

1 Elizabeth by the grace of god of England France and Ireland Queene defender of the faith be To
2 ~~our~~ Countrie and welbeloved Ralfs Sachwell Willi[a]m Bembrick Nicholas Broket and Edward
3 Boroghton Esquires and to everye of them gretinge whereas complainte hathe by in made unto us for and on ye
4 behalf of Thomas Stanhope Esquire pl[aintiffe] against John Dethicke Esquire defendant for that he in
5 Landyy a wife shutie wronge him of for and comencinge certaine landes Tenementes and heredy tenements by anye
6 land beinge in Spondon and Chaddesden in the Countie of Derbye as in his bill of ccomplainte thereof
7 made more at lardge appearech where unto the said John Dethicke hath made answere and the saed
8 Thomas Stanhoppe hath thereunto Replied so that the said p[ar]ties be at pfecte y some yoca
9 Willinge to be ascertained of the tinthe of the prtey of will and Defer youe iiii iii or ii of youe at
10 The leaste at tyme and place convenient by youe to be Lymyted and apoynted callinge before done By
11 doestne here of bothe the saed p[ar]ties and suche other p[er]sons as youe shall thinke parte and renveyryent to
12 enquire of the saed matter aswell by picne other by denne pambulace examynices of witness as by all
13 other waies and meanes as to your wisdomes therein shall seme best And also that youe iiii iii or ii
14 of youe at the leaste Doe examine all suche witnesses as shall come before youe upon such a
15 Interr[ogatory] as eether of the saed p[ar]te shall then and there exsabyte one brynge unto youe y Drounedal
16 always that the xbone pt shall give unto the Desemente xx daies wariynge of the Daye uin plan
17 when and where the said Comysyones shall sythe in execacon of this Comysson And there upon
18 of your wryttings inclosed under your Seales w[i]th theis onlies to certifie our Chanecellor and comell

19 of our Duchie of Lancaster in our Duchie chamber at our palaise of Weston on the tich of Sayncte
20 Michall Shamchangell in p[ar]te comynge shott Fairlinge here of as not tonste youe yeven at or
21 Sined y halinse under the Seale of oucosoned Duchie the xxviiiith daie of June in the xith year
22 of our Ranhne Ry Qushone
23

- 24 A Connsont
- 25 Examine witness inter
- 26 Stannoppe et Dethicke
- 27

28 Depositions taken at Cha[dd]esden the xviith daye of September anno undetmo Elizabeth Reyn[g] upon the p[ar]te & behalfe of
29 Thomas Stanhope exsemyed before Banffe Sheverell Edwarde Dockghton & Will[i]am Daynonggh by vertue of Comysson
30 to thoymad dupded

31 1 John Scattergood of Cha[dde]sden husbandman of the Age of Lvii yeares or there Abouts sworne & examyned to the fyrste Interrogatorie sayethe that he knowethe
32 the said John Dethicke of Bredsall defends

33 2 To the seconde he sayeth that John Dethicke dothe holde & occupie sayde closes w[ith]in the lordshippe & p[ar]ishe of Cha[de]sden & Spondon

34 3 To the thirde Interrogatory he sayethe that the said woods grounde & closynes be cauled by the names of penparke ii closes called Ingleson closes
35 one close called Wozmsstall close one other close in the holdings of Rob[er]t Deylye one other close in the holdings of Henry Smythe of Derby one
36 other close in the holdings of Deblys Harke one other close called Pye close one other close in the holdings of Jackson but what ages the said closes be
37 conteyne he cannot depose

38 4 To the iiiith Interrogatory he saythe he cannott depose Cavings yt he knowethe yt the said closes be compassed about with the soyle & grounde of the lordship of
39 Spondon & Cha[dde]sden

40 5 It[em] to the fifth Interrogatorie he cannot depose

41 6 To the sixth he saythe that there hathe byn tythe payed for the said closes to the vicar of Spondon & Cha[de]sden

42 7/8 To the seventhe & eighth Interrogatories he sayeth yt the said ix closes before specified hathe beyn leyd & payed as p[ar]cel of the lordshippe of Cha[dde]sden at ye
43 fifteen

44 9 To the Nynthe he cannot depose

45 10 To the xth he sayth that the said Dethycke Anneters did paye unto the Church Wardens of Cha[dde]sen to the use of the pisheoners there one yerelie rent

46 of tvrss in Consideration yt the wolde suffer them to melose & kepe sev[er]all yt said closes above specified throughe onto the whole yeare
47 1 /23/4 Robert Cooke Viccar of Spondon of the age of thre[e]s[c]ore & five or there Abouts sworne & examined to the first ii iii iiiii & v Interroragories sayeth
48 as John Scattergood before hath deposed saving yt he sayeth further that there is one hye wood oenled by the name of Cmson Wood
49 6 To the sixth he sayeth that he hathe paeyed & had of John Dethicke deceased father to the said defend as a yere for the tythe of the said nyne
50 closes as p[ar]cell of the vicarige of Spondon
51 7/8/9/10 To the vii viii ix & x he sayeth as John Scattergood hathe said
52 1/2 Richard Doscooke of the age of thre[e]score & xiior there Abouts sworne & examined to the first & ii Interrogatories sayethe as the first man sayethe
53 3 To the thirde Interrogatorie he sayethe that he dothe not knowe pplie the names of all the closes but yt he hathe harde the hye wood called by the name of
54 Cmson wood & as knowen by yt name
55 4/5 To the fourth & v he saithe as John Scattergood hathe said
56 6 To the sixth he saithe yt he hathe gathered tithe out of one of those closes called Rob[er]t Denlys close for ye prvnage of Cha[dde]sden
57 7/8/9/10 To the vii viii ix & x he saithe as John Scattergood hathe said
58 1 Thomas Priffen of Cha[dde]sden of the age of lx & x or there abouts sworne & examyned to the first Interrogatorie saithe as John Scattergood hathe said
59 2/3 To the second and third Interrogatories he saithe that the said John Dethicke dothe occupie certeyne woode & closes within the p[ar]ishe and
60 lordshippe of Cha[dde]sden & Spondon & that the said woode & other clossines be called by the name of cmson woode
61 4/5/6/7/8/9/10 To the iiiii v vi vii viii ix & x he saithe as the others have said
62 1/2/3 Rob[er]t Narkton of Cha[dde]sden of the age of fortie yeres or there Abouts sworne & examyned to the first ii & iii Interrogatories saithe as Thomas Priffin
63 hathe said savinge he supposothe the vis unde to be vi otre Age or there Abouts

64 4 To the iiii Interrogatorie ? payethe yerelie for the said woode & clossiness to the grenes heighenes the yerelie rent of ?
65 re whereas pdntall chaof made xix ov is for the rent of Cmsone field & eight shillings is for other grounde whiche the said
66 Dethicke holdethe wi[thi]n the said lordshippe
67 6 To the sixth he cannott depose
68 7 To the vii & viii as Scattergood hathe said
69 9/10 To the ix & x he cannott depose
70 1/2/3 Thomas Baton of Cha[dde]sden of lvii yeres or there Abouts sworne & examyned to the first ii & iii Interrogatories as Gryffen hathe said
71 4 To the fourth as John Scattergood hathe said
72 5 To the fifth as Rob[er]t Narkton hathe said
73 Depositions taken on the p[a]rt of the Defend[ant]
74 6/7/8/9/10 To the vi vii viii ix & x as Scattergood hathe said
75 ?and1 Thomas Fowke of Bredsall of the age of threescore & ii sworne & examyned to the first Interrogatory he saithe yt he knowethe the said plaintiffe & defend[ant] & that
76 he knowethe the said lordshippe of Spondon & Cha[dde]sden in the Countie of Derby & hathe knowen the same the space of fourtie yeares as
77 2 To the second he saithe that he knowethe one woode called Dethicke hye woode & yt the said woode lethe in the pishe of Bredsall & hathe payed tythe
78 to the p[ar]son thereof for yt that he hathe knowen tythe ridde to be payed for the same
79 3 To the third he saithe yt he hathe Always knowen the said woode to be p[ar]cell of ye Ancient enheritance of the said John Dethicke & that the said John
80 hathe taken the pffitte thereof
81 4 To the fourthe he saythe that he nen knowe the ynenes tenante of the dutchie of Lancaster at any tyme of his remembrance emoye

82 the same woode or any p[ar]cell thereof in the right of the ynenes m[a]tie

83 5 To the fifth he saythe that John Dethicke deseased father to this defendant had & enyoed the said hye woode as p[ar]cell of the man[or] of Bredsall & c?

84 other closes lying in Spondon & Cha[dde]sden & dyed Seased of the same

85 6/7 To the vi & vii Interrogatories he cannot depose

86 8 To the eighth he saythe that the said defendant hathe nor ounprethe any other waste groundes than suche as did defende unto hym from his Father

87 9/10 To the ix & x he cannott depose

88 1 Rob[er]t Deyly of Bredsall of the age of threescore yeares or there Abouts sworne & examyned to the first Interrogatorie saythe as Thomas Fowke

89 2 To the seconde he saythe that he knowethe one wood called Dethicke hye wood & yt it lyethe in the p[ar]ishe of Bredsall as he supposethe

90 3/4/5/6/7/8/9 To the iii iiii v vi vii viii ix he saithe as Thomas Fowke hathe said

91 1 Nicholas Srees of Bredsall of the age of lx & xv or there Abouts sworne & examyned to the first Interrogatorie saithe as Thomas Fowke hathe said

92 2 To the seconde he saythe yt he knowethe one wood called Dethicke hye wood & yt it lyethe w[ith]in the p[ar]ishe of Bredsall & hathe church ty[the]

93 have hym payed to the p[ar]son thereof

94 3/4/5/6/7/8/9 To the iii iiii v vi vii viii & ix he saithe as the first? have said

95 1 ?of Cha[dde]sden of the age of sevenscore? or there Abouts sworne & examyned to the first Interrogatorie saithe yt he knowethe John Dethicke &

96 he knowethe ye lordshippe of Spondon & Cha[dde]sden & yt he hathe knowen them lx yeres

97 2/3/4/5/6/7/8/9 To the ii iii iiii v vi vii viii & ix sayethe as the first have said

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106 Interregatorys to be minitred upon the p[ar]tye and behalfe of Thomas Stanope ofr mor

107 Plaintiffe againste John Dethicke esqir[e] defendant

108 [1] [Item] What do you not know one John Dethicke ? Derlie yea or no and how longe have

109 ? ym

110 [2] [Item] Whether dothe not the sayd John Dethicke occupy[e]d certayne woods and other Clossures thereunto

111 adjoining

112 w[i]thin the Lirhre and lordshipp of Cha[dde]sden and Spondon yea or no

113 [3] It[e]m What do you call the sayd wood grounde waste and Clossures that he dothe so occupye and what acres do the conteyne

114 to youser knowledge and whether have you not had the sayd wood or any p[ar]te thereof called Cmrson field or Cmrson

115 wood and known by that name yea or no

116 4 It[e]m Whether do you not knowe or have heard that the sayd wood ground and Clossure or any of them to be the Queenes

117 highes as p[ar]celles of her waste ground belonginge to the Dochye of Lancaster and Lced of the Lordshippe of Spondon

118 and Cha[dde]sden and whether one of the sayd closes now called the Ope close was not called the Kings close and
119 knowen by that name And whether all the sayd closes woods and waste ground be not invured aboute w[i]t[h] ye soylle
120 and sev[er]all grounds of the sayd Lordshippe of Spondon and Cha[dde]sden yea or no
121 5 It[e]m Whether do you knowe or have heard that the sayd Dethicke payethe yearly for the sayd wood and clossures to the
122 Queenes highness the yearly rent of ix s viid 4 yea or no
123 6 It[e]m Whethewr have you knowen or heard that there hathe bene any tythe pay[e]d for the sayd ground and wood and
124 waste ground to the viccar or farmer of the p[ar]sonage or viccarige of Spondon and Cha[dde]sden yea or no
125 7 It[e]m Whether have not the sayd wood and other waste ground before specifyed bene sprtoford charyed and ley[e]d as
126 p[ar]cell of the mann[or] of Spondon and Cha[dde]sden at the tytyng or other payments w[hic]h the sayd comonshipp hathe bene
127 charged w[i]thall yea or no
128 8 It[e]m yf the have so bene ley[e]d whether hathe not the sayd John Dethicke and others his auceters or farmers paye the same according
129 as the have bene so leyes yea or no
130 9 It[e]m Whether do you knowe or have heard that the sayd wood and other Clossures above specyfied did lye open to the
131 common field of Cha[dde]sden in the open tyme of the year yea or no
132 10 It[e]m Whether do you knowe or have heard that the sayd Dethicke or his auceters did paye unto the churchwardens
133 of Cha[dde]sden to the use of the pirsheners there any yearly rents in consyderacon that the[y] would susser hym and
134 them to Duclost and kepe sev[er]all the sayd wood waste ground and other the clossures above specyfied throughout
135 the hole year yea or no

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Interrogatory to be minited on the p[ar]te or behalf

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of John Dethick Esquire Deff[endant] against Thomas

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Stanhoppe of mire Complimint

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[1 Item] Whether do you know the said particed. And whether do you know one pasture called Curson field, als

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?Indalie conteyning by estimacon xiiii acres whether do you know the Mannors or lordshippe of Spondon

143

Chaddesden in the Countie of Derby, And howe longe have you knowen the same

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[2 Item] And whether do you know nature wood called Dethick highe wood Yff Thon mi what pischer livth the

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same, And unto what parische have the tythes thereof bene paid when any hath fallen, And how do you know

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that to be true

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[3] It[e]m Whether hath the same wood bene always taken to be gotill of the Anncient mhentanne of the said dist

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And of his Auncestore or no to yo[u]r knowledge, And to whate use hath the profite thereof bene employed tyme

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out of mynd of man

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[4] It[e]m which hath the Queens mathtimors or Tenith of her duchie of Lancaster at any time w[i]thin

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yo[u]r remembrance enioyed the same wood or any p[ar]cell thereof in the right of the

152

Queene Matie or of any of her p[er]gemtorte, yf so, Then for how longe Bew have they so enioyed ye And

153

in what sorte And how do you know the same to be true

154

[5] It[e]m Whether do you know or did ye ever heard That John Dethick esure decessed late father

155 of the said Def[fendan]t had and enjoyed the said wood, And whether closes of arable pasture and wast[e] grounds
156 lieinge and being in Spondon and Chaddesden or in any of them , Tyf so, Then howe much had he w[i]thin
157 the said Townes, And howe longe did he so holld and any other farm, And whether was he during all
158 that time taken and reported to be p[re]sent owner of the same, or of howe much thereof, And whether did he dye
159 seariel thereof of an estate of Inheritacion or no to yo[u]r knowledge
160 [6] It[e]m Whether did the said John Dethick deceased, at any time duringe his lyfe hold occupie or enioye
161 any p[ar]cell of waste ground lieinge in Spondon aforesaid belonging to thurd duchy of Lancaster
162 or no, Yf he did, Then howe much he so occupye to yo[u]r knowledge, And by what right and title
163 [7] It[e]m Whether did the said John Dethick deceased at any time during his lyffe, holld anye possesse
164 the sayd lande tenenth or waste ground w[i]thin the said Mannor of Spondon w[hi]ch nowe p[ar]cell of
165 the old possessone of the said duchie of Lancaster or no, Yf so, then by what right or title dothe
166 he hold and enioy the same, And howe longe hath he so hold and enjoyed yt, to yo[u]r knowledge in Chaddesden and Spondon
167 [8] It[e]m Whether hath the def[fendan]t nonocni his occupacon or diseosicion any Lande tenentute or waste grounde
168 other than such As discended unto him As here to his father And be his ancient msiritaimts, or no, to
169 yo[u]r knowledge And whether hath he the said defendant entiond or intruded into any parte of there
170 Queenes Math Lande or waste grounde, whether hath in right of his said dnochya, or by any other
171 title, or no, And how do you know the same to be true
172 [9] It[e]m Whether doth the said Complainant at this pr[e]sent, reryne take by virtue of anyton

173 for the Queenes Matie suche and so many Rents w[i]thin the Lordshippe of Spondon and

174 As have bene use to be payed to the Queene Matie or any of her progeniors at any time w[it]hin yo[u]r

175 remembrance, or no

176

177 Depositions taken at Cha[dde]sden the chsonth Daye of September Anno Xi o[f] Eliz[abeth] Regni
178 upon the parte and behalf of Thomas Stanhope esquire before Ralf Zecsevell
179 Edward Bowghton and Will[i]am Boynbeigt by vostm of commission to the duchy
180 1 John Scattergood of Cha[dde]sden husb[ansman] of the age of Lvii or there abouts sworne and examined to the first
181 Interrogatory saythe that he knoweth the said John Dethick of Bradsall defend[ant]
182 2 To the second he saythe yt John Dethick dothe hold & occupye nyn closes w[i]thin the lordshippe & p[ar]ishe of Cha[dde]sden
183 and Spondon
184 3 To the third Interrogatory he saythe yt the sayd wood ground & closure be called by the names of
185 Peabhark ii closes called ingleson closes one close called Wornastall close ani other close in the
186 holding of Rob[er]t Bayly one oth[er] close in the holding of Hary Swinker of Derbys one oth[er] close and
187 the holding of Owlershaw one other close called opeclose one oth[er] close in the holding of Jacks
188 But what acres the sayd closes do conteyne he cannott depose
189 4 To the iiiith Interrogatory he saythe he cannott depose saving yt ye sayd closes be copased about when soyle & ground
190 of ye Lordshippe of Spondon & Cha[dde]sden
191 5 To the fifth Interrogatory he cannott def[enety] depose
192 6 To the sixth he saythe yt there hath bene tythe payd for the sayd closes to the vicar of Spondon
193 and Cha[dde]sden
194 7/8 To the seventh & eighth Interrogatory he sayth yt the sayd v closes before specified hathe bene leyd & payd as p[ar]cell

195 of the Lordshippe of Cha[dde]sden at ye fistem æð
196 9 To the nynthe he cannott depose
197 10 To the xth he saythe yt ye sayd Dethick annceters did paye unto ye church wardens of Cha[dde]sden &
198 to the use of ye pa[ri]shioners there one yearly amount of lvi s[hillings] in cosyderacon yt ye would suffer
199 the to mclose & kepe sev[er]all ye sayd closes above specifyed chroryhoms yt whole year
200 1/2/3/4/5 Robert Cooke vicar of Spondon of the age of threescore & five or there abouts sworne and examined
201 li iii & iiii v Interogatory sayth as John Scattergood before hath deposed saving yt he saythe full
202 that there is one hye wood called by ye name of Cursen Wood
203 6 To the sixth he saythe yt he hath receyved & had of John Dethick //
204 v a year in rentyd for // of yt payd upon closes as p[ar]cell of his vicarage of Spondon
205 7/8/9/10 To the viith viiith ixth & xth he saythe as John Scattergood hath sayd
206 Sir Bichwell Will[iam] Boynlyn
207 Edward Bonghton
208

209 1/2/ ? Bosocti of ye age of threescore and xii or there abouts sworne & examined to ye first & ii

210 Interrogatory sayth as ye first man sayth

211 3 To ye third Interrogatory he sayth yt he dothe not know of ply ye names of all ye closes but yt he hathe

212 heard ye hye wood called by ye name of Curson wood & so knowen ~~ye same~~ by yt name

213 4/5 To ye fourth & vth he sayth as John Scattergood hathe sayd

214 6 To ye sixth he sayth yt he hathe gathered tythe snt of cost closes called Bobart Baylys close for ye farm so of

215 the psnagh of Cha[dde]sden

216 7/8/9/10 To the seventh & eighth & nynth & tenth he sayth as John Scattergood hathe sayd

217 1 Thomas Griffyn of Cha[dde]sden at ye age of lx & x or there abouts sworne & examined to the first & ii

218 Interrogatory sayth as John Scattergood hathe sayd

219 2/3 To ye second iii & ~~iiii~~ Interrogatory he sayd yt the sayd John Dethick dothe occupy certayne woods and closes w[i]thin

220 ye p[ar]ishe & lordshippe of Cha[dde]sden & Spondon & yt the sayd woods & other closures be called

221 by ye name of Curson woods

222 4/5/6/7/8/9/10 To ye fourth vth vi vii ~~viii~~ viii ix & xth he saythe as the other[s] have sayd

223 1 ~~Thomas Bamford of Ch[dde]sden of the age of xlx & iiiii score years or there abouts sworne & examined~~

224 ~~to the first Interrogatory~~

225 1 ~~William Clark of Cha[dde]sden of fiftye years or there abouts sworne & examined to ye first Interrogatory~~

226 sayth Eric Erichisinnill Wil[lia]m brynlyn

227 Edward bonygton

228 1/2/3 Rob[er]t Newton of Cha[dde]sden of the age of fourty years or there abouts sworne & examined to the first ii & iii

229 Interrogatory saythe as Thomas Griffin hathe sayd savinge he surchsesses the ground to be vi score acr[es]

230 or there abouts

231 4 To the iiiith he sayth as John Scattergood hath sayd

232 5 To the vth that he knoweth yt the sayd John Dethick payeth yearly for ye sayd wood & closures ?

233 other Queenes highhind the yearly rent of ix s[hillings] vii d paid as appears by old arroutallth of ?

234 made xix d v d ys pr y d rents of Cursons field & the eight shillings x d for other ground whet[h]er sand sethick holdeth saito us sin y sayd lord

235 6 [To] the sixth he cannott depose

236 7/8 To the vii & viii & ix as [John] Scattergood [h]as sayd

237 9/10 To ye ixth & xth he cannott depose

238 1/2/3 Thomas Baby of Cha[dde]sden of lvii years or there abouts sworne & examined to the first ii & iii Interrogatory

239 as Griffyn hath sayd

240 4 To the fourth as John Scattergood hath sayd

241 5 To ye fift[h] as Robert Newton hath sayd

242 6/7/8/9/10 To the vi vii viii ix & xth as [John] Scattergood hath sayd

243 To the ixth

244

245 1 ? of Br[e]adsall of the age of three score and ii sworne & examined

246 To ye first Interrogatory he sayth yt he knoweth the sayd plaintiff & defendant & yt he knoweth ye

247 sayd lordshippe of Spondon & Cha[dde]sden in ye county of Derby & have knowen ye same ye space

248 of fourtye years

249 2 To the second Interrogatory he saythe yt he knoweth one wood called Dethick hye wood & yt the sayd

250 wood lyeth in ye lordshippe p[ar]ishe of Br[e]adsall & hath payd tythe to ye p[ar]son thereof and for payd

251 yt he hath knowen tythe Bidde to be payd for ye same

252 3 To the iiith he saythe yt he hathe always knowen the sayd wood to be p[ar]cell of ye ancient enheritance

253 of ye sayd John Dethick and yt ye sayd John hathe taken the proffitte thereof

254 4 To the fourth he saythe yt he now know[s] ye Queenes tenants of ye Duchie of Lancaster at any

255 tyme of his come braun Dursyi ye same wood or any p[ar]cell th of in ye right of the queens ?

256 5 To the vthe he saythe that John Dethick deceased father out this defendant had and enoyed the

257 sayd hey wood as p[ar]cell of ye man of Br[e]adsall & certayne other closes lying in Spondon and

258 Cha[dde]sden & dyed seased of ye same

259 6/7 To ye sixth & seventh he cannott depose

260 8 To the seventh he eighth he saythe yt the sayd defendant Dhati nor occupyethe any other

261 grounds then suche as did desend unto hym from his father

262 9/10 To the nynth & xth he cannott depose

263 1 Robart Beyly of Br[e]adsall of the age of iii score or there abouts sworne & examined to the first Int[errogatory]
264 sayth as Thomas Fowk
265 2 To the second he saythe yt he knoweth one wood called Dethick hye wood & yt lyethe in ye pa[ri]s[he]
266 Br[e]adsall as he supposethe
267 3/4/5/6/7/8/9 To the iiith iii v vi vii viii ix he sayth as Thomas Fowke hathe sayd
268 plalas of Br[e]adsall of the age of lx & xv or there abouts sworne & ex[amined]
269 hath sayd
270 ?he yt he bn// ?d called?
271 ?he heard sayd yt ye tythe ?
272

273 1 Thomas Bamford of Cha[dde]sden of the age of iiii score or there abouts sworne & examined to ye first Interrogatory
274 saythe yt he knowethe John Dethick and yt he knowethe ye lordshippe of Spondon & Cha[dde]sden yt he
275 hathe twards them be years

276 2/3/4/5/6/7/8/9 To the first ii iii iiii v vi vii viii ix [h]e saythe as the first have sayd

277 1 ~~John kater of Breadsall of ye age of fourtye yeares or there abouts sworne & examined~~

278 Eauf Bachewell Hyt borlyy

279 Edward borrhtery