

**THE RECORD SOCIETY FOR THE  
PUBLICATION OF ORIGINAL DOCUMENTS  
RELATING TO LANCASHIRE AND  
CHESHIRE. VOL. XXXV. PLEADINGS AND  
DEPOSITIONS IN THE DUCHY COURT OF  
LANCASTER, TIME OF HENRY VIII**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649683857

The Record Society for the Publication of Original Documents Relating to Lancashire and Cheshire. Vol. XXXV. Pleadings and Depositions in the Duchy Court of Lancaster, Time of Henry VIII by Henry Fishwick

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**HENRY FISHWICK**

**THE RECORD SOCIETY FOR THE  
PUBLICATION OF ORIGINAL DOCUMENTS  
RELATING TO LANCASHIRE AND  
CHESHIRE. VOL. XXXV. PLEADINGS AND  
DEPOSITIONS IN THE DUCHY COURT OF  
LANCASTER, TIME OF HENRY VIII**





THE RECORD SOCIETY  
FOR THE  
**Publication of Original Documents**  
RELATING TO  
LANCASHIRE AND CHESHIRE.

---

VOLUME XXXV.

---

1897

## COUNCIL FOR 1896-7.

LIEUT.-COL. HENRY FISHWICK, F.S.A., *The Heights, Rochdale*, PRESIDENT.

G. E. COKAYNE, M.A., F.S.A., *Clarendon King of Arms, Herald's College, London, E.C.*,  
VICE-PRESIDENT.

THOMAS H. DAVIES-COLLEY, *Hopedens, Higher Broughton, Manchester*.

WILLIAM FARRER, *Marion House, Skipton*.

MAJOR PARKER, *Bromsholme, Clitheroe*.

R. D. RADCLIFFE, M.A., F.S.A., *Old Swan, Liverpool*.

THE REV. J. H. STANNING, M.A., *The Vlearage, Leigh, Lancashire*.

HENRY TAYLOR, F.S.A., *Curzon Park, Chester*.

JAMES E. WORSLEY, F.S.A., *Winwick, Newton-le-Willows*.

JOHN PAUL RYLANDS, F.S.A., *Heather Lea, Charlesville, Birkenhead*, HON. TREASURER.

WM. FERGUSON IRVINE, 19, *Derenshire Road, Cloughton, Birkenhead*, HON. SECRETARY.

# Pleadings and Depositions,

IN THE

## Duchy Court of Lancaster

TIME OF

HENRY VIII.

EDITED BY

LIEUT.-COLONEL HENRY FISHWICK, F.S.A.

v. 2.

---

NEW YORK  
PUBLIC  
LIBRARY

PRINTED FOR

THE RECORD SOCIETY.

1897.

emb

THE NEW YORK  
PUBLIC LIBRARY  
ASTOR, LENOX AND  
TILDEN FOUNDATIONS  
R 1901 L.

ROCHDALE;  
JAMES CLEGG, PRINTER,  
ALDINE PRESS.

ROYAL  
SUNNY  
WARRU



Lancashire and Cheshire Record Society.

ERRATUM.

Volume 35, Introduction, line 6, *for* 1445 to 1461  
*read* 1532 to 1546.

INTRODUCTION.

THE Extracts from the Pleadings and Depositions in this (the second) volume are selected from those referring to the period between the 24th and the last year of Henry VIII., *i.e.* from A.D. 1445 to 1461, and a few which are known to belong to the time of this King, but to which no more exact date can be assigned.

The subjects to which these cases refer will be found as varied, and, it is hoped, as interesting and valuable as those contained in the former volume.

The index of names and places has been compiled by my daughter, Miss Jane Fishwick.

THE HEIGHTS,  
ROCHDALE.

## Errata.

### VOL. I.

Page 122. Vol. xv. R. 1. The heading to this should be :

JOHN RADCLYFF AND WILLIAM GALEY, LESSEES OF SIR THOMAS WEST, KNIGHT, LORD DE LA WARRE, AND THE MASTER COMPANY OF THE COLLEGE OF MANCHESTER *versus* ROGER HEYTON *re* MANCHESTER, MILLS, COLLEGE, FREE SCHOOL, &c.

Page 49. Heading (vol. lvii. n.d.)

SIR GEOFFRY GRYMSDYCHE, *Knight* read *Priest*.

(this is a mistake in the "Ducatus.")

Page 29, line 10, *Defendant* read *Deponent*.

### VOL. II.

Page 29, 13th line from bottom, for *Margaret* read *Elizabeth*.

Page 183, 8th line from top, for *Thomas Banaster* read *Richard*.

Page 190, 7th line from bottom, for *Rohert* read *Robert*.

Pleadings and Depositions  
in the  
Lancaster Duchy Court.

TIME OF HENRY VIII.

THE KING *versus* THE TENANTS OF BLACKBURN *re* PROHIBITION  
AGAINST LETTING LANDS IN SMALL SEVERALTIES AT PENHULL  
CHACE, TROWDEN, AND ROSSENDALE FORESTS.

HENRY, to Our trusty and well-beloved Sir Richard Tempest,  
Knight, Steward of Our Forest and Chaces of Penhull,  
Trowden, and Rossendale, and of all other Our lands and tene-  
ments within Blackburn, in the county of Lancaster, parcel of Our  
Duchy of Lancaster, and to his deputy there greeting. Whereas  
certain lands within our said Forest and Chaces of late were let by  
copy of Court Roll, by virtue of a Commission in the time of Our  
late Father, Henry VII., to divers inhabitants there, who have  
since built upon the said parcels of ground and have made divers  
inhabitants upon the same; and now, We be informed, that the  
occupiers of the said parcels have severed them into many small  
"quillettes"<sup>1</sup> to little value, to the deterioration of the inhabitants  
in the same, "which wee in noe wise will suffer." Now, We,  
considering the premises, desire and charge you that from hence-  
forth you in no wise suffer any Our tenants within Our said Forest

Vol. viii.  
[Calendar 6.]  
R. 7.  
24 Hen. VIII.  
[1532-33.]

<sup>1</sup> Quillet—a small croft or plot of land.