Excellent Dno Regi

In Chambers Ducat Lanc[ashire]

Corn Int

Edwd[ward] Mosley mil[itas] Attor[ney] general

By Relation Thom[as] Gilbert as of

D[efendant] Hollingworth d[efendant] repoport

Ref mense micsis

2i8 in 9 nov[ember]: 1633 by

Rob[er]t Governor reg

Now it of a conk

pd

by the grace of God king of England Scotland France and Ireland Defend[e]r of the faith w[hi]ch

?cionssed and well beloved Thomas Clayton John Osborne Richard Brandreth ad Robert Hope sett and div[i]de

greeting and witness ?this matter defend them became before our Chamucello and Cause of our Damage of Land in

Duchie Chamber att our Palace of Westm[minster] between us by relacon of Thomas Gilbert Esquire and Thomas

Hollingworth and ?all Defendante sworne in the said p[ar]ties are proceeded and growne to full ?anios fectissue

As by plead there not againe of accord appoint ?hngst willinge to bee ascertained of the truth of

the said matt[e]r well and reopen[e]d now one two or more of you att tyme and place ? and place

convenient by you to bee Lemired and appointed to call before you by arcel hereof the said p[ar]ties Relat[o]r

and Defendant and all such other p[er]sons as you shall thinke meete to inquire of the said matter as well by

vest oath towards peramulacon by word of witnesses as by all other good wayes as might as for

you shall seem best And alsoe to exchange all such witnesses as shall bee procured and cane be fou[ne]d

brought unto open exchange the said Ma[ges]ttee the certaine touch thereof And our further will and

pleasures and now doe syerd by authorise you or any two or more of you to pamell and sware a Imit

or ans[were]for the better sett now forth the true and mst boundaries of the Mannor of Spondon in the County

of Derby and such wastethereof And thereupon to sett and bound out the true and mst boundaries

of the said Mannor and of the waste thereof And allsoe to appont a S[ur]veyor to make and take a S[er]veye

and plot of all the lands in person And thereupon of your sake det[er]m[I]ge and proceedinge herein wee

will mis reign it for any two or more of you by your writinge inclosed under your seales together

? those onroares al outer iporicons and deposicons hereby taken soued ingrossed into

ground to ? our Chamucello and Comses of one Duchie of Lanc[aster] in our Duchie Chamber

out of Hallard of Westnan Meuse next comyinge No faileing hereof as noe trust you y[e] Provided

allwayes that the said Relator shall give unto the said Defend you or one of them fourteene dayes nomente of

the used tyme and pleasure cymes and plowe of plantacon hereof ye oven att o? said tallard budor the seale

or as forth durch the thirteenth daye of June in the ninth yeare of our Raigne Serard

Deposic[i]ons of witnesses taken at Derby in the County of Derby the xith

Day of September in the 9th years of the Rayne of our sovryayne lord Charles

By the grace of god king of England Scotland France & Ireland defend[e]r

of the Faith as before Thomas Annieton John Osborne Richard Brandreth

Robert Hope gent by virtue of his Mass Commission forth of his highness[s] Courte

of Dutchie Chambers to them or any two or more of them Directed for the

examinac[i]on of witnesses in a cause these Depositions in question betw[ee]yn

S[i]r Edward Mosely k[nigh]t his Ma[ges]tee Attorn[e]y gen[er]all of his Englands said Corte of

Dutchie Chamber by his relac[i]on of Thomas Gilbert Esq[ire] pl[ant]t[iffe] against

Thomas Hollingworth John Carrington & others Defents Followeth

Exam[inin]g James Olerenshaw of Spondon in the County of Derby yeom[man] aged 47 years or

thereabouts sworne & examined

1. To the first Interr[ogatory] this Deponent sayth that he hath Dwelt about xviii by years

in Spondon in the Interr[ogatory] named and by reason here of Doth knowe most p[ar]t of the

lands w[i]thin the said Lor[dshi]p of Spondon but not soe as he is able to Distinguishe one mans land,

from an other now to pd forth the extonly of the sayd Mannor, howbeit he well arce the

press of ground in the Interr[ogatory] ment[i]oned called Spondon Waste

1. To the third Interr[ogatory] he sayth that Brunswood & Goodwidge are enclosed both of them w[i]thin

one Kings hedg[e] & onely moored by a little brooke or perle and that in Brunswood there is

one ley or press of Comon or waste grounds by in go betweene Lockoe – Lane and an other press

of Comon ground Called Nilmarke baulk and he further sayth that there is a nother press-

of ground called Dallyseeche lying in Brunswood parcelty noth is soryly contained to be

parte or all Comon or waste ground, & his Depomt sooryly th in it is soo and as to the

Landes lying betweene Brunswood & Goodwidge on both sides the brooke, the po[o]re of Spondon

have been suffered to eate the same noth their Cattle as Comon, albeit this Depon[en]t sooryly

beleeveth the same is not Comon

1. To the vith Interr[ogatory] this Depon[en]t sayth that since this Depon[en]t came to inhabit at Spondon as

aforesaid there have been onely two enclosures made from of the sayd Brunswood & Goodwidge

namely one from of Brunswood w[hi]ch John Carringeton tooke in, and an other from of

Goodwoocg taken in by Richard Taylor and that he sayd John Carrington holds the said

Close soe by him enclosed, and he sayd Richard Taylor & his assigned to other by him enclosed

but remembreth not how longe it is since the said Closes or either of them were soe

enclosed

(3i) To the 3ith Interr[ogatory] this Depon[en]t saith That Henry Clarke Deceased in the Interr[ogatory] named was

tenant to the kings land in Spondon noth the p[ar]ts nows sayth for many years as this Depon[en]t

hath Credibly heard and that he beinge both a freeho[l]Der & tenant to the said kings lands these

had Comon for his sheepe & Cattle w[i]thout stinte or restrainte that this Depon[en]t oud know or

Credibly heard of

1. To the xxxiith Interr[ogatory] this Depon[en]t sayth that he is a freeho[l]der in Spondon aforesaid as

owner of lands worth xth Land noth so bought of the said Richard Clarke Deceased, and

sayth that he is not of any alliance or kin[d]red soe to the Defend[an]ts or any of them to his

knowledge

Richard Osborne formerly sworne & examined on the Defend[an]ts p[ar]te & now on the

Pl[an]t[iffe]s p[ar]ts

1. To the first Interr[ogatory] this Depon[en]t sayth That he knoweth the Manner or Lor[dshi]p of Spondon

in the County of Derby havinge soe knowne the same by his space of 60 years last past

or there abouts but now Dwelt noth in the said Manner or Lor[dshi]p and Doth also know a

press of ground then called by the name of Spondon waste but now know y[e]t called

by the name of the kings waste

1. To the xiith Interr[ogatory] this Depon[en]t sayth that he hath knowne the said ground Called Spondon

waste 9inds years aboute Michaellmas tyme & most part of winter lye poen by gapps

& places to Brunswood & Goodwith but whether as Comon or by negligence this

Depon[en]t knoweth not

1. To the xxxiith Interr[ogatory] this Depon[en]t Sayth that John somd to Thomas Hollingworth one of

the Deffend[an]ts marryed one of the Depon[en]ts kinswomen but this Depon[en]t knoweth not of any

other kin[d]red or alliance that he is of to any other of the Defend[an]ts neither hath he out xx

Dwelt w[i]thin the said Lord[shi]p now howDoth or Claywoth any thinge thowin,

x pases Collumbess formearly arc or the Deffen[dan]ts parte more on the pl[ane]t[iff]s parte

1. To the xii Interr[ogatory] this Depon[en]t sayth that the ground called Spondon waste & hath for the most parte yearly in the winter tyme layen open by gapps and places soe cast open by passingyard as this Depon[en]t conceiteth sontil towards the fringe that he now made sop againe and sayth that it is a thoungh save for ease mt and Deolylie the ines and arcelt that the same hath not been arc enclosed at all tymes of the yeare
2. To the thirty second Interr[ogatory] this Depon[en]t sayeth hee is a freeho[l]Der noth in Spondon for a piece of Madonie lyinge w[i]thin the said Lor[dshi]p but Claymoth noe right ofs Comon here by and sayth that there is some alliance betwixt hmp & the wife of Thomas Hollingworth one of the Deffend[an]ts but this Depon[en]t is not sopon his oath to expresse what the kin[d]red is

John Draycot of Loscoe in the County of Derby aged fouety and two years or thereabouts swarne and examined

1. To the first Interr[ogary] he saith that he knoweth the manor or Lordshipe of Spondon in the

County of Derby and hath for known the same by the space of xxxth years last pas[t]

or thereabouts

1. To the twenty second & Interr[ogatory] so saith he well remembers that John Carrington

hath Dinds tymes served at the Courte hath for the mannor of Spondon and sayth that

the said [Thomas] Hollinsworth hath likewise so served or been ameroyed for his Def[fendant] when he

Did not appear for more arcelty whereof this Depon[en]t referreth himselfe to the

Courte Roals of the said Mannor,

1. To the twenty fifth Interr[ogary] this Depon[en]t saith that this Depon[en]t was Deputie Steward

of the said Mannor of Spondon under the right ho[nara]ble Will[I]am late Earle of ifenbrooke for

ins years together and in those tymes kept the nyme Courts for the said momies

the severall Courte Roules were of written parchment and more showed unto him arewhohely

this Depon[en]t owne said writings as alsoe his name thereto subscribed

1. To the thirtie sixth Interr[oatory] he sayth he cannot Depose otherwise than he hath Deposed

Thomas Dawson of Spondon in the County of Derby fr[ee]holders and

weaver of praych at Chaddesden in the said court aged forty and two yearsor there abouts

sworne and examined

1. To the second Interr[ogatory] he saith That he well knoweth the arable fields in Spondon

Commonly called the Brooke field and alsoe knoweth Certayne grounds or leys

adioyninge to the said fielde called or known by the name of Goodwich leys

and Brunswood leys w[I]thin the said Mannor or Lor[dshi]p of Spondon having soe knowen

the same all the tyme of his remembrance as beinge borne in Spondon aforesaid

and saith that the said leys called Goodwich leys and Brunswood lees have by

all the tyme of this Dep[onen]ts remembrance until about eleven or twelve years

last past used to be eaten in Comon w[I]th the said Brooke field in

the fallowe year And soe oten as the said Brooke fielde hath been sowen w[I]th corne

then after harvest in ned the Inhabitants of Spondon aswell Bottagors as athers

how used to put in their Catte into the said Brunswood and Goodwich leys whous

any stint ympoundinge or intrrupcon till about tenn or twelve years last past

that the said leys were enclosed and saith that to this Depon[en]ts now best remembrance

one Will[ia]m Benet then servent to the now Earle of Chesterfield was the cause of

the enclosure of the said Brunswood and Goodwich leys w[hi]ch beying soe enclosed

by the consent of the freehaulers hee and they afterwards stinted the same amongst

them by the acars and that since the same hath beene soe enclosed the poore

Cottages of Spondon have be[e]ne Debarred of Comon for their Cattle their

1. To the third Interr[ogatory] this Depon[en]t saith That the heighe way lying in the Goodwich

leys noth Lead eh from Brookfielde gate to Lokoe Lane and is enclosed w[I]tin the

said Goodwich leys w[i]th being an ancient heigh way this Depon[en]t Concouisly to be

Comon and that there is a piece of grounde Called Dallyseech lying in the nether

end of Brunswood leys and in the lands end of the said seech w[hic]h is waste or comon

grounde and no man maketh title or Clayme kenods (that this Depon[en]t knows th[i]s of

and saith that there is in Brunswood aforesaid an other arcel or ley of grounde

Comonly Called the Comon Ley and an other p[ar]cell of Comon or waste grounde

in Goodwich beinge alsoe a ley with During all the by me of this Depon[en]t knowledge

arce of late tymes hath gone to the Councill of the Clerke keeper of Spondon

and he likewise saith that Goodwich aforesaid Close by the brooke found there

here is an other little peece or arcel of waste grounde and that w[i]thin the tyme

of this Depon[en]t rememberance he hade ends on both sides the brooke hath beene Juton

as Comon albeit this Depon[ent] beleeveth the same are not Comon but are hud[g]es

belonginge to the said leys

1. To the Fourth Interr[ogatory] this Depon[en]t sayth that w[i]thin the tyme of this Depon[en]ts

remembrance he hath knowen the had[g]es belonging to the Seidall Closes not used

or belonging unto Thomas Tomlinson John Widdowson that there and Richard ,

Knowles lye w[i]thouth theire Closes for the plhisse and his encloseres heigh way from

Lockoe to Spondon Church but the said hed[g]es one of later tymes enclosures of noth hedges and Ditches, and further sayeth that there one two other closes and the inheritance

of the said Knoweles and the other belonginge to one Hibbard and Thomas Tomlinson through w[hic]h he said plainity and his enclosures have had a heighboar to the Church of Spondon and sayth that he said Knowels hath set up a gate for the said way

accasioused there to by a payne set on his head for Default there of,

1. To the eighthe Interr[ogatory] this Depon[en]t sayth that aboute thirtie years since one John,

Aouton then a freehoulder in Spondon aforesaid accompayned noth many of

the porer sourt of the Inhabitants of Spondon Did cast upon the Close called

rough Close noth being then to this Depon[ent]ts John remembrance in the honour of

Mr Bryrch then soiccass of Spondon where affirmois to this Depon[en]t that he was

at the Charges of the takeing in of the said Close and sayth that the said Aoaton

and the croft afore said Did them alsoe Caste opon another Close Called Borow wood and

Diuds other parcells of grounde noth in the Lord[shi]p of Spondon for wh[ic]h afctrisardly Duids of them by the then Lady Stanhoppe meanes were Comitted to prison and that they

inhabitants of Spondon or four of them have ever since received the rents & effidy

of the said Close Called the rough Close Vooke soutill of late years that the pl[an]tiffe

Demanding rent for the faune the said Inhabitants there upon have suffered the

Faucid to lye opon and in Comon, and he likewise sayth that the said Mr Bryth

now the aunciontoist tenent to the said Rough Close nooker, that this Depon[en]t can

remember and after Mr Byrch one Richard Aoton and after him one wr?

Were tenents to the said Close and that the rent heard of for many years past hath

bene twenty shillings p[er] ann[um], and further heard to Decpo[on]th not

1. To the tenth and eleventh Interr[ogatory] Depo[on]th not
2. To the fourteenth Interr[ogatory] he sayth that the caunt Deon[en]t otherwise then he hath heape

To the second Interr[ogatory] said that there are said a hei[d]ge ways goeing one and there on

The said Brunswood and Goodwyth leys noth are there in enclosed but whether

Said enclosures were made by the Comsore of the Kinge or his former this Depon[en]t

Knoweth not,

(15) To the fifteenth Interr[ogatory] this Depon[en]t sayth that he cannot Depose otherwise than hesayth Deposed to the third pesed pleading Interr[ogatory] soe that the Cottages and poor people

?stints w[I]thin the Mannor of Spondon aforesaid have all the tyme of this Depon[en]t

? until such tyme as Brunswood and Goodwich leys were enclosed as

aforesaid

1?yed and tethered their kind and other Cattle upon the ground lyinge either side the Brooke

along from a place now called the Brooke field gate to or very nearunto a place now

called Lockoe lane end, and sayth that the said Depon[en]t hath in his tyme kept

horses upon the said ground, and seen others Doe the like,

(17) To the xviithe Interr[ogatory] this Depon[en]t saith that hed this Depon[en]t cannot of his owne contayne

knowledge sayth that the ground lying in Brookfeilds in Spondon aforesaid

Called pite hades is Comon ground but saith that the same by all the tyme of this

Depon[en]ts remembrance hath bene soe no prk a and fallen and sayth that away lying by

and through the same is Contyned by Comon and that the pore Oubbyers and e[i]ther the

Inhabitants of Spondon afore said have used to eate the same as Comon at rememable

tymes Cp that a be auses louogh or better of the said hades are now encroached upon or

plowed away by these haus lands of hodscing uppon the same but the names of

them w[ho]se haus soe encroached and plowed the same away this Depon[en]t never

knoweth not,

(20) To the twentyth Interr[ogatory] this Depon[en]t sayth that he hath Creddibly heard that the

Churchwardens of Spondon for the tyme beyinge have had some writings or

attempts conteyninge their receipts of the rents of all or parte of the Comon ground

of Spondon wh[ich] have bene fatt and further have to Depopth not,

(21) To the xxith Interr[ogatory] this Depon[en]t saith That w[i]thin the space of twenty years last

past there hath bean seventeene or eighteene said all enclosures w[it]hin Spondon

afore said wh[ich] were made for the most parte by exchange of lands one freeholder w[it]h

an other or noth other mens to nonly but wh[ich] other the kinge or any for hui was or

were Consentinge thems[elves] into this Depon[en]t knoweth not,

(22) To the twenty second Interr[ogatory] this Depon[en]t sayth that the said freeholders wh[ich] pases soe a

enclosed w[i]thin Spondon as afore said and thouse the same like in said all y[ea]r Did not

withstand dringe keeps as goats or greater flock of sheepe horses and Cattell on the arable fe[i]ld

waste and Comon grounds in Spondon aforesayd as foremerly they Did to the opposssion

of theire pour neighbours and other Inhabitants

(27) To the Twenty and seventh Interr[ogatory] this Depon[en]t sayth That all the yeares of Comon and waste ground

lying Disparsedly w[i]thin Brunswood and Goodwich leys are hedged wayted and taken

in and w[i]th[in] a Ringe fence from ether mens grounds that lye adjoining into the said

Brunswood and Goodwich and soe further sayth that the said Brundswich and Goodwich leys

w[i]th all the soul all p[ar]cells of waste and Comon grounde by mige Disparsedly w[i]thin

them were taken in and enclosed w[i]th a ringe hedge and wayle by they Inhabitants of

Spondon afore said a bouts ten or twelve years last past swire wh[ich] tyme they have

enjoyed the same to theire owne orse and kept out the pore for ought this Depon[en]t knoweth

to the Contrary save that upon they were first taken in he hath Credibly heard

they allowed the pore same thinge by abuteing of their appoucon of Ioyst

(28) To the xxviiith Interrr[ogatory] this Dopon[en]t sayth that he knoweth the grounde upon the Manor

of Spondon Commonly called the waste or Spondon waste and sayth that the said

waste Doth lye adjoyneyning to Spondon More on the cast and to Brunswood

leys on the waste, save that a little pyngle belonging to Aoatons farme mitpoth

some part there of the pfitts of wh[ich] pyngle goe to the soke of Elvaston Church

or the poore of Elvaston, and that the said waste is now enclosed and

eunyrenes on the North and South sides wh[ich] other mens hedges

and soe hath beene beyonde the memory of this Depon[en]t,

(30) To the xxxth Interr[ogatory] this Depon[en]t sayth that he hath Creddybly heard that the housouais

Croft or backside there to belonging Contayning by astinoicun an acre and

an halfe or there abouts in tenance of Thomas Widdowson of Spondon and or

Coppy houlde lands and further saith that there is two peeces of land in

Spondon feilde Called Burrowe feilde Called Hersim and Noaser gate

Contayneing aboute one acre of lande w[i]thin During abb the time of this Depon[en]t

remembrance hath beene and now is by the Inhabitants of Spondon allowed to

John Russell the keeper of the waste for the towne of Spondon and ale yearly roosly

tenn shilling or there abouts then les it be upon that fields lyeth fallowe and sayth that

there is alsoe in the said Borrowfield two little roods of arable lands in the occupason

of Gracia Taylor for wh[ich] payable twelve pence yearly to the Churchwardens of

Spondon for the townes safe and that there is alsoe a little pyngle in Spondon meadows

adjoining to Swes lane and Called the Church pyngle worth 3s 4d or 4s 1£ and or there abouts

noth is allowed 2 the Clerke keeper of Spondon as phr of his wages noth pyngle

contaynes aboute the fourth parte of a roode of land, one other little p[a]cell of

ground lying in a mans Close Called the Rooke bearing heay parts five pence £

and or there abouts wh[ich] hath usually gone to the Clerke keeper of Spondon, one

Comon ley in a Close at Synder lands Contayning about half an acre and butting

upon the oul water in the occupacon of John Hibbard the younger of the yearly

rent of five shillings yearly pay[e]d to the Churchwardens of Spondon to the

(2)

Townes use one baulk Called by the name of Alytree & arable buting betwixt

Anktin hedge and the brooke in the occupaton of John walker Contayning about three

roods or an acre a thead parte there of having been plowed the middle thereof lying

to the fielde and heges p to having lately beene enclosed of the yearly rent of

six shillings eight pence or there abouts upon the field & is not fallowed wh[ich] likewise

the said John walker the Clerk keep[er] hath in further parte of the wages for

keeping the Clerk & that there is allso a peece of ground called Loxseers peece or townes peece

containeinge about an acre lying in Burrow field aforsaid noth hath [unreadable]

and a other tymes twenty six shillings and eight pence p[er] ann[um] and hath bene ibnused to the said Townes

safe one noth said send all p[ar]cells of lande (other than the said Coppyhold) are accompted and have

bene used as common land of the Tenents of Spondon but this Depon[e]nt never heard that the farm

were concealed lands

(31) To the one and thirty Interr[ogatory] this Depon[en]t sayth that Henry Clarke Deceased

was many years tenant to two flatts of the kings land in Spondon nowne in

the Complac occupacon and that he then hadd Cattle as other farmers had

in the Comon fields of Spondon

(34) To the four and thirty Interr[ogatory] this Depon[en]t sayth that it being a cussion w[i]thin the lands

of Spondon that two of the tenants or freehoulders there Called the waste [afo]resaid have by and

Doratn tweve or houseforied gathered the kings rent for the wast of Spondon and this

Depon[ent]s father about xxi years agoe being by furine one of the co waste rents Did

a paym[en]t this Depon[en]t to gather the same at wh[ich] said tyme the stint or of poucon was a paimed

about for acre y beast that Did pasture upon the said waste but sayth that of the latter

tymes the said Inhabitants of Spondon have enclosed their apporcon of

Cattle to half the aubi out that so as now the stint rent is 2 s

for every beast and he likewise sayth that he soe appoyinted by his

father as aforesaid Did receind the said stinted rent according to the rote or rentall

noiod Ifeiwed unto him being unholy his own[e]d hand writing and pay[e]d the same owner to the Covimpt md Thomas Gilbert being then the kinges Valine there for his Ma[ges]tees

use

Robert Rowland of Chaddesden in the County of Derby yeoman aged xxxiiii years

or there abouts sworne & examined

(9) To the ixth Inter[ogatory] this Depon[en]t sayth That he and to his cost rememberence this

Croft nominated as inrers in the Courte Roule nowe nowed unto him engrosses in of thimdal

and Dated the xxviith Day of March 1632 were appointed and sworne by the then

Steward of the Mannor of Spondon for setting forth of high ways and other

peeces of Comon grounds there upon or w[it]hin Brunswood and Goodwyth leys

beying p[arc]ell of and w[it]hin the Mannor or Lor[dshi]p of Spondon aforesayd and that at

such said Courte there was sathe of Dinds aged men given to this Depon[en]t and to them

following Interr[ogatory] touching the said heigh ways and Comon Grounds for more certayntie

noth from and what this Depon[en]t and his fellowe Interr[ogatory] there upon soe and he refereth himselfe

to their yard it Complised in the said Courte Roule showed he this Depon[en]t being not

now able to charg his memory with the p[ar]ticulers there of

(24) To the xxiiiith Interr[ogatory] this Depon[en]t sayth that During all the tyme of his remembrance such as

have farumed the kings Domaine lands in Chaddesden w[it]hin the said Mannor of

Spondon have had Comon of pasture w[it]hin the fallows there and other Comonall

pastures w[it]hout stinte

Francis Cockaine of Chaddesden in t[he] County of Derby gent aged fiftie

years or there abouts swourne and examined

(9) To the ninth Interr[ogatory] this Depon[en]t sayth that this Depon[en]t and as he verily thinks

All the wast[e] of the Interr[ogatory] named in the Coppy of the Courte Roules names sqward unto him

being engrossed in parchm[en]t Dated xxviith of March 1632 were sworne

and Charged by the then Steward of the Mannor of Spondon to enquire of certayne

heigh wayes so pyesed to be enclosed or stopped w[it]hin the said Mannor in certayne places

Called Brunswood and Goodwayth leys and of Cortayne Comon grounds lyinge

Disporsedly w[it]hin the said Mannor Did as there to mmoved and enclosed by the wayes any

Duidents of aged men present and syned Containing the said heigh wayes & Comon

grounde to the assort Contayned in the said Courte Roll for more Certaynty

wherecan he as foureth him selfe there to

(24) To the xxiiiith Inter[ogatory] he sayth that the farmers of the kinges lands in Chaddesden

Being w[it]hin the parish and Mannor of Spondon have all the tyme of this Depon[en]ts

remembrance bene owners or farmers of other lands besides the kings lands there

and have had Comon wi[t]hout stint in the fields there and other Comonable places

but whether in uspect of the said kings lands or of the other lands this Depon[en]t

knoweth not,

John Johnson of Spondon in the County of Derby yeoman aged Lx six years or

there abouts sworne and examined.

1 To the first Interr[ogatory] this Depon[en]t sayrg that he Doth for the most p[ar]t know the Mannor or Lordship

Of Spondon in the County of Derby, handings so knowne the same by the fyard of fourty years

last past and Doth know a p[a]cell of ground there called by the name of Spondon waste

10 To the tenth Interr[ogatory] this Depon[en]t sayth that hee beinge a freeholder in Spondon hath heard to ford in

kight thereof had seaven beast gates in the said ground called Spondon waste, but of later

tymes the said Inhabitants have Drauond the said ground to half the stint in regard it was

surcharaed, and that the same payed for every beast so depastured there a penny to the kinges

Behind for the tyme beinge, but this Depon[en]t sayth that he now hast any lease graunt or forme

of years of the said beast pastures or any ptd thereofh from anyone, not heard that any other have hais

The same beinge couceined to be p[ar]te of his freehold

11 To the xith Interr[ogatory] this Depon[en]t sayth that the yearly rent that this Dep[one]nt payeth to his Ma[ges]ttees

Baylines for his beast gates in the said Spondon waste is seven pence, pay[e]d at or about

Witsontide yearly to the waste keends noho gathered the same, and (as this Depon[en]t conceineth

pay it on to the kinges use, and sayth that the said wast[e] keends Did so gather the said kent

for the said pasture by agreement of the said Inhabitants of Spondon amongst themselves as

this Depon[en]t takes yt

14 To the xiiiith Interr[ogatory] this Depon[en]t sayth that Brunswood leys and Goodwych leys by all the tyme

of this Depon[en]ts remembtrance have layen open to the arrable field called Brooke field in Spondon

and bene used and Daton in Comon by the freeholders tenants and poore Costiers there noth their

cattle together with the said field upon harsost hath bene insess, untill the said field hath bene

sowen againe with Corne & lay[e]d pow all, until of late years that the said Brunswood and

Goodwych leys were enclosed from the said field and that he rorgly thinkes that one

William Bonnit late servant to the Right ho[near]ble Earle of Chesterfield was p[ar]tly the cause

of theire so enclosinge, and sayth that surch of the Inhabitants of Spondon as clayme any

right or interest in the said Goodwych & Brunswood have enclosed the same and so also

that to his best knowledge the poore Cottiers of Spondon ever since the said enclosures of the said

Grounde have bene Debarred of theire Comon there, but whether the kinge or his farmer

or any other for him gave comfort to the enclosure of the said grounds, this Depon[en]t knoweth not

And he likewise sayth that there is one heigh way leadinge through Brunswood & Goodwhych

leyes, and as he hath heard a ley of Comon land lying in Brunswood.

(18) To the xviiith Interr[ogatory] this Depon[en]t sayth that Thom[as] Hollingsworth one of the Deffendants of kinge

this Depon[en]t what he give towards the mayntenance of this suite this Depon[en]t answered

him he would give nothinge, for he had given his land to his sonn & it concerned his sonne

& not him neither in tenth hath this Depon[en]t contibruted any thinge to this suite nor knowenly

what any other Do contribute to his suite, nor have the same is raised or lowyerd.

(22) To the xxiith Interr[ogatory] he Deposeth not.

(32) To the xxxiith Interr[ogatory] this Depon[en]t sayth that he is Closer to John Taylor one of the Defendants

Dwelleth in Spondon aforesaid & doth as yet occupy enjoy some p[ar]t of his freehol[d]e there

where uppon he himself.

William Corop formerly Sworne in the Deffen[e]ts part nowe on the plaintiffs part.

(1) To the first Interr[ogatory] he sayth that he knoweth the Mannor or Lor[dshi]p of Spondon and hath soe knowne the same

by the space of three score years or thereabouts by all with tyme he hath bene a Dweller w[it]hin Spondon

aforesaid

(2) To the second Interr[ogatory] this Depon[en]t saith he well knowes the arable fields in Spondon Called Brooke

field as alsoe Goodwhych leys and Brunswood leys lying w[it]hin the said Mannor adjoining unto the

said Brooke Field having soe known the same by all the tyme of this Depon[en]ts remembrance and that the

said Brunswood and Goodwych leys were usually eaten w[it]hin the said Brooke field in the fallowe year

before the[y] were enclosed and with the said field upon it was sowen w[it]h corne after the same was cut and

carried away and that the Inhabitants of Spondon aswell Cottagers as others have used to put theire

Cattle into the said Brunswood and Goodwych leys w[it]out any stint until the same were enclosed, and

he also sayth that the said Goodwych and Brunswood leys were enclosed by Numb[e]rs of the Inhabitants

of Spondon but knoweth not howe longe it is since the same were enclosed and sayth that the poore

Cottegers there have beene Debarred of their Comon w[it]hin the said Brunswood and Goodwych leys since

the same were enclosed.

(15) To the xvth Interr[ogatory] this Depon[en]t sayth that all the tyme of this Depon[en]t remembrance there hath been

a Common baulke lying w[it]hin Brunswood leys where poore people have teathered and keept their

kynd untill the said grounds were enclosed and sayth that the said Comon baulke lyeth upon the

brooke field between Goodwhych and Brunswood and that there is a Comon ley lying at Silmarch

baulke end in brooke fielde and he like wise sayth that the grounde lying by the brooke along from

brooke field gate to or near into neather lockoe lane end have beene all the tyme of this Depon[en]t

w[it]hin remembrance used as Common grounde for the poore cottygers to teather their kynd upon, untill the same

was enclosed but this Depon[en]t sayth that he doth not knowe that the same is Comon ground, and

he further sayth that the press of grounde called Dalleyseech lying in Brunswood afore said hath

allways been used as wast[e] ground but whether the same be wast[e] or not this Depon[en]t knoweth not,

and sayth that he this Depon[en]t hath keept a Cowe upon the said Comon peece in the sumers tyme any

hath seene others Doe the like

(17) To the xviith Interr[ogatory] this Depon[en]t sayth that the tyme of this Depon[en]t rememberence there a

peece of land in Brook field Called pyke hades w[hic]h hath been and tethered as other the said common

peeses have have been in the Townes by me and that a great p[ar]te of the said Pike hades is plowed or

encroached to sev[er]all acres land ends that butt their upon twenty yeards in length or there abouts

but the names of those who have encroached upon the said Pike hades he remembers not

John Lossell of Spondon in the County of Derby labourer aged 50tie years or there abouts sworne

and examined

1. To the first Interr[ogatory] he saith that he well knows the Mannor of Spondon as being there borne and hath end

Since Dwelt there and knoweth a p[ar]cell of grounde there Called Spondon Waste

1. To the fifth Interr[ogatory] this Depon[en]t sayth that he hath himselfe kept a Cowe and some Cottiers and other

pore men of Spondon by sufferance and good will of the freehoulders of Spondon teather and keepe

their Cattle upon the Comon grounde there leading from Brook feyld gate to Lockoe lane end

but Doth not remember any mans name other than his own that hath soe kept them there and saith

that the Cottyers and other pore people of Spondon Do not now putt in any Cattle into Brunswood

and Godwych nor have beene Doone by the houce of xxtie years last past or there abouts to this Depon[en]ts

knowledge and further to this Interr[ogatoy] Deposes not

1. To the xiiith Interr[ogatory] he saith That about three or four years since he this Depon[en]t Did one Day grubb

There in Spondon waste aforesaid and had five pence for his Dayes worke but who then set him on work

3

pay[e]d him his wages or to whose use to there were Consent this Depon[en]t remembereth not how be it

that in grubbing the said thorne he did breake the soyle of the said waste and he further sayth that about

the tyme aforesaid he this Depon[en]t and one Henry Richard Did by the appointment of one Thomas

Widowson pay[e]d them either xviii d or xx d for their paynes

14 To the fourteenth Interr[ogatory] this Depon[en]t saith That Brunswood Leys and Goodwych Leys by ?

of this Depon[en]ts rememberence till of late years that the same were enclosed ?only last year?

and beene eaten and used in Comon w[I]th Brook field by the Cattle of ?

and pore Cottiers of Spondon aforesaid when herest hath been med till he saye further

been sowen or kept sev[er]all againe and further to this Interr[ogatory] Deposeth not

27 To the twenty seventh Interr[ogatory] this Depon[en]t sayth that the poorare kept out as to said

Brunswood Leys and Goodwych leys ever since they were enclosed & sayth that the same are

now wysled w[I]th Cattle but whether they give any allowance to the Cottyers this Depon[en]t

knoweth not

Henry Dickans of Spondon in the County of Derby labourer aged 58 years or there

Abouts sworne and examined

1 To the first Interr[ogatory] he saith that he knoweth the Mannor or Lord[shi]p of Spondon in the County of

Derby as being there borne and hath known the same from his Child hood, and knoweth a p[ar]cel

of ground there Called by the name of Spondon wast[e]

13 To the xiiith Interr[ogatory] he sayth that about thirte years since Thomas Hollingworth John Taylor

John Carrington together w[it]h one Robert Moirigh and some other of the Inhabitants of Spondon

whose names he now remembreth not Did hire this Depon[en]t Richard Robinson Thomas and some

others whose names he now & remembereth to grubb up thornes then growing upon the said

wast[e] and sayth that they accordingly grubbed thornes there Duds Days but now remembereth

not how many and sayth that they had Ditch five pence a Day and some thornes for theire

wages and this maynely thornes were to have beene sould to have pay[e]d others for grubbing

more thornes there but the most of them were stolene and Carried away before they were pule

and sayth they were forbidd on soe to grubb thornes thereby the Dovigll and his farme Mr Thomas

Gilbert where w[it]h this Depon[en]t acquinteing the neighbours of Spondon they bad this Depon[en]t to

god on and they would mayntayne them in pl and sayth that in grubbing up the said thornes

they Did broake the sayle of the said Spondon Wast[e] and he further sayth that about the tyme

aforesaid he this Depon[en]t and one John Russell as hyered by Thomas Widdowson and soe cutt

Downe and Square an Oake then growing upon the said Wast[e] to lay and the further brook for a pooke

passage, and that the said Widdowson pay[e]d them xx pence for theire said labour & he had all the?

Chipps and Fall of the said tree.

14 To the xiiiith Interr[ogatory] this Depon[en]t sayth that Brunswood leys and Goodwych leys have by all the

tyme of this Depon[en]ts remembrance till aboute ten or eleven years last past that they were enclosed leyen

open to Spondon arable fielde fallow Brooke fielde and have by all the tyme aforesaid benefits

and eaten in Comon by the Cattle of the freehoulders tennents and poore Cottiers of Spondon aforesaid

w[ith]in the said Brooke fielde upon harness hath beene inned till the said hath been sowen and lay[e]d sev[er]all

again and he further sayeth to his best remembrance William Bennet Deceased late servant to the Earl

of Chesterfeilde was the Cheife Cause of the said enclosure and other of the freehoulders of Spondon

icyual w[i]th him therein and this Depon[en]t sayth that he heard the said Bennet then express himself yt

the poore of the said towne should not be hindered nor wronged by such the said enclosures soe servd

should be Surimsted with iurst for there Cattle therein offer the rate of five shillings one noble

a beast but this Depon[en]t sayth he pay[e]d ix s for ixit of a beast there the first or second joyst Day after

they were soe enclosed and and further they have been at x s a beast soe that the soo that the poor who have

no grounde w[ith]in the same are hindered there by and saith that he never paid that either the king or

any of the farmers were consentinge to such said enclosures and alsoe saith that there are two

ways enclosed w[ith]in the said enclosures one of them a[n] unusuall heigh way and theker by Comon report

of other men hath been used for away and that by Comon and Creddible report there is some

press of ground lying by the brooke sideshutting upon Brunswood w[hic]h is Comon or

ground and likewise that there a Comon baulke Called Sillimart baulke y[e]t adjoyne[ing]

Brunswood Leys and lyeth in the brook field.

27 To the 27th Interr[ogatory] he sayth that the said Brunswood leys and Goodwych Leys were before the tyme

of this Depon[en]ts remembrance enclosed on the East weast & North part and some p[art]

South w[it]h two or three smale pyngles, and that the said Inhabitants of Spondon when they soe

enclosed the said grounds as aforesaid Did onely supply the Dessent on the South part and he

further sayth that the Comon baulk Called fillemast baulke Doth lye in Brooke field in terming had

amongst other mens lands and the other poore w[hic]h by Comon report not Comon ground by other

in the bottome of Brunswood intermixt w[ith]in the same and not enclosed or sev[er]all And futher

sayth that the freehoulders and Inhabitants of Spondon not have any lands w[ith]in Goodwich &

Brunswood aforesaid have had the benefit there of to themselves one p rota and kept out all others

and further to this Interr[ogatory] he Doth not Depose.

Gratian Taylor of Spondon in the County of Derby yeom[an] aged 79 years or there abouts

sworne & examined

1 To the first Interr[ogatory] he saith that he knoweth the manor or L[ordship] of Spondon having p known the same

by the space of three score and tenn years or there abouts being there bro[o]d & borne

2 To the second Interr[ogatory] he saith that he well knoweth the arable fields in Spondon Called brook field &

Doth allsoe knowe the ground or leys w[ith]in the L[ordshi]p of Spondon adjoyning the said brooke field

Comonly called Goodwych Leys and Brunswood Leys, having for knowen the same by all the tyme

of his remembrance & sayth y[e] by all the tyme afore said the said grounds called Good[wych] [Leys] [and]

Brunswood Leys have used to be taken as Comon w[it]h the said Brooke field in the fallow year

& soe fore as the said Brook field hath beene sowne w[it]h Corne when harvest hath been med until

about twelve years last past that the same were enclosed & he further saith that until such said

encloseres made as aforesaid the said Goodwych & Brunswood leys as Dui? other closures w[I]in the Lor[dshi]p of

Spondon p[ar]cell of the said Goodwich & Brunswood Leys w[hic]h w[I]thin the tyme of this Depon[en]ts

? the same been together w[I]th the said Goodwich leys & Brunswood Leys eaten in comon

? to tymes of the year & y[e]t the poor people of Spondon have ever since such said

? from such said Coming for their Cattle as aforesaid

10 To the xth Interr[ogatory] this Depon[en]t sayth that he is not tenant of Spondon Wast[e] in the Interr[ogatory]

mencioned or any part thereof but conteneth themselves to be a freehoulder w[ith]in the same & y[e]t he

this Depon[en]t and the other freehoulders w[ith]in Spondon w[hic]h have beat gates there pay a penny a beat

gate yearly for any beast gate they have belonging to theire said all farmers sixteen shillings or

seventeen shillings whereof is pay[e]d to the kings Bayliff but this Depon[en]t sayth y[e]t he Doth not challenge

any thinge w[ith]in the said Spondon Wast[e] by lease or grant from any man, but ass a freehoulder

w[ith]in Spondon as aforesaid

12 To the xiith Interr[ogatory] this Depon[en]t he sayth that he this Depon[en]t for his goto hath pay[e]d for his beast gates in the

Said Spondon wast[e] a pennie a beast gate for the soace of fiftie years last past or thereabouts, sowe y[e]t for tenn

years last past or thereabouts such freehoulders as have beast gates w[ith]in Spondon waste, have reduced

theire stintes there to half the p porcon of the ancient stint soe as now they pay two pence a beast gate

there and alsoe sayth that the said Spondon waste after that it was out eaten by the freehoulders and

theire Subtennants hath yearly lyen open by gaps & placs from about Markemas untill about

Candlemas after that the same gapps were made up againe, and the same hath been soe used by all the tymes

of this Depon[en]ts remembrance, but sayth that he now know it kept seadably at all tymes of the year

(20) To the xxth Interr[ogatory] he sayth that when he was a boy it was a Comon speech amongst the Inhabitants

of Spondon that a peece of grounde w[it]hin Spondon called Deysick was given to Spondon to keep

a town bull uppon but sayth he hath not seene, knowed, heard, or read any evidence or writings

concerning any lands given to the Church, town or Inhabitants of Spondon

(21) To the xxith Interr[ogatory] he sayth that he cannot in certayne pticulate nor number the sev[e]rall closes w[it]hin the manor of Spondon but very line thinks that they there are not lesse than foure score or a hundred Closes w[it]hin Borrowash

Spondon, & well remembers that all Spondon & Borrowash meadows lay open when this Depon[en]t was a

boy, and he also sayeth y[e]t he this Depon[en]t hath his owner occupacon two closes of w[it]hin the said Lor[dshi]p of

Spondon there where of was enclosed about sixtie years agoo & thether about thirtie years agoo

And sayth that Divers of thether enclosures have been made by dychauging and freehoulders with an

other or theire tenannts but sayth that he Doth not conceive that such enclosures were made by consert

of the kinge being lord of the mannor or any for him that this Depon[en]t and know of

(30) To the xxxth Interr[ogatory] this Depon[en]t saith that he hath heard it reported that the house & crosstie there unto adjoining

In Spondon aforesaid wherein Thos Widdowson now Dwelleth one Coppihould lands, & sayth that he Doth

not know of any consealed lands w[it]hin the manor of Spondon

(32) To the xxxiith Interr[ogatory] he sayth that he this Depon[en]t id father to John Taylor one of the Defendants, and is a freehoulder w[it]hin Spondon aforesaid but not of kindred to any other of the Defendants to his knowledge

(34) To the foure & thirtieth Interr[ogatory] he sayth that two by houserowd Doth eventually gather the kings rent for

Spondon waste where of this Depon[en]t hath once or twice been and who have soe gathered the same and that

they soe gathered the same by tenure, and sayth that for his part pay[e]d the same to outr Mr Rob[er]t Newton being then the late Queenes Bayliffe for the said manor of Spondon & further to this Interr[ogatory] Deposeth not,

William Lockoe of Ilkeston formily sworne & examined on the Defend[e]nts p[ar]te

now sworne & examined on the Counpl[ainen]ts part

(1) To the first Interr[ogatory] he sayth that he knoweth not all the Lord[shi]p or manor of Spondon but the most part thereof, and

that he was borne in Spondon & there up brought untill he was about twelve years of age but since then

hath Dwelt in Dqtmor and Ilkeston & other places four or five miles Distant from here

(12) To the xiith Interr[ogatory] he sayth that he well remembers that Brunswood leys have lyen open for the Winter

season

he is not of any kyndred or any allyence to any of the Defendants that he

this Depon[en]t knoweth of but sayth y[e]t John Lockoe a freehoulder of Spondon is his nephew

John Stanley of Spondon in the County of Derby labourer aged foure score years

and upwards sworne & examined saith

(1) To the first Interr[ogatory] he sayth that he knoweth the manor or Lords[hip] of Spondon in the County of Derby as

being there bread & boarne & Earting lived there all his life tyme

(2) To the second Interr[ogatory] he sayeth that he well knoweth Spondon arable fields called Brooke field, and knoweth

the pounds in Spondon adjoined to the said field & called Brunswood Leys & Goodwych Leys having for knowne

the same by all the tyme of his remembrance and sayth y[e]t swoprne this Depon[en]t could remember they nodded

unenclosed & open the said Brooke fielde was fallow they were eaten as Comon & upon the field was sowen with

Corne they were sow[e]d all, and eaten in Comon upon their corne was cutt & carryed away and he further sayth

that untill aboute eight or tenn years since that the said grounds were enclosed the Inhabitants of Spondon

as well Cottagers as others Did osr to put in their Cattell w[it]out any stintinto the sayd Goodwych Leys and

Brunswood Leys {Burhand borne berried Lord of Mari since Sushsuped inclosed} did he likewise sayth that form[er]ly there were not past said or sied mcadoy w[it]hin Spondon

as aforesaid & now there is above thirtie and that he the better knoweth the principles to be true for y[e]t he hath beene

fourtie years the pinder of Spondon

3) To the third Interr[ogatory] he sayth that there are cootager hades or ground w[hic]h all the tyme of this Depon[en]ts remembrance

until they were enclosed now eaten no Comon also is this Depon[en]t Doth not believe they were Comon lying w[ith]in the said

Brunswood & Goodwich by the brooke side – that entereth from the Brook field gate to or near Lockoe lane end –

(4)

given & he further sayth that by Comon & Credible Mepoo the there are in either of the said grounds called Goodwich & Brunswood

ley of ground w[hic]h hath gone to the Clerk keep of Spondon for or towards his wages and that there is another peece

in Brunswood lying after the water side called Dillysich w[hic]h hath been used & eaten as Comon ground but Doth lie as a hades

to the lands ends & two other peces of ground of the same nature in Brooke field and called Fillimark balke and theth calla)

Allesbray Baulk

5) To the fifth Interr[ogatory] he sayth that he hath knowen the husband men cottigers & other the poore Inhabitants of Spondon

Keepe their Cattl upon the said grounds and sayth that the Cottyers & other people had nothing to Do w[ith]in the

Goodwych Leys and Brunswood Since th[e]y were enclosed and further to this Interr[ogatory] Deposeth not

(6) To the sixth Interr[ogatory] he sayth That there have w[ith]in the tyme of this Depon[en]ts remembrance beene tenn severall closes

taken in out of Brunswood Leys viz one of John Carringtons two of Richard Knowles two of John Clemshuwod

one of Thomas Hollingsworths another of Thomas Bowes one of Eliz[abe]th Carringtons one of Richard Theacles of Chaddesden

another of John Walkers & another close of Thom[as] Wrights, and that there is alsoe a close called the Rough Close

nooke, w[hic]h hereto sore was used as Comon & nowe is eaten as w[hic]h severall closes aforesaid have been taken

in aboute fourtie years since except one of the said ellone l hawes & another of the said John Carringtons w[hic]h have

been taken in but aboute twelve or sixteen years since

(17) To the xviith Interr[ogatory] he sayth that there is a peece of ground lying in Spondon Brooke field called the

pike fields w[hic]h all the tyme of this Depon[en]ts remembrance hath beene used & eaten as Comon ground & that a gate

thereof is plowed away by such w[hic]h use laws Doe abutt there upon and sayth that there is allsoe a Comon baulke called

Lowsygrave baulk in the said field w[hic]h begins at Brunswood gate & comes up w[ith]in a lands length of

Spondon towne but knoweth not where they are that one soe plowed uppon the said pike hades

(21) To the xxith Interr[ogatory] he saith that there are many closes w[ith]in the said manor & L[or]d[shi]p of Spondon & as soe

rerily thinks above a hundred

(26) To the xxvith Interr[ogatory] he sayth that some of the said hegdges w[hic]h have been eaten as common lying by the brook

fields sides as afore sayd Doe lye enclosed some w[ith]in the said John Carringtons close some in

Richard Knowles close some in Thomas Hollingswoths Close some in [Thomas] Bowes close & some in Eliz[abeth] Carringtons

Close, & sayth y[e]t one such Close who tooke in the said Eli[abeth] Carringtons] Close Did call the Leathes of some

that had teathered their horses in the ground eaten as Comon ground w[ith]in the said Close before it was

enclosed & after that, they Lorbeare to tether their said horses & then he enclosed the said Close

(28) To the xxviiith Interr[ogatory] he saith that he well knows a ground in Spondon Called Spondon waste w[hi]ch

Lyeth adjoyneing on the East p[ar]t to Spondon more & on the west to Brunswood & in the North &

south sides enclosed w[hic]h other mens closes talen in before this Depon[en]ts remembrance

Raph Coop form[er]ly sworne on the Defend[en]ts p[ar]te now on the

pl[an]tiffs p[ar]te saith

(32) To the xxxiith Interr[ogatory] he sayth that he is not of any kindred or alliance to the said Defend[en]ts or any of them but consenteth

that he Doth Dwell in Chaddesden being a member of Spondon albeit he Doth not clayme any

thinge w[ith]in the Lor[dshi]p of Spondon

Thomas Wright of Spondon in the County of Derby husbandman aged fourtie years

or there abouts sworne and examined

(1) To the first Interr[ogatory] he saith that he knoweth the mannor Lor[dshi]p of Spondon in the County of Derby having for

Knowne the same by all the tyme of this Depon[en]ts remembrance as being there bourne & brought up and Doth

alsoe know a p[ar]cell of ground there called Spondon waste

2 To the second Interr[ogatory] he sayth that he well knoweth the arable field in Spondon called Brooke fielde,

And likewise knoweth certayne grounds or leys, adjoyning to the said ground commonly called Goodwich leys &

Brunswood Leys lyinge w[ith]in the mannor or Lor[dshi]p of Spondon aforesaid having soe knowen the same about

thirtie years last past and he further saith that the said Goodwich Leys & Brunswood Leys have by all

the tyme of this Depon[en]ts remembrance (untill such tyme as the same were taken in w[hic]h was about xii

years since, used to be eaten in common) with the said Brooke fielde in the fallow year & upon the said

Brooke fielde hath been sowen with corne, then after harvest hath beene Inned & that the Inhabitants of Spondon

as well Cottagers as othershave used at the tymes aforesaid to putt their cattell on the said Brunswood and

Goodwich leys without any stint y[et] impounding or intoruption untill they were soe enclosed as afore sayd And

he likewise sayth that in his concuieing one William Bennet Deceased was the cause of the said enclosing

of the said Brunswood & Goodwich Leys and that the Cottagers and others the Inhabitants of Spondon have

since they were soe enclosed beene kept from Comoning & upon the said Brunswood & Goodwich Leys

(5) To the vth Interr[ogatory] he sayth that this Depon[en]t hath keept & seene other cottiers keepe cattell upon the hades called

Common ground lyinge within Goodwich & Brunswood aforesaid a longe by the brooke side from the place leading from called

Brooke fielde gate onto Lockcoe lane end and saith that the cottiers are of late barred from eating of the said

comon grounde by the enclosing of the said Brunswood & Goodwich as also by two enclosures one enclosed by

one Cleren Shawe and an other by one John Carrington and further saith that he hath heard by comon & credible

reporte that the Jurures in the Courte of the mannor of Spondon layed a payme that if any of the pore cottiers of

Spondon Did put any cattell into Brunswood or Goodwich Leys they shoud be amercyed

(7) To the 7th Interr[ogatory] he sayth there is a peece of comon grounde lying beyonde or neew Brunswood leys called

by the name of Brunswood Rough close nooke late in this Depon[en]ts occupacon nowe in the occupacon of one Richard

Knowles and that he this Depon[en]t Did take the said Rough Close nooke of the towne of Spondon by theire generall

consent under the Rent of twenty shillings p[er] ann[um] & for the space of three or four years pay[e]d such said rent such the

Churchwardens to the churchwardens of Spondon for the tyme being and of later tymes yet there of to the peysie

keeper of the said town of Spondon & the rest of the townes use & sayth that he this Depon[en]t soe farmed the

said close by the space of tenn or eleven years together

(8) To the eighth Interr[ogatory] he saith that to his nowe best remembrance Mr Byrch late vicar of Spondon

Deceaced Did enclose the said Rough Close Nooke about twentie years agoe and that the Inhabitants

of Spondon have received the rents & psitte there of and since untill about two or three years last past and

that they Did suffer the said close to lye open & be eaten in comon one year since the compl[ain]t made by the

there unto and saith that one Elizabeth Carrington farmed the said Close before he this Depon[en]t hold the same

and as he takes it for the yearly rent of xx s[hillings] payable unto or to the use of the towne of Spondon and

sayth that he this Depon[en]t when he soe farmed the said rough Close Did pay x s[hillings] p[ar]te of the rent for the

said close to the peyse keeper of Spondon by the appointment of the said Inhabitants of Spondon and

sayth that one Richard Knowles Doth not nowe hath the said close under the said towne of Spondon & in lui

there of keeps a bastard Child for the said towne

9 To the nineth Interr[ogatory] he sayth that he this Depon[en]t w[i]th others as namely Francis Cockayne gen[eral] William Score and there John Dockcoes & others whose names he now remembreth not were about March was twe[n]tie

moneths sworne & appoynted by the then Steward of the mowing of Spondon for setting forth of herge

wayes and other peeces of Comon Ground in Brunswood & Goodwich & alsoe w[e]r[e wh[ere] they p[er]formed upon

evidence to them given accordingly for now cevtayatie where of he this Depon[en]t referreth sinse use to the

Courte Rowle there of now showed unto him at the tyme of his examination

16) To the sixteenth Interr[ogatory] he sayth he cannot Depose otherwise than he hath Deposed to the eight p[re]seeding

Interrogatory

32) To the xxxiith Interr[ogatory] this Depon[en]t he sayth that he is a freeholder & cottager in Spondon aforesaid and is cosen

Jurman to John Carrington one of the Defend[an]ts

Richard Woodhouse of Spondon in the County of Derby basket maker aged

three score years or there abouts sworne & examined

1 To the first Interr[ogatory] he saith that he knoweth the mannor or Lor[shi]p of Spondon for the most parte and hath

Dwelt w[I]thin the same by the space of fouty years last past or there abouts and Doth alsoe knowe grounde

there called Spondon Waste

10 & xi)To the tenth & eleventh Interr[ogatory] he sayth that he this Depon[en]t is tenant at will unto Richard

Taudem of Spondon in the County of Derby yeom[an] of a messuage in Spondon and looles acares of

lande or there abouts in right where of he hath five stints or beast gates upon Spondon Waste aforesaid and

payth a peney a stint or beast gate for eidy the said five stints or beast gates w[hic]h is yearly pay[e]d to the now

comp[lainan]t Mr Gilbert as baliffe unto or challingeinge the same in the Right of the Kinge matie and saith

that he Doth not conceive that he this Depon[en]t payeth any encloase of rent for such said beast pastures other

than a penny a peece and saith that the said penny a beast gate is usually yearly pay[e]d to the waste

nenor at witsuntide when they put in their beastes with the said Spondon Waste and that he this Depon[en]t

Hath Pay[e]d the same accordingly by the space of xxii years last past and further sayth that encein

the said towne this Depon[en]t was by tome hoasamse one of the waste reenes for gathering the paswm

of Spondon waste & payed xvii s[hillings], 4 d or there abouts to Mr Gilbert the Comp[lainan]t

(5)

(12) To the xiith Interr[ogatory] he saith That he now know the said ground called Spondon Waste two was Comon

with any parte of winter sules by change some gapps were broken into the second by passing

and further or more to this Interr[ogatory] he Doth not Depose

(14) To the xiiiith Interrr[ogatory] he sayth That he this Depon[en]t hath not given any money towards this side

in question nor hath been offered any money moiker hath been there abouts of to work not

Comonbuke there unto nor know of any that Doth or Doe contribute there unto neither knowest

If any assey soe made by may therefore

(32) To the xxxiith Interr[ogatory] this Depon[en]t sayth that he is not of any kindred or alliance to the most or

any of the Defendants but sayth that he is a Dweller in Spondon & claymeth some Interest

therein by use of his said tenancy there

(33) To the xxxiiith Interr[ogatory] he sayth that the worke or rental of Spondon Waste now showed

and rent unto him at the tyme of his this Deponts examination is as he verily beleiveth

the same noth or leatall by w[hi]ch the Rem of the fore said Spondon Waste was or is gathised

Thomas Widdowson of Spondon [in] the County of Derby yeom[an] aged 64 years

or there abouts sworne and examined

1) To the first Interr[ogatory] he sayth that he knoweth the mannor or Lo[dshi]p of Spondon as being there borne and

Since there lined and hath knowen the same by all the tyme of his remembrance and

Alsoe knowe a certayne ground there called Spondon Waste

2) To the second Interr[ogatory] he saith he well knows the arable field in Spondon called Brooke field and

Goodwich Leys & Brunswood Leys there unto adjoyninge all thinge w[it]hin the mannor or Lords[hip]

of Spondon having knowene the same by the space of fiftie years last past or there abouts

and sayth that the said Leys called Brunswood Leys & Goodwich Leys have by all the tyme [of]

this Depon[en]ts remembrance (untill about eleven or twelve years since that the same was

enclosed) been used to be eaten in Comon with the said Brooke fielde in the f*allo*w year

when and as often as the said Brook field hath been sowen with corne (when harvest hath

beene inned untill it was sowen again) untill the said enclosures and he further sayth that the Inhabitants of Spondon

in generall as well cottagers as others untill such said enclosures were made have put their cattle

onto the said Brunswood & Goodwich Leys w[it]th out any stint ympounding or interupcon and sayth

that in this Depon[en]ts understanding one Mr Willi[a]m Bennett Deceased was the cheife cause of the said

enclosures and that the pore Cottyers of Spondon who had more alwas haits within the ts Goodwich

leys and Brunswood leys have and since such said enclosures of them beene barred from Comoning

there in

3) To the third Interr[ogatory] he sayth that there is a certyn peece of ground formerly called Comon ground

Lying in Brunswood & Goodwich Leys on either side the brooke leading from Brooke field gate unto

Or neare Lockoe lane end w[hic]h said ground hath for the space of fiftie years & untill about twelve years

last past been eaten as Comon ground and he alsoe sayth that there are five little pingles lying

near unto Lockoe lane end w[hic]h have of the Comon Ground lying w[I]thin them and the nonrs of

such said pingles have beene andtyed in the Courte of the mannor last for of Spondon for enclosing there

& haidbrns there payed to cast them open by a limited tyme and sayth that there is an other half are

lying in the middest of Brunswood w[hic]h is commonly called comon grounde and he hath knowen

the same to used & eaten

5 To the fifth Interr[ogatory] he sayth that he hath knowen Dids pay[e]d cotticny and other the Inhabitants

of Spondon keepe & tether cattell upon the said Comon ground lying w[it]hin Goodwich &

Brunswood by the brooke sides from Brooke field gate were unto Lockoe lane end or the

Close more in the occupacon of William Drakelowe, albeit this virily beleiveth in his

coustience that the said hades suffered to be eaten as comon did uncreadibly belonge to enty more

lands abutting upon the same and that the pore Inhabitants were suffered to eat them as

now they are suffered to eate other hades in other fields and he further sayth that he this Depon[en]t

one of the Jury at the countie held for the mannor of Spondon in October xxth year

of his stake on Jier late raigne upon a peaine of five ponds was land that now showeth put about their

Stint into the said Brunswood & Goodwich leys

6 To the sixth Interr[ogatory] this Depon[en]t sayth That there have beene taken in from of Brunswood &

Goodwich Leys of late years these Closes following uoiz one close in the tenure of John Carrington

an other in the tenure of James Olevenshace an other in the tenure of Richard Knowels and an other

in the tenure of Eliz Carrington and an other in the tenure of Thomas Bowes and that there are

other enclosures anciently taken in from of the said Brunswood and Goodwich viz one close in the

tenure of John Carrington an other in the tenure of John Noakes three Closes others

in the tenure of Richard Knowles and in the tenure of John Widdowson an other in the tenance of

Thomas Tomlinson an other in the tenure of Gracian Taylor an other in the tenance of James Osmaston

and an other in the tenure of John Hildsardson and that say said last mentioned enclosures are imoited

with ground called Spondon waste on one p[ar]te and w[hic]h the said enclosures the other three peices

7 To the viith Interr[ogatory] he sayth that there is a peece of Comon ground called by the name of Rough close

thiro rough close on the further side of Brunswood, late in the occupacon of Thomas Wright of

Spondon aforesaid who tooke & farmed the same of the Inhabitants of Spondon for the yearly rent

of twenty shillings payable to the said Inhabitants of there, parte thereof to the pease keep and the cross was

as there used to other used for the said towne and that the said wright soe held the same for Duids years’ but you

this Depon[en]t now renteth not

? ninth Interr[ogatory] he saith that one Mr Birch late curate of Spondon Deceased Did enclose the

? rook by the consent of the Inhabitants of Spondon above seventie years since

? the said enclosures the said Inhabitants have recoynded the rent and &fith thereof some that the last year but one the said

? tenants Did eate the same in comon and this laste yeare of all they have coualted it to the mayntenanteof a bastard

spire the said pish and sayth the rent of the said close is xx s[hillings] p[er] ann[umm]

9 To the ninth Interr[ogatory] he saith That he this Depon[en]t was one that was of a Jury hath for the mannor of Spondon

about the xxviith day of March 1632 at w[hic]h tyme the then Steward have? Them in charge to set forth heigh wayes & the

yeares of Comon ground lying open Brunswood & Goodwich leyes w[hic]h they accordingly Did formuti detainty there man?

What they plented this Depon[en]t whereth hunge also onto the said Court Role now showed & roddn unto him at the tyme

of his examination

10 & 11 To the tenth & eleventh Interr[ogatorie]s w[hic]h in the said grounds called Spondon waste & payeth five pence yearly for the same and saith that he houldedyd

for on and sayth that he bought three of the said stints amonst wher[e] lands for of Mr Braknork of Spondon and an

other two he hath in the right of his wife and saith that he this Depon[en]t useth to pay the rent for the said stints at

w[hic]h its ontil when they put in theire cattell into the said waste and sayth that he this Depon[en]t & others have use idy

pay[e]d the said rent onto the waste Bedues of the mannor of Spondon who gathered the same and paid it to the kings

Bayliffes and further sayth that the last yeare but one this Depon[en]t was one of the waste Lanes for gathering

the rent of the said waste w[hic]h when he had gathered the it brought soe much thereof as was Did Duk Mr Gilbert

the Comptt who Did re fuse to receive the same and also sayth that he this Depon[en]t hath for the space of thie

sixie yeares last past or there abouts pay[e]d his rent for the said five stints & for thether two the hrut leame pay

into the kings lay lise for his Masuse tyme out of minde as this Depon[en]t hath gredibly heard and that the he gathering

his waste Rent hath beene by agreem[en]t of the freehoulders of Spondon amongst themselves by houcsrowd

12 To the xiith Interr[ogatory] he sayth that the said Spondon waste hath lyen open unto the Comon called Spondon

more & Brunswood leys Diids years about Michaelmas tyme untill towards Candlemas follwinge until now

of late aboute tenn or eleven years since that Brunswood was enclosed since w[hic]h tyme it hath been kept in

severalty

13 To the xiiith Interr[ogatory] he saith that three years since this Depon[en]t being outseer of Spondon waste and findinge that

there was a want of a bridg[e] for passeing up and the brooke in Goodwich & Brunswood he this Depon[en]t Did in the Church

yard of Spondon now the Inhabitants thereof for there to make a bridg[e] on the said Bridge w[hic]h was Donn accordingly

where upon this Depon[en]t w[i]th such consent Did appoint Willi[a]m Coup & John Bossell two pore men to nit Downe wrote

Dreyed unto trey them standing upon Spondon waste aforesaid to make the said Bridge w[hic]h was donn accordingly

by them & this Depon[en]t pay[e]d them for such theire paynes in falling squaring and making the said Bridge twentie

pence and sayth that about three years since some pore men of Spondon were suffered in the winter tyme by the

freeholders of Spondon to grubb thornes in Spondon waste for there own benefit and beleiveth that the said

poore men Did soe grubb thornes there by the space of two or three days untill they were phibited by the Compl[ain]t

Mr Gilbert since w[hic]h tyme there hath beene none grabbed and sayth that such said pore men Did breake the soyle

of the said waste by such said Grubbage

14 To the xiiiith Interr[ogatory] he saith That Brunswood leys & Goodwich leys by all the tyme of this Depon[en]ts remembrance

have lyen open to the arable field in Spondon called Brooke field and beene used and eaten in Comon by the

Cattle of the freehoulders tenants & pore Cottyers there w[i]th the said field when hereof[i]t hath beene used yearly

untill about the same field hath beene again soiren and kept findall untill about eleven or twelve years

last past that the said Brunswood & Goodwich were enclosed about w[hic]h tyme the said Inhabitants of Spondon who

have interest therein Did inclose the same and saith since such said enclosure the pore Cottigers of Spondon

aforesaid have had noe Comoninge there and he alsoe saith that he Doth not know that the kinge or any of his

farming have had any right wi[th]in the said grounds and therefore Doth not thinke that their consent was Deserted

thereto and he like wise saith that there are two or three heigh ways leading out Brunswood & Goodwich leys w[hic]h

the said Inhabitants of Spondon have enclosed as alled certayne Comon ground for both w[hic]h they have beene

amcyed as formly this Depon[en]t hath express himself

14 To the xvth Interr[ogator] he saith that a peece or p[ar]cele of Comon ground called Dally seech lying on or near Brunswood

afore said hath all the tyme of this Depon[en]ts remembrance been used as Comon ground until about eleven or

twelve years since that the same was enclosed and that he this Depon[en]t and Dith pore Cotyers & other the Inhabitants of Spondon

aforesaid have kept & tyed their Cattle upon the said Comon ground to their pleasing and further or more

to this Interr[ogatory] Deposeth not otherwise then he hath form[er]ly Deposeth not otherwise than he hath formely Deposeth

17 To the seventeenth Interr[ogatory] he saith that a peece of grounde lying in Brooke field called Pike hadeshath by all the tyme

of this Depon[en]ts remembrance beene eaten as Comon at tosamble? tymes albeit this Depon[en]t rerly beleiveth in

his conscience that the said hades are not comon but belongeth unto the severall lands abutting upon theme in

any of w[hic]h this Depon[en]t claymeth no interest and saith that a greater parte of such said hades one lowed away

by such whose lands Doe abutt upon them where by this Depon[en]t Doth not concoined they had Don any wrong in

such plowing in regard the hades are as well conceived to be theire owine as the said plowed lands and further or more

to this Interr[ogatory] he Deposeth not

18 To the xviiith Interr[ogatory] this Depon[en]t saith that he this Depon[en]t was asled by John Taylor and John Carrington

(6)

of the certenty to tyme in contribucion to the mentayning of Comon Siute against the compl[ain]t w[hic]h this

Depon[en]t refused to Doe and saith that he hath heard that Duids of the Inhabitants of Spondon doe coutcite?

therein but after what rate or associn they tax themselves this Depon[en]t knoweth not or further Deposeth to

this Interr[ogatory]

20 To the xxth Interr[ogatory] he Deposeth not

21 To the xxith Interr[ogatory] he saith that he Doth not knowe how many enclosures there now are w[ith]in the mannor

Spondon but saith that there are many closes w[hic]h of late years have beene taken in

w[ith]in the mannor of Spondon and Divides of them out of Brooke field where he this Depon[en]t hath enclosed [the]

same p[ar]te of an half, acre to make him a watering place to his close called Wigger there & sayeth

that such said enclosures as have beene made w[ith]in the mannor of Spondon During the tyme of the

Deponents remembrance have for the most part been so made by exchange of lands are freehoulders w[i]th another and

w[hic]h other mews tenants but Doth not thinke that the kings beinge Lord of the said

mannor of any for him gave consent to such sayth enclosures or was or were recquired there

22 To the xxiith Interr[ogatory] he sayth that such in Spondon who have so enclosed their land there

as aforesaid and hold them in senalty Do soll keepe as great a stint of sheepe horses or

cattle in the fielde and waste and comon grounds in Spondon afore said and farming they

Did whereby other thereine poore neighbours farme the waste

26 To the xxvith Interr[ogatory] he cannot Depose otherwise than to the predent Interrogatories he hath

Deposed

27 To the xxviith Interr[ogatory] he sayth that all the Comon or waste ground lyinge in Brunswood

and goodwych leys is not enclosed or taken in senalby from other mens grounds but on

adjoining onto them & further sayth that the said waste ground lyinge by the Brooke

now Brookfield gate is not enclosed from Thom[as] Hollingsworths & other mens lands

but lyeth inter mixed and that since the enclosinge thereof out of a ringe hedge the have enjoyed

the said lands and taken many of other men for joybeinge theire cattle in the said ground and

further to this Interrogatory desposeth not than firm by he hath Deposed

28 To the xxviiith Interr[ogatory] he sayth he sayth he knoweth the peece of ground called Spondon

waste within the mannor of Spondon adjoininge to Spondon more on the East & Brunswood

Leys on the west and that the said waste is inclosed north and south with other mens lands

29 To the xxixth Interr[ogatory] he sayth that he was one of the Jurors amongst others at a Court

held for the said mannor of Spondon for the late king James about Stprill in the xiiiith

yeare of his heighnesse Raigne of England when one Robt Knowles beinge in the then pcedent winter

Scanted of fodder where in noth to succoure his cattle Did for that purpose cutt or cropp some bonggs

or from the wood upon Spondon Waste was untyred for so Doinge albeit inhabitants con=

ceined the said woods were theire anone

1. To the xxxth Interr[ogatory] he sayth that he this Depon[en]t hath a horse w[I]thin a Croft and back ide in Spondon

w[hic]h is copyhold land for w[hic]h he payeth to the kinge twenty pence yearly and further to this

he Despososth not

1. To the xxxiith Interr[ogatory] he sayth that he this Depon[en]t is aCoppyholder freeholder and an Inhabitant w[I]thin

Spondon aforesaid as before he hath appointed himself and sayth that Thomas Hollingsworth one of the

Deff[en]d[an]ts marries this Depon[en]ts kin freeman and that John Carrington another of the Deff[en]d[an]ts is consent to this

Depon[en]t

34 To the xxxiiiith Interr[ogatory] he sayth that he this Depon[en]t hath bene twice washe keene for the town of

Spondon w[hic]h came to hind by swind on houscause and gathered the rent for the said Spondon

waste and that the first yeare he so collected the sint Rent he payed seventeene shillings sixpence

there of me Thomas Gilbert the Compl[ainan]t and three shillings four pence another p[ar]te of the waste

Rent to the Earle of Chesterfield officers for the said Earles use but he last tyme this Depon[en]t

was the waste keene there he this Depon[en]t would have pay[e]d the 1d rent when he had gathered

y[e]t to mt Tomas Gilbert the Compl[ainen]t but he refused to certeine it as he hath formly I[m]posed

but this Deponent pay[e]d three Shillings four pence out of the said waste Rent to meHenry

Gilbert his sonne as due to him by purchase from the said Earle who reconised the same

and as to the note as Rentall now showed unto him he being illitarate co[m]pose there

to unto nor charge his memory therewith

Hamond Noble of Derby in the county of Derby gent aged fifty years or

there abouts sworne and examined

30 To the xxxth Interr[ogatory] he sayth that about the years 1629 & 1630 he this Depon[en]t was requested

by intr[oduction] Thomas Gilbert the now conpl[ainen]t to keepe Courte for the Mannor of Spondon & Chaddesden

as Stendere for him the said Mr Gilbertand sayth that he this Depon[en]t Did accordingly keepe

two sev[er]all Courts for him and that the Courte Roules written on paper now showed unto him

at the tyme of his examination the one containeinge two sheets of paper and thether containeinge seven

sheets or there abouts are the Roules and escouls of the said Courts with this Depon[en]t Did so keepe

for the said mannor and are of his this Depon[en]ts onome have writinge as also his name thereunto

soe Scribed

John Lockeoe of Spondon called John of the gate in the County of Derby yeoman

aged three score years or there abouts Sworne and examined

1 To the first Interr[ogatory] he sayth that he well knoweth the Mannor or Lor[dshi]p of Spondon in the

County of Derby as beinge there borne and did since dwelt there and he also knoweth

a ground there called Spondon waste

2 To the second Interr[ogatory] he sayth that he well knoweth the arable field in Spondon called Brooke

field and certaine grounds or leys thereunto adjoyninge called Goodwich and Brunswood Leys

wi[th]in the mannor aforesaid hamerrigie so knowne all and every the farms by the space of fourty

years last past and that the said leys called Brunswood & Goodwych leyes have all the tyme of this

Depon[en]ts remembrance (untill the[y] were enclosed) been eaten [as] comom w[hic]h the said Brooke field in the

fallow yeare and when the said brooke field was sowen with corne then after harvest was inned

untill the same was somer againe, and he further sayth that the Inhabitants of Spondon aforesaid

aswell Cottyers of as others used in the comonable tymes of the yeare to put all their cattle

into the said Brunswood and Goodwych Leys untill the same were enclosed w[hic]h was about tenn

or twelve years since as he couceinath and he also sayth that one William Bennett for any thinge

he knoweth was the first moower of the enclosinge thereof and that the poore cottygers there

have and since been Debarred from any comon wi[th]in the said grounds

5 To the fift[h] Interr[ogatory] he sayth that he this Depon[en]t hath beene Dividers of the Inhabitants of

Spondon aforesaid teather and keepe cattle uppon the ground in the Interr[ogatory] mentioned w[hich]

ot let or interruptions but he cannot say that the same is common ground and he further

sayth that the poore cottyers of Spondon have all beene Debarred of Comon for their cattle

there ever since they were enclosed & further here to Desposeth not

9 To the ixth Interr[ogatory] he sayth that he this Depon[en]t amonst others was unparnelled of a Jury

at a Court held for the mannor of Spondon about the month of March 1632 and

appointed by the then Steward of the said Court for the setting forth of heigh ways and

other peeces of common grounde uppon Brunswood and Goodwych leys aforesaid and was to the

names of jury common ground peiculor given to to this Depon[en]t & others in enclose he

refereth himself to the Court Rolls and [the] verdict then by him and then given the said

Court Rolls beinge non showed unto him this Depon[en]t at the tyme of his examination

10 To the tenth Interr[ogatory] he sayth that he this Depon[en]t holdeth eight beast gates or stints

upon the said Spondon waste for which he payth yearly a penny a beast gate or

stint and conceines the same to be his xxer inheritance and therefore needless that here

should have lease teene or other takinge thereof neither hath he any such

11 To the xith Interr[ogatory] he sayth that he this Depon[en]t payth eight pence yearly aboute

whitsontide for his stints and said Spondon Waste and sayth that the same hath usually

bene gathered by the waste keens and pay[e]d by them to his Matis Baliffe of the said Mann[or] for

the tyme beinge and further sayth that he this Depon[en]t hath pay[e]d such said rent for his

stint ever since he hath had such said estate

12 To the xiith Interr[ogatory] he sayth that the said stinted rent of eight pence hath bene pay[e]d

by this Depon[en]t and his son for the said waste rent for the space of about thity years

past and sayth that the said Spondon waste hath Dindrs years lyen open to the Comon

called Spondon more and Brunswood leys from about Michaelmas untill about Candlemass

followinge untill about xii years last past and that since that tyme it hath lyen open in winter

betwixt Martlemas and Christmas but sayth the ancient asije thereof hath bene to lye open in the

winter season from aboute Michaelmas until Candlemas

14 To the fourteenth Interr[ogatory] he sayth That Brunswood Leyes and Goodwych Leyes have all the

tyme of this Depon[en]ts remembrance (untill they were so enclosed) as aforesaid lyen open to

Brook field in Spondon aforesaid all the year when the same was fallow and bene of ten

eaten in Comon by the Cattle of the freeholders tenants and poore cottyers there and at

other tymes when harvest have bene gott and inned untill the same were sowen againe and

sayth that the said Brunswood and Goodwych were se enclosed by such the Inhabitants in Spondon

as had land therein or nast or most of them about twelve or fourteene years last past of

this Depon[en]t takes at since w[hic]h tyme the Cottyers and poore of Spondon have not Comon

and kept theire cattle there as formerly they have used to doe

17 To the seventeenth Interr[ogatory] he sayth That the p[ar]cell of ground lyinge in Spondon

Brooke field called Pike hades hath bene used and eaten as comon all the tyme of this

Depon[en]ts remembrance and that Diners poore cottyers and inhabitants of Spondon have kept and

teathered their cattle there and sayth that a greate part of the said hades is of late years

plowed away by those who have lands shootetinge uppon the same but by whose he cannot

p[ar]ticulate

20 To the xxth Interr[ogatory] he Deposeth not

23 To the xxiiith Interr[ogatory] he sayth That he hath Served at a Court booke holden for the mannor of

Spondon and thinketh that Thomas Hollingworth & John Carrington have form[er]ly in amongst

tyme Donne the like service

27 To the xxviith Interr[ogatory] he sayth that the peece of common lyinge in Brunswood and Goodwhych

Leys lye intermixed with other mens lands as formerly they did and not enclosed or severall from

Brunswood aforesaid and further sayth that the Comon ground by the brooke is now Brooke

field gate is not enclosed from Thomas Hollingsworths and other mens lands there but lyeth

Intermixed w[i]th other mens lands as form[er]ly it Did and that the said Brunswood and Goodwych leys w[hic]h

7

w[i]th all the severall p[ar]celles of waste and common ground w[ith]in them were taken in and enclosed w[I]th

ringe hedge or fence by the inhabitants od Spondon about twelve years since as taken

since w[hic]h tyme the Inclosures of the plaintiffs have enjoyed the same and no poore have had

Doe therein except for their money and further to this interrogatory Deposeth not

28 To the xxiiith Interr[ogatory] he sayth that he knoweth the ground in Spondon called

waste w[hic]h doth lye adjoininge to the moore called Spondon Moore on the Easte Brunswood

leys on the waste & is a losed or anyroned north and south w[i]th other mens closes

29 To the xxixth Interr[ogatory] he sayth that hievtry by thinteth he was a Juror amongst other at

Court held for the mannor of Spondon about the month of April Decims ?grant ?patobi

when as Lord Knowles in the interr[ogatory] mencioned was amoied for cuttinge of Rough brower

wood in Spondon waste aforesaid for succoringe of his Cattle in winter for more saine to

whereof he referreth himself to the Court Rolle arons showed unto him at the tyme of his

examination

32 To the xxxiith Interr[ogatory] he sayth that hee is of Kindred to John Carrington one of [the Defendants]

and is a freeholder and inhabitor of Spondon aforesaid

34 To the xxxiiith Interr[ogatory] he sayth that to the best remembrance he for his parte rise?

waste keene of Spondon or Collected the Rent in the Interrogatory mencioned any

fore cannot thereto further Depose

John Whitley of Lockoe servant to the Compl[anin]t Thom[as] Gilbert aged thirty

three years or there abouts Sworne and examined Deposeth & sayth

13 To the xiiith Interr[ogatory] he sayth that he about threeyears agoo attended his said master Rent

Spondon waste & they there found Lyenary vicars John Ronneth and one Noaton grubbing

thornes upon the said waste who affirmed that they were appointed so to doe by Hollingworth

Carrington and Taylor in the Interr[ogatory] named they then acknowlidging that they hath then

so grubbed by the space of three dayes and this Depon[en]t sayth that by such theire said

grubbinge they brake the soyle of the said waste ground and sayth that he this Depon[en]t

heard his p master admonish the said p[er]sons that they should Desist their said grubbing

and afterwarde sent back this Depon[en]t to forbid them to grubb any more w[hic]h hee did

accordingly and further thereto he Deposeth not

19 To the xixth Interrogatory] he saythnthat he this Depon[en]t about Martlemas was twelve months

and after harvest gott Did keepe one hundred of the plte in Gilberts sheepe by his comand

uppon the Comon ground in Goodwych and Brunswood by the brooke side now the Brook field

Gate and that here then and there so keepinge the same the Def[e]n[dan]ts Thom[as] Hollingworth

John Carrington John Taylor and Thomas Noaton came unto him & by force and strong hand

tooke such said sheepe out of his custody and keepinge and drove them to Chaddesden pound

where they impounded them through a dirty lane w[hic]h was not the necosca or usual way the

same pound the said sheepe were much soyled and hurt by the said drift in which

pound the said sheep remained untill a reployn was tethered

33 To the xxxiiith Interr[ogatory] he sayth that the Def[e]n[d]ant Thomas Hollingsworth is a man who hath

of late raysed many troubles and variances in Spondon amongst his Neghbours & verily

thinketh that he was the cause that these suites were raised for that William Hollingsworth

sonne of the said Thomas before that Mr Gilberts sheepe were so ympounded as aforesaid

tould this Depon[en]t that they would first ympound them at Spondon and afterwards drive

them to pound fix[e]d tymes soe far and further here to Deposeth not

Tho Knyriton

Jo Osborne

Ric Brandreth

Robert Hare

Edward Barton of Dreacott in the Countie of Derby husbandman aged two score and sixteene

or there abouts sworne & examined

To the xxith Interr[ogatory] he sayth that as for these enclosures within the Lords[hip] of Spondon betwixt the Lord[shi]p of

Chaddesden and Tickcardess? Heard they were enclosed before the tyme of this Depon[en]ts remembrance but saith

that all the other enclosures in Spondon aforesaid w[hic]h are many from Tickardell heard unto the town of

Borrowashe and from Tickcadell afroresaid to Clstordall as alsoe most of the said those closes below the rode way

betwixt Nottingham and Derby towards Derwent were taken in w[i]thin the tyme of this Depon[en]ts remembrance

some lately and some more anciently cpane that a close of Mr Bracknocts lying by the rode from Derby to

Nottingham at Burrowe towne and were enclosed before beyond the tyme of this Depon[en]ts remembrance

that he Doth not knowe the number either of the closes enclosed before the tyme of this Depon[en]ts remembrance

now the number of the Closes taken in since the tyme of this Depon[en]ts remembrance albeit of he this Depon[en]t

had beene there unto Called open were thereof by him taken he coulde have Distinguished & sett forth the

ancient enclosures from the latter

William Jordaine of Kegworth in the Countie Leicester gent aged sixtie

and five years or there abouts Sworne and examined

35 To the xxxvth Interr[ogatory] he sayth that he this Depon[en]t is a practised Surveyer and so

hath been by the space of fourty years last past or there abouts, and that hees as thereto

Directed by the Compl[ainan]ts now comisioners by vertice of his heigh wasse Commission out

of this noble Court to them Directed Did begin to survey the Lordship and wastes

of Spondon Spondon Moore and other p[ar]celles and the bounds or limits thereof

in September last and hath continued in so doinge untill the foure and twentyth

of this Instant october in seasonable and comodey out tymes as the same were showed

and pointed out unto him as the plott now by him Delivered in will manefest and

that the Rolator Mr Gilbert Did twice send unto the Inhabitants of Spondon when

this suite concends to assist this Depon[en]t the said Service and to show him the limits

metts and boundaries thereof but none of them came to assist him therein informeth as

the Rolator himself rode with this Depon[en]t and showed un[to] him the said fields and wastes and

Comons and bounds thereof but was not with him when he cheaned or measured any

p[ar]t of the said Lords[hi]p and sayth that he was assisted and Directed in his so surveyinge

and measuringe of the pmifs by Richard Vallons Robbie Sadler Francis Bott and

Mr Phillip Gilbert, and that the said plott so by him p[re]sented to the Comissions

as aforesaid for so much thereof as was by him cheaned the same is exactly donne

accordinge to the best of his date? judgment and skill But sayth that he being

interrupted in the cheaneinge of the pinsses? by two Inhabitants of Spondon

called Will[ia]m Hollingsworth and Francis Bcecknock sone? one such his said cheaneing

soone after and p[er]formed the rest by beinie? and paceinge and he also sayth that the

parts he so measured by the cheane as aforesaid were these, vzt: Spondon Moore

the kinges waste or Spondon Waste Brunswood Leyes and Brunswood closes

Goodwych Leys and Goodwych closesthe brooke field w[hic]h the circumference thereof

But Brookfield Closes the field next Derby the field next to Burrowash were donne

and p[er]formed by verae and pacainge only albeit get cannot be so absolutely exact

as that w[hic]h was cheaned yet in this Depon[en]ts judgement and skill it is sussin out to

Demonsteetes the limitts bounds and numbers of closes contained in them and away

of them and that in his couse of makinge such said plott and survey he hath

Dealt plainely and squarely to the best of his knowledge accordinge to the said plotts

enclosed and subscribed by the said Comon ssiones w[hic]h he humbly prayeth he may

w[hic]h the favore of this honyrable Court p[re]pare and put into collers as in such cases

hath bene accustomed haveinge bene hitherto scaitemed of tyme that could

not doe the same

Tho[mas] Knyorton

Jo[seph] Osborne

Ric[hard] Brandreth

8

16 Item doe you know a piece of ground called the Rough Close nook now Inclosed (lying next unto a Wood of the pl[ain]t[I]fs

in the occupation of Mr John Byrch late Vicar of Spondon deceased and since his death in the occupation of Tho[ma]s Wright

of Spondon What yearly Rent did the said Mr Byrch and Tho[ma]s Wright or other of them pay the same unto the constables

of Spondon fot their times being or to whom also and to whose use did they pay the same And was not the said ground called

Rough Close Nook parcell of Brunswood as aforesaid before it was so inclosed And Who hath or doth since

said ground

17 Item is not a peece of ground lyinge in the Brook field of Spondon called Pike hades common ground And have not divers sooce

people and cottiers fed to bethen or eate the same with their cattle by all the time of your remembrance common ground at

such times as the same was comonable And is not the great part of the said hades now Incroached upon and plowed away

by those who have lands shooting upon the same Name those men that have their lands shooting on the said lar hades

which have soe Incroached with their ploughes and how farre in length they have soe Incroached or plowed upon the said

hades within the time of your remembrance And what you have heard and believe in your conseince concerning the

same

18 It[e]m What money for other thinge and how much have you given or profered to give toward maintenance of the sute

now in question against the plof, And who did move you soe to doe and or there eaten you if you would not, And who else

by name doth contribute or promise to contribute, And by what seffament or rate are you taxed for such payment or

Contribution

19 It[e]m did you keepe the sheepe of the pl[ain]tif[f] on the ground lyinge by the brooke side neare to the brooke side gate in

Goodwich and Brunswood at such time as Tho[ma]s Hollingsworth John Carrington John Taylor and one Noton came

thither unto you and tooke them from thence from you and did drive them to the pinfold, And was it not after

harvest, and the Corne Was Inned in the Brooke field in Spondon

1. It[e]m What Evidence or Writings have you knowen seen or heard read, which mentioned or Concerned any land s & what by name given

to any use or uses to the Church or Towne or Inhabitants of Spondon, And who hath read the same And who had them

or hath them now in keepinge, And were they not or some of them taken out of the Cofer or Chest Standinge

in Spondon Church, declare what you know, thinke or have credibly heard

21 It[e]m how manie Inclosures doe you know are now within the Mannor of Spondon, And how in any of them doe you hold

in your occupation, And how long is it since they were soe Inclosed, And are not the said closes most or all of them

soe taken in by exchanging of lands, one freeholder with another, and with other mens tenants, And did the kinge

Being Lord of the Mannor or any other for him give consent to such Inclosures or any of them

22 It[e]m have not and doe not the freeholders and farmers [of] Spondon that have soe Inclosed their lands and keepe them in

severalty ejstitt; keeps their stocks of sheepe horses and cattle in the arable fields and wastes and common grounds

as formerly they did where by their poore neighbours are much appreciate

23 Have not you divers times seene John Carrington and Tho[ma]s Hollingworth with others the Inhabitants of Spondon

serve as Jurors at the Court held for the Mannor of Spondon and have not you sometimes served of the same Jurye

with them declare what you know

24 It[e]m have not the Tenants of the kings Demesnes or lands within the Mannor had and used Com[o]n for their

horses and cattle in the arable fields and wastes and other Comonable places within the Mannor as other freeholders

and farmers there have had crosed, wether the truthe

25 It[e]m were you Steward or Deputy Steward for the Mannor of Spondon for the time being at such time and times when

these Courts mentioned in these Court Roles now showed unto you were held in and for the Mannor of Spondon And

is not your name subscribed under the said Court Roles, and Esttreytes of your owne handwritinge or by your appontment

soe subscribed

26 It[e]m is there not the some of the waste or Com[o]n ground by the brooke side on brunswood taken in and Inclosed into a

Closes of John Carringtons, and a close in the occupation of James Olerenshawe, and in some other Closes shooting

upon the brooke there, that divideth Brunswood Leas from Goodwich Leas, and how many closes shootinge upon

the said brooke are there, that have some of the Com[o]n or Waste grounds in them whereon divers poore men have

long since kepte their kine And who by name doe now hold the said closes and com[o]n groundes in severalty

27 It[e]m are all the peeces of Com[o]n grounds or Waste groundes lying on Brunswood and Goodwich Leas hedged and

taken in in severaltie from other mens groundes that lye adjoyninge unto them as other men have Inclosed their

lands there, And is the Waste or com[o]n groundby the brooke side neere the brooke field gate inclosed from Tho[ma]s

Hollingsworth or other mens lands, there; or lyeth Intermixed among other mens lands there; And were not

the said Brunswood and Goodwich Leas with all the severall peeces of Waste and Com[o]n ground lying within them

taken in and Inclosed with a ringe hedge by the Inhabitants of Spondon about ten or twelve years last past

Since which time have they not enjoyed the said Waste groundes, and kept out the poore, And taken money

for the said Waste groundes together with their owne landes there, by laistinge? of beastes there and converting

the monie for Joytinge the said Cattle to their owne use

28 It[e]m doe you know the ground within the Mannor of Spondon called the kinges Waste or Spondon Waste

Or the Waste, And doth not the said Waste lye adjoyninge to the great moore commonly called Spondon

Moore on the East, and adjoyninge to the foresaid Brunswood Leas on the West, and is not the said Waste

now Inclosed on the North and South side with other mens closes and hedges

29 It[e]m were you one of the Jurye (among others) at the Court held for the kinge for his Mannor of Spondon the

third day of April in the fourteenth yeer of king James over England when Rosst Knowles was

amechied? For cutting wood in the aforesaid Waste for the feedinge of his beasts in Winter

30 It[e]m What coppieholdlandes doe you know or have heard are within the Mannor of Spondon And

who holdeth the same, And what lands doe you knowe or have heard that are concealed within the said

Mannor and whose occupation are they now in, Except old & able? The four sath? their time? crbor? Coaback

Or butter for now or yet Can

31 It[e]m Was Henry Clarke deceased Tenant to the kinges lands in Spondon for many yeers which now the pl[ain]t[i]f[f] hath in his occuptation

And hath not the said Henry Clarke theaked? cattell and sheepe on the com[mo]n and fields of Spondon asother

farmers had; declare your knowledge

32 It[e]m are you not of kindred or neere alliance to most or some of the Def[enden]ts and which of them by name

And doe you not dwell within the Mannor of Spondon or clayme some title or Interest in the same

33 It[e]m Is not Tom[as] Hollingworth aforesaid a man that hath raysed many troubles and varience in Spondon and

his neighbours, And hath caused such suites and troubles in Spondon as were not before her twice raysed

34 It[e]m have you gathered the kinges Rent of the Waste of Spondon how many yeeres have you gathered the same

And who appointed you soe to gather the said Rent and Whom did you pay the same and is not this not this note or

Rentall now showed unto you the note or Rentall by which you gathered the same rent of the kinges Waste

Declare your whole knowledge and what you can further say to this Interregatorye

35 It[e]m Whether are you a practised surveyer, If yea, Whether have you lately and when surveyed or set forth

the boundaryes of the said Mannor of Spondon, and the Wastes there of, or part or such part and soe much thereof

And what is or are the Extents contents and abbuttalls thereof, or of such part or such part and soe much thereof

And by whom were you directed or Assisted therein, And Whether is the survey or plotte now by you delivered

To the Comissioners, a true surveye and plotte to the best of your art and skill;

36 It[e]m What other matter or thinge doe [you] knowe that may bee anayleable to the pl[ain]t[i]f[f] in this suite declare your knowledge

Tho[ma]s Knyvston

Jos[eph] Osborne

Robert House

Ric[hard] Brandreth

Interrogatories to be administered to witnesses to be

Produced on y[e] & part and behalfe of S[i]r Edward Mosely

kn[igh]t his Maj[ast]is Atturney Generall of his highness Dutchy

of Lancaster, by or Relation of Tho[ma]s Gilbert Esq[uire]s Compl[ainan]t

Against Tho[ma]s Hollingsworth John Carrington John Taylor

Tho[ma]s Norton and other Def[endan]ts

Imprimis doe you know the Mannor or Lordship of Spondon in the Countie of Derbie and how long have you know the same or

dwelt in the said Mannor or Lordship And doe you know a parcell of ground there commonly called the kinges

Waste or Spondon Waste;

2 It[e]m doe you know the Arable field in Spondon Comonly called or knowne by the name of Goodwich Leas or Brunswood

Leas within the said Mannor or Lordship of Spondon, And how long have you knowen the same or any of them; Have not the said

Leas called Brunswood Leas and Goodwich Leas beene by all the time of your remembrance or have longe bene used to be eaten in com[mo]n

with the said Brooke field in the fallow yeere, And When the said Brooke field hath beene sowen with Corne

then after harvest hath been Inned, have not the Inhabitants of Spondon as well [as] Cottagers as others used to

put in their cattell into the said Brunswood and Goodwich Leas without any Impounding or Interruption

till about ten or twelve yeeres last past that the said Leas were Inclosed, And who inclosed or caused the said Leas

to be soe Inclosed, And have not the cottiers beene ever since the said Inclosinge is barred and kept from

the use of the said com[mo]n

3 It[e]m are there not some peeces of com[mo]n ground or Waste ground Inclosed lying within the said Brunswood and

Goodwich Leas lying by the Brookside that leadeth from the Brookefield gate or Brooke foard to or towards

Lockoe lane end, And what other peeces of com[mo]n ground or Waste ground are there upon Brunswood and Goodwich

Leas as you knowe and beleeve or have crediblye heard, or have beene soe accounted name the particular places

& names of such com[mo]n ground there

4 It[e]m Have not some of the Inhabitatants of Spondon and who by name stopped up and Inclosed with hedges and ditches the

Ancient Church highe Way leadinge over the said Goodwich Leas that the plaintiffe and his Ancestors have enjoyed

and used by all the memory of man from his house at Lockoe to Spondon Church, And have they not likewise

Inclosed in their severall said closes some of the com[mo]m ground at the Brooke side there, And who by name

now holde the same grounds & any at is the Exbush through!

5 It[e]m have you not kept or siene Cattell kepte by cottiers and other poore men upon the Com[o]n ground being within

Goodwich and Brunswood aforesaid lying by the Brooke side from the place called Brooke field gate leading unto

or neere Lockoe lane end or the close now in the occupation of William Drakelow Name What cottiers and

how many poore people you have siene keepe their kine on the said Com[o]n ground, And whether are not the poore

Cottiers now of late barred from eating the said Comon and by whom, And is there not a paine made by the Jurers

that a Court held for the Mannor of Spondon, that poore cottiers and those that have not lands within Goodwich

and Brunswood should bee amerred if they put any cattell there & how poore the Jurers that sth such said payor

6 It[e]m how manye closes are there now Inclosed or kept in severaltye upon the said Brunswood and Goodwich

Leas, And how long have they beene soe Inclosed and by whom by name, and who now holde the said closes

7 It[e]m is there not a peece of com[o]n ground lying in the said Brunswood Leas called by the name of Roughe Close

Nooke or lying at the Roughe Close Nooke end lately in the occupation of Thomas Wright of Spondon of whom

Did hee take the same or what yeerely Rent paid hee for the same, And did hee not pay the said Rent to the Inhabi

tants of Spondon or to their use and to what use, and by their appointm[en]t, And how long held hee the same close

8 It[e]m did not the Inhabitants of Spondon or some of their appointment or procurement

Inclose the said close called the Rough Close Nooke above twenty yeeres since, and have they not or some by their

appointm[en]t for them Receaved the Rents and profits of the said close ever since; Till about two or three yeeres last

past that the pl[aint]if did demand the Rent for the said close, And have not the Inhabitants since the pl[ain]tif

did demandes the said Rent; Let the said close lye open and bee eaten in Com[o]n, And how long is it since the said

Close was first Inclosed, And who were the Tenants thereof before the said Tho[ma]s Wright occupied the same, And what

Rents to the use of the towne of Spondon or the said close pay fifteene shillings (being part of the Rent of the said close) to the peese keeper of the fields

of Spondon and by whose appoyntm[en]t did you soe pay the same Declare the whole truth hereof

9 It[e]m were not you among others & where by name ympanneled of a Jurye at a Court held for the Mannor of Spondon the seven and

twentieth day of March in the yeere of our Lord god one thousand sixe hundred thirtye and two, appointed by the

Steward of the said Mannor of Spondon for the setting forth of highe waies and other peeces of com[o]n ground there

upon the said Brunswood and Goodwich Leas, What bee the names of the severall p[ar]cels of com[o]n ground there

that were then given in evidence unto you and the rest of the Jurye, upon oath And is not this verdict now showed

unto you; the verdicte you then found upon such your evidence Dotlaw the thruthe

10 It[e]m are you Tenant of a p[ar]cell of ground called the Waste or Spondon Waste or the kinges Waste in Spondon aforesaid

or any part thereof, And how much, And what Rent paid or porie? You yearely for the same, And what lease or terme of

yeeres or grant have you in the same, And who made the said lease terme or Grant

11 It[e]m What is the yeerely Rent Which you for your part pay for the said kinges Waste, And What times or fines or daies

in the yeere is your said Rent due to bee paid by your lease or Grant, And Whether doe you pay or have you paid

the same Rent to the king or his Bayliffe of the Mannor of Spondon aforesaid to his use at the said times accordingly

as it ought to be paid, And how many yeeres have you paid the same Rent xxerst the twiheall lasgue

and whether the king or his Bayliffe did appoynt you to soe gather the same;

12 It[e]m Whether have you paid the said Rent for your part aof the kinges waste twenty thirty or fourty yeeres last

Past which you now pay; Hath not the said waste laine open to the Com[o]n called Spondon Moore and Brunswood

Leas divers yeeres about Michaelmas time and most part of Winter till now of late yeeres, And how long is it

since it lay open in Winter, And how manie yeeres have you knowen the said Waste to have beene kept in

severall by all the times of the yeere

13 It[e]m did Thomas Hollingworth John Carrington and John Taylor (three of the Def[endan]ts) or armi of them about two or three yeeres last

past bid hire, or agree with you to grubbe up thornes in the said Waste aforesaid, or which of them, or who also by

name did soe bid or agree with you so to doe, And how many daies or how long time did you soe grubbe thornes in

the said Wastes and what Wages or money had you for the same, And who by name paide you the same wages, And did you not

them breake up the soyle of the said Waste by your soe grubbinge till you were forbidden by the pl[ain]t[i]f[f] or his servants

And who by name did grubbe thornes then here with you, And did you about the said time cut fell downe and square

The great oake then growinge in the said Waste, And who did then helpe you to cut the same tree, And had you

not twentye pence forcuttinge and squaringe the said Oake; And who hired you Soetodoe, And who paid you the

said monie for that labour, & where? have the said thornes for grubbed

14 It[e]m have not Brunswood Leas and Goodwich Leas by all the time of your remembrance laine open to the arable

Field called the Brooke field in Spondon and beene used and eaten in com[o]n (by Cattell of the freeholders, Tenants,

and poor Cottiers) with the said field When harvest hath beene Inned (till the same hath beene sowen with

corne and laid severall againe untill about ten or eleven yeeres last past, And who did soe Inclose the said

Brunswood and Goodwich from the Brookfield, and When was it soe inclosed; And have not the poore Cottiers

Beeneever since hindered and barred of the use of the com[o]n ground there, whichthey had before such Inclosure

and did the kinge or his farmer or any for him give consent to Inclose the same, And are are there not two or three

highe waies going over the said Brunswood and Goodwich which the Inhabitants of Spondon have soe Inclosed within

the same, And likewise divers perebs? of waste ground within the same;

15 It[e]m are there not divers pieces of comn waste and com[o]n pieces of grounds Inclosed within the said Brunswood and Goodwich

as by the Inhabitants of Spondon Whereon poore Cottiers have formerly by all the time of your remembrance use to

teather their kine, till about ten or eleven yeeres past that it was soe inclosed, Name the said places of Waste

Com[o]n ground or describe them how and where they lye Hath not that ground lying by the brooke along or in a

Place now called the Brook field gate to or very not neere onto nether Lockoe lane end beene accounted and used as Waste

And comon for the poore Cottiers to tye their kine upon, by all the time of your remembrance till it was

Soe inclosed as aforesaid Hath not a pees of ground Dallisitch lying in Brunswood aforesaid borne likewise

Accounted and used as waste or com[o]n ground as aforesaid And have you not kept or tied one cow on the said com[o]n

Peeces in the Sumer time And seene divers other poore people likewise doe soe

Richard Osborne of Ockebrooke in the Countie of Derby yeom[an] aged 51 years or there

abouts sworne & examined

(15) To the xvth Interr[ogatory] this Depon[en]t sayth that he well knoweth That by all the tyme of this Depon[en]ts

remembrance for 60 years & upwards he Defendents (except Norton) who is a pore man and the

freeholders in Spondon theire tenants & farmers & those whose estath the reectiuely now

have habue usually cut grubbed and got gorse upon Spondon More & gorse & their was upon

Spondon Waste or beaste pasture, at theire pleasure, to spend in their sev[er]all tenth in

Spondon aforesayd and alsoe sayth that by all the aforesaid tyme of his remembrance

there were & now are pits in the said Wastebut knoweth not who hath Digged or

scowered the said pits and he further saith that all or most p[ar]ts of the said grounds

called Spondon Waste now lyeth with ridge & raame and soe hath Domme by all the

tyme of this Depon[en]ts remembrance and likewise sayth that the said ground called

Spondon More is Comon to Spondon & Ockbrooke & the said ground called Spondon

Waste hath by the tyme of this Depon[en]ts remembrance hath beene reputed to belonge to

Spondon & the freeholders & theire tenants have had thie p[lain]tiffs thereof

(18) To the xviiith Interr[ogatory] this Depon[en]t sayth that he knoweth the said pie]ces of ground called

Spondon Waste and rongly beleeveth that they freeholders and tenants of Spondon, have

Eney of them Cortayne beast pastures within the sayd waste and that as this Depon[en]t Contenieth

the sayd beast gates are p[ar]cells of theire seiv[er]all tenants & freeholders and verily beleeveth

that the soyle of the said waste belongeth to the freeholders & tenants in Spondon as p[ar]cell

of theire sev[er]all tenants, and sayth that the said freeholders and tenants have by all the

tyme of this Depon[en]ts remembrance bene reputed owners of all the said waste

[Christ]Xpofer Collembell of Ockbrooke in the Counie of Derby yeom[an] aged 72 years

or there abouts sworne & examined

(1) To the first Interr[ogatory] this Depon[en]t sayth that he knoweth all the parties menconed in the

Interr[ogatory] and hath soe known them by the space of xx years or there abouts except Norton

whome he knoweth not

(2) To the second Interr[ogatory] this Depon[en]t sayth that he knoweth the Mannor or Lord[shi]p of Spondon

in the Countie of Derby & hath knowen the same by the space of 60 years last past

or there abouts but knoweth not that the same is p[ar]cell of the possession of Tutbury in

of the Dutchie of Lancaster or belonginge to the hono[ur] of Tutbury in the Countye

of Stafforde

(3) To the third Interr[ogatory] this Depon[en]t sayth that he knoweth not any lands in Spondon

Called the Domeane lands but he knoweth there are lands lyinge within the severall fields

of Spondon Called by the name of the Queenes lande in the Queenes Dayes & nowe

the kingesland in the kings dayes and that by common reporte Tho[mas] Gilbert ofqz the

relator nowe houlds the same

(4) To the fourth Interr[ogatory] this Depon[en]t sayth That one Henry Clarke late of Barrowashe

Deceased had the saidkings lands in occupacon but he doth not knowe that the said

Henry Clarke had right of comon upon the freeholders lands in Spondon aforesaid in

the right of the said kings or Queens lands

(5) To the fifth Interr[ogatory] this Depon[en]t sayth That he knoweth that the freeholders of Spondon

by all the tyme of this Depon[en]ts remembrance have used to have Comon of pasture for

themselves and theire farmers for all manner of Cattle kept upon their freehold

lands espectiuiely as well in such tyme of the yeare as the field by Comon as

from the tyme that the corne was cutt & carried away untill the same fields now

sowne againe & aswell in & thorough out the arable land of the volator found tyme

the kinges land as in & thorough all the Comon fields in Spondon aforesaid soe

large as they now uninclosed

(6) To the vith Interr[ogatory] this Depon[en]t saith that they freeholders of Spondon aforesaid

have usually taken in Closes out of the Comon fields of Spondon aforesayd at their

pleasure but whether all now they owne lands or same by exchange this Depon[en]t

knoweth not and sayth that not any other of the freeholders of Spondon aforesaid have

used to have Comon in the said Closes after they were soe enclosed

(11) To the xith Interr[ogatory] he saith that he this Depon[en]t nowe knowe that the relator before

he purchased his Math lands in Spondon in any other farmers of the last kinge said lands

in Spondon Did end use to put any Cattell in the open tyme into the said lands

called Goodwich & Brunswood or into any the Comon grounds or fields of Spondon

aforesaid in right of the said kinges lands & sayth that the freeholders & others in

Spondon Did (for any king he knoweth to the Contrary) agree that the said grounds

Called Goodwich & Brunswood should be enclosed to make them a beaste pasture

(15) To the xvth Interr[ogatory] this Depon[en]t saith that he Deffends (except Norton) and others the freeholders,

in Spondon aforesaid and those whose estates they nowe have theire farmers and tenants by

the tyme of this Depon[en]ts remembrance have usually cut and gotten gorse upon the ground called Spondon

Waste the piece of ground called Spondon Moore and thornes and gorse upon Spondon

Waste at their pleasures to spend upontheire severall tenants and that the said Depon[en]t about forty

years since Did get gorse and thornes upon the said grounds in the right his father used was then

a freeholder within Spondon aforesaid and alsoe saith that their was anciently awattering pitt

in the said waste w[hic]h the freeholders and inhabitants of Spondon aforesaid used to scover

and the[y] have Diged an other pitt for a watteringe place in the said waste at the nether end

of the sitt or shack and saith it is aboute three score years since ye knowe the first pitt

enclosed about twelve years since the other pitt was Diged as he now remembereth And

alsoe sayth that the said grounde cabial? the waste lyeth rigg and raigne except Shauks or such

laces as were untill for tallow? paid soe hath Done by all the tyme of this Depon[en]ts

remembrance and that ty[rip] of freeholders and tenants of Spondon have had the palcon

feedinge and p[ro]fitt of the said Ground called Spondon more and Spondon waste for

all the like tyme of this Depon[en]ts remembrance saiving the right of the inhabitants

Ockbrooke in the said ground called Spondon more

(7)

(8) To the eighth Interr[ogatory] he saith that he knoweth the ground called the waste in Spondon

aforesaid and that only the freeholders the[y] have Certayne beastes pastured with[I]n soe

waste and that in right of ? their Lor[dshi]p there fore ought this Depon[en]t knoweth to the Cort?

likewise that the soyle of [the] said waste belongeth to the freeholders in Spondon according

to the rate of their beast gates as parcell of their severall tenements neither Did appear?

there but that the freeholders [of] Spondon aforesaid were reputed the tenents of

said waste

James Ollershaw freeho[lder] sworne and examined on the relations part and now on

the Defend[an]ts part

(16) To the sixteenth Interr[ogatory] this Depon[en]t saith that the said Defend[an]ts Thomas Hollingsworth [John]

Carrington have by two years last past pay[e]d certayne mon[e]yes Henry Agard k[nigh]t or his

Deputy w[hic]h was Deman[e]d for their lands the horie in Spondon but knoweth not

What the farmes are in Certayne or whether it be for respite of homage or not And

further saith that about two years since the said S[I]r Henry Agards Deputie Demanded

about twentye years arrorages of the said payment for w[hic]h the said Defend[ant]s and this

Depon[en]t and others comepounded w[I]thin

(17) To the xviith Interr[ogatory] this Depon[en]t sayth That about twelve years since The said Thomas

Hollingsworth one of the Defend[an]ts beeing at a Court leet w[I]th the relater? held year looks for the Mannor of Spondon

and being there required by the Steward to serve at this Court by Barron did Denye to doe

serve at the said Court Barron untill the said Steward had passed his promise to him

that this soe Doeing should not paidite any of his right and upon that pro]mise he Did

then serve

Edward Newton of Chaddesden in the County of Derby yeoman aged three score

And two yeares or there abouts Sworne and examined

(1) To the first Interr[ogatory] he saith that he knoweth all the parties in the Interr[ogatory] named and

hath knowen some of them from their Childhood and the rest by all the tyme of his

remembrance except Noaton

(2) To the second Interr[ogatory] he sayth That he knoweth the Mannor or Lor[dshi]p of Spondon

in the County of Derby and hath knowen the same by the space of fifty years last past

or theire abouts and hath heard that the same was p[ar]cell of the possessions of the

Dutchy of Lancaster as belonginge to the Lor[dshi]p of Tutbury in the County of

Stafford

(4) To the fourth Interr[ogatory] he sayth that he knoweth noe such Domaane lands in Spondon

Interrogated and therefore cannot further Depose to this Interr[ogatory]

(5) To the fifth Interr[ogatory] this Depon[en]t sayth That the freeholders of Spondon aforesaid

by the space of fifty years last past or there abouts have usually had common of pasture

for themselves and their farmers for all their Cattle kepte upon theire freeholds

lands throughout the whole fields of Spondon aforesaid at all usuall & commonable

tymes of the yeare and never knowe or heard that it was other wise occupied there

for the space of 2 yeares last past

(6) To the sixth Interr[ogatory] this Depon[en]t saith that hee knoweth and hath seene the freehold &

of Spondon aforesaid take in and inclose Duls p[ar]cells of theire owne lands out of

the arable fields of Spondon and veryly beleiveth that it was at theire owne

wills and pleasurers and new heards to the countary and sayth that after such

enclosure they other freeholders have not used to have Comon in the said enclosures

but those said such? enclosed them have kept them in and Doe keepe them in seulally to

themselves for any thinge this Depon[en]t now knoweth to the Contrary

(7) To the seventh Interr[ogatory] this Depon[en]t sayth That hee knoweth Certayn Ley grounde

lyinge w[it]hin the Lor[dshi]p of Spondon called by the name of Brunswood and

Goodwich and sayth that the same grounds lye rigg and furrowe exeplinge

some shankes and places unfit for tillage and therefore this Depon[en]t verily

believeth that the have beene tilled and soven w[i]th corne, and this Depon[en]t hath

seene corne sowen upon some parte of that parcell of grounde called Goodwych

(18) To the xviiith Interr[ogatory] this Depon[en]t sayth that he well knoweth a grounde in

Spondon called the Waste and sayth that any of the freeholders in Spondon

aforesaid (as this Depon[en]t: hath credibly hearde) have beast gates there and every

one knoweth have many beast gates he hath there in and believeth that the said

beast pastures are parcel of theire sev[er]all tenements and that the soyle of the said

Waste belongeth to the said freeholders appouconably accordinge to the number of

theire beast gates, and sayth that they have ever been soe reputed owned thereof

by all the tyme of this Depon[en]ts remembrance

William Drakeley of Spondon in the County of Derby husbandman aged lxxxiiii

years or there abouts sworne and examined

1 To the first Interr[ogatory] he sayth That he knoweth all the p[ar]ties in the Interrogatory menconed

and hath so knowne them severally from theire Childhood

2 To the second Interr[ogatory] he sayth that he well knoweth the Mannor or Lordship of Spondon

in the County of Derby and hath so knowene the same by the space of seventy yeares last

past, but knoweth not whether the same p[ar]cell of the Dutchy of Lancaster belonginge

to the Lord[shi]p of Tutbury

3 To the third Interrogatory he sayth That there are two flats lyinge w[i]thin the

said Manner or Lordship of Spondon called or knowene by the name of the kings lands

or Domeans lands and sayth that one of the said flats lyeth in that field belonginge to

Scinderlands containinge by estimacon about three acres, and the other flatt lyeth in

Spondon Field called Brookfield lying towards Lockoe at a place called Lowsey

grave & containeth by estimacon seven acres or there abouts

4 To the fourth Interr[ogatory] this Depon[en]t sayth that he knows one Henry Lockoe & one Laurance

Taylor boy deceased now tennants to the said two flatts of the said Demeane lands & also

Henry Clark was tenant to one of the said flatts & one stiles & then the same came into the

? of Mr Gilbert (as this Depon[en]t now remembreth And also sayth that the said tennemants and other

?bitan? (exceptinge Mr Gilbert) have had comon of pastures in Spondon w[it]hout stints

?the Inhabitants of Spondon for those the lands they have held there

5 To the fifth Interr[ogatory] this Depon[en]t sayth That by all the tyme of this Depon[en]ts remembrance ye freeholders

of Spondon have used to have Comon of pasture for themselves and their farmers for all their cattle

respectively kept uppon theire said freehold lands as well in and throughout the arable lands of the pl[ainti]ffe

called the kings Domeane, as in and through all the Towne fields of Spondon aforesaid at all tymes of

the yeare so longe as they be unenclosed and the fields fallow or end cutt & carried away untill the

same fields were sowen againe, and further sayth that by all the tyme of this Depon[en]ts remembrance the

said freeholders have used to have common in and throughout all the fields of Spondon at commonable

tymes

6 To the sixth Interr[ogatory] this Depon[en]t sayth That the freeholders in Spondon have at theire wills and

pleasures used to take in and enclose their owne lands out of the comon arable fields in Spondon

aforesaid & sayth that after the same more so enclosed the other freeholders in Spondon aforesaid

have not used to have comon in the said enclosures

7 To the seventh Interr[ogatory] he sayth That he well knoweth the Ley grounds called Brunswood &

Goodwych lyinge w[it]hin th Lordship of Spondon and sayth that all the said grounds do lye Rigg

and furrow except some shankes or waste places unfitt for tillage, and it Doth mamefeitly

appeared that the same grounds have bene anciently tilled and sowen w[i]th Corne, and this Depon[en]t

sayth that he hath seen all or the most p[ar]te of Goodwich sowen w[i]th Corne, and also one flatt

in Brunswood Sowen w[i]th Corne

8 To the eighth Interr[ogatory] this Depon[en]t Sayth that hee rongly beleeveth that some of the freeholders in

Spondon do own their owne lands w[i]thin the said ley grounds called Goodwych & Brunswood

as belonginge to theire farmers & further to this Interr[ogatory] Deposeth not

9 To the ixth Interr[ogatory] this Depon[en]t sayth That heDoth know the half acre in Goodwych and the

Comon baulke or Comon ground in Brunswood, and the p[ar]cell of ground in Burrow field called

the Leysick, and also one peece heretofore p[ar]cell of the Brook field called Rough Close Nooke, and likewise

one peece w[it]hin the Meadows in Spondon called the Kirke Pyngle & sayth thathe hath knowne

the Inhabitants in Spondon poore men & others usually teather theire horses uppon the foresaid ground

(except the Church pyngle) by all the tyme of this Depon[en]ts remembrance, and have taken the[m] & fitts ?

thereof by all the tyme aforesaid

10 To the tenth Interr[ogatory] this Depon[en]t sayth he cannot certainly Depose

11 To the xith Interr[ogatory] this Depon[en]t sayth That he Doth not know that the Relator before he purchased

his maties Demeane lands in Spondon or any other of the kings farmers of his said Demeane lands

in Spondon [the] owner used to putt in cattle in the open tyme into the said grounds called Goodwych

& Brunswood, or into any of the Comon fields or grounds in Spondon in right of the s[ai]d Demdomes

and further sayth that he neeyly holeenth that the husbandmen in Spondon Did agree that the said

grounds called Goodwych & Brunswood should be enclosed and verly beleeveth that the Cottagers

Did likewise agree thereunto because they have a couse gate there for eleaven shillings from

Mayday untill Candlemas

12 To the twelveth Interr[ogatory] this Depon[en]t sayth that he Doth knowe the closes in the Lor[dshi]p of Spondon now belonging

To the Deffend[an]t Thomas Hollingworth and the lands therein viz two closes lying uppon Goodwich and one close

lying uppon Brunswood but knoweth not that the said Thomas Hollingworth and those under who but he

Claymeth haqe hold or enjoyed the same as theire freehold or in houctaurd

13 To the xiiith Interr[ogatory] this Depon[en]t sayth That he knoweth some closes that John Carrington the Deffen[dan]t houly in

Spondon viz one Close in Brunswood and another Close in Goodwych w[hic]h belongs to the said John Carrington

and one his owne freehold land as this Depon[en]t takes it w[hic]h Closes this Depon[en]t hath knowen enclosed by the space

of twelve years or there abouts

14 To the xiiiith Interr[ogatory] this Depon[ent] saith that he cannot certaynely Depose

15 To the xvth Interr[ogatory] this Depon[en]t saith that the Deffend[an]ts and other freeholders w[i]thin Spondon

aforesaid that the Deffend[an]ts and those estates they have and their farmers and tenants have usually by

all the tyme of this Depon[en]ts remembrance Out grubbed and gott gorse uppon Spondon More and gorse

and thornes upon Spondon Waste or beast pasture to spend in theire sev[er]all tennants in Spondon aforesaid and

further saith that he hath Scowered up pitts for watteringe places in both the grounds called Spondon More

and Spondon Waste and that he this Depon[en]t about twelve years since was hyard amongst others to Digg a

new pitt in the nether end of the ground Called Spondon Waste for a watteringe place for theire

Cattle and saith that the other pitts have beene used to be scowered by all the tyme of this Depon[en]ts remembrance

and sayth that the said ground called Spondon Waste hath by all this Depon[en]ts remembrance lyen rigg and

furrowe and alsoe that the Inhabitants of Spondon have had the pastureinge & pits and feeding of

the said grounds called Called Spondon More and Spondon Waste ? saving that the Inhabitants of Ockbrook

Do Comon upon Spondon More

18 To the xviiith Interr[ogatory] this Depon[en]t sayth that he Doth knowe the said ground in Spondon called

Spondon Waste and saith that every the freeholders w[it]hin Spondon have Certayne beast pastures

w[it]hin the said waste, and saith that the said beast pasture one parcell of theire sev[er]all tennements and sayth

that he verily beleeveth that the soyle of the waste Doth belonge unto the freeholders of Spondon according

to the rate of theire beaste gate as p[ar]cell of their sev[er]all tenements and saith that the freeholders and such as have

had beast gates theire have beene reputed owners thereof for raing king this Depon[en]t hath heard to the

Contrary

19 To the xixth Interr[ogatory] this Depon[en]t saith that about 40th yeares since there was one Robert Newton Sen[ior]

Beytine to the late Queene Elizabeth of the mann[or] of Spondon and Chaddesden who Did enclose and

endeavoured to keepe enclosed a peece of grounde in Spondon field Called Deysick peece p[ar]cell of the

waste of Spondon but Humfrey Brownell and John Noaton two of the Inhabitants of Spondon

the same upon a gaire and were there upon brought upp to London but had little sayd to them uppon

caune there (as this Depon[en]t sayth he hath Creddibly heard) and since the said Casting open of the said p[ar]cells of land open

as afore sayd they Inhabitants of Spondon have enjoyed and kept open the same

20 To the xxth Interr[ogatory] this Depon[en]t sayth that the stint of the beast gates in the said Waste Did anciently consist

of thirteene score and fourteene beast gates and that During the tyme of this Depon[en]ts remembrance there hath beene

pay[e]d a penie for every of the beast gates in the said waste xx s[hillings] whore of hath beene pay[e]d to the Queens & kings

Bayline for the tyme being and the rest was Desposed to those that gathered it w[hic]h were called waste reives

That gathered the said rents and looked that the said waste were not out Stinted But hath that of late

tymes the soil the said number of stints are Drawen to halfe for many as they anciently were and nowe

pay two pence a beast gate

Robert Rowland formerly sworne on the pl[aintif]fs p[ar]te nowe on the Deffenents parte

21 To the xxith Interr[ogatory] this Depon[en]t saith That he this Depon[en]t is tenant at will from year to the

compl[ainan]t Mr Gilbert for two p[ar]cells of lands in Chaddesden to the value of xi to p[er] an[num] but hath noe

other Dependancy at all upon the said Comp[lainan]ts

Michiell Sarckson of Spondon in the County Derby weil wright aged 67 years or thereabouts

sworne & examined

of that the said leys are worth 40 s[hillings] per an[num]

4 To the 4th Interr[ogatory] this Depon[en]t sayth that he hath knowen there one Rob[er]te Datyn late of Borrowash deceased

occupie the flat in Burrowash fielde parcel of the kings land and since his Death one Henry Clarke

nowe Deceaced alsoe hath beene farmer to both the flatts of the Kings lands and now they are in the

occupacon of Mr Gilbert the Compl[ainan]t and sayth this Depon[en]t was tennant to Harry leys until about 5

or six years since att w[hic]h tyme the Compl[ainan] Dutered upon them and hath since enjoyed them

himself and further saith that the farmers of the said kings lands y[et] and not had Comon of pasture

upon the freeholders lands in Spondon aforesaid in right of the said Demaines lands for any king

this Depon[en]t knoweth

5 To the vth Interr[ogatory] this Depon[en]t sayth that the freeholders in Spondon have used to have Comon

of pastures for themselves and their farmers for all their cattle kept upon theire freehold lands

by all the tyme of this Depon[en]ts remembrance as well thereout the arable lands of the pl[aint]iffs

w[it]hin Spondon as in and throughout the Comon fields of Spondon aforesaid upon the fields

were fallow or Corne Cutt and caryed away till the same were sowen againe soe longe

as the same were enclosed

6 To the vith Interr[ogatory] this Depon[en]t sayth that the freeholders of Spondon have at their wills and

pleasures taken in and enclosed certayne closes of their owne land w[it]hin the arable fields of

Spondon and have enjoyed the same so enclosed w[it]hout any interruption to this Depon[en]ts knowledge

7 To the 7th Interr[oagtory] this Depon[en]t sayth that he knoweth certayne ley grounds lyinge w[it]hin the Lor[dshi]p of

Spondon called Brunswood and Goodwych and sayth that the same Doe lye rigg and furrow

excepting some shanks or places unfitt for tillage and reylie believeth that the same have beene sowen

w[it]h corne and up to Goodwych this Depon[en]t hath gott Corne there for himself and soe did his

master before him sowe and gott Corne there

8 To the eighth Interr[ogatory] this Depon[en]t sayth that he this Depont rerilie beleeveth that all or

Most p[ar]te of the freeholders in Spondon Do know their owne lands in Goodwych & Brunswood

for he this Depon[en]t hath seen that upon they have tethered their Cattle upon the said grounde or

they have eaten upon others they have tyed up theire teathers

9 To the ixth Interr[ogatory] he sayth that he knoweth one peece of grounde in Burrow field called

Deysich and one peece of the brooke field called Rough Close Nooke but Doth not know the Lyrkr pyngle

The halfe acre in Goodwych nor Comon baulker in Brunswood and further sayth that they Inhabitants

of Spondon aforesaid as well pore as wich have hasten and usually every neay Dug in the Morning

to teather theire horses upon the said p[ar]cell of common grounde and at some other tymes they

Inhabitants of Spondon have sett them and have Dispesed the rents there of for the use of the

towne of Spondon ab[ou]t w[hic]h this Depon[en]t knowne by the space of fifty years last past

or there abouts

10 To the tenth Interr[ogatory] this Depon[en]t sayth Deposeth not further than he hath Deposed

11 To the eleventh Interr[ogatory] this Depon[en]t sayth That the Relator Mr Gilbert before he purchased

his Matt Demeane lands in Spondon or any other of the Kings farmers of the said lands Did

never use to put in cattle into the said grounds Called Goodwych and Brunswood in the open

tyme or in any of the comon field grounds in Spondon in right of the said Demeane land

for right of the said Demeane lands

for any kinge this Depon[en]t knoweth or out heard and sayth that he hath not heard that there

was any difference betwixt the freeholders and Cottiers about the taking in of the said grounds

Called Brunswood and Goodwych

12 To the twelveth Interr[ogatory] & such that he Doth not know the closes of the Defend[an]ts Thomas

Hollingworth lying in Spondon but hath heard that the said Thomas Hollingworth hath enjoyed

such Closes as he hath quitly?

13 To the thirteenth Interr[ogatory] he sayth that he Doth not in p[ar]ticuler know the closes of John Carrington the

Deffend[en]t in Spondon Lor[dshi]p but hath that the said Carrington andhis Decessors have enjoyed the same

quietly for any Kinge that this Depon[en]t hath ever heard to the Conttrary

14 To the fourteenth Interr[ogatory] he saith that he Doth not knowe in p[ar]ticuler the Closes of the said Deffend[en]t

John Taylor and those under whome he Claymeth in Spondon Lor[dshi]p but sayth that he hath not

heard but that he and his Decessors before him have quietly enjoyed the same

15 To the xvth Interr[ogatory] this Depon[en]t sayth that the Deffend[an]ts and other the freeholders of Spondon

by the space of fiftie years last past or there abouts have Cutt grubed and gott gorse upon

Spondon More Wasteand gorse and thornes upon Spondon Wasste or beast pasture for their necessary

uses to be spent in theire severall tenements and sayth that they have used to scower the wateringe pitts on

Spondon More Called ricrar pitts the greater gripp on the said More And another pitt upon

Spondon Waste w[hic]h have byne used to be scowed as their was accacon And sayth that the said grounde

Called Spondon Waste lyeth ridgg and layne except a small parcel lyinge now unto the

said pitt in Spondon Waste and sayth that the Inhabitants of Spondon have had the benefit

pfitt and staring of the said grounds called Spondon Waste and Spondon More by all the

tyme of fiftie years aforesaid

18 To the xviiith Interr[ogatory] this Depon[en]t sayth that he knoweth the grounde in Spondon aforesaid called

the waste and that every the freeholders there have Certayne beast gates w[it]hin the said waste as

parcel of their severall tenements and rerylie beleeveth that the sayle of the said waste belongeth to the

freeholders and Inhabitants of Spondon according to theire rate of theire beast gates as p[ar]cell of

?tendts and soe have beene reputed owners thereof for the space of 50th years & upwards

William Coup of Chaddesden in the County of Derby labourer aged ninetie years or there abouts

Sworne and examined

18 To the xviiith Interr[ogatory] he saith that he Doth knowe the ground in Spondon Called or knowen by the name

of Spondon Waste and that the Certayne beast gates w[it]hin the said waste

or beast pasture and that he reylie beleeveth that the said beast pastures are p[ar]cell of the freeholders severall

tenements there and that by all the tyme of this Depon[en]ts remembrance it hath beene so used and conceith

also that the soyle of the said waste belongeth to the freeholders of Spondon as belonginge to theire

sev[er]all tenements and soe hath beene reported by all the tyme of this Depon[en]ts remembrance all w[hic]h this

Depon[en]t rerily beleeveth to be true for that this Depon[en]ts father whoe dyed about fourtie years since was keep

of the said waste for the Inhabitants of Spondon

Richard Cheadle of Chaddesden in the County of Derby yeoman aged 40 years or there abouts Sworne & examined

17 To the xviith Interr[ogatory] this Depon[en]t sayth That at a Court Barron kept or used to

Be kept about three or foure years since by Comp[lainan]te Mr Gilbert for the Mannor of Spondon

Def[fendant] he this Depon[en]t heard the Deffen[dan]ts Thom[as] Hollingworth & John Taylor Deny to appeare and serve

at any Court Barron w[hic]h the Comp[lainan]te held for the said Mannor of Spondon, But they then

Steward p[er]swaded them to serve & p[ro]missed the said Deffend[an]ts this Depon[en]t and others that it should

be no pr[e]judice to them for the tyme to come if the would serve them at that tyme, upon w[hic]h

pr[o]mis[s]e the said Hollingworth & Taylor & the rest relyinge Did then serve

John Hollingworth of Spondon in the County of Derby yeom[man] aged xxxxxii years or there abouts sworne

and examined

16 To the xvith Interr[ogatory] this Depon[en]t sayth That the said Depon[en]t Thomas Hollingworth and John Carrington Doe

paye repite of Homage to Sr Henry Agard Rf or his Deputie feodary for the Hon[ary] of Tutbury for their sev[er]all

lands they have in Spondon and this Depon[en]t knoweth the same to be true for that he payeth respite of Homage

in like in ann[ual] foilands that this Depon[en]t holds in Spondon also in (right of his soined in land Richard Oseffe no Eaffoitt of homage

Nir Connoly paye to one vill as the said Sr Henry Agards Deputie w[hic]h s[ai]d Bill Demanded and received of

the said Deffend[an]ts and this Depon[en]t at one tyme to this Depon[en]ts nowe best remembrance xxth years

arrerayes of the said respite money

(held for the names? of Spondon about two years since, as w[hic]h Court Leete)

17 To the seventeenth Interr[ogatory] he sayth that he this Depon[en]t was at a Courte Leete the said Deffend[an]ts Thomas

Hollingworth and John Taylor Did appeare Mr Chadwick the then Steward of the said Court for the

Compl[ainan]t then Called a Jury for a Court barron there alsoe to be held and Did Sweare the said Hollingworth

And Taylor to searve there upon and afterwards called one John Carrington to searve likewise upon the

said Jury for the said Court Barron who pceinding that it was to Doe service at the said Court Barron

refused to searve and outvoted the said Steward to spare him because it was Contrary to theire

accieal Custome and then the said Thomas Hollingworth Disiel the said Steward to spare him alsoe for

serving at the said Courte because it was Contrary to their Custome to whome the said Steward watered?

that he being then sworne the Courte not hear him but entraited him and the said Taylor to searve at that

tyme because they were sworne and it should not be any p[re]judice into them or p[re]sident against them

for after tymes

20 [To the] xxth Interr[ogatory] this Depon[en]t sayeth that he Doth knowe by the tyme of his remembrance that there hath

beene usually pay[e]d to the waste Reeves of Spondon a penney a stint for any beast gate in the ground

Called Spondon Waste out of whic]h there hath beene yearly xiii s[hillings] vi d pay[e]d to Mr Tho[mas] Gilbert and iii s[hillings] iii d

to Mr Henry Gilbert his Sonne and the rest is to they said waste Reeves who gather the said Stints but

the said Mr Tho[mas] Gilbert hath refused to Receaine the said xvii s[hillings] vi d payable to him for the space of

3 years last past or there abouts to this Depon[en]ts now best remembrance

Richard Knowles of Spondon in the Countie of Derby yeom[an] aged 60tie years or there abouts

sworne and examined

1 To the first Interr[ogatory] he sayth that he knoweth all the p[ar]ties in the Interr[ogatory] named and hath soe knowen them

by all the tyme of his remembrance as being borne and Dwelling in Spondon except Norton whom he

hath knowne from his childhood

2 To the second Interr[ogatory] he sayth that he knoweth the Mannor of or Lor[dshi]p of Spondon w[it]hin the County of Derby

and hath knowene the same by all the tyme of the remembrance but knoweth not that the same is parcel of

possessions of the Duchy of Lancaster belonginge to the hon[ou]r of Tutbury in the County of Stafford

3 To the third Interr[ogatory] this Depon[en]t sayth that he knoweth two flatts of arable land Called the kings land

One of them lying in Brook field upon a flatt there called Lowsey greave and the other flat lying in a

field next Burroghashe on a furlonge shooting into other Dale Sich and knoweth another parcel of ground

of the kings lands Called faukers baulk Leyes shooting upon the old? water but what the said

parcels of land or any of them Doe Contayne this Depon[en]t knoweth not

4 To the fourth Interr[ogatory] this Depon[en]t daith That he know one Henry Clarke farmer of the said two flatts of

ground in Spondon aforesaid who used to have common of pasture upon the freeholders lands in Spondon

aforesaid but whether in the right of the said Demaine lands or of other lands w[hic]h he then alsoe he this Depon[en]t Doth not knowe

5 To the fifth Interr[ogatory] he saiyth that by all the tyme of this Depon[en]ts remembrance the freeholders lands in Spondon

and their farmers and tenants have usually had common of pasture be are there Cattle kepte upon their said freehold lands in

the Kings Domaine any in & fromings into all had when the s[ai]d fields were fallow & upon the Corne Spondon as well in and through out the lands of the pl[aint]iffs farm upon Dallysich Comon field aforesaid tymes was cut and Caryed

away till the said fields were sowen again

6 To the vith Interr[ogatory] this Depon[en]t saith That the freeholders in Spondon have taken in closes of theire

owne lands out of the Comon arable fields in Spondon aforesaid at theire wills and pleasures

and he Did now know any other of the freeholders of Spondon that had common w[it]hin the said

into sares after they were so enclosed

7 To the viith Interr[ogatory] this Depon[en]t sayth that all the grounds called Goodwych and Brunswood w[it]in the

Lord]ship of Spondon so lye rigg and roame except some shanks, or syches or wat[er]y places nott arable

3

are unfit for tillage ad sayth That it Doth manifestly appear that the said grounds have

bene anceintly fallow and this Depon[en]t hath seene some part of Goodwych sowen w[i]th Blencorn

and wheate

8 To the eighth Interr[ogatory he sayth that he doth beleeve that the most p[ar]te of the freeholders

Spondon Do know theire owne lands lyinge w[it]hin the ley grounds called Brunswood and

Goodwych and it is for the most part knowne unto what farmes the said Comons Called Goodwych

and Brunswood Do belonge and many of the Lands there in Lyinge have theire markes for

remayndinge upon them

9 To the ixth Interr[ogatory] this Depon[en]t sayth that he well knows the p[ar]cell of ground called

the Rough Close Nooke in the Brooke field and he hath heard that there is a ley in

Goodwych w[hic]h is not knowne whose land it is and hath heard that there is a common Ley

in Brunswood also and he knows a p[ar]cell of ground in the field next Burrowash called

the Ley Sick and knoweth a little Spott or pyngle lying lees land in Spondon Meadows

called the Kirke Pyngle the Rent of w[hic]h pyngle was want to go to the Clerk keep for keeping

the Clerk and sayth that the Inhabitants of Spondon poore and rich During all the tyme

of this Depon[en]ts remembrance have used to teather theire horses and cattle upon the other

leys or grounds at comonable tymes before they were enclosed exceptinge the ley in Goodwich

w[hic]h he knows not how it hath bene used and except the sicke w[hic]h hath some tymes bene eaten

as Comon and some tymes sett for the Townes use

10 To the Tenth Interr[ogatory] he Deposeth not but as form[er]ly he hath Deposed

11 To the xith Interr[ogatory] he sayth That the Relator Mr Gilbert hath not nor any other of them

Ringes Farmers of his Domaine Lands in Spondon before he purchased his Mahis

Domeane Lands theire end used to put any cattle in the open tyme into the said ground

Goodwych or Brunswood or into any of the field or common grounds in Spondon in

of the said said Demeane Lands and sayth that he was pr[e]sent and did heare when the freeholders

and cottagers in Spondon agreed that the said grounds called Goodwych and Brunswood

be enclosed

12 To the xiith Interr[ogatory] he sayth that hee knoweth many of the closes in the Lor[dshi]p of Spondon

Belonginge to the Defen[dan]t Thom[as] Hollingworthand by all the tymeof this Depon[en]ts

remembrance he hath held and occupied quietly and peaceably the ancient enclosures & one

lately or Ducler? gag? abie? Since then enclosinge thereof Eseme ought this Depon[en]t knoweth to the Contrary and these

hollingworth hath soe held the same for himself & those under whome he they moth? Is theire freeholders

Inheritence is this Depon[en]ts conceiyth

13 To the xiiith Interr[ogatory] he sayeth that he knoweth the closes belonging to the said Defend[en]t John Carrington & the land lying

Therein w[it]hin the Lordship of Spondon whereof the said closes were taken in, one of them about tenn or

twelve years since teather aboute sixteeene years since & sayth that the said Carrington & his pivnofor

have quietly enjoyed the said two enclosures eversince they were soe enclosed as also they ancient

enclosures by all the tyme of this Depon[en]ts remembrance as there freehold & his Inheritance

14 To the xiiiith Interr[ogatory] this Depon[en]t sayeth That he knoweth the closes in the Lor[dshi]p of Spondon &

Lands therein lying belonging to the Defend[an]t John Taylor where? sonc? of the said closes and have

beene enclosed beyond this Depon[en]ts remembrance & some others of them have beene taken enclosed arad? say?

that the said John Taylor & those scoide Whome he claymeth the same have horse & ponies & they

As his there freehold or Inheritance

15 To the xvth Interr[ogatory] he sayth that the Defend[an]ts exochench? the freeholders in Spondon theire tenants and

farmers & those whose estates they have space? usually saley? and the tyme of this Depon[en]ts remembrance

& tyme out of winter? As this Depon[en]t hath heard have outt grubbed & got gorse upon Spondon more

& likewise shonwise? Anciently (until now of late they have cut & gott gorse & there use upon Spondon Waste or beaste pasture

Lor[dshi]p gond in theire so what tenants aboute marted mas tyme and have Denuded them according to the

Irenits of arch Mans stint of beasts uppon the said pasture but of latter tymes they have used to cutt

& grubb them at theire pleasures and saith that he this Depon[en]t hath beene at the scowering of the pits

for watering places both in the weather end of the said Spondon More & Spondon Waste & sayth that there was

a new pitt made in the weather end of the said Spondon Waste aboute fifteene yeares agoe but thather

watering pitts were there before this Depon[en]t was of memory And saith that the said ground called

Spondon Waste lyeth Rigg & Raigme ? sid except a little mocgt at the places where the last pitt is

made and saith that the Inhabitants of Spondon have had pastureing & psicts of the said ground

called Spondon More by all the tyme of this Depon[en]ts remembrance, & the ancient freeholders

tenants & cottages in Spondon aforesaid w[hic]h have had stints in the said Spondon Waste have

had the pasturing & psicts of the said ground called Spondon Waste During the tyme of this

Depon[en]ts remembrance

18 To the viiith Interr[ogatory] he sayth that he knoweth the ground in Spondon called the waste and sayth

that only ancient freeholders & or cottages w[it]hin Spondon aforesaid have some beasts pasture in the said

waste & for eught this Deponent knoweth the said beast pastures are p[ar]cell of Spondon tenants & sayth

that the soyle of the ground Called Spondon Waste Doth belong to the freeholders in Spondon

according to the rate of their beast gates as p[ar[cell of theire tenants & soe they have beene

reputed owners thereof

19 To the 19th Interr[ogatory] this Depon[en]t sayth that he hath heard that one Mr Newton being then bayliffe

for the late Queene Elizabeth for the Mannor or Spondon & Chaddesden Did long since in these Queens tyme but how long he remembereth not enclose the p[ar]cell of ground called the

Deysich peece lying in Burrowash field and that the same was p[re]senly throwne open

againe by one of Mr Browndlls sonnes & one John Newton Norton of Spondon & sayth that the same

hath end since beene held open & enjoyed by the Inhabitants of Spondon aforesaid

William Lockoe of Ilkeston in the County of Derby Butcher aged

fourscore yeares or there abouts sworne and examined

18 To the eighteenth Interrogatory he sayth That he knoweth a p[ar]cell of ground in

Spondon Waste and sayth that every the ancient freeholders?

Spondon have certaine beaste pastures w[it]hin the said Spondon Waste as belonging

To theire sev[er]all tenements and sayth that he this Depon[en]t conceindth that the soyle

of the said Waste belongeth to the said Freeholders of Spondon and their tenants

and sayth this Depon[en]ts father was a freeholder there and it was so reputed then

hath bene by all the tyme of this Depon[en]ts remembrance

Thomas Bamford of Chaddesden in the County of Derby yeoman aged three

score and seaven years or there abouts sworn and examined

1 To the first Interr[ogatory] he sayth that he knoweth the Compl[ainen]t Mr Gilbert and the

Defen[den]ts and hath knowne them for the most p[ar]te ever since he was of remembrance

except Norton whom he hath only seene

2 To the second Interr[ogatory] he sayth that he knoweth the Mannor or Lordship of

Spondon in the County of Derby and hath knowne the same by the space of fiftie years

& upwards said hath now heard to the contrary but that the said mannor was p[ar]cell of the possessions of

the Dutchy of Lankester belonging to the hon[ou]r of Tutbury

4 To the fourth Interr[ogatory] he sayth that to this Depon[en]ts whose best remembrance Mr Newton Thomas Newton

his sonne Robert Newton the sonne of the said Thomas were the Queens & the kings Bayliffs of the said

Mannor of Spondon and beleeveth they farmed the said lords of the kinge or the Queene, and that one

Chercy and after him one Shiles held some p[ar]te of the same from them the said Newtons and sayth that

he Doth not knowe that the said farmers of the said kings lands had common of pasture upon the freeholders

lands in the right of the said Demeane lands now to his remembrance new used to have any

5 To the fifth Interr[ogatory] he sayth that by all the tyme of this Depon[en]ts remembrance the freeholders of Spondon

have used to have common of pasture for themselves and theire tenants & farmers for all theire cattle kept upon

their lands in & through all their arable land of the pl[ain]tiff some tymes the kings Demeanes at all comonable

tymes of the year as alsoe common in & through all the fields of Spondon so longe as they were semiclosed

as well when the fields were fallow as when corne was cutt & carried away untill the same fields were sowen

againe savinge that there and some new cottages as two of late years erected w[hic]h this Depon[en]t concerneth have noe right

of common there

6 To the sixth Interr[ogatory] he sayth that the freeholders of Spondon have at their wills & pleasures taken in many closes of their

owne lands out of the arable fields of Spondon & soe have kept them in and sayth that he Doth not thinke that any

other of the Freeholders of Spondon after such said enclosures have had comon in any the said inclosed ures grounds

7 To the viith Interr[ogatory] he sayth That he Doth know certayne ley grounds in Spondon Lor[dshi]p, called Brunswood and

Goodwich and that the same Doe lye rigg & furrow (except some shanks & baulkes) & sayth that he concerneth the same have beene anciently tilled for this Depon[en]t hath seene corne growinge upon some p[ar]te of Goodwich

18 To the xviiith Interr[ogatory] he sayth that he Doth know a ground in Spondon called the waste and Doth know that

the ancient freeholders there have certayne beast gates w[it]hin the said Waste, and sayth that he usuayley thinketh

that the said beast gates Doe belonge to their sev[er]all tenants for that this Depon[en]t married a wife that had a rent

in Spondon that had three beast gates belonging unto the said tenant & Doth rerylie think that the soyle of the

said waste Doth belonge unto the said freeholders as p[ar]cell of theire sev[er]all tenements for that this Depon[en]t enjoyed

these three beast gates, w[hic]h he had in right of his wife untill his sonne sold the same and sayth that he now

heard that any of the freeholders were trubled in the use thereof and sayth that the said freeholders have by

all the tyme of this Depon[en]ts remembrance beene reputed denied of the said waste

Raph Cooper of Chaddesden in the County of Derby Taylor aged three score

and sixteene years or there abouts sworne & examined

1 To the first Interr[ogatory] he sayth that he knoweth the said Compl[ainan]t Mr Gilbert and

all the Deffen[dan]ts and hath knowne them from their youth

2 To the second Interr[ogatory] he sayth that he knoweth the Mannor or Lor[dshi]p of Spondon

in the County of Derby and hath knowen the same by the space of three score years or

there abouts & reyly beleeveth that the same is p[ar]cell of the possessions of the Dutchy of Lan=

caster as belonginge to the honor of Tutbury in the County of Stafford

3 To the third Interr[ogatory] he sayth That he Doth know two flatts of arable ground one in Burrow

Field Called Easterdale and the other lyinge in Brooke field upon the flat called Lousy grave

flatt, w[hic]h by all the tyme of this Depon[en]ts remembrance hath bene accompters Demeane lands

belonginge to the said Mannor of Spondon and more or other of the kings Demeane lands

he Doth not know

4 To the fourth Interr[ogatory] he sayth that he know[s] one Daykne of Burrowash and after him

one Henry Clerk of the same Towne both deceased who were farmers of East Demeane

lande, and he Doth not know that the said farmers of the said Demeane lands, and

he doth not know that the said farmers of the said Demeane lands had or used to have

any right of Comon w[hic]h the freeholders of Spondon by reason of the said Demeane

lande

5 To the fifth Interr[ogatory] he sayth that by all the tyme of this Depon[en]ts remembrance

the freeholders of Spondon aforesaid and theire farmers, have used to have common

of pasture for all theire cattle kept upon theire said freehold lands in & through

out all the Comon fielde of Spondon aforesaid aswell throughout the said Demeane

arable lands as in and throughout other the lands in the Comon fields of Spondon

aforesaid so longe as they were unenclosed from the corne cutt and carried away

untill the same were sowen againe, and that the said freeholders by all the tyme afore

Did have used as Comon all the said fields in Spondon at the comonable tymes of

the yeare

6 To the vith Interr[ogatory] he sayth that some of the freeholders of Spondon aforesaid

have at theire wills and pleasures taken in closes of theire owne land out of the

common arable fields of Spondon aforesaid and sayth that after the said enclosures

4

the other freeholders not used to have common w[it]hin the said Closes but those

that have so enclosed then have quietly enjoyed them

7 To the seventh Interr[ogatory] he sayth that he knoweth the ley grounds lyinge within

the Lor[dshi]p of Spondon called Brunswood and Goodwych and sayth that the

said grounds Doe lye ridge and Roame except some lands w[hic]h lye unfit for tillage and

this Depon[en]t hath sene Corne growinge upon p[ar]te of Goodwych and hath got

Corne thereof himself and Doth verily believe that Brunswoodhath also bene

put he knoweth not the haesie acre in Goodwich

not the Comon Baulke now the Comon Baulke nor the Comon ground in Brunswood

but well knows the peece of ground in Burrow field called the Ley Sich and a peece

of ground in the Brooke field called Rough close nooke and a peece of ground w[it]hin

Spondon meadows aforesaid called the kirke pyngle and sayth that the Inhabitants

of Spondon by all the tyme of this Depon[en]ts remembrance have usually teathered

theire horses and kept theire other heard cattle upon the p[ar]cell of land called Rough close nooke

and the ley sich but the kirke pyngle was always enclosed and the clerk keeper

of Spondon Did enjoy y[e]t for keepeinge the clerk (as this Depon[en]t eates y[e]t) and sayth that

by all the tyme of this Depon[en]ts remembrance the said grounds have been reputed to

belong to the Inhabitants of Spondon and they accordingly have taken the pfilds thereof

10 To the tenth Interr[ogatory] he Deposeth not

11 To the eleventh Interr[ogatory] he sayth that the said Relator Mr Gilbert before hee

purchased his Matie said Demeane lande or any other that formed his Matis said Demeane

land in Spondon Did now (to this Depon[en]ts knowledge] putt in any cattle or eate as

comon the said ground called Goodwych and Brunswood in the open tyme or in any

the fields or comon ground in Spondon in right of the said Demeane lands and further

sayth that he Doth not knowe how the freeholders and cottagers of Spondon Did agree

in the enclosinge of the said grounde called Brunswood and Goodwych but seems

they Did agree for that they have enclosed them & enjoyed them accordingly

15 To the fifteenth Interr[ogatory] he sayth That by all the tyme of this Depon[en]ts remembrance

the said Defen[den]ts and other freeholders of Spondon and those Whose estates they have

and theire farmers and tenants have usually grubbed cutt and gott gorse & thornes

upon Spondon Waste or beast pasture and cutt and gott gorse upon Spondon

Moore by all the tyme of this Depon[en]ts remembrance and tyme out of mynd (as this Depon[en]t

Depon[en]t hath heard) to spend in theire said sev[er]all tenements and sayth that for the

space of three score years or there abouts he hath knowne the said Inhabitants

of Spondon to scower upp pitts for watteringe places for theire cattle in Spondon

Moore and Spondon Waste and this Depon[en]t hath bene at the scoweringe of some of

them himselfe and further sayth that there was one pitt lately Digged for a wateringe

place in the neather end of Spondon Waste and sayth that the said ground called

Spondon Wasste lyeth for the most p[ar]te ridge and kenne and hath so lyer layen by

all the tyme of this Depon[en]ts remembrance and likewise sayth that by the like

tyme of this Depon[en]ts remembrance the Inhabitants of Spondon aforesaid have

usually had the feedinge pastureinge and pfitt af the said ground called Spondon

Waste and Spondon Moore

18 To the xviiith Interr[ogatory] he sayth That he Doth know the p[ar]cell of ground in Spondon

called the waste and that every the ancient freeholders of Spondon aforesaid have

certaine beast pastures w[it]hin the said ground called the waste and that the said

beast pastures (for any thing this Depon[en]t knoweth or have heard to the contrary one

p[ar]cell of theire said sev[er]all tenements and reryly thinketh that the soyle of the said

waste belongeth to the said freeholders in Spondon accordinge to the rate of theire

beaste gates of theire sev[er]all tenements, and further sayth that the freeholders

have all the tyme of this Depon[en]ts remembrance bene reputed owners thereof

19 To the xixth Interr[ogatory] this Depon[en]t sayth that above forty [years] since old Mr Roote

Newton Deceaced Baliffe to the late Queene Elizabeth of her Mannor of Spondon

and Chaddesden Did enclose or cause to be enclosed a peece of ground in Spondon

called the ley sich as p[arcell of her maties waste of the said Mannor and endeavoured

to keepe the same so enclosed but sayth that one Mr John Newton a freeholder of

Spondon and one Humfrey Brownell who then Dwelt in the p[ar]sonage of Spondon

Did Cast open the said poore called the ley sich after it was so enclosed by the sayd

Newton, and owner since the sone hath beene kept open and enjoyed by the

Inhabitants of Spondon aforesaid

To[mas] Kiryorton

Jo[seph] Osborne

Ric[hard] Brandreth

Robert Hope

Francis Smalley of Chaddesden in the Countie of Derby labourer aged fiftie yeares

or there abouts sworne and examined

1 To the first Interr[ogatory] he sayth That he knoweth Mr Gilbert the Compl[ain]t the Defend[an]ts

and hath knowne them all by the space of fortie years or there abouts

2 To the second Interr[ogatory] he saith that he hath knowneth the mannor or Lor[dshi]p of Spondon in the Countie of Derby

by the space of fortie yeares or there abouts and sayth that the same hath beene commonly taken to be

p[ar]cell of the possessions of the Dutchy of Lancaster belonginge to the honour of Tutbury in the

County of Stafford

3 To the third Interr[ogatory] he saith that there are two flatts in the Lor[dshi]p of Spondon there lying upon

Lowsigrave flat in Spondon Brooke field the other lying in Spondon Borrowe field upon Asterdale flat w[hic]h this Depon[en]t

Hath heard Called the kings lands, and hath heard that there is alsoe a Cottage wherein one widdowe

Harrison now Dwelleth & another little Dwelling house adjoining there unto in Spondon w[hic]h this Depon[en]t hath heard

were Demeane lands

but whether they be soe or not this Depon[en]t cannot Depose and alsoe that there is p[ar]te

of a close called Fceidkneyes leys and a little peece of meadowe lying in the holme mouths in Spondon aforesaid w[hic]h likewise

this Depon[en]t hath heard were the kings lands

4 To the fourth Interr[ogatory] he sayth That he this Depon[en]t knows one Henry Clerk of Borrowashe Deceased & after

him John Hibberd of Spondon th[e] elder to farme and hould the two foresaid flatts before they came to Mr

Gilbert the Compl[ainan]t the other two peeces of land called Faulnees Leys & [a] little peece of meadow were

in the occupcon of one Fouche Stiles and afterwards in the occupacon of Hugh Cotton of Spondon

or of his assignes and he further sayth that he this Depon[en]t now know nor heard that such as have held

the said Demeane lands had right of Comon upon the freeholders lands w[it]hin Spondon aforesaid

nor out used any Comon there in right of the said Demeane lands or any kinge this Depon[en]t not?

know or heard of

5 To the fifth Interr[ogatory] he sayth that by all the tyme of this Depon[en]ts remembrance the said freeholders of Spondon

have used to have Comon of pasture for themselves and theire farmers for all maner of Cattell kept upon

there said freeholders lands as well in and throughout the arable land of the Compl[ain]t seven tymes the kinges

Demeane as in and throughout all the comon fields of Spondon aforesaid at all comonable tymes

of the yeare soe long as they were unenclosed when they fields were fallowe & from the cutting

and cartinge away of the Corne untill the fieldes were sowen againe and saith that the freeholders of

Spondon aforesaid & theire tenants have used to have comon in all the fields of Spondon aforesaid

at comonable tymes by all the tyme of this Depon[en]ts remembrance

6 To the sixth Interr[ogatory] he saith that the freeholders of Spondon have at theire wills and pleasures used to

take in and enclose theire owne lands out of the Comon arable fields in Spondon aforesaid and saith

that the other freeholders in Spondon nor their tenants have not used to have comon in any

of the said enclosures after they were soe enclosed

7 To the seventh Interr[ogatory] he saith that he knoweth Certayne ley grounds in the Lor[dshi]p of Spondon aforesaid

Called Brunswood and Goodwich and sayth that the same Doe lye ridge & furrowe all except some

Shankes unfit for tillage, whereby it Doth onanefestly appeared that the said Goodwich leys & Brunswood

Leys have beene anciently tilled and used for gettinge of Corne, and saith that upon some p[arr]te of

Goodwich namely the furlonge there Tookinge upon Brook sick this Depon[en]t hath Duids tymes

hath sowed and mowed Corne and hath alsoe mowed grasse & tethered horses & other cattell upon

the hades of the said lands w[i]th hades & lands belonging to the messuage w[i]th this Depon[en]ts fahs and others

held in Spondon and further saith that if any other Did tie or teather any manner of Cattell upon

the foresaid hades (other than those to whome the[y] belonged) it was only upon Surferauco, and he further

saith that this Depon[en]ts father was bayliffe in Spondon unto the lady Margeret Stanopp? about xx yeares since

when Did of the Inhabitants of Spondon were audcied in Courte held for the maor of Spondon

upon a payne there made of three shillings four pence that no one should teather their cattell on any other

ground upon Goodwich or Brunswood or Brooksick hades or any other place in Spondon fields w[hic]h were

not theire owne grounds and this Depon[en]t Did gather for his said father Dials of the amocements w[hic]h were

soe made by such as tyed their Cattell otherwise Contrary to the said payne

8 To the viiith Interr[ogatory] he sayth that he Concenieth that all or the most p[ar]te of the freeholders of Spondon

Aforesaid Doe knowe theire owne lands w[it]hin the said grounds Called Brunswood & Goodwich

And he thinks that it is for the most parte knowne to what farme any ley w[it]in the said Goodwych

& Brunswood soe belonge w[hic]h this Depon[en]t conceieth the rates to be true for that he this Depon[en]t was checked for

sussenige his oxen to eate on the leys when he Growe them out the said leys to grasse for saret? that

this Depon[en]t sayth that he hath heard there is a ley or baulk in Brunswood w[hic]h is reputed Comon land

was anciently a way) and alsoe a p[ar]cell of ground in Brunswood Called Dally Seeck w[hic]h this Depon[en]t

hath alsoe heard is Comon grounde

9 10 To the nineth & tenth Interr[ogatory] he sayth that he Doth not know the halfe acre in Goodwych interrogated

but Doth know the said Comon baulk grounde in Brunswood and likewise one peece of ground

in Spondon Borrowe field Called ley sick one peece of ground Called rough close nooke

heretofore p[ar]cell of the brooke field, and one peece Called the kirke pyingle lying w[it]hin the meadows

of Spondon aforesaid and he this Depon[en]t saith that all the tyme of his remembrance the said Inhabitants

of Spondon have usually teathered theire horses upon the said Comon baulke in Brunswood & that

the ley sick hath some tymes bene eaten as comon and some tymes beene lett by the Churchwardens

of Spondon for the use of the Church & hath heard that the rough Close nooke hath bene

accounpted as Comon ground but Doth not now remember the useage of it that and sayth that this

kirke pyngle used to goe to the Clerk keep of Spondon towards his wages for keepinge the said

Clerk and further to this Interr[ogatory] he Deposeth not

P[ar]te

11 To the xith Interr[ogatory] he sayth that he this Depon[en]t now knows that the said Relator Mr Gilbert before

he purchased hies Maths said Demeane lands in Spondon or any other farming of the said Demeane

lands in Spondon Did use to put in any Cattell in the comonable tymes into the said grounds

Called Goodwich and Brunswood or into any the Comon grounds or fields in Spondon

aforesaid in right of the said Demeane lands and further to this Interr[ogatory] Deposeth not

12 To the xiith he saith he cannot Certaynely Depose

13 To the xiiith Interr[ogatory] he saith that he knoweth the Closes in Spondon belonging to the

Defen[an]ts John Carrington & sayth that he this Depon[en]t now heard but that the said Carrington

Hathe enjoyed the said Closes quietly and peaceably by all the tyme of this Depon[en]ts remembrance

14

Interrogatories to be administered to Witnesses to bee produced in three p[ar]ts on behalf of Thomas Hollingworth John Carrington John Taylor & Thomas Norton def[endan]ts

against Thomas Gilbert Esq Jusonmacon in the name of Edward Moseley be held

in a Riks Attorney of the Dutchie of Lancaster plt

1 Imprimis whether doe you know the said compl[ainan]t Thomas Gilbert & the said defend[an]ts Thomas Hollingworth

John Taylor & Thomas Norton Esq how longe have you knowen them or any of them

2 Item whether doe you know the Mannor or Lor[dshi]pp of Spondon in the Countie of Derbie how longe have you [knowen the]

Mannor or Lor[dshi]pp late parcell of the possessions of the Dutchie of Lancaster belonging to the hon[ou]r of Tutbury in [Staffordshire]

3 It[em] what demeane lands are there lyinge w[it]hin the said mannor or Lo[rdshi]pp of Spondon or dutchie of Lancaster of

lands

4 It[em] what & how many farms of the said Demeane lands in Spondon have you knowen whether have they or any of the?

to have Comon of pasture upon the freeholders lands in Spondon aforesaid in Right of the said [Comon report]

what you know herein

5 It[em] whether have the freeholders in Spondon aforesaid by all the time of yo[u]r remembrance used to have common of pasture

themselves & the irt freeholders for all theire cattle kept upon their said freehold lands unfortunately as well as themselves the?

land of the plt some times the kings demeane all the times of the yeare as in & through all the common fields apporconed aforesaid

soe longe as they bee unenclosed when the fields are fallowe and when they are sowen from the corne till & plowed?

the same fit to bee sowen againe whether have the said freeholders by all the time aforesaid used to have comon in?

all the fields in Spondon aforesaid

6 It[em] whether have the freeholders in Spondon aforesaid att theire wills & pleasures taken in Closes of the

common arable fields in Spondon aforesaid And whether have any other of the freeholders of Spondon?

Common in the said Inclosures after they were enclosed declare what you knowe herein

7 It[em] whether doe you know certaine ley grounds lying w[it]hin the Lor]dshi]pp of Spondon called Brunswood & hades ?

ley grounds the rigge & furrowe whether doth itt manifestly appeare that the said ley grounde have beene accordingly?

forconne declare what you know herein

8 It[em] whether doe all or the most parte of the freeholders in Spondon know their owne lands w[it]hin the said ley

And Brunswood& Goodwch and whether is itt for all or most p[ar]te knowen unto what farmes motit ley in the said grounde

& Goodwch doe belonge (except out by containeing about half an acre in Goodwch & one common baulke & some other?

of one acre in Brunswood declare what you know herein

9 It[em] whether doe you know the said half acre in Goodwch & the said common baulk & common ground in Brunswood & one acre in

Burrow field called ley sicke & one peece heretoford p[a]rcell of the brooke field called rough close nooke & one notice w[it]hin?

Spondon called the kirke pingle whether have the Inhabitants in Spondon usually tethered theire horses on the said?

and other grounds how longe have you knowen them use to tether their horses upon the said grounds & whose have they let

bee all the time of yo[u]r memonct & what hath taken the & fitts there of by all the time aforesaid declare the truth

10 It[em] whether whether not the said half acre ley in Goodwch and the said common baulk & common ground

to bee p[ar]cell of the sev[er]all tenements in Spondon how longe have you knowen them soe reputed

11 It[em] whether did the Relator before hee purchased his Maties Demeane lands in Spondon or any other [of]

his demeane lands in Spondon even wst to putt any cattle in the open time into the said?

Brunswood or into any [of] the fields or Comon grounds in Spondon in right of the said demeanes and whether?

cottagers in Spondon unto use to putt any cattle in the open time in to the said?

12 It[em] whether doe you know the closes in the Lor[dshi]pp of Spondon belonging to the said Defend[an]t Thomas?

lying therein and how longe have they knowen them & aften of them and most them have?

the time of your remembrance & time out of minde as? Reambered heard by the said Thomas Hollingworth

whome that they meth? as their freehould or Inhabitance

13 It[em] whether doe you know the close on the Lor[dshi]pp of Spondon belonging to the said Defend[an]ts John?

lands lying therein how longe have you knowen them & ? of them whether have the?

time of yo[u]r remembrance & time out of minde as you have heard by the said John Taylor?

under whome hee claymeth the freehould Inhabitance

14 Ity[em] whether doe you know the closes in the Lor[dshi]pp of Spondon belonging to the said defend[an]ts?

And the lands lyinge therein how longe have you knowen them & eadie of them?

been enjoyed all the time of your remembrance and time out of minde as you have?

Taylor and those under whome hee Claymeth as those freehould or Inhabitance

15 It[em] whether have the defend[an]ts and others the freeholders in Spondon aforesaid and to

have and there farmers & tenants usually all the time of your interest and time out of minde

heard cutt grub[e]d and got gorse and thornes upon Spondon Moore and Spondon [waste] ?

pasture to spend in theire sev[er]all tenements in Spondon aforesaid and to?

pitts there and how longe have you knowen the same and whether doth the lane

called the peaste let Rigge & feane and hath soe beene by all the time of?

hath had the pasturing feedent & prefitt of the said ground called

Spondon waste all the time aforesaid declare what you have heard

16 It[em] whether doe the said defend[an]ts Thomas Hollingworth one John Carrington?

homage to the honery Chgard? Kinget Feodanett of the honor of Tutbury or to the?

severall lands which they hould in Spondon declare what you know herein

1. It[em] whether didyou here the said Defend[ant]s Thomas Hollingworth and John Taylor

Them at any time and when Deme to Depose? Att any Court Barron w[hic]h the said

Thomas Gilbert did used to be heald for the said Mannor of Spondon what won as ?

said Defend[an]ts Thomas Hollingworth and John Taylor then use to the Steward that

Court declare the truth

18 Item whether that you know a grounde in Spondon aforesaid called the waste

that the freeholders rent and beast pastures within the said waste and whether a?

pastures p[ar]cell of the sev[er]all tenements whether whether doth the sayde of the said waste belonge

in Spondon according to the rate of the ? beast gates as p[ar]cell of theire sev[e]rall tenements

they heard reputed omonted there of report what you know herein

19 It[em] whether did you know that heretofore one of the Rayhes of the Mannor of Spondon & Chaddesden to the ba?

famous Memorie Queene Elizabeth iiiii did inclose & indevour to keepe inclosed ? of ?

aforesaid called ley siche peece as p[ar]tte of h? most of the D?th heard when & how have

? to hould the same // when & whether doe you know did the Inhabitants of Spondon aforesaid?

& whether doe you know that there hath beene paid a pennie a beast for endie ?

20 It[em] whether doe you know that there hath beene paid a pennie a beast for endie beast?

have you knowen the same paid & to whome hath?

And time out of mind

21 It[em] whether have you a Tennant or Servant?

Rich[ard] Brandreth p