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OF ORIGINAL DOCUMENTS RELATING TO  
LANCASHIRE AND CHESHIRE. VOLUME  
XL. A CALENDAR OF LANCASHIRE AND  
CHESHIRE ERCHER. DEPOSITIONS BY  
COMMISSION. FROM 1558 TO 1702**

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From 1558 to 1702 by Caroline Fishwick

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**CAROLINE FISHWICK**

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THE RECORD SOCIETY

FOR THE

**Publication of Original Documents**

RELATING TO

LANCASHIRE AND CHESHIRE.

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VOLUME XI.

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1885.



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OF  
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## INTRODUCTION.

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**T**HE amount of valuable information which is now being placed in the hands of the student of history and genealogy through the medium of the Reports of the Deputy Keeper of the Public Records is so vast, that, to make the fullest use of it, the material requires to be classified and exhaustively indexed. The object therefore, of the present volume has been to collect and index all the *Depositions taken by Commission* which refer to the Counties of Lancaster and Chester.

A Calendar of these Depositions for the whole of England and Wales, from Elizabeth to George II., is printed in the following Reports of the Deputy Keeper:—xxxviii. Appendix pp. 150-775 (Elizabeth and James I.); xxxix. Appendix pp. 307-531 (Charles I.); xl. Appendix pp. 1-466 (Commonwealth, Charles II. and James II.); xli. Appendix 1-670 (William and Mary, Anne, and George I.); and xlii. Appendix pp. 1-312 (George II.).

From these Reports the matter in this volume has been brought together. Each deposition is given with the regnal year, term and number, the names of the plaintiffs and defendants, a short abstract of its contents, including the principal names and places mentioned, together with the place where the deposition was taken.

The original documents are preserved in portfolios in the Public Record Office, and are mostly written on parchment; each set being filed separately. The entire series

Genealogical—10.00

extends from the first year of Elizabeth down to the year 1841, when by Statute 5 Victoria, c. 5, the jurisdiction of the Court of Exchequer as a Court of Equity was transferred to the Court of Chancery. No Calendar of the Depositions for the reign of George III. has as yet been printed, but a MS. Calendar, in three volumes, is now placed in the Legal Search Room at the Public Record Office. The remaining Depositions, namely those down to 1841, are in course of being calendared.

As a contrast to the present state and accessibility of these public records, it may be of interest to the antiquary to have a glimpse of their condition about half a century ago. In the Return<sup>1</sup> of Mr. Henry Vincent, the King's Remembrancer, to the Commissioners on Public Records, printed in a folio volume, date 1837,<sup>2</sup> he states:—

I found that the books and records of the Exchequer, instead of being collected in one solid, substantial, dry, and well-watched building, commodious for reference, and hourly accessible (within certain limits of time) to the public, subject to the control and guardianship of one responsible official individual, who might make himself master of their character and tendencies, and take measures both for their safety and general utility, were scattered in various places and various custodies, at various distances, and with various pretensions. Some were kept by the first Secondary, some by the second, some by the King's Remembrancer himself, at his Chambers. Some were supposed to be in the keeping of individuals, some to be missing altogether, some were at Westminster, some in the Temple, most in places exceedingly ill adapted for their preservation and security, and inaccessible for the most part to the public, without great trouble, difficulty and expense. I found that by far the largest portion of them had, in 1822, been moved from buildings which were to be removed to facilitate the erection of the Courts of Law, without order, without specific authority, without superintendence or care, without any official cognizance that I have been able to trace, or any provision for the service being vigilantly or even honestly performed, into a flimsy erection of deal boards in Westminster Hall, destitute of space or power of arrangement, and, at the time of my first visit to it, dark, damp, and almost pestiferous.

<sup>1</sup> Dated 29 Jan., 1833.

<sup>2</sup> Appendix to Report of the Commissioners on the Public Records, 1837, p. 154.

Farther on he remarks :—

In 1830 I took advantage of the expected coronation, and the consequent necessity of removing the obnoxious shed from Westminster Hall, again to press earnestly upon the attention of the Treasury the propriety of having that removal conducted with some more attention to authority, order and security than had been exhibited on a former occasion ; of taking the opportunity to subject a large portion at least of the buried contents of the slight and wooden sepulchre to some process of purification and arrangement, to enable me to deposit them in some more safe, spacious, and accessible quarter, and to authorise me to incur an expense sufficient to have the service performed under capable and official superintendance of persons responsible for the result. After repeated correspondence and conversations on the subject, I was enabled partially to accomplish that desirable object. By the assistance of Sir Benjamin Stephenson, the then Surveyor General of the Board of Works, I procured to be set apart and prepared for their reception a large and commodious space in the King's Mews ; and with the sanction of the Treasury, who referred the selection to me, I appointed Mr. Vanderzee, who had in 1793 been engaged in a similar service, to superintend the transport and arrangement of these records, which five months were barely sufficient to complete ; and it is very much owing to the efficient manner in which Mr. Vanderzee, in conjunction with Mr. Adlington, performed the service, that this immense portion of the records are in as good a state as they are, and that those gentlemen have been enabled to make the enclosed communication.

Still, the general evils which affect the condition of these records and their custody remain. A large part are yet unarranged, and by far the major portion of the whole are destitute of proper calendars and indexes.

In his Appendix of Answers to the Commissioners, Mr. Vincent thus alludes to the documents more especially connected with those noticed in the present volume :—

#### ENGLISH INFORMATIONS, BILLS, ANSWERS, DEPOSITIONS AND EXAMINATIONS.

The English Informations are in the name of the Attorney-General for the time being, on behalf of His Majesty, relating to his revenue, and sometimes at the relation of private persons, on account of charities and other public trusts and uses ; and the English Bills are other proceedings in equity between subject and subject.

Answers, *Depositions*, and *Examinations* are the further proceedings thereon.

Of the English Informations and Bills, entries are made in books called " Bill Books," in counties, containing the number as marked on each English Information and Bill, together with the names of the parties, plaintiffs and