. Reading, dated 1 Aug. 1653, based on an order of 11 August 1652, on a petition of Dame Anne Lucas desiring that the sequestration might be taken off a farm in Billington sequestered for the delinquency of Robert Foole, then deceased, and of a tenement in Samlesbury whereof two parts had been sequestered for the recusancy of Henry Sharples, also deceased; on the ground that the said leases expired on the deaths of these two persons. He submitted for judgment, after reviewing the title and devolution of the premises, whether the sequestration of the premises of Robert Foole should not be discharged, and also whether the recusancy of the said Henry Sharples, both deceased, should not be discharged.

fo. 511. Reference to Lancashire Commissioners.
fo. 513. Copy of petition (12 Aug. 1652).

fo. 514. Communication from the Lancashire Commissioners, dated at Preston 2 March 1652(-3), signed by E. Aspinwall and John Sawrey, mentioning the steps they had taken, enclosing copies of examinations and stating

¹ See above ii, 350; v, 182.

that both properties had been under sequestration since 1643.

fo. 515. Examination of Hugh Welshman of Samlesbury, yeoman, who swore he was by and present when Henry Sharples of Samlesbury, the elder, was buried in the churchyard at Samlesbury sometime about the month of May (1652).

fo. 516. Adam Boulton of Dunkenhalth, also sworn, said that Robert Foole of Billington was buried at the parish church of Whaley on 27 Sept. 1647, as appeared by a certificate under the hand of Mr. Walker, who was minister there at the time of the interment and also minister at the time of the inquiry (1653).

John Sharples *see* **Thomas Clifton** (above ii, 62).

Richard Sharples *see* **John Parker** (above v, 10).

Robert Sharples.

G. cxvii, fo. 353.

Petition of John Sharples, servant to John Trott of Laverstoke, Hants, esq., for allowance of his title to two-thirds of a tenement in Balderston under sequestration for the recusancy of his father Robert Sharples and then of his mother, both now deceased. The value is under 40s. a year. He has always been conformable (14 Sept. 1654). Claim to be allowed on proof of title.

Sharrock *see* **Sborrock.**

George Shaw *see* **Ratcliffe Doughton** (above iii, 294)

Henry Shaw of Langroyd, Yeoman.

G. ccii, fo. 515, etc.; *Cal.* iii, 1744.

Delinquency: deserting his own dwelling and resorting to the garrison held against the Parliament. He compounded on a particular which disclosed that he was seised of an estate to him and his heirs of and in three small cottages in the parish of Colne, worth £11 10s. a year (12 May 1647). Fine, £23.

fo. 518. Petition.

fo. 519. Communication from Richard Shuttleworth,

John Starkey and Robert Cunliffe, dated 22 Apl. 1647, to the Committee at Goldsmiths' Hall, certifying that petitioner had since Nov. 1645 been living in the parish of Colne, had submitted himself to the ordinances of Parliament, paid his "assesses" and other impositions.

fo. 520. Certificate signed by John Horrockes, minister, and William Hartley and Alex. Parker, churchwardens, of Colne, showing that petitioner took the National Covenant before them in the parish church on 3 March 1645[-6]. fo. 521-523. Similar certificates signed by Wm. Barton, and Thos. Vincent. fo. 525. Particular of petitioner's estate.

Thomas Shaw.

G. lxvi, fo. 18, etc.; *Cal.* iv, 1303.

Petition of John Banks of Osbaldeston, husbandman, concerning the remainder of a lease of Sharples Tenement in Osboldeston granted to him on 31 Jan. 1632-3 by John Osboldeston late of Osboldeston, esq., and Frances his wife. He had assigned it on 2 Feb. 1639-40 to John Cutler for nine years, who had transferred to Thomas Shawe, and through Shawe's recusancy two-thirds was sequestered. The lease to Cutler having expired petitioner should have the whole tenement (22 June 1652). Order: the County Committee to certify. They certified accordingly on 23 Nov. 1652, and sent up the examinations of Roger Birley of Balderston, yeoman (who speaks of the petitioner as John Banks the younger of Alston, yeoman), the above John Cutler of Ribchester, chapman, and Robert Shawe of Clayton in le Dale, husbandman.

On 18 May, 1654, the claim was allowed, but enquiry was to be made as to whether he was the John Banks of Settrington, Yorks., who was fined £500 for delinquency.

Thomas Shepherd of Preston, Yeoman.

G. cxvii, fo. 323; *Cal.* iv, 3134.

Order to take possession of several lands in Preston,

with the appurtenances, late parcel of the estate of the above Thomas Shepherd, sold on the 10 June 1653 to Edward Warden and Richard King.

Anne Sherburne of the Lande, Widow.¹

G. cxvii, fo. 203; *Cal.* iv, 3175.

Petition, which showed that two-thirds of petitioner's estate was under sequestration for recusancy only. She therefore prayed to be admitted to contract for the same (24 Dec. 1653). Referred to Mr. Reading to report.

Henry Sherburne *see* **Henry Doughty** (above ii, 262).

John Sherborne of Ribleton.

G. cix, fo. 867, etc.; *Cal.* v, 3233.

fo. 913. Petition of Thomas Parker of Browsholme, co. York, which shewed that petitioner was justly entitled to a capital messuage and certain other messuages, tenements, lands, &c., in Ribleton in the county of Lancaster by several good deeds and conveyances thereof made from John Sherborne, then late of Ribleton, deceased, and Henry his son, and that petitioner was rightly entitled to enjoy the same; but two-thirds had been sequestered for the popery of the said John Sherborne. He had died and was buried on the 20th day of March then last [1654-5], whereupon the said messuages, &c., should have come to petitioner, who therefore prayed that the sequestration of the said two-thirds might be discharged or that the Lancashire Commissioners would examine his title (3rd April 1655). The Commissioners to examine and certify and Mr. Readinge to report.

fo. 867-74. Report by Mr. Reading 19 July 1655.
fo. 879. Order of reference to Lancashire Commissioners.
fo. 881. Petition.

¹ Widow of Richard Sherburne of Stonyhurst, who died in 1628. Further particulars of her estate will be found below in the papers of Richard Sherburne the son.

fo. 883. Affidavit of Henry Sherbourne sworn before the Commissioners 11 July 1655.

fo. 887-898. Communication from Lancashire Commissioners enclosing examinations of witnesses; also enclosing list of interrogatories administered to them. The following witnesses were examined: John Blackburne of Browsholme, yeoman, Thomas Parker of the same, gent., John Mitton of Preston, co. Lancaster, school-master, 40 years old; all sworn at Ormskirk 30 April 1655.

fo. 901. Annual value of the lands certified by Thomas Browne, auditor, July 21 1655.

fo. 903. Certificate exhibiting what proceedings had been taken in the case. fo. 905-907. Other certificates.

The claim was allowed and sequestration discharged (27 July, 1655).

John Sherburn of Woolfall.¹

G. clviii, fo. 399, etc.; *Cal.* iii, 2300.

fo. 399-400. Examinations taken at Preston 2 July 1651, in observance of an order from the Commissioners dated the 19 June then last.

Depositions of James Dewhurst of Chipping, John Tomlinson of Chipping.

fo. 401. 3 July 1651. Letter from Lancashire Commissioners accompanying above.

Richard Sherburne of Heysham.

G. cxxix, fo. 187, etc.; *Cal.* iii, 1997.

William West, esq., of Middleton (near Lancaster) makes petition, showing that Richard Sherburne of Heisham, co. Lancaster, deceased, being seised of certain lands in Heisham the same came by his death to Robert Edmondson, gent., nephew of the said Richard Sherburne. Edmondson, for payment of his own debts and the debts of his uncle, demised the premises to petitioner for a

¹ The greater part of the papers in this case have been printed above, v, 17-24.

term of years then running; but the same was sequestrated for the recusancy of the said Richard, who had then been long dead, and petitioner had appealed for an allowance of his title. The examinations had been made and the case reported upon. He therefore now petitioned for an early hearing (17 Oct. 1654). Granted.

fo. 189. Former petition (15 Feb. 1653-4). fo. 189. Decision on the report, discharging the sequestration. fo. 225-246. Reports and other papers referring to the case.

Richard Sherborne, Esq., of Stonyhurst.

G. cxvii, fo. 193; *Cal.* iii, 1996.

Petition, which showed that a mistake had been committed in sequestrating petitioner's estate. Upon an appeal by petitioner to the Committee of Lords and Commons and after hearing counsel on both sides, the Committee ordered the sequestration to be taken off, which was done. Yet by some mistake petitioner's name was again returned as a delinquent who had not compounded, and the officers for sequestrations, having received instructions from the Committee above, intended to proceed against him as if he were a delinquent, unless they were stayed. He therefore prayed for an order directing the Lancashire Commissioners to strike his name out of the list (28 April 1649). This, with a condition attached, they granted.

fo. 198. Communication signed by W. Eccleston informing petitioner that his name was in the list for sequestration. fo. 199. Petition (27 June 1654). fo. 202. Petition (5 July 1654).

G. cxvii, fo. 238.

Petition, dated 12 Aug. 1652, praying that as his most material witnesses lived in Yorkshire the Commissioners there might examine them. This was agreed to.

fo. 240. A petition, dated 12 Aug. 1651, mentioning that his own estate had been seized but for what reason he

could not learn. He prayed therefore that he might have a copy of the charges against him; also that they should examine any witnesses he should produce, and he to cross-examine any witnesses brought forward on the part of the State; also that he might receive his rents until he was actually sequestered. This was granted, he to give security equal to two years' rents.

G. clix, fo. 447, etc.

The following letter was sent to the Lancashire Commissioners to explain Mr. Sherborne's absence:

Worthy Sirs,

I have notice by my wife that your Agent Mr. George Hindley left summons at my house at Stoniehurst for my appearance before you to-morrow at Preston, which comand I would willingly have obeyed if want of health had not prevented me. For true it is, havinge been longe infirm and much desiringe to make experience whether change of air wold aford mee any benefitt or not, I determind to goe to Wigglesworth about the end of last moneth. But upon that Iourny I experienced a change to the worser parte, for my health hath beene much impaired thereby, insoemuch that I dare not as yet adventure a returne. The premisses considered, I humbly desire that you wold admitt of my apearance by this lettre and not impute it to any contempt of your comandes that I come not in person, seeing I am prevented by the hand of God. And if it be your plesures that I shall make answer to anythinge that may bee obiected against mee I shall upon knowledge thereof giue you all possible satisfaccion, either to cleare my selfe by testimony from any cryme supposed to bee comitted by mee or to waite upon you in person as soone as God shall enable mee with strength. In the Interim I shall submitt to your pleasures and ever remaine.

Your most assured friend,

RI. SHERBORNE.

Wiglesworth, 27 of Aug. 1650.

To the Commissioners for sequestrations for the County of Lancaster, Theese.

fo. 449. Depositions of George Hindley, agent for sequestrations for Blackburne Hundred, of James Haworth (fo. 450) a servant of Mr. Sherburne's, of Geoffrey Rishton of Aighton, gent., of Peter Hesketh of Aighton, (fo. 451) miller, Richard Hill of Aighton, yeoman, (fo. 452) Richard Cromleholme, gent., and Roger Winckley of Aighton, yeoman. The substance of all these examinations was as to whether Mr. Sherburne brought up his children as Papists. (See below).

G. cxvii, fo. 236, etc.

Petition of Richard Sherburne of Stonyhurst, esq., which shewed that petitioner by deed dated 20 March 8 Charles I [1632-3] conveyed to Anne Sherburne, widow, during her widowhood a capital messuage and certain lands in Laithgrim, reserving to himself and heirs a yearly rent of £38 6s. 8d.—which lands at this period had then long been sequestered for the recusancy of the said Anne—and the said rent had been constantly paid to petitioner by the agent for sequestrations with the approbation of the Committee. But at the then last Easter the then agent for sequestrations had received the rent from the said Anne for the use of the Commonwealth and not only refused to pay the same to petitioner but had forbidden the said Ann to pay him any more. Petitioner, not being conscious of anything that might have rendered him liable to sequestration, prayed that the Lancashire Commissioners might be authorized and required to take such evidence as petitioner should produce to clear himself, so that he might again receive the said rent (14 Feb. 1650-1). Referred to the Commissioners of Lancashire to examine and certify.

G. cxvii, fo. 167.

Petition, which shewed that by an order of 14 Feb.

1650-1 the Commissioners in the county of Lancaster were ordered to certify what they knew or should find material touching petitioner's case. This as he was informed they had done. He therefore now prayed for it to be referred, so that a speedy hearing might be had (23 May 1651). Referred to Mr. Reading.

fo. 159. Reading reported that petitioner desired that a rent of £38 6s. 8d. a year reserved to him and his heirs out of a capital messuage and certain lands lying in Laithgrym alias Laygram in the said county, by a grant made thereof by him to Ann Sherburne, widow, for her life, might be discharged from seizure or sequestration, stay having been made thereof by the Country Commissioners, inasmuch as two-thirds of the said premises had been sequestered for the recusancy of the said Anne. Reading found that by indenture tripartite, dated 20 March 1632(-3), made between the petitioner of the first part and Anne Sherburne, widow, then late wife of Richard Sherburne (petitioner's father) deceased, of the second part, Richard Shuttleworth, esq., Thomas Sherburne and Roger Winckley, gent., of the third part, certain lands were settled to the only use of the said Ann during her life (she remaining sole) and to the further use that she should yearly pay to petitioner and his heirs the rent of £38 6s. 8d. After reviewing the case at considerable length he submitted to judgment (fo. 165) whether the petitioner should not be permitted to receive the said rent of £38 6s. 8d., the sequestration of the premises notwithstanding.

fo. 169-171. Order referring the case to the Lancashire Commissioners and Mr. Reading, fo. 173. Copy of petition. fo. 175. Certificate showing the annual rental. fo. 177. Letter dated at Preston 12 April 1651 (?), mentioning steps taken by the Commissioners, enclosing copy of the examination (fo. 179) of John Haworth of Clayton in le Moores, then late agent for

sequestrations for Blackburne Hundred. fo. 181. Letter, dated York 2 Oct. 1652, enclosing copies of examinations. fo. 183-5. Examinations. fo. 187. Letter from York touching the Affidavit of Richard Sherborne (petitioner). fo. 189. His deposition. fo. 190. Certificate exhibiting the proceedings taken in the case.

fo. 195. Order discharging the sequestration (17 Dec. 1647).

G. clviii, fo. 466, etc.

Communication, dated at Preston 12 April 1651, signed by Peter Holt, Robert Cunliffe and G. Pigot, referring to an order upon the petition of Richard Sherburne, esq., touching an annuity of £38 6s. 8d. issuing out of a messuage and certain lands lying in Laithgrim sequestered for the recusancy of Ann Sherburne, widow. It mentions that they had taken examinations in proof of the deed and payment of the annuity and enclosing copies.

fo. 469. Examinations taken at Preston 12 April 1651 upon the said petition.

John Haworth of Clayton in le Moores, then late agent for sequestrations for Blackborne Hundred, deposed that by the consent of the then late Committee he had paid to Elizabeth wife of Richard Sherburne, esq., of Stonihurst, a fifth part of a reserved rent of £38 6s. 8d. a year, and it was paid out of the demesne of Laithgrim, and that after Mr. Sherburne was cleared of his delinquency deponent had paid the whole sum yearly as long as he remained agent, as above stated.

Raphe Rishton of Whiteash, gent., proved the execution, sealing, &c., of the deed.

MR. SHERBURN'S CHILDREN.

On the 7 August following examinations were taken at Preston touching the education of the children of Richard Sherburne in Popery.

fo. 471. Richard Cromblehelme of Dutton, co. Lancaster, gent., sworn, said that it was a common report that the children were educated as Papists; he believed the same to be true, for that he being a near neighbour to Stonihurst, where Mr. Sherburne had for the most part lived, he never saw them at church. He said that Mr. Sherburne had only one son and daughter, who both had then been lately married.

fo. 471. Peter Hesketh of Aighton, vintner, deposed similarly.

fo. 472. Richard Hill of Aighton, yeoman; Roger Boadley of Bayley, husbandman, and Roger Walmsley all deposed to the same effect.

fo. 473. On the 7 November following examinations were taken at Preston on behalf of petitioner.

Richard Winckley of Aighton, yeoman, deposed that he knew petitioner and that he had two children only, one a son, aged 24 years, called Richard Sherburne and the other a daughter called Anne, aged 18 or 19 years; and that he had known them from their birth. He said that for the best part of 20 years Mr. Sherburne lived at his house at Wigglesworth in Yorkshire, about eleven miles distant from deponent's residence, till about 5 years then preceding when he repaired to his house at Stonihurst in the parish of Mitton, in which parish deponent lived. There he remained for three years or thereabouts, during which time the said son and daughter did not live or inhabit [with their father ?] to deponent's knowledge, only they were but made no stay; and that about two years then ago the said son and daughter were married. About the spring following Mr. Sherburne the father left his house at Stonihurst and had not lived there subsequently, and Mr. Sherburne the son after his marriage had sometimes been at Bancke Topp in Whalley parish, but sometimes at Stonihurst; but he knew not which might be termed the place of his certain residence. Anne

the daughter, after her marriage with Mr. Constable, a Yorkshire gentleman, went along with him and hath (?) since inhabited [with] him to the best of deponent's knowledge. He had never seen Mr. Sherburne the son or Anne the daughter at any church or chapel. [The latter part of this paper is much damaged by damp and difficult to decipher accurately].

fo. 474. George Ramsbotham of Aighton, Henry Jolly (servant to Mr. Sherburne), James Ashton, (fo. 477) Richard Hill of Aighton, (fo. 478) Richard Sherburne of Buckley, gent., John Hayhurst (servant to Richard Sherburne the son), (fo. 478-480) and Robert Plesington of Kirkland, gent., were all examined.

fo. 485. Letter from Lancaster Commissioners dated at Preston 2 March 1652-3, signed by E. Aspinwall and John Sawrey, mentioning that by a letter of the Commissioners above, dated 3 June 1651 (amongst other things) they were required to sequester two-thirds of the estate of Richard Sherburne, gent., son and heir of Richard Sherburne of Stonihurst, esq., for his recusancy. They accordingly issued the order to their agent, but he returning that he could find no estate, and they hearing that on his marriage either he or his father had received a portion of £3,000 with his wife and conceiving that such a portion would not have been given unless some estate had been settled upon young Mr. Sherburne and his wife, they for the better discovery thereof summoned all such persons as were in any way privy to or interested in the marriage and examined them touching the same (copies of which examinations they enclosed); but not finding by the depositions anything belonging to him during the lifetime of his father they enforced them to produce the deeds made at the marriage, and they likewise enclosed a brief abstract of the said deeds, by which it fully appeared that the £3,000 was paid. They were informed that the said Mr. Sherburne and his wife lived

at Stonihurst, being the chief mansion house of his father. They doubting that there was some indirect dealing to avoid the sequestration and not being able to discover the same, thought it their duty to certify the whole proceedings therein and waited for further order.

fo. 487. Abstract of the deed referred to above: Deed dated 10 September 1649, made from Richard Sherburne, esq., to Isabell Towneley of Royle, widow, in consideration of a marriage intended between Richard Sherborne the son and Isabell Ingleby, grand-daughter of the said Isabeli. £3,000 portion to be paid. Richard Sherburne the father covenants, upon requests to be made, to convey to certain feoffees named in the said deed all his manors to the use of himself during life and after his death so much of the premisses as were of the yearly value of £300 to the use of Richard Sherburne the son and Isabell his (then) intended wife, and after their death to the first son of the said Richard Sherburne the son and Isabell, with other uses which express that Richard the father may lease for years or lives, reserving the ancient rent, and that he might charge all or any of the premisses with a sum not exceeding £11,000. Witnesses: Richard Towneley, Jo. Hayhurst.

fo. 489. Examinations taken at Preston 26 February 1652-3 on behalf of the Commonwealth in the case of Richard Sherburne of Stonihurst, junior, gent.

Gabriell Hesketh of Goosnargh, gent., deposed that for the space of two years and a half then preceding he was employed as agent for Richard Sherburne of Stonihurst, esq. He had heard that the son was married about December 1649; he (deponent) being at that time ill at home was not present at the marriage and did not know what marriage portion he had received or was to receive with his wife, he not being present at any agreement; nor did he know of any lands or other estate settled upon him by his father by reason of the said

marriage. For the most part Mr. Sherburne the son lived and inhabited Stonihurst upon his own charge as a "tabler" as deponent verily believed.

Thomas Aspden of Burnley, gent., deposed to a somewhat similar set of facts.

fo. 490. John Talbott of Dinckley, esq., deposed that he knew the son from his childhood and that about the beginning of December 1649 he saw the said Mr. Sherburne the son and his wife in bed together which induced him to believe they were married. He had heard the marriage portion was £3,000 or £4,000, but whether the son or father received it or whether there was any portion or not he knew not other than by the "Common Vote" of the county, and further he said the same as first deponent.

Henry Coulthurst of Banck Newton, Yorkshire, yeoman, deposed that he believed Richard Sherburne the son, married Isabell daughter of John Inglebee of Lawkland, co. York, Esq., also that deponent had been sent to a Mr. Ralph Barnes of Alewick (?) who returned with him to Stonihurst, where he received instructions to prepare some deeds in connection with the marriage of the son. He deposed further to the amount of the portion "to his best remembrance" and the settlement of the estate.

fo. 491. Isabell Townley deposed she was grandmother of Isabell then wife of Richard Sherburne the younger. She knew nothing about the marriage; but after it had taken place, Mr. Sherburne the father seeming displeased with it, she (deponent) paid to the father, or to his servant William Frith for his use, £2,000 as a marriage portion with the said Isabell, and writings were made and some portion of the estate settled, but in what manner she could not remember, reserving her opinion and promising to produce the deeds at the next sitting.

fo. 492. Richard Sherburne of Buckley deposed that

he was not present at the marriage nor did he know anything about it; but said there was a meeting touching the marriage, at which time some writings were sealed wherein his name was entered as feoffee. The portion to be paid was mentioned therein and an estate settled, but how or in what manner he did not remember, but referred to the writings (when produced) for a better manifestation thereof.

fo. 493. Abstract of the indenture tripartite, dated 15 November 1649.

Robert Shirbourne of Little Mitton, Esq.

G. cxvii, fo. 234; *Cal.* iv, 2514.

Petition on behalf of himself, wife and children, stating that he was sequestered. He prayed for an allowance of a fifth for their maintenance as he and they had no means whatever wherewith to subsist (11 Oct. 1650). Granted.

fo. 230. Petition of Katherine wife of Robert Sherbourne of Little Mitton, esq., which showed that petitioner's husband being a delinquent and recusant, the Commissioners on her appeal had allowed her a fifth of his desmesne of Little Mitton for the relief of herself and her children. As there were certain tenants' rents in Brindle and Caterall part of the estate of her husband, she now prayed for an allowance of a fifth from that part of it (8 Jan. 1650-1).

The County Committee was ordered to pay the fifth or certify the reason for non-payment.

Robert Sherburne, Esq.

G. cxvii, fo. 153.

Order to take possession of a capital messuage called Mitton Hall and several messuages, lands and tenements thereto belonging, lying in the parish of Whaley, co. Lancaster, then late parcel of the estate of Robert Sherburne, esq., and sold by the Commissioners for the

Sale of Lands and Estates forfeited to the Commonwealth for Treason, to Nicholas Danfield, John Warre and Robert Blanchard on 23 March 1652-3.

fo. 156. Similar order in favour of Sir Edward Moseley, bart., for several messuages, lands and tenements lying in Catterhall and Claughton in the parish of Garstang (the desmesne lands excepted). Names of tenants here follow. Dated 2 June 1654.

Claim by Serjeant Eltonhead.

G. lxxxiii, fo. 755, etc.

Petition of John Eltonhead of the Middle Temple, serjeant-at-law, by which it appeared he had claimed the allowance of a deed made by Robert and Thomas Sherborne; on which it was ordered that petitioner should enjoy the third part of the estate mentioned in the said deed, and that the Commissioners of Lancashire should certify the value of the land with the view of petitioner compounding for the other two parts. There being no certificate returned from the Lancashire Commissioners petitioner prayed that he might be admitted to compound on an average rental of the previous four years. Ordered 30 April 1651—"The former order to be sent down and the Commissioners to certify accordingly."

fo. 757. Order allowing petitioner the mansion house as a third part, and requesting the Lancashire Commissioners to certify as to the value of the land (19 Dec. 1650).

fo. 759-60. Report by Mr. Reading (10 Oct. 1650) based on an order of 13 Aug. 1650 made on a petition of John Eltonhead, serjeant-at-law. Mr. Reading found that on 18 Dec. 1639 petitioner became bound as surety for and with Robert Shirburne and Thomas Shirburne unto one Henry Knoles in bond of £1,000 conditioned for payment of £520 the 20 June 1640; and that for the

securing of the petitioner therein the said Robert and Thomas Sherborne by an indenture dated 1 July 1641 granted and sold to petitioner, his executors and assigns the manor of Little Mitton and a water corn mill there and divers lands, tenements, &c., in Little Mitton and Henthorne, from Midsummer then last past for 21 years, under the rent of a pepper corn; with a proviso that if the said Robert and Thomas Sherbourne should pay the said Henry Knollis the sum of £350 the 21 of November then next and free and discharge and save harmless the petitioner, his executors and assigns, then the lease to be void, as appears by the said indenture, produced and attested by John Hopkinson to have been sealed by the said parties. It was also proved before Lord President Bradshaw, who reported to the Lords and Commons for Sequestrations that it was proved before him that failure of payment being made by the said Robert and Thomas Sherburne the said Henry Knollys obtained a judgment against petitioner, who was thereupon forced to pay £140 in part of the principal debt and interest, whereof petitioner had never received any part. And his lordship reported that it appeared by a certificate from the Committee of Lancashire that the said Robert Sherbourne was before the making of the said lease a recusant convict and afterwards became a delinquent, and that the premises were sequestered for his delinquency. Whereon his lordship submitted it to judgment, whether the sequestration ought not to be discharged and petitioner's title allowed, and whether he ought not either to be secured and satisfied as to the said engagements or be permitted to take the benefit of his security, there being no former seizure or election made by the King or State to have the two parts before the lease was made nor any sequestration until after the making thereof, all being but a security for a just debt, as by his lordships report of 29 March 1647 appeared. On examination

whereof the Lords and Commons allowed and confirmed the report and ordered that the Lancashire Committee should permit petitioner to take the benefit of his lease, the sequestration notwithstanding. By their order of 27 April 1647 the Lancashire Committee gave obedience thereunto. And petitioner in these proceedings alleged that he had received the rents of the premises according to the said report and orders for the years 1647-8 and 9, receiving £44, £44 and £51; but that the tenants were forbidden to pay him any more by the then present Commissioners of Lancashire. And it appeared that petitioner had paid more of the debt to Henry Knollys subsequent to the report of the Lord President, namely on 2 Dec. 1647 £250; and by an affidavit of John Pomeroy, gent., that he paid the said sum of £250 and £90 more in full of the debt on 4 May 1648, and that then the bond of £1,000 was delivered up to petitioner and satisfaction of the judgment acknowledged.

fo. 761. Petition (23 Aug. 1650).

fo. 763. 1 Apl. 1647. Order signed by Henry Pelham, directing the Commissioners of Lancashire to permit petitioner to take possession the property.

At foot is the following memorandum:

Att the generale meetinge 27 Aprilis 1647

Ormeskirk in

Coun. Lancs.

The Committee have perused the above written order and doe submitt unto it. And Require the Agents for Sequestracions to take notice hereof.

J. BRADSHAWE.

RAPHE ASSHETON.

Intr.

E. Wall.

H. FLETEWODE.

EDW. BUTTERWORTH.

THO. BIRCHE (?).

fo. 765-777 (error for 767). Lord Bradshaw's report (incorporated in the above).

fo. 779. Examinations of William Eltonhead, Henry Eltonhead of the Middle Temple, gent., and John Pomeroy of New Inne, co. Middlesex, gent.

G. clix, fo. 467, etc.

A survey of the estate formerly belonging to Robert Sherburne of Little Mitton, esq., taken in April 1646 by Ellis Atherton and others appointed and Surveyors in behalf of the State. Names of fields and area of each given. Total, 176 acres; value, £75 6s. 8d.

fo. 469. Letter from Blackburn, dated 17 March 1650(-1), signed by Peter Holt and Robert Cunliffe, stating that in observance of an order of the 19 Dec. then last in the case of John Eltonhead, segeant-att-law, requiring them to certify the value of the lands mentioned in the report annexed to the said order then formerly sequestered from Robert Sherborne of Little Mitton, esq., a Papist delinquent, they had examined the accounts taken by the then late auditors for sequestrations in that county and they found the profits to vary from £67 11s. 7d. in 1643 to £75 6s. 8d. as by the survey above; besides tenants' rents of 45s. 6d.

G. clviii, fo. 325.

Correspondence by the Lancashire Commissioners with the Commissioners above.

Gentlemen, Upon perusal of the papers belonging to the late Committee of this Countye wee find that Robert Sherburne of Litle Mitton, Esq., being [a] convicted Recusant by lease under his hand and seale dated primo Julij 17 Cardli grants to John Eltonhead of the Middle Temple, London, Esq., the mannour of Litle Mitton and other his lands and hereditaments in Mitton and Henthow in the Countye of Lancaster for 2 years from Midsummer 17 Caroli, which Manour and Lands being afterwards found in the possession of Mr. Sherburne was sequestered for his delinquency¹ till Oct. 1646, at which

¹ In the margin: "That they do seize the two-thirds if hee were a Recusant convict at that tyme."

time Mr. Eltonhead moved the then Committee that he might enjoy the same according to his lease, freed from sequestration. Whereupon the said Committee certified the whole state of the case to the Committee of Lords and Commons [who] ordered that Mr. Eltonhead should have the Lease notwithstanding the Sequestration. He Mr. Eltonhead enjoyed it till it was seized by the New Commissioners acting under the orders of the Commissioners above.

Claim by Sir Edward Moseley.

G. ci, fo. 935.

Petition Sir Edward Moseley of Houghend, by which it appeared that petitioner had lent Robert Sherborne of Little Mitton £300 and that the lands on which this had been secured had been sequestered for the delinquency of the above Robert Sherborne. He prayed for an examination into his title, which was granted (28 June 1653).

fo. 937. A petition from Sir Edward Mosley in connection with the Rectory of Etwall, co. Derby.

G. clx, fo. 517, etc.

fo. 537. Letter, dated Preston 9th Aug. 1653, signed by E. Aspinwall, Nicholas Cunliffe and Rd. Massey, mentioning that by an order of 28 June then last made upon the petition of Sir Edward Moseley they were required to examine all such witnesses as should be produced before them in proof of the matters and things alleged in the said petition. In pursuance thereof they had taken the examinations enclosed, together with cross-examinations and the examination of petitioner upon certain interrogatories, and they certified that the estate mentioned in the petition had been sequestered as the estate of Robert Sherburne, esq., a Papist delinquent.

fo. 517-22. Interrogatories administered to the witnesses concerning the title of petitioner to certain

lands and hereditaments then late the property of Robert Sherburne, esq., of Little Mitton.

fo. 523. Depositions of witnesses upon the part of petition.

William Hughes of Leyland, sworn, said that he had known Sir Edward Mosley for many years and he knew Robert Sherburne, esq. He also knew that on 8 March 16 Chas. I [1632-3] Sir Edward lent the said Robert Sherburne £300 at interest after the rate of £8 per hundred pounds by the year, the same to be paid 24 June then next following. He further said the said Robert Sherburne then agreed to Sell to Sir Edward Mosley, his heirs and assigns for ever, all the messuages and premises belonging to the said Robert Sherburne lying in Catterall and Claughton as security for the said loan and interest; and much more.

fo. 525-6. John Scoales of Withington, yeoman, aged 60 years, also gave evidence.

fo. 527. Interrogatories administered on behalf of the Commonwealth, and (fo. 528) cross-examinations on the part of the Commonwealth of William Hughes and John Scoales.

fo. 529. Interrogatories administered to Sir Edward Mosley, bart.

fo. 532. His examination was taken at Preston 9 Aug. 1653, when he said that about 8 March 16 Charles I, at the request of Mr. Sherburne he lent him £300. An agreement was made between them by which Sherburne was to pay 8 per cent. interest for a year upon the 24 June then next following, and by the said agreement Sherburne was to pass, assign and assume to deponent, his heirs and assigns, all his property in Catterall and Claughton as security. He further said that in pursuance of the said agreement and for perfecting the assurances of the said lands, &c., by the advice of the then late Baron Rigby (at the time Alexander Rigby of Gray's Inn, esq.), the

said Sherburne by lease lawfully executed dated 8 March 16 Charles I demised and granted to Ralph Heaton, gentleman (according to deponent's appointment), all his the said Sherburne's lands, &c., in Catterall and Claughton for the term of one whole year then next ensuing; (fo. 533) and that in further pursuance of the said agreement the said Sherburne signed as his act and deed and delivered to deponent and to deponent's own use the indenture then shown to him, dated 9 March aforesaid, between Robert Sherburne of the one part and deponent of the other, purporting to be a deed of grant, bargain and sale made to deponent, his heirs and assigns, of the premises in Catterall and Claughton; which was sealed, signed and delivered on or about the day of its date. Also that Sherburne on the same day signed a bond, purporting to be of the penal sum of £600 for performance of the covenants and agreements in the said indenture. He further said that he entreated, desired and appointed Mr. Edward Mosley, Daniel Watson, esq., George Croston (deceased) and Carter, a servant of deponent's, to wait and attend the payment of the said £300 with the interest on the 24 June 1641 in the common dining-hall of Gray's Inn, according to a proviso in the deed of bargain and sale; and they attended, but the money was not paid, and he had never received it nor had he received any of the rents and profits out of the lands. Deponent did not know the value of the premisses assigned to him by the deed, but he expected to receive what was granted to him by the deed. He said he had never in any way released or surrendered or prejudiced the said deed of sale, or his rights and interest therein; neither had he ever demised, released or otherwise acquitted the said (fo. 535) Robert Sherburne of the said debt of £300; neither did he know any reason in law or equity why he should not enjoy

the said messuages lands and premisses according to the deed of bargain and sale.

Robert Sberburne *see* **William Parker** (above, v, 14-24).

Francis Sherrington of The Boothes, Gent.

G. cxiv, fo. 301, etc.; *Cal.* ii, 1191.

Delinquency: he furnished a man, horse and arms to the Earl of Derby against the Parliament. He rendered himself 8 Dec. 1645; took the Negative Covenant before Wm. Barton 8 June 1646, and the National Oath before the Committee of the Militia in London 24 Nov. 1646.

He compounded on a particular which disclosed that he was seised in fee to him and his heirs of the manor of Claughton [in Lonsdale] with certain demesne lands and tenements thereunto belonging, and of a water corn mill, advowson, and coal pit there and of other lands and tenements lying in Squabholme, Garstang, Wigan, Leigh and Winwicke, and of the manor of Tilsley in Shakerley in the parish of Leigh, Winwicke and Wigan, and in Boothes, worth £144 yearly. He claimed deductions of £20 a year to his mother for life for her jointure, out of his lands in Orrel and Wigan, also £60 each to Edward Craft's two younger brothers, a fee farm rent of £12 payable to the Crown for ever issuing out of the tithes of Tilsley and £17 for quit rents and chief rents payable to the several lords of the fees. Also of a statute £900, defeazance for the payment of £46. acknowledged to Geo. Clarke, esq., and £400 mentioned in his particular. Fine £300.

fo. 303. Report of David Watkins as to the compounder having received £480 of Hugh Cooper, one of the Collectors of £400,000 subsidy; he gave a bill of exchange for payment thereof in the Chamber of London 1642, but did not pay it. Hugh obtained an order of the House of Commons 18 April 1646, that compounder, being then a prisoner, should not be exchanged or discharged nor admitted to composition till he had satisfied

Cooper who had obtained a judgment	£800	against him.
Fine increased to	£453 10 0	
Deducted for payment of the	£480 ..	80 0 0

Fine to remaine ..	£373 10 0
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fo. 305-306. Report of David Watkins on compounder's first particular, in which he had under valued his property.

fo. 307. Petition. fo. 311. Affidavit of compounder, sworn 4 Aug. 1649 before Robert Aylett, as to the judgment obtained against him by Hugh Cooper. fo. 310. Copy of order of House of Commons as to his not being exchanged or discharged. fo. 313. Additional particular. fo. 316. Second petition.

fo. 317. Affidavit of petitioner as to the legacies of £60, sworn 16 June 1646 before Robert Aylett. fo. 321. Certificate of Wm. Barton that he had taken the National Covenant. fo. 320. Another petition; he had a wife and seven children.

fo. 323-324. Papers relating to a claim of Sir Edward Osboldeston of £400. fo. 327. Certificate signed by Adam Banckes, Clerk to the Committee of Militia in London, that petitioner took the Negative Oath before the Commander 24 Nov. 1646.

fo. 329-331. A particular of the estate.

G. clxxiii, fo. 209.

Delinquency (as above). He rendered himself before May 1646. His estate in fee £144 a year, issuing for one life £20 a year, and more in quit and other rents £29 a year. His fine at a 6th, £315.

G. cxxxviii, fo. 512, etc.

Petition, disclosing that a summons had been left at petitioner's residence directing him to appear before the Lancashire Commissioners to take the oath of abjuration, and he not appearing within the time limited the Commissioners sequestrated $\frac{2}{3}$ rds of his estate and "posted" his real estate with the intention of letting it. As

petitioner was a prisoner for debt in the Upper Bench prison upon execution, he could not attend the said Commissioners, but was willing to take the same in prison whenever they chose to appoint. He prayed for an order restraining them from selling his personal estate or letting his real (13 April 1653). An order issued, with certain conditions, complying with the prayer. fo. 514. Similar petition, without date or order.

fo. 515. A certificate signed by E. Aspinwall and John Sawrey,¹ dated at Preston 2 March 1652-3, that petitioner did that day take the oath before them.

Claim by Edward Rigby.

G. cxiii, fo. 893.

Petition of Edward Rigby of Orrell, which showed that at the date of these proceedings petitioner held and for many years previously had held the Hall of Orrell [near Wigan] and the demesne lands thereof for a term then unexpired, by lease from Francis Sherington, esq., at a yearly rental of £38; that the said Mr. Sherington having been found a delinquent and his estate sequestered, petitioner paid to the sequestrators one half-year's rent due in the year 1643; that when Prince Rupert came into the said county [1644] the said Mr. Sherington in his own person came to petitioner's house and because he had paid the rent to the sequestrators as is aforesaid he took petitioner prisoner and compelled him to pay him £11 and about 5/- in money and took also from petitioner 18 head of cattle worth £60, being petitioner's stock for his grounds, and prized and inventoried other 10 head of beasts and all petitioner's household goods, in all amounting to £200 and upwards, which the said Mr. Sherrington afterwards caused to be plundered by his servants, agents, associates and confederates; that since that time, the said lands lying within three miles

¹ Two armorial seals appended, viz.: *Aspinwall*, Two bars dancettee, Or; *Sawrey*, A chevron between three cinquefoils.

and a half of the garrison att Lathom, the enemy took by force what could be raised on those lands: by reason of all which said losses, sustained only by the means of his "maister" Mr. Sherrington, the petitioner hath been disabled from paying his rent to the sequestrators for these two years last past and is in danger tending to the impoverishment and ruin of him and his family unless they be in mercy granted relief. Petitioner prayed that the Commissioners [of Lancashire] would grant him relief and reparations for his said losses and damages out of the said Mr. Sherington's estate, wherein petitioner was then possessed; otherwise, to certify with the petitioner to the Committee above that the said Mr. Sherington might not be admitted to compound for his delinquencies until he had given due satisfaction to petitioner for the injuries and wrongs by him done as aforesaid [? 1646].

Preston in county Lancaster.

It is desired that Coll. Alex. Rigby and William Ashhurst, esq., or the one of them, will examine the truth of the matters suggested in this petition and to certifie the same to the Committee.

RICH. ASHTON, THOS. BURCHE.

JOHN STARKIE.

G. cxxviii, fo. 393, etc.

fo. 399. Informations taken at Ashurst before William Ashurst of Ashurst, esq., upon a reference from the Committee for the county of Lancaster, 4 Sept. 1646.

Gregory Bordman of Orrell, yeoman, said that about July 1644 he standing near his own house saw some men driving some cattle of Edward Rigby's of Orrell, to the number of 18 as informant conceived, out of a field then in Rigby's occupation towards Holland and presently after he (informant) saw Mr. Sherrington come up the lane and Rigby following him and exclaiming against him, saying, "Will he rob me?" or words to that effect;

and afterwards informant heard Mr. Sherrington say, "A knave! I will make him to pay me."

George Barton of the same, yeoman, said that in July 1644 the wife of Edward Rigby brought 8 cows to informant's house. Whereupon he went with her to her husband's house, and as he was going he met Mr. Sherrington with two soldiers and his man, who said to informant that he had conveyed away some cattle belonging to Rigby and that they would take informant prisoner unless he would discover where they were; and thereupon they forced him to get ahorseback behind one of the soldiers, and presently meeting Thomas Fleetwood of Holland he persuaded Mr. Sherrington and the soldiers to let informant go for that he durst answer that he did not convey the beasts as aforesaid. And thereupon they let him go.

Stephen Bordman of the same, yeoman, said that about July 1644 he met Mr. Sherrington and Edward Rigby with some soldiers that had some bundle of goods lapped up in coverletts and blankets, and at that time Mr. Sherrington said to informant words to this effect: That what he did in seizing Rigby's goods was but for Rigby's good, to save them from the soldiers; whereby informant thought he meant those of the garrison of Lathom.

John Binson, servant to Rigby, said that he saw Mr. Sherrington and his man drive 8 cows towards "a yeate" in a field belonging to the said Rigby, with an intent (as informant believed) to drive them away, but they were rescued by Rigby; and subsequently informant and Rigby's wife drove the said cows to one George Barton. And informant further said that before that time Mr. Sherrington had taken cattle from Rigby to the number of 18.

Elizabeth, wife of Edward Rigby, said that after Mr. Sherrington had taken the cattle she went to him and

charged him that he had taken from her husband 18 beasts but he said that he had only taken 17.

Hugh Hulme of Holland, gentleman, said that he having been desired to speak to Mr. Sherrington to deliver up some beasts which he had taken from Edward Rigby, as he went he met Mr. Sherrington following the beasts and informant desired him to let Rigby have his beasts. But he answered that unless Rigby would pay him his rent he (Sherrington) would have the beasts and more.

fo. 393. Examinations taken before Collonell Rigby the 15th day of October 1646 at Bradley in Eccleston, co. Lancaster.

Thomas Howell of Billinge in the said county, husbandman, said that in or about the month of June 1645, Mr. Francis Sherrington sent four soldiers from the garrison then in Lathom House unto the house of Edward Rigby in Orrell to apprehend and fetch the said Edward Rigby into that garrison; and the soldiers thereupon coming to the said house of the said Edward Rigby found him there, but he escaped from them so that they could not apprehend him but returned again to Lathom House without him, where the said Mr. Sherrington then was.

Margaret, wife of Nathan Whitfield of Orrell, yeoman, said that about 30 soldiers of the garrison of Lathom House, who termed themselves Irish soldiers, did in or about the month of March then last was twelve months, come unto the house of Edward Rigby in Orrell and there broke into the house with great violence and did there and then apprehend and take the said Edward Rigby and carried him away with them as their prisoner unto the Lodge in Lathom Park, and the said soldiers did at the same time plunder and take brass, bedding and other household goods of the said Edward Rigby of the value of 40 marks or near thereabouts, and they did then and there also plunder and take away from the said Edward Rigby's house ten cows and three mares of the said

Edward Rigby of the price or value of £55 or near thereabouts; and the said soldiers did take and carry away the said brass, bedding, household goods, cows and mares into the Lodge in Lathom Park, where a garrison of the enemy then was. And the aforesaid soldiers did at the foresaid apprehending of the said Edward Rigby and the plundering of his goods affirm and say that they did the same by the appoint [ment] and procurement of Mr. Francis Sherrington, a gentleman then in Lathom House, and that he had sent them to fetch the said Edward Rigby or to seize or bring with him all his goods unto Lathom House. And afterwards the said Edward Rigby was enlarged and set at liberty, upon payment of eight pounds for his enlargement, and then he returned again to his house in Orrell. And shortly after his return other soldiers came again from the said garrison at Lathom House unto the said house in Orrell and said that they came thither from Mr. Francis Sherrington to fetch the said Edward Rigby, and not then finding him at home they there at the said house in Orrell took and apprehended examine and took her as their prisoner to Lathom House unto Mr. Francis Sherrington, who, when he saw her and the soldiers who took her, said he had sent for Edward Rigby and not for examine, and then commanded her to go to Edward Rigby and appoint him to send butter, cheese and flesh and wheat and some money to him (Mr. Sherrington) in Lathom House that it should stand in part payment of his rent; and if he (Edward Rigby) should fail in sending such provision then he (Mr. Sherrington) would send other soldiers to fetch him and to plunder him. All which examine made known to Rigby, who then said that he would not send any provision at all to Mr. Sherrington; and about two nights after there came a great number of soldiers from Lathom House to Orrell to apprehend Rigby and plunder his goods, and they then and there

did plunder divers goods of the said Rigby and put his family in great fear, and then they said they came from Mr. Sherrington to seek for Rigby and from that time forward for about two [weeks] space he (Rigby), was, for fear of the soldiers of Lathom garrison and principally of Mr. Sherrington, enforced to absent himself from his house in Orrell and accordingly did absent himself thence.

fo. 317. Examinations taken before Collonell Alex. Rigby att Preston the 19th of October 1646.

Lewis Rigby of Upholland in the county of Lancaster, husbandman, examined, saith that Mr. Francis Sherrington did in June in the year of our Lord God 1645 and in the presence of this examinee appointe and command John Barton, Thomas Hawett and his owne servant William Gaskell, three of the then Garrison soldjers in the House of Lathom, to repaire unto the house of Edward Rigby of Orrell to apprehend and fetch the said Edward Rigby into Lathom Howse; and the said Mr. Sherrington then promised them five pounds for their paines in soe doing. And thereupon they went for that purpose unto the said howse in Orrell, but the said Edward Rigby, understandinge of their comeinge, did make an escape from them soe that they were prevented to apprehend him.

The marke of

LEWIS RIGBY.

Thomas Brinson of Orrell, husbandman, examined, saith that about the tyme of Prince Rupert's comeing into Lancashire, about the year 1644, Hee this examinant, being then servant unto Edward Rigby att his howse in Orrell, did for feare of the Enemie repaire unto Warrington to the Parliament's forces there, and did then leave att the said howse in Orrell eight and twenty head of cattle and one Stond horse, twoe geldings and two maires of the proper goods of his said master. And shortly

afterwards the said Edward Rigby did alsoe flie and come to Warrington with scarce any cloaithes upon his body, and then told this examine that Mr. Francis Sherrington hadd plundered eighteene of the said twenty eight catle and the said stond horse, two geldinges and two maires And shortly afterwards this examine did one night privately repaire to the said house in Orrell, and that very night divers soldjers did come thither from the Garrison then in Lathom Howse and did there seize and take ten Welsh Cowes of the said twenty and eight head of catle, and then affirmed that they were sent thither by Mr. Sherrington to fetch them into Lathom Howse and that they would bring them thither; and accordingly they tooke the same away. And this examine saith that the said stoned horse, geldings and mares were worth forty marks and the said tenn cowes were better worth then forty pownds and the rest of the said twenty and eight head of catle were worth better then three score and tenn pounds. And this examine saith that hee att his foresaid departure from the said howse in Orrell did leave the said howse in Orrell well furnished with divers howsehold goods of the said Edward Rigby, worth aboue forty pounds, and the greatest part of them, and to the value of forty marks at the least, were in the night aforesaid plundered and taken away by the said soldjers, who then did violently break into and much deface the said howse in Orrell.

The marke of

THOMAS BRINSON.

fo. 318. William Hooten of Orrell aforesaid, husbandman, examined, saith, that within a month after that Prince Rupert's forces were beate out of Lancashire there came eight soldjers from Lathom Howse unto the howse of Edward Rigby in Orrell to apprehend (as they said) the said Edward Rigby by the appointment of Mr. Francis Sherrington; and they then not finding

the said Edward Rigby did apprehend his wife and daughter and carried them to Lathom House, whither this examine did accompany the said wife and daughter att their entereatie. And this examine and the said wife and daughter were att their coming to Lathom Howse imprisoned in the Lodge for some few howers and then were admitted to speake with Mr. Sherrington, who then confessed that hee hadd sent the said soldjers to fetch Edward Rigby or such of his family as they cold find at his howse in Orrell. And this examine saith that tenn Welsh coves of the said Edward Rigby were by Lathom soldjers taken from the said howse in Orrell and brought to the Lodge att Lathom Howse and that they were worth then forty powndes; and this examine hath heard that these coves were fetched from the said howse in Orrell unto Lathom by the procurement of Mr. Francis Sherrington.

The marke of

Vera copia: ALEX. RIGBY.

WILLIAM HOOTEN.

**George Sherrington of Ashton in Amoundernes,
Husbandman.**

G. cxlii, fo. 651; *Cal.* v. 3187.

Petition, showing that $\frac{2}{3}$ rds of his estate had been sequestered for recusancy only. He therefore prayed to be admitted to contract for the same (13 January 1653-4). Referred to Mr. Reading.

Ellen Shires *see* John Calvert (above ii, 4).

Agnes Shorrocke of Euxton, widow.

G. cxvii, fo. 29; *Cal.* v. 3187.

Petition, which disclosed that $\frac{2}{3}$ rds of her estate had been sequestered for her recusancy only. She prayed to be admitted to contract for the same (13 Jan. 1653-4). Referred to Mr. Reading. This petition was signed and presented for her by Mr. Wm. Dicconson, her solicitor.

Lawrence Shorroock of Fulwood.G. cxvii, fo. 4, etc.; *Cal.* v, 3196.

William Shorrocke of Fulwood, administrator of the goods and chattells of Lawrence Sharrock, on behalf of himself and 6 poor infants, children of the said Lawrence, petitions that the sequestration of certain lands in Fulwood might be discharged, it having been laid on for the recusancy of the said Lawrence, then dead (19 Jan. 1653-4). It was referred to Mr. Reading, whose report (fo. 3), dated 8 Sep. 1654, shows that it was alleged in the said petition that the said Lawrence Sharrock [petitioner's], father, was possessed of a messuage and several closes of land in Fulwood, which had been in his lifetime sequestered for his recusancy; that the said Lawrence was dead and had left nothing for the bringing up of the said poor infants except the said tenement, the interest whereof was in petitioner and the said infants. On perusal of the said petition the London Commissioners ordered the Lancashire Commissioners to certify, and it was referred to Mr. Reading.

The Lancashire Commissioners on 23 April 1654 returned several depositions taken in pursuance of the said order and certified that $\frac{2}{3}$ rds of the estate had been sequestered in the year 1643 for the recusancy of Lawrence Sharrock and then continued so. The depositions taken (fo. 4-6). Hugh Wadsworth deposed as to the sequestration of the property, and to the death of Lawrence in September 1653, being buried at Preston; he knew the children of the said Lawrence and the unexpired term in the property was 14 years, which he the better knew as the tenement at the expiration of the term would come to him, it being his inheritance. Richard Lazering deposed to the like effect. After referring to the customary Official Certificate Reading submitted to judgment whether the premises sequestered for the recusancy of Lawrence Sharrock, he being then dead, ought not to be relieved.

fo. 7. Order referring case to the Lancashire Commissioners. fo. 8. Petition. fo. 9. Letter from Lancashire Commissioners, dated at Ormeskirk 28 April 1654, signed by Edward Aspinwall, and Rd. Massey. fo. 11-16. Interrogatories and deposition. fo. 17. Certificate as to what proceedings had been taken in the case. fo. 20. Deposition of Hugh Wardsworth. fo. 21. Certificate as to annual value. fo. 22. Same as to petitioner William Sharrock not having been convicted for recusancy. fo. 23. Petition (23 March 1653) on which the reference to Mr. Reading was made. fo. 27. Petition (19 Jan. 1653-4).

On Jan. 1654-5 the claim was allowed and the sequestration discharged.

G. clxxiii, fo. 525.

Letter, dated at Wigan 15 January 1654-5, signed by E. Aspinwall and Rd. Massey, mentioning that in observance of an order of Dec. 14 1654, made upon Mr. Reading's report in the case of William Sharrock, who was administrator of Lawrence Sharocke then deceased. They had examined John Sudell upon interrogatories for proof of the matters in the petition mentioned (copies enclosed).

fo. 525. Interrogatories administered to witnesses.

fo. 526. Examination of John Sudell of Fulwood, taken before the Commissioners for the County Palatine of Lancaster 15 January 1654-5. He said he knew William *son* of Lawrence Sharrocke, then late of Fulwood, deceased, but never knew William Sharrocke of Brindle. But he was well assured that if William Sharrock of Brindle had any estate seized into the then late King's hands about Aug. 1 1628, it was not William son of Lawrence Sharrocke of Fulwood, because as he was then (at time of swearing) not twenty-three years of age. Deponent therefore knew the two were different persons, and he knew that this William Sharrocke never lived

at Fulwood. He said that William son of Lawrence Sharrocke never had any estate except in Fulwood and that only after his father's death about a year then ago, that he never lived elsewhere, and assuredly believed that he never wrote or styled himself " of Brindle " or any other place than Fulwood.

Ralph Shorrocke of Walton, Yeoman.

G. clxxxviii, fo. 664, etc; *Cal.* ii, 1493.

Delinquency in arms against Parliament. He petitioned 17 Sep. 1646, took National Covenant before Wm. Barton 16 Sept. and the Negative Oath in the County 3rd Sept. 1646.

He compounded on a particular which disclosed that he was seised in fee of a moiety of certain lands in Walton [le Dale] worth £11 a year, the other moiety to come to him at death of his mother, also worth £11; that he had a frank tenement for life, if 3 other lives lived so long, of other lands and tenements in Walton worth £5 a year; the remainder of a lease of 10 years, if 3 other lives so long lived, of other lands, &c., in Walton; also at end of 7 years, a similar holding for 3 lives of lands, &c., in Walton worth £1 10s. a year; also a frank tenement during one life of lands in Walton and in Barnoldswееke, Co. York, worth £1 1s. 8d. a year. Debts due to him amounted to £84 15s. and those due by him to £200. Fine £50.

fo. 667. Petition, in which he stated he had been in the service of Sir Gilbert Houghton and took up arms by his Master's command and went against Blackburne, a town then in the hands of the Parliament.

fo. 668-669. Particular of his estate. fo. 670. Certificate that he had taken the National Covenant.

fo. 672. Preston in Lancashire.

Att the Committee 7 ber. the 3rd 1646. Itt is ordered that Raphe Sharrock, now prisoner in the Marshall's custodie, bee forthwith released from his imprisonment

hee having this day taken the oath of the fifth of April 1645¹ Sett forth by Ordinance of Parliament.

ALEX. RIGBY.

JOHN STARKIE.

RICHARD ASSHTON.

THO. BIRCH.

A. RIGBIE.

William Shorrock of Walton-le-Dale.

G. cxvii, fo. 25; *Cal.* iv, 3059.

fo. 25. Petition, in which William Sharrock prays to be allowed a discharge of the sequestration of two parts of his estate, which had been seized and sequestered (4 Nov. 1652). Referred to Mr. Reading to report.

G. clxi, fo. 223, etc.

Letter, dated at Lancaster 19 March 1652(-3), signed by E. Aspinwall and John Sawrey, mentioning that in observance of an order of 4 Nov. then last—which they received on the 10th Feb. 1652(-3)—made upon the petition of William Sharrock of Walton, there having been no witnesses at all produced before them by the petitioner, they certified that upon perusal of the former agent's accounts they found that in the year 1643 $\frac{2}{3}$ rds of petitioner's estate was sequestrated for his recusancy and had so remained; which was all they knew or could find touching the same, except that they had received a certificate under the hands of the minister and churchwardens of the parish of Blackburn of his then conformity (copy enclosed) and that petitioner had also gone before them and taken the oath of abjuration.

fo. 223. The certificate mentioned above, signed by Leonard Clayton, minister, Richard Morris, parish clerk, John Abbot, Tho. Pickeringe, Jo. Sudell and Lawrence Ainsworth (no date).

G. cxviii, fo. 1, etc.

Petition, which shewed that $\frac{2}{3}$ rds of petitioner's estate

¹ Usually called the Negative Oath.

had been laid under sequestration for his recusancy and "that God by his marvelous light hath discovered unto your petitioner the darke and erronious wayes of the popish religion wherein he was bredd. Out of a sence thereof and in testimony of his conformity to the protestant religion your petitioner doth frequent the Church and doth partake of the Ordinances of God there, and hath solely and sincerely taken the oath of Abiuration before your Commissioners in the said County of Lancaster as by a certificate from the said Commissioners appears. And that by the severall Statutes of 23 Eliz. cap. 1°, 29° Eliz. 6 (?), 35 Eliz. 1°, 1° Jacob, 4°, 23 Jacob, 4°, It is provyded that all forfeitures and penaltyes for recusancy shal be discharged and taken off upon conformity.

Your petitioner humbly prayes that haveing conformed himselfe according to the lawes in that case made and provyded he may have the benefit thereof and the said Sequestracion be discharged.

And he will ever pray, etc.

WILL'M SHARROCKE.

No order, or date.¹

Richard Shuttleworth of Bedford.²

G. cxvii, fo. 436; *Cal.* iv, 2927.

Petition of Frances Shuttleworth, widow, William Gerrard and others, guardians, on behalf of herself and Richard Shuttleworth her son, an infant, which shewed that Richard Shuttleworth, the husband of Frances, was dead, and that his estate had been sequestered for his delinquency. The estate should have descended to Richard the son, who was being educated according to the Church of England, and ought to have

¹ On margin "(Received 16 Sep., 1653)."

² Wrongly described as "of Gawthorp." Richard the father died about 1650; Frances his widow was a daughter and coheir of Richard Urmston of Westleigh; Richard their son, then 8 years old, joined the Jacobite rising of 1715 and incurred forfeiture; *V.C.H. Lancs.*, iii, 434.

been discharged of his father's delinquency, and the widow also ought to have had her thirds and enjoyed them without molestation. Petitioner therefore prayed for a copy of the charges, also an inquiry, &c.; and meantime that she and her son's guardian's might be permitted to receive the profits (upon security). The enquiry was granted, but not the prayer to receive the rents (15 June 1652).

Henry Simpkin *see* **Charles Gerard** (above iii, 18).

Margery Simpkin or Goare.

G. cxxi, fo. 676, etc.; *Cal.* iv, 2840.

Petition of Gilbert Taylor of Bickersteth, husbandman, which disclosed that one Edward Simpkin of Bickersteth in his lifetime was seised of a certain messuage by lease from Sir Edward Stanley, late then of Bickersteth.¹ for the term of the natural lives of him the said Edward, Margery his wife and Thomas his son. Subsequently the said Edward died, and Margery his wife became possessed of a third part of the said tenement in right of her widowhood. The other two parts came to Thomas her son, who was slain in the Parliament's service, and petitioner intermarried with Susan, widow and relict of the said Thomas, and afterwards compounded for a new lease for lives with Sir Thomas Stanley, son and heir of the said Sir Edward. But so it was that two parts of the third part of the said messuage became sequestered for the recusancy of the said Margery, who afterwards became the wife of John Goare, and so still continued notwithstanding that the said Margery died and was buried in January 1649(-50), and notwithstanding that he had obtained an order from the former Committee for the discharge of the sequestration. He therefore prayed for the discharge, or that his title might be examined (no date or order).²

¹ He died in 1640.

² The *Calendar* gives the date as 1 March, 1652-3.

fo. 705. Former petition (26 June 1651). Referred to Mr. Reading.

On 18 July, 1654 the claim was allowed, on John Goare's making oath that he had no estate therein save in right of his wife.

John Simpson *see* **Thomas Gerrard** (above iii, 45).

Mary Singleton of Scale, Widow.

G. cxvii, fo. 626; *Cal.* iv, 2695.

Petition, which mentioned that the small estate left to her for the maintenance of herself and family had been sequestered for her recusancy only. She prayed, as allowed by the Act and Votes of Parliament, to be allowed a third of the profits, with arrears from 24 December 1649 (22 January 1650-1). Ordered: "3rd parte."

Other petitions will be found above (i, 224, 225), under the case of John Bradshaw of Scale. On 4 May, 1654 an order was made allowing her annuities of £14 and £6 on Bradshaw's estate. See also Thomas Walmsley.

Thomas Singleton of Aldingham.

G. cxvii, fo. 620; *Cal.* iv, 3111.

Petition, which disclosed that petitioner was included in the then late Act for Sale; that his estate had been surveyed and the return sent up to London. Under the proviso in the act he petitioned to be admitted to compound for the same (13 May 1653). Referred to Mr. Reading to report.

G. ccxxv, fo. 643.

Report by Mr. Brereton, by which it appears that petitioner was one of the persons comprised in the Act for Sale of Lands forfeited for Treason, by the name of Thomas Singleton of Dendron in Furness. His estate was surveyed according to the Act, and returned to the Surveyor General 16 April 1653. A copy was transmitted on 13th May to the Committee and a petition was filed the same day. By the survey it appeared that petitioner was seised of a messuage or tenement in Dendron in Furness, in the parish of Adlingham, with certain parcels

of land meadow and pasture and of three beasts' gates, or common of pasture, with their appurtenances in a field called Whynall, of the yearly value in all of £8 1s. 8d. The premises had been set by the Commissioners for 7 years from 2 Feb. 1650(-1) to one Thomas Asburner at a rental of £4, but were worth £4 1s. 8d. more on improvement. Petitioner held the premises to him and his heirs by copy of court roll, according to the custom of the manor of Michelland, at a rental of 24s.

Fine at $\frac{2}{3}$ £41 6s. (10 June 1653).

fo. 645. Petition. fo. 649. Order for reference to Mr. Brereton.

Thomas Singleton of Dalton-in-Furness.

G. cxvii, fo. 631; *Cal.* iv, 2707.

Petition of Thomas Singleton and Katherine his wife, on behalf of themselves and their four children, which disclosed that petitioner's intermarried in 9 Charles I [1633-4]. The father of Katherine, one Thomas Curren, was by agreement upon marriage, to settle two messuages and certain lands in the manor of Dalton, co. Lancaster, upon petitioner Thomas and his said wife and the heirs of their bodies; which by indenture dated 22 Feb. 9 Charles I [1633-4] he did, and the deed, according to the custom of that manor, was presented at the court of the said manor. In consideration petitioner paid Thomas Curren the sum of £200 and enjoyed part of the estate till the death of Curren, who died about three years before these proceedings, and after his death petitioner ought to have enjoyed the whole of it according to his title. Petitioner being sequestered for his own delinquency, he alleged that the above estate should also have been sequestered for the use of the Commonwealth, and his wife and children ought according to the ordinance to receive a fifth part; but it so happened that Margrett the relict of Curren was in possession of the premises

and held the same from the State and from petitioner without any manner of title. Petitioners mentioned that Mr. Recorder Steele had prepared and signed a report ready for the barons of the Exchequer showing the truth of these allegations, and petitioners prayed for an order for the sequestration thereof and to allow petitioners and their children a 5th of the profits (9 Feb. 1650-1). Ordered that the premises be sequestered if the party in possession did not show cause within 4 weeks. It is referred to Mr. Brereton to examine the title.

The above has been wrongly noticed as an omission above (v. 178), being entered in the *Calendar* under Curren.

William Singleton of Broughton near Preston.

G. lxxv, fo. 55; *Cal.* v, 3201.

Petition of Thomas Clayton of Chorley, gent., which showed that petitioner had or claimed an interest in certain lands in Chorley, sequestered for the recusancy of William Singleton, deceased; that upon hearing the report in the case the Commissioners ordered that further proofs should be made as to the death of the said Singleton and also as to whether petitioner had a real interest in the property or whether it was in trust. Petitioner stated that several witnesses had been examined and full proofs given, as certified by the Lancashire Commissioners, and he prayed that the sequestration might be taken off the lands and that he might enjoy the same (10 Oct. 1654).

"This and other order 27 July 54 read and a Return from Lancaster 30 Sept. 1654 and Mr. Graues heard. Order: that the clayme be allowed, sequestration discharged and arreares since—be paid."

fo. 60. Petition 16 Feb. 1653(-4). "Commissioners in County to Certifie. Mr. Reading to report."

fo. 67. Report by Mr. Readinge (15 June 1654) upon a petition of Thomas Clayton [fo. 53] based upon an order of the 15 Feb. 1653(-4). He found that by an indenture dated 12 April 1648, made between William

Singleton of the one part and Richard Brewer, William Crook, John Slater and another on the other part, William Singleton, in consideration of £44 by him received from Edward Daniell (his nephew), assigned to the said Richard Brewer and the others named all that his messuage, &c., and lands in Urton *alias* Durton and Farnalk [Fernyhalgh] in the said County, then in his own tenure, to hold to the said Richard Brewer, William Crook, John Slater and Richard Blacoe and their heirs to the uses in the said indenture expressed—namely, to the use of the said William Singleton and his assigns for life, and after to the use of the said Edward Daniell and Ellen his wife and their assigns for their several lives, without impeachment of waste; after to the use of the heirs of the body of the said Edward Daniel lawfully begotten; in default to Thomas Daniells brother of the said Edward for life, and after to the use of the heirs of the body of the said Thomas lawfully begotten; chargeable with the yearly payment of £4 to the poor of Broughton in Amondernes at Whitsuntide and Martinmas. The signing, sealing and delivering were upon condition that if the said William Singleton at any time during his lifetime paid or tendered to the feoffees named therein or any of them 12*d.* before two witnesses, saying “his mind is to alter the same and make it void,” that then it should be merely void and of none effect. It was endorsed that on 17 April 1648 possession and seisin of the premises were given by the said William Singleton to the said feoffees; proved by the oath of Matthew Arkwright, one of the witnesses endorsed.

He also found that by an indenture (in paper) dated 7 January 1653-4, made between the said Edward Daniell and petitioner, reciting the indenture of 12 April 1648, the said Edward Daniell in consideration of £35 10*s.* transferred the said premises to petitioner, his heirs and assigns for 21 years from the date thereof. Proved

to have been sealed and delivered about the day of its date, by Hugh Wadsworth, gent.

The Lancashire Commissioners in answer to an order of 15 February 1653-4 transmitted depositions and certified that two-third parts of the premises were in the year 1645 sequestered for the recusancy of William Singleton, deceased.

After reviewing other facts bearing on the case, Reading submitted for judgment whether the said Edward Daniell and Thomas Clayton should not be examined whether the state made unto the petitioner were *bona fide* and for real consideration and not in trust for the said Edward Daniel or any other recusant, before the sequestration was discharged.

fo. 73. 15 Feb. 1653(-4) order of reference to the Lancashire Commissioners. fo. 74. Petition (copy) of equal dates. fo. 75. Communication, dated at Preston 17 March 1653(-4), mentioning what steps had been taken and enclosing examinations of witnesses. fo. 77. Interrogatories administered on behalf of petitioner. fo. 79. Deposition of Hugh Wadsworth, sworn at Preston 16 March 1653(-4). fo. 81. Deposition of Matthew Arkwright. fo. 82. Deposition of Hugh Wadsworth of Houghton, gent., aged 32 years; sworn same day. fo. 83. Interrogatories on the part of the Commonwealth. fo. 84. Examination of Matthew Arkwright and Hugh Wadsworth. fo. 86. Affidavit of Hugh Wadsworth, sworn before the Commissioners 1 May 1654. fo. 87. Certificate as to what proceedings had been taken in the case. fo. 90. Certificate showing that no person of the name of Edward Daniell appeared in the Lancashire books for the year ended 1 January 1652(-3) as being or having then been under sequestration.

John Skirrow *see* Elizabeth Townley.

William Slater of Broughton near Preston.

G. cxxxix, fo. 334; *Cal.* v, 3200.

Petition of Robert Cowell of Whittingham, yeoman, Kinsman and Guardian of Thomas Slater, an infant, son and heir of William Slater, then late of Urton alias Durton [in Broughton], deceased, which showed that the father died seised in fee of messuages and lands in Durton $\frac{2}{3}$ rds of which was sequestered for his recusancy. He being dead, Thomas his eldest son and heir now prayed for an examination of his title, &c. (31 January 1653-4). Granted: Mr. Reading to report.

On 27 July, 1654 the claim was allowed, unless it were shown that William Slater was still living.

Daughter of Roger Smalley of Balderston.

G. c, fo. 482, etc.; *Cal.* v, 3199.

Petition of Ralph Livesay of Livesay, gent., which disclosed that one Roger Smalley of Balderston in the county of Lancaster, gent., deceased, did in 15 James I [1617-8] demise several parcels of land to Elizabeth, Alice, Jane, Beatrice and Mary Smalley his daughters for 21 years to commence after his death. He died 12 January 1632(-3), and immediately the daughters entered upon possession and enjoyed the same for the term assigned. Robert Smalley, son and heir of the devisor, sold his reversion in the premises to petitioner, but it so happened that two-third parts of the same were sequestered for the recusancy of the daughters and so remained. Petitioner therefore prayed for an order discharging the sequestration, or failing that, an order to examine his title. This was granted, Mr. Reading to report (24 January 1653(-4).

fo. 483-90. The report, dated 10 May 1654. fo. 491-7. Various papers of the usual character.

On 18 May, the claim was allowed, provided Robert Smalley was not convicted of recusancy before 22 Aug., 1650.

Christopher Smith *see* **Clitheroe** (above ii, 69).

Edward Smith of Snape.G. cxviii, fo. 1; *Cal.* iv, 2827.

Petition of William Smith of Snape, gent., which showed that Edward Smith of Snape aforesaid, deceased, petitioner's father, who died in May then last (1651) was a recusant but not convict, and thereupon his estate (which was one for his life only), lying in the county of Lancaster and mentioned in a particular annexed to the petition, was sequestered by the then late Committee and so continued to petitioner's great damage; that petitioner was his eldest son and neither recusant nor delinquent as was attested by certificates annexed, but was and always had been well affected to the Parliament and was then prepared to take the oath of Abjuration. He therefore prayed that the sequestration might be removed and that he might be permitted to enjoy the same, he having no way incurred the displeasure of the Parliament (11 June 1651). "The Commissioners to examine and certify and whether petitioner be a recusant or delinquent, &c."

fo. 5. "Wee whose names are subscribed being Justices of the Peace within the county of Lancaster. Doe certify to those whom itt maye concerne that Will'm Smyth of Snape within Scarisbrick in the Countie aforesaid is sonne and heire to Edward Smith deceased (who was sequestered for his Recusancie), and that the said Will'm Smith his Sonne is a good Protestant and Dailie frequents the Church att tymes of publique Worship. In witnesse whereof Wee haue subscribed our names the three and twentieth Daie of October Anno Dñi 1650.

"P. STANLEY

"Jo. FOXE."

fo. 6. Particular of his Estate. fo. 9. Certificate signed by William Dun, Minister at Ormskirk, Thomas Farrar, Henry Ormishaw, Henry Hill, churchwardens, declaring that petitioner's father, who died very aged in

May 1650, was a Popish recusant; that his property was sequestered; and that petitioner, his son and heir, was a good Protestant and constantly visited either church or chapel within the parish at public worship. Beneath, on same sheet is a certificate signed by James Starkie, pastor of North Meols, Robert Rimer and William Lunte, churchwardens, declaring that petitioner had received the sacrament at North Meols church 1 Sep. 1650.

fo. 63. Report by Mr. Reading, dated 2 Nov. 1652. After briefly reviewing the case he submitted to judgment whether the sequestration of the premises for the recusancy of Edward father of petitioner should not be discharged.

fo. 67. Order referring matter to Mr. Reading by copy petition. fo. 71. Petition. fo. 73-8. Letter from Lancashire Commissioners and examinations of witnesses.

G. clviii, fo. 506.

Communication, dated at Preston 6 November 1651, in observance of an order dated 11 June preceding on the petition of William Smith of Snape, gent., mentioning that they had enclosed copies of the examinations and that they knew petitioner was conformable to the then government and that so far as they knew he had never been recusant or delinquent.

fo. 503-4. Examinations taken at Preston 3 of October 1651. John Haword of Scarisbricke, yeoman, deposed that he witnessed Edward Scarisbricke of Scarisbricke, esq., seal as his act and deed and deliver to Edward Smith and William Smith, his son and heir apparent, an indenture of lease dated 16 October 1641; that the said Edward Smith died and was buried in the parish church of Ormskirk in the month of May 1650. He knew that the estate was sequestered from the said Edward for his recusancy only, and deposed further to the loyalty, &c., of petitioner.

On 6 Jan. 1652-3 the sequestration of two-thirds of the estate was discharged.

James Smith, Minister of the Chapel of Rainford.G. cxvii, fo. 1153; *Cal.* v, 3266.

Petition, which disclosed that the Committee for Plundered Ministers did by their order of 17 March 1646-7 (a copy annexed) grant and allow to petitioner the sum of £40 a year out of the rectory of Prescott, sequestered from the then late Earl of Derby, for the Maintenance of the minister of the said chapel of Rainford within the parish of Prescott; which said sum had been duly paid to the minister by the sequestrations of the premises until their honours appointed the new commissioners for sequestrations, who had refused to continue the payment thereof as formerly unless they should receive a special order from above. He therefore prayed for an order to the new commissioners directing them to make payment in future; also to pay him the arrears which had accumulated since 29 Dec. 1649 (18 June 1652). "Ordered that the Commissioners do Certifie as to the person touching his life and Ministry and whether he hath taken the engagement; and thereupon further order shall be given."

fo. 1155. Copy of Original order allocating the sum of £35 from the tithes of the rectory of Prescott to the minister of the chapel of Rainford (dated 25 Nov. 1645).

fo. 1157. Second petition (27 Oct. 1652). By the order of the Commissioners it appears that the Commissioners below had not made the return the London Commissioners had asked for, and they were asked to explain the reason.

fo. 1159. "These are to certify to all whom it may concerne that Mr. James Smith, Minister at the Chapel of Rainford in the Parish of Prescott in Lancaster, hath taken and subscribed the Engagement according as it is appointed by Act of Parliament."

Given under our hands and seals this 20 of July 1652.

"EDW. ASPINWALL.

"G. PIGOT."¹

¹ Armorial seals. Aspinwall as before; *Pigott*, Three fusils in fess.

G. cxvii, fo. 1102.

Petition of Bridget Smith, widow, shewing that petitioner's husband was for six years then last past minister at Rainford, where, because the certain means for maintenance there was very small and no ways able to support him and his family, the then late honorable Committee for Plundered Ministers granted him an augmentation of £50 a year out of the sequestered impropriations of Culcheth and Bedford in the sd. county; which was afterwards confirmed by the Commissioners above and had constantly been paid to him until about three months then last past, when petitioner's husband fell sick and died, leaving petitioner and three small children in a sad and disconsolate condition. They notwithstanding had procured the said place well supplied by godly, able neighbouring ministers ever since until the then last Midsummer, when one half year's pay of the said augmentation became due, which the commissioners in the county refused to pay without an order from above. She therefore prayed for an order directing the Lancaster Commissioners to pay her for the better support of herself and her small children, it being the only cause moving her friends and neighbour ministers to assist her therein (6 Sept. 1654). "Ordered, 15 Sept. 1654."

G. cxvii, fo. 1103.

By the Commissioners for Sequestracions.
Ormiskirke in County Lancaster.

These are to Certify whom itt doth or may concerne—

That wee are well satisfied by informacion that the Chappell of Rainforth hath beene provided for with a preacheinge minister every Lord's day betweene the 25 of December and the 24 of June last:

And that Mr. James Smith, late Minister there, or any other for his use hath not received any Salary which hath growne due since the 25 of December last past, but that the same is wholly in Arreare.

E. ASPINWALL.

RO. MASSEY.

John Smith of Euxton.G. cxvii, fo. 1240; *Cal.* iv, 3105.

Petition of John Smyth of Euxton, yeoman, to be allowed to compound for his small estate in Euxton, held in right of Jane his wife, for her life (she being relict of Lawrence Remington). It has been included in the late additional Act for Sale (15 April 1653). Referred to Reading.

Nicholas Smith of Tatham.

G. cxvii, fo. 993.

Printed Certificate exhibiting that the above was a person qualified to preach the Gospel as in and by an Ordinance required, and therefore fit to receive such Augmentation as had been then formerly settled upon him or the place where he preached. Dated 30 May 1654. Signed John Nye, Registrar.

Thomas Smith — see **Sir Thomas Fleetwood** (above ii, 345).

Lambert Smithburst.G. cxlii, fo. 647; *Cal.*

Petition, shewing that $\frac{2}{3}$ ds of his estate had been sequestered for recusancy only. He therefore prayed to be admitted to contract for the same (18 January 1653-4). Referred to Mr. Reading.

Henry Snart.G. clx, fo. 258, etc.; *Cal.* iv, 2767; v. 3218.

Letter dated at Preston, 10 May 1651, signed by Peter Holt, Rob. Cunliffe, and G. Pigot, mentioning that in observance of an order of the 22nd April, 1651, upon the petition of Henry Dandie, husbandman, they had examined witnesses in the case and enclosed copies, and certified that the lands in the petition mentioned were under sequestration for the delinquency of Henry Snart, deceased, who had the same in lease from Lord Strange.

fo. 259. Examinations taken at Preston the 9th May, 1651, of John Wicklife, of Lathom, yeoman; Henry

Jackson, of Bretherton, husbandman; (fo. 260) George Morres, of Tarleton, husbandman; and (fo. 261) Andrew Rutter, of the same, husbandman.

G. cxli, fo. 582, etc.

Petition of Henry Dandie of Bretherton, husbandman, disclosing that in a former petition presented petitioner set forth that the then late Earl of Derby had by indenture dated 2 Feb. 13^o Caroli [1637-8] demised to one Henry Snart a messuage and certain lands in Bretherton of the yearly value of £8 10s., to have and to hold for the lives of the said Henry, Jane his wife and Jennet his daughter; that Henry Snart dying about seven years then preceding petitioner, who married the said Jennet, entered as occupant upon the said messuage in the presence of several witnesses and endorsed the fact on the back side of the lease, whereby he by the laws of the land became entitled to the profits. But the premisses having been sequestered for the delinquency of the said Henry, petitioner could not enjoy the premisses without an order from the Commissioners above. He therefore prayed that his case might be again referred to Mr. Brereton, and that the Lancashire Commissioners might be directed to examine whether the premises were sequestered before the death of Henry Snart or subsequently; and if the latter, what were the acts of delinquency and the time when committed; and to examine such witnesses as petitioner should produce in proof of his title (19 Dec. 1651). Agreed to.

G. clx, fo. 264.

Letter from Preston, dated 24 February 1651[-2], enclosing additional examinations in the same matter; and of (fo. 265) William Dandie, of Tarleton, husbandman, aged fifty-two years.

G. cxviii, fo. 405.

Order to take possession of a messuage and lands in Bretherton and a parcel of meadow land, late parcel

of the estate of Henry Snart, sold to William Dicconson gent., on 3 July 1654.

**John Somner of Leyland, Yeoman, and
William his Son.**

G. cxcv, fo. 341, etc.; *Cal.* ii, 1606.

Delinquency, the father left his habitation, went to and lived at Lathom House while it was a garrison; the son's was a like offence. It was certified by Col. Richard Thornton that subsequently the son joined the Parliamentary Forces, was under General Poyntz at Newark and elsewhere as quartermaster of his regiment. The father, 80 years of age, took the National Covenant before James Langley, vicar of Leyland, on 15 March 1645[-6] and the Negative Oath before the Committee on 13 May 1646; the son took the National Covenant before Wm. Barton on 10 Dec. 1646 and the Negative Oath on 19 Dec. same year.

They compounded on a particular which disclosed that they were seised of lands, in possession with reversion to son, lying in Ulneswalton and Leyland, worth £30 13s. 4d. a year; also other lands in Ulneswalton under demise from a Mr. Leigh at 15s. rent, worth above the reserved rent £4 10s.; also other lands in the same place worth £3 10s. a year; also, after the death of one life, other lands in Leyland worth 10s. a year; also two other like reversions worth each 10s. and 31s. There were debts owing to petitioner amounting to £149 and by him £120 10s.

31 Dec. 1646. Fine at one-tenth, £85.

fo. 344. Joint petition. fo. 346. Certificate signed by Jo. Langley, vicar of Leyland, that Jo. Sommer had taken before him the National Covenant. fo. 348. Certificates by Wm. Sommer's commanding officer that he had served the Parliament willingly and faithfully. fo. 349. Certificate signed by John Starkie,

Edward Rigby, Richard Asheton and H. Fletewood that John Sommers took the Negative Oath before them; it directed all whom it may concern to let him reside at his own house without molestation till further order.

fo. 352. Deposition by Roger Blackhurst of the city of London, dyer, stating that he had received several letters from Wm. Sommers requesting deponent to petition at Goldsmith's Hall for him. fo. 353. Deposition by Wm. Sommers, one of the petitioners. fo. 355. Particular of the estates. fo. 357. Certificate of Wm. Barton that Wm. Sommers had taken the National Covenant before him on 19 Dec. 1646. fo. 359. Schedules of names of persons owing money to petitioner John Sommers, and by him. fo. 361. Certificate by Rich. Thornewton that Wm. Sommers was quartermaster of his regiment from 24 Oct. 1645 to Nov. 1646.

John Sompner of Chorley, Yeoman.

G. ccxxxiv, fo. 127; *Cal.* iii, 1739.

Discharged from composition, his estate being less than £200 (29 Apl. 1647). Similar action to be taken by the local committee in all like cases.

Timothy Sompner *see* **John Southworth.**

George Sorocold *see* **Sir William Gerard** (above, iii, 53) and **John Lancaster** (iv, 54).

Thomas Sorocold, &c. *see* **Thomas Holland** (above, iii, 244).

John Southworth of Samlesbury, Esq.

G. cxviii, fo. 557, etc.; *Cal.* iv, 2621.

Petition, which disclosed that petitioner, knowing himself to be free from any delinquency, had appealed to the Barons of the Exchequer and had had several orders to the Lancashire Committee to furnish petitioner with the heads of the charge against him and to examine his witnesses. Though he frequently attended upon them he never could obtain observance of the said orders, so that petitioner was worn out by long attendances and

the necessities of his wife and six children. He therefore chose rather to submit to a fine than any longer lie under the sad condition he was then in, and he had had his fine set at £358 18s. 9*d.* To pay this and some other debts he mortgaged his estate for the sum of £500, paid his fine and obtained an order for the discharge of his estate from sequestration; yet the Lancashire Commissioners refused to discharge it, on the supposition that in a petition he had filed in May 1649 he was described as being a recusant, which he alleged had been stated by his solicitor without petitioner's knowledge. He never had been convicted for recusancy or sequestered, but he had and did frequent the church and had for satisfaction taken the oath of abjuration. He prayed for an early settlement of the matter. (5 Dec. 1651). Ordered to be heard on 17th.

fo. 559. Petition (3 June 1651), asking to be allowed to pay his fine. fo. 561. Certificate, dated 3 Dec. 1650, stating that the fine had not then been confirmed. fo. 562. Affidavit of petitioner, sworn before the Commissioners 10 May 1651. fo. 565. Petition (11 March 1651-2).

G. ccxx, fo. 389, etc.

Petition: "That hee hath beene long upon his appeale before the Barrons, where his cause remains undetermined, as by the certificate of Mr. Vaughan of the 29th November 1650 appeares; but he desires to submit to composicion." He petitioned 22 November 1650, and compounded upon a particular which disclosed that he was seised in fee of the manor of Samlesbury and other lands there of the yearly value of £16 10s. 11*d.* Fine £358 18s. 9*d.* (3 Dec. 1650). "25 June 1651—confirmed J.R." fo. 392. Petition.

fo. 393. Particular, in which he describes the "other lands" as three small tenements in Samlesbury called Leeds, Waddington's and Eastham's tenements. He also mentions that he was seised in his demesne in fee tail,

as appeared in the will of Sir John Southworth, knight, deceased, that he also had a water corn mill there, and he sets the value yearly at £70; also the £16 10s. 11*d.* above, being old rents in Samlesbury and Meller.¹

fo. 395. Certificate signed by R. Vaughan, Reg., dated 29 Nov. 1650, stating that compounder's cause was at that time depending before the Barons of the Exchequer, commissioner of Appeal, in cases of sequestrations, and had not been determined.

G. clx, fo. 411, etc.

fo. 413. Letter, dated at Preston, 8 Nov. 1651, signed by Robt. Cunliffe and another,² acknowledging receipt of the order of 20 June preceding, for freeing the estate from sequestration upon a composition made for the same. But as he had been sequestered as a Papist delinquent they had made some stay thereof until they should have acquainted their honours therewith. Since which time they had received two several certificates, the one from the deputy clerk of the peace in Lancashire and the other from the deputy clerk of the Upper Bench in the same county (copies whereof they enclosed), certifying that they did not find any record showing that petitioner had ever been convicted of recusancy. Whereupon they thought it their duty to certify the whole business and to state that he had always been reputed a Papist till then recently he had (as they had heard) become conformable, but his wife then remained a Papist; and they found from the papers turned over to them by the old Committee, that in his petition to the Barons in May 1649 (a copy enclosed), appealing against a conviction for delinquency, he admitted his recusancy: all which they submitted, promising readily to obey any further directions.

fo. 411. Petition to the Barons of the Exchequer.

fo. 412. Copies of certificates as to searches of the records

¹ At foot a calculation: 70—210; 16-12—149; [Total] 359.

² The bottom of the sheet has been cut off, making it impossible to decipher the signature.

and what was found. fo. 412-418. Examinations of witnesses: John Cowell, Margery Hutch, James Sowerbutts and petitioner.

11 March 1651-2. The estate was discharged, with arrears from 20 June 1651.

Claim of John Nowell and Others.

G. cvi, fo. 649.

Petition of John Nowell of Mearley, co. Lancaster, gent., Elizabeth his wife, Timothy Sompner of Choarley, gent., and Jane his wife, referring to a former petition, which showed that an order had then been obtained directing the Lancashire Commissioners to state the reasons wherefore they had sequestered the estate of petitioners and what else they knew about the matter. But by that order the said Commissioners had no power to examine witnesses on oath. They prayed therefore for an order empowering them. Granted and referred to Mr. Readinge (29 April 1651).

fo. 651. The petition previously presented, which disclosed the nature of petitioner's case. It appeared that Thomas Southworth, esq., died seised of an estate in fee of the manor of Mellor, with the lands belonging thereto, and of other lands and messuages in Samlesbury, having issue two sons, Thomas and John, and two daughters, Elizabeth and Jane two of the petitioners; that the two sons, Thomas and John, died without issue shortly after their father, and that the premises thereby descended to the two daughters as coheirs to their father and brothers. They thereupon entered into possession but were interrupted by John Southworth, their uncle; but upon an information laid in the Court of Wards they obtained possession again and since their marriage petitioners had possession until then recently the said uncle, pretending a title thereunto, had procured the said manors, &c. (being in the possession of petitioners)

to be sequestered so that he might obtain a 5th of the rents, &c.

G. clxi, fo. 376, etc.

Letter, dated at Preston 15 September 1651, signed by Robert Cunliffe and G. Pigot, mentioning that by theirs of 12 July then last directed to their Honours in the case of John Nowell of Mearley, gent., and Elizabeth his wife, Timothy Sumpner and Jane his wife, touching the manor of Mellor and certain lands thereunto belonging, they had sent up several examinations taken by them as well on the part of petitioners as of Mr. Sumpner and the Commonwealth; since which time they had taken the examination enclosed on behalf of the State.

fo. 382. The letter of 12 July mentioned that by two several orders, dated 25 Feb. 1650(-1) and 30 April 1651, touching the manor of Mellor they had examined witnesses in proof of title and had likewise examined witnesses on behalf of the Commonwealth for proving the title of John Sothworth to the said lands (the same being sequestered for his delinquency but neglected), together with all the rest of his estate. Copies of these examinations they enclosed.

fo. 377. Examinations taken at Preston 7 Aug. 1651.

Thomas Osbaldeston of Mellor, yeoman, said he was tenant of 5 acres of land in Mellor under John Sothworth of Samlesburie, which had been improved out of the waste; that he had always paid Mr. Sothworth the rent up to the sequestration and afterwards he paid it to the sequestration agents for the public use, and that he never paid any rent for the said land to John Nowell, esq., or Mr. Timothy Sumpner, in right of their wives or otherwise; neither did they or anyone for them ever demand any rent from deponent.

John Birley of Mellor, who was tenant of 19 acres of land in Mellor under John Sothworth, esq., said that before the sequestration he paid the rents to Mr.

Sothworth and after to the agents for sequestration. Neither Mr. Nowell or Mr. Sompner had applied to deponent for any rent.

fo. 378. George Walmesley of Mellor, yeoman, and Robert Collinson of Mellor deposed to the same effect.

Nicholas Sherborne (fo. 379) of Cuerdall, gent., sworn, said that a paper writing then showed to him, whereupon some of the Commissioners had endorsed their names, containing 24 sheets of paper and beginning with the words *Inquisicio Indentata* and ending with these *Die, Anno et Loco prim' supra dictis*, and subscribed Robert Maudesley Escaetor, was a true copy of the office found after the death of Thomas Sothworth, esq., deceased; that deponent wrote the same according to the office indented in parchment, attested under the hand and seal of the said Mr. Maudesley, who was then escheator of the county, and that the same was examined with the said parchment inquisition by deponent and John Lee and that they subscribed their names as witnesses to the said copy.

fo. 383. Examinations taken at Preston in this matter on behalf of the Commonwealth of Robert Osbaldeston of Mellor, yeoman, Lawrence Osbaldeston of Osbaldeston, yeoman, (fo. 384) Richard Osbaldeston of Balderston, husbandman, Nicholas Holkar of Osbaldeston, yeoman, (fo. 386) George Duckworth of Elston, yeoman, (fo. 387) Hugh Stead of Samlesbury, husbandman, (fo. 388-9) Lawrence Haidock of Mellor, husbandman, (fo. 390) Elizabeth Osbaldeston of Mellor, widow, (fo. 391). George Abbot of Mellor, yeoman, (fo. 392) John Talbot of Salebury, knight, and (fo. 393) Richard Walmesley of Showley.

The gist of these depositions is that the Commissioners sought to establish that the property involved had always been Mr. Southworth's and not petitioners'.

Sir John Talbot said that Thomas Southworth, then

late of Samlesburie, deceased, by deed under his hand and seal lawfully executed, dated 27 February 20 James I [1622-3], conveyed to deponent and others all of whom were then deceased, his manor or lordship of Mellor, to hold every part thereof to deponent and his co-trustees to and for the maintenance of the children of Thomas Southworth (other than his son and heir) until their portions should have been paid; the surplus, if any, to go to the heirs of the said Thomas Southworth. He further said that by the last will and testament of the said Thomas Southworth he gave to Elizabeth and Jane his daughters £300 each to be raised out of the said lands; which Elizabeth afterwards married Richard Walmesley of Showley, then deceased, and was at the time of these proceedings wife of John Nowell, esq., the petitioner first named, and Jane was then the wife of Timothy Sumpner. After the death of Thomas Southworth, deponent (being the surviving feoffee) by virtue of the said deed and by force of a decree out of the Chancery for the Palatine County of Lancaster set out so much of the lands in Mellor as was conceived sufficient for raising the said portions and for the maintenance of the said Elizabeth and Jane; and since John and Thomas Southworth, sons of the said Thomas Southworth, were dead, the reversion of the said manor and lands came to Elizabeth and Jane as co-heirs of their father and also as sisters and co-heirs of their brothers. After the said lands were set out as aforesaid Richard Walmesley told him that he (Walmesley) had received his proportion of the rents from the tenants of the lands aforesaid in right of his wife, without any let or disturbance.

Richard Walmesley of Showley, gent., said that Lawrence Haidocke of Mellor about 8 years then ago came to deponent's house and said he had brought the rent which Elizabeth daughter of Thomas Southworth (daughter-in-law to deponent) then received. Further

he had heard that Haidocke did plough his draught at John Walmesley's house in Showley in performance of his boons to the said Elizabeth and her husband. He the rather believed this because the said John Walmesley that day had told deponent that he (John Walmesley) would if required depose that day to the same.

John Southworth *see also* **Thomas Sowerbutts**.

Robert Sowerbutts of Redisnape.

G. cxlv, fo. 260; *Cal.* v, 3240.

Petition of Elizabeth Sowerbutts, widow, and John Sowerbutts, son and heir of Robert Sowerbutts, showing that Elizabeth had been wife and was relict of Robert Sowerbutts of Redisnape co. Lancaster, husbandman, deceased; that $2/3$ rd of the estate of the said Robert had been sequestered for his recusancy and had been let by the Commissioners of that county; that by the death of the said Robert the estate had come to petitioners, who were conformable; that the Commissioners, supposing Elizabeth was a recusant, had continued the sequestration and declined to discharge it without an order from above. They therefore prayed for an order to examine their title, &c. (12 June 1655). Referred to the Lancashire Commissioners. The estate to be discharged on proof of title, if the value be so small (15s. rent for two-thirds).

Thomas Sowerbutts.

G. cxviii, fo. 563; *Cal.* iv, 3075.

Petition of John Southworth of Samlesbury, husbandman, which alleged that Thomas Southworth then late of Samlesbury, esq., and John his son and heir did by their indenture dated 9 April 7^o James I [1609] devise to Thomas Sowerbutts for life a messuage or tenement in Samlesbury, and to his sons John and Thomas for their lives, at a rental agreed. They occupied the tenement till the War broke out, when it was sequestered for the

delinquency of Thomas Sowerbutts the son, who was the last life then in being; he died in Aug. 1652, and the premises ought then to have come to petitioner. He prayed therefore for examination of his title, etc. (18 January 1652-3). "The Commissioners to examine and certify. Mr. Brereton to report."

G. clx, fo. 420.

Letter from Preston, dated 20 Sept. 1654, enclosing copies of the examination in a claim relating to a messuage sequestered for the delinquency of Thomas Sowerbutts, then deceased.

8 Oct. 1654—Claim allowed, and estate discharged.

William Spenceley *see* **James Prisoe** (see above, v, 96).

Robert Squire of Much Harwood.

G. cxix, fo. 229, *Cal.* iv, 3128.

Petition which showed that 2/3rds of his estate had been sequestered for his recusancy only. He therefore prayed to be admitted to contract for the same (18 January 1653-4). Referred to Mr. Reading to report.

G. clxi, fo. 275.

Letter, dated 1 June 1653 (without place), signed by Robt. Cunliffe and G. Pigot, mentioning that they formerly had, according to an order from above Surveyed the estate of Robert Squire which was under sequestration and appointed a day for selling it. Among the rest the offer of Robert Feilden of Great Harwood being the highest, they had let the same for seven years by indenture.

G. lxxxvi, fo. 175, etc.

The case of Robert Feilden, farmer of two-thirds of the estate of Robert Squire of Harwood in the county of Lancaster. fo. 177. Reference to Lancashire Commissioners petition.

fo. 179. Petition of Robert Feilden, of Much Harwood, stating that he had in 1650 taken the two-thirds named at a rent of £6 a year for seven years. He complained that the division made was unfair, and asked for an equal

two-thirds or for a reduction of his rent to £3 (19 July 1653, copy).

fo. 182. Communication, dated Wigan 15 June 1653, signed by E. Aspinwall, Nicholas Cunliffe and Ro. Massey, as to the unfair division, and mentions the alterations made by their orders to rectify the matter. fo. 184. A description of the division made, signed by Robt. Cunliffe (one of the Lancashire Commissioners). fo. 185. Petition 20 July 1653. fo. 188. Copy of document on fo. 182. fo. 189. Petition. fo. 192. Copy of document on fo. 184.

James Stamper, Gent.

G. cxlv, fo. 53; *Cal.* iv, 3168.

Order to take possession of several messuages and lands lying in the parish of Warton, late parcel of the estate of the above, sold to Richard and Robert Stainton, gent., on 21 Oct. 1653.

Henry Standinough *see* **George Wetherby.**

Alexander Standish.

G. clviii, fo. 415, &c; *Cal.* iv, 2812.

Letter from Lancashire Commissioners, in response to an order dated 7 April 1652, explaining the reasons for the sequestration of a messuage and tenement (dated 7 May 1652).

fo. 417. Letter from same, dated at Preston 22 June 1652, in observance of a letter from the Commissioners above dated 26 May preceding, upon the petition of Ralph Standish touching a certain tenement called Wigan Lane House, sequestered as the estate of Alexander Standish, petitioner's son. They enclosed copies of examinations, but as to the cause and grounds of the sequestration they could add nothing to what had already been stated in their communication of 7 May 1652.

fo. 419. Examinations of John Rigby of Shevington, yeoman; John Prescott of the same, yeoman; (fo. 420)

Lawrence Standish of Standish, and (fo. 421) John Brown of Langtree. Sworn at Preston 8 June 1652.

fo. 423. Examinations of William Eccleston, one of the agents for sequestration, taken at Preston 20 Oct. 1652; of Richard Nightingale of Heath Charnock, gentleman, and (fo. 424) John Brown of Langtree, husbandman, taken same day as Ecclestons.

fo. 425. Letter from Lancashire Commissioners accompanying.

On 17 March 1652-3 the Lancashire Committee were ordered to examine the father and son on oath to discover whether any part of the estate had been granted to the son, and to discharge the sequestration should it be found that the son had no estate therein.

Edward Standish of Woolston, Esq.¹

G. cxx, fo. 773; *Cal.* ii, 1348; iv, 2574.

On 20 June 1646 Edward Standish of Newark, Notts., begged to compound on the Newark articles for delinquency in adhering to the forces raised against the Parliament. On 11 May 1647 the fine at one-sixth was fixed at £539. 10s., but next day reduced by £41. 13s. 4d. on account of a debt.

Petition of Elizabeth Standishe, wife of Edward Standishe of Standishe, which disclosed that the property of petitioner's husband had been sequestered for his delinquency and that by an order made at Warrington 13 Dec. 1644 under the hands of Col. John Bradshawe, Col. John Moore and Col. John Birch, it was ordered that petitioner should have a fifth part of her husband's estate allowed to her in specie; which order was on March 7 1646-7 confirmed by the Committee at Wigan. She had received the 5th until the then new Commissioners came into office, but they refused to allow it without an order from above. This was granted (11 Oct. 1650).

G. ccxxvi, fo. 389, etc.

Report by Mr. Readinge, stating that the estate of Edward Standish of Woolston, being in the Act for Sale,

¹ Eldest son and heir apparent of Ralph Standish of Standish.

was surveyed and returned 23 Aug. 1653, and the petition was filed 13 October following. By a particular it appeared that Edward Standish was seised of a messuage and 15 acres of land in Halewood, parcel of the manor of Woolston in the parish of Warrington, which lands were then in lease to Robert Ireland and William Barrow for 2 lives under a rental of £1. 4s. a year but were worth during the term 24s. a year more, and after the expiration of the lives £7. os. 4d. more. These premises were surveyed in a survey of the manor of Wooleston, late parcel of the possessions of Edward Standish, esq. A deed made by Ralph Standish, dated 20 July 8 Charles [1632], was produced, whereby it appeared that the above premises in Halewood were settled to the use of compounder for life, with remainders to Elizabeth his wife for part of her jointure, to his first and other sons to the tenth, and to the right heirs of Ralph Standish.

fo. 391. In the case of Ralph Standish it was found upon the petition of Ralph Standish and of William Standish, eldest son of compounder and of the said Elizabeth, and other their children, to the Commissioners for Removing of Obstructions, upon producing and proving the said deed and also of the copy of the fine levied 20 Aug. 8 Charles [1632] according to the said deed, that the said Commissioners 31 March 1653 allowed of their claims made by the said deed. Fine £22. 4s. (28 October 1653).

fo. 391. Affidavit of Lawrence Standish of Standish, one of the witnesses to the deed of 20 Aug. 1632, wherein the names of Ralph Standish, esq., Sir Francis Howard, knt., Henry Lord Matravers, Sir Richard Mollineux, knt. and bart., Sir Wm. Gerrard and Sir Thomas Cotten, bart., occur as parties to the deed. He also deposed that about 14 days before he swore to his affidavit he saw Ralph Standish (father of the delinquent), Wm. Standish, eldest son of the delinquent by Elizabeth his

then wife, also the said Elizabeth, Francis the younger son and Bridgett and Mary, daughters of delinquent and Elizabeth his wife, all living and in good health in Lancashire. Ralph Standish was then about 72 years of age. The petitioner William, eldest son of delinquent, was about 14 (sworn 23 May 1652). fo. 393. Petition.

fo. 394. Deposition of Wm. Kettle of the city of Westminster touching the survey of the estate, and his knowledge of Wm. Barrowe, and Robert Ireland then husband of Elizabeth mother of the said William (lessees under compounder); they were living and in good health in the preceding month of August (sworn 18 Oct. 1653). fo. 398. Particular. fo. 399. Order to refer to Mr. Readinge. Fine £23. 10s. 10d. (27 Oct. 1653).

G. cxx, fo. 641, etc.

Order to take possession of all that the manor of Woolfston with messuages, lands, tenements, &c., rents, rights, members and appurtenances thereof in Woolfston, Fernhead and Westcroft in the parish of Warrington; and also all that messuage or tenement with the appurtenances in Halewood and all those messuages, tenements or shops with the appurtenances in the city of Chester, and all those parcels of land lying in Newton Common field without the North gate of the city of Chester and a chief rent of 8s. yearly issuing out of a messuage situate in Watergate Street; also two other free rents, one of 26s. 8d., the other of 24s., issuing out of two messuages situate on the east side of Bridgegate Street in the said city; all then late parcel of the above, and sold to Gilbert Crouch, esq., on 28 Sept. 1653.

fo. 712. Petition. fo. 747. Reference to Lancashire Commissioners. fo. 749. Petition. fo. 751. Same. fo. 753. Same. fo. 755. Letter from Lancashire Commissioners enclosing copies of examination. fo. 757. Reference to Lancashire Commissioners. fo. 759. Communication from Lancashire Committee. fo. 761.

Examinations of John Rigby, John Prescott, Lawrence Standish, John Browne. fo. 765. Letter from Lancashire Commissioners. fo. 767. Examinations. fo. 771. Order discharging sequestration.

George Standish of West Derby.

G. clx, fo. 61, etc.; *Cal.* iv, 3151.

Letter dated at Wigan 6 Dec. 1653, signed by E. Aspinwall and Ro. Massey, mentioning that in observance of an order of 26 October 1653 upon the petition of James Standish, son and heir of George Standish, gent., then deceased, touching his title to certain lands, tenements and hereditaments in West Derby, they had examined several witnesses produced on behalf of petitioner and had cross-examined them on the part of the Commonwealth; and they certified that the estate had been sequestrated in 1643 for the popery and delinquency of the said George Standish, petitioner's father, and at the time of these proceedings so continued.

fo. 61-66. Interrogatories and examinations.

G. cxx, fo. 677, etc.

Supplementary report by Mr. Reading. fo. 679. Reference to Mr. Reading. fo. 680. Petition.

fo. 681. Affidavit of James Smith of Croxteth, gent., deposing to petitioner being son and heir to George Standish of West Derby and to the latter's dying not before 1653,¹ also that petitioner was and had been a Protestant. fo. 684. Similar Affidavit made by John Pluckington of Croxteth, gent. fo. 685. Same by Edward Standish of West Derby, gent.

fo. 687. Decision of the Commissioners declining to allow petitioner's claim (23 Feb. 1653-4).

fo. 688. Affidavit of William Carter of Robie, of the same character as those previously referred to. fo. 689. Affidavit of petitioner. fo. 691-4. Report by Mr.

¹ George Standish, the father, died in September, 1653, after the passing of the Act for Sale, in which he was named.

Reading dated 24 July 1653-4. fo. 695. Reference to Lancashire Commissioners. fo. 697. Petition. fo. 699. Certificate, showing annual value.

fo. 701. Letter, dated at Wigan 6 Dec. 1653, from Lancashire Commissioners, mentioning proceedings taken by them and enclosing copies of examinations. fo. 703. Interrogatories administered on behalf of the Commonwealth.

fo. 704. Examinations of Thomas Molyneux of Garston, gent., and Edward Almond of Speake, yeoman. fo. 705. Interrogatories on behalf of petitioner. fo. 709. Affidavit of petitioner. fo. 715. Petition. fo. 720. Petition. fo. 721. Same. fo. 723. Affidavit of petitioner.

G. cxx, fo. 638.

Petition of James Standish of West Derby, gent., which showed that petitioner's estate for many years had been under sequestration for the delinquency of his father and then lately on petitioner's appeal discharged. But it so happened that petitioner, who had farmed the premises from the Commonwealth stood debtor for part of the rent for the year 1653; he had tendered it to the Lancashire Commissioners, but they had declined to receive it without an order from above. Ordered accordingly (22 May 1655).

Ralph Standish of Standish, Esq.

G. cxl, fo. 469, etc.; *Cal.* iv, 2812.

Petition of Raphe Brideoake, clerk, showing that the then late Commissioners for Sequestrations for Lancashire had for some pretended delinquency sequestered the estate of Raphe Standish of Standish, esq., but on his appeal to the Barons of the Exchequer the Sequestration was discharged. Subsequently he presented petitioner to the church of Standish, whereof he was the undoubted patron; which presentation being confirmed by the

Lords Commissioners under the Great Seal, and allowed by the Committee for Plundered Ministers, Mr. Latham delivered up quiet possession of the church to petitioner, who preached twice that Lord's Day to the people. But the same night Mr. Latham broke into the church and subsequently retained possession by force. Shortly after Mr. Latham was questioned before the Commissioner for delinquency and his estate secured until his cause (then depending) should have been heard. The sequestration prevented petitioner seeking his legal remedy against Mr. Latham and he now petitioned to be allowed to receive the profits of the said rectory or that the Commissioners would secure them till he had made his title. 29 Sept. 1653. Referred to Mr. Brereton.

Ralph Standish *see* Richard Woodward.

Richard Standish.

G. cv, fo. 795; *Cal.* i, 392.

Information taken at Preston 11 January 1650(-1).

William Eccleston, agent for sequestrations within the hundred of Leyland, informeth upon oath and saith that Coll. Richard Standish, of Duxburie in the said county, did in or about December 1649 farme from this informer severall sequestered estates for which the said Coll. Standish did covenant and agree to pay this informer for the use of the Commonwealth the summe of £76. 3s. 0d. And for the better securing the said summe hee the said Coll. Standish together with severall persons of Knowne Credit and abilitie did ioyntly and severally become bound with the said Coll. Standish for the payment of the somme aforesaid at severall daies now past. And this informer havinge severall times demanded the monies, hee the said Coll. Standish did apoint this informer to receive the same at the house of John Moodie in Chorley upon the first of January instant; where this informer attendinge, the said Coll. tould the Summe of £76. 3s. 0d.

upon a table, which this informour accordingly tould, and found therein 17s. in bad moneys which the Coll. willingly exchanged. And this informer goeing about to purse up the monies the said Coll. said, "Staie, I will have my bonds cancelld before you purse the moneys." And the Coll. pretending to bee in hast, hee this informer produced the bonds (the monies beinge upon the table) and gave receipts under his hand upon the back thereof and delivered the same, and thereupon was about to purse up the monies. But the said Coll. came hastilie and stept betwixt this informer and the monies and said "Now, commissarie, I will reckon with you, for the Commissioners owe mee £60. 4s. 3d., and I am the fittest to keepe my owne monies." And thereupon swept away the monies, and himselfe together with his man, Thomas Woodcocke, pursed the same, and imediately after the Coll. bid his man Woodcocke, "Count mee out that which was over the sommes owing" to him, and thereupon he told out £9 3s. 0d. and laid on the table and carried away £67; but this informer knows not whither. And the said Coll. said, "Now let Holt, Cunliffe or Commissioners or any such unworthy men come, drive my goods or any that's bound with me; and for your parte I tell you, you are not the man I tooke you for, and those rascalls you sent to distreyne I will meete them." And thereupon the said Coll. called for penn, inke and paper and write a short receipt and laid the same doune on the table with the £9. 3s. and went away. And this informer followed him and told him hee was ordered to pay noe moneys to him but to Mr. Randle Sharples, treasurer, and his acquittance is noe discharge to mee but am likelie to loose the moneys. But hee replied, "Either that acquittance or none," and he wold answer what he had done before the Commissioners or any court in England. And this informer, the Coll. beinge gone, put up the receipt and the £9. 3s. And there

was present at the most of this passage Roger Haidock, Raph Lowe, William Wallell and John Moore.

W. ECCLESTON.

fo. 796. Roger Haydock of Chorley in the Countie of Lancaster, yeoman, sworne, saith: This informer beinge first of January last in the house of John Moodie in Chorley he this informer sawe Col. Richard Standish pay unto Wil. Eccleston, agent for Sequestrations in Leyland hundred, the sum of three score and ten pounds or upwards; and the said Wm. Eccleston afterwards tould the monies and put the same together on a heape. And the said Col. demanded from the said Eccleston his bonds hee had given him for securinge that moneye; and accordingly the said Will. Eccleston did deliever the bonds to the Col. Imediately upon which delieverie the said Col. stept to the table and said hee was as able to keepe his moneyes as the Commissioners. And there-upon he and his man Thomas Woodcocke pursed up most parte of the moneyes, except £9 or thereabouts which he the said Col. lefte on the table, and caused his man to carie away the rest of the monies. And then the said Eccleston demanded how hee shold ever bee freed from the moneys hee had taken. And the said Col. replied he wold answer before the Commissioners what hee had done.

ROGER HAYDOCKE.

Capt. apud Preston 11^o Januar. 1650 coram nobis, Peter Holt, Robt. Cunliffe.

Further particulars are given in the *Calendar* i, 396, 411, 448, 463, 464, 474. The colonel had lately been entrusted with a regiment of 1,000 foot raised for service in the North.

Thurstan Standish *see* **Thomas Ince** (above, iv, 8-13; v. 95).

Edward Stanley.

G. cxvi, fo. 207, etc.; *Cal.* iv, 2446.

Petition of Henry Scarisbrick, which showed that petitioner's father Ferdinando, who was entitled by

lease dated 20 January 6 James [1608-9], to a certain parcel of land in Lancashire, held of one Stanley a papist, for many years, ten whereof were then unexpired, died intestate. The remainder thereof ought to have come to petitioner, he being the eldest son; but the said Stanley, when the commission of array was on foot, took advantage thereof and unjustly seized upon it. Those parts had then long since been reduced to the obedience of the Parliament and the said parcel of land, together with the estate of the said Stanley, had been sequestered to the use of the State; and petitioner, "being more serious in acting in his publique duty than after his own particular interest (having beene in the Regiment of Majour Genll. Skipon and since commaunded by Collonel Cox these 4 years), hath neglected to seeke for the restauracion of his right."

Petitioner prayed that they would either restore him to his rights or take such other order therein for his relief as to their wisdoms should be thought meet (19 July 1650). Referred to Mr. Brereton.

fo. 209-210. Copy petition.

fo. 211. Petition addressed to the Barons of the Exchequer, before whom petitioner took proceedings anterior to those before the Commissioners and on hearing which the Barons had referred the case to the Lancashire Commissioners, whose report, &c., had been returned and which (fo. 213) had been referred to Mr. Attorney-General, Mr. Recorder or Mr. Warcup to peruse.

fo. 215. Copy of report by William Steele (? the Attorney-General) dated 17 May 1650.

fo. 223. Communication, dated at Manchester 13 Dec. 1649, signed by Peter Egerton, Edward Butterworth and Nicholas Cunliffe, mentioning that they had proceeded to examine the witnesses in the case, copies of whose evidence they had sent therewith attested by their Clerk, and other points in the case.

fo. 223-228. Depositions of Henry Gaskell of Raine-forth, wheelwright; Henry Taylor of Bickersteth, yeoman, and Alexander Thompson of Wigan, gentleman.

On 5 Sept. 1650 the claim was allowed and sequestration discharged.

Lady Elizabeth Stanley *see* **Earl of Derby** (above ii, 147, 169).

Ferdinando Stanley of Broughton, gent.

G. clxxxvi, fo. 704, etc.; *Cal.* ii, 1446.

Delinquency: in arms against the Parliament. He surrendered to the governor of Wresell Castle, Col. Andrew Carter, 10 Aug. 1644, and then took the National Covenant; also on 17 Feb. 1644(-5) before Edmund Hoperwood. He took the Negative Oath before the Commissioners of Lancashire 5 April. He compounded on a particular which disclosed that he was seised of an estate in tail in possession to him and his heirs male of his body of certain old rents belonging to the Manor of Broughton [near Manchester] of the yearly value of £20. 5s.; also of a like estate of and in certain demesne lands and tenements in Broughton, to come to him after the death of his sister Jane Stanley, value £30 a year; also to come to him after the death of the said Jane, for his life, certain lands and tenements held under the Earl of Derby at a rent of £1. 6s. 8d., worth £28. 13s. 4d. a year; personal estate, none. Fine, £150.

fo. 707. Petition, in which he states he was in arms accidentally against the Parliament and taken prisoner in Selby by Lord Fairfax, brought to Wresall Castle, whence he was enlarged 10 Aug. 1644, and returned to his native place.

fo. 708. Particular of his estate, signed by petitioner.
fo. 709. Certificate signed by Edmund Hopwood that petitioner took the National Covenant before him. fo. 709. Pass signed by And. Carter at Wresell Castle.

fo. 710. To the Right Hon'ble the Lords and Commissioners for the Sequestracion of Delinquents' Estates.

Wee whose names are subscribed, being of the Committee for the County Palatine of Lancaster, do make bould to certifie your Honours that Feridnando Stanley, third and youngest sonne to Henry Stanley, Esq., late of Broughton, deceased, was (in Selbie in Yorkshire at the taking thereof, above two years since, by the Lord Fairfax) taken prisoner and brought to Wresell Castle; whence hee, upon taking the Nationall Covenant, as by a Certificate from Majour Carter, then Governour, may appeare, was released; and imediately uppon his releasement hee repaired into this County and conformed himselfe to the Ordinance of Parliament by taking again the said Covenant at Manchester, as may appeare by a Certificate under the Minister's hand, and also by taking the oath of the fifth of Aprill at Boulton before some of us; and that ever since his submission and coming in hee hath bene ready at all times, being Commanded, to do the Parliament service. We further presume to certifie to your Honnours that since his coming in his two Brothers were both living and in perfect health, so that wee hope he was conscious of his errours and came in because his Conscience was Convinced, rather than for any sinister or worldly end whatsoever. Wee subscribe ourselves,

Your Honnours' most humble servants,

RAPHE ASHETON.

J. BRADSHAW.

JAMES ASHETON.

G. IRELAND.

EDWARD RIGBY.

RICHARD ASSHTON, C.

RI. HAWORTH.

A. RIGBIE.

EDW. BUTTERWORTH.

W. ASHURST.

fo. 712. Order signed by A. Stanley, Peter Egerton and Edwd. Butterworth, dated, 12 Aug. 1645, removing

the sequestration from petitioner's estates and directing that he should be permitted quietly to enjoy them. The devolution of the manorial portion is detailed. fo. 718. Similar though shorter document relating to the annuity of £8, signed by A. Stanley and Richard Holland.

Henry Stanley of Meighal, Gentleman.

G. cxx, fo. 159, etc.; *Cal.* ii, 1483.

Petition, which showed that about two years then since he voluntarily adhered to and assisted the forces raised against the Parliament but never went from his own house, which for above two years then since had been within the Parliamentary quarters, and then submitted to the Committee there and had since subjected himself to all the ordinances of Parliament. He had taken the National Covenant a year then ago, and inasmuch as he had then recently taken the Negative Oath and had sustained great losses as well by the one side as the other, he humbly desired that he might be admitted to a reasonable composition (10 Sep. 1646). Referred to the sub-committee.

fo. 157. Statement as to what his delinquency was; also name of his real and personal property and amount of his debts. fo. 161. Certificate showing he had taken the National Covenant (11 Sept. 1646). fo. 163. Second certificate, declaring he had taken the National Covenant before Mr. James Worrall, minister of Maghall, over a year previously to 11 Sept. 1646.

fo. 164. Particular of his estate, which showed that he held the Moiety of a Messuage during the life of his wife and that of her son's by a former marriage, of the estimated value of £10 a year.

On 14 Jan. 1651-2 he was again under sequestration, though he had formerly been discharged as not worth £200.

James Stanley of Moor Hall, Aughton.G. cxx, fo. 117; *Cal.* iv, 2981.

Dame Mary Stanley, widow, relict of Sir Thomas Stanley late of Bickerstaff, as next friend unto Peter Stanley, younger son of the said Sir Thomas, obtains an order to take possession of several parcels of lands in Goosnargh (the Barnefeild, Cockshutts, and Reddings) and other parcels, late the property of the above, and sold to John Sharples on — June 1653.

fo. 119. Similar order in favour of William Barton, gent., to take possession of a messuage or mansion house called Moore Hall, with several other messuages, lands, tenements, &c., situated in the parishes of Aughton, Ormeskirke and Bickerstaffe (tenants' names are mentioned in both orders), the contract was made 23 March 1653-4.

fo. 121-126. Report by Mr. Jo. Readinge, dated 19 Feb. 1654-5, based on an order of 21 Nov. 1654, on the petition of Dame Mary Stanley widow and relict of Sir Thomas Stanley then late of Bickerstaffe, co. Lancaster, baronet, deceased, and as next friend of Peter Stanley, gent., an infant, younger son of the said Sir Thomas, desiring that the sequestration of certain lands in Aughton might be discharged; they had been demised to him by the will of the said Sir Thomas and were then under sequestration for the recusancy of James Stanley, then deceased. He found that by the petition it was alleged that James Stanley, gent., deceased, late uncle of the said Sir Thomas Stanley, was seised for life of and in a messuage called Little Hall, lying in Aughton, the reversion expectant to the said Sir Thomas in fee; which said messuage had been sequestered for the recusancy of the said James, and continued so sequestered during his life. He died about December, 1653. Subsequently Sir Thomas by his will devised the premises to Peter Stanley (he being an infant about the age of

two years) for 99 years if he the said Peter so long should live, and died about June 1654. Notwithstanding the expiration of the said James Stanley's title by his death as aforesaid, the Commissioners refused to discharge the sequestration without an order from above. After reviewing the facts connected with the case he submitted that that was all he could find in the case, which he left to their judgment.

fo. 127. Order referring the case for examination to the Lancashire Commissioners (21 Nov. 1654).

fo. 131. Communication, dated at Preston 22 Dec. 1654, signed by E. Aspinwall and Ro. Massey, stating proceedings taken before them and enclosing copies of examinations.

fo. 133-4. Interrogatories administered on behalf of Dame Mary Stanley.

fo. 135-8. Examinations of Henry Ambrose of Bickersteth, yeoman, aged 47; Robert Taylor of Aughton, husbandman, aged 46; Thomas Wilson of the same, Samuel Andrewes of Crosse Hall, gentleman. fo. 139. Interrogatories administered on behalf of the Commonwealth.

fo. 142. Certificate of yearly value of the premises.
fo. 145. Certificate as to what proceedings had been had.

fo. 146. Affidavit of Samuel Andrewes, making oath as to the true copy of a Will then shown to him, which he had compared with the original will of Sir Thomas Stanley, baronet, then deceased. Further that he was present when Sir Thomas Stanley died—"to witt upon the first day of June last" (1654), and that he (deponent) was also present when he was buried at Ormskirk.

fo. 147. Petition.

20 Feb. 1654-5. Claim allowed on report.

For a claim by Bartholomew Hesketh see above iii, 186.

Mary Stanley of Eccleston.

G. cxvii, fo. 436; *Cal.* iv, 3010, 3178.

Petition of Richard Shuttleworth of Gauthropp, esq., which disclosed that Thomas Stanley of Eccleston [in Amounderness], esq., about 12 years then since falling ward to the King, upon petitioner's addresses to the Court of Wards the custody of his body and lands was afterwards committed and leased to petitioner on payment of a fine of £200; and that subsequently (about February 1642-3) two-thirds of the said ward's lands became sequestered for the recusancy of Mary Stanley, the ward's mother; and notwithstanding that the whole of the said fine had been forced from petitioner by process forth from the Court of the Exchequer at Westminster, yet the Lancashire Commissioners detained from petitioner the profits of the said demised premises, the said Thomas Stanley being at the date of these proceedings but 16 years of age. Petitioner therefore prayed for an examination into the truth of his statements and for an allowance of the profits until the ward attained the age of 21 years. (15 June 1652).

The County Committee was ordered to take examinations in proof of the ward's title.

On 4 Jan. 1653-4 Mary Stanley, widow, of Great Eccleston, petitioned to contract for the sequestered two-thirds of her estates, on the act of 21 Oct. 1653. Referred to Reading.

Peter Stanley of Moore Hall in Aughton.

G. cxx, fo. 194; *Cal.* iv, 2937.

Two-thirds of his small estate had been sequestered for his recusancy only, and the remaining third having now been sequestered on some charge of delinquency he requests a statement of the charge against him (14 Jan. 1651-2). Ordered: The County Committee to give him the charge and certify.

fo. 117. Discharge from sequestration of lands in Goosnargh forfeited by Stanley and purchased by John

Sharples (16 Aug. 1653); and (fo. 119) of Moor Hall, Aughton, and other lands purchased by William Barton (23 March 1653-4), the occupying tenants being Miles Barton, Hugh Bickerstaffe, John Smith, Peter Stanley, James Berry, Elizabeth Wainewright, Ellen Smith, Oliver Atherton, Jane Swift, William Swift, Jennett Charles, John Bastwell, Thomas Story, Peter Owsey and William Aspinwall.

William Stanley of Woodball,¹ gent.

G. ccx, fo. 789, etc.

Delinquency: in arms against the Parliament at the beginning of the wars. He petitioned 28 January 1647-8, and compounded upon a particular which disclosed that he was seised of a lease for two lives in being of a tenement and lands in Redich worth yearly £40; but he said that his father, by deed dated 5 April 5 Charles [1629], settled the said lease upon Trustees for payment of £200 to compounder's brother. This appears also by an answer in the Duchy in Michaelmas terme, 1647, in a suit there brought by himself against the trustees. It could not be discovered how much of the £200 was owing at the date of the composition, the trustees declining to furnish an account till he had made his composition. Fine, £46. 13s. 4d. (May 15 1649).

fo. 792. Petition, in which it is mentioned that the estate above was held under lease from Sir Edward Cooke.
fo. 793. Particular.

On 2 Feb. 1649-50 the estate was again sequestered because the first half of the fine was not paid.

Robert Stopford *see* **Earl of Derby** (above, ii, 165).

William Strangeways *see* **Robert Molyneur** (above, iv, 172).

John Stanbope *see* **Alexander Radcliffe** (above, v, 102).

¹ Near Manchester.

Thomas Starkie of Lealand, husbandman.G. cxx, fo. 357; *Cal.* v, 3187.

Petition, which disclosed that two-thirds of petitioner's estate was under sequestration for his recusancy only. He therefore prayed to be admitted to contract for the same (13 January 1653-4). Referred to Mr. Reading.

Edward Stockley *see* **Earl of Derby** (above ii, 157, etc.) and

William Manwaring (iv, 117).

George Stokely *see* **Thomas Wolfall**.

Robert Stopford *see* **Earl of Derby** (above ii, 165).

William Strangeways *see* **Robert Molyneux** (above iv, 172).

Walter Strickland, gent., of Rydal.G. ccviii, fo. 152, etc.; *Cal.* iii, 1888.

Delinquency: George Preston of Natby, was in arms against the Parliament; he died 4 March 1643 having by his deed, dated 15 Jan. 1642(-3), demised to petitioner for 99 years determinable upon 3 lives the demesnes of Natby with certain tenements and a mill there, and a farm called Rowe in the parish of Garstange worth yearly £133.

fo. 154-7. Report on the matter by Mr. Reading (10 June 1651).

fo. 158-161. Report by Mr. Baylie (11 May, 1651), mentioning that George Preston of Nathby died at Leeds in Yorkshire 4 March 1643(-4) and was buried on the 6th in the church at Brafferton in the same county (where he was born).

fo. 162. Statement of the case and directions to refer it to Mr. Reading to report upon. fo. 164. Letter on the same subject by Jo. Leech, 5 Feby. 1650(-1). fo. 166. Appeal decision by the Barons of the Exchequer (30 Nov. 1650) declining to take off the sequestration; signed by John Wylde and Fr. Thorpe.

fo. 168-169. Examinations, taken at Preston Sep. 12

¹ See above, v, 70, 204; also iii, 97.

1650, touching the recusancy of George Preston of Nateby, deceased, taken before Robert Cunliffe and George Pigot, gent., Commissioners for sequestrations. The following were the witnesses: John Preston of Ellell Grange, Gent.; John Hudson of Sowerby, husbandman; Henry Atherton of Preston, draper; and William Audland of Preston, shoemaker.

The first witness deposed that he had heard that George Preston was a Papist. The second, who was steward or servant to George Preston, deposed that he never saw Mr. Preston at church and that it was commonly reported that he was a Papist. The other two, who were the sequestration agents in possession of Mr. Preston's estate, said the same.

fo. 170. Communication from Lancashire Committee, mentioning that an order had been received by them to discharge the sequestration, but on consideration of the said order, grounded on information received, they had directed the rents to remain in the tenants till the next sitting of the Committee for Sequestrations for Amounders Hundred (on 6 November next) and the same then to be considered (25 Oct. 1649). Signed by Ric. Shuttleworth, Jo. Starkie and Tho: Fell.

fo. 172. Petition. fo. 175. Second petition, amending some particulars. fo. 177. Particulars. fo. 178. Receipt for payment of £100, part of the fine. fo. 179. Affidavit of compounder as to the date of death of George Preston. fo. 180. Report, dated 25 Jan. 1648(-9). Fine at a tenth on the basis of this report, £266.

fo. 183. Petition. fo. 184. Particular.¹

Petitioner in the first instance succeeded in compounding and part paid the fine. It was then put forward that Mr. Geo. Preston was a Papist, and that no composition could legally have been made. Hence the second set of papers and the appeal, etc.

¹ All these papers are inserted in the Volume in irregular order as to dates and matter.

Endorsed on fo. 184: Walter Strickland for Geo. Preston's Delinquency. Fine £266. 11 May, 1652. Fine for his own delinquency: £365. 15s.

G. cxix, fo. 636, etc.

fo. 641. Petition of Walter Strickland of Nathby, gent., which showed that petitioner alleged that he had compounded for his own delinquency and paid a moiety of the fine imposed and had secured the remainder according to order; he had also paid the full fine for the said estate formerly compounded for by petitioner and imposed on him for the delinquency of George Preston, deceased. Petitioner's name was returned in the additional list for sale from the Auditor's office to Mr. Garland as being then upon his appeal. Inasmuch as petitioner had according to the Commissioners' order compounded for his estate and paid his fine he prayed that his name might be taken out of the list referred to above.

fo. 636. Gentlemen, Whereas by your order of the 23 July last upon the petition of Walter Strickland of Nateby, esq., alledging that he having compounded for an estate in Lands in this County given him by Deed att the death of Geo. Preston, yet the Sequestracion was continued for that it was conceived by some that the said Geo. Preston was a Recusant (although as is alledged) hee was never convict thereof, Wee are required to Certifie wherefor the Sequestracion is continued. Whereupon wee have taken severall examinacions (coppies whereof are herewith sent) And likewise by perusall of the Orders made by the late Committee of this County wee fynd a Certificate to the late Commissioners att Goldsmiths' Hall of the 14 of July 1649 wherein is expressed the cause wherefore the Sequestracion was continued (coppies whereof is likewise inclosed). By which order itt appears that the said George Preston was sequestered as a Papist Delinquent. But the Records in the Crown Office at Lancaster beinge

all taken away and lost during the late Warrs wee cannot Informe ourselves whether hee was convicted for Recusancie or not, although in his lifetime hee was commonly Reputed to be a Professed known Papist. All which wee humbly submitt to your further consideracion, and rest

Your most humble Servants

Preston, 10 October, (no signatures).
1650.

To the Com'rs. Compounding
att Westm'r.

fo. 637. Letter from Preston (same date, no signatures) certifying the cause of petitioner's sequestration. It appears this had already been done, but the papers had miscarried and so never reached Westminster. They therefore repeated it, saying that upon perusal of the papers left by the then late Committee they found that by an order of the Committee for Westmoreland (where petitioner's estate lay) for some cause appearing before them they had ordered Walter Strickland, sen., and Walter Strickland, jun. (among others) to be sequestrated; and some of that committee being likewise of the Committee for Lancashire acquainted the rest of the committee with the order for Westmoreland; they finding he had a personal estate in Lancashire gave the order for the sequestration thereof, and the same was accordingly sequestrated.

To the Barons of the
Exchequer.

fo. 639. Copies of the Examinations taken at Preston touching the Recusancy of George Preston of Nateby, then deceased, before Robert Cunliffe and G. Pigott, gent. (12 Sept. 1650).

John Preston of Ellell, gent., John Hudson of Sowerby, husbandman; Henry Atherton of Preston in Amoundernes, Woollen draper; William Audland of Preston, shoemaker. The two latter were at one time agents for

the sequestration of the estate of George Preston. All the witnesses concurred in saying that he was a Papist. It transpired that he was killed in the service of the king against the Parliament.

Letter,¹ dated at Padeham 14 July 1649, signed by Richard Shuttleworth, John Starkie and Robert Cunliffe, mentioning that they had received on 11 July, the Commissioners order of 11 June preceding, directing the suspension of the sequestration of the estate real and personal of George Preston then deceased, compounded for by petitioner. They state they were always willing to obey orders from above, but in this case they had made stay because they conceived the composition had been grounded upon some misinformation, Geo. Preston himself at the time of sequestration having been a Papist in arms and an active delinquent. The petitioner, also being a delinquent and then under sequestration, grounded his estate on a pretended lease from Mr. Preston dated 15 January 1642-3 for three lives, all then in being, which lease when they required its production petitioner said he had not, but that it was in London. They, however, stayed the order and asked for directions.

25 Oct. 1649. A letter, dated at Lancaster, signed by Richard Shuttleworth, John Starkie and Thomas Fell, referring to the preceding, stating they had had no reply from the Commissioners at Goldsmiths' Hall, and therefore had continued the sequestration but ordered that the rents for that year should remain in the tenants' hands till the then next sitting of the Committee for sequestrations for Amoundernes Hundred, which was to be held on the 6 Nov. following, when the matter would be considered. (This document is not addressed).

fo. 693. Certificate from Richard Wareinge, treasurer at Goldsmiths', showing the amounts paid and dates and

¹ This and the following document are on folios between 639 and 640, and are not paged.

for what delinquency, by petitioner (30 June, 1652). Total paid, £565. 15s.

fo. 645-6. A review of a purchase made by petitioner in the county of York, and directions to hand possession to him (16 Sep. 52).

fo. 647. Order by the Commissioners for Removing of Obstructions permitting petitioner to pay £500 into the Treasury at Haberdashers' Hall, which they considered in this matter would be the most convenient.

fo. 649. Order by Parliament that petitioner's case be referred to the Commissioners for Removing of Obstructions, signed by Henry Scobell, Clerk of Parliament (17 Feby. 1651-2).

fo. 651-3-5. three petitions. fo. 657. Reference to Lancashire Commissioners (5 May 1652). fo. 659. Certificate, signed by Michael Herring, dated at the Treasury, Goldsmiths' Hall, 8 April 1652, directed to all whom it may concern, stating that petitioner had paid in the first moiety of his fine of £200 for the sequestered estate of George Preston of Nateby.

fo. 660. Affidavit of petitioner, declaring that George Preston departed this life about the beginning of March 1643-4.

fo. 661. Certificate signed by I. Wood, minister of Brafferton, certifying that Mr. George Preston the younger, then late of Nateby, aged about 25, died at Leeds on Monday 4 March 1643-4, and was brought on Wednesday the 6th to be buried in the parish church of Brafferton, the parish wherein he was born.

fo. 662. Particular of petitioner's estate.

fo. 663. 10 May 1652—Certificate by Thos. Fowle that he had searched the books and found no record of conviction for recusancy against George Preston of Nateby, though he had against George Preston of Holker, Lancashire.

24 Oct. 1652—Fine paid and estate discharged.

Bernard Stuttard.

G. cxvii, fo. 442, etc.; *Cal.* v, 3200.

Petition of Richard Shuttleworth of Galthorp, which showed that petitioner had then formerly demised a messuage and some grounds called the "Common grounds" to one Bernard Stuttard for a term of years which had expired. The messuage etc. had been sequestered for the said Bernard's recusancy and so remained. Petitioner therefore prayed for an examination of his title; which was agreed to (31 Jan. 1653-4). Mr. Reading to report.

fo. 447-8. The Report. After an examination of the evidence produced in the case and other material points Mr. Reading submitted to judgment "whether the Sequestration should be discharged."

fo. 449. Order referring the case to Lancashire Commissioners.

fo. 451. Copy petition.

fo. 453. Communication, dated at Ormskirke 28 April, 1654, mentioning the proceedings taken before the Lancashire Commissioners enclosing copies of the Examinations and stating that the lands had been sequestered since the year 1643.

fo. 455-458. Interrogatories administered to and examinations of witnesses. fo. 459. Certificate of rental. fo. 461. Same as to proceedings had.

16 Nov. 1654—Discharge granted, with arrears.

John Styth.

G. cxxviii, fo. 321; *Cal.* v, 3202.

Petition of William Walker, Lawrence Worthington, gent., Richard Styth and James Styth, yeomen, which showed that John Styth, by indenture dated 6 January 1650-(1), for the considerations therein expressed, granted to petitioners several messuages and tenements with the appurtenances, lying in Whalley in the county of Lancaster, to have and to hold to petitioners, their heirs and

assigns for the term of 99 years if 3 lives should so long live; nevertheless for the several uses, intents and purposes mentioned in the said indenture. Notwithstanding that the said John Styth was dead, for whose recusancy two-thirds of the premises were in his lifetime sequestered, yet the Commissioners for sequestration for Lancashire still kept the sequestered two-third parts under sequestration and refused to discharge the same without an order from above. Petitioner's therefore prayed for such order or for an enquiry into their title. 16 Feby. 1653 (4)—Referred to Mr. Reading to report.

Thomas Stythe of Torison, Yeoman.

G. ccxxvii, fo. 527; *Cal.* iii, 1952.

Delinquency: he had adhered to the forces raised against the Parliament in the first war and his estate had been sequestered. He declared he was not worth £200.

fo. 529. Particular, which disclosed that he was seised in fee of five acres of land in Terryson [Torrisholme] worth £1. a year, and that he stood indebted in the sum of £100. Fine £3 (11 May 1649).

George Such *see* **Evan Catterall** (above ii, 14).

Laurence Sudall of Fulwood, Yeoman.

G. ccxxiv, fo. 873, etc.; *Cal.* iv, 3090.

Petitioner was possessed of a messuage and some land for a term of 16 years then yet to come. His property was included in the Act for Sale, but under a proviso in the act he petitioned to be allowed to compound (18 March 1652-3). This petition was referred to Mr. Peter Brereton (order of reference, folio 877).

fo. 875. Report by which it appeared the survey of his estate was taken in Feby. and returned 18th of same month being certified by Raphe Darnell, esq., registrar appointed by the said act, on 10 March 1652. By the survey the yearly value appears to have been £10. 16s. 6d.; the commissioners of the county by indenture dated

1 Jany. 1651-2 had granted the premises for seven years from 2 Feby. 1650-1 to one Richard Charneley at a rental of £7. 11s. 3d. a year, but the property was worth £3. 6s. 3d. more upon improvement. It was also certified that Lawrence Sudall, assignee of George Whitmore and Thomas Whitmore, by indenture dated 1 November 1610, held the premises for 60 years then next; 16s. 1d. to be paid yearly to the king, his heirs and successors. Fine £60. 2s. 6d. (23 March 1652-3).

21 April 1653. Fine reduced to £30. 1s. 3d.

G. cxxi, fo. 1, etc.

Petition, which showed that petitioner's sequestered estate had been let to one Richard Charneley for 7 years, commencing 2 Feby. 1650-1, at a rental of £7.; that petitioner had been inserted in the then late Act for Sale, his estate surveyed and returned at £10 a year; and that according to the said survey petitioner had compounded and paid his whole fine; that the lease to Charneley had never been confirmed. Petitioner therefore prayed that he might have possession of his property (24 May 1653). "At the end of the next year the petitioner to enter and enjoy the estate, it not having been confirmed."

fo. 3. Certificates relating to the letting to Charneley and non-confirmation of lease.

fo. 5. Petition (15 April 1653), antecedent to the one above, which discloses that petitioner's fine had been set as if the estate was held in fee whereas he had only an estate for years in it. This was referred to Mr. Brereton to report.

fo. 7. Petition, dated 1 March 1654-5, wherein he mentioned that his property was to be sold, that he was preparing his survey, and had his witnesses ready to prove his title, but as they all lived in Lancashire he feared he could not be ready by the time the Commissioners had fixed for hearing the cause. He therefore prayed that the Lancashire Commissioners might take the proofs. Agreed and to be referred to Mr. Reading.

fo. 10. Petition, antecedent to all the above (18 March 1652-3), referred to Mr. Brereton. fo. 11. Order of reference to him. fo. 13. Copy.

fo. 15. Deposition of Hugh Wadsworth of Haighton, yeoman, as to the interest petitioner had in the property; namely a term of 16 years from 1653 when the property would come to deponent. He also deposed that he well remembered that in the year 1635 his father Nicholas Wadsworth purchased the reversion of several lands in Fulwood of Edward Ditchfield, John Highton, Humfrey Clarke and Francis Mosse, and that after the purchase deponent collected the rents from the tenants, among them being Lawrence Sudall the petitioner. Since his father's death deponent, being his heir, had received the rents; and other points in the case.

fo. 17. Edward Perry of London, gentleman, deposed to the execution of the deed above referred to.

Roger Sudall *see* **Thomas Grimsbaw** (above iii, 133).

William Sudall *see* **Henry Preston** (above v, 74).

Sumner *see* **Somner**.

Ellen Swinbourne *see* **William Boughton** (above iii, 304).

George Talbot of Carr.

G. cxxxviii, fo. 631, etc.; *Cal.* iv, 3129.

Petition of George Tolnson of Witton and Lettice his wife disclosing that upon their former petition—setting forth that they had obtained a judgment against George Talbott of Carr in co. Lancaster upon a bond dated June 1650, and had had the moiety of the lands extended, but that before any benefit could be received thereby the Lancashire Commissioners seized and secured the profits of the estate so extended upon a charge of delinquency exhibited against the said George Talbott for acts of delinquency pretended to have been committed by him during the then last war, by means whereof petitioners were hindered from having the benefit of the said judgment

and extent—the Commissioners ordered that if Talbott did not show cause within 20 days after notice why petitioners should not enjoy the lands so by them extended upon security, that then an order should pass for petitioners to enjoy the land accordingly. As Talbott had not given the notice, petitioners prayed that they might proceed upon the said extent and have possession of the lands until their judgment be satisfied (no date or order).

fo. 633. The petition (25 Apl. 1654) upon which the order calling upon Talbott to show cause was issued.

fo. 635. Petition, without date or order.

G. clxi, fo. 22, etc.

Letter, dated at Wigan 22 May 1654, mentioning that in observance of an order of 25 April then last upon the petition of George Tounson and Lettice his wife, touching the allowance of a judgment against George Talbot of Carre whereupon the moiety of his lands were extended, they had taken the deposition enclosed for giving notice of the said order to the said George Talbot.

fo. 22. Deposition of John Osbaldeston of Witton, fustian weaver, who deposed that he delivered a copy of the said order on 11 May 1654, at which time Talbot affirmed he could not show any cause at all why the said order should not stand granted.

fo. 25. 26 March 1652—notice to Talbot that his estate would be sequestrated.

fo. 27-28. 19 July 1653—Interrogatories administered to witnesses on behalf of petitioners.

fo. 29. Examinations, taken at Preston 15 Sept. 1653, on behalf of petitioners: of William Wall of Preston, gent., aged 36 years, undersheriff of the County Palatine of Lancaster; (fo. 30) Richard Craven of Dinckley, yeoman; Edward Rishton of Micklehey in Rushton; (fo. 31) Lettice Tolnson, wife of petitioner, and petitioner himself.

fo. 32. Interrogatories administered on behalf of the Commonwealth.

fo. 33. Letter, dated at Preston 4 November 1653, referring to the same matter and enclosing copies of examinations.

fo. 35. Examinations taken on behalf of the Commonwealth of all the preceding witnesses.

20 June 1654—Talbot failing to show cause, the Tolnsons are allowed to proceed on their extent until satisfied.

Sir John Talbot of Salebury, knight.

G. cxcv, fo. 273; *Cal.*

Delinquency: he deserted his dwelling, went into the enemies' quarters and adhered to the forces raised against the Parliament. He took the National Covenant and Negative Oath before Committee of Lancashire 6 January 1645-6. He compounded on a particular which disclosed that he was seised of a franktenement for life, with remainder to his first and other sons in tail, of the manor of Salbury and certain lands and tenements there and in Dinckly, Clayton in le Dale, Wilpshire, Clitherall and Ribchester, £130; also a like estate, with remainder to Margaret his wife, of a messuage called Heley and other lands in Salesbury worth £10 a year. He claimed a deduction of £2, the yearly quit rent paid to the lord of the fee. Fine, £444 (31 Dec. 1646).

fo. 276. Petition.

fo. 278. Affidavit, sworn to by Robert Boulton, that he had been employed by compounder 10 Nov. 1645 to obtain a pass for him to return to his own house at Salebury.

Preston.

Att the Generall meeting 6 January 1645[-6]. Forasmuch as Sir John Talbott, Kt., hath beene in the enemy's quarters and hath lately voluntary come home to live under the power and proteccion of the Parliament and for that hee hath since before this Committee taken the

Nationall Covenant, the oath of Abiuration and the oath of the Fifth of Aprill last, Itt is therefore now ordered that the said Sir John Talbott bee sett att liberty and bee permitted to go to live att his owne home (hee haveinge undertaken before this Committee) there to demayne hymselfe without givinge any offence to the Parlliament partie, without givinge any Intelligence to the Enemy or without going out of the County without leave of this Committee; and that hee will take the Nationall Covenant againe in the parish Church of Blackborne in a full Congregacion and that he will apeare before this committee when he shall thereunto be required.

18; die Januarii 1645(6)

RIC. SHUTTLEWORTH
GEORGE DODDINGE
JOHN STARKIE
RICHARD ASHETON
RIC. HAWORTH
THO. FELL
H. FLETEWODE

Theese are to certifie whome it may
Concerne that Sir John Talbott, Knight
hath taken the Nacionall Covenant in the
paryshe [church] of Blackburne according
to the Tennour of his order

Ita testor ADAM BOLTON, Minister.

Rd. Osbaldeston }
Thomas (T.) Pickaring M'ke } Churchwardens
of the same paryshe.

fo. 281. Pass, Certifying that Sir John had taken the
National Covenant, the Negative Oath and the Oath of
Abjuration of Popery, and directing all commanders and
others to permit him, his man and their horses to travel
without molestation to the city of London. 6 May, 1646.

J. BRADSHAWE, Vic.
G. IRELAND
PETER EGERTON
JOHN STARKIE

RICHARD ASSHETON
EDWARD RIGBY
RI. HAWORTH
WILLM. KNIPE
ROBT. CUNLIFFE
H. FLETEWOOD
CHR. BANASTER

(No place)

fo. 284. Affidavit, sworn to by compounder, as to the fee farm rent; before John Page 7 December 1646.

fo. 285. Particular of his estate.

G. cxxi, fo. 452.

Petition of Sir John Talbot which showed that petitioner on the 31 March 1646 compounded with the Committee for his estate and delinquency and was fined £444; which fine with much difficulty he had wholly paid into the Treasury except £50. Yet notwithstanding his composition and a letter of suspension issued by the Commissioners above, the Lancashire Commissioners had received £50 due to petitioner for rent at Candlemas day 1646-7, which by his said composition he himself should have received of his tenants as others in like cases did. He therefore prayed that the Commissioners would abate him £50 remaining of the latter moiety of the fine, the same to be repaid by the sequestrators (5 Jan. 1647-8). "Let this petition be sent inclosed in a letter to the Committees of the County that they see the money to be paid or show cause why it is not paid."

John Talbot, Esq., of Dinckley.

G. ccxxv, fo. 121, etc.; *Cal.* ii, 1449.

Report on the case by Mr. Brereton, by which it appears that petitioner was one of the persons included in the Act for the Sale of Lands for Treason. The survey of his estate, taken according to the said act, was returned 8 March 1652-3, and a copy transmitted to the Committee by Raphe Darnell, esq. on the 28th of the same month.

He petitioned 31 March 1653 to be admitted to compound as tenant for life of the lands so surveyed. By the survey it appeared he had then lately been seised of a capital messuage called Dinckley, situate in the parish of Blackburne, co. Lancaster, with lands, worth yearly £39. 4s. 8d. It was certified that the said premises had been demised to Robert Ash, by indenture of 1st January 1652-3, for 7 years from 2 Feby. at a rent of £31. 4s. There were 105 saplings growing on the estate, worth £21. Petitioner was seised of other closes and parcels of land, meadow, and pasture demised by several leases by the Commissioners to Richard Heyhurst, Thomas Dewhurst, Jane Carter, Richard Dewhurst and Robert Almond for one year, at a rental of £19. 16s. 8d.; worth £5. 3s. 4d. more upon improvement. Petitioner was also seised of a cottage and certain parcels of land in Dinckley, demised by indenture dated 12 March 1641-2, by Sir John Talbot, Kt., to John Clayton for 21 years from 2 Feby. then last, at a rental of £2. 18s., "and worth noe more then the rent." Also of another cottage and 8 acres of land demised by indenture dated 10 Oct. 1617, by Sir John Talbot, Knt., to Edmund Heyhurst for 80 years if Edmund, Ellen or John Heyhurst should so long live, at a rental of 9s. 4d. a year; now in possession of John Heyhurst and worth above the rent £4. 17s. 4d. There were quit rents of 10s. 10d. payable to John Brodick, esq.; 9s. to Richard Sherborne, esq., and 10½d. to the late King and "now unto the Commonwealth" payable out of the premises.

Petitioner craved an allowance of £600 charged upon the premises and other lands by indenture dated 1 July 1618, made by Sir John Talbot, compounder's father, to be paid £100 a year from the death of Sir John, to his daughter Margaret. As a proof that compounder had only a life interest in the estate he produced an indenture quadripartite dated 4 March 1633-4, made between Sir John Talbot, compounder's father, of Salesburie, co.

Lancaster, knt., of the first part; Thomas Westbie, esq., of the second; John Talbot (compounder), son and heir of the said Sir John Talbot, Knt., of the third part, and Sir Alexander Barlow and others of the fourth part. He also produced copy of a fine levied at Lancaster in Lent following by the said Sir John, Dame Margaret his wife, John Talbot and George Talbot (second son of the said Sir John), by which indenture and fine the premises (*inter alia*), in consideration of a marriage solemnized between the said John Talbot and Margaret his wife, daughter of the said Thomas Westbie, were settled upon the said John Talbot and Margaret his wife during their lives without impeachment of waste during his life, with remainder to his first and all other sons according to their seniorities and the heirs males of their bodies respectively; remainder to the said Sir John Talbot for life; remainder to George Talbot, second son of Sir John, and the heirs males of his body; remainder to the right heirs of Sir John Talbot; with power unto the said Sir John Talbot to cut down all trees, woods and underwoods growing upon the premises except upon the Woodridding, the Calfe hey, the Farmesowe, the *linies* (?) Eyes, the Brook-mouth, the Thistle Eyes, the Tenter Eyes, the Great Eyes, the Midle Eyes, the Warth, the Little Meadow, the Summer hey, the Syde Skirt and Chippendale field and Cloughe; which closes were found to be the same whereupon the saplings were found by the surveyors to be growing. Sir John covenanted that the premises were free from incumbrances, except the £600 to Margaret Talbot.

fo. 126. Petition. fo. 27. Order of reference to Mr. Brereton.

fo. 129. Affidavits of John Talbot (fo. 131) Charles Wilson (fo. 133) Thomas Clifton.

fo. 135. Certificate of the Committee of Preston, declaring that they had leased the real estate of Compounder to Robert Ashe of Dutton, co. Lancaster. Fine, £335. 7s. 10d. (8 Apl. 1653).

G. cxxi, fo. 433, etc.

Order to take possession of a capital messuage or mansion house called or known by the name of Dingley Hall, with the lands and appurtenances, lying in the parish of Blackburn, late parcel of the estate of John Talbot, esq., sold to John Wildman, esq., on 27 April 1653.

Petition, which disclosed that petitioner's name was inserted in the then late Act for Sale and that, his estate in the property at Dinckley being but for his life, it had been surveyed in order to sell it. By a proviso in the act it was permitted to him to buy and purchase it, and he therefore prayed to be allowed to compound for it in the usual way (31 March 1653). Referred to Mr. Brereton to state and report.

Claimants of the Estate

G. cxxi, fo. 449; *Cal.* v, 3281.

Petition of Dorothy wife of John Talbot, disclosing that her husband then remained under sequestration for his delinquency. She therefore petitioned for an allowance of the fifth part of his estate for the maintenance of her self and children; which was granted (22 January 1650-1).

G. lxiv, fo. 764, etc.; *Cal.* ii, 1449.

Petition of Robert Ashe of Dutton, co. Lancaster, that he offering the greatest value for the estate of John Talbot of Dinckly, co. Lancaster, should be admitted tenant for 7 years. "12 Oct. 1652—a Confirmation as in like cases."

fo. 765. Communication from the Lancashire Commissioners, dated Preston 7 Feby. 1652(-3), stating that they had "sealed unto him his lease."

Edward Tarleton of Aigburth.

G. cxliii, fo. 235, etc.; *Cal.* v, 3203.

Petition of Robert Chamtrell and Richard Bridges, showing that Edward Tarleton, gent., being seised in fee

of certain lands in Agburgh within Garston in the county of Lancaster, did by indenture dated 18 June 1653, for the considerations therein expressed, demise to petitioners certain lands therein named to have and to hold (for 21 years from the death of the said Edward Tarleton) to the use of such person or persons and in such manner as the said Edward by his last will or other writing under his hand and seal should declare; with a proviso that if his heirs should pay to petitioners £1000 to the use of such person or persons and in such manner as he should appoint them the said indenture to be void. The said Edward Tarleton made his last will 18th June 1653, thereby declaring that his meaning and the intent of the said indenture was for the payment of his debts and raising portions for his children, and he died about 22 June 1653. Edmond Tarleton, son and heir of the said Edward, by his indenture dated 24 June 1653, reciting the former indenture, did thereby covenant, promise, grant and agree the said lands during the said term and upon the conditions mentioned in the said will, the petitioners against all persons to warrant and defend; with covenants for further assurances. The said Edmond Tarlton died about 27 June 1653, and the legacies and debts were then still unsatisfied for the reason that the lands were under sequestration for the recusancy of Edward Tarleton, deceased. Petitioners prayed that the sequestration might be discharged (17 Feby. 1653-4). Referred to Mr. Reading.

fo. 237. Second petition, desiring to have other witnesses examined (30 June 1654). This was agreed to.

fos. 239-245. Report by Mr. Reading, dated 11 Sep. 1654, in which after reviewing the case in considerable detail, he submitted to judgment whether the sequestration for the recusancy of Edward Tarleton, then deceased, should not be discharged and the petitioners permitted to enjoy the property for the uses above mentioned.

fos. 247-260. Other papers connected with the case, including among them orders, certificates and examinations of deponents.

G. clxxiii, fo. 543, etc.

Letter, dated at Wigan 16 January 1654-5, signed by E. Aspinwall and R. Massey, mentioning that in observance of an order of 4 January 1654-5, made in favour of the above petitioners, they had taken the examination of Richard Carter for proof of the heir at law to Edward Tarleton mentioned in the order. A copy thereof, with a letter from Richard Tarleton, heir of the said Edward, they enclosed.

fo. 543. Letter from Richard Tarleton, dated at Aighburgh, January 12 1654-5, supporting petitioners' claim. He mentions that he was heir to his father Edward Tarleton through the death of his elder brother Edmund; also that his father was dead.

fo. 544. Richard Carter of Tarbock, co. Lancaster, gent., sworn, said that he knew Edward Tarleton of Aighburgh, gent., then deceased, who married deponent's wife's sister. The said Edward had three sons, Edmond, John and Richard. Edmund died three days after his father; John had left the county seven years then ago and had not been heard of, and therefore deponent believed he was dead; Richard he had seen that day in perfect health, and he believed that Richard, for the reasons stated, was the heir to his father. He saw Richard Tarleton subscribe his name to the letter referred to above.

G. cxliii, fo. 401, etc.

Petition of Thomas Litherland of Prescott, showing that petitioner had a good title to a messuage or tenement and certain lands in Huyton, co. Lancaster, two-thirds of which was under sequestration for the recusancy of Edward Tarleton, deceased. There had been former proceedings which were not fully satisfactory, so he now prayed to be allowed to examine further witnesses (Feby. 16, 1654-5). Agreed.

fo. 403. The preceding petition.

In an earlier petition (13 June 1654) Litherland stated he had purchased the tenement from Edward Tarleton and his son, both deceased. Tarleton's life interest had been derived from his wife Dorothy, by the courtesy of England.

Tatbam Chapel *see* **Lord Morley** (above iv, 183).

Edmund Tatbam *see* **John Girlington** (above iii, 72) and

Cuthbert Parkinson (above v, 24).

Elizabeth Taylor of Oldham, widow.

G. ccxiii, fo. 277, etc.; *Cal.* iii, 2043.

Petitioner compounded for herself and three small children, for lands late the property of John Taylor her husband, deceased. His delinquency was that he was in arms against the Parliament and died at the battle of Newburg in 1643. Certified by the committee of the county, 19 August 1645. She petitioned 8 May 1649, and compounded on a particular which disclosed that the said John Taylor in his lifetime was seised of a lease for three lives (where of one has since died), of a messuage and mill, with lands in Oldham, of the yearly value of £4; that he likewise held on similar terms a tenement and lands in Oldham worth yearly £4. 10s. Fine, £10. (11 June, 1649).

fo. 280. Petition. fo. 281. Particular. fo. 284. Affidavit of petitioner that her estate real and personal was not worth £200; sworn same day before C. (?) Mainwaringe.

fo. 285. Communication from the Committee of Lancashire, dated at Bolton in le Moors, 19 Aug. 1645, addressed to the Committee of Lords and Commons in Parliament for the Sequestration of Delinquents' and Papists' estates; in which they state that Edmund Taylier the father and Edmund Taylier the son, being seised of an estate in fee simple of a capital messuage called Horsedge Hall in Oldham, leased the same to one John Leaver, gent., for the lives of Robert and Jane

Leaver his children, and of Robert Harper, son of John Harper of Hallywell; which estate was upon a decree in the Duchy Chamber at Westminster in Hilary Term 15 Charles I [1629-30], upon variance moved betwixt the said Edmund Taylier and one Francis Bretlands, plaintiffs, and the said John Leaver and Robert Leaver, defendants, reassured by the said John Leaver according to the appointment of the said Edmund Taylier, to Thomas Prestwich, esq., and Edmund Whitehead for the three lives yet in being as by the said decree and the said indenture of assignment, dated 3 Sep. 1640, produced before us. Upon which it was afterwards agreed, as we are informed by John Sandford who made the agreement betwixt the said Edmund Taylier the son and the friends of Elizabeth, then wife and now widow of John Taylier, the son of the said Edmund the son, that (in respect the said the reassurance was purchased and gained with £280 of the portion of the said Elizabeth, now widow), Edmund the son, father of John, should have £8. 6s. 8d. a year during his life out of the said reassured estate, if it so long continued, and Edmund Whitehead, one of the Assignes was to raise out of the remainder £70; after which raised and he thereof satisfied, then there should be raised £350 for the children begotten on her body by the said John Taylier; and afterwards the reversion of the said estate (after the monies as aforesaid raised) should be assigned to John Taylier. Notwithstanding the said John Taylier had no other estate, yet being in possession by Edmund Whitehead's permission, all the said lands (excepting the said Edmund Taylier's part allotted for his £8. 6s. 8d. per annum) were sequestrated for the delinquency of the said John Taylier and have hitherto continued in sequestration from May 1643. And the said John Taylier had at the time of his sequestration a tenement (for three lives then, and but one of them now in being) called Little-more in the County of Lancaster, worth £5 a year, continued

hitherto in sequestration for the delinquency of the said John Taylier, who died 13th September 1643, at the battle at Newburgh. Whereupon the said Elizabeth, widow of the said John, on her own and her three small children's behalf petitioned us for possession of the said lands in Horsedge so reassured as aforesaid, as also the said Little-more, by reason of her husband's death. And because we conceive we have no authority to grant the same of ourselves, we thought it our duty to certify the truth of the premises in her behalf, etc.

J. BRADSHAW, THOMAS BIRCHE, ROBT. CUNLIFFE.

Gilbert Taylor *see* Margery Simphin.

John Taylor of Broughton.

G. cxxxix, fo. 317, etc.; *Cal.* v, 3207.

Petition of Thomas Cowell and Robert Cowell of Whittingham, yeomen, disclosing that John Taylor of Broughton [near Preston], yeoman, was seised in fee of two messuages and certain lands in Broughton; that these were sequestered for the recusancy only of the said John Taylor, and by his death had descended to Christopher Taylor, his son and heir; that Christopher leased the same for 21 years to petitioners for the paying of several debts mentioned in a schedule to the said deed annexed; that though the said messuages were vested in petitioners they then were under sequestration for the recusancy of John Taylor, who was dead. They prayed therefore for an order to examine as to the title of petitioners (18 May 1654, copy).

fos. 309-13. Report on this petition. fo. 315. Order referring the case to the Lancashire Commissioners.

fos. 320-358. Communication from the Lancashire Commissioners with examinations, interrogatories, certificates and petition (original), report (supplementary) other certificates and reference, petition, and examinations, etc.

2 Nov. 1654—Claim allowed as report, with arrears; but debts due to delinquents and two-thirds of those due to recusants must first be paid to the use of the State.

William Tempest of Wigan, innkeeper.

G. ccx, fo. 825, etc.; *Cal.* iii, 2011.

Delinquency: adhering to the forces raised against the Parliament. He petitioned 1 May 1649, and compounded upon a particular which disclosed that he was seised of an estate for two lives in a messuage and six small parcels of land and a butcher's shop or shed in Wigan, worth yearly £3. 17s. Fine, £7. 14s. (15 May 1649).

fo. 828. Petition. fo. 829. Particular, in which it is stated that the reversion to the above came to the parson of Wigan for the time being.

Andrew Thistleton of Myerscough.

G. cxlv, fo. 61; *Cal.* iv, 3145.

Order to take possession of a messuage in Myerscough then late parcel of the estate of the above, sold to William Dicconson, esq., on 5th August 1653.

Robert Thistleton, deceased.

G. lxxviii, fo. 3, etc.; *Cal.* v, 3217.

fos. 3-8. Report by Mr. Reading on the petition of Thomas Cooke of Kellamargh and Thomas Compton of Canton, yeomen, desiring that two third parts of a messuage and certain lands lying in Warton [Kirkham], sequestered for the recusancy of Robert Thistleton deceased, might be discharged.

He found, among other things, that by an indenture dated 18 Aug. 1653, made between the said Robert Thistleton and the petitioners, he (in consideration of the natural love and affection he bore to Jennet his wife and Ann and Ellen his daughters and for their better preferment and towards discharging his debts), gave to petitioners, their heirs and assigns the messuage above

mentioned lying in Warton, with certain lands then in his own occupation, to have and to hold for ever with certain provisoes and conditions; namely that petitioners should stand seised of the said messuage, etc. to the only use and behoof of the said Robert Thistleton for his life, and immediately after, the petitioners to stand seised of and in the ancient dwelling house and the rooms therein westward, the east out-shoote in the barne, the outcast and the out-shoote in the west end of the kilne, with liberty of and in the said kilne to dry corn at all times and so often as Jennet then wife of the said Robert Thistleton should have use or need of or for the said kilne; also of and in one half of the orchard, the full third of the hempe yard lying on the north side of the said house in three equal parts to be divided, and also of and in three closes called the Brook Croft, the Bulle tree hey, and the Oven-house yard—all which were part and parcel of the said messuage, etc.—to and for the only use of the said Jennet and her assigns in lieu and satisfaction of her jointure and dower, she paying a third part of all rents, dues etc. They also were to stand seised of the rest of the premises for the payment of such of his debts as his personal estate “ would not extend to pay ”; afterwards to the only use of his daughter Ann then wife of Robert Saunderson and the issue of her lawfully begotten and to be begotten; in default, then to the use and behoof of Ellen, youngest daughter of the said Robert Thisleton and then wife of George Fletcher, and the issue of his body, etc., as before. As to two closes called the Craft Nooke and Long Shoot (excepted previously), these with their appurtenances to the use of the said Ellen and the issue of her body, with divers remainders over in tail; remainder in fee to the right heirs of the said Robert Thistleton for ever.

Andrew Lewtie. sworn before the Lancashire Commissioners deposed that he drew the deed of feoffment, and witnessed the execution of it. In cross-examination on

the part of the Commonwealth he deposed that the indenture was really and *bona fide* executed by sealing, etc., by livery of seisin and possession.

William Shawe deposed to the same effect, and further that he knew two third parts of the lands were in 1653 sequestered for the recusancy of Robert Thistleton and were then still under sequestration, notwithstanding the fact that Robert Thistleton was dead and buried—as he knew, having been at his funeral in the churchyard of Kirkham on 12 Sept. 1653; and further, as to the amounts of money owing by Robert Thistleton at his death (£220).

John Croke, one of the petitioners, sworn, deposed to the *bonafides* of the deed and other matters.

The Lancashire Commissioners certified these examinations on 24 Oct. 1654 (as taken by them in observance of an order from London of 13 July 1654), and further that by theirs of 9 Dec. 1651 they ordered two-thirds of the said estate should be “secured,” and subsequently by an order of 20 Nov. 1652 ordered the same to be sequestered; copies of which they enclosed. Other certificates and other facts bearing on the case were referred to, and Reading submitted for judgment whether the two parts of the estate of the said Jennet should not continue under sequestration for her recusancy and whether the sequestration of the rest of the estate should not be discharged.

fo. 9. 13 July 1654—Order of Reference to the Lancashire Commissioners. fo. 12. Petition (Copy). fo. 13. Certificate exhibiting that in 1654 Robert Sander-son was tenant of the lands sequestered from Robert Thistleton and paid the state yearly £3. 6s. 8d. fo. 4. Certificate showing what proceedings had been taken in the matter.

fo. 15. Certificate as to the persons whose estates have been seized for recusancy of the name of Thistleton (27 June 1655). fo. 17. Communication, dated Preston 24 Oct. 1654, signed by E. Aspinwall and Robt. Massey,

stating proceedings taken and enclosing copies of the examinations, etc., and other facts connected with the inquiry.

fo. 21. Petition (13 July 1684).

G. cxlv, fo. 469, etc.

Interrogatories, administered on behalf of John Crooke and Thomas Crompton on behalf of the creditors and children of the above.

fo. 47. Examination of Andrew Lewtie, of Much Plumptton within the lordship of Westby, yeoman, 53 years of age; of William Shaw of Warton, yeoman, 27 years.

fo. 473. Interrogatories on behalf of the Commonwealth administered to the above two persons and to John Crooke (fo. 475) of Kellamargh, gent., and others, sworn at Preston 21 Sept. 1654.

fo. 477-8. Letter from the Lancashire Commissioners, dated at Preston 9 December 1654. fo. 479. Another letter from the same persons and place dated 24 October 1654.

Henry Thomason *alias* **Edwardson** *see* **Henry Wood**.

Richard Thomason of **Kenion**, husbandman.

G. cxxiii, fo. 77; *Cal.* iv, 3176.

Petition, which disclosed that two-thirds of his estate was under sequestration for his recusancy. He prayed to be admitted to contract for the same (30 Dec. 1653). Referred to Mr. Reading.

Rowland Thornburgh of **Lyndall**.

G. cxxii, fo. 531; *Cal.* v, 3198.

Petition to be allowed to contract for two-thirds of an estate sequestered for the recusancy of himself and John and Francis Thornburgh, as allowed by the act of 21 Oct. 1653 (21 Jan. 1653-4).

Thomas Thornburgh of Cartmell, gent.G. cxxii, fo. 528; *Cal.* v, 3198.

Similar petition in respect of the two-thirds of his estate sequestered for his recusancy only (21 Jan. 1653-4).

Jane Thornley, widow.G. lxiv, fo. 269, etc.; *Cal.* iv, 2413.

Report by Mr. Reading, on the petition of Elizabeth Ashton of Cuerdall, widow (heard May 11 1654), praying that two-thirds of the moiety of a messuage lying in Cuerdall, sequestered for the recusancy of Jane Thornley, late wife of Robert Thornly deceased, might be discharged from the sequestration. He found that by indenture dated 17 April 1617, made between Radcliffe Ashton and George Preston, esqrs., of the one part and Edward Thorneley of Cuerdon, husbandman, of the other, the said Radcliffe Ashton and George Preston, as well for and in consideration of the surrender of one indenture of lease made by John Osboldeston, esq., deceased, to Edward Thorneley as also for a sum of money by the said Edward Thorneley paid, did demise, grant and to farm let to the said Edward Thorneley his executors, administrators and assigns, a messuage, lands etc., late in the occupation of the said Edward Thorneley, lying in Cuerdall, for a term of 80 years if the said Edward, and Robert and Thomas Thorneley, his sons, or any of them, should so long live.

Thomas Turner, gent., sworn 20 July 1650-1, said he was present at the sealing and delivery of the counterpart, and further said the three persons named above in the lease were all dead, when the premises by right came to petitioner Elizabeth, relict of Radcliffe Ashton. He had heard and believed it to be true that two-thirds of the estate were under sequestration for the recusancy of Jane late wife of Robert Thorneley, notwithstanding the determination of the lease.

Richard Whalley, gentleman, deposed to the same facts

as Thomas Turner above. He found by the will of Ralph Ashton, dated 18 January 1644-5, that whereas he held to him and his heirs for ever the manor or lordship of Cuerdall, he bequeathed the same and all his other lands, etc., lying in Cuerdall, Walton in le Dale and Fishweeke or elsewhere in the County of Lancaster, also all his farm "rents, tythes, Boones, suites and services and arrearings of rents, free fishing and other profits" to his executors for 21 years immediately following his decease; out of the issues they were to pay to his two sons and six daughters, Ralph and Richard Ashton, Joane, Alice, Elizabeth, Julyan, Jane and Margaret Ashton, at the feast days of Pentecost and Martin the Bishop in winter, by even and equal portions, proportionally to be divided among them for and towards their maintenance and preferment and marriage portions respectively and to no other use whatsoever. And he devised the reversion of the manor and premises to Richard Ashton his grandchild, son of John Ashton, deceased, and to the heirs males of his body lawfully begotten; and of the will he made petitioner (Elizabeth Ashton) and Ralph Ashton his son, Colonel Nicholas Shutleworth, Richard Ashton, Nicholas Ashton of Whaley, Thomas Turnor, John Leigh and Richard Whalley, executors.

Thomas Turner deposed that he knew the said messuage and believed it to be true that two third parts of the moiety thereof was sequestered for the recusancy of Jane Thorneley, deceased; and the said Ralph Ashton deponent's late master, together with George Preston, esq., who was only named trustee in the purchase of the said lordship of Cuerdall (the estate of inheritance being solely in the said Radcliffe Ashton), did by lease dated 17 April 1617 demise to Edward Thorneley deceased the said messuage for a term of years; if he Edward Thorneley, Robert Thorneley and Thomas his sons should so long live, and that the said Edward, Robert and Thomas Thorneley

were then since dead; that he had examined the register book¹ at Walton Church and found that Edward was buried there 13 November 1652, Robert 25 July 1637, Thomas 14 June 1650 (buried at Preston), that Jane was buried at Walton 24 June 1652. He knew his late master had an estate of inheritance in the lordship of Curedall, whereof the messuage and tenement is parcel, and that he purchased the same from Sir Edward Osboldeston since deceased. Deponent, being then Mr. Ashton's servant, by his appointment at several times paid the sum of £2000, part purchase money for the said lordship, and the said Mr. Ashton devised all the lordship (excepting his wife's jointure) to the executors named for the term of 20 years for raising portions for his two younger sons and his daughters, and named Elizabeth Ashton his wife, deponent and others his executors.

Cross-examined on behalf of the Commonwealth, he said that he did not know of any surrender of the lease mentioned in the former deposition or that any other lease was ever made of the premises to Jane Thornley deceased, or to any other to her use, and believed she had no further estate therein after the expiration of the lease aforesaid.

Petitioner deposed that Jane Thornley was when alive reputed to have been a recusant, that she died above a year then since, that she had heard that two-thirds of the moiety of a tenement became sequestered for her recusancy, who was then dead, and that the lease had expired by the death of Thomas Thornley.

Cross-examined for the Commonwealth, she deposed as the preceding witness did.

These examinations were taken in Lancashire by the Commissioners in pursuance of orders dated 10 Dec. 1650 and 24 September 1652.

fo. 275. Mr. Bayley certified that he found one widow

¹ The earliest register extant begins in 1653.

Thorneley returned as sequestered in the last general list of sequestered persons from Lancashire; and Mr. Auditor certified that he found in a survey taken by the Commissioners for sequestrations for the County of Lancaster in the years 1650 and 1651, the estate of Jane Thorneley, widow, a papist, mentioned to be worth yearly £2. 11s. 4d. In conclusion Reading submitted to judgment that the sequestration be discharged, the lease to the said Edward Thorneley having expired (2 May, 1654).

fo. 277. Order for reference of the preceding case. fo. 280. Report by Lancashire Commissioners that in obedience to the order of 10 Dec. 1650, they had examined witnesses in the case (21. Feby. 1650-1). fos. 251-283. Copies of the depositions of Thomas Turner and Richard Whalley taken at Preston 20 Feby. 1650-(1).

fo. 286. Order of the London Committee (dated 10 Dec. 1650) directing the Lancashire Commissioners to take evidence in the case. fo. 287. Petition of Elizabeth Ashton.

fo. 289. Letter from Ormskirke, dated 5 Oct. 1653, signed by E. Aspinwall and Ro. Massey, stating that in observance of an order of 24 Sep. 1652, which came to their hands 16 Sep. 1653, they had examined and cross-examined the witnesses produced before them in the case. fo. 292. Certificate from Mr. Bayley as to what documents were in his custody in the case. fo. 294. Certificate of Mr. Auditor Browne as to the yearly rental mentioned in the survey.

G. lxiv, fo. 327.

Petition of Elizabeth Ashton, widow, of Radcliffe Ashton, in which she refers to a petition formerly presented referring to a lease made by her late husband and George Asheton (dated 17 April, 1617) demising a tenement in Cuerdall to Edward Thorneley and his assigns for 99 years. She prays for an order to take an examination of petitioner and such other witnesses as she

might produce (24 Sep. 1652). "The Commissioners to ex[amine] and certify."

fo. 329. Petition by same on same subject no date, unsigned. She prays in this for an order discharging the moiety from sequestration.

John Thornton *see* **John Calvert** (above, ii, 4).

Richard Thornton of Fence, yeoman.

G. cxxii, fo. 720, etc.; *Cal.* iv, 2667.

Petition, which disclosed that petitioner's name had been inserted in the then late Act for Sale. He, in accordance with a proviso in the Act, petitioned that the Lancashire Commissioners might be directed to examine his title and interest in the estate (6 April 1653). Granted.

fo. 724. Second petition (20 April 1653). Referred to Mr. Reading to report.

fo. 727. Petition of 18 Dec. 1650, which showed that petitioner had been sequestered by the then late Committee as a delinquent on the suggestion that he had assisted the enemy under the Duke Hamilton at his then late invasion; which allegation desired to traverse and prayed for an examination. Granted.

G. clx, fo. 85, etc.

Letter from Preston, dated 12 April, 1651, referring to an order on petition of Richard Thornton. It mentions that they had given him the heads of the charge against him and had examined witnesses on both sides (copies enclosed), which testimonies they submitted to the further consideration of the Commissioners above.

fo. 88. At Padiham, meeting of the Committee 17 Oct. 1648. William Troughton of Bolland informed on oath that Richard Thornton of Fence went into Sir Marmaduke Langdale's army and stayed there three or four days, and on his return brought protections from Sir Thomas Tildesley for himself and others. Richard Henthorne of the Fence on oath informed that he had

heard some neighbour say the said Richard Thornton had listed men for the Scots' army.

fo. 89. At Preston 20 Feby. 1651(-2) on behalf of petitioner William Troughton, asked if petitioner was in Sir Marmaduke Langdale's army, replied he could not certainly say, but said he was in the Scotch army at their last coming into the county as he had heard petitioner in his own house confess, saying he went from his own house to the said army on Sunday and returned on Tuesday, and told witness he had obtained a protection for himself but failed to procure one for Robert Bolton of Chipping and he sent witness to Bolton to inform him so.

Richard Henthorne said he had heard the preceding witness say that he had heard a man say that petitioner had listed men for Sir Marmaduke Langdale's army.

fo. 90. Examinations taken at Preston 20 March 1650(-1) on behalf of petitioner.

Anthony Bateson of Bolton, yeoman, aged 60, sworn, said in 1648 he was farmor of some housing and lands in Horneby sequestered from petitioner for his recusancy. The Scots' army being on their march fired the "How-singe" aforesaid and spoiled and ate up with their horses ten acres of hay and corn, one half of which belonged to petitioner. He had never heard that petitioner had borne or maintained arms against the Parliament, but he had heard he was in Horneby when the Scots' army was there, yet believed that his coming thither was only to save and preserve his house and not with any intention to take up arms with the enemy; and further he said that on 16 Dec. then last (a Monday) he saw petitioner in the parochial chapel at Horneby, there being at the same time a sermon by Mr. Fetherston of Bentham, and petitioner continued there during the time of prayer and sermon; whereupon the said Mr. Fetherston and others that were then present, at the entreaty of petitioner, gave him a certificate under their hands of his being in the

"capell" aforesaid during the time of prayer and service, which certificate bore date 23 Oct., 1650.

Thomas Thorneton of Harterbecke, yeoman, brother of petitioner, aged 50, sworn, said that in 1648 the Scots' army, then being in Horneby upon their march towards Preston, they fired and burnt down to the ground a dwelling house and two barns belonging to petitioner, and witness having sown two acres of ground belonging to petitioner "to half pints" all the said corn was eaten up and destroyed together with eight acres of meadowing and hay ground of petitioner's. Petitioner having another house in Harterbrecke, the same was sorely plundered by the Scots and most of the goods therein spoiled and carried away. He (witness), who was farmer under his brother of a tenement in Harterbrecke, being in Horneby met there with one Captain Beckingham (a captain for the enemy), who enquired for petitioner, saying that he (Beckingham) was to raise two troops of horse in the lordship of Horneby and that the said petitioner should find him a horse or otherwise he threatened to "drive his grounds." Whereupon witness, being terrified with his threats, sent over to petitioner to come to Horneby as speedily as he might, but he was forced to send twice before he would come; and at his coming he showed himself to be in great fear and anxiety how to return home, for that the enemy was about his house at his coming therefrom; and said that petitioner went to Captain Beckingham, then at Horneby, to speak with him to spare him for making horse or arms, but what answer he received witness knew not, but said petitioner returned shortly back and neither made horse nor arms but returned to his own house.

fo. 93. Interrogatories administered to witnesses, 20 April, 1653 at Preston, as to title.

fo. 95. Examinations, taken 20th April, 1653, of Thomas Wildman, (fo. 96) Anthony Bateson, (fo. 97)

Henry Fourcroste, (fo. 98) Mary and Robert Swinglehurst, To. 99) John Dobson and Anthony Bateson.

(fo. 100) Jennet Thornton, wife of petitioner, sworn, said she had done no act to or for any one, to weaken her title to fence in Bolland, and she knew no reason in law or equity to hinder her title to the same.

fo. 101. Interrogatories (3) to (fo. 102) Thomas Thornton and Jannett Thornton.

(fo. 103). Copy of order issued by the Committee at Padiham, dated 2 Nov., 1643, seizing petitioner's estate for his delinquency.

fo. 105. Letter from Preston, 26 May, 1653, stating they had examined witnesses touching the incumbrances on petitioner's estate and enclosing copies.

G. cxxii, fo. 541.

Order to take possession of several messuages, lands and tenements with their appurtenances, lying in the parishes of Whalley and Melling, co. Lancaster, late parcel of the estate of the above, sold to Samuel Foxley, esq., on 17 June, 1653.

William Thornton *see* Charles Townley.

Cuthbert Threlfall of Goosnargh.

G. cxxxviii, fo. 626, etc.; *Cal.* iv, 3094.

Petition, which showed that petitioner then lately had been seised of a messuage called the Ashes, with several parcels of land thereunto belonging, which was sequestered for his delinquency and inserted in the then last Act for Sale. Petitioner's mother was endowed with one full third part of the premises, and after her husband's death was possessed of it and held it for 35 years; but since the wars it had been sequestered for her recusancy only. The whole of the premises had been let on a seven year's lease by the Lancashire Commissioners. Petitioner prayed that they would consider the premises and set a fine according to the survey (copy annexed) (8 March, 1652-3). Referred to Mr. Reading to report.

fo. 627. Order to take possession of the above premises sold on the 29 April, 1653 to Thomas Hesketh, esq.

G. cxxiv, fo. 899, etc.

Report on the case by Mr. Readinge, by which it appears Compounder was one of the persons named in the Act for Sale of Lands forfeited for Treason. His estate was surveyed in January and certified to be returned 8 Feby., 1652-3. He petitioned 8 March, 1652-3, desiring to compound according to the proviso in the said Act, folio 1812. He was seised of a messuage in fee called Ashes, with several parcels of land, worth yearly £28. 12s. 10d. The premises were leased by the Commissioners of Lancashire to one Thomas Battison from 2 Feby., 1650-1 for 7 years at a rental of £10. 10s. 2d. It was certified also by the said survey that Julian Threlfall was living aged 61 years, formerly wife of Edward Threlfall; after whose death the said Julian became possessed of a third part of the premises, but afterwards she for her recusancy was sequestred, and was only allowed out of the said lands a third of a third, which she was to enjoy for life. The surveyors put in a reprize to the said Julian Threlfall for her life of 58s. 7d. The surveyors certified a deed of 20 Aug., 1640, made by Cuthbert Threlfall to feoffees in trust for the use of the heirs of Cuthbert Threlfall, but the said surveyors in their abstract of their said survey cast it up thus, viz:

	<i>li.</i>	<i>s.</i>	<i>d.</i>
The present Rent	10	15	02
The Improved Vallue	14	3	8
The future Improvement of a Cottage	0	7	0

making the total £25. 5s. 10d. Reprize to Julian Threlfall for life 58s. 7d. It was deposed that the agents for sequestration for Lancashire had and were allowing Julian Threlfall of Goosenargh in the said county, widow (late wife of Edmond Threlfall deceased), one third part

of her dower, the which was a third of the whole estate of the said Edmond Threlfall deceased (and now the estate of the compounder); which dower was sequestred for the recusancy of the said Julian only. It was further deposed that she was endowed in the aforesaid estate in 1620 and enjoyed the same till the time of sequestration.

fo. 904. Petition fo. 905. Particular, in which the names of most of the parcels (fields) are given, as also the acreage. fo. 907. Affidavit of compounder touching the dower of Julian Threlfall. Fine at two-sixths £117. 11s. (19 March 1652-3).

G. xciii, fo. 61.

Petition of Thomas Hesketh of Haselden, co. York, referring to a messuage and tenement called the Ashes in co. Lancashire which had belonged to Cuthbert Threlfall, a delinquent, and had been purchased by petitioner from the Trustees at Drury House, to whom he had paid the full purchase money. But a part of the estate had been sequestered for the recusancy of Julyan Threlfall, mother of the delinquent, petitioner prayed that a conveyance which he had received from the Trustees might be perused and a positive order issued that he might enjoy his estate according to his purchase.

14 Nov., 1654—"Julyan Threlfall to show cause within 14 dayes after notice thereof, if she can, why sequestration should not be discharged and the purchaser admitted to the possession.

Fo. 59. A certificate exhibiting that Julyan Threlfall had not put in any claim to any part of the said delinquent's estate.

Fo. 176. Another petition, which shewed that Hesketh on a former petition obtained an order requiring the Lancashire Commissioners to examine his case as to title etc.; which they had done. He now prayed that the proceedings might be referred to counsel to state and report. 31 Aug. 1653—"r. to Mr. Readinge."

For **Thomas Tbrelfall** *see* **Elizabeth Dillworth** (ii, 253).

Cuthbert Tildesley *see* **Elizabeth Barton** (above i, 150).

Edward Tildesley *see* **James Green** (above iii, 92)
and **Thomas Kirkby** (iv, 46).

John Tildesley *see* **Christopher Anderton** (see above i, 37).

Sir Thomas Tyldesley¹ and Edward his son.

Cal. iv, 2568.

4 Oct. 1650—Order or petition of Lady Tyldesley, wife of Sir Thomas, that she have one-fifth of her husband's sequestered estate from 24 Dec. 1649.

G. cxxiii, fo. 435, etc.

A petition, referring to the same matters as were dealt with in Vol. G 120, fo. 655.

G. cxx, fo. 797.

On 24 June, 1652 Ralph Standish, Roger Bradshaw [of Haigh] and Thomas Creamer, esqs., the guardians of Edward Tildesley son and heir of Thomas Tildesley, deceased, petitioned for reference to counsel of their title to the manors of Thorleys and Entwisle in Lancashire, Withgill in Yorkshire, and other lands settled (on marriage) on Thomas Tildesley by his father Edward, with remainder to his first son in tail. Their ward is that first son and ought to enjoy the estates. The title had been allowed by the Committee for removing Obstructions. The matter was referred to Mr. Brereton.

G. cxx, fo. 655, 727; cxxiii, fo. 435.²

On 17 March, 1652-3 the guardians complained that the County Committee of Yorkshire refused obedience to the order for discharging [Withgill manor] because it was sequestered for the recusancy of Mrs. Westby (in whose hands it remained while she lived), but she had it only in jointure from Edward Tildesley her first husband. They also complained that the tenement of James Greene (see

¹ See also John Guest (above, iii, 135).

² This petition is written in imitation of print.

above iii, 92) was not discharged by the Lancashire Committee, although the lease had expired.

G. cxxiii, fo. 447.

Petition by the guardians (Roger Bradshaw and Capt. Creamer), which showed that Elizabeth Westby, petitioner's grandmother, then late of Winder in Cartmell, had been seised in fee to her and her heirs in a capital messuage called Winder, with several tenements, etc., to the same belonging, and of a messuage called Outherthwaite and certain lands called Boonebanks and Eplands *alias* Eplads in the township of Allithwaite and Flockburgh in the parish of Cartmell, and of certain lands in Greshingham in the said county, two-thirds of which had been sequestered for her recusancy. She died about the year 1652, but petitioner could not enjoy the property without an order from the Commissioners above. He prayed therefore for the usual enquiry. This was granted, Mr. Reading to report (Nov. 30, 1654).

THE TITHES OF GOOSNARGH.

G. clix, fo. 365.

Letter from Preston, dated 6 Sept., 1652, signed by Robert Cunliffe and G. Pigot, mentioning that in observance of an order of 27 July, 1652, made upon the petition of the three guardians of Edward Tyldesley, requiring them to peruse the petition and to examine the matter and contents thereof, with witnesses on oath as well on behalf of the Commonwealth as the petitioner, they had perused the petition and now certified that the tithes of Goosnargh and Whittingham, mentoned in the said petition, had been in the year 1643 sequestrated for the delinquency of the said Thomas Tyldesley and so continued.

G. lxxxviii, fo. 65.

To the right Hon'ble the Commissioners for Compounding with Delinquents.

The humble petition of diverse well affected Gentlemen Freeholders and other the Inhabitants in the parish of Goosnargh in the county of Lancaster.

Showeth that the Summe of fower pounds per annum hath for many hundred years by past beene paied towards the Mayntenance of a Minister at the parish church of Goosnargh out of the Impropriat tythes which in the same Parish, nowe under sequestration for the delinquency of Sir Thomas Tyldesley, but the Commissioners for Sequestracions in the said County have lately refused to allowe the same in regard of some instruccions to the contrarie, all which appears by Certificate hereunto affixt.

Your petticioners humbly pray your order for the payment of the said fower pounds per annum for the future, it beeinge all the maintenance the minister hath formerly received, nowe of late that a small augmentation hath beene obtaynd from the Committee of Plundered Ministers, and your petticioners will ever pray etc.

fo. 67. These are to certify those whom it may concerne that wee the Inhabitants off the parish of Goosnargh within the hundred of Amondernesse and County off Lancaster have had a stipend off the Summe off Foure pounds payd unto us *per annum*, towards the maintenance off our Minister for the space of 200 yeares, as it is reported, but upon our owne knowledge for a longer tyme then any man now living amongst us can remember, untill November the sixt 1649, out off the Tithes off the said Goosenargh, Formerly in the possession off Sir Thomas Tildesley, but now under Sequestracion. The said Stipend hath beene deteyned from us from the day and yeere above said and is att this present withholden.

Wee Humbly pray that the said Stipend off the Summe off Foure pounds (beeinge all the Maintenance that wee have for a minister but what is allowed unto us by Augmentation) may bee payd and for the tyme to come continued, Wee now having Mr. William Ingham, an

honest man and one that hath engaged. And wee shall pray for you and rest

Your Servants,

THO. WHITTINGHAM	WILLIAM WALL
RICH. BLACKBORNE	GEORGE BENSON
THOM. BEESELEY	ROB. BEESLEY
THOM. THRELFALL	ROBERT BARTON
JOHN WARINGE	JOHN PARKER
JOHN MERCER	WILLIAM KEWOODE ¹
WILLIAM DASE	WILL. BOYES
HENRIE WARINGE	RICH. HARRISON
ROB. COWELL	THOM. PERKINSON
ROGER TURNER	

22nd November, 1650.

Wee have perused this Certificate and know some of the Subscribers to bee honest gentlemen and well affected to the present government and Beleeve the Certificate to be true.

PETER HOLT
ROBT. CUNLIFFE
G. PIGOT.

Order: "A certificate for Mr. Will'm Ingham, minister." fo. 70. Petition. Copy of Preceding (20 May, 1652), £3. 18s. is the sum mentioned. Order "to pay the £3. 18s. to the Ministers." fo. 71. Communication, dated at Preston 21 Feby, 1650-1, enclosing examinations (fo. 73).

G. clxi, fo. 417, etc.

fo. 420. Letter, dated at Preston 21 February 1650(1), signed by Peter Holt, Robt. Cunliffe and G. Pigot, mentioning that in observance of an order of 10 Dec., 1650, touching a rent charge of £4 due to the minister at Goosenargh out of the impropriate tithes within the parish of Goosenargh sequestrated for the delinquency of

¹ Or Rewoode.

Sir Thomas Tyldesley, they had taken several examinations (copies of which they enclosed) and leave the matter to the further consideration of their honours.

fo. 417. Examinations taken at Preston 20 Feby., 1650(-1).

Thomas Whittingham of Whittingham in the county of Lancaster, esq., aged 65 years or thereabouts, sworn and examined, deposed and said that the Ministers of Goosnargh (where deponent had his means and estate) had so long as he could remember had the yearly stipend of £3. 18s. allowed them out of the tithes of Goosnargh by Sir Thomas Tildesley and his ancestors and their agents; and since the said tithes had been sequestered for the delinquency of Sir Thomas Tildesley the agents for sequestrations had allowed to the said Minister £4 *per annum*, which had been duly paid until within two years then last past. And further deponent could not depose.

Henry Waring of Whittingham, yeoman, sworn and examined, deposed and said that the Ministers at Goosnargh (where deponent had his means and estate) had in his remembrance for about twenty years then past had the yearly stipend of £3. 18s. allowed them out of the Tithes of Goosnargh by Sir Thomas Tildesley and his ancestors and their agents; and since the said tithes had been sequestrated (for above 6 years then last past) for the delinquency of Sir Thomas Tildesley, the agents for sequestrations had allowed to the said Minister £4 *per annum*, which had been duly paid until the 6 of Nov., 1649. Further deponent could not depose.

fo. 418. Robert Barton of Goosnargh, yeoman, and John Salisbury of the same, husbandman, deposed to a like effect.

THE TITHES OF KIRKHAM.

G. clix, fo. 437; *Cal.* iii, 1943.

Gentlemen.

By Command of the Committee of Complaints touchinge

the breach of Articles, I am to acquaint you with the petition whereof the inclosed is a Coppy, beinge from the Governours and Students of Christ Church Colledge in Oxford, which the Committee have taken into Consideracion together with the articles upon which they ground their Complaint; and upon the whole matter It is their opinion that all and every the tenants of he said Colledge as well in the County of Lancaster and els where ought according to the said Articles of the said Treatie to pay all such reuenues and arreares of Rents and Revenues as are due from them unto the said Colledge Notwithstandinge any restraint or order of any Committee of Parliament to the contrary, Exepteinge such rents and revenues as have been alreadie taken and received by Ordinance of Parliament.

Of this the Comittee desire you to take notice and, because it soe much concernes the honour of Parliament to preserve the Articles of the treatie inviolable, that you will take care that the tenants of the said Colledge may not hereafter by any Comand from you bee hindred from the payment of theire rents accordinge to the said Articles. Haveing noe further comands at present I take leave to Remain

Your affectionate friend
to serve you,

Westm'r 30 October
1646.

ROBERT PYE.

To his very loving friends the Commissioners of Sequestrations for the County of Lancaster these.

fo. 438. To the Hon'ble the Committee of Complaints touching the breach of Articles

The humble petition of the Governours and Students of Christ Church in Oxford.

Showing—

That by the Articles concluded upon the Render of Oxford It is expressly provided on the behalf of your petitioners that they should enjoy the lands, tenements,

houses, possessions, Rents and Revenues belonging to them (Exceptinge such Rents and Revenues as had then alreadye bene received by the Ordinance of Parliament), free from Sequestracion and all other molestacions whatsoever for or under Collour of anythinge relating to the warr: Nevertheles your petitioners' tennants, takinge advantage of the troubles and of some orders from Parliament and Direcions from the Committees made before the said Articles for payeing their Rents unto them and not to your petitioners doe detaine their rents in their hands and refuse to pay them to your petitioners which is (as they humbly conceive) contrary to the said Articles.

Their humble suite to your honours is that you wilbe favourably pleased to order that your petitioners may receive their said Rents and all arrears thereof accordinge to the said Articles, notwithstandinge any order or restraint of any Committee according as hath bene granted to other Colledges of that University. And your petitioners as bound shall ever pray

GEORGE MORLEY in the behalfe
of Christ Church in Oxon.

fo 441. Honored Sirs,

Haveinge the opportunity of sendinge unto you wee take the boldnes to intreate your favour and helpe in a busines which very much concerneth the estate of that Colledge wherein wee are, by the favour of the Parliament, placed to take care of the Government thereof.

Wee find the Colledge much in debt, the buildinges much out of Repaires, the members much behinde in their dues belonging to them. Wee take the boldnes further to offer to your consideracion that now Colledges or publick bodies bein under Sequestracion, But that the Parliament have been pleased to provide for the Security of those rents and revenues: which Consideracions encourage us to send unto you the inclosed papers containing particulars

of Great arreares due from Severale tenants of Christ Church in Oxon., whereof wee are members, some whereof as wee understand have been for their personall delinquency under Sequestracion. Our earnest request is that in regard theis Rents are for the Maintenance of Schollers in the University and that the present debts and wants of the Colledge are Exceedinge Greate, you will aford us your assistance as to soe much as is by your authority under Sequestracion that wee may have our arreares and rents Reserved unto us. Whereby you will much oblige

Oxon. March 21, 1648(-9). your humble Servants

CHRISTOPHER ROGERS, HEN. LANGLEY (and others).

To the Hon'ble the Comittee of Parliament for the County of Lancaster.

fo. 442-3. *Arreares of Rent due to the Deane and Chapter of Ch. Ch. Oxon.*

For the years 1643—1648.						£	s.	d.
Kirkham	..	..	..	..	..	133	18	6
Goosenargh	..	..	..	..	..	468	5	11
Freckleton	..	..	..	..	..	352	0	0
Kirkham Carr	..	..	..	..	..	4	2	1
Increment <i>de</i> Kirkham	..	..	..	..	..	9	1	5
Kirkham Moore	..	..	..	..	..	2	10	7
(fo. 444). Whittingham	..	..	..	..	..	29	2	7

There are alsoe further arreares of¹ . . . Freckleton or Eccleston belonging to . . . besides the former which are the same with the . . . arreares of Whittingham.

JO. MYLLES, Treas'r.

fo. 439.

At the Countie 16 May, 1649.

Padiham in co. Lanc.

Whereas severall Orders have been issued touching the arreares of rent due for severall yeares past forth of the tythes in Kirkham parish unto the Governours and

¹ This document in mounting has had the guard pasted over a portion of the writing down the right margin.

Students of Christ Church Colledge in Oxford, which tythes, beinge in lease to Tho. Clifton, esq., and Sir Thomas Tildesley from the said Colledge, have beene sequestered for their delinquencies, And for that it appeares that the arreares due to the said Colledge till the 25th of March 1648 Amounteth to the somme of one thousand thirtie one pounds Twelve shillings and a pennie; And for that by the Articles agreed upon at the Surrender of Oxford, afterwards confirmed by Order of Parliament, of the 23rd of June, 1646 It was agreed upon amongst other things in the fourteenth Article that the Governors and Students of Christ Church aforesaid should enjoy all Rents, Priveledges, Lands, tenements, Revenues, debts, Goods and Chattells belonging to them freed from Sequestracion: It is therefore ordered that the Agents for Sequestracions shall out of the profits of the said tythes as the same shall be raised satisfie and pay unto the Governours and Students aforesaid soe much of the said arreares of One thousand thirtie and one pounds, twelve shillings and a pennie as is due and in arreare out of soe much of the said tythes for the tyme as is now under sequestracion and shall continue the payment of such parte thereof for the future till further Order.

RICH. SHUTTLEWORTH

JOHN STARKIE

NICHOLAS CUNLIFFE

ROBT. CUNLIFFE

G. lxxiv, fo. 649, etc.

The Governors and Students of Christ Church in Oxford of King Henry the 8th's Foundation.

Report 24 June, 1650 by Peter Brereton, based upon an order of the 4 of June, 1650, upon a petition of the above desiring that the Sub-Commissioners for the County of Lancaster may speedily pay to that Colledge one thousand Two hundred three score and one pound, Foure shillings, two pence, arreares due for the Manor and Rectorie of

Kirkham in that Countie under Sequestracion for the delinquency of Sir Thomas Tilsley and Thomas Clifton, and that duringe that sequestracion the Sub-Commissioners may duly pay the rent or the petitioners left to theire remedye at lawe. I have Examined and find that

King Henry the Eight by his Letters Patent under the great Seale of England bearinge date the Eleventh of December in the Twentie Eight yeare of his Raigne [1536] did amongst other things graunte unto the Deane and Chapter of the Cathedrall Church of Christ in Oxford of his foundation and his successors for ever the Manor and Rectorie and Church of Kirkham to be held of Kinge Henry the Eight his heires and Successors in pure and perpetual Almes, as appeares unto me by a coppie of the said Letters Patents attested to be a true coppie by the annexed depositions of John Milles, Doctor of Lawes and Treasurer of Christ Church Colledge; And by the Acte of Parliament for abolishinge of Deanes, Deanes and Chapters, Cannons, Prebends and other offices and Tythes of or belonginge to any Cathedrall or Collegiate Church within England or Wales it is in Exprese words provided that the said Acte nor anythinge there in contayned shall Extend to any Colledge Church, Corporacion, Foundation or house of Learninge in Either of the Universities within this Commonwealth nor to the Corporacion of Christ Church Colledge in Oxford of Kinge Henry the Eight's Foundation, nor to the Manours, Lands, Tenements, or hereditaments thereunto belonging. The Committee of Lancashire, by their annexed Order of the 16 May, 1649, recitinge that the Tythes of Kirkham in Lease to Sir Thomas Tilsley and Thomas Clifton, esq., from Christ Church Colledge in Oxford, were sequestered, for their Delinquency, that the Arreares due to the Colledge till the 25 March 1648 amounted unto £1031. 12s. 1d.; And in Observance of the Articles agreed at the Surrender of Oxford, afterwards confirmed by Parliament the 23

June, 1646. It was therefore by that Committee Then ordered that the Agents for Sequestracions out of the profitts of those tythes as (fo. 650) the same should be Raised should pay unto the said governors and Students soe much of the said £1031. 12s. 1*d.* as was then due out of soe much of the Tythes for the tyme then past as was under Sequestracion and should continue the payment of such parte thereof for the future till further ordered.

And I find the said Dr. Miller in his Examination maketh Oath that since the accompt soe stated there is due to the said Colledge for the Manour and Rectory of Kirkham £439. 12s. 1*d.* more, or thereabouts and doth not know of any more recaved and doth believe there hath been noe more received by the said Colledge then £250 from the said Committee for those partes of the said Maner and Tythes, held by them in Sequestracion and £120. received and secured by Bill lately from one Mr. Peniston Whalley, in respecte of that parte of the Tythes which he holds in Right of his wyfe, not sequestred by reason of a former graunt; upon which Account there appeares to be still due to Colledge in all £1101. 4s. 2*d.* areare, parte for the manor and Tythes under Sequestracion, the rest from the Tythes in possession of Peniston Whalley.

And I find by a Deede under the College Seale dated 16 February, 1649[-50] that the Corporacion doth stand Indebted by an Obligation of the same date one Thousand Five hundred seaventy and two pounds Fifteene Shillings and Sixpence unto Mr. Edward Austin of Oxford, gentleman, which debt (as is alleged) was Contracted for want of due payment of the said £1101. 4s. 2*d.* and other Areares due to the said Colledge.

It is now submitted to Iudgement whether the Petitioners ought not to be paid by the Commissioners for Sequestracions in Lancashire soe much of the Eleven hundred and one pounds, four shillings, and two pence as is due for soe much of the Manour and Tythes of

Kirkham as is under Sequestracion and the payment of such parts thereof to be continued to them for the future or else to be permitted to take their Legall Remedy.
24 June 1650. PETER BRERETON.

fo. 654. Petition upon the Statements in which the preceding Report is founded (4 June, 1650), signed for the petitioners by Jo: Mylles.

fo. 655. Communication from the Lancashire Commissioners, dated at Padiham 16 May, 1649, referring to Orders received by them and what steps they had taken in the matter; signed by Ric: Shuttleworth, John Starkie, Nicholas Cunliffe, Robt. Cunliffe.

fo. 657. John Mylles, Dr. of Lawes and Treasurer of Christ Church Colledge in Oxford maketh oath That a certain Paper Copie delieured unto Mr. Peter Brereton of Grayes Inn is a true Copie of the Letters Patent made by King Henry the eight unto the Deane and Chapter of Christ church in Oxford and was examined by him with the Record of those Letters Patents remaining in the Rolls.

And whereas it appeares by an order of the Committee in Lancashire dated the 16th of May 1649 that the Areares of Rent for the Tythes in Kirkham Parish due to Christchurch Colledge in Oxford till the 25th of March 1648 amounted to the summe of 103*li.* 12*s.* 1*d.* The sayd John Mylles farther maketh oath that since the accompt so stated by the Committee, there is become due to the sayd Colledge for the Mannour and Rectory of Kirkham 439*li.* 12*s.* 1*d.* more, or thereabouts according to the rates of corne upon the Statute, And that of the sayd Severall Summes of 103*li.* 12*s.* 1*d.* and 439*li.* 12*s.* 1*d.* he doth know of any more received and doth believe there hath been no more received by the Colledge then 250*li.* from the sayd Committee for those parts of the sayd mannour and Rectory held by them in Sequestracion by reason of the delinquency of Thomas Clyfton, esq., and Sir Thomas Tilldesley, and 120*li.* received and secured by bill lately

from one Mr. Peniston Whalley in respect of that part of the sayd tythes which he holds and enioyes in right of his wyfe unsequestred, The same being long since Setled upon her by way of ionture upon her former mariage with Mr. Clyfton, sonne of the sayd Thomas Clyfton, as this Deponent is informed and beleeves to be true.

JO. MYLLES.

Examined according to Order. 24th Junij 1650. PET:
BRERETON.

G. clix, fo. 435.

By the Commissioners for Compounding Junij 27 1650.

Upon readinge the Report of the Committee for the State in the Case of the Governours and Students of Christ Church in Oxford, desiringe that the Commissioners for the County of Lancaster may speedily pay to that Colledge one thousand twoe hundred three score and one pounds foure shillings twoe pence, Arrears due for the Mannour and Rectory of Kirkham in that County under Sequestracion for the Delinquency of Sir Edwd. (*sic*) Tildesley and Thomas Clifton and that they duely pay the rent for the tyme to come:

It is ordered that the said arreares bee allowed unto the said Colledge; and the Commissioners for Sequestracions in the said County of Lancaster are hereby desired to take notice thereof, whoe ought to allowe the said Arreares which have alreadie grown due and the rent which shall from tyme to tyme hereafter grow due without trouble.

To the Commissioners for	EDW. WINSLOW
Sequestracions in the County	JO. BERNERS
of Lancaster.	WILL'M MOLINS

RIC. MOORE.

I have taken Notice of this Order November 25th 1651.

Ric. Sherewyn, Auditor.

Jo: Leech 45.

G. lxxiv, fo. 589, etc.

To the hono'ble the Commissioners for Compounding etc.

The humble petition of the Collegiate Deans and Praebendaries of Christ Church in the University of Oxon.

Sheweth

That by your order of June 27 1650 you did appointe the Commissioners for Sequestracion in the County of Lancaster to allow unto your petitioner's the somme of one thousand, two hundred sixty one pounds foure shillings and twopence arreares, due unto them for their Mannour and Rectory of Kirkham in your County under sequestracion for the Delinquencie of Sir Thomas Tildesley and Mr. Tho: Clifton their tenants: In conformity whereunto the said Commissioners paid to your petitioners the somme of foure hundred pownds and noe more, as by their accompts with Mr. Auditour Sherwyn, relacion thereunto being had, will appeare.

That by your letter to the said Commissioners of the month of December 1650 you did make voyd your said former order, and direct that the said arreares should be paid only from 24th of December 1649 and noe further, and that what had been already paid upon your said former order should be in satisfaccion of that arreare and the groweing rent: In pursuance of which direccion the said Commissioners have paid noething to your petitioners since the 28th of December, 1650, as by their accompts foremencioned, determining January the first, 1651, doth appeare.

That the rents due to your petitioners from the said Mannour and Rectory since December, 1649 to 29 of September 1652 inclusive, amount to five hundred sixty five pounds, nineteene shillings and seaven pence, as by the Certificate under the hands of their Treasurer hereunto annexed doth appeare, whereof the proportion of Mr. Penniston Whalley for his part of the tythes of

Freceleston (belonging to the said Rectory of Kirkham), not under sequestracion, amounts by estimation but to seaventy two pownds at the uttermost, which together with the foure hundred pownds received by your petitioners, being deducted cut of the five hundred sixty five pownds, nineteene shillings and seaven pence afore-said there remaines due unto your petitioners ninety three pownds, nineteene shillings, and seaven pence.

Wherefore your peticioners humbly pray that the said ninety three pownds, nineteen shillings and seaven pence may be spedily paid unto them, and that you will give order to the Commissioners for sequestracion in Lancashire to pay them theire future Rents from time to time they shall grow due, without any further trouble.

And your peticioners shall ever pray, etc.

27 January, 1652(-3).

Ord: that upon returne from Oxford upon each of the prizes of Corne at the severall rent dayes now to bee accompted for since 24 Dec., 1649 wee will transmitt the same to the Commissioners in Lancaster to the end they may make up the Accompt, and they are to deduct for taxes according to the rate of taxes in the hundred of Amunderness and the £72 due to the Colledge from Mr. Penniston Whalley.

And to certify the accompt with the tymes . . . (torn).

G. clix, fo. 446.

Gentlemen,

In observance of your Order of the 16th of . . . November, 1652 upon a petition Exhibited by Mr. Samuel Bedford in Behalfe of the collegiate Deane and Prebendaries of Christ Church in Oxford, touchinge a Rent due to them out of the Rectorie of Kirkham Sequestered from Thos. Clifton, Esq., a Papist delinquent, and Tho. Tyldesley, Esq., delinquent, Wee have Examined and stated the accompts of the Rents of the said Rectorie which have been Received or paid to the said Colledge a

particuler whereof is herein dated which wee Comend to
your further consideracion and Rest

Your humble Servants,

Preston, 2 Feby.

1652(-3).

E. ASPINWALL

JOHN SAWREY

ROBT. CUNLIFFE.

G. clxx, fo. 432, etc.

An Accompte of the money demanded by and paid to
the use of Christe Church Colledge in Oxford out of the
Improprie Rectorie of Kerkham in the Countie of
Lancaster, vizt.—

li. s. d.

The Parish of Kerkam Debtor to the
Colledge

By demand of Rents and arreares of
rentes as by order from the Commis-
sioners for Compoundinge dated 27
June, 1650 which is considered to
be in full untill that day

1261 04 02

Since which tyme the Colledge de-
mandes as due att Michaelmas 1650

0100 01 11qr

And alsoe att Annunciation 1651

0095 05 01

Att Michaelmas 1651

0093 19 06

Att Annunciation 1652

0092 14 07

Att Michaelmas 1652

0085 18 09

Totall

1729 04 00qr

Exam'd per Rich. Kinge.

The Parish of Kerkham is Creditour

li. s. d.

It. monies paid Mr. Edwd. Werden of
Preston, agent for the Colledge, in Janu-
ary and December 1649, in pursuance of
an Order from the Committee of the
Countie of the 16th day of May 1649 by
James Smithe, Agent for Sequestracions

200 00 00

<i>It.</i> moneyes paid the said Mr. Werden 26th January 1649[-50] by James Bruson, agent for Sequestracions	080	00	00
<i>It.</i> Moneyes Paid the said Mr. Werden by James Smith, agent for Sequestracions afforesaid, in pursuance of an order from the Commissioners for Compounding of the 24th June 1650	200	00	00
<i>It.</i> moneyes paid the said Mr. Werden by the said James Smith 3 Aug. 1650, in pursuance of the order afforesaid ..	126	00	00
<i>It.</i> moneyes paid by the agent afforesaid to the said Mr. Werden 28 October 1650	074	00	00
<i>It.</i> moneyes paid the said Mr. Werden by Mr. Penniston Whalley, who enjoyed about one-third of the tythes within the severall hamletts adioyninge to Kerk- ham (Goosenargh and Whittingham being excepted) in parte of the arreares	120	00	00
<i>It.</i> Moneyes paid the said Mr. Werden by the said Mr. Penniston Whalley for the Arreares and Groueing Rent	048	00	00
<i>It.</i> Moneyes paid the said Mr. Werden by Mr. Alex. Breres (who enjoyed one moiety of the tythes of Newton le Scales, parte of the said Rectory)	005	00	00
	<hr/> 853 00 00 <hr/>		

G. lxxiv, fo. 587.

To the hono'ble the Commissioners for Compoundinge
etc. sitting att Haberdashers' Hall.

The humble petition of the Collegiate Deane and
Prebendaries of Christ Church Colledge in Oxford.

Sheweth,

That according to your order of the 27th January last

past, Oath hath beene made before the Commissioners for Sequestracions in the County of Oxford, of the Annual Rents due to us, for our Mannour and Rectory of Kirkham in the County of Lancaster and of the prices of wheate and Malt in the Markett in the Citty of Oxford on the severall markett dayes imediately preceding the severall Pay Dayes of Rent since the 24th of December 1649 till this present, And a certificate there hath beene returned unto you by the said Commissioners whereby it appears there is due unto your petitioners since the said 24 of December :49 646*li.* 4*s.* 06 *qa.* whereof your petitioners have receaved but 400*li.* by virtue of your order and 84*li.* is paid or paiable to them by Mr. Penniston Whalley for his Proportion of the tithes of Freckleton since December 1649 to this present and that there remaynes due to your Peticioner's 162*li.* 04*s.* 02*d.* 0*b.* *qa.*

Wherefore your Peticioners humbly pray that your Auditour which one of the Commissioners for Sequestracions for Lancashire (and now is or speedily will bee in the Citty) togeather with Mr. Worden our Agent, now present, may state the whole Account, And that upon report thereof made, You would order the payment both of what money shall appeare due to the Colledge, for the tyme past, as alsoe their groweing rents without further Chardge and trouble. Or if you shall not thinke fitt to order as afore desyred, That then in pursuance of your order of 27th January last you would please to give speedy directions to the Commissioners in Lancashire to state the account betwixt you and your petitioners since the 24th December 1649, together with the said Mr. Worden their Agent, and in stateing the Account to make noe deductions but of the 400*li.* formerly paid us, by virtue of your order and of the 84*li.* payable to us by Mr. Whalley. And upon their report to order such payment, as is afore desyred.

And whereas in searching into our estate att Kirkham (that oath of our Annual Rents thence due to us might bee safely and iustly made) wee find cause to beleeeve that another Rent of 5*li.* 11*s.* 8*d.* 0*b.* and Two Quarters and 5 Bushells and one pecke of wheate And 3 Quarters 4 Bushells and 3 Pecks of Malt *per Annum* is due to your Petitioners for the Courts, Marketts, Faires, Tolles and Tollege, etc., belonging to the said Mannour of Kirkham.

Wee humbly pray that the present Account may bee soe stated that our clayme therof, and right thereunto (when wee shall bee able to clear the Iustnesse of it to you), may now wayes bee preiudiced And your petitioners shall ever pay etc.

" 12 May 1653 Referred to the Auditour to state the Accompt and one of the Commissioners of Lancashire and the Agent for the Colledge are to be present and assistant to the Auditour in draweing up the Accompt according to the desire of the petition and what shall appear to be due thereupon the same to be paid to the Colledge."

fo. 592. According to your order of the 12th May instant hereunto annexed, upon the petition of the Collegiate Deane and Prebendaries of Christchurch Colledge in Oxford, desireing the payment of an arreare of a rent issueing out of the Mannor and Rectory of Kirkham in the Countie of Lancaster holden of the said Colledge, I have examined the case as to matter of Accompt in the presence of Mr. Robert Cunliffe, one of the Commissioners for Sequestracions in Lancashire, Mr. Cornish, one of the said Prebendaries, and Mr. Werden, Agent for the said Colledge, and doe finde

That the greatest parte of the said mannour and Rectory hath beene for divers yeares Sequestred for the delinquency of Sir Thomas Tildsley, now deceased, and Mr. Thomas Clifton, and that the rent thereof is payable

parte in money, and part in Rent-Corne or money in lieu thereof according to the prices of the severall sorts of graine resuered, as they are told in the Markett of Oxford, next preceeding the daies wherein the said Rent is payable.

By the deposicions of seuerall witnesses taken before your Commissioners in Oxfordshire, in pursuance of your order of the 27th of January 1652(-3) remaining with your Register, it appeares both what were the Summes of money payable and what have beene the prices of the seuerall sorts of graine at the said seuerall Markett daies from 20th September 1649 exclusive to the 26th of March last 1653 inclusive.

I also finde that some parte of the said Rectory hath beene houlden by persons not under sequestracion and other parts thereof discharged from Sequestracion since the decease of the said Sir Thomas Tildesley by your order of the 30th of September last as in the right of Edward Tilsley his sonne, whose proporcions of Rent I have placed upon the Accompt of the persons holding such parts of the said Rectorie.

And upon theis grounds the State of the Accompt to Lady day 1653 appeares to mee to bee as followeth vidzt.

Sequestrations are:—

Debtor.	Per Contra.	Creditour.
To the Rent of the said Mannours and Rectory, payable to the Colledge at	By money alreadie paid by the Commissioners in Lancashire	400 0 0
March 25th 1650	By money chargeable upon other persons who hold part of the said Mannour and Rectory (vizt.)	
September 29th 1650	Peniston Whalley his portion for three years and halfe	84 00 00
March 25th 1651	Alexander Bryers his portion for two yeares and halfe	6 00 00
September 29th 1651	Edward Tildesley for a yeare incurred since the discharge of sequestration upon his title	37 07 00½
March 25th 1652		
September 21st 1652		
March 25th 1653		
646 10 5¾		127 07 00½
	Rests to Ballance due to the Colledge	597 07 07½ 119 03 05½
		646 10 05¾

I have seen an accompt of Mr. Werden, Agent for the said Colledge, whereby it appeares that there hath beene paid to him since the 29th of September 1649 the summe of 400*li.* 00*s.* 00*d.* more then is above mencioned, which is exprest to be receyved in pursuance of an Order of the late Committee of Lancashire of the 16th of May 1649 and to be in parte of arreares which seemes probable to mee for that the present Commissioners have not brought to Accompt as paid to the said Colledge any more then the 400*li.* above mencioned

All which is humbly submitted

May 19, 1653.

RI: SHERWYN, Aud'.

fo. 593. Order of reference to Mr. Sherwyn and others, dated 12 May 1653. fo. 595. Petition (copy), 12 May 1653. fo. 597. Petition, 16 Nov. 1652.

Dorothy Tomlinson *see* **Thomas Blaze** (above i, 194).

John Tomlinson *see* **Richard Holden** (above iii, 236)

Richard Tomlinson *see* **Christopher Harris** (above iii, 151).

Richard Tomlinson *see* **John Preston** (above v, 85).

George Tompson *see* **Thomas Eccleston** (above ii, 278).

Nicholas Tompson *see* **Thomas Clifton** (above ii, 62).

Robert Tompson *see* **John Westby**.

Hugh Tootell of Whittle-le-Woods,¹ yeoman.

G. cxxxix, fo. 3; *Cal.* iv, 3103.

Petition showing that petitioner's estate had been inserted in the then last Act for Sale and according to the proviso in the Act he prayed to be admitted to contract for the same (8 Apl., 1653). Referred to Mr Reading.

G. ccxxv, fo. 303, etc.

Report by Mr. Readinge, by which it appears petitioner was one of the persons comprised in the Act for the Sale

¹ "Whitehill in Leewood."

of Lands forfeited for Treason, by the name of Hugh Tootle of Whitkell, co. Lancaster. The estate was surveyed and certified 8 March 1652(-3) and copy of survey was transmitted to the Committee on 31 March, 1653. Petition filed 8 April, 1653. By the survey petitioner was seised of a close of pasture ground called Redbourne in Whittle, 6 acres in extent, worth £3 yearly, which was the only item compounded for; but mention was made of a messuage and lands in Lealand worth £7. 17s. a year, in which petitioner had a lease for life only under a rent of 20s., and a pasture there worth 42s. a year, leased to him for two lives under a rent of 3s. and another close worth 56s. a year, leased to him for two lives at 7s. a year. He desired not to compound for these latter items. All the premises had been let by the Commissioners for 7 years at £9. 11s. 8d. a year. The improvement of them was £6. 5s. 4d. Fine at two-sixths, £16 (28 April, 1653.)

fo. 306. Petition. fo. 307. Order to refer to Mr. Reading.

G. cxxxix, fo. 5.

Order to take possession of certain tenements, lands, etc., sold on 8 June, 1653 to William Dickenson, gent.; late parcel of the estate of Hugh Tootle.

G. cxxxviii, fo. 643.

Petition, shewing that petitioner had compounded for a part of his estate according to the direction of the additional Act for Sale, and having paid in the first moiety and "elapsed" the second, he prayed, according to a then late ordinance, dated 10 Feby., 1653-4, that the Commissioners would order the treasurers at Goldsmiths' Hall to receipt the second moiety, with interest since it became due. This was agreed to and the estate was discharged.

Jenet Tootell of Caterall, widow.

G. cxxxviii, fo. 645; *Cal.* v, 3187.

Petition, showing that two-thirds of Jenett Tootell's estate had been sequestered for her recusancy only. She

prayed to be admitted to compound for the same (13 January, 1653-4). Referred to Mr. Reading.

John Tootell of Healey.

G. cxxxix, fo. 1, etc.; *Cal.* iv, 3085.

Petition of William, Edward, Bridgett and Elizabeth Tootell, the sons and daughters of John Tootell of Healey, co. Lancaster, and Clares his wife, both then deceased; and of Richard Worthington of Latham, esq., and Evan Wall of Preston, gentleman, which disclosed that the said John Tootell, by indenture dated in the year 1640, for the considerations therein expressed granted and conveyed to the petitioners Richard Worthington and Evan Wall and others all his messuages etc. in Healey aforesaid and all and singular the lands, tenements and hereditaments thereunto belonging; to have and to hold to them and their assigns for ever for the several uses mentioned in a schedule indented and annexed to the said deed; by which schedule it was expressed that the said John Tootell, in consideration of a marriage had with Clares his then wife and for the preferment of such children as he should beget on the body of the said Clares and for other considerations, gave and granted to petitioners Richard Worthington and Evan Wall all the said messuages to the use of himself for life, and after his death the moiety thereof to the said Clares his wife for her life (who was then since dead), and the other moiety to the use of his younger children till his first son attained the age of 21 years, and afterwards, until the sum of £120 should be raised for their preferment; and after that the petitioners Richard Worthington and Evan Wall and others should stand seised of the whole to the use of his first son and the heirs males of his body, and to every other of his sons begotten or the body of the said Clares and the heirs males of their bodies respectively, with several remainders over, as by the indenture and schedule appeared. But notwithstanding the death of

John Tootel the premises were then kept under sequestration for his delinquency, as the Lancashire Commissioners refused to remove the sequestration without an order from their honours above. Petitioners therefore prayed for an order discharging the sequestration or an examination of their title (16 Feby., 1652-3). "The Commissioners to examine and certify. Referred to Mr. Brereton."

G. clx, fo. 311, etc.

fo. 317. Letter, dated at Preston 2 March, 1652(-3), mentioning that in observance of an order of 16 Feby. 1652(-3) upon the petition of William, Edward, Bridgett and Elizabeth Tootell, sons and daughters of John Tootall of Healey, and of Richard Worthington and Evan Wall, gent., they had taken the several examinations upon the interrogatories produced before them, and enclosed copies. They certified that they had carefully searched the books and papers in their hands and found record among the agents' accounts in Sep., 1643, that two third parts of the personal estate of the said John Tootell was appraised, inventoried and disposed of, by the then Committee for the payment of Soldiers, for the recusancy of the said John Tootall, and that two third parts of his real estate continued under sequestration till 1646; at which time they found that, upon the petition of Clares his then wife, it was then ordered that if sufficient proof should not be made of his delinquency he should be freed from imprisonment and a third of his estate allowed him. They conceived he was subsequently sequestered for delinquency, for by another order dated 24 March, 1647(-8) they found that a fifth part of his estate, sequestred for delinquency, was allowed to his wife and four children as by the said orders appeared (copies enclosed), and that the same had ever since and then continued under sequestration for his delinquency. They also mentioned that they had in their possession all the papers of the Old

Committee from Oct. 1645. Before that time there was no constant register, nor any orders, etc. formally entered; but commissions were issued for Sequestrating all delinquents and recusants named in a schedule annexed to the said Commission, without expressing the particular cause of sequestration. All of which they submitted for their honours' further consideration.

fo. 311-12. Interrogatories administered to witnesses.

fo. 313. Examinations, taken at Preston 2 March 1652(-3), of William Martyn of Mellinge, gent., aged 30; also of Richard Worthington of Lathom, gent., aged 43, who said that Clares, wife of John Tootell, was sister to deponent William Martyn and she died 24 August, 1647; William, eldest son, at date of these proceedings was 12 years old.

fo. 314. John Totell, father of the children, gent., aged 50, deposed that in consideration of a marriage before had with his late wife, she executed the deed shown then to him to and for the uses mentioned therein, and that he had never done any act to revoke or annul the deed.

fo. 315. Evan Wall of Preston, gentleman, aged 41, one of the surviving trustees (some of the others being dead), said that neither he nor they had ever done or suffered anything to annul the deed and he knew no reason in law or equity why he and Richard Worthington, the other trustee, should not enjoy the estate after the death of John Tootell to and for the uses in the Schedule mentioned.

Mary Topping of Wavertree.

G. lxxxix, fo. 706, etc.; *Cal.* iv, 3034.

Petition of Mary Hall of Wavertree, spinster, which showed that petitioner, after the death of Mary Toppinge of Wavertree (who died about 3 years then ago), had entered upon and was legally possessed of three acres of land lying in the parish of Walton, co. Lancaster by

virtue of a copy of court roll bearing date 30 January, 1636(-7), worth only 13s. 4*d.* a year; that the land had been enjoyed by petitioner until about two years then ago; and that two-thirds thereof was sequestered for the recusancy of the said Mary Toppinge then deceased. She prayed for an order discharging the sequestration (4 Aug., 1652). The Commissioners in the county were ordered to discharge the sequestration if the statements were found correct and to advise the London Commissioners so that it might be entered by the auditor.

fo. 707. Affidavit of John Broughton of Childwell, esq. (sworn 23 June, 1652).

G. clxi, fo. 137, etc.

fo. 141. Letter, dated at Preston, 23 Nov., 1652, signed by Edw. Aspinwall, John Sawrey and Robert Cunliffe. By an order of 4 Aug. preceding they had been directed to allow petitioner's title to a small quantity of land sequestered for the recusancy of one Mary Topping, which they did, according to an order regulating estates of less than 40s. a year value. But they stated that as to the general order of 9 July,¹ mentioned in the first order above, it had never come to their hands nor had they seen such an order; and they desired that they might receive it as speedily as possible.

fo. 137. Affidavit of John Broughton of Childwall.

fo. 139-40. Extract from the court roll of the manor of West Derby, certified by Edward Stockley, deputy steward there, exhibiting the title of petitioner to the land.

William Topping of Goosnargh, goonsmyth.

G. cxli, fo. 589; *Cal.* iv, 3175.

Petition disclosing that two-thirds of petitioner's estate was under sequestration for his recusancy only. He therefore prayed to be admitted to contract for the same (28 Dec. 1653). Referred to Mr. Reading to report

¹ Possibly that in *Cal.* i, 595 (13 July, 1652), for getting in the remainder of the sums due on composition.

George Toulinson *see* John Preston (see above, v, 77) and George Talbot.

James Towers of Broughton,¹ yeoman.

G. cxxiv, fo. 289; *Cal.* iv, 2506.

Petition, which showed that petitioner's estate had been then recently sequestered, but for what cause petitioner alleged he knew not. He therefore prayed for an inquiry with liberty for him to examine and cross-examine witnesses, etc. (16 Aug., 1650). Ordered if petitioner had not been sequestered by the then late Committee, that heads of the charges against him were to be delivered to him in writing and that he might examine and cross-examine witnesses.

Charles Townley, Esq.²

G. cxxiv, fo. 197; *Cal.* iii, 2223.

Petition of Mary Townley of Bocton, widow, which disclosed that the estates of Charles Townley, esq., her late husband, had been sequestrated for many years for his recusancy and the rents had been received for the use of the State; and upon her petition for an allowance of a clear third of the yearly profits for her use and that of the children the Committee granted the same. This she enjoyed until Michaelmas then last past, when a demand had been made by a Mr. John Munson of a rent-charge of £40 a year;³ which the Commissioners allowed, but set the whole £40 a year to be paid by petitioner out of her third part. She therefore prayed that she should only be charged with her proportionable part of the said £40 a year (Dec. 4, 1650). The case was referred to the Commissioners below and to be reported by Mr. Brereton.

¹ Broughton in Furness. This is the same as the case of James Towers of Burnemoore (*Cal.* v, 3258) mentioned as petitioning to compound, 25 Feb., 1650-1. Burnmoor is to the north of Broughton.

² Of Townley near Burnley. He fell at Marston Moor (1644), fighting on the King's side.

³ John Monson, jun., of Northorpe, Lancs., on 1 March 1649-50 compounded for his rent-charge of £40 on the manor of Norton-cum-Dunster, Lincs, redeemable by Richard Townley, sen. or jun., or Charles Townley, See *Cal.* iii, 2222.

G. lxxvii, fo. 714, etc.

Petition of John Crisp, praying that the keeper of the prison where one Christopher Towneley was detained might bring the said Towneley before the court on the then next Thursday as a material witness to petitioner in proving the execution of a deed.

fo. 715. Motion: "Tho. Grantham had a statute on the estate of Charles Townley, deceased, upon which he prayed to compound for the manors of Townley and Clivicher and other lands in Lancashire upon the act of Aug. 1st A conveyance of the said manors of Townley and Clivicher, was made to Nicholas Crisp, deceased, before the said Statute had been entered into by Charles Towneley, and another conveyance of Hapton Park from the said Townley to Henry Crisp, deceased; both which were justly due to John Crisp. The title had been referred and report was then ready. Moved and ordered: that Crispe's report be heard before Grantham compounded."

fo. 719. Petition (29 January 1650-1) by which it appeared that petitioner was claiming as heir to his brother Henry Crispe, then deceased. fo. 723. The substance of a motion in this cause, praying that Grantham might not be allowed to compound till petitioner's case had been reported and heard (26 May, 1651). fo. 725. 29 Jan., 1650(-1). Order to the Lancashire Commissioners to examine into Thomas Grantham's petition and other matters connected with the case. fo. 729. Petition 12 July 1651. fo. 731 Petition (no date).

G. cxxii, fo. 553, etc.

Petition of William Thorneton, of Grantham, co. Lincoln, gent., referring to some former proceedings which petitioner had, touching the lease of certain mills in the parish of Whalley, co. Lancaster made to him by Charles Townley, a Papist and delinquent,¹ and to a bond he then had given as security for him to receive the rents.

¹ As security for £500 due from Richard and Charles Townley, both dead.

This Bond had not been surrendered to him on the completion of those proceedings and he now prayed for it to be delivered up and cancelled. This was done (13 July, 1653).

fo. 579-581. Order in the former proceedings from the Committee of Parliament for removing of Obstructions in the Sale of Delinquents' Lands. fo. 739-741. Mr. Brereton's report in the first proceedings. fo. 743. Petition. fo. 745-757. Various papers connected with the case.

G. cv, fo. 7, etc.

Petition of Benjamin Martin of London, merchant, which showed that he had purchased of the trustees at Drury House the manor of Clivicher, co. Lancaster, late parcel of the estate of Charles Townley, esq., deceased; That there was one Thomas Peirson, a delinquent, within the said manor who at the time of petitioner's purchase had a lease in being of some part of the premises which at the time of this petition stood sequestered for the delinquency of the said Thomas, notwithstanding that the said lease had expired. He therefore prayed for an order to the Lancashire Commissioners directing them to discharge the same from sequestration (10 Oct., 1654). "The Commissioners to examine and certify."

fo. 9. Second petition (13 Dec., 1654), by which it appeared that petitioner had also purchased the manors of Towneley and Hopton [Hapton] in the same county, late parcel of the estate of Charles Towneley deceased; that after his purchase the commissioners in the county refused to discharge the sequestration, pretending there was a dower deed to Mrs. Townley, a recusant, out of the said estate; that thereupon petitioner applied himself to the Commissioners above, who granted an order for the discharge of the sequestration so that he should enjoy the lands according to his purchase; that the Lancashire Commissioners, on reading the said order, discharged the sequestration for the future but declined to permit

petitioner to enjoy the rents from the time of his purchase, forcing petitioner by his friends to give them bonds for security of the arrears of rent due since his purchase. He prayed for an order requiring the Lancashire Commissioners to deliver up the said bonds (13 Dec., 54). No order.

fo. 13. Communication from the London Commissioners, directing the Lancashire Commissioners to take off the sequestration laid on Hopton manor (12 Dec., 1654).

G. cxxiv, fo. 179, etc.

Petition of Benjamin Martin, stating these facts:

1. Charles Townley was sequestered, being a delinquent.

2. The estate of the said Charles was by the first Act for Sale appointed to be sold.

3. Mrs. Townley, his wife, petitioned the Committee of Lords and Commons for an allowance of her dower, and they allowed the same.

4. The estate was sold, some part thereof to John Crispe and some to Benjamin Martin (petitioner) and others.

5. Being sold, the purchasers had an order from Haberdashers' Hall to the commissioners in the county to take off the sequestration.

6. The commissioners in the county thereupon discharged the estate from sequestration for what should have appeared to have been Townley's estate; but refused to discharge that part allowed for dower, notwithstanding that the Act for Sale disallowed any dower.

7. That part of the estate formerly claimed for dower had been sold with the rest. Crispe had sold what he had purchased to petitioner, who prayed that the widow of Charles Townley should show cause why the purchaser (Martyn) should not have possession as well of the land she claimed as of the other part of Charles Townley's estate, all which petitioner bought in possession.

fo. 181. Answer of Mary Townley, admitting that she could show no cause why the purchasers of Townley and Hapton in the county of Lancashire should not enjoy the same, declaring that she had no claim, title or right to any portion thereof, either as dower or otherwise, and further declaring that her application for dower had been rejected (27 Sep., 1654). Signed, Mary Thornley.¹

fo. 183. Affidavit of Thomas Dearlove of London, gent., confirming the statement as to dowers.

fo. 185. Order calling on Mrs. Townley to show cause, etc.

fo. 219. Contract of Sale and order to take possession.
fo. 221. Same in favour of Robert Cunliffe, esq.; (fo. 223). of Benjamin Martyn; (fo. 225) Same; (fo. 227) of Christopher Helme; (fo. 229). Of John Blount and John Bradell; (fo. 231) of James Nuttley of the Inner Temple, London; (fo. 233) of Margaret Aspden, widow; (fo. 235) of Abraham Lawe; (fo. 237) of Edmond Starkey; (fo. 239) of Richard Holt, gent; (fo. 241) of Richard Hartley and Thomas Sayers; (fo. 243) of John Crispe.

G. lxxv, fo. 1051.

Petition of William Cockcroft, and Sarah his now wife, relict and administratrix of William Cockcroft, late of Heptonstall in the County of York, deceased, which showed that a coal-mine in Cleviger in the parish of Burneley in the County of Lancaster in the 8th yeare of the late King [1632-33], under his Duchy Seal, was for the payment of £5 in the name of a fine or "Incombe" and the yearly rent of 5s. granted to one Richard Towneley, esq., for 31 years; which Richard dying intestate letters of administration after his death were granted unto Charles Towneley his brother, and thereby the said Charles became possessed and interested; that the said Charles about ten years then since assigned the said grant and residue of the term of years thereafter to come unto

¹ Seal in good order, bearing a porcupine or hedgehog.

the said deceased William Cockcroft, his Executors and Administrators; that the said Charles Towneley in 1643 or 1644 was found a delinquent, and petitioners after their intermarriage paid yearly the reserved rent to and for the State until about two years then last past; that in the years 1647, 1648 and 1649, petitioners disbursed in and about the several pits £350, and in some of them were obstructed and hindered for getting of coal by reason of the brittleness of the earth, the condition thereof being such that it would not stand but fell in and filled up the pits before any coal gotten, while in other some petitioners could not get coal by reason of the overflowing of the water; and at other pits where they might have got coal, they lying between two garrisons these so retarded and obstructed petitioners' workmen in getting as also the county people from fetching coals that petitioners made little or no profit of the mine, although they had disbursed so much money. Nevertheless the Committee of Lancashire without regard to petitioners' hindrance and disbursements required the rent then in arrear. They prayed for such relief as the acts and ordinances of Parliament in such cases allowed.

"Dec. 1655. The Commissioners of the County to have a copy of this petition to certifie. Referred to Redding to examine and report."

E.W., R.M.

Christopher Towneley.

G. cxxiv, to. 215, etc.; *Cal.* iii, 2222.¹

Petition of John Bradell, which alleged that petitioner, by indenture of assignment dated 12 March 16 Charles I [1640-1], and by other good conveyances and assurances in law, was seised of and interested in one annuity or

¹ See also *Cal.* v, 3256 for mention of Christopher Townley's petition, 30 April, 1646. This is Christopher Townley, "the transcriber," to whom Lancashire antiquaries are so much indebted for his diligent collection of documents bearing on local history.

yearly rent-charge of £30 a year for the life of Christopher Townely issuing out of certain lands and tenements situated in the county of Lancaster for payment of certain debts in a schedule annexed to the indenture mentioned; which said annuity had theretofore been granted by Charles Towneley to Christopher Townely beforesaid, by indenture dated 10 Sep., 12 Chas. I [1636] for the life of the said Christopher, who was living at the time of these proceedings. The premises out of which the annuity issued had been sequestered for the delinquency of the said Charles Townely and petitioner could not enjoy the annuity without a special order from the Commissioners above. He therefore prayed for examination into his title. Referred to Mr. Brereton to state and report (25 June 1650).

fo. 211-213. Report by Mr. Brereton, reviewing the facts of the case. In describing the lands out of which the annuity was to issue the names of the fields and localities are mentioned. The Annuitant Christopher was brother of Charles Townely. He found that Christopher covenanted with Alyce Townely, whom he intended to marry, to convey to some friend of hers in trust to her use and for satisfying of her debts an annuity of £80 granted to him by Charles Townely, so long as Alice lived, if Christopher's estate so long existed; he, if he died before Alice, to have power of the disposal of £100. Christopher on Oct. 14, 1640 entered into a bond of £1000 unto Thomas Greene-feld, for the performance of the above covenants unto the said Alice Townely; and he on 12 March, 1640-1, reciting the above last-mentioned indenture, in consideration of a marriage between him and Alice Townely and in performance of the said covenants and bond, granted and assigned to John Bradill the said rent-charge of £80 a year for the life of Alyce if the estate in the original grant should so long continue, upon trust for certain purposes. He submitted to judgment whether the petitioner John

Bradill ought not to be paid the said rent of £80 a year, or else be allowed to take his legal remedy, the sequestration of Charles Townely notwithstanding.

fo. 217. Two affidavits of John Cottam of Colne, co. Lancaster, yeoman.

G. cxxiv, fo. 193.

Petition of Alice Townley; wife of Christopher Townley, which showed that petitioner had been allowed the fifth part of her husband's estate by the Committee for sequestrations, amounting to £80 a year and some land, which had been paid by the then late Committee till then recently; but there were some arrears of the profits accruing from the lands called the Morehills. She prayed for a confirmation of the allowance of the fifth and the payment of the arrears (30 Aug., 1650). Prayer granted in both cases.

Elizabeth Townley, widow.

G. cxliv, fo. 201, etc.; *Cal.* v, 3220.

Petition of John Skirrow and Anne his wife, stating that Elizabeth, late wife of Ambrose Towneley, deceased, had a lease of a messuage and lands lying in the manor of Ightenhill, co. Lancaster, devised to her from Charles Towneley or his predecessors for the lives of the said Elizabeth and of Ann her daughter, whom petitioner married; that during the life of Elizabeth the premisses were sequestered for her recusancy and remained so notwithstanding that petitioner and his wife Ann were protestants and conformable. They therefore prayed for an order discharging the sequestration (10 Oct., 1654). Referred to Mr. Reading. fo. 201-7. His report. fo. 209-227. Examination and other documents.

On 4 July 1655 it was ordered that if the Anne Townley of Pendle Forest returned as a Papist was a mistake for Elizabeth Townley, the sequestration should be discharged. It was found to be a mistake.

John Townley *see* Isabel Anderton (above i, 67).

Lawrence Townley of Garstange, mercer.G. clxxxv, fo. 215, etc.; *Cal.* ii, 1411.

Delinquency in arms against the Parliament. He took the National Covenant before the committee in the county in Aug., 1643, and afterwards the Negative Oath (28 July, 1646). He joined the Parliamentary forces. His particular disclosed that there was a sum of — due to him and that his goods and chattels were worth £321. Fine, £30.

fo. 216. Certificate of Isaac Ambrose, minister of Preston that petitioner had taken the National Covenant in his presence and the presence of other ministers.

“Forasmuch as by the Certificat above written and many other motives I am persuaded that the said Laur. Towneley, who hath beene Captain of the Clubmen, wilbe hereafter a reformed man and obey the Commands of Parliament, I doe referr him to Coll. Rd. Ashton and Col. Rich. Shuttleworth, and have given directions to the Marshall at Preston to send him unto you; and if you shall please to release him I shall subscribe to their Act. These letters under my hand this 19th of Aug., 1643.

ALEX. RIGBY.

Oppon perusall hereof I give consent hereunto.

RAPHE ASHETON

RIC. SHUTTLEWORTH.

Lawrence Townley took the oath this 28 July, 1646.

THO. VINCENT.

fo. 208. Petition. fo. 219. Certificate of Wm. Barton that petitioner took the National Covenant 28 July, 1646. fo. 222. Particular of his estate.

G. cxxiv, fo. 203, etc.

Communication, dated at — and signed by Raphe Assheton, Alex. Rigby, Peter Egerton, John Starkie and Robt. Cunliffe, addressed to the Committee at Goldsmiths' Hall. It mentions that by an order of 18 August then last the real and personal estate of

Lawrence Towneley had been freed from sequestration, he having compounded for the same according to the particulars annexed to the said order. In this particular there was mentioned a debt of £200, due by bonds of £400, from one William Parkinson and others mentioned, together with the wares in his shop; which debt of £200 and the wares in his shop had been before his composition seized upon by the agents for sequestration for the public use and undertaken to be paid by Parkinson accordingly, and the wares and other goods in the shop were sold by the agents to several persons as appeared by the information of Capt. Richard Whitehead, one of the said agents.

Now as the said debt and wares had been seized before his composition and in the hands of the agents for sequestration, and so properly belonged to the public, the writers conceived that his composition as to this part was void. Whereupon they (the Committee for Lancs.) had ordered the payment of the said debt due by Parkinson to be paid to the public use (copy of order enclosed); which sum had been so paid. And so that it appeared by the said information of Captain Whitehead that there were debts due and goods belonging to Townley and not mentioned in the particular exhibited at his composition, they (the Lancs. Committee) conceived his whole composition to be null and void by the order from above. This communication had been sent to advise the Commissioners above as to the proceedings taken by the Lancashire Commissioners.

fo. 205. 17 Oct., 1646, dated at Preston. Communication on the same subject.

fo. 207. The Information of Capt. Richard Whitehead, one of the Agents of Sequestration for the Hundred of Amoundernes, taken the XXth of October, 1646.

Whoe informeth and saith that this Informer havinge Received order from the Committee of Sequestration for the County of Lancaster for Sequestration of the Estate

Reall and personall of Laurence Towneley of Garstange, a delinquent, did about the xiiijth of July last seise and sequester the shopp of the said Laurence Towneley in Garstange and the Wares and goods therein, which accordinge to the Apprizment did Amount to the summe of Seaventi seaven pounds, sixteene shillings and eleven pence; which goods were then taken into this Informer's custodie or such as hee did appoynte. And aboute three or four days after, this Informer, together with George Crone and Richard Rawlinson, twoe of the Apprizors for the Sequestracions in the said Hundred, cominge to remove the said goods to the Common Stonehouse Appoynted for keeping of sequestered goods in the Market Towne att Garstange, Thomas Townley, Tho. Parkinson *alias* Higham and John Barben of Garstange did undertake to pay to this Informer for the publike use the said somme of Seaventie pounds, sixteene shillings, Elevenpence for the goods aforesaid att such tyme as the Committee of this County shold Appoynte. And hee further saith that, as hee is credibly informed and surely beleeveth, there is a Debtbook belonging to the said Lawrence Towneley wherein there are divers debts owinge unto him Amountinge to great value exprest and sett downe, which hath hitherto beene concealed by the said Townley and which debts are not mencioned in the particular of his Estate exhibitted to the Committee att Goldsmiths' Hall. And this Informer further saith that att the tyme aforesaid this Informer did seise and sequester one debt of twoe hundred pounds due by a Bound of four hundred pounds from John Fiftz deaceded, William Parkinson and Cuthbert Cardwell unto the said Lawrence Townley, being the debt of the said William Parkinson; and then the said Parkinson promised and ingaged himselfe to pay the sum due to this informer for the publike use when the committee shall appoynt. And likewise saith that there is twoe or three horses belonginge

to the said Laurence Townley which are likewise concealed and not mencioned in the said particular Exhibited to the Committee att Goldsmiths' Hall as aforesaid.

RICH. WHITHEAD.

16 Jan. 1651-2. Noted as having neglected to pay in the lattter moiety of his fine.

G. lxxxii, fo. 657; *Cal.* i, 731.

Lawrence Townley of Garstang is mentioned in a return of Persons sequestrated, dated 27 September, 1655. Thomas Fowler, of the City of London, gent., being his bondsman in the sum of £60.

Richard Townley of Legrim.

G. cxxiv, fo. 187; *Cal.* iv, 3174.

Petition, which showed that two-thirds of petitioner's estate was under sequestration for his recusancy only. He therefore prayed, as allowed by the Act (21 Oct., 1653), that he might be admitted to contract for the same (23 Dec., 1653). Referred to Mr. Reading to report.

Robert Townson of Cansfield, gent.

G. ccxvi, fo. 597, etc.; *Cal.* iii, 2112.

Delinquency: having been in arms under Sir John Girlington against the Parliament. He petitioned 24 July, 1649 and compounded upon a particular which disclosed that he was seised in fee of a messuage and 3 acres of land, "lying and being in the said co. of Lancaster," worth yearly 15s. Fine £2. 5s. (31 July, 1649).

fo. 600. Petition. fo. 601. Particular.

Robert Townson of Cockerholme.

G. ccxv, fo. 391, etc.; *Cal.* iii, 2099.

Delinquency: adhering to and assisting the forces raised against the Parliament. He petitioned 28 June, 1649 and compounded upon a particular which disclosed that he was seised for life of a tenement lying in Cockerholme, worth yearly £1. 5s. Fine £3. 15s. (4 July, 1649).

fo. 393. Petition. fo. 395. Particular.

Sir Cecil Trafford of Trafford, knt.G. lxxxix, fo. 963, etc.; *Cal.* iv, 2865.

Petition of Edward Holt of Sephton, gent., which showed that he had an Annuity of 20 nobles a year issuing out of the sequestered lands of Sir Cecill Trafford of Trafford, co. Lancaster, which had been regularly paid him for 30 years or upwards preceding the date of petition, not only by Sir Cecyll and Sir Edmond Trafford his father, deceased, but also by the then late Committee for Sequestrations; but at the date of petition the same had been detained by the then Commissioners for Lancashire acting in observance of an order from above. As all the witnesses petitioner wished to have examined resided in Lancashire he desired that the examinations might be taken there (12 Aug., 1651). "Let the Commissioners in Lancashire examine and certifie, and upon their return it is referred to Mr. Brereton. J. B., R.M."

fo. 965-7. Report of Mr. Brereton, based on the above order (12 Aug., 1651) on the petition desiring the allowance of an annuity of £6. 13s. 4d. a year arising out of certain lands called the Marled feild, being parcel of the demesne lands of Trafford in co. Lancaster. It was alleged by petitioner that he had an annuity of £6. 13s. 4d. for life arising out of the sequestered lands of Sir Cecill Trafford. The Lancashire Commissioners, to whom the case had been remitted for enquiry, certified that they had taken the examinations of Sir Cecill Trafford and Francis Mosely. Sir Cecill had deposed that he had seen a grant of an annuity or rent-charge of 20 nobles granted to petitioner for life by his father Sir Edmond Trafford, deceased, issueable out of the Marled fields, being parcel of the demesne lands called Trafford demesne; that his father after making the grant, during his life, paid the same to petitioner and since his death (1620) he (deponent) had paid the same till Sep., 1650, except three years annuity, being in arrear before that time by reason that deponent

in 1641 had made a lease of the said lands to one Thomas Irlam for 2 years, who failing in the payment of his rent, the annuity was unpaid by that means for 3 years; but since the expiration of the lease he (deponent) had engaged to pay the said arrears, and had continued the payment of the annuity to petitioner up to Sep., 1651, when the agent of sequestrations for Salford Hundred told deponent that it would not be allowed without orders from the Commissioners above, two-thirds of his estate then being under sequestration for his recusancy. Since that time no part of the annuity had been paid to petitioner.

Francis Moseley, gent., deposed to having seen the grant relating to the 20 nobles a year.

Petitioner deposed as regarded the annuity to the same facts as were mentioned in the petition, "and that about June or July, 1644 Prince Rupert with the Earle of Darby came into Lancashire with great forces, and at 8 of the clocke at night sent a troope of horse and took petitioner prisoner and carried him to Latham, at which tyme two horses of good value, two trunckes of Cloathes, writings and other goods were taken and plundered from him; and the said deed or grant amongst other writings was then taken and plundered as he believed, for since he had never seen it nor could he find it," etc.

So it was submitted to judgment whether petitioner should not be permitted to enjoy the said rent-charge or annuity during his life notwithstanding the sequestration for the said Sir Cecill Trafford's delinquency.

fo. 969. Order of reference to Lancashire Commissioners. 971. Petition, copy (12 Aug., 1651).

fo. 974. Communication from Manchester, dated 7 May, 1652, signed by Edward Aspinwall and Robt. Cunliffe, referring to matters connected with the case, enclosing examinations taken, etc.

fo. 975-79. Examination of Sir Cecill Trafford, knt., and Francis Moseley of Collyhurst, gent., sworn at

Manchester 7 May, 1652; and (fo. 980) Edward Holt (petitioner), aged 66 or thereabouts, sworn in London, Sep. 9, 1651.

G. clx, fo. 297, etc.

Letter, dated at Manchester 7 May, 1652, signed by Edward Aspinwall and Robt. Cunliffe, mentioning that in observance of an order of 12 August then last made upon the petition of the above touching an annuity or rent-charge of 20 nobles *per annum* issuable out of certain lands sequestred for the recusancy of Sir Cecill Trafford, knt., and payable to the said Mr. Holt, they had taken the examinations and enclosed copies; viz. (fo. 297) Examination of Sir Cecill Trafford taken at Manchester 7 May, 1652 (as above), and of (fo. 298). Francis Mossley of Collyhurst. Confirming.

G. xc, fo. 396.

Petition of Richard Haworth of Manchester, esq., which showed that petitioner had always been well affected towards the Parliament and in their service had expended much time and money; That two parts of the estate of Sir Cecyll Trafford of Trafford (in demesnes and rents) was property due to the State, he being a convicted recusant. Petitioner humbly desired that their honours would vouchsafe him a lease of the said two parts, he rendering a reasonable rent for the same for the use of the Commonwealth.

14 January 1601-2. "The Commissioners to view, survey and certify what it is worth to be let for 7 years."

G. cxxiv, fo. 619.

Petition of Sir Cecill Trafford of Trafford, knt., which showed that two-thirds of his estate was under sequestration for his recusancy only. He prayed therefore, in accordance with the act, to be admitted to contract for the same (27 Nov., 1653). Referred to Mr. Reading.

fo. 621. A second petition, desiring to be admitted as tenant for a year (12 May, 1654). This was agreed to,

and a lease directed to be prepared, if the said estate were not then in lease to some other person.

fo. 623. A joint petition between Sir Cecill and Thomas Gooden of Little Bolton, mentioning that Mr. Reading could not draw up leases for their respective estates because the surveys had not been returned from the country (27 June, 1654). "Ordered: to return the Surveys or certify the reason why they did not do it, within 6 days after notice."

G. cxli, fo. 11, etc.

Report (case heard Oct. 12, 1654): This was a petition by Lieut.-Col. Charles Worsley, desiring the discharge of two parts of certain manors, lands and tenements in the counties of Chester and Lancaster, granted by the then late King to John Wood and Phillip Osborn, gentleman, and for valuable considerations assigned to petitioner, and notwithstanding this sequestered for the recusancy of Sir Cicile Trafford, knt.

Mr. Brereton, reviewing the case at great length, among other things found that by letters patents, dated 6 July, 1640, King Charles, reciting, that whereas Sir Cecile Trafford of Trafford, knt., was indicted and lawfully convict for that he had not gone to some church, chapel or usual place of common prayers but refrained from the same contrary to the statute in that case provided, and whereas the said Sir Cicill Trafford had made default of the payment of £20 a month for his said recusancy contrary to the statute in that case provided; by reason whereof his title accrued to the then late King by process out of the Exchequer to take, seize and enjoy all the goods and chattels and two parts of all manors, messuages, lands, tenements and hereditaments, of the said Sir Cicill Trafford according to the true intention of the said statute; and reciting that whereas by inquisition taken at Heaton Norrys, co. Lancaster, 12 March, 1639-40, it was found that the said Sir Cicill Trafford was then seised for his life

of and in the manors of Trafford, Stretford and Barton upon Irwell in the co. of Lancaster and of certain messuages, tofts, mills, etc., and 40s. free rents with the appurtenances in Trafford, Stretford, Manchester, Lostock, Wiggan, Barton upon Irwell, Erlham, Hulme, Broomehurst, Croft, Dimplington and Eccles, and of rents in Manchester and elsewhere; also of cottages in Rusholme and Fallowfield, and of the capital messuage of Wickleswick and of lands in Wickleswick and Eccles; and reciting another inquisition taken at Stockport, co. of Chester, on 12 March, 1639-40, when it was found that the said Sir Cecill Trafford was seised for life in the moiety of the manors of Bollyn and Norcliffe in that county and of lands in various places (mentioned in the Report): the King elected to take two parts of all these premises in satisfaction of all debts, penalties and forfeitures due and to be due for the non-payment of £20 a month for the recusancy of the said Sir Cicill Trafford; and for the consideration aforesaid of his special grace, certain knowledge and mere motion he granted to John Wood and Phillip Osborne two parts of the premises mentioned in the said inquisition for 40 years from Pentecost, 1638 (if the said premises should happen so long to remain in the hands of the said King, his heirs or successors, by reason of the recusancy of the said Sir Cicill Trafford), rendering £80 a year; which rent when received should be employed to public uses for the public good, with provisions for voiding the same if the rent were duly paid, with certain other conditions; also releasing the lands, goods and chattels of the said Sir Cecill from any further obligations by reason or occasion of his recusancy only, so long as the said term lasted. Power was given to the said John Wood and Phillip Osborne to demise, grant and to farm let at their pleasure, for any number of years within the said term, or to assign all their interest therein to the said Sir Cicill or any other person to his use or otherwise, and

also to have and hold the said premises to the only use and behoof of the said Sir Cicill, the statute 3 James (an Act for the better Discovery and Repressing of Popish Recusants) or any other statute or statutes to the contrary notwithstanding; with other concessions to Sir Cicill.

Phillip Osborne having died, John Wood, the surviving patentee, by indenture dated 10 June, 1654 (reciting the said letters patents), in consideration of £200 mentioned to have been paid by Lieut.-Col. Charles Worsley (petitioner) granted to him all that the King granted to them for the remainder of the term as by the indenture appeared. The execution of the deeds, payment of money and other things were deposed to by several witnesses, whose names and the nature of their testimonies are dealt with in the report. After reviewing in great detail many points connected with the devolution of the property and other things, he submitted to judgment whether the sequestration of the two-third parts ought or ought not to be discharged.

fo. 23. Order referring the case to the Lancashire Commissioners. fo. 25-6. Petition (copy). fo. 27. Petition, original (27 June, 1654).

John Travers *see* **Jennet Ball** (above i, 18).

Peter Travers of Skirmisdall.

G. cxxxviii, fo. 615; *Cal.* ii, 1109.¹

Petition, showing that William then late Earl of Derby in the year 1632 leased a messuage and lands lying in Skirmasdall to Peter Wynn and his assigns during the lives of Peter Travers, Dorothy his wife and petitioner. Peter Wynn in 1636 assigned the premises for petitioner's use. But so it was the premises had been sequestered for the delinquency of petitioner's father. Petitioner therefore requested an examination of his title (14 April, 1653). Granted, Mr. Brereton to state and report.

¹ Part of the papers in Lord Derby's case. For another section of the same see above ii, 139-140.

G. clxi, fo. 181, etc.

Letter, dated at Wigan 6 Dec., 1653, signed by E. Aspinwall and Ro. Massey, mentioning that in observance of an order dated 14 April then last, made upon the petition of the above touching a messuage in Skelmesdale they had examined such witnesses as were produced before them on behalf of the petitioner and cross-examined them (copies of the examinations and interrogatories enclosed); and they certified that the messuage in the petition mentioned was sequestrated in the year 1643 for the delinquency of Peter Travers, petitioner's father, who was living at the time of these proceedings; and that the property remained under sequestration.

fo. 181. Interrogatories administered, at an examination taken at Ormeskirke on 21 July, 1653, to James Taylor of Upholland, linen weaver, and James Standish of Bickerseth, husbandman; both these were witnesses to a deed of assignment connected with the property in question. fo. 183. Interrogatories administered on behalf of the Commonwealth to both the above witnesses.

G. cxxx, fo. 487.

Petition of Thomas Whiteacres of Bury, yeoman, and Peter Travers of Skermarsdale, which showed that petitioner Travers had, by a former order for procuring a title to a messuage sequestrated as the estate of his then late father, obtained a return, but some parts of the evidence were wanting. Petitioner now prayed that their honours would order the Lancashire Commissioners to certify what was necessary in the matter (18 Jany., 1654-5). Agreed to, the Commissioners to examine and certify as desired.

Richard Travers *see* **Margaret Brookfield** (above i, 250).

Samuel Trotman *see* **Richard Bolland** (above iii, 240).

Francis Turner of Goosnargh.

G. cxvii, fo. 431.

Petition of Richard Shuttleworth of Garstropp, gent., which showed that by the death of one Francis Turnor there had fallen to petitioner a small tenement and some land lying in Goosenargh, but two-thirds of the same were under sequestration for the recusancy of Turnor. Yet though he was dead, petitioner could not obtain possession without their order; which he prayed for, or for an examination into his title. The latter was granted; the Lancashire Commissioners to examine and certify, and Mr. Reading to report (28 Dec., 1654).

John Turner of Tunstall, Gent.G. cxxv, fo. 389; *Cal.* iv, 3141.

Order to take possession of a messuage and lands with the Appurtenances, in Tunstall, late parcel of the estate of the above, sold to John Wildman, esq., on 10 Aug., 1653.

Nicholas Turner *see* **Hugh Anderton** (above i, 58).

Robert Turner, of Mawdesley, Labourer.G. cxxv, fo. 407; *Cal.* iii, 1952.

Petition, which disclosed that petitioner stood sequestered by the Committee of Lancs. for adhering to the King's party at the commencement of the wars. He subsequently petitioned the Commissioners above, who removed the sequestration but the Lancashire Committee refused to obey the order, alleging it was not binding. He therefore "casts himselfe and his pore estate at your honours' feete and desires he maye compound for his pore estate," a particular whereof he annexed. Fined £8 (15 May, 1649).

Richard Twiford of Didsbury, Gent.G. ccix, fo. 861, etc.; *Cal.* iii, 1747.

Delinquency: assisting the forces raised against the Parliament. He compounded on a particular which

disclosed that he was, in right of his wife, seised of a rent-charge of £13, issuing out of lands in Houghton, for the term of her life. There was due to him £108. Fine £44 (17 Apl., 1649).

fo. 864. Petition. fo. 865. Certificate: "Sa: Gibson, Minister at Marget's, Westminster, and ministered National Covenant to Compounder 22 May, 1647." fo. 867. Particular of his estate.

Robert Twiford of Diddesbury.

G. ccxxiii, fo. 809, etc.; *Cal.* iii, 1950.

Delinquency: adhering unto and assisting the forces raised against the Parliament. He petitioned 28 April, 1649, and compounded upon a particular which disclosed that he held by lease for one life (aged as he stated 75 years) a moiety of two tenements in Diddesbury of the yearly value of £6. 7s. 6d., and in fee of a "Smithie House in Manchester worth yearly 9s. He also held by lease for two lives another tenement in Diddesbury of the yearly value of £12; and for one life 2 closes of ground called Pillockhey and Moore fields, worth 16s. 8d. a year. Fine, £45. 15s. 4d. (15 May, 1649).

fo. 512. Petition. fo. 813. Particular.

Twisse, Richard *see* **Richard Ashton** (above i, 93).

Tyldesley *see* **Tildesley**.

Ulverston parishioners *see* **John Fleming** (above ii, 345).

Edward Unsworth.

G. cxlv, fo. 59; *Cal.* iv, 3127.

Order to take possession of a messuage and lands lying in Wandle in the parish of Prescott; also a tenement in Ashton, parish of Windle, then late parcel of the estate of the above, sold to John Wildman, esq., on 17 June, 1653.

James Unsworth of Westleigh.

G. cxii, fo. 1087; *Cal.* v, 3237.

Petition of Richard Renicars, which showed that he had a good title to a messuage lying in Westleigh, co. Lancaster, two-thirds of which were under sequestration for

the recusancy of one James Unsworth. Though Unsworth was dead and his interest determined by his death, and the property ought to have come to petitioner, yet the Lancashire Commissioners forbore to discharge the same without an order from the Commissioners above. He therefore prayed that they would empower the Commissioners below to discharge the sequestration (24 May, 1655). "On making out his title before the commissioners in the county, if the yearly value was less than 40s. they were to discharge it."

John Urmston of Bedford, Husbandman.

G. cxxvi, fo. 621; *Cal.* v, 3185.

Petition, which disclosed that two-thirds of petitioner's property had been sequestered for his recusancy. He therefore desired to be admitted to contract for the same (13 January, 1653-4). Referred to Mr. Reading.

G. cxxvi, fo. 605.

Petition of Christopher Bate and Robert Katon of West Leigh for and on behalf of Peter Urmston of Bedford, co. Lancs., an infant, which disclosed that John Urmston then late of Bedford, the infant's father, by deed and other good conveyance did assure to petitioners a messuage and certain lands lying and being in Bedford and that they should stand seised thereof to the use of the said John Urmston for life, and after his death to the use of Peter his son and his heirs for ever, with several other remainders; that the said John Urmston died about the beginning of the month of March 1654(-5) and that after his death the said lands should have come to petitioners for the use of the infant, but as they were under sequestration for the recusancy of the said John Urmston petitioners could not obtain possession without an order from the Commissioners above. They therefore prayed for that or an order to examine petitioners' title (3 Apl., 1655). The latter was agreed to.

Richard Urmston of Westleigh.G. cxxvi, fo. 631; *Cal.* iv, 2628.

A petition, which alleged that though petitioner had never acted against the Parliament he had by some misinformation been sequestered as a delinquent, he being only a recusant. As a consequence his whole estate had been sequestered and he now petitioned to be allowed the third as by Act of Parliament conceded. This was agreed to, with the addition that the case was to be investigated (31 Dec., 1651).

fo. 613. Order to take possession of the manor of Westleigh, with the rights, members and appurtenances thereof, with a tenement and a horse mill in the occupation of Bradley Heyhurst, late parcel of the estate of the above, sold on 22 July, 1653 to John Urmston, gentleman. fo. 619. Order from Commissioners above directing Lancs. Commissioners to receive no more of the rents, etc., the estate having been sold (15 Sep., 1653). At foot is a memo. that if any of the lands discharged were glebe the Lancs. Commissioners were forthwith to seize the same (21 Feb., 1653-4).

G. lxxi, fo. 111, etc.

Communication, dated at Wigan 18 Nov., 1651, from the Lancashire Commissioners, based on an order of 25 Sept. preceding upon a report by Mr. Reading in connection with a petition by Edward Bradshaw of Aspull, gent., touching the payment of £40 a year out of the rectory of Leigh. They certified that the said rectory was sequestered for the recusancy and delinquency of Richard Urmston, esq., and they found that the said £40 had been paid to petitioner by the former Committee for sequestrations, but they had suspended payment in obedience to orders from London. "4 Feb., 1651[-2] Ord: that the rent discharged and arrears to be paid since Dec. 1649."

fo. 113. Reference of the case to the Lancashire

Commissioners (24 Sep., 1651). fo. 116. Petition (23 Jan., 1651-2.)

fo. 117. Report by Mr. Brereton (17 Apl., 1651). He found that Francis Trapps, by indenture dated 7 Feb., 1560[-1], granted the rectory of West Leighe, which he held in tail to him and the heirs males of his body, to Sir Thomas Gerard and his heirs, "rendring £40 rent and £10 *nomine pense*." He found further, by an indenture dated 8 May, 1566 between Francis Trapps and Richard Urmeston—reciting that the said Francis Trapps by the above Indenture dated 7 Feb., 1560-[1] granted to Sir Tho. Gerard and his heirs the above rectory, and that the estate of the said Sir Thomas had by good conveyance come to Richard Urmeston and his heirs—that inasmuch as the said rectory was entailed upon Francis Trapps and his heirs it was agreed between the said Francis and Richard Urmeston that a common recovery should be suffered of the said rectory chargeable with the said rent of £40 a year to Francis Trapps and his heirs, with distress. He found by an indenture, dated the . . . day of . . . 1599, between Francis Trappes Bernard and Roger Bradshawe of Aspull, co. Lancaster, gent., that the said Roger Bradshawe had agreed with Robert Trappes (younger brother of Francis) for the estate of inheritance to him and his heirs of the said rent-charge of £40 a year out of the said rectory, the said Francis Trappes covenanting to give such further assurance thereof as the said Roger, his heirs or assigns should require. He found by a deed dated 28 June, 1599, reciting that whereas Francis Trappes Bernard had acknowledged several statutes in trust for Ann Blount and whereas afterwards he had granted the said £40 rent charge to Robert Trappes and his heirs and whereas Robt. had by the advice of his mother (the said Ann) sold the same to Roger Bradshaw of Aspull and his heirs for £600, the said Anne covenanted with Roger Bradshaw (if he were disturbed in the enjoyment of the

said rent by reason of the said statutes) to save him harmless. fo. 118. Petitioner produced an acquittance under the hand and seal of the said Ann Blount for £300 paid to her by Roger Bradshaw according to the purport of a proviso contained in the indenture of bargain and sale dated 20 June, 1599.

On 1 April, 1619 Roger Bradshawe and William his son and heir apparent did assure (amongst other things) the said rent-charge to Henry Ashurst and Peter Marsh and their heirs to the use of himself for life and after to such uses as the said Roger Bradshawe should by any writing under his hand and seal or by his last will and testament in writing published in the presence of two witnesses appoint, and after to the use of John Bradshawe, his second son, and the heirs males of his body, with divers uses over. Roger Bradshaw by his will, dated 7 June, 1625 and subscribed by 7 witnesses, reciting the last-mentioned deed, (amongst other things) appointed the said rents to Edw. Bradshawe (the petitioner) for 1000 years for raising portions and other intents mentioned in the will. He found that the Lancashire Committee by two orders (one 1 Dec., 1643 and one 27 Nov., 1645) allowed the £40 to petitioner.

Petitioner deposed that he had had in his possession for many years then past the indenture of 7 Feb., 1560[-1] and believed the paper draft produced to have been a proper copy and he testified generally to the other facts mentioned in the report. He did not produce the deed, the reason being that they were taken from him by Prince Rupert's army (amongst other things of good value), the day that Bolton was taken, he then being in the town "where he hardly escaped his life."

It was submitted in conclusion whether the said rent-charge ought not to be paid, together with the arrears; the sequestration of the said rectory notwithstanding (17 Apl., 1651).

fo. 122. Order of Reference to Mr. Brereton.

fo. 123. Petition which showed that the rectory of Leigh sequestered for the delinquency of Mr. Urmeston, was chargeable with a rent charge as above mentioned of £40 (Nov. 22, 50). Referred to Sub-Commissioners to certify and Mr. Brereton to report.

fo. 124. Communication from the Lancashire Committee, dated at the Committee, Preston, Nov. 27, 1645, and signed by Ric: Hoghton, James Asheton, Nicholas Cunliffe, William Knipe, Nicholas Rigby, He: Fleetwood, Robte. Cunliffe. It refers to the orders of the committee conceding the rent-charge to Mr. Bradshaw, though the rectory was under sequestration. fo. 126. Copy of one of the orders, signed by Thomas Stanley and Peter Egerton, dated at Warrington 1 Dec., 1643.

fo. 127. Deposition of Edward Bradshaw (petitioner), wherein he is described as of the city of Chester, gent.

G. cxxvi, fo. 633.

Report by Mr. Brereton, dated 24 July, 1651, based on an order of 8th May preceding on the petition of John Urmeston of Westleigh, who desired the payment of an annuity of £10 a year, with one year's arrears, then formerly allowed by the Lancs. Commissioners. Mr. Brereton found that John Urmeston son and heir apparent of Richard Urmeston of Westleigh, esq., by deed ated 13 Dec., 1617, granted to John son of the said John Urmeston an annuity of £10 a year for life to issue out of all his manors and other estates in the co. of Lancaster whereof the said John the father stood then seised in possession, reversion or remainder (the capital messuage called the Harre Hall with the lands thereunto belonging and two certain closes excepted).

A witness, John Whitwell, who wrote the deed and was a witness to it, swore that he saw it sealed and delivered and believed the said annuity was paid till the estate was

sequestered for the delinquency of Richard, brother of the said John the son.

William Hampon, who for six years after the ordinance for sequestration was clerk to the agents for sequestration in Leigh parish, deposed that during all that time the agents paid to John Urmeston (the petitioner) the £10 annuity out of the issues of his brother's sequestered estate and that he (deponent) had written the acquittances which petitioner signed.

So Mr. Brereton submitted to judgment whether petitioner ought not to be paid the £10 a year, he making oath before the Lancs. Commissioners "what is behind" and that he had not released or otherwise discharged the said rent or the arrears so claimed by him.

fo. 635. Order of reference to Mr. Brereton. fo. 638. Petition, referring to earlier proceedings and praying for this reference. fo. 639. Order referring the matter to the Lancs. Commissioners. fo. 641. Petition, a copy of the first he filed.

fo. 643. Examination of John Whittell at Astley, aged 60, and (fo. 644) Wm. Hampson of Hindley, aged 46.

fo. 645. Communication from Lancs. Commissioners, dated at Preston 9 Ap., 1651, signed by Peter Holt, Robert Cunliffe and G. Pigot, mentioning the proceedings they had taken and enclosing copies of the examinations taken. Petition (19 Feb., 1650-1).

fo. 646. Order, dated 8 March, 1643-4 and signed by T. Stanley, Richard Holland, Peter Egerton and J. Bradshaw, addressed to the sequestrators to pay the £10 annuity to petitioner. Also second order, dated at Warrington 11 July, 1645, to the same, directing the payment "without restraynte according to the intent of the above written Order"; signed by J. Stanley and Peter Egerton.

19 Feb. 1651-2. The annuity was allowed for a year, if he has not released it, on his taking the oath of abjuration. It

appears there was a further order on 22 April, and that he was allowed a third.

fo. 653. Order to the Sequestrators, dated 22 Oct., 1647, that, inasmuch as there appeared to be an annuity of £4 a year payable to Gilbert Urmeston, gent., out of the sequestered estates of Richard Urmeston, esq., deceased, petitioner's father, which annuity he (petitioner) had received for upwards of 20 years, the payment be continued. Signed by J. Bradshawe and John Starkie.

fo. 655. Report (24 July, 1651) by Mr. Brereton on the proceedings in this case; he recommended the payment on the same conditions as the case of John Urmston above. fo. 657. Reference to Mr. Brereton. fo. 660. Petition (8 May, 1651); referred to Mr. Brereton. fo. 661. Examinations of John Whittell of Asley and William Hampson. fo. 665. Communication from the Lancashire Commissioners. fo. 667. Reference of the case to them. fo. 669. Petition (copy).

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fo. 609. Petition of Mary, Eleanor and Ann Urmston, which showed that they had obtained an order to receive a fifth of their father's estate, sequestered for his delinquency. After his estate had been sold there only remained the rectory under sequestration, whereupon petitioners made their further addresses to the Commissioners above to be allowed a fifth part in kind of the said rectory. This was granted to them; but so it was that one Bradley Heyhurst, pretending to have an interest therein by an order from the Committee for Plundered Ministers, petitioned the Commissioners to cancel the order made in favour of petitioners. They, finding no just cause to grant his prayer, referred the consideration of the matter to the Lancashire Commissioners to examine and certify; which petitioners conceived to be greatly to

their prejudice and so they prayed for an order directing the Lancashire Commissioners to examine such witnesses on their part as they would produce, so that both sides might be heard and justice done (23 Feby., 1654-5).

fo. 611. A previous petition, in which the rectory of Westlegh is mentioned as the cure which their father Richard Urmstone, esq., had held, and which (having been sequestered for his Popery and delinquency) had upon several orders from the Committee for Plundered Ministers been in part allotted to Mr. Bradley Heyhurst, minister of Westlegh, and set out in kind to him. In lieu of the original fifth allotted to petitioners, the Lancashire Commissioners set out to petitioners a fifth part of the tithes proportionable to those granted to Mr. Hayhurst. But a Mr. Edward Bradshaw, of Chester, having obtained an allowance of £40 a year to issue out of the said rectory, the Lancashire Commissioners had ordered petitioner's fifth to be paid to Mr. Bradshaw, and the said Mr. Hayhurst enjoyed those tithes freed both from share of the rent-charge and from the fifth due to petitioners. They therefore prayed that the £40 rent-charge might be equally charged upon the whole rectory as well upon the tithes enjoyed by Mr. Hayhurst as those in the hands of the Commonwealth, and that after the payment of the rent-charge petitioners might have their full fifth part of the rest in kind or money; also the arrears due to them (10 Oct., 1654). "Ordered as desired, petitioners bearing a due proportion of taxes."

fo. 615. Petition, after the sale of their father's property to be allowed their fifth out of the tithes. Agreed to (4 July, 54).

fo. 617. Certificate, exhibiting the value of their fifth to be £15. 6s. 8d. a year.

fo. 625. Petition, in which the name of a fourth daughter appears, namely Frances (13 Aug., 1653).

fo. 629. Petition by Mary, on her own behalf and her four younger sisters.

G. cxliv, fo. 352, etc.

Petition of (Jan., 1654-5) of Bradley Hayhurst, vicar of the parish Church of Leigh, and the inhabitants of the same parish whose names are subscribed on their own and on behalf of the rest of the Parishioners:

Sheweth—

That the Rectory of the said parish beinge of good yearly value and Improprate, there was antyently reserved a sufficient maynetayenance out of the same for the Viccar or minister of the said parish church and his Successors for ever and is still of right belonginge to him as your petitioners are ready to make appeare.

Neverthelesse the owners and proprietors of the said Rectory, haveing for a long tyme byn papists and ill affected to the ministry, have concealed and by their power deteyned and promiscuously enjoyed with the Rectory a greate parte of the viccariage lands and maynteynance from the viccars there, Whereby they have not byne able to subsist but enforced from tyme to tyme to sue for their livelyhood and undoubted right and often wearied our with great expence. And for reliefe therein your petitioners heretofore petitioned the Ho'ble Committee for Plundered Ministers, who takeinge the premisses into consideracion did by several orders settle some parte of the lands and Tythes parcell of the said Improprate Rectory (beinge then sequestered from Richard Urmston, Esq., for his Popery and Delinquency) upon the Minister of the said Church, there beinge besides a yearly pencion of £15. 13s. 4d. antyently payable out of the Rectory to the said Minister. (fo. 352). Which Orders were allowed and confirmed by the late Committee for Sequestracions in the said County and your petitioner quietly enjoyed the same accordingly.

But now Mr. John Urmston, the said Delinquent's

brother, endeavours to disturbe this settlement and gives out that he hath purchased the Rectory of the State, which indeed is not purchaseable by the late Act in that case made, and hath also sutly included divers of the antient viccaridge lands in his Deed of purchase, intending thereby utterly to distroy the Church.

That the Delinquent's daughters, who are maryed unto papists and malignants that have byne in Armes against the Parliament, have lately petitioned in their former names; and upon some fayned suggestions, privatly and unbekowne to your petitioners, in October last obteyned your Honours' order for the chargeing of a Rent Charge of £40 per Annum upon the said tythes belonging to the said Minister and settled upon the said Church, And after the payment thereof then the said Delinquent's daughters to have a fifth parte of the same tythes in kinde or in moneys; whereby the said Viccar will not only be deprived of his said settled Mayntenance but the whole parish (beinge very large) left destitute of preaching Ministers for want of such competent meanes as apperteynes to the said Minister out of the said Rectory.

The premisses considered, your petitioners humbly pray your honours for the causes aforesaid to recall your said order or give your petitioners tyme to make there defence before your honours or at Lawe for the said Church's rights and settlement of such a competent mainteynance as belongs to the Minister.

And your petitioners will ever pray, etc.

BRADLEY HAYHURST, Vicar.

JOHN ATHERTON, ADAM MORTE, GILES GREENE, NICH: ASTLEY, ALEX. RADCLIFFE, GEORG. WITHINGTON, RICH. GLASBROOKE, HUGH HINDLEY.

16 Jany., 1654-5. This petition, on being heard, was referred for consideration to the Lancashire Commissioners, they to examine and certify the proofs to the Commissioners.

fo. 353. In connection with the above an Order was made by the Commissioners that the rent-charge of £40 a year granted to Mr. Edward Bradshaw of Chester be equally charged upon the whole rectory as well upon those tithes enjoyed by Mr. Hayhurst as those in the Commonwealth's hand—and after the payment of the said rent-charge the petitioners (Mary, Frances, Ann and Eleanor, daughters of Mr. Urmston) are hereby ordered to receive their full fifth part in kind (of the rest) or in money, and the arrears due to them, bearing a due proportion of taxes.

fo. 355. Petition of Mary, Frances, Ann and Elinor, daughters of Richard Urmston, esq., owner of the tithes of Westleigh, which were under sequestration for his Popery and delinquency.

On 22 May, 1655, the order suspending payment of the fifth was made void, and on 12 June the order that the children were to receive it was made absolute so long as the children were unmarried or under age.

G. cxxvi, fo. 603.

Petition of Richard Urmeston, which showed that the tithe corn of Pinnington in the parish of Leigh had been settled upon the vicar of the said parish as part of his augmentation by order from the Committee of Plundered Ministers, and that there was a barn belonging to the said tithes not included in the order, having theretofore been part of the estate of Richard Urmeston; but so it was that one Samuel Hilton had without any order or right thereunto intruded himself into possession of the said barn, not only enjoying the same without paying anything to the Commonwealth but suffering the same to fall into decay for want of repairs. Petitioner prayed that such course might be taken as would lead to some profit for the State, and also that the said barn might be kept in repair (3 July 1655). "Ordered to let it to best advantage and see it repaired."

John Valentine of Bearecliff, gent.

G. ccxxii, fo. 605, etc.; Cal. iv, 2725.

Delinquency: he adhered to the forces raised against the Parliament. He petitioned 18th February, 1650-1, and said he was never sequestred. He compounded upon a particular delivered in under his hand, whereby he submits etc., and whereby it appears that by virtue of a conveyance made by himselfe in 1639 he is seised of an estate for life, with remainder to his 1st, 2nd 3rd and every of his sons in tail, of a messuage, and certain lands in Pendleton in the parish of Eccles, and of certain racked cottage rents of the

clear yearly value before these wars in

demesnes	..	..	..	..	45 <i>li.</i> 5 <i>s.</i> 8 <i>d.</i>
And in old rents	..	..	..	..	6. 6 8.

There will likewise come and remaine unto him in reversion after his mother's death (who is still living, as by the affidavit of Philip Osbourne appeareth) a like estate in one messuage and certain lands and cottages and two small water Corn mills in Eccles aforesaid, of the

yearly vallew before these Warrs	..	44 <i>li.</i> 9 <i>s.</i> 4 <i>d.</i>
And in old Rents	.. .. .	3. 18. 8.

That hee is likewise possessed of a personal estate in cattle, corn, household stuff and other goods, which are inventoried and secured by order from the Commissioners for sequestrations in the said county of Lancaster, to the value of 144*li.* 11*s.* 8*d.*

That for his personal estate he paid unto the former committee in the country the sum of 20*li.*, as by affidavit appears, and therefore prays allowance thereof in discharge of his personal estate. Referred to Mr. Readinge.

Fine at one-sixth, £255. 4*s.* 9*d.* (12 Aug. 1651).

fo. 608. To the Ho'ble the Commissioners for Compoundinge with Delinquents.

The humble petition of John Valentyne of the parish of Eccles in the County of Lanc., gent.

Sheweth—

That for adhering unto and assisting the forces raised against the Parliament he conceives himselfe within the compasse of Delinquency, but hath not yett been sequestred but his estate seized and secured.

His humble Desire is he may be admitted to a reasonable Composition for the same.

And he shall pray etc.

18 Feb., 1650[-1]

JOHN VALENTYNE.

Ref'd to Mr. Readinge—Jo. Leach.

fo. 609. A Particuler of the reall and personall estate of John Valentyne of Beanclyff in the parish of Eccles, in the County of Lancr. for which he desires to compound.

He is seised of an estate for terme of lyfe of a messuage and certeine Lands in Pendleton in the said parish of Eccles and of certeine racked Cottage rents, over and above the yearlie rent payed to the State, of the yearlelie value before these warrs of

45li. 05s. 08d.

He is lykewise seised for lyfe of certeine messuages and Tenements in lease to the present Tenants for 3 lyves, most of them beinge full, lyinge and beinge in Pendleton aforesaid, of which the annchent yearlie rent is

06li. 06s. 08d.

There will lykewise remayne and come unto him for the terme of his lyfe onely, in revercion after his mother's Death, whoe is still lyvinge, as by the affidavit of Phillip Osborne, gent., appeareth, one messuage with the lands thereunto belonging, and seuerall Cottages and twoe small watercorne mylnes in Eccles aforesaid, of the yearlie value before these warres of ..

44li. 09s. 04d.

And lykewise certeine messuages and tenements in lease to the present tenants for three lyves, most of them beinge full, lyinge and beinge in the parish of Eccles aforesaid, of which the annchent yearlie rent is

03li. 01s. 08d.

He is lykewise possessed of a personall estate in Cattle corne, household stuffe and

other goods which are Inventoried and secured by order from the Commissioners for Sequestrations in the said County of Lancaster to the value of 144li. 11s. 08d.

That for his personall estate he payd unto the former Committee the some of twenty pounds, as by the affidavit of the said Phillip Osborne appeareth.

This is a true particuler of all my estate for which I desire to compound for the savinge of my person and fortune from Sequestracion. And I doe hereby submitt unto such fyne as shall be imposed on me for the same. And I doe affirme that I am not comprehended within any of the qualificacions of parliament.

JOHN VALENTYNE.

fo. 612. Sampson Fynney, of Caldou in the County of Stafford, gent., maketh oath That the Deed Indented bearing date the second day of June in the fifteenth yeare of the late King's Raighe, A^o Dni. 1639, made betwixt John Valentyne of Beanclyffe in the parish of Eccles in the County of Lancaster on the first parte, John Sleigh of Biging Grange in the County of Derby on the second parte, and Edward Walker of Derby in the County of Derby and Laurence Sleigh of Biging Grange in the County of Derby of the third parte; And the Deed Poll of the date afore-sayd, made by the said John Valentyne to the said Edward Walker and Laurence Sleigh, now shewed to this Deponent upon his examinacion, were both sealed by the said John Valentyne to the parties in the said deed nomynated at or upon the day of the Date of the said Deeds or within foureteen daies after the date of the said deeds, where-uppon he indorsed his name as witnes; which now upon view thereof he knoweth to be of his owne hand writing.

SAM. FYNNEY.

Sworne before the Commissioners the 19th of June, 1651
—Wm. Malins.

fo. 613. Phillip Osborne of Beanclyff in the County of

Lancaster, gent., beinge sworne, sayeth that John Valentyne of Beanclyffe aforesaid, gent., in the year of our Lord 1644, to this Deponent's best remembrance, beinge then one of the high Constables for the Hundred of Salford in the said County of Lancaster, issued out some warrants uppon Prince Rupert's Command, the said Prince beinge quartered at his house. For which (imediately after the said Prince's Departure out of those parts) the said John Valentyne was sent for by the then Committee att Manchester, and there imprisoned, and for the freeinge of his person and estate was then ordered by the said Committee to pay twenty pounds, and to bringe in provision to the value of tenn pounds more; part of which provision he accordingly brought in, and lykewise payd the said twenty pounds, which this Deponent hath seene soe entred in the Treasurer's booke att Manchester. And this Deponent further sayth that the said John Valentyne's mother was in full lyfe att this Deponent's comeinge forth of Lancashire uppon Monday senight last, and verily beleeveth her soe to be att this present.

PHILLIP OSBORNE.

Sworne before the Comissioners the 8th of Aug., 1651—
R.M.

fo. 615. Phillip Osborne of Beanclyff in the County of Lancaster, gent., maketh oath that the names of John Jones, *clericus*, John Valentyne, Ja. Catterall endorsed as Witnesses on the backe of the Deed indented bearinge date the first day of August in the eighteenth yeare of the Raigne of the late Kinge James over England, and over Scotland the four and fiftieth [1620], made betweene John Valentyne of Bentcliffe in the said County of Lancaster, gent., on the first parte, John Grimsdich sone and heire apparent of Henry Grimsditch of Knottingley in the County of Yorke, gent., and John Radcliffe Cittizen and Alderman of the Citty of Chester on the second parte, and Thomas Irlam of Barton uppon Irwell in the said County

of Lancaster, gent., and John Peake of Worseley in the said County of Lancaster, yeoman, on the thirde parte, now shewed to this Deponent upon his examinacion, are, as this Deponent verily beleeveth in his Conscience, the proper and seuerall hand wrytings of the said John Jones, John Valentyne and James Catterall; and this Deponent is induced soe to beleeeve for that he was of long Contynued acquaintance with them, and did and doth very well know their hand wrytings. And this Deponent further saieth that Elizabeth, late the wyfe of the said John Valentyne partie to the said Indenture and mowe the wyfe of this Deponent, in right of the said Elizabeth hath enjoyed the lands lymitted by the said Indenture in Jointure to the said Elizabeth for above twenty years last past [and] doth as yet enjoy the same.

PHILLIP OSBORNE.

Sworn before the Commissioners the 19 of June, 1651—
W. Molins.

6 Aug., 1652. Fine paid and estate discharged.

Thomas Vavasour of Preston, gent.

G. ccxii, fo. 665, etc.; *Cal.* iii, 2012.

Delinquency: in arms against the Parliament in the first and second wars. He petitioned 1 May, 1649, and compounded upon a particular which disclosed that he was possessed of a horse and wearing apparel worth £20. Fine at a sixth, £3. 6s. 8d. (2 June, 1649).

fo. 667. Petition. Particular, in which added to horse and clothing are the words "and money in my purse."

George Venables *see* **Thomas Fazakerley** (above ii, 312).

John Waddington *see* **Lady Jane Boughton** (above iii, 284).

Robert Wade *see* **Ralph Parre** (above v. 41).

Hugh Wadsworth.

G. cxxvii, fo. 413, etc.; *Cal.* iv, 2438.

Report by Mr. Peter Brereton, dated 8 Aug., 1650, based upon an order of 18 July preceding upon the petition of

Robert Wadsworth, desiring that a messuage and certain lands lying in Whittingham and Haughton, sequestered for the recusancy of Hugh Wadsworth and Jane Wadsworth, might be discharged from sequestration, so that petitioner, in accordance with his trust, might pay the debts of Richard Wadsworth, then deceased.

He found that Richard Sherborne, esq., by indenture dated 10th December, 1634, in consideration of the surrender of an old lease of two lives and of 20 marks paid, did demise to Nicholas Wadsworth a messuage or tenement, and three closes called the Savocks Heyes in Whittingham and Comerall in the county of Lancaster to have and to hold for the lives of Nicholas Wadsworth. Henry Charneley and Thomas Adamson, rendering £2. 13s. 2d. a year for rent. The sealing, delivery, etc., was proved by Thomas Pearson. Nicholas Wadsworth, by indenture dated 20 September, 1636, in consideration of 5s. granted and assigned the said messuage to petitioner for 80 years (if the said lives so long lived) upon trust that the said Robert Wadsworth should stand possessed of the same to the use of Nicholas Wadsworth for life, and after to the use of his Executors, for payment of such debts and legacies as he should owe at his death or bequeath. The sealing and delivery of this last mentioned indenture was also attested by Thomas Pearson. Nicholas Wadsworth made his last will on 28 April, 1640, appointing petitioner and others his executors and gave his said tenements and premises to his Executors for 80 years (if the lease should so long continue) for payment of the debts and legacy mentioned in the said Will, if his personal property would not satisfy them. The debts, besides the legacies, amounted to £401. There was a proviso that if his son Hugh Wadsworth should pay the said debts and legacies, or give good security for the same, then he was to have the estate limited and appointed for the said purposes. Afterwards the said Richard Wadsworth died, and the

will was proved 13 Sept., 1642, as by the probate appeared, under the Seal of the Prerogative Court of York. It was deposed that the personal was insufficient to pay the debts, etc.; that some of them had been paid and that others were still owing which the said Hugh Wadsworth had neither paid nor secured; that the tenements and premises had been sequestered for the recusancy of the said Hugh Wadsworth, son of the said Nicholas and Jane Wadsworth. It was submitted to judgment whether petitioner ought not to be permitted to take the profits of the premises until the said debts were paid, the recusancy of Hugh Wadsworth and Jane Wadsworth notwithstanding.

fo. 416. Petition (18 July, 1650); referred to Mr. Brereton. fo. 417. Affidavits of Thomas Pearson of Myersgough.

G. clx, fo. 309.

Letter, dated at Preston 8 Oct., 1651, signed by E. Aspinwall and G. Pigot, mentioning that by an order of 17 October then last upon the report of Brereton in the case of Robt. Wadsworth touching a messuage and certain lands in Whittingham and Houghton they were required to certify when and for what cause the said estate was sequestered and what was the true value of it. In obedience thereto they certified that in 1646 two-thirds of it was sequestrated for the recusancy of Hugh Wadsworth and Jane Wadsworth in the said order mentioned and that the same was let that year at a clear rent of £4.

26 Feb., 1651-2. Claim allowed and sequestration discharged.

Thomas Wainwright *see* Earl of Derby (above ii, 126).

Thomas Wainwright of Lathom.

G. xii, fo. 52.

He petitioned to compound 3 Dec., 1650; had been formerly discharged as not worth £200. Petition referred to Reading.

John Wakefield of Standish, mercer.G. ccviii, fo. 124, etc.; *Cal.* iii, 1897.

Delinquency: assisting the forces raised against the Parliament. He compounded on a particular which disclosed that he was seised of an estate for three lives of a messuage and lands in Standish worth yearly £5. 13s. and that there was owing to him £100; stock £18. Fine £20.

fo. 127. Petition. fo. 128. Particular, in which he mentions the following persons as owing him money:

Richard Ashton and Thomas Ince, by bond	..	..	£30
Jonh and Roger Rigby, by bond	..	..	£20
William Howett and Robt. Halliwell, by bond	..	..	£20
" Two Cowes and five young Cattle worth	..	..	£18

fo. 131. Certificate declaring that compounder took the National Covenant before Mr. Ja. Nalton, rector of Leonard's, Foster lane, on 25 January, 1648-9; also the Negative Oath the same day before Tho: Vincent.

fo. 132.

Gentlemen,

Your many former favours and respects to me have and doe still make be bould to trouble you. Now I must be a Sutor to you on behalfe of a Neighbour of myne (the bearer hereof), Mr. John Wakefield, who is well reported off by the ministers and good people of these parts for his carraige in the tyme of these troubles, and it appeares he hath both voluntarily Contributed and suffered by the Enimie for his good affections to the Parliament; and this I knowe that (in the popish place where he lives) he hath ever beene noted for a frend to religion. Yet he beinge an under-officer in a Trayned band in this Countie and once appearinge with those Coolers (at the Very beginning of these troubles) when they were Comanded by Commissioners of array (although he was never with them but against them since the Warr actually began) and beinge by some most earnestly pursued, he was for that offence (as I am informed Committed so long since) brought to

Judgment now in this last December, and Judged to be Sequestred. From which if he should appeale to the Committee of Lords and Commons, they sittinge seldome and his beinge a shopkeeper, his Estate would be wholly taken away and disposed before he could be heard, therefore he is resolved to submitt to a Composition. Now my request to you is that you would get him a speedie dispatch with what fauor your Rules will permitt and that you would pardon the often trouble given you by

Gentlemen

Your oblidged frend and
reall Servant

W. ASHURST.

Ashurst, Jan. 15, 1648(-9).

Because I had not tyme to write to you Seuerally I have beene so uncivile as to Joyne you in one paper.

For my honored frends

John Ashe and Robt. Jenner,
Esqrs., members of the
howse of Commons,
These.

Nicholas Wakefield of Thorneby.

G. cxxvii, fo. 411.

Printed certificate, exhibiting that he was a person qualified to preach the Gospel as by the ordinance required, and therefore fit to receive such Augmentation as had been formerly settled upon him or the place where he preached. Dated 4 April, 1654.

Gabriel Walker of Burscough.

G. clx, fo. 587, etc.; *Cal.* iv, 2956.

Letter, dated at Preston 12 April, 1652, signed by Robt. Cunliffe and G. Pigot, mentioning that in observance of an order of 17th Feb., then last made upon the petition of Henry Walker of Burscough, touching his title to a messuage and tenement in Burscough in the said petition mentioned, they had taken the examinations enclosed for

proof of the title and of the execution of the deed by which he claimed. They certified that two-thirds of the said premisses had been in the year 1643 sequestrated for the recusancy of Gabriel Walker, late father to petitioner, and that petitioner was his eldest son and was conformable.

fo. 587-590. Examinations taken at Preston 27 Feby., 1651(-2), referred to above.

G. cxxviii, fo. 367, etc.

Petition of Henry Walker of Burscough, yeoman, referring to previous proceedings and praying for a reference to counsel (13 July, 1652). Referred to Mr. Brereton.

fo. 369. Petition, antecedent to the above, dated 17 Feby., 1651-2, which discloses that William then late Earl of Derby, by indenture of lease dated 1 May 11 Charles [1635], for the considerations in the same mentioned, did demise to Gabriell Walker of Burscough (petitioner's late father) one messuage and tenement lying in Burscough aforesaid to have and hold the same for the natural lives of the said Gabriel, petitioner and William, petitioner's brother. Subsequently the said Gabriel, upon the intermarriage of petitioner, settled a part of the premises upon petitioner; and two-thirds of the rest since the time of the late was became sequestered for the recusancy of the said Gabriel, who died about four years then since. One half of the premises, according to the custom of the country, then descended and came to Margaret, petitioner's late mother, who died about 12 months then since, and the remainder of the premises wholly after the death of the said Gabriel and Margaret should have come to petitioner, who was and always had been conformable to the Parliament. But in regard to the Sequestration aforesaid petitioner could not enjoy the same. He therefore prayed that he might have the premises either freed from sequestration or an inquiry as to his title (17 Feby., 1651-2). Agreed.

fo. 371. Letter from a Mr. Richard King of Preston directed to Mr. Bayly at Haberdasher's Hall, dated from Preston, 13 Feby., 1651-2, in which he mentioned that he had written before and sent a petition on behalf of a Mr. Greenehalgh and others—as well as the above; and he desired that Mr. Bayly would return orders upon them. For all which he (the writer) would be accountable at the next meeting.

fo. 373-4. Report, but not signed. fo. 375-386. Official Certificates; copy petition; communication from Lancashire Commissioners; Examinations.

9 Dec., 1652. The claim allowed. Petitioner to take the oath of abjuration.

William Walker of Kirkham, attorney.

G. clxxxv, fo. 181, etc.; *Cal.* ii, 1398.

Delinquency: deserting the Parliament quarters and living in the King's; Contributing to the Maintenance of the forces raised against the Parliament.

He compounded on a particular which disclosed that he was seised of the remainder of a term of 99 years in a certain tenement called Prees in the County of Lancaster held from Alexander Rigby, esq., at a rental of £4; improved rental £40 a year; also in fee other lands in Kirkham, worth £17. 13s. 4d. *per Annum*; also in a frank tenement during 3 lives of a tenement called Fisher's Tenement lying in Brockhall, co. Lancaster, held by demise under one Mr. Clifton; value £3 yearly; also a reversion to lands worth £1. 10s. *per annum* after the death of John Holland, Also lying in Brockhall. Personal estate, none; debts owing by petitioner, £502. 10s. Fine, £140.

fo. 183. An additional particular. fo. 185. A particular of his estate.

fo. 190. His petition, in which he admits he left his

own house and went to live at Bangor in North Wales. Also second petition.

fo. 191. A particular of his estate. fo. 192. Names of persons to whom petitioner owed sums of money. Affidavit of petitioner, sworn 20 July, 1646 before John Page, that the several sums of money scheduled were actually owing by him. fo. 197. A second deposition, sworn 6 Aug., 1646 before Robt. Aylett.

fo. 389. Gentlemen,

William Walker, an Attorney at Lawe, for beinge in Actuell Armes and very Active against the Parliament was apprehended and imprisoned by me Coll. Alex. Rigbye and duringe his imprisonment hee many tymes with teares and vehement imprecacions and protestacions made great shewe of sorrowe and repentance for his offence and for a further testimony thereof reeceaved the Sacrament of the Lord's Supper and upon his petition to be permitted to take the vowe and Covenante set out by the Parliament in the yeare 1643 he was thereunto admitted and tooke the same and was Inlarged out of prison and afterwards procured himself to be taken as an Officer of a Troope of horse For the Parliament's service. And then Prince Rupert cominge with his Forces into Lancashire he perfidiously and contrary to his oath revolted to the Enemie and deeply plundered a great multitude of persons well affected to the Parliament and the Enemie beinge beaten out of the Cuntree he (as he hath confessed to me) betooke himselfe to the Enemies' quarters at Chester, Carnarvan and other places, untill now of late that he came to London to make his composicion, which he hath passed at Goldsmyth's Hall, and as I conceave at Far under value and with omission of severall parts of his estate.

Therefore and for that this man's periurie and revolte to the enemie thoughe unknowne to you is publickly noted in the Cuntree, And therefore I held it my duety to give

you speciall Informacion hereof by this addresse to you
under the hand of

Your humble Servant

ALEX. RIGBYE.

To the Committee for the County of Lancaster.

fo. 387. Gentlemen

Wee received yours of the 18th of September last concerning William Walker of Kirkham, wherein you desire our answeare concerning his Comittment here to the Marshall and the contynuance of his Sequestracion. The cause of his Comittment wee have formerly certified to the Speaker of the House of Commons and to the members of that house, which serve for this County, whoe wee hope have acquainted you therewith ere this.

But for your more satisfaccion herein wee have sent you a Copie of the Informacion exhibited against him, together with his owne examinacion, by which examinacion It appeareth that he hath a greater estate then is mencioned in the particuler exhibited before you. And thereupon wee have contynued the sequestracion of his estate which wee conceive to be accordinge to your owne order. This beinge the trueth of the whole matter wee refer the same to your further Consideracion and rest.

Your frends and servants

RAPHE ASSHETON

ALEX. RIGBY

THO. BERCHE

ROBT. CUNLIFFE.

fo. 391. Affidavit of William Walker as to the sums of money owing to him from various persons.

fo. 392. Second examination. He acknowledged to having taken the Covenant as set out by Parliament in the year 1643 before Prince Rupert came into the county in the parish church of Preston before Mr. Ambrose, the minister there. Subsequently he was compelled to go into the enemy's quarters on pain of being killed or hanged,

and he was similarly compelled to enforce divers of the prince's warrants, and in obedience thereto had seized the goods of divers persons; but said he had never converted any of them to his own use, and said when the enemy left the county he went to Chester. On being asked whether he went in custody thither, he said he did not. From thence he went to Bangor in Wales but not in custody.

G. cxxviii, fo. 347, etc.

Whereas William Walker of Kirkham in Lancashire, an Attorney att Lawe, the 18th of August last att Gouldsmith's Hall, London, accordinge to ordinance of Parliament submitted himselfe, made his Composicion and paid and secured to bee paid the Fyne Imposed upon him for his Delinquencie, Thereupon an order was made and subscribed by us and sent to you the Committees in Lancashire for suspending the Sequestracion. And that the said Walker might receive the profitts therein Comprised. Nevertheless ytt appeares that Immediately upon repaire into Lancashire hee was Committed to prison and the sequestracion continued, and hee not benefited butt prejudiced by his Composicion, haveinge with much difficultie procured moneyes to pay part of his Fyne. Whereof in a lettre of ours of the 18 Sept. last wee gave you a seacond notice. Nottwithstandinge you have sent the said Walker a prisoner with a speciall Keeper backe to London to his extraordinarie Chardge and allmost utter Ruine, and accordinge to the tenor of your Committment hee rendered his bodie to the hon'ble William Lentall, esq., Speaker of the House of Commons, who perused the Informacion exhibited against him and his owne examination found noe cause to disanull our Acte, Correspondinge with the Intencion of the house who offer that favor to those who shall submitt without excepcion. And thereupon his honour rereferred the premisses to our further consideracion, And in pursuance thereof wee perused the

said papers and upon full debate have concluded that wee ought to Justifie our Acte and Confirm the Composicion.

Therefore ytt is required that you and everie of you permitt to him his libertie, suspend his Sequestracion and Condiscend to the particulers Comprised and mencioned in our Order and lettre, your Acte herein being as wee apprehend directlie against the Intencion of the house and may Retarde our proceedings for the publike.

Mr. Leech,

I had intended to have waited upon you this morneinge but my occasions at Westminster would not permitt. Be pleased to doe me the favor as to peruse this subscribed; and if you thinke fittinge I desire it may passe as it is or doe you amend it accordinge as you shall see occasion. It was drawne accordinge to the direcion of Sir Raphe Ashton and some other members of the howse. What favor you doe for me or my frend herein shall not be forgotten or unrequited.

GEO. ABBOTT.

The fine was raised to £220. On 17 May, 1649, he made a further composition. Fine £35.

William Walker *see* **Richard Haughton** (above iii, 297);
John Styth.

Evan Wall *see* **Earl of Derby** (above ii, 211); **John Tootell.**
James Wall *see* **Grace Wilkinson.**

Thomas Walle of Prescott, shearman.

G. cxcii, fo. 29, etc.; *Cal.*

Delinquency: in Arms against the Parliament. He petitioned 16 Sep., 1646, took the National Covenant before Wm. Barton the same day; also the Negative Oath. He compounded on a particular which disclosed that he was seised of a frank tenement during life, with remainder to his wife for her life, and reversion to King's College, Cambridge), of a certain messuage and garden in Prescott, worth £1. 10s. a year. Personal estate and debts owing to him, £115; he owed £70. Fine, £20.

fo. 31. Certificate signed by Wm. Barton. fo. 33. Affidavit of compounder that he was not worth £200.

fo. 35. Second affidavit that he was not worth £100.

fo. 38. Petition, in which compounder stated that as a "Trayned" soldier he went with the rest of the Hundred to Warrington under the Earl of Derby, but was there only about three weeks.

fo. 39. Particular of his personal and real estate. Among the items was "a leas from the King for the life of George Lyon, aged 60 years, for selling and retailing wine in the Town of Prescott, paying yearly for it xxs. Names and addresses of persons in this particular.

William Waller *see* **Thomas Dalton** (above ii, 115).

Charles Walmsley of Selby.

G. cxvii, fo. 623; *Cal.* iv, 2896.

Petition of Mary Singleton, Spinster, stating that she was a very old, distressed, impotent woman (near 80 years of age) and by a virtue of a charitable grant from Thomas Walmsley, esq., then late of Dunkenhall, deceased, she had for many years received the sum of £6. 6s. 8d. and by virtue of the grant was to have received it for life, payable to her out of the estate of Charles Walmsley of Selbye in the co. of York. But as the Yorkshire Commissioners refused to pay it without an order, she prayed that they would issue their order speedily to pay her "who for want thereof (the annuity) is miserablye necessitated, Now in the Last of her Dayes, to begg her breade."

24 May, 1653—The Commissioners to examine; referred to Mr. Reading.

Edward Walmsley of Bannister Hall,¹ gent.

G. ccxii, fo. 39, etc.; *Cal.* iii, 2037.

Delinquency: assisting the Services raised against the Parliament. He petitioned 4 May, 1649, and compounded on a particular which disclosed that he was seised

¹ In Walton-le-Dale.

in fee of a messuage and lands in the parish of Leyland worth yearly £13; that he had in right of his wife as her jointure by her former husband an annuity of £30 yearly; That he was also seised in fee of certain lands in Blackburne of the yearly Value of £10 but the said lands were extended at the king's suit for a debt of £321. 14s. 2d. in the Duchy, following which there was another debt of £311 to be charged thereupon as by *Coustat* in the Duchy. Fine, £114. (24 May, 1649).

fo. 41. Petition. fo. 43. Particular. fo. 45. Certificate, stating that the two sums mentioned above would be charged upon compounder's lands.

G. cxxviii, fo. 163.

Petition, which showed that Frances Walmesley was possessed of certain lands in Walton aforesaid in jointure, as she was the wife of Thomas Walmesley, gent., then deceased (elder brother of petitioner), two-thirds of which premises had been sequestered for the recusancy of the said Frances and then continued so notwithstanding the death of the said Frances, the Lancashire Commissioners refusing to discharge the Sequestration without an order from above. Petitioner therefore prayed for the usual enquiry and a reference. This was granted (12 June, 1655), Mr. Reading to report.

Henry Walmesley and others.

G. clviii, p. 594; *Cal.* i, 656.

Gentlemen.

The persons whose names are hereunder written beinge suspected of Poperie wee caused our Agent to summon them to appeare before us att Preston upon the 8 of August last to take the oath for Abiuracion of Poperie. Att which day some of them Appeard, to whom wee tendred the said Oath but they Refused to take the same. The other Appeard not, and boath beinge made that they had been Summoned according to our Order, Wee in pursuance of

your honours' Instruccions gave further order to our Agent to seize and sequester two full third parts of all their estates Reall and Personall for their Recusancies as aforesaid. All which wee make Bold to Certifie, Submitting the same to your honours Judgment. Wee Rest
Your honnours' most humble

Servants.

E. ASPINWALL.

NICHOLAS CUNLIFFE.

RO. MASSEY.

Ormskirke the fourth of

October, 1653.

Henry Walmesley of Elston, Husb.

Richard Parkinson of Sowerbie,

Gabriel Shorte of Lea.

Tho. Cosson of Grimsargh

John Cosson of the same.

} denied to tak
the oath.

} Appeared not.

G. clx, fo. 15, etc.

fo. 20. Letter, dated at Ormeskirke 4 Oct., 1653, signed by E. Aspinwall, Nicholas Cunliffe and Ro. Massey, mentioning that in observance of an order of 13 July then last upon the petition of Lady Lucas and Thomas Walmesley, gent., son and heir of Nicholas Walmesley, then late of London deceased, they had taken the examinations enclosed and certified that two-thirds of the tenement in question had been sequestered in 1643 for the recusancy of Leonard Walmesley deceased in the petition named, and then so continued.

fo. 15. Interrogatories administered on behalf of petitioners. Examinations taken at Preston 15 September, 1653 of Robert Sheawe of Billington, yeoman.

fo. 17. Interrogatories for the Commonwealth and cross-examination of the witness.

G. xcviij, fo. 454.

Petition of Dame Annie Lucas of Dunkenhalth, widow, and Thomas Walmesley, gent., son and heir apparent of Nicholas Walmesley, then late of London, gentleman, which showed that one Thomas Walmesley, then late one

of the Justices of the Common Bench (whose estate the Lady Lucas then had), and the said Nicholas Walmesley his brother on 15 June, 1579 made a lease for a valuable Consideration to one Thomas Dewhurst of a tenement in Ribchester, Lancashire, for a term of 3 lives, that is to say—his own life and the lives of Thomas and Elizabeth Dewhurst his children; of whom Elizabeth survived and married one Leonard Walmesley, who became a recusant and for whose recusancy two third parts thereof had been sequestered, and then remained so notwithstanding that the 3 lives and Leonard Walmesley were all then long dead and the lease ended. Without their honours' order petitioners could not obtain possession. The distance of the place from London and the disability of witnesses to prove the contents of the petition was such that petitioners avowed their inability to produce them before the Commissioners in London, and prayed for an order directing the commissioners in the country to examine into the truth of the matter and on return of their certificate that the cause might be referred to Counsel to report (13 January 1653-4). Granted.

fo. 517-520. Report by Mr. Reading, dated 20 Feby., 1653(-4) leased on an Order of 13 July, 1653 made on the petition of Dame Ann Lucas and Thomas Walmesley (fo. 454).

He found that by indenture dated 15 June 40 Elizabeth [1598], made between Thomas Walmesley, one of the Justices of the Common Pleas, and Nicholas Walmesley his brother, of the one part and Thomas Dewhurst of the other, the said Thomas and Nicholas Walmesley for the considerations therein expressed demised to the said Thomas Dewhurst a messuage and tenement with the appurtenances in Ribchester, then late in the possession of Jenet Helme deceased and at the time in the possession of the said Thomas Dewhurst or his assigns, at the ancient yearly rent of 14s. 5*d.*; to have and

to hold to the aid Thomas Dewhurst for his life and the lives of his children Thomas and Elizabeth, and for the life of the longer liver of them, under the said rental of 14s. 5d'. one moiety of which should revert to the said Thomas Walmesley and his heirs, the other to the said Nicholas and his heirs, or in default of issue to the said Thomas Walmesley and his heirs. He found that Thomas Dewhurst for the better preferment of Alice his then wife and William his son, granted and assigned to the said Alice and William, their executors or assigns the said premises, namely the one half thereof immediately after his death to Alice and her assigns for her life (if the said Elizabeth so long lives) under the moiety of the rent due for the same, and the other moiety after his decease to his son William and the issue of his body so long as the said Elizabeth should chance to live; after the death of Alice her moiety to William and the issue of his body. The petitioners alleged that all the lives in the lease having died, the property should have come to them.

Robert Chew, one of the witnesses called before the Commissioners in the County, deposed that he knew the tenement in Ribchester and knew and believed that Leonard Walmesley held the same in right of Elizabeth his wife (mother of deponent), who (as he had heard) held the same by lease, which lease was then showed to him and whereupon the Commissioners for Sequestracion, or some of them, endorsed their names. And he said that the last life in the said lease, being the said Elizabeth, died about May then last past; by whose death the same should have come to Dame Ann Lucas and Thomas Walmesley, who were the right owners and inheritors thereof as he conceived.

Mr. Bayley certified that he could not find that Leonard Walmesley had been sequestered.

The title of Dame Anne Lucas to the estate which had

been Justice Walmesley's was allowed by the Commissioners in London on Mr. Brereton's Report, 3 Aug., 1652. So he submitted to judgment whether the sequestration of the premises for the recusancy of the said Leonard Walmesley, who had no other estate but that of an interest in it for the life of his wife now dead, and the term in the lease having expired, should not be discharged from sequestration.

fo. 521. Reference to the Lancashire Commissioners (13 July, 1653). fo. 523. Petition 13 July, 1653; copy.

fo. 525. Communication, dated at Ormskirke 4 Oct., 1653, Signed by E. Aspinwall, Nicholas Cunliffe and Ro. Massey, mentioning the steps they had taken, enclosing copies of examination and stating that the property had been under sequestration since 1643.

fo. 527. Interrogatories to be administered on behalf of petitioners. fo. 528. Examination, taken at Preston before the Commissioners 15 Sept., 1653, of Robert Chew. fo. 529. Interrogatories to be administered on behalf of the Commonwealth. fo. 530. Cross-Examination of Robert Chew of Billington. fo. 530A. Certificate by Mr. Bayly as to what proceedings had been taken in the case.

Matthew Walmesley *see* **Henry Wright**.

Richard Walmesley of Dunkerbalgh, esq.

G. clix, fo. 452; *Cal.* iv, 288o.

Copy of a pass, dated 15 Jan., 1649-50 authorizing Richard Walmesley, esq., to pass to Italy to travel; signed by Gualter Frost, secretary to the Council of State, and dated at Whitehall, 27 Aug., 1650.

G. cxxviii, fo. 171, etc.

Dame Julian Walmesley of Dunkerhalg, on behalf of her son Richard Walmesley, stated that her said son had been well known never to have voted against the State and to have been neither delinquent, malignant, nor Papist but from the first war had ever aided and assisted the

Parliament, and having had just occasion to travel over beyond the seas upon his engagement was licensed thereunto by the Council of State as by copies of the said engagement and excuse deposed to. By the petition annexed it appeared also, that he was then in Spain and that notwithstanding his leave to travel as aforesaid and his not having been liable in the least to sequestration and ever having joined and aided the Parliament, yet then very lately the Lancashire Commissioners had seized and secured divers goods and threatened forthwith to sell them; some of these goods were her son's and some belonged to other persons, which when required would be proved on oath. Petitioner therefore prayed that in the meantime the seizure of the goods might be discharged on security given (by her) to answer them, if any recusancy or delinquency should be proved against her son, she proposing to send for him over as soon as she might be able, he to answer whatever might be charged against him. Dated 28 January, 1651(-2), and subscribed by her Solicitor, Henry Gerard. Order: "The Commissioners not to dispose till further order from us and Richard Walmsley to appeare here within 2 monthes tyme to take the oath of Abjuracion."

G. clix, fo. 427, etc.

fo. 439. Letter, dated at Preston 12 July, 1652, signed by E. Aspinwall and G. Pigot, mentioning that by theirs of 8 May then last directed to their Honours, made in observance of a letter of 21 April, 1652, they had sent the examination of Mr. Cunliffe, a fellow Commissioner of theirs; since which time they had taken the examination enclosed on behalf of the Commonwealth in the same case.

fo. 427. Thomas Grymeshaw of Clayton in the Moor, co. Lancaster, yeoman, aged 78, sworn, said that he together with Adam Bolton of Dunkerhalgh within the township of Clayton aforesaid and others, being assessors within the township for the year then past, in the month

of May or June, 1615, received a warrant for the taxing of an assessment for the maintenance of the army. They doubled the taxation charged upon the estate of Dunkenhalth aforesaid in regard that Richard Walmesley, esq., lord and owner of the said estate, was beyond the seas out of this nation, and he believed that Adam Bolton, servant to Mr. Walmesley, paid the same; and that a Mr. William Christian, also having lands in the same township and also being beyond the seas, his taxation was doubled. Sworn at Preston 9 June, 1652 before Edwd. Aspinwall and Robt. Cunliffe.

fo. 187. Petition (8 Sep., 1652). "The Petitioners' sonn to have no longer tyme and that 2 parts of his Estate be forthwith sequestred for his recusancy."

fo. 173. Mr. Graves moved for petitioner to be heard upon the last order, praying further time for her son's coming over (no date). 3 Nov., 1652—"Upon reading a letter from Madrid from Richard Walmesley to his mother the 5th (*sic*)¹ November, 1652 and the oath of Henry Gerard, Resolved: That we do not see any ground to make void our order of the 8th September, 1652."

fo. 175. Petition dated 21 April, 1652, before the above. Mentions that petitioner had sent several letters that winter season to her son, asking him speedily to return to England, but until then recently had received no answer; that her son was ill, yet he attempted to return but had had a relapse and was advised (looking at his weak condition and infirmities) not again to attempt so dangerous, cold and long a journey by sea, till summer, as by his letter and affidavit thereunto annexed appeared. After repeating a portion of the first petition she prayed that the goods might be left unsold till the cause could be heard, she giving good security. Agreed, that she should have them for four months.

¹ 5 Nov. (new style) would be 26 Oct. in England, but this would require very rapid transit to reach the London Commissioners by 3 Nov.

fo. 178. Deare Mother,

This is now the sixt letter I have write without receaving anny answer at all; which truly doth no littel trouble mee, making mee very sollicitus of your helth, you not beeing accustomed heretofore to faile in the answering of my letter. But I hope it is nothing but the common calamity of the late civill warres of France that doth hinder our usual Correspondence, for divers English here in towne complaine as well as I that of late they receive no letters by reason that the Spanish packet which cometh forth of Enland and the Lowcountrie must passe thorough Paris (and that but once a month neither) and consequently throught the hart of France, where they two last postes have been interrupted and robbed by stragling soldiers of both parties and did arrive heere without anny letters at all; and God Knowes when the passage will bee so free that our Postes may passe securely without danger. But howsoever I will not omit anny occasion to write unto you, hoping that some of my letters may come to your hands.

I now repent to late my wilfulnesse in undertaking my iorney homwards against the advice of my Doctor, which hath caused me to falle in to a relapse a great deal worse then my former Decease, which I am affraide will render mee quite incapable of traveling before Summer; but as soone as it is possible without danger I shall endeavour to make all the hast possible I can, for there is nothing in the world I desire more then to see you.

So in all hast, I rest

Your most Dutifull Sonne,

5th of November 1651. *Stilo nono* RIC. WALMESLEY.

Madrite.

Superscription—For my Most Honnored Mother the Lady July Walmesley, thes present. Deliver this to Mr. Henry Gerrarde at the Unicorne in Holborne,

London.

fo. 179. Affidavit of Mr. Gerrard of Newton as to the handwriting of the preceding being that of Mr. Richard Walmesley, and that a servant of Mr. Walmesley had brought the letter from Madrid.

G. clix.

fo. 417. Letter, dated at Preston 20 Oct., 1652, signed by E. Aspinwall and Robt. Cunliffe, acknowledging receipt of copy of order dated 8 Sept. then last, attested under the hands of the Commissioners above, for the sequestration of the estate of Richard Walmesley, esq., for his recusancy. This they had done, but as they had not the original order they conceived the copy would not be sufficient for them to act upon (if questioned). They therefore desired that an order signed by the Commissioners should be sent them as speedily as possible.

The Claim of Dame Anne Lucas.

G. clix, fo. 413, etc.

fo. 415. Letter from Preston, dated 8 Oct., 1651, signed by Robt. Cunliffe and G. Pigot, in which they state that Richard Walmesley, esq., of Dunkenhalth, a gentleman of that county, being suspected of Popery and being then beyond the seas so that they could not tender him the oath of abjuration, they proceeded in observance of instructions given in Aug., 1650 to "secure" his estate, and make a report thereof And then lately a kinswoman of his, called the Lady Lucas, had come into the county and upon pretence of a purchase or lease from Mr. Walmesley of his whole estate for 1000 years, took upon herself to dispose of the estate, making leases, etc., notwithstanding that the estate remained "secured" and (as far as they knew) was not then discharged from sequestration. They desired an order for their further proceedings, also requesting that if any application were made to discharge the same it might be suspended till one of them should wait upon the Commissioners above with

their (the Lancashire Commissioners) accounts, when they would give further satisfaction touching the same. For if the like frauds (as they conceived them) where not timely prevented, the Commonwealth would be much plundered, some others who have great estates being about (as they had heard) to make a like conveyance to prevent sequestration.

fo. 413-414. Interrogatories to be administered to witnesses in this matter.

G. xcviij, fo. 427.

Petition of Dame Lucas, which showed that according to an order from the Commissioners above she had endeavoured to examine all her witnesses in London and in the Country—some of them she had examined both in London and Cheshire—and she had caused search to be made for the examinations from Lancashire and Yorkshire and had sent several of the Commissioners' Orders thither. Several of these had been intercepted and no answer returned; others had been neglected by the country commissioners, though much conducing to the clearing of petitioner's title (as by affidavits annexed appeared), whereof as to this day's hearing (search having been made) no Certificate is returned, the cause whereof petitioner knew not. She was therefore constrained to send down again for an explanation of the cause of the delays, a distance of 160 miles, the Commissioners sitting seldom and at uncertain times and places. And inasmuch as others, as their Honours knew, had been granted time (upon security to cover the profits till the hearing) she prayed that she might not be considered vexatious in her frequent motion for time to examine her witnesses, that she might continue to receive the profits (on security being given) until the determination of the cause (7 April, 1652). Order: "The case to bee heard in its course; in the meantyme the Estate to remain as before."

G. xcviij, fo. 301, etc.

Report by Mr. Peter Brereton, dated 29 July, 1652, upon an order of 30 Oct., 1651 on a petition of Dame Anne Lucas of Lexden in Essex, widow, desiring the discharge of certain lands in the county of Lancaster seized and secured for the pretended recusancy of Richard Walmesley of Dunkenhalth in the said co., esq. He found that the said Richard, by deed dated 18 April, 1650, constituted and appointed Dame Julyan Walmesley, widow, Henry Blundell, Godfrey Copley and others or any two of them (whereof the said Dame Julyan was to be one) his attorneys, by themselves or such as they should substitute, in his name and stead to enter into all his manors, lands, etc. in the counties of Lancaster and York and the city of York or elsewhere in England, to contract for the selling or mortgaging of all or any of the premises for such sum or sums of money as they should think fit, and to set, let or demise the same in possession or reversion for not exceeding 3 lives or 31 years upon such covenants, etc., and in such manner as they or any two of them (whereof the said Dame Julyan was to be one) as by the said warrant of attorney (produced) appeared. The sealing and delivery whereof at London was proved by John Gerrard and William Rishton, two of the witnesses.

And the said Richard Walmesley, esq., by another deed, dated 5 Nov., 1650, gave power and authority to the said Dame Julyan Walmesley, Godfrey Copley, Henry Blundell and others for and in his name and stead from time to time to manage, let, set, mortgage, sell and convey away, or in anyway to dispose of all or any of his manors, etc., in the said counties or elsewhere in England, in such manner and form and for such estate and estates (either of fee simple, fee tail, life or lives, terms or terms of years, or otherwise) as to them should seem good, and at their free wills and pleasures; and he gave and granted to any two of them (whereof the said Dame Julyan was to be one) full power

and authority for him and in his name and stead from time to time to execute one or more deed or deeds, leases, conveyances, assurances, etc., to any person or persons in fee simple, or for lives or years, and any other estate in all things at their free will and pleasure, as by the said commission (produced) under the hand and seal of the said Richard Walmesley appeared. The sealing and delivery thereof at Antwerp in Brabant, the day of the date or within a month of the day of the date, was deposed to by William Eyton of London, merchant, one of the witnesses, and Matthew Tootell, another witness.

He also found that the said Richard Walmesley, by indenture dated 31 May, 1651, in consideration of £5200, demised to petitioner, Dame Ann Lucas, the manors of Billington and Nether Derwyn in the parishes of Whalley and Blackburn in the county of Lancaster, a messuage called Cunliffe House with the lands thereunto belonging in Billington and Libshire [Wilpshire], the manors of Rishton and Samlesburie the moiety of the manor of Clayton upon the Moors in the parishes aforesaid, 2 acres of meadow and 6 acres of land in Church, a messuage with the lands thereunto belonging in Dinckley, five messuages with the lands belonging in Clitheroe, the moiety of four messuages with the lands belonging in the parish of Ribchester, the capital messuage of Dunkenhalth with the appurtenances in Clayton aforesaid, with the demesne thereunto belonging in Clayton, Rishton and Church aforesaid, and the demesne lands called Cunliffe with a barn thereon (parcel of the said manor of Rishton), a water corn mill called Holt Mill (parcel of the said manor of Rishton), a messuage called Fernehurst, with the demesne lands thereunto belonging (parcel of the said manor of Neither Derwyn), and a water corn mill called Chewie Mill (parcel of the manor of Billington), all situate in the county of Lancaster; also all those tithes of what nature soever arising in Gilkock and Barlewick¹ in the counties of

¹ Perhaps Giggleswick and Barnoldswick.

Lancaster and York, and all his manors, messuages, lands, tenements and hereditaments in Billington, Neither Darwyn, Whalley, Blackborne, Libshire, Rishton, Clayton, Church, Dinckley, Clitheroe, Holt, Tottleworth, Ribchester, Samlesbury, Ribbleton, Billington, Dutton, Houghton, Cowell, Whitbrick [in Oswaldtwistle] and Sedbright, or elsewhere in the said county of Lancaster; excepting out of the demise the capital messuage called Hacking with the lands thereunto belonging in Billington aforesaid, and three messuages with the lands belonging in Aighton, Bailey and Chageley in the said county of Lancaster; to have and to hold to the said Dame Julian for 31 years under a peppercorn rent as by the said indenture (produced) appeared. Upon which indenture he found it was endorsed that the said Dame Julian Walmesley and Godfrey Copley acknowledged under their hands to have received at the time of sealing and delivery of the said indenture £5200 to the use of the said Richard Walmesley, being the consideration money mentioned in the said indenture.

It was severally deposed by Colonel Robert Thorp, Walter Wightman, gentleman, Miles Alderson and Launcelot Poulson [? Boulton], witnesses to the said indenture, that the same was sealed and delivered the day of the date thereof, in Queenstreet, by the said Dame Julian Walmesley and Godfrey Copley as the act and deed of the said Richard Walmesley by virtue of some letter or letters of attorney, commission or commissions made by the said Richard Walmesley unto the said Dame Julian Walmesley and the others. The said four witnesses also deposed the endorsements to have been then subscribed by the said Dame Julian Walmesley and Godfrey Copley.

And he found further that by indenture, dated equal with the said indenture of lease, made between the said Julian Walmesley and Godfrey Copley of the one part and the said Dame Anne Lucas of the other, reciting the said

first letter of attorney dated 18 April, 1650, and reciting that by virtue of the said letter they the said Dame Julyan Walmesley and Godfrey Copley had for the said Richard Walmesley and in his name and stead made, sealed and delivered the said indenture of lease, and reciting the said endorsement, by which they acknowledged to have received the said £5200 consideration, they the said Dame Julyan Walmesley and Godfrey Copley covenanted with the said Dame Ann Lucas that the said Richard Walmesley should within two years ratify and confirm the said lease or make another new lease of the said manors, messuages, etc., unto the said Dame Anne Lucas, to be by himself in his own proper person delivered to and for the use of the said Dame Anne Lucas. Which indenture was produced and the sealing and delivery thereof in Queen Street was deposed by the said Col. Robert Thorp, Miles Alderson and Launcelot Boulton. And according to the said covenants the said Richard Walmesley, by his indenture (produced) under his hand and seal dated 31 May, 1651, demised the said demised premises to the said Dame Anne Lucas for 31 years under a peppercorn rent. The sealing and delivery of the said indenture by the said Richard Walmesley at Antwerp in Brabant was deposed to by William Eyton, one of the witnesses; which indenture, so sealed and delivered by the said Richard Walmesley in his proper person, agreed *verbatim* with the said indenture executed by his said attorneys, excepting in some few words of no consequence, and excepting that the said indenture executed by himself in person had covenants for quiet enjoyment free from former bargains and incumbrances and that he then had full power to demise; which covenants were not in the indenture executed by his attorneys.

He found further that by indenture, dated 1 June, 1651, made between the said Richard Walmesley and the said Dame Anne Lucas, reciting at large the said lease for 31

years made in consideration of £5200, the said Richard Walmesley in consideration of £4000 demised, bargained and sold the said premises (except before excepted) to the said Dame Anne Lucas from the expiration of the said lease of 31 years for and during a term of 1000 years, rendering during the said term £10 rent on the 29th of Sept. yearly, if then lawfully demanded. Which indenture was produced and the sealing and delivery deposed to by William Eyton, one of the witnesses endorsed. And touching the real payment of the several sums of £5200 and £4000 several witnesses were examined, and the said Col. Robert Thorp deposed that he was present at the time of the endorsement of the receiving of the £5200 for the consideration money as he believed, because he saw then a great sum of gold and silver immediately paid by the said Lady Lucas to Lady Walmesley; which said sums "was telling the greatest part of an afternoon till tenne a'clock that night; being late sealed up the rest, being severall baggs, to be told the next day, which he believed was accordingly done"; and although he could not positively say that the money then paid was £5200, because he had not told all the said money, yet he believed it was the full consideration money, and the rather for that there was (to the best of his remembrance) £1500 to £2000 in gold. The said indenture was made *bona fide* and really without any trust, as deponent verily believed, for Lady Lucas had often acquainted deponent therewith and conferred and advised with him thereupon, and for that she immediately paid the consideration money, as by the receipt thereof endorsed as aforesaid appeared.

Walter Wightman, a witness present, confirmed the above. Miles Alderson, also present, deposed to the same effect. Launcelot Boulton also confirmed the first witnesses' evidence.

The petitioner, Lady Lucas, stated that the 31 May and 1 June, 1651, she really did pay the sums of £5000 and

£4000 to the trustees to the use of the said Richard Walmesley; that the said leases were for the only use and behalf of herself, without any power of redemption whatever, and that she knew no cause in law or equity why she should not enjoy the demised premises according to the several leases.

He also found that on 8 October, 1651 it was certified by the Commissioners for the county of Lancaster that the said Richard Walmesley having been suspected of Popery and being then beyond the seas so that they could not tender him the oath of abjuration, they (in observance of instructions from the Commissioners in London in August, 1650) gave orders to secure his estate, and having communicated that they had done so to the Commissioners above they had received directions touching other matters but nothing as regarded Mr. Walmesley's; and the said Commissioners, by their said letter of 8 Oct., 1651, wrote further mentioning that then lately the said Lady Lucas, a kinswoman of the said Richard Walmesley, came into the county of Lancaster and under pretence of a lease of all his estate for 1000 years took upon her to dispose thereof [etc., *see above*].

And touching the said Richard Walmesley being beyond the seas, he found that in January, 1649(-50) he had a license from the Council of State to pass into Italy and on the 19th of that month subscribed a promise and engagement that he would not at any time thenceforth engage, act or be aiding, assisting, advising or counselling against the Commonwealth as then constituted; as by several certificates subscribed by Mr. Walter Frost, then secretary to the Council of State, and deposed to by Henry Gerard, more fully appeared. And it was acknowledged by petitioner that the said Richard Walmesley went out of England at the latter end of April or beginning of May following.

And touching his religion and resorting to church,

Mary Leigh and Penelope Leigh, sisters to Thomas Leigh, esq., examined 15 January, 1651(-2) by the Commissioners for Cheshire, severally deposed that the said Richard Walmesley did come and resort to the parish church of Andrew's in Holborn and was present at and did hear the signing of Psalms, prayer and preaching or sermon of one Mr. Vines; that the said Richard Walmesley did stay in the said church during all the time of Psalms singing, prayers or preaching as aforesaid by the said Mr. Vines; which they well remembered, having been present there with Mr. George Leigh and divers others, who also saw the said Richard Walmesley there as aforesaid. That as to the day they could not possibly depose, but said it was a year and somewhat more then since. That they had credibly heard the said Richard Walmesley was a Protestant, and verily believed that he was and was conformable to the church of England as then established, inasmuch as they had seen him at the said church as above stated.

Mr. Auditor Sherwyn certified that by the return from Lancashire he found a Richard Walmesley of Claughton sequestered for recusancy and that a Richard Walmesley of Samlisburie had a tenement four-fifths whereof were then sequestered for his delinquency; but found no other Richard Walmesley under sequestration. He knew not whether either of the said Richard Walmesleys was the Richard Walmesley of Dunkenhall, esq., who was then in question. Mr. Fowles on search found that Christopher and William Walmesley, not being recusants, compounded for the arrears of Richard Walmesley of Samlisbury, convict in 1632, and found Richard Walmesley of Chaidlsley convict in 1635; but he humbly conceived that neither of them could have been intended to have been the Richard Walmesley now in question, he being at that time (1651-2) not above 3 or 4 and twenty years of age, as appeared by depositions of several witnesses.

Touching the order for the seizing and securing of the estate of the said Richard Walmesley, a copy of another order of the said Commissioners (produced and proved by the oath of James Rothwell), dated 16 April, 1651, reciting that whereas by their order of 9 Aug., 1650 they had ordered the said estate to be forthwith seized and secured, they now (1651) direct their agent to proceed and secure according to the former order, together with the profits accrued subsequent to 9 Aug., 1650. Touching the time of actual seizure and some other circumstances he found that Adam Boulton, John Hayhurst, Robert Cunliffe (one of the Commissioners in the county of Lancaster) and Thomas Grimshaw had (upon orders from above) been examined as witnesses on behalf of the petitioner and others on behalf of the Commonwealth and their examinations had been certified by the Commissioners for the county; which examinations—especially the said Adam Boulton to the 4th, 5th, 7th, 8th and 9th, John Hayhurst to the 4th, 5th, 6th and 9th interrogatory, Robert Cunliffe and Thomas Grimshaw throughout—he humbly desired their honours would be pleased, in regard of the consequence of the point and for satisfaction both of the petitioners and also of the Commissioners in Lancashire, to hear at large rather than to receive an abstract of so much thereof as in his judgment he conceived material. The petitioner, Lady Lucas, deposed that she had never heard of the order of 9 Aug., 1650 till above a year after, and more than three after the said leases had been made, and that she kept courts, compounded with some of the tenants, received rents and was in full and quiet possession.

Upon the whole matter he submitted for their consideration whether the due execution of the said commissions and indentures and the payment of the said £9200 were not fully proved, and whether the said leases, by reason of the said order of seizure dated 9 Aug., 1650, be void for two

parts against the Commonwealth, except the said Richard Walmesley took the oath of abjuration, or good for all notwithstanding the said Order and notwithstanding the said Richard Walmesley should have or should then refuse the oath.

fo. 309. Order referring the case to Mr. Peter Brereton to report. fo. 313. Petition (30 Oct., 1651). fo. 315. Communication, dated at Preston 8 October, 1651, signed by Robt. Cunliffe and G. Pigot. fo. 316. Deposition of Henry Gerrard touching the pass for Richard Walmesley. fo. 317. Copy of Mr. Walmesley's engagement, dated 30 January, 1649-50.

fo. 319. Whitehall, 27^o Augusti, 1650.

These are to certify all whom it may concerne that Richard Walmesley, esq., of the county of Lancaster had a license from the Councill of State 15 January last past to pass into Italy to travell.

GUALTER FROST, Sec.

Memo. Produced by Adam Bolton at the time of his examination before the Commissioners.

EDW. CARY.

fo. 321. Affidavit of James Rothwell. Communication, dated at Preston 16 Sep., 1651, signed by Robt. Cunliffe and G. Pigot. fo. 325. Certificate by Thomas Fowle as to his search. fo. 327. certificate by Mr. Sherwyn, auditor.

fo. 329-330. Affidavits by Colonel Robert Thorpe, of Queen Street, Middx., esq.; (fo. 333) Lady Anne Lucas, widow; (fo. 335-7) Lancelott Boulton of Samlesburye, co. Lancaster, yeoman; (fo. 339-40) Myles Alderson of Wighthrop, co. York, and City of York, yeoman; (fo. 341) Walter Wightman of London, gent.; John Gerarde of London and William Rishton of Ponthalgh, gent; (fo. 345) William Eyton of London, Merchant.

fo. 347-386. Examinations of witnesses: Adam Boulton, John Hayhurst and Mathew Tortell, taken before the Commissioners, 20 Dec., 1651.

fo. 387. Communication, dated at Manchester 8 May, 1652, signed by Edw. Aspinwall and G. Pigot, in which they mentioned that in observance of an order of 21 April then last they had taken the examination of "Mr. Cunliffe our Fellow Commissioner," a copy of which they enclosed. They mentioned also that they would take the examinations of any other witnesses that might be produced in the case and forward copies.

fo. 389. Interrogatories administered to the witnesses.

fo. 391A. The examination of Robert Cunliffe, one of the Commissioners for sequestrations for the county of Lancaster; and (fo. 395-7) Mary and Penelope Leigh, of Adlington, co. Chester. fo. 399. Order (copy), signed by Henry Cokson and William Barrett, as to the order of 2 Dec., 1651.

fo. 401-2. Interrogatories administered to witnesses.

fo. 405. Communication, dated at Preston, July, 1652, signed by Edw. Aspinwall and G. Pigot, referring to examinations taken subsequently to that of Mr. Cunliffe and enclosing copies. fo. 407. Affidavit of Thomas Grymeshaw of Clayton. fo. 409. Petition (30 Oct., 1651). fo. 411. Petition (28 Aug., 1650). fo. 414. Petition (23 Oct., 1651).

G. cxxviii, fo. 165.

Thomas Rothwell, of Newton in Makerfeld, yeoman, deposed upon oath that on 29 January then last (1652-3) the Commissioners then sitting at Ormskirk he delivered to Mr. James Asheton, Clerk to Mr. Evan Wall, Clerk to the said Commissioners, an order made by the Commissioners above, signed and examined Jo: Leech and T. Bayly and dated 2 Dec., then last granted on the motion of Mr. Greaves, touching the estate then late of Richard Walmesley, esq., whereby (amongst other things) liberty was given to examine and cross-examine witnesses either in London or the country (as the case should require) on behalf of the Lady Ann Lucas, touching the said estate

as by the said order appeared, together with interrogatories and a ticket or note, fixed to the said order and interrogatories for examination of Mr. Robert Cunliffe, one of the said Commissioners then and there present, and demanded to have him examined accordingly. The said Mr. James Ashton did then and there receive the above-mentioned documents, filed the same and said to deponent that he would acquaint the said Commissioners and Mr. Robt. Cunliffe further therewith and that the said Mr. Cunliffe should be examined, the order observed and depositions certified up, or words to that effect, but that it could not be done at that time. Sworn in London, 27 Feby., 1651-2.

G. xcvi.

fo. 434. Petition of Dame Anne Lucas, of Lexden in Essex, Margaret Snape, Thomas Duckworth, Adam Boulton, John Baron, Richard Worthington and John Hayhurst, all of Lancs., which showed that the Lancs. Commissioners had then recently seized "several dead and quick goods" remaining on the late estate of Richard Walmesley of Dunkenhagh, esq., as his, whereas they belonged to petitioners. The said Commissioners threatened to sell the same as the personal estate of the said Richard Walmesley, unless petitioners speedily obtained an order to stay the same. They therefore prayed that their goods, etc., might not be sold on the pretence that they belonged to Richard Walmesley, esq., but that an order might be directed to the Commissioners instructing them to allow petitioners to have the said goods, etc., without let or hindrance.

17 Dec., 1651—"Ord: that the Commissioners in the Countrey doe not meddle with anything fixed to the freehold, and upon the parties proving to the Commissioners there possession of the goods by them claymed and that they were then at the tyme of the Sequestration their goods, that they enjoy the same upon security till further order, and the proofes to be certified thereof."

(Several sentences at foot of this order are written in shorthand).

fo. 437-9. Affidavits, etc. about Richard Walmesley's pass.

fo. 440. Affidavit of Adam Boulton (one of the above petitioners (fo. 434), as to the ownership of the goods described on two schedules annexed to the petition; sworn before the Commissioners in London 16 Dec., 1651.

fo. 441. A particular of such goods as are and belong solely to this deponent Adam Boulton, And of such other goods as are and belonge to him the said Adam Boulton joynetly and as partner with John Baron.

Imprimis In the Drawinge Chamber next to Mr. Walmesley's Chamber, one Feather bedd, one boulder, one paire of Sheetes, two blanketts, one Rugg.

Itm One Rugg more in the said Chamber.

Itm one little Chest.

Itm two Brasse Potts.

Itm in the neare Ground Chamber one stand bedd, twoo boulders, two pillowes, one great chest.

Itm—Haye as partner with John Baron at Fearnhurst.

Itm more as partner with Jone Baron, four Oxe Twinters.

Itm more as partner with John Baron, three Oxe Stirkes and one heifar.

ADAM BOULTON.

A particular of Such goods as are and belong to Margaret Snape—widdowe.

Imprimis. In the Nursarie twoo Feather bedds, one paire of Sheetes, Three Blanketts, one Coveringe and twoo boulders.

Itm one Coverlett more.

Itm one brasse Pann.

Itm in the kitchin foure little brasse pannes and one little brasse Pott.

Itm one brasse pann which is and belonges to Thomas Duckworth.

ADAM BOULTON.

fo. 445. Affidavit of John Hayhurst of Billington touching the ownership of the goods mentioned on the schedules attached; sworn in London 16 December, 1651.

A Particular of the goods of John Hayhurst of Seedhouse in Lancashire.

Imprimis Foure Oxen, whereof one white.

Itm Fyve yoake of Oxen and one odd oxe.

Itm one white maire.

JOHN + HAYHURST his
marke.

A particular of goods at Seedhowse aforesaid that are and belong to Richard Worthington.

Imprimis Foure Kyne.

Itm a parcell of oates unthrashed.

Itm Haye.

JOHN + HAYHURST his
marke

fo. 450. A particular of such goods at Fearnhurst and elsewhere in Lancashire as are and belong to the ladie Anne Lucas, some parte whereof beinge fixed to the Freehould of the howse called Dunkenhalgh in Lancashire aforesaid.

Imprimis Corne in the great Barne unthrashed att Dunkenhalgh and in the barne over the Waynehouse there.

Itm the moety of the oates at new barne in Rishton.

Itm the oates at Cunliffe barne in Rishton.

Itm the one haulfe of the Corne Sowne to part with one Henry Baron of Rishton, beinge oates in Rishton.

Itm the oates unthrashed att Fearnhurst in Darwen.

Itm Barley at the Lower barne at Fearnhurst.

Itm Barley at Seedhowse.

Itm one great Cooler of Lead at Dunkenhalgh.

Itm one great boyler there.

Itm one Dresser there.

Itm one Iron graite in the old Ladies Chamber there.

Itm one fyre Iron in the Nursarie there.

Itm one great boyler in the Larder there.

Itm a fyre Iron in the Kitchen there.

Itm one fyre Iron in the Parlour there.

Itm in the nearer grounde chamber one fyre Iron there.

Itm in further ground Chamber one fyre Iron there.

Itm in the Dyneinge Chamber one fyre Iron there.

Itm in the best Chamber one fyre Iron there.

Itm in the farther grownd Chamber one fyre Iron there.

Itm in the Hall twoo great tables and two formes there.

JOHN 4 HAYHURST

his marke

G. clix, fo. 482, etc.

Letter, dated Preston 3 Aug., 1652, signed by Edward Aspinwall, Robt. Cunliffe and G. Pigot, relating to the claim of Lady Anne Lucas of Lexden, to certain lands and goods seized as the estate of Richard Walmesley, esq., referring to former letters and certificates.

fo. 484. Letter from Manchester 8 May, 1652 on the same subject. fo. 485. Interrogatories administered to witnesses. fo. 487-9. Examination of Robert Cunliffe of Sparth, co. Lanc., gent., aged 49, sworn 8 May, 1652 at Manchester.

fo. 491. Examinations, taken at Preston 9 Feby., 1652(-3), of Hugh Welshman of Samlesbury, yeoman, and (fo. 492) Adam Bolton of Dunkenhalth, yeoman. fo. 493. Letter, dated at Preston 2 March, 1652(-3), signed by E. Aspinwall and John Saurey, mentioning that they examined the witnesses produced and enclosed copies of the examinations.

Richard Walmesley *see* **John Parkinson** (above v, 26).

Thomas Walmesley of Claughton, yeoman.

G. cxxviii, fo. 168; *Cal.* v, 3178.

Petition, which disclosed that two-thirds of petitioner's estate having been sequestered for his recusancy only, he

was desirous, in accordance with the Act, to contract for the same. He prayed that he might be permitted so to do; which was agreed (5 Jan., 1653-4) and referred to Mr. Brereton to report.

Thomas Walsh¹ of Aughton.

G. cxxix, fo. 40, etc.; *Cal.* iv, 3134.

Petition, which disclosed that petitioner was one of the persons named in the then last Act for Sale and that his estate had been surveyed and returned according to the provisions of the said Act. He prayed, as provided by the Act, to be permitted to compound for the same (6 Sept., 1653). Referred to Mr. Reading to report.

fo. 43. Contract for the sale to James Sharples, gent., made 23 Feby., 1653-4. Order to take possession of a messuage or tenement with the lands thereunto belonging lying in Aughton, then late parcel of the estate of petitioner.

fo. 45. Report by Mr. Reading, dated 20 Sept., 1653.
fo. 49. Order referring the case to Mr. Reading. fo. 51. Petition (copy).

G. cxvii, fo. 333.

Petition of Frances wife of Thomas Walsh of Aughton, in the behalf of [Robert] Walsh, son of the said Thomas, which showed that Robert Walsh of Aughton and Thomas Walsh (petitioner's husband) by Indenture tripartite dated 15 January 1638-9, in consideration of a marriage before that time solemnized between the said Thomas Walshe and petitioner, and for other valuable considerations, did set out as a jointure for petitioner part of the capital messuage in Aughton with several parcels of land, etc., and all his other messuages, lands, tenements and hereditaments (after his death) to his son Thomas during his life, with remainder to the heirs, etc., as by the deed appeared. Petitioner's husband had been named in the third Act for Sale, having only a life estate, she therefore

¹ Or, Welsh, of Aughton, near Ormskirk.

prayed the Commissioners to examine and certify what might be material to the proof of her title, etc. Agreed and referred to Mr. Reading (16 Aug., 1653).

G. clx, fo. 445, etc.

fo. 454. Letter, dated at Preston 16 Sept., 1653, signed by E. Aspinwall and Robt. Massey, mentioning that in observance of an order of the 23 Aug. then last made upon the petition of Frances wife of Thomas Walsh (on behalf of Robert Walsh their son), they had taken several examinations and cross-examinations upon interrogatories (copies enclosed), and they certified that the estate in the petition mentioned was in the year 1643 sequestrated for the recusancy and delinquency of the said Robert Welsh [senior].¹

fo. 445. Interrogatories administered on behalf of petitioner.

fo. 446. Examinations, taken at Preston 15 Sept., 1653, of Henry Pemberton of Walton, yeoman, aged 80 years, who said he knew Robert Welsh of Aughton, gent., and Thomas his son, husband to Frances, likewise Robert son of Frances and Thomas; also (fo. 447) of Roger² Barton of Lidgett, yeoman; and (fo. 448) William Hey of West Derby, yeoman. fo. 449. Interrogatories administered on behalf of the Commonwealth, and cross-examinations of the above three witnesses.

Robert Walthew of Pemberton.

G. cxxvii, fo. 643; *Cal*, iii, 2333.

Petition, which disclosed that his estate had been seized for some supposed act of delinquency and that the Lancashire Commissioners, as he had been informed, had sent depositions up touching the same, but he had no doubt but that he could clear himself from any charge if he were permitted to defend himself. He therefore prayed for an order directing the Lancashire Commissioners to furnish petitioner with the heads of the charges

¹ Robert Walsh, the father, lived till 1668.

² Robert at foot.

against him and to permit him to examine witnesses for his defence and cross-examine the witnesses against him. Granted (11 Feby., 1650-1).

Informations were sent up against him in June, 1650, but the case had not been heard in Jan., 1651-2.

Elizabeth Walton *see* **Henry Gerard** (above fii, 20).

Thomas Walton of Walton-le-Dale, gent.¹

G. clx, fo. 455; *Cal.* iv, 3131.

Letter, dated at Preston, 6 April, 1653, signed by Robt. Cunliffe and G. Pigot, mentioning that they had had, according to instructions, surveyed two-thirds of certain lands in Walton-le-Dale sequestered for the Popery of the above, and they had posted it for letting. Among the offers received was one from the above, and it being the highest they had let it to him and afterwards leased it for seven years.

G. cxxvii, fo. 609.

Petition, which showed that petitioner farmed two-thirds of his own lands (at the time under sequestration) lying in Walton, on a lease of 7 years at a rental £9. 6s. 4d. a year. He prayed for a confirmation of the arrangement (2 Aug., 1653). "Vide notebook."

G. cxxvii, fo. 607.

Petition, which disclosed that petitioner's estate was under sequestration for his recusancy only. He prayed therefore to be admitted to compound (5 January, 1653-4). Referred to Mr. Reading.

G. cxxxix, fo. 187.

Particulars of the estate which he desired to contract for.

G. cxxxix, fo. 25, etc.

Report by Mr. Reading, dated 10 January, 1653-4, based on an order dated 5 of the same month on a petition by the above desiring to contract for two-thirds of his own estate then under sequestration for his recusancy only.

¹ Omitted in the *Calendar*.

fo. 27. Certificate and order referring case to Mr. Reading. fo. 59. Petition, copy (6 January, 1653-4).

G. lxiii, fo. 400.

fo. 400. Petition of Thomas Anderton of Horwich, gentleman, which showed that William Walton, late of Walton in le Dale in the County of Lancaster, gent., deceased, by his deed of feoffment, duly executed, dated 5 February, 22 James I [1624-5] for and in lieu of the portions and for the better preferment of Christopher and Dorothy Walton, younger children of the said William Walton, demised and granted to James Bradshaw and other feoffees named in the deed all that capital messuage, lands and tenements in Walton and Cuerden for the term of 31 years to commence 2 Feby., now last past; and the said Christopher, being long since dead, the whole interest and term ought now to come to the said Dorothy Walton, survivor of the said Christopher. She for good and valuable consideration on 5 May, 1655 executed an assignment of her interest therein to the petitioner, but two-third parts of the premises being under sequestration for the delinquency of Thomas Walton, eldest son of the said William and brother to Dorothy, the petitioner could not enjoy the same without an order from the Commissioners. He therefore prayed that an order might issue directing the Committee in Lancashire to discharge the two third parts from sequestration, or otherwise to take such evidence as petitioner could produce in proof of his statement above and to refer the same to counsel (4 Sep., 1655). Petition granted, Mr. Reading¹ to report.

~~Walton=le=Dale~~ Poor *see* ~~Cuerdon~~ Poor (above ii, 99).

John Ward and Others.

G. civ, fo. 558, etc.; *Cal.* iv, 2751.

Petition of Bannaster Maynard, esq., son and heir apparent of Wm. Lord Maynard, lord of the manor of

¹ *Brereton* in *Calendar*.

Wood Plumpton, which showed that Edward Warren of Poynton, co. Chester, knight, by his indenture of lease dated 8 Feby., 42 Eliz. [1599-1600], for the considerations therein mentioned did set and to farm let to Henry Ward of Treales, co. Lancr., husbandman, and his assigns one close or parcel of land lying in Catford, then lately enclosed from the common, containing about 6 acres, with a barn thereupon; to have and to hold for the natural lives of him the said Henry Ward and Elizabeth his wife and Laurence Ward brother of the said Henry Ward. Subsequently the same close became the possession of one John Ward,¹ for whose pretended recusancy it was sequestered and so remained notwithstanding the fact that Laurence (the last life in the lease) had died about a month then preceding, so that it belonged to petitioner, whose grandfather had purchased the manor of Wood Plumpton. He prayed that the sequestration might be taken off (25 Nov. 1652). "The Commissioners to examine and certify, and referred to Mr. Brereton."

fo. 562. Petition by same, relating to two messuages and 14 acres land in Wood Plumpton then or lately then occupied by Oliver Charnley and William Cottham,² which they held during the life of one Leonard Ambrose, who was dead 2 years then previously. In this petition it is stated that Sir Robert Banastre, knt., gave the manor of Wood Plumpton to petitioner. He prayed therefore for the removal of the sequestration (20 May, 1651). Referred to the Commissioners in the County to certify the cause of sequestration and Mr. Reading to report.

fo. 565-6. Communication from the Lancashire Commissioners, enclosing examinations, referring to some points in the case, dated at Preston 30 April, 1652.

fo. 567-573. Examination of Edward Browne of Wood Plumpton, yeoman, aged 67 years, who said that 14 years

¹ Probably the John Ward mentioned above, v, 194.

² See further above, ii, 23.

then ago he was bailiff of the manor of Wood Plumpton and so continued for 8 years and received all the rents due to Sir Robert Banastre, then lord there, who purchased the manor from Sir Edward Warren, knt., deceased, and his son John Warren, or from one of them, and he yearly received £10 for the capital messuage called Luth for the use of the said lord; and he very well knew that the two tenements then in question, late then in the occupation of Oliver Charneley, deceased, and of William Cottam, were parcels of the said demesne of Lewth and only assigned over to them or those from whom they derived their estate by such persons as are the lessees, in the lease or such persons who derive their estate from the said lease, now produced (whereupon some of the Commissioners had endorsed their names), dated 2 Feby., 33 Elizabeth [1590-1], made between Sir Edward Warren of Poynton, co. Chester, and Henry Barton, Anthony Charnley and Thomas Worswick of Wood Plumpton, co. Lancr., husbandmen, for one hundred years, conditioned upon the lives mentioned; and that of those Leonard Ashton was the last life and he had died about three years then ago. He further said that all the witnesses to the lease were dead.

John Duddall of Wood Plumpton, gent., aged 26 years, William Cottam of Lewth, aged 62 years, and Ellen Charneley of Wood Plumpton, late wife of Oliver Charnely, were also examined.

fo. 575-578. Report by Mr. Readinge, dated 22 Sep., 1651. fo. 519-584. Certificate and letter from Lancashire Commissioners. fo. 585-8. Examination of John Billington of Wood Plumpton.

fo. 589. Affidavits by Henry Cocks of Furnival's Inn, London, that the copy of the will of Sir Robert Banastre, of Possenham in the County of Northampton, deceased, dated 8 December, 1649, was a true copy.

Margaret Ward *see* **Hugh Boughton** (above iii, 267).

James Waring of Eccleston, husbandman.G. cxxvii, fo. 447; *Cal.* iii, 1953.

Petition, showing that he had been sequestered for his adherence to the King's party in the beginning of the wars, had desired to compound for his poor estate, it being under the value of £200, and had received an order from the Commissioners above; but the Lancashire Commissioners would not remove the sequestration. He therefore now prayed that a reasonable fine might be set. 15 May, 1649—Fine, £7. 17s. 6d.

fo. 449. Particular of his estate.

John Wareinge of Ormschurche, husbandman.G. cxxvii, fo. 441; *Cal.* iii, 1952.

Petition, which showed that he stood sequestered for adhering to the king's party in the beginning of the wars, for "which hee was heartely sorie." He therefore desired to compound for his poor estate, a particular of which he annexed. (No date or order). fo. 445. Particular showing value to be £6 a year.

G. ccxxiv, fo. 2, etc.

Petition and particular only preserved; both written on same sheet. He held for life a messuage and certain small parcels of land in and about Ormschurche, worth "before these tymes" £6 *per annum*; and he stood indebted £20. Fine, £12 (15 May, 1649).

Richard Wareing of Whittingham, yeoman.G. cxxvii, fo. 443; *Cal.* iii, 1999.

Petition, which disclosed that petitioner had been sequestered for his recusancy and delinquency, he having adhered to the King's party at the beginning of the wars, for which he was heartily sorry. He prayed to be admitted to compound for his estate. 28 April, 1649. Referred to the Sub-Committee.

Thomas Wareing, gent.¹

G. ccxiii. fo. 819, etc.

The above petitioned as guardian of Robert Dewhurst (an infant), son of John Dewhurst of Comberall. The delinquency was in the father, who had assisted the forces raised against the Parliament. The said guardian petitioned 2 May, 1649, and compounded upon a particular which disclosed that John Dewhurst died seised of one acre of pasture and two of moss ground, in fee, situated in Comberall aforesaid, worth yearly 10s. 6d.; also he died seised of an estate for 2 lives in being in 3 small cottages in Cumberall aforesaid, worth yearly 3s. 4d. Fine 13s. 10d. (23 June, 1649).

fo. 821. Petition. fo. 823. Particular.

Thomas Warr of Ilminster.G. clxxiii, fo. 42.²

"Accepted 9 Julii, 1646. Warr."

Upon examination of the delinquency and estate of Thomas Warr of Lancaster in the county of Lancaster, esqr., the committee find that he was a commissioner in the enemy's quarters for sequestrations and raising contributions to maintain the forces raised against the Parliament; that he had an estate in Lancashire in fee in possession worth £20 *per annum*, and rents £9. 10s.; for life £12; out of which he paid to his mother £50 a year for her life; that there was money in the hands of Alexander and Edward Popham, esqrs., £1000, which upon his marriage he assigned over upon trust that the said £1000, and £2000 more his wife's portion, should be laid out upon a purchase of lands to be settled upon him and his wife. The Committee proposed the sum of £500 as a fine for his delinquency. "Encreased to £500; total £1000."

The following is added in the margin: "Thos. Warr, Commissioner for the King, £20 *per annum* in town of

¹ This case should have been given under Dewhurst, *see above*, v, 180.² Not in *Calendar*

Rochdale, £9. 10s. old rents, £12 Copyhold for life. Out of these paid to mother for life £50 and the rest mortgaged for £820. Owing: £1000 on Bonds, with £2000 settled to purchase lands for him and his wife and his heirs. Fine £500; allow the 3rd part."

Hugh Waterworth of Mawdesley.

G. cxxvii, fo. 647; *Cal.* iv, 3132.

Petition, which disclosed that his estate had then recently been "returned" to Drury House, he being one of the persons inserted in the then last Act for Sale; and according to a provision in the said Act he prayed to be admitted to compound for the same (9 Aug., 1653). "Referred to Mr. Reading."

G. ccxxvi, fo. 125, etc.

Report by Mr. Readinge, by which it appeared that petitioner was one of the persons comprised in the Act for the Sale of Lands forfeited for Treason. The estate was surveyed and a return made 1 Aug., 1653, and a petition filed on the 9th. By the survey he appeared to have been seised of and in a messuage or tenement, etc., in Mawdsley in the parish of Croston, worth £3. 4s. yearly. Fine at two-sixths £19. 4s. (16 Aug., 1653).

fo. 127. Petition. fo. 129. Order of reference.

18 Aug., 1653. The fine was paid and the estate discharged.

Richard Waterworth of Mawdesley.

G. ccxxvii, fo. 531, etc.; *Cal.* iii.

Particular, which disclosed that he was seised of a messuage and 6 acres of land, the inheritance of his father Hugh Waterworth, worth £4 a year, was so let then by the sequestrators "and was never worth more before these warrs." The land was charged with £30 debts of the father, and petitioner was indebted in the sum of £20. "He hath a wife and 2 small children and his ould father to mainteyne." Fine, £4 (12 May, 1649).

James Watkinson *see* **Edward Scarisbrick.**

Lawrence and Richard Watmough *see* **Thomas Clifton**
(above ii, 62).

Richard Watmough of Micklehead.

G. cxli, fo. 516; *Cal.* iv, 3133, 3172.

Thomas Hawarden, as executor of the last will of Jane widow and executrix of John Hawarden, his late father then deceased, made petition, disclosing that as executor he claimed a judgment of £800 debt and costs out of the estate of Richard Watmough, a delinquent, upon a statute bearing date 11 April 7 James [1609], acknowledged by Francis Watmough to John Hawarden, petitioner's father, and a liberate, inquisition and extent had thereupon. Petitioner could not derive any benefit from the said statute and extent for the reason that the estate of Richard Watmough was under sequestration for the delinquency of the said Richard; and he therefore prayed for an order to take the evidence of such witnesses as he should produce in proof of the debt, etc. (21 Dec., 1653). The Commissioners to examine and certify.

G. cxlv, fo. 71.

Order to take possession of a capital messuage called Micklehead Hall and several lands in Sutton in Prescott, then late parcel of the estate of Richard Wadmough, sold to Ralph Barnes on 15 June, 1653.

Ann Watson.

G. xcvi, fo. 284; *Cal.* v, 3218.

Petition of Richard Kinge of Preston, gentleman, which showed that he was justly entitled to a messuage and a small tenement in Chageley by lease from Richard Sherburne of Stonihurst, esq., a portion of the term being then unexpired; that two-thirds of the messuage since the then late wars became sequestered for the popery of Ann Watson and then remained so, notwithstanding that she was dead and thereby the lease formerly granted has determined. He prayed for an order to examine, and afterwards to discharge the sequestration.

24 Aug., 1654. The County Committee was ordered to examine and certify; Wm. Reading to report.

Hugh Welchman of Samlesbury, yeoman.G. ccxii, fo. 817, etc.; *Cal.* iv, 2043.

Delinquency: adhering to the forces raised against the Parliament. He petitioned 8 May, 1649 and compounded on a particular which disclosed that he was seised of an estate for the life of his wife in a tenement in Samlesbury of the yearly value of £2. 6s. 8d. Fine, £3. 10s. (5 June, 1649).

The estate was proved by the affidavit of one Thomas Osbaldeston, fo. 819. Particular. fo. 822. Petition. fo. 823. Affidavit of Thomas Osbaldeston of Samlesbury, yeoman.

Welsh *see* Walsb.**Phillip Wenman of Asbton,¹ esq.**G. cxxviii, fo. 265; *Cal.* iv, 2788.

Petition, which disclosed that petitioner had then lately been arrested upon some supposed then late actings against the State whereof he was no way guilty, and his estate also had been secured and he refused to make any use of it, to the apparent and imminent ruin of his family and himself. He prayed, tha on giving security, he might be permitted to enjoy his estate until judgment had been given (6 May, 1651). "The like order as in Shakerleys" case. [i.e. the County Committee to examine and certify.]

Edmund Werden *see* William Besketh (above iii, 217).**Margaret Werden of Leyland.**G. cxxix, fo. 473, etc.; *Cal.* iv, 3169.

Petition, which disclosed that two-thirds of her estate was under sequestration for recusancy; she prayed to be allowed, in accordance with the Act, to be admitted to contract for the same (14 Dec., 1653). Referred to Mr. Reading to report, who (fo. 469) found that she was seised

¹ Near Lancaster. Part of the papers in this case has been printed above (iii, 18, 19). *See* also i, 194.

of a tenement in Leyland worth £3. 1s. 6*d.* a year, two-thirds of which were under sequestration. fo. 471. Reference to Mr. Reading. fo. 475. Certificate mentioning the tenant's name and the amount of rent paid for the year ended 16 Jany., 1652-3. fo. 477. Particular. fo. 480. Original petition.

John West *see* **Nicholas Leigh** (above iv, 91).

William West *see* **Richard Sberborne**.

Dorothy Westby *see* **Thomas Tildesley**.

Elizabeth Westby, widow.

G. cxxix, fo. 92.¹

Petition, which showed that petitioner's late husband, Thomas Westby of Radcliffe [Rawcliffe], some 14 years then ago had purchased the messuage and demesne called Radcliffe of Thomas Kirby, esq., by two several deeds, one dated 25 July, 11 Charles [1635] and the other 28 July 12 Charles [1636], which were both taken in the name of Thomas Tildesley of Mierscough (petitioner's eldest son by a former husband) but upon this consideration and trust—that he should permit and suffer the said Thomas Westby to take the profits during his life, and after petitioner's decease to go to petitioner's youngest children by the said Thomas Westby. And notwithstanding that petitioner's late husband had paid all the purchase money, had both the deeds in his custody, had possession of the premises and took the profits, receiving them up to the time of his death; that petitioner also had possession and received the profits after her husband's death until such time as Thomas Tildesley was sequestrated; at that time petitioner was "outed" of the possession of the said messuage and lands by the agent for sequestrations, who

¹ This petition is not entered in the *Calendar*. Petitioner was daughter of Anne Preston, of Holker, and married (1) Edward Tildesley, of Myerscough, and (2) Thomas Westby, of Mowbreck.

entered upon the same as part of the said Thomas Tildesley's estate, solely because his name was used in the deed. Petitioner therefore prayed for an order directing an examination of her title. (12 July, 1650). Granted.

G. clviii, fo. 523, etc.

fo. 525. Communication from Lancashire Commissioners, dated at Preston 21 September, 1650, mentioning that in observance of an order of 12th July preceding, upon the petition of Elizabeth, widow and relict of Thomas Westbie of Rawcliffe, esq., deceased, touching the purchase of the messuage and demesne lands called Rawcliffe in the name of Thomas Tyldesley of Myerscough, eldest son of the petitioner by a former husband, in trust to the said Mr. Westby for life, after to petitioner for life and after to her younger children; stating also that they had examined such witnesses as were produced, copies of the examinations being enclosed. They also mentioned other subjects in this communication.

fo. 523. Examinations of George Hornbie, servant to petitioner, and Anthony Pickering of Catterall, gent. They gave evidence as to the execution of the deed, etc., and that Thomas (then Sir Thomas) Tyldesley had frequently stated before the lands were sequestrated that they had been purchased for the preferment of his mother (petitioner), who was then Mrs. Westby, and for the younger sons of Mr. Westby by his said then wife.

Elizabeth Westby, widow.

G. cxxix, fo. 93; *Cal.* iv, 2644.

Petition, which disclosed that petitioner was the relict of Thomas Westby of Burne, esq., and that referring to former proceedings she mentioned that the Lancashire Commissioners had then returned the examinations. She therefore prayed for a reference to counsel (5 Dec., 1650). Granted.

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