

22 Apr 1667 Isaac Basire

[Note: These papers are the record of evidence, depositions, collected at Stanhope in April 1667 by commissioners appointed by the Exchequer Court in London. They form part of a case brought by the Rector of Stanhope, Isaac Basire and William Blackett against Humphrey Wharton, of Gilling West in Swaledale.

Wharton (1626-94) was the ‘Moormaster’ of Weardale, which gave him the right to issue lead mining ‘tacks’ (exploratory ventures by small partnerships of miners) and leases (which usually followed tacks) within the extensive unenclosed lands in the large parishes of Wolsingham and Stanhope, which encompassed the lead mining district of Upper Weardale. The Rector of Stanhope claimed that a tenth of the produce of the lead mines was owed to him as his church tithe. Blackett was involved in the case for he had bought the right to collect the tithe for the rector for a fixed annual fee, and therefore had an interest in proving that Wharton and the miners who had leases from him owed more tithe than they claimed.

As in all such cases the depositions take the form of answers to a series of questions put by both sides in the dispute – interrogatories and counter-interrogatories – to witnesses, or deponents, called to give statements to the commissioners. The interrogatories and counter-interrogatories administered to Basire’s witnesses, and their depositions, are given here in the order in which they are presented amongst the Exchequer Court papers. There are some missing and obscured sections which are indicated in the transcript, but enough has survived to provide a general sense of the nature of questions asked and evidence given.

A guide to Exchequer Court procedure can be found at:

<http://www.nationalarchives.gov.uk/records/research-guides/equity-court-of-exchequer.htm>. A detailed example with a clear, full and useful explanation and commentary is the subject of Tim Gates’ *The Great Trial: A Swaledale Lead Mining Dispute in the Court of Exchequer, 1705-1708*, (2012).]

Interrogatorys exhibited to bee Administered to such witnesses as shall be produced Sworne & Examined <on the> behalfe of Isaac Basire Doctor of Divinity rector of the Parish Church of Stanhop in Weardale in the County of Durham & William Blacket Complain[an]ts ag[ain]st Humphrey Wharton Esq Thomas Alsop, John Jesop John Bolton Willm Deacon <[one name obscured]> Defend[an]ts

Imprimis Doe you know the s[ai]d Parties Complain[an]ts & Def[endan]ts in this suit or any & w[hi]ch of them & how long have you soe known them or any of them and w[hi]ch of them Doe you know the Rectory and Parish of Stanhop in Weardale in the

bill of Complaint mencioned, & the external precincts & tithable places thereof <or any and w[hi]ch of> them how long have you known the same Declare the Truth.

2.Item Doe you know of any Lead Mines within the s[ai]d Rectory or Parish, or any of the p[re]cincts or tithable places thereof wherefrom <[1-2 words obscured]> lead ure is or at any time hath been digged wrought or gotten? & for how long time hath any lead ure been digged wrought or gotten in or out of the said lead mines or any & w[hi]ch of them as you know or believe & w[ha]t induceth you so to believe

3.Item doe you know of any Custome used within the s[ai]d Rectory or parish or any of the precincts or titheable places of the same where <about [poss 1 word obscured]> Save for or touching the paym[en]t in kind of any & what part of any lead Ure digged wrought or gotten within the s[ai]d Rectory or parsonage <of Stanhope or any of the> precincts or titheable places thereof unto the Rector or Parson of the s[ai]d Rectory Church or Parsonage of Stanhop in Weardale <per <[1-2 words obscured]> to pay a tithe of the s[ai]d Ure & for how long time hath the s[ai]d Custome or paym[en]t been so used or made there doe you know <or believe> induceth you so to believe? Declare the whole truth herein.

4.Item How & in w[ha]t manner & w[he]n & at w[ha]t mines hath the s[ai]d paym[en]t of the s[ai]d tithes of Lead Ure been made or used to be made <[one word]> hath such tithe Ure been used to be paid in Rude & unwashed Ure, or in clean well washed or dressed Ure & for how long hath tithe Ure, & in such manner or in any, & w[ha]t other manner been paid & to whom & how know you that same?

5.Item Doe you know of any deduction Substraction or Abatetm[en]t of from or out of the s[ai]d tithes of the sa[i]d Lead Ure been <[1-2 words obscured]> of them at any mine or mines & or to whom made by any Rector or Parson of the S[ai]d Rectory Church or Parsonage <for [1-2 words obscured]> Digging getting or working of the same or otherwise? & what Deduction abatement or Substraction was so made <by from [1-2 words obscured]> & by whom as you know or Believe & what Induceth you so to believe Declare the truth & y[ou]r knowledge

6.Item whether is the Complainant Isaac Basire Rector or Parson of the S[ai]d Rectory Church or Parsonage or Reputed <[1-2 words obscured]> or doth <.ff.....n> Rectors or Parsons of the s[ai]d Church & enjoy the s[ai]d Rectory or Parsonage or any & w[hi]ch part thereof or <[1-2 words obscured]> living & for how long time hath the s[ai]d Complainant Isaac Basire been or Reputed to be Rector or Parson afores[ai]d or hath <[1-2 words obscured] Antient> Parson of the s[ai]d Church, or enjoyed the s[ai]d Rectory or Parsonage or any & w[ha]t part thereof or <.....> You are obliged to Depose herein.

7. Item Whether did the s[ai]d Complainant Isaac Basire at any time or times & when & for how long time by him selfe or his <servants> Agents or farmers or any & w[hi]ch of them, & by whom Receive or take the s[ai]d tithes <place of Chapel at the p..... of> Agent when & how know you the same?

8 Item Doe you know of any Lease of any tithes of any lead ure within the s[ai]d Rectory or any the p[re]cincts or tithable places thereof made by the s[ai]d Complainant Isaac Basire unto the Complainant Willm Blacket & whether in the Writing now to <your knowledge at> the time of the Examination the s[ai]d Lease & by whom was the Same Sealed & Delivered & how know you the same were you present at or a witness of the sealing & delivery thereof or at the names subscribed or indented as a witness thereunto

9 Item Whether are or is the Defend[an]ts or any & w[hi]ch of them Owners Farmers or Occupyers Owner Farmer or Occupyer of any & w[hi]ch Lead mine or mines within the s[ai]d Rectory or Parish or any of the precincts or titheable places thereof & how long have or hath they occupyed them <.....> & whether have or hath the s[ai]d Defend[an]ts or any & w[hi]ch of them <since the first> day of August in the.yeare of Our Lord One thousand six hundred sixty & sixe digged wrought or gotten any & w[ha]t quantitys of lead ure within the s[ai]d Rectory or Parish or <any the> precincts or titheable places thereof & w[he]n & where was the place so digged wrought or gotten & of w[ha]t respective Values were the said Lead Oare & the tithes or tenth part or other part thereof due by Custome in clean well washed & dressed Ure Declare <and state your> knowledge herein

10 Item Whether did the s[ai]d Defend[an]t Humphrey Wharton at any time or times, & how long since & when & for w[ha]t time or terme <Farme> any tithes of lead ure within the s[ai]d Rectory or Parish or any the precincts or tithable places thereof of or from the Complainant Isaac Basire & whether did the said Defend[an]t Humphrey Wharton agree to pay or pay unto the s[ai]d Complainant Isaac Basire any or w[ha]t yearly or other <Rent or> summe of money for the same? Whether is the writing now to some deede or Counterpart of the s[ai]d Lease & by whom was the same sealed & delivered were you present or a witness at the sealing & delivery thereof or at the names subscribed or indented as a witness thereunto <& how are> you enabled to Depose herein & whether did the said Defend[an]t Humphrey Wharton by farme or lett of the s[ai]d Lease or otherwise <.....> upon any other p[re]tence & in w[ha]t otherwise or upon w[ha]t other p[re]tence Receive any tithes or tenth or other part, & w[ha]t tithes tenth or other part of any lead ure within the s[ai]d Rectory or Parsonage or any the precincts or tithable places thereof, in cleane well washed & dressed ure & without Subtraction abatem[en]t or Deduction or otherwise or in any & w[ha]t other manner by <whom> & for how long since & from when <& how> know you the same declare the whole truth touching y[ou]r knowledge of this Interrogatory

11 Item What Demises Grants Leases or Tacks of any Mines or Groves of Lead Mines hath the said Def[endan]t Humphrey Wharton made or lett <unto any> person or persons & who by name since the first day of August 1665 & therein reserved made payable to him as Moormaster & to <.....> Moormasters his Successors or bound the <trustees> thereof to pay to him & to them the tithe Ure in clean well washed & dressed Oar from time to time upon paine of forfeiture of these said Tacks? Have you <seen> any of the s[ai]d tacks so made by him, & where & when & w[ha]t is the <o....> or effect of such tack or tacks so made by the s[ai]d Humphrey Wharton as you know or believe speak the truth & how are you <able> to depose herein? & w[ha]t tack or tacks of any Grove or Lead Mines as afores[ai]d hath the Defend[an]t Humphrey Wharton made to <any> person or persons since the <first> day of August 1666 or whether since the s[ai]d time hath any tith Ure as afores[ai]d been paid to the s[ai]d Humphrey Wharton or his <...>

12 Item Whether doe you know of any Mine or Mines of lead newly opened or wrought or Groves newly made within the s[ai]d Rectory or Parish or any the precincts or tithable places thereof during the time of your Remembrance & w[he]n where & by whom & w[ha]t quantitys of lead Ure have been wrought digged or gotten therein & whether hath any tith or tenth or other part for or in the <name of the> tiths thereof been paid unto the Rector or Parson of the s[ai]d Rectory or Parsonage or to any in his Right as <..... H.p.....> hath such tith or part of the s[ai]d <lead ure> been paid in clean well washed ure or otherwise with or without deduction or abatem[en]t & w[ha]t deduction or abatement hath used to be so made & how know you the same

13 Item Doe you know of any <proceedings for or> touching the taking or passing the Acc[omp]ts concerning the lead Ure digged wrought or gotten within the s[ai]d Rectory or <Parsonage> precincts or tithable places thereof at any time or times heretoforetime & w[ha]t method or <practice> hath or have been com[m]only used at such meetings in that behalf? & in what place or places were such meetings had & <.....> often & w[ha]t p[er]sons were present or parties at or to such meetings or <acc[oun]ts>? & how & in w[ha]t manner & order & by & according to w[ha]t <Rules precedents> was it proceeded therein & whose Consents or Agreem[en]ts were Requisite or necessary for the passing Setling or <p[er]fecting> Acc[oun]ts. Declare the s[ai]d Usage & Manner & w[ha]t you can further materally Depose touching the matters in <variance between>

Lastly doe you know Ralph Fetherston Senr of Middleblackdean, Ralph Fetherston Junr of Burnhop, Willm Harrison of Black clough Ralph Harrison of the Hill, John <Westwood> of Duadry Sheel, Robt Rutter of Hunshall Foord, James Vickars of the Chappell John Lownsdale of the White stones Cuthbert Peart of at Drygill House or any and w[hi]ch of them & how long have you so known them or any of them ? & whether have or hath or any and w[hi]ch of them did or doe or doth they any & w[hi]ch of them Claime to have any Estate Right title or Interest as owners or partners

or otherwise of on or to any the s[ai]d Lead Mines & premises or to any lead ure digged or gotten or to be digged or gotten in or forth of the same or any Profit or any Benefit thereof or out of the same & w[ha]t Profit or Benefit. Declare the truth & y[ou]r knowledge & how you are Enabled to Depose herein.

Depositions of Sundry witnesses produced Sworn and examined upon certain Interrogatories unto them administered on the behalf of Isaac Basire Doctor of Divinity & Will[ia]m Blacket Compl[ainan]ts ag[ain]t Humphrey Wharton Esq[uir]e William Fetherstone Thomas Alsoppe John Boulton William Deacon John Rutter John Davison John Pilkington John Fetherston Cuthbert Emerson John Natrrese als[o] Nattress Geo[rge] Wattson Cuthbert Wattson George Whitfield Henry Ragge Arthur Myres George Myres Godfrey Disbrough <als[o] Didsbury> John Ritson Edward Stout and Thomas Burges defend[an]ts taken the two and twentieth day of Aprill in the nineteenth year of his Maj[est]ies <Reign> now is Anno Dei 1667 att Stanhop in Weredale in the County of Durham before John Shaw Clerke Ralph Davison Esq[uir]e John <Westgarth> gentl[eman] by vertue of a Commission issued out of his Said Maj[est]ies Court of Exchequer att Westm[inster] to them & Anthony Byerley Esq[uir]e or any <two or three> of them directed and awarded for the Examina[ti]on of Wittnesses as well on the p[ar]t of the said Compl[ainan]ts as on the p[ar]t of the Said Defend[an]ts

22 Apr 1667 Nicholas Richardson

Nicholas Richardson of Stanhop in Weredale in the County of Durham yeom[an] aged seventy eight years or thereabouts sworn and Examined, saith as Followeth

1. To the first Interr[ogatory] This Depon[en]t saith that he knoweth both the Compl[ainan]ts and knoweth alsoe Humphrey Wharton William Fetherston Thomas Alsopp John Boulton John Davison William Deacon John Rutter John Pilkington John Fetherston John <Nattres?> George Boulton George Wattson George Whittfeild Henry Ragge Arthur Myres George Myres Godfrey Disbury and <..> other defend[an]ts in this suit but the rest of the defend[an]ts he knoweth not & sayeth he hath known both the Compl[ainan]ts for the space of Five years & upwards and the Defend[an]t Humphrey Wharton for the like time & severall of the Defend[an]ts for a longer time and alsoe saith that he knoweth the Rectory of that in[qui]rey in Stanhope in Weredale in his memory only in this Interr[ogatory] menc[ion]ed and the extent & tythable places thereof and knoweth that thereof in part from tythes except the Freehoult

2. To the second Interrogatory this Depon[en]t saith that he knoweth severall Lead mynes within the said parish namely Pikelaw Groverake Thorngrove and Risby Myres

which his family wrought <..> at that Risby Myres which are now wrought wherein he this Depon[en]t was a p[ar]tner in each of them thirty years agoe or thereabout out of all which lead Oare hath been formerly gotten whilst he was p[ar]tner thereabouts alsoe knoweth severall other lead mynes within the said Rectory out of which alsoe lead Oare hath been formerly gotten up namely Gorbutmay or Greeneclugh Longwell Allerclugh and <Allersike?> and was not any p[ar]tner att any of these lead mynes last menc[i]oned but yet hath some lead Lead Oare gotten in each of them anciently

3. To the third Interrogatory this Depon[en]t saith that he beleiveth that there is a custome within the p[ar]ish of Stanhopp in Weredale that all the lead mynes within the said p[ar]ish except only the lead mynes lying within the Freehoult there pay or ought to pay tythe lead Oare in Quarterly kinde unto the Parson of Stanhop for the time being And he is the <whether in soe he believe> the custome for that he knoweth of his owne certaine knowledge that he or by his p[ar]tners did pay their tyth lead Oare in kinde unto the said Parson or his Agent att all those Groves aforesaid where he was soe p[ar]tner and got Oare that is to say a full tenth p[ar]t of all lead Oare soe wrought and gotten by him and his said p[ar]tners and saith that he knoweth that the custome was such thirty years agoe or thereabout & beleiveth that the custome was such time out of mind for that he and his said p[ar]tners were <forced> soe to pay thirty years agoe <and> for that one Alphonsus Bulmer who was then Lessee to the B[isho]pp of Durham did in his Grant to this Depon[en]t and his p[ar]tners make contract with Provisoe that if he this Depon[en]t and his said p[ar]tners should neglect to pay their Lot Oare to the B[isho]pp or their tyth Oare to the Parson for the time being that then their said grant should be voyd and of none effect.

4. To the Fourth Interrogatory this Depon[en]t saith that when all the quantity of lead Oare was gotten and well washed and dressed the tyth Oare was paid in kinde to the Parson or his Agent in clean washed and dressed Oare when the same was ready for goeing to the Smelting Mill, And saith that he and his said p[ar]tners did pay their tythe Oare accordingly to the Parson or his Assignes and not in Rude unwashed Oare. In the time of Parson Moorecroft.

5. To the Fifth Interrogatory this Depon[en]t saith that he never knew or heard of any deduc[tions] or abatement from or out of the said tythes soe washed. and dressed for the digging or getting of the said Lead Oare Allowed by the Parson or his Agents to the owners or Grovers that wrought the same nor heard that ever the owners anciently did make any <...> of deductions in respect thereof. And this Depon[en]t further saith that he and his p[ar]tners twenty years agoe or thereabout drove a Levell att Groverake which cost him and his <ptnrs> one hundred pounds and upwards and had noe allowances att all from the Parson for their charges in driving the said levell or otherwise, And alsoe drove another <level at> Thornegrove which cost them a great deale of Moneyes but never had any allowance att all in respect thereof.

6. To the Sixth Interrogatory this Depon[en]t saith that Doctor Basire in this Interrogatory named is reputed and Generally taken to be Parson of Stanhop in Weredale & doth officiate there & take the p[ro]fits thereof & hath soe officiated & taken the Profits for the space of Five years last past and upwards.

7.8.9.10.11. To the Seventh eight ninth tenth and Eleventh Interrogatories he is not required to be Examined.

12. To the twelfth Interrogatory this depon[en]t saith he cannot nor otherwise depose than what he hath deposed in his depositions to the first Interrogatories.

13. To the thirteenth Interrogatory this depon[en]t saith that he hath heard and beleiveth that there was quarterly meetings att the Chappell in Weredale where the Grovers gave accompte to the Parson or his Agents and to the Lot Master or his Agents of what Oare hath been gotten att their respective Groves but saith that he this Depon[en]t was <never?> p[er]sonally p[re]sent att any such Meeting.

22 Apr 1667 Thomas Greensword

Thomas Greensword, of Stanhop in Weredale in the County of Durham yeom[an] aged seventy five Years or thereabout sworn & Examined saith as followeth.

1. To the First Interrogatory this depon[en]t saith that he knoweth the Compl[ainan]ts in this suit & alsoe knoweth Humphrey Wharton & the rest of the defend[an]ts <excepting Edward?> Stout & Thomas Burges & hath known the Compl[ainan]t Doctor Basire Five years & upwards & the Compl[ainan]t William Blackett twenty years & the Defend[an]ts <..> past & knoweth alsoe the Rectory and Parish of Stanhop in this Interrogatory named and saith that he was born & lived therein from the time of <his birth>

2. To the second Interrogatory this depon[en]t saith that he knoweth & hath known severall lead Mynes within the said P[ar]ish to wit Ewetree & Todfeild Rake & alsoe knoweth Harnashaw Grove in which he this depon[en]t wrought for one Mr Nicholson, And alsoe knoweth another lead Myne within the said p[ar]ish namely <Rake> Grove And saith that he hath known lead Oare gotten in each of the said Groves that is to say in the Groves where he wrought for himself & for Mr Nicholson twenty years & upwards and att Harnashaw grove thirty years agoe & upwards.

3. To the third Interrogatory this depon[en]t saith that he doth know a certain custome within the said p[ar]ish & tythable places thereof that the Parson of Stanhop had or might have tyth of all lead Oare gotten within the said p[ar]ish & the Rector his due for

thirty years last past And saith that he verily beleiveth that <Custome .sayeth> (the freeholds onely excepted) for that he hath heard his Father (who was an Hundrede & eight years old) often say that the Custome was such aforesaid <...> though

4. To the Fourth Interrogatory this depon[en]t saith that soe <sure> as a quantity of Oare was gotten & well washed & dressed the Grovers did usually send to the Parson just then paid the tyth thereof unto the Parson in dressed & washed Oare out of the whole heap att the Groves and times where & when he this depon[en]t was a workman, & saith <...> that the like custome was through the whole p[ar]ish, the Freehoultts excepted.

5. To the Fifth Interrogatory this depon[en]t saith that <never knew> of any subtractions of any charges out of the tythes of lead save for diggeing or getting thereof or other <..... ..> of the Parson within the said p[ar]ish and saith when he was a workman there was noe allowance att all whilst he was workman there <..> they themselves would have fought for it.

6. To the Sixth Interrogatory he is not required to be examined.

7. To the seventh Interrogatory this depon[en]t saith that he cannot depose.

8.9. To the eighth & ninth Interrogatories he is not required to be examined.

10.11.12. To the tenth Eleventh Twelfth Interrogatories he cannot depose.

13. To the thirteenth Interrogatory this depon[en]t saith that he hath heard that there used to be quarterly meetings att the Chappell in Weredale for br[ing]ing & ju<dg>ing of accompts unto the Moormaster and Parson of all lead Oare gotten by the said Grovers but saith he was never p[re]sent att any such meetings.

22 Apr 1667 William Maddison

William Maddison of Newlandside in the County of Durham yeom[an] aged Forty seven years or thereabout sworn and examined saith as Followeth.

1 To the First Interr[ogatory] this Depon[en]t saith that he knoweth the Compl[ainan]ts and Humphrey Wharton and the rest of the Defend[an]ts excepting onely John Boulton John Fetherston <...> Ritson Edward Stout and Thomas Burges and alsoe knoweth the Parsonage house & P[ar]ish of Stanhop in this Interr[ogatory] named & hath known the same by the space of <.....> past.

2 To the Second Interr[ogatory] this Deponent saith that he knoweth divers lead mynes within the said parish out of which lead Oare hath been <formerly> gotten vizt Ewetre Allerclygh <White Rake> burne Greenfeild and Midgpitts and saith that he hath known lead Oare wrought out of the same thirty years agoe and upwards and alsoe saith that he this depon[en]t hath <carried> from all the said Groves.

3. To the Third Interr[ogatory] this Depon[en]t saith that he doth know that tyth lead Oare hath been accompted for att quarterly meetings & afterwards paid in kinde to the <Parson of Stanhop> Agents namely to one Mr Thomas Aisley who Farmed the tyth lead Oare within the said Parish of Mr Moorecroft then Parson there And saith that he can the better depose <.....> he this Depon[en]t did help to carry tyth lead Oare for the said Mr Aisley from the aforesaid Allerclygh White Rake Barkerburne Greenfeild and Midgpits <mynes forsoe> in the years 1630 and 1640.

4. To the Fourth Interr[ogatory] this Depon[en]t saith that tyth lead Oar within the said Parish was alwaies paid in cleane & well washed Oare unto the Parson of Stanhop & <.....> Oare.

5. To the Fifth Interr[ogatory] this Depon[en]t saith that although he this depon[en]t hath been two severall times att the quarterly Meetings & hath helped to carry tyth <lead Oare> Groves as aforesaid yet he this Depon[en]t <did never know nor> heard of any deduc[ti]on or subtrac[ti]on of anything out of the tyth lead oare for or in respect of <.....> otherwise but the same tyth alwaies paid without any subtrac[ti]on att all <that ever> this Depon[en]t heard of.

6.7. 8. To the Sixth Seventh and eighth Interr[ogatories] this Depon[en]t is not required to be examined.

9.12. To the Ninth & tweluth Interr[ogatories] he cannot depose.

13. To the thirteenth Interr[ogatory] this Depon[en]t saith that there were quarterly meetings of the Parson & MooreMaster or his Agents and the Grovers att the <Chappell> St Marks day Lam[m]as & Allhallows days yearly And then & there the Grovers gave in their accompts unto the MooreMaster & Parson or their Agents of <what lead their respective> Groves and <tooke> what accompt the Grovers gave in the Parson hath his tyth paid accordingly those times that he was present And saith <.....> att these two times And further to this Interr[ogatory] <cannot> depose.

William Maddison

22 Apr 1667 Robert Hall

Robert Hall of Stanhope in Weredale in the County of Durham yeom[an] aged Eighty five years or thereabout Sworn and Examined Saith as Followeth.

1 To the First Interr[ogatory] this Depon[en]t saith that he knoweth the Compl[ainan]ts and all the Defend[an]ts in this suit saveing John Boulton Edward Stout & Thomas Burges <.....> time & some of them but of late And saith that he also knoweth the Parish of Stanhop in this Interr[ogatory] named & the p[re]cincts thereof & hath soe known <.....> for> years & upward.

2 To the second Interr[ogatory] this Depon[en]t saith that he doth know severall lead mynes within the said parish namely Allerclugh Ewetree Harnashaw Barkerburne <.....> lead Oare hath been att times gotten & wrought about twenty years agoe to this Depon[en]ts knowledge.

3. To the third Interr[ogatory] this Depon[en]t saith that he doth know that there is & hath been an ancient custome within the said Rectory for the payment of tyth lead oare <.....> tenth p[ar]t unto the Parson of Stanhop in this Interr[ogatory] named to wit att all the places above named in his depos[it]ion to the second Interr[ogatory] & beleiveth the like custome is & <.....> the whole p[ar]ish (the Freeholds excepted) & saith that he hath known tyth lead oare namely a tenth p[ar]t paid in kinde unto the Parson aforesaid <.....> lyeth within the Cobbyhold lands.

4. To the Fourth Interr[ogatory] this Depon[en]t saith that the Myners or Grovers did not use to pay their said tythes to the Parson nor <tythes....> or their Agents <.....> accompted att quarterly meetings att the Chappell in Weredale & then after such accompts the said Grovers did pay there tythes unto the Parson or his Agents <.....> Oare.

5. To the fifth Inter[ogatory] this Depon[en]t saith that he never knew of any deduc[ti]on or subtrac[ti]on out of the said tyth oare <of any kinde .. unto> the Parson or his Agents <for the digging or working> of the said Oare or for <ropes candles work tooles wages> or any thing else, And verily beleiveth that there never were any allowances at all given in respect of <.....> this depon[en]t hath bene oftentimes p[re]sent at the giving and <takeing> of accompts as aforesaid and never heard <.....> or demand of allowances.

6. To the sixth Interr[ogatory] he is not required to be examined.

7. To the seventh Interrogatory this Depon[en]t saith that he hath heard it reported that Mr Wharton <or Ld B[isho]p> hath received tyth lead <within further> to this Interr[ogatory] he cannot depose.

8. 9. 10. 11 To the eighth ninth tenth & eleventh [Interrogatories] he is not required to be examined.

12. To the 12th Interrogatory] he cannot depose.

13. To the thirteenth Interrogatory he is not required to be examined.

22 Apr 1667 Thomas Morgan

Thomas Morgan of Frosterley in the County of Durham yeom[an] aged Seaventy yeares or thereabout Sworne and examined Saith as Followeth.

1. To the First Interrogatory this Depon[en]t saith that he doth know both the Compl[ainan]ts and also knoweth Humphrey Wharton William Fetherston Thomas Alsop <.....> John Harrison John Pilkington Cuthbert Emerson George Watson George Whitfeild Arthur Myres Godfrey Didsbury John Evans (but knoweth not the <.....> known them for severall yeares last past And also knoweth the parish in this Interrogatory named & partly knoweth the tythable places thereof <.....> for fifty yeares last past and upwards

2. To the second Interrogatory this depon[en]t saith that he knoweth severall Lead mynes within the said Rectory out of which lead Oare hath bene <formerly gotten> Ewetree, <Dryside> Ireshopeburne, <Berrywell> Langteyhead, Sallygraine, Greenfeild, Barkerburne, Whiterake, Brackensikes, Midgepits, Allerclough, Newmeadowhead, <.....> And saith that all the Groves aforesaid were wrought thirty yeares agoe, but how long they continued working he cannot depose.

3. To the third Interrogatory this depon[en]t saith that there is a custome within the said parish for the B[isho]p of Durham to have the nineth part and the Parson of Stanhope <to have> the tenth part of <all> Lead Oare gotten at all the Groves menc[i]oned in his deposi[t]ion to the second Interrogatory whether they be in the <customary lands or in the he> saith as to the Freeholde, Copyholde and Stanhop Parke he doth not know whether or noe they pay tyths For he never carryed any lead Oare from thence.

4. To the fourth Interrogatory this depon[en]t saith that at the aforesaid Groves menc[i]oned in his deposition to the second Interrogatory the custome was to pay to the B[isho]ps <Agent> the nineth part and to the Parson or his deputy the tenth part of all Lead Oare, in clean and well washed Oare which was due to them, And saith that this was due for accompt at foure times in the yeare (to wit) at Candlemass, St Marke

day, Lammas and Allhallowmass, and that the Mooremaster or his deputy had a boke wherein accompts were taken of all the lead oare wrought and the tenth part thereof allotted to the Parson and the nineth part to the Bishop, &, if the nineth and tenth parts were paid before the next quarter day there was noe excep[t]ions taken, And further saith that what accompts the Grovers or Overmen gave in, the Bishops Agent and the Parson or his Deputy did takewithout excep[t]ions.

5. To the fifth Interrogatory this depon[en]t saith that at the times of accompting at the Chappell there was nothing appeared of deduc[t]ion or abatement of charges in respect of lot or tyth, soe farre as he knoweth or ever heard of till yesterday, that he this depon[en]t being in discourse with one Cuthbert Peart (who told this depon[en]t that he was to be a witness for the defend[an]ts in this cause) said that they the Grovers had an Over=man over the Groves, and that they did agree amongst themselves and did deduct out of the whole, charges for ropes candles and worke geare, but till yesterday & before this discourse he never heard of any deduc[t]ion at all.

6 8 9 10 11 12. To the sixth eight nineth tenth eleaventh & twelfth Interrogatories he is not required to be examined.

7. To the seaventh <Interrogatory> he can[n]ot depose.

13. To the thirteenth Interrogatory this depon[en]t saith that he can[n]ot further or otherwise depose than what he hath deposed in his deposi[t]ion to the fourth Interrogatory saveing that he knoweth that Ralph Fetherston thirty yeares agoe had an interest in Allerclough Grove, and John Lonsdale in Greenfeild but knoweth <not whether> or noe they have any interest therein for the present and further can[n]ot depose.

22 Apr 1667 William Smith

[Note: John Bewick was said to be an 'intruder' claiming the rectory at some point during the Commonwealth period when Basire was in overseas exile. George Bacon, who probably arrived in the North Pennines around 1650 from Derbyshire had lead interests in the region from the 1650s onwards.]

William Smith of St Johns Chappell in Weredale in the County of Durham Clerke aged thirty five yeares or thereabout Sworn and examined Saith as followeth.

1. To the first Interrogatory this depon[en]t saith that he knoweth Isaac Basire one of the Compl[ainan]ts in this Suite and also knoweth all the defend[an]ts except Edward Stout and Thomas Burges, but knoweth not the other Compl[ainan]t William Blacket, &

hath known some of them for a longer time & some of them for a less, And also saith that he knoweth the Parish in this Interrogatory named and the precincts thereof and hath known the same for ten yeares last past or thereabout.

2. To the second Interrogatory he is not required to be examined.

3. To the third Interrogatory this depon[en]t saith that of his owne knowledge he doth not know the custome of tything lead Oare within the said Parish for that he is a stranger and came into the said Parish but about ten or eleaven yeares since, but saith that he hath credibly heard and believeth it to be true that there is a custome within the said Parish that the tenth part of all lead Oare gotten within the said Parish (the copyholds & freeholds excepted) should be paid to the Parson of Stanhop in this Interrogatory named And he is the rather induced to beleive the same to be true for that he this deponent did draw a lease for a <farme> of all the tyth lead Oare tythable within the said Parish from one Mr Bewicke who was then Parson of Stanhop aforesaid unto one Mr George <Bacon> under the rent of fifty pounds.

4.5.6. 7.8.9.10. To the fourth fifth sixth seaventh eight ninth & tenth Interrogatories he is not required to be examined.

11. To the eleaventh Interrogatory this depon[en]t saith that about June last he this depon[en]t was p[re]sent in his own house and did there for the defend[an]t Humphrey Wharton Signe Seale and deliver unto the defend[an]t Thomas Alsoppe James Vickers and others a Tacke of a Grove called Stoophead lying <above> Crag=Grove in Midle=BlackDean=high=pasture (which hath not bene wrought since) And also saith that at or about the same time he did See the said <D[efendan]t> Wharton in like manner Signe Seale and deliver another Tack unto Mr John Pilkington Toby Trotter and others, of another Grove called Allerclough within the said high pasture, In both which said Tacks was inserted this Condition that the said Thomas Alsoppe and John Pilkington and the rest therein respectively concerned should pay to the said Mr Wharton as Mooremaster and to his Successors the Lot and tyth or ninth and tenth part of the lead Oare there gotten in clean well washed and dressed Oare, And further to this Interrogatory cannot depose.

12. To the twelfth Interrogatory this depon[en]t saith that during the time of this depon[en]ts remembrance (but doth not particularly remember the time when) he hath known two severall groves of lead Oare to wit, Todstone, by Cuthbert Watson & others, and Lodgslit by John Rutter and others, opened and wrought And saith that out of Lodgslit there hath bene good quantities of lead Oare gotten and but smale quantities out of Todstone; and further to this Interrogatory can[n]ot of his owne knowledge depose.

13. To the thirteenth Interrogatory this depon[en]t saith that he knoweth that on All Saints day last there was a meeting at the house of James Vickers com[m]only called Chappell-house in Weredale touching the taking and passing of accompts of lead Oare gotten within the said Parish, where and when Doctor Basire did demand of the Mooremasters stewards namely Mr John Westgarth and Mr William Deacon and also of others his tenth or tyth Oare of what oare had bene gotten. And did also require a sight of their bookes according to the ancient custome used as he hath credibly heard. And further saith that he knoweth Ralph Harrison of the Hill and saith that he confessed to him this depon[en]t and others this day that he the said Ralph Harrison had an interest and was a partner in the Grove called Barkerburnemay which is a lead myne within the said Rectory, And alsoe saith that James Vickers had a Tack (as he hath <p[re]deposed> which was to be forfeited for not working, but whether or noe he hath forfeited the same he can[n]ot depose; And further to this Interrogatory can[n]ot depose, save that he knoweth the p[ar]ties named in this Interrogatory.

22 Apr 1667 Cuthbert Morgan

Cuthbert Morgan of Frosterley in the County of Durham yeom[an] aged sixty six years or thereabout sworn & examined saith as followeth

1. To the first Interrogatory this depon[en]t saith that he doth know Isaac Basire one of the Compl[ainan]ts but doth not know the other defend[an]t in this suit And also knoweth Humphrey Wharton William Deacon Godfrey Didsbury and John Evans and hath soe known them for five years last past, but doth not know the other defend[an]ts And also saith that he knoweth the parish of Stanhop for sixty years or thereabout.

2. To the second Interrogatory this depon[en]t saith that he knoweth severall Groves within the said Parish, out of which lead Oare hath bene formerly gotten that is to say Cowes, Rowland Johnsons Grove, Quarrell hill Harnashaw, John Mowbreys Groves, out of all which Oare hath bene gotten, out of some three years agoe, out of others foure years agoe and out of others twelve years agoe.

3. To the third Interrogatory this depon[en]t saith that he this deponent is & hath bene for six years last past a partner at a Grove called Ewetre within the said Rectory and that he & his p[ar]tners have alwaies paid two parts out of ten of all lead Oare gotten at their Grove that is to say a nineth part to the Moore master and a tenth part thereof to the Parson for his tyth And further saith that thirty years agoe he was a workman at the Groves in Bollyhope and that then lot and tyth was in like manner paid at the said Bollyhope Groves to this Depon[en]ts knowledge, And this was alwaies reported to be an ancient custome at those two Groves but whether the like custome be generall through the whole parish he can[n]ot depose.

4. To the fourth Interrogatory this depon[en]t saith that the lot and tyth was accompted for at foure times in the yeare and paid sometimes before the accompt and sometimes after the accompt. And saith that for five years last past ended in August last he & his partners paid their lot and tyth unto Mr William Deacon one of the defend[an]ts & deputy to Mr Wharton the Mooremaster & who then was Farmer under Doctor Basire of the tyth lead Oare within the said p[ar]ish in clean and well washed and dressed Oare and not in rude and unwashed Oare.

5. To the fifth Interrogatory this depon[en]t saith that he and his p[ar]tners never had any deduc[ti]on or abatement out of the said tythe at Ewetree neither for wood rope candles or any thing else although they did demand allowance for the same. And saith that in Sir Arthur Heselriggs time he this depon[en]t was a workman at Ewetree Grove & that the owners or Grovers were at great charges in driving a levell there for two years & an halfe and did demand allowance for their great charges, but could not have any allowance at all made unto them And further saith that long since the Grovers at Bollyhope Grove had wood from Blackbanck & Wolsingham Parke for the use of the same Groves by warrant from the Bishops steward.

To the rest he is not required to be examined.

22 Apr 1667 Lancelot Chapman

Lancelot Chapman of Bucklesdale in the County of Durham yeom[an] aged eighty three years or thereabout Sworn & examined saith as followeth.

1. To the first Interrogatory this depon[en]t saith that he knoweth both the Compl[ainan]ts And also knoweth all the defend[an]ts except John Boulton Cuthbert Watson Thomas Ritson Edward Stout Thomas Burges, & hath known some of them for a longer time & some of them for a shorter time And also knoweth the Parish of Stanhop in this Interr[ogatory] named & the precincts & tythable places thereof & hath known the same from the time of his youth for he was born in the said parish & lived therein all or most of his life time.

2. To the second Interrogatory this dep[onen]t saith that he doth know divers lead mynes within the said Rectory out of which lead Oare hath bene formerly gotten namely Whiterake Barkerburn, Langtey head, Stoneysike places & severall other Groves And saith that there hath bene lead Oare gotten out of some of them for long since as he can remember & some of them have been wrought of later times.

3. To the third Interrogatory this depon[en]t saith that he knoweth that there is a custome for the paym[en]t of tyth of lead Oare digged & gotten within the said Rectory to the parson of Stanhop or his Farmers And believeth <.....> the whole p[ar]ish (except

the freeholds) but cannot depose the certainty thereof of his own knowledge, but only as unto High Groves wherein he is & hath bene formerly concerned as a partner workman at <....> Groverake in Rookhop

4.To the fourth Interrogatory this depon[en]t saith that the said tyth Oare hath usually bene paid in clean dressed & well washed Oare, & not in rude & unwashed Oare; the same being first accompted for quarterly at the <...> accompt paid <...> at the Groves where they were demanded or sent for by the parson or his Agents.

5. To the fifth Interr[ogatory] this depon[en]t saith that fifty eight yeares agoe and ever since when he was concerned he paid all the tyth lead Oare first a tenth p[ar]t of the whole in kind unto the Parson of Stanhop or his <....> at all saveing that of late <upon intreaty> Mr Deacon who was then Agent for the Parsons Lessee did give him and his partners some allowance at Ewetree which of right they could not <challenge>, but many <tim..> and saith he <knows not> of any deduc[ti]on at all at other Groves where tyth hath bene formerly paid. But saith that hath heard old men say that they had a custome for allowance, but they had lost it. And <....> a custome for them to have work from the Bishop for his Lot and two shillings a bing load from the Parson for his tyth, and in particular he heard one Ralph Nattress at a quarter meeting at the Chappell <....> the parson but would not pay the same unless he had two shillings for washing it, but whether or noe he got the said two shillings he knoweth not.

6.To the 6th Interr[ogatory] he is not required to be examined.

7.To the seventh Interr[ogatory] the depon[en]t saith that he doth know that since Lammas last the Parson of Stanhop by his servant Mr Thomas White did receive tyth lead Oare in kind at Ewetree without any <.....> the same or otherwise

8-9.To the 8th and 9th Interr[ogatories] he cannot depose

10.To the tenth Interr[ogatory] this depon[en]t saith that Mr Humphrey Wharton by his Agents did receive from him this depon[en]t his tyth or tenth p[ar]t of lead Oare in clean dressed & well washed Oare without <.....> did give him as before he hath deposed And that it hath bene received by the said Mr Wharton Lessee to the Parson, or by the said Mr Whartons Agents for foure or five years last past at Ewetree <.....> any other but if he has had <not> wrought had any tyth Oare in any other tythable place within the said Rectory he would have paid his tyth to the Parson without any deduction as of right he agreed <..>

11-12.To the 11th & 12th Interr[ogatories] this depon[en]t saith that he cannot further or otherwise depose than what & how he hath predeposed.

13. To the thirteenth Interrogatory this deponent saith that he doth know that there have bene quarterly meetings yearely namely at Alhallowmass Candlemass St Marks day & Lammas at the Chappell in Weredale for & the Bishops agents the Parson of Stanhop or his Agents & the Grovers' touching the lead Oare gotten within the said Parish And further saith that the Method or Manner of accompting was for the Grovers to give & what was due to the Bishop for his Lot And likeways to the parson or his Agents of what was due to the Parson for his tyth, & saith that some men would have given in one load, some two loads, some three loads, & they had gotten it, And what accompts the Grovers gave in the Bishops Agents & the Parsons Agents did take without exceptions & entered them in their books & further to this Interrogatory he cannot depose some & in this interrogatory named.

22 Apr 1667 George Harrison

George Harrison of Shitlopburne in Weredale in the County of Durham yeoman aged fifty nine yeares or thereabout Sworn and examined Saith as followeth.

1. To the first Interrogatory this deponent saith that he knoweth both the Comptrolers and also knoweth all Thomas Alsoppe John Horton William Deacon John Harrison John Pilkington Cuthbert Emerson George Watson George & Myres Godfrey Didsbury & John Evans & hath known them for divers yeares And also saith he knoweth the Parish in this Interrogatory named & hath knowne it fifty yeares last past And also knoweth severall tythable places within the said parish from whence he this deponent hath & tyth lead & Greenfeild Midgpits Langteyhead Allerclugh & another Grove in Burnhop lying upon the dikes.

2.3. To the 2nd & 3rd Interrogatories he is not required to be examined.

4. To the fourth Interrogatory this deponent saith that fourty yeares agoe or thereabout he this deponent was employed as a Carryer of tyth lead Oare by one Thomas Emerson then Agent for the & men mentioned in his deposition to the first Interrogatory Which tyth he alwaies received in clean dressed & well washed Oare

5. To the 5th Interrogatory this deponent saith that though he was a Carryer as aforesaid yet he never knew of any subtraction or abatement from or out of the tyths of lead Oare at any time & of the parish aforesaid concerning the digging getting or working of the same within the said parish nor never heard of any difference about the same till about Lammas last.

22 Apr 1667 Thomas Robson

Thomas Robson of Stanhop in Weredale in the County of Durham yeom[an] aged sixty six yeares or thereabout Sworn and examined Saith as followeth.

1. To the first Interr[ogatory] this depon[en]t saith that he knoweth both the Compl[ainan]ts & also knoweth Humphrey Wharton Thomas Alsoppe William Deacon William Fetherston John Rutter John Harrison John Pilkington <.....> George Whitfeild Henry Ragge Arthur Myres George Myres Godfrey Didsbury John Evans & Thomas Ritson but the rest of the defend[an]ts he knoweth not And also saith that he knoweth the parish of Stanhop <.....> named & the tithable places thereof.
2. To the 2nd Interr[ogatory] this depon[en]t saith that he knoweth divers lead mynes within the said p[ar]ish namely Harnashaw, Ewetre, Howsike & another the name whereof he hath forgotten, out of which he hath <.....> yeares since & some of later times & at one but about six yeares since.
3. To the 3rd Interr[ogatory] this depon[en]t saith that he being servant to Mr Moorecroft from the time that he this depon[en]t was sixteen yeares of age untill the time of his Masters death did ever heare <that> a custome for the paym[en]t of tyth Oare to the Parson of Stanhop and never heard that it was denyed till of late And further saith that his said Master imployed one Sir George Hall his Curate & after <.....> him Mr Draycote who was his Curate at the Chappell in Weredale to take accompts at foure quarterly meetings there in the yeare for the tyth Oare due to the Parson And further saith that he this <.....> knowledge <of any> tyth lead Oare taken in kind except two bing loads but only moneys in lieu thereof.
4. To the fourth Interrogatory he can[n]ot further depose than what he hath p[re]deposed.
5. To the fifth Interrogatory this depon[en]t saith that he doth not know of any deduc[ti]on out of the tyths for working thereof or otherwise but saith he doth not know of his owne knowledge whether there were <.....> beleiveth that there were no deduc[ti]ons at all, for that he was constantly imployed in most of his said Masters occasions dureing the time of his Service and never during that time did heare or know <of> not.

To the rest he is not required to be examined.

22 Apr 1667 John Pilkington

John Pilkington of Newparke in the County of Durham gentl[eman] aged thirty one yeares or thereabout Sworn and examined Saith as followeth.

To the last Interr[ogatory] this depon[en]t saith that he doth not know that Ralph Fetherston in this interrogatory named hath at present any estate right title or interest as p[ar]tner or Owner or otherwise <.....> the parish of Stanhop or to any lead Oare digged or gotten or to be digged or gotten out of the Same, but saith that he had an interest in Allerclough Grove which interest he did pass away <.....> when he did soe pass it away he doth not now remember though he this depon[en]t was a witness to the conveyance thereof, And saith he doth presume that it is not above two yeares since & <further>

To the rest he is not required to be examined.

22 Apr 1667 Arthur Morgan

Arthur Morgan of Frosterley in the County of Durham yeom[an] aged forty eight yeares or thereabout Sworn and examined Saith as followeth.

1. To the first interr[ogatory] this depon[en]t saith that he knoweth both the Compl[ainan]ts & also knoweth Humphrey Wharton Thomas Alsoppe William Deacon John Pilkington Henry Ragge Arthur Myres <.....> knoweth not any other of the defend[an]ts And also saith he knoweth the Parish Of Stanhop in this Interrogatory named and some tythable places therein & hath known the said Parish <foure yeares>

3.4.5. To the third fourth & fifth Interrogatories this depon[en]t saith that thirty yeares agoe he this depon[en]t was a partner at Ewetree Grove within the said Parish & saith that at this Grove there <.....> of all lead Oare there gotten unto the Parson of Stanhop or his Agents for his tythe in clean dressed and well washed Oare & not in rude and unwashed Oare without any deduc[ti]on or <subtraction taken> for the digging or getting thereof or for any other charges whatsoever And further saith that he & his p[ar]tners did drive a levell there for two yeares & an halfe together & had noe <.....> the tyths or otherwise, nor ever demanded any for that they never heard of any allowance that ought to be given at that time at that Grove [2-3 words deleted] or at any other Groves <within> that he & his said p[ar]tners did pay their tyths to the said Parson according to the said custome there.

7. To the 7th Interr[ogatory] this depon[en]t saith that Mr Deacon Agent for Mr Wharton who was lessee to Dr Basire the Parson did for <five late yeares> last past & untill August last <.....>

12. To the 12th Interrogatory he can[n]ot depose.

To the rest he is not required to be examined.

22 Apr 1667 Thomas White

Thomas White of Stanhop in Weredale in the County of Durham yeom[an] aged fourty six years or thereabout sworn & examined saith as followeth

1. To the first Interr[ogatory] this depon[en]t saith that he knoweth both the Compl[ainan]ts & all the defend[an]ts except John Horton John Boulton Thomas Ritson and Thomas Burges. And saith he knoweth the parish of <.> known the same for three years and an half last past.

3.4.5. To the third fourth & fifth Interrogatories this depon[en]t saith that he knoweth not the auncient custome of tything lead Oare within the said Parish but saith that since Lammas day last he <.....> Doctor Basire & Rector of Stanhop at the Grove called Ewetreeth hath received three severall times tyth lead Oare in kind sett a full tenth part of all the Lead Oare there gotten in clean dressed <.....> any deduction or subtraction of any thing out of the said tythe for the digging getting or working thereof or for anything else.

7. To the 7th Interr[ogatory] this depon[en]t saith that Launcelot Chapman told this depon[en]t that Mr Deacon Agent for Mr Wharton who was lessee to Doctor Basire had received at Shrovetide gon & <t.....> of clean dressed Lead Oare of him the said Launcelot Chapman & his p[ar]tners at Ewetreeth and that out of the same the said Mr Deacon tooke off foure bing loads sett two bing <lo.....> a tyth and also received the like quantity of twenty bing loads of Oare at the Easter after and likewise tooke off foure bing loads thereof for lot & tyth & that he the said Launcelot noe allowance at all out of the said lot or tyth either for charges or by charges or anything else.

8. To the 8th interr[ogatory] this depon[en]t saith that he knoweth that a lease of of the tythe of lead Oare within the said Rectory was made by the Compl[ainan]t Isaac Basire unto the <.....> and saith that the writing now produced unto him at the time of his examination bearing date the first day of August in the eighteenth year of the reign of Charles <...> & subsigned Will[iam] Blackett as a Counterp[ar]t of the same lease And further saith that he this depon[en]t was present at the signeing sealing and delivery of the said <...> and did subscribe his name as a witness unto both as now it is to the s[ai]d Counterp[ar]t And for the matters & things therein contained referreth himselfe thereunto

9. To the ninth interrogatory this depon[en]t saith that he knoweth that severall of the defend[an]ts are Owners or Occupiers of severall Groves or lead mynes within the <.....> Owner of Howsike and Langwell Thomas Allsoppe and Will[ia]m Deacon Owners in p[ar]t of Elmeford. W[illia]m Deacon owner of part of severall other Groves with p[ar]tners John <....> John Pilkington p[ar]t owner at Allercleugh Cuthbert Emerson John Nattress George Watson and Cuthbert Watson <in> Owners at Toadstone George Whitfeild reputed owner<...> Myres George Myres Godfrey Didsbury & John Evans owners of Ryspymyres Edward Stout p[ar]t owner at the South end of South Grain Henry Dagge Arthur Myres George <.....> of Greencleugh And saith that since the first day of August one thousand six hundred sixty six all the aforesaid lead Mynes have bene wrought at & lead Oare gotten at <.....> the severall quantities of oare gotten at any of the said Groves he doth not know nor what the value thereof is.

10. To the tenth exam[ination] with Interr[ogatory] this Deponent saith that [about eight short words deleted] to his knowledge Humphrey Wharton did farme all the tyth Oare (the freeholds only ex <.....> of Doctor Basire for two years last past ended at Lammas last, for the first year whereof the said Doctor Basire did receive of the said Mr Wharton two hundred & ten pounds <.....> hundred and sixty pounds & further to this Interrogatory can[n]ot depose.

11. To the eleventh Interr[ogatory] this depon[en]t saith that he hath seen a page or writeing bearing date the first day of June last purporting a tack of Allercleugh Grove <.....> Humphrey Wharton unto Mr John Pilkington Toby Trotter & others, subscribed Humphrey Wharton with a seale thereunto affixed & the names Mathew <Smith &> as witnesses thereunto in which said writeing or Tack were men[ti]oned severall articles & covenants & p[ar]ticularly by the second Article thereof the said John Pilkington <.....> covenant with the said Humphrey Wharton to pay unto the said Humphrey Wharton as Moorem[aster] & to his Successors the lot & tyth vizt the ninth & tenth p[ar]t of all the Oare <.....> grove in clean washed & well dressed Oare or use And also saith that he hath seen another writing dated the eighteenth of September one thousand six hundred sixty <.....> made from the said Mr Wharton unto Thomas Alsoppe Will[ia]m Deacon & others And also another printed paper purporting a Tacke of a Grove called Stouphead <men[ti]oned> Wharton unto James Vickers Thomas Vickers & others in both which last men[ti]oned papers were the like covenants for paym[en]t of lot & tyth to be paid to the said <Humphrey> & further deposeth not.

12. To the twelfth interr[ogatory] this dep[onen]t saith that he knoweth that about Lammas was a twelve month a grove called Ryspymyres was opened & wrought & great quantities <.....> Godfrey Didsbury & others & also another Grove opened

the last yeare at South Graine by Edward Stout Thomas Burges & others, out of which they got Oare but <the.....> doth not know.

13.To the last interr[ogatory] this depon[en]t saith that he knoweth all the p[ar]ties in this interrogatory named except Cuthbert Peart And also saith that he heard Ralph Harrison <...> and confess that he [about two words deleted] is a partner at Barkerburnmey and hath an interest therein but what profit or benefit he hath thereby he this depon[en]t knoweth not <.....> partners had a Tack of Stoophead but hath not wrought the same since he got his said Tack & further to this Interrogatory can[n]ot depose.

To the rest he is not required to be examined.

22 Apr 1667 Ralph Maddison

Ralph Maddison of Shotleybridg in the County of Northumberland gentl[eman] aged thirty one years or thereabout sworn & examined saith as followeth

To the last Interr[ogatory] this depon[en]t saith that he knoweth Ralph Fetherston & James Vickers two of the p[ar]ties in this interrogatory named & saith that at Lammas last or thereabout <.....> told him this depon[en]t that he the said Ralph Fetherstone had two p[ar]ts of a Grove called Allerclough And further saith that at or about Whitsuntide he the said <..... wood> of him this depon[en]t for the use of the same Grove which wood he this depon[en]t did afterwards deliver for the use of the same <James Vickers> aforesaid Ralph Fetherstone accompted with him this depon[en]t for two parts of the same wood and gave him satisf[acti]on for it afterwards And further <... can not> depose

Wee whose names are hereunder written Comp[lainant]s in this cause doe hereby certify to the Right hon[our]able <..... of> of Ralph Harrison is witness in this cause sworn & examined on the defend[an]ts behalf at the time of <being> he hath a grant of a Tacke of a Grove called Barkerburnemay from the defend[an]t <....> and works at that Grove and that he hath wrought there for the space of two years <.....> hath had benefit by the same Grove. In testimony whereof wee have here <...>

<..... et ...nt die Anno & loco ...

Ra Davison <..... John> Westgarth

22 Apr 1667 Humphrey Wharton

[Note: Interrogatories drawn up on behalf of Wharton, the lead defendant in the case brought by Basire and Blackett, to be used in questioning his witnesses. The depositions of those witnesses are given here in the order in which they are presented amongst the Exchequer Court papers. There are some missing and obscured sections which are indicated in the transcript, but enough has survived to provide a general sense of the nature of questions asked and evidence given. See general note at the head of this document for background to the case.]

Interrogatories Exhibited to be Administered to Such Witnesses as Shall be produced sworne and Examined on the part and behalfe of Humphrey Wharton Esq Thomas Allsopp William Deacon John Horton John Boulton William Fetherston John Rutter John Pilkington John Fetherston Cuthbert Emerson George Watson Cuthbert Watson George Whitfeild Henry Dagg Arthur Myres George Myres Godfrey Disbury John Evan Thomas Ritson Edward Stoute Thomas Burges John Natris John Harrison Def[endan]ts Against Isaac Basire Doct[or] in Divinity and William Blackett Comp[lainan]t

Imprimis Doe you know the partyes Compl[ainan]ts and Defend[an]ts or any of them and how long have you soe knowne them or any of them

2. Doe you know the Lead Mynes within the parrish of Stanhopp called by their particular names of Hoesike Hawgrove Greenewelheads Greenewelfoote Claygrove Barber grove Gravel Lodge Perls=Clough Earnewelhead Windsike Deepeclough head Waggon grove Westgraine Fawhead Bradesike Lanegrove Westside of Earnewell Ireshopburnefoote Grovehead Allerclough Elmeford Storyeheads Clough head Langtay head Berry well Greenegrove Stony Sike Scratch heads StonySikefoote Cocklake Springwelle East and West of Langtay Flaske Castenholes Blacklaws Hesleygill Sallergrayne by and West of Cocklaws Broadmaysike Earneclough Blackaxeltree Bullion grove Bond grove Seinesike Dowkeside Newmeadowheads Groverake Postwell Pawperhills Eshclough Blaberryclough Westgraine Wolfe:clough Nicholsonsgrove East and West of Blackstands West of Blaberryclough Brandmay foote Berryclough Ramshawell West of Berryclough Spargrove Broadmaygrove Greenefeild Toadstone Burnegrove Blackgrove Bailehill Greenehille Lodgefeild nooke Brackensike Whiterakes Midgepitts Sedlinggrove Readgrove Westrake of Greenefeild Adderclough both sides Wolfescloughhead Highgrove Gorbutt May Greenesclough Dixons grove Lawsleape Fowlewood Barkeshaw meadow Wolfecloughfoote Langwell Arnehill Groverake Rosbymyres Thornegrove Picklaw carr Southgraine Booteswell Allersikes Heathanes Bollihoppgrove Mirkegill West Side of Harnishaw Shaftwell Craggrove Blackburne Eastgraine Undercragg Bollihopp: Shelnooke Drigill Birkehill Welheads Bog grove Hesleyhill Clay:grove East and West of Puddingthorne Heddiclough both

Sides Hetgrove in the forest Hillgrove Snodbury:clough Beedhills Dowford Mosgrove Birkes Burneygrove Ewetreew Crawley Crawbanck Brinsike Newgrove Hilhagarth Cowhorse Middlegrove Burnthille Parkside Lodge Feildnooke the Rake Eastfeild grove Cows the Grove Wardsons grove Mellerbury grove quarryhill grove Allergill East & West of Newlandgrove Coweswellfoote or any of them or any other Lead Mynes and which by name within what place or Fell doe they or any of them ly and are the same severall distinct Lead Mynes as well as they have severall distinct names and what can you declare concerneing the same

3. Doe you know that the said Lead Mynes in the precedent Interrogatory or any of them and which by name paid any Tyth in kind or any Composition in lieu of the same unto the Parson of Stanhopp Parrish his Agent officer or Lessee in right of the Parson Who paid the same for what Lead Myne paid and to whome paid And how often in the yeare paid and at what place Was the the same paid with Deductions of Charges and what charges were allowed by the Said Parson his Agent or Lessee to the respective owner and occupyer that paid the Said Tyth made And was Such Deductions First taken out and Tyth paid of that which remained Declare yo[ur] knowledge herein

4. Doe you know that the Tything oare or Cuttings got out of the Waistgrounds wholegrounds and old heapes paid any Tyth to the Said Parson of Stanhopp

5. Doe you know of any Lead Myne within the said Parrish of Stanhopp that paid noe Tyth oare or Composition in Lieu thereof

6.. Doe you know the Charges and Expences from the First of August last unto the Seaventh of March includeing for the getting of Lead oare in the forefeild and broken grounds in the severall Lead mynes of Hoesikes Elmeford Allerclough Roseby Myre Lodgefeild rake also Lodgefeild Slitt Toadstone Greene clough Weste of Southgraine and Eastside of Southgraine the Rakes or any of these or of any other Lead Myne or Mynes whatsoever within the parrish of Stanhopp

7. Doe you know that if any lead Myne within the Said Parrish of Stanhopp that paid Tyth afterwards is left unwrought by reason that the Charges in workeing the Same is greater then the profits that proceed out of the Said Lead Mynes if the Said Lead Mynes be afterwards Digged and wrought doth not pay Tyth whilst the broken ground continues working and what Lead Myne doe you know Soe left unwrought for the aforesaid reason and now is wrought in the broken ground

8. Are you a Wittness and Subscibed your name or Marke according to the Severall Tackes or Grants now Shown unto you made by the Said Humphrey Wharton to the Severall persons therein named

9. In whose Custody or possession have you seene these Severall paper books now Shewen unto you and how long is itt Since you first Saw the Same

10. What other matter or thing Doe you know which any way tend to prove that the Tythes of Lead oare got within the <sd forest> [2-3 words smudged out]> the Said parrish of Stanhopp were or are not to [1-2 words smudged out] to prove which of the Said Mynes pay Tythes all manner of Deductions and Charges being first allowed unto the owner or occupyers thereof and the truth herein you are to declare

Depositions of Sundry Witnesses produced sworne and Examined on the part and behalf of Humphrey Wharton Esqr William Fetherston Thomas Alsopp John Horton al[ias] Orton John Boulton William Deacon John Rutter John Harrison John Pilkington John Johnson Cuthbert Emerson John Nattress al[ias] Natrice George Watson Cuthbert Watson George Whitfeild Henry Ragg Arthur Myres George Myres Godfrey Disbbrough al[ias] Didsbury John Evans Thomas Ritson Edward Stoute and Thomas Burges Def[endan]t whose bill of Compl[ain]t of Issaac Basire and William Blackett Compl[ainan]t Made at Stanhop in the County of Durham the Two and Twentyeth day of Aprill in the nineteenth yeare of the Raigne of our Sovereigne Lord Charles the Second over England Scotland France and Ireland King Defend[er] of the faith Before John Shaw Clerke Ralph Davison Esqr John Westgarth Gent by virtue of A Examination out of his Majesties Excheq[uer] Chamber at Westm[inster] awarded And to the Said John Shaw Clerke Ralph Davison Esqr John Westgarth Gent was one Anthony Byerley Esqr Deceased and to any three or Two of them directed.

22 Apr 1667 John Westgarth

John Westgarth of Westgate in the County of Durham Gent aged forty yeares or thereabouts Sworne and Examined Sayth as Followeth

To the first Interrogatory this Depon[en]t saith hee knoweth the partyes Compl[ainan]t and Def[endan]t in the Suite Some of which he hath knowne a long time.

To the Fifth Interrogatory this Depon[en]t Sayth that hee knoweth A certaine Lead myne opened and wrought att A place called Millerbury in Stanhope parrish whereof Good quantities of Lead oare was Digged wonne and gotten by one Lancelott Westgarth who was father to the Depon[en]t and one Thomas Westgarth the Depon[en]ts Brother in the time of Mr John Bewicke who was Rector of Stanhop and likewise in the time of Doctor Issaac Basire one of the Comp[lainan]ts for which noe Tythse were paid or any Composition in lieu thereof And this Depon[en]t likewise Sayth that hee knoweth another Lead Myne opened and wrought att Crowbanke in the Said parrish of Stanhop wherein A Small quantity of Lead oare (vizt.) Five or Six Bing

Load of lead oare or thereabouts was gotten And although that the Agent for Humphrey Wharton Esqr one of the Defend[an]ts did demand Tyth oare for the Same yet William Hall Esqr and Charles Selby Gent who were owners of the Said Myne refused to pay any because they were Satisfyed itt was not Custome there And this Depon[en]t knoweth the better to Depose herein because hee was Employed as Steward for the Said William Hill and Charles Selby and was ordered by them to make Said refusall And likewise hee knoweth Another place within the Said parrish called Parkeside wherein a Myne was opened and wrought and Nine or Tenn Bing loads were gotten or thereabouts and noe Tyth oare paid for the Same nor any Composition in lieu thereof by the Said William Hall Esqr and Mr Charles Selby or any other to this Depon[en]ts knowledge for that particular Myne And this Depon[en]t further Saith that hee knows Another Lead Myne lying within the libertyse of the Said William Hall Esqr and Mr Selby in A place called Newlandside in the Said parrish of Stanhopp wherein was Digged and wonne foure or five Bing load of lead Oare and noe Tyth paid for the Same unto the Said Rector or parson off Stanhopp or any of his Agents in Right of his Said parsonage although Demanded by Doctor Basire and his Lessee or Some claimeing from him And yet was refused to be paid for the reasons aforesaid And further to the Interrogatory he cannot Depose.

6. To the Sixth Interrogatory this Depon[en]t Sayth and Deposeth that from the Fifth of August last unto the Seaventh of March next Ensueing there was Digged wonne and gotten at Hoesike forefeild one hundred Eighty Three Bing loade and one horse loade of Oare And that the Expences and Charges for the Winning Digging and getting of the Same did amount unto one hundred and fifteene pounds Thirteen Shillings And likewise that there was Digged Wonne and gotten in the <broken> Grounds at the Said Hoesike one hundred seaventy Two Bing loade and Three horse loade the charges Expended there for winning of the Same Ninety Eight pounds Eighteen Shillings Att Allerclough Seaventy nine Bing load and three horse loade and the charges Expended for the winning thereof one hundred foureteene pounds Five Shillings Att Gravell Lodge there was Expended Forty Seaven pounds Thirteene Shillings Tenn pence in opening and Digging A Lead Myne And yet noe lead oare was wonne there And this Depon[en]t is better able to Depose herein because hee was Steward for Mr Wharton of the Said Lead Mynes within the Forest of Weredale in the Said parrish of Stanhopp and tooke the Accompts there And further to this Interrogatory cannot Depose.

To the rest hee is not required to be Examined.

John Westgarth

22 Apr 1667 Ralph Fetherstonhaugh

Ralph Fetherstonhaugh of Middleblackdeane in the County of Durham Yeoman
Aged Seaventy Five yeares or thereabouts Sworne & Exam[in]ed Sayth as
Followeth

1. To the first Interrogatory this Depon[en]t sayth that hee knoweth all the partyes
pl[ain]t[if]fs and Defend[en]ts : to this Suite (Except Thomas Ritson and Edward
Stoute) and hath Soe knowne them for Severall yeares last past.

2. To the Second Interrogatory this Depon[en]t sayth that hee knoweth Severall Lead
Mynes in the parrish of Stanhopp (vizt) Hoesike in Ireshopefell Greenwell heads in the
Same Fell Barber grove Gravell Lodge Pooleclough Earnewell head Windsike
Deepeclough head Waggongrove Westgraine Broadsike Ireshopeburne foote and
Groveheads all Situate and being in the Said Ireshopefell Allerclough Elmeford and
Stony Wheade in Middleblackdeanefell and pasture Lodgefeildslitt in the Same Fell or
pasture Clough head in Easterblackdeanefell Longtahead in Burnhoppfell Berrywell in
the Same Fell Greengrove in the Same Scrath head in the Same Springwell in the Same
East and West of Langtay in the Same Blacklaws Hesleygill Fallowgraille East and West
of Blacklaws all in Burnhopp afores[ai]d and Earnclough in Middlehopp Dowke in the
Same Newmeadowheads lying part in Middlehopp and part in Easterblackdeanefell
Groverake and Postwell lying in A pasture called Westgate hight Berryclough in
Swinhopp West of Berryclough in the Same Greenefeild and Brodemay in Sedling
Toadstone in Westerblackdeane fell Burnegrove in Sedling Bailehill in the Said
Westerblackdeanefell Greenehills in the Said Middleblackdeane fell Lodgefieldnooke
in Middleblackdeane pasture Brakensike in Sedling Whiterakes in the Same Midgepitts
in the Same Sedding grove in the Same Redgrove in the Same Westrake of Greenefeild
in the Same Wolfeclough head in Rookehopp Gorbutt May in the Same Dixons grove in
the Same Fowlewood in the Same Wolfecloughfoote in the Same Groverake in the
Same Thornegrove in the Same Heathener in Wester harthopp Bollihop Sheele nooke in
Bollihopp Drigill in Billing Welheads in Welhopp Heslygill in Welhopp East and West
of Puddingthorne in Kilhopp Heddriclough on both Sides the one in Kilhopp and
the other in Sedling Hillgrove in Westopburnefoote Cowhead in Kilhopp
Snodberry=clough in Kilhopp Birlee in the Same Ewetree in Bollyhopp Crawley in
Stanhoppfell Hillhagarth Cowhoste in Kilhopp and Burnthills at Heddriclough
Perleside all which are Severall and distinct Lead Mynes as well as they have Severall
and Distinct names. And further hee knoweth A Lead Myne on the South Side of the
River Weare directly against Middleblackdeane and that hee the Depon[en]t knew his
father wrought the Same aboute Sixty yeares agoe.

3. To the Third Interrogatory this Depon[en]t Sayth that hee knew the Myne called
Allerclough wrought about Sixty yeares agoe and Soe hath continued wrought for the
most part over time And that one Cuthbert Fetherstonehaugh who was father of this

Depon[en]t and this Depon[en]t and their partners were owners of this Myne and paid Tyth in kind unto one Mr Moorecroft who was Rector or Parson of Stanhopp for the time being or to his Agents for his use And this Depon[en]t saith that the Usage and Outcome there was During all the time of the Depon[en]ts remembrance and by report time beyond all memory That upon Foure days in the year (vizt) Candlemas day St Marks Day Lammas Day and All S[ain]ts day the Moorem[aster] or his Deputy and an Agent for the parson of Stanhopp came unto A place called St Johns Chappell in Weredale unto which the owners of the Mynes resorted And being present with those <rec.iog...> of Accompte the Said Myners were called to A place there called Chappell house and did give Accompt for oare there gotten And after the Owners had Deducted Substracted and Abated all manner of charges for Digging of oare Cutting of Wood Carriage of Wood Drawing of oare All manner of Hirelings wages and all workemens wages whatsoever Except those owners owne wages which were not deducted, The Tenth load of the Remaind[er]er did fall Due unto the Rector of Stanhopp for the time being And the Ninth unto the Moorem[aster] who was Agent for the Bishopp of Durham And after the passing of Such Accompts the Said Moorem[aster] and Agent for the Parson did desire that the Lott and Tyth might be delivered as Shortly as they could conveniently which was Delivered Accordingly And hee knoweth the better to Depose therein because as is Aforesaid he was an owner and partner at the Said Allerclough and had always Such charges allowed And hee further sayth that hee hath knowen one Mr George Hall who was Curate of Stanhopp about Sixty years agoe and many years after As an Agent For the Said Parson of Stanhopp resort unto the Chappell house at the days Appointed for Accompte as before Said which Said Mr George Hall did always allow of Such Deductions of Charges And this Depon[en]t further sayth that aboute fifty yeares agoe the Said Mr George Hall being Agent both for the Moorem[aster] and Parson did lett A Tack unto this Depon[en]t and some partners of A Myne called Stowpeheade who Accordingly wrought the Same and gott A good quantity of Lead oare there And because the oare there gotten did not defray the charges of workeing hee this Depon[en]t and his Said partners did pay noe Tyth at all And likewise hee knew A Myne called Wolfeclough att which this Depon[en]t and his partners [rabout eight words struck out] these which yet paid noe Tyth for the reasons aforesaid And hee believeth this was A General Custome used within the whole Forrest of Weredale before <and aboutty two> yeares agoe and Thomas Emerson who was Agent for the Parson of Stanhopp many yeares for receiveing Accompts for Tyth oare At one Day of Accompte upon the allowing and Deducting Such charges did declare openly that hee had knowne that Custome of Deducting of charges as aforesaid passeth within the Said Forrest of Weredale above Sixty yeares before that time And this Depon[en]t Enquired of the Said Thomas Emerson how old hee was then and hee Answered that hee was Seaventy Six After him one Mr Dracotte Curate of St Johns Chappell in Weredale was Agent for the Parson of Stanhopp for receiveing Accompts for Tyth oare And hee the Said Mr Dracotte did always allow of Said Deductions att Allerclough as aforesaid After the Said Mr Dracotte one Mr Thomas Aiseling was Agent for the Said Parson and had halfe of the worke att Allerclough knowing the

whole charge of the work did allow of Such Deductions as aforesaid Moreover this Depon[en]t Sayth that within this Two or Three yeares Humphrey Wharton <.....> of the Def[endan]t farmed the Tyth of the Said part of Doctor Issaac Basire the lead of the Compl[ainan]ts And although that this Depon[en]t and his Sonns being partners with him att the Said Winning gott aboute Three hundred loads of oare there yet because the oare (though A greate quantity) did not defray the charges of workeing and winning this Depon[en]t and his Said partners paid noe Tyth oare And further Sayth that the Sonne of this Depon[en]t did worke A Certaine Myne called <..New Intack but> the Said <..... .. as> gott therein to this Depon[en]ts knowledge Fifty Foure Bing loads of oare and yet paid noe Tyth unto the Said parson of Stanhopp or to any other to or <.... & go for the Aforesaid> And this Depon[en]t further Sayth that hee knew Barkerburne Hoesike Whiterake Garbutt May Carterhead and one Myne in Killopp which name he hath forgot paid Tyth in kind unto the Said Rector but whether with Deductions or noe he knoweth not, but it is likely itt was with Deductions because the Agent for the Said Parson aforesaid did confess it was A Custome And hee cann Remember noe other Mynes within the Said forrest of Weredale which paid Tyth <Sharing ord> Myne called New Intack which this Depon[en]t Wrought which paid Tyths with Deductions And further to this Interrogatory Deposeth not.

4. To the fourth Interrogatory this Depon[en]t Sayth that the Tything oare or Cuttings gott out of the Waistgrounds whole grounds and old heapes never paid any Tyth unto the Parson of Stanhopp nor to any other Agent of the Said Parson And hee Argueth/Knoweth the better to Depose herein because this Depon[en]t hath beene present at quarterly meetings <and being> of Accompts aforesaid <sixty> yeares at Severall times and yet never knewe any Such Tyth paid of the S[ai]d Tything Lead Cuttings nor any Demanded for the Same.

5. To the fifth Interrogatory this Depon[en]t Sayth that the Mynes within Ireshoppfell are within the Said parrish of Stanhopp and Mynes within the Land belonging unto the Compl[ainan]t <the Lord Bishop of Durham> never paid any Tyth of Lead oare to this Depon[en]ts knowledge And hee was Witnessse to the Said Compl[ainan]t being present att many meetings for giving Aforesaid Tyth oare And <that ...>Lead such p[er]sons who wrought the said Mynes Questioned for such Tyth And for Copsyhold <..... .. ind..... they

6. To the Sixth hee cannot depose.

To the seventh and nineth hee is not required.

To the Tenth which hee cannot depose otherwise but what hee hath preDeposed in the 3rd Interrogatory.

Ralph Fetherstonhough

22 Apr 1667 John Lonsdale

John Lonsdale of Whitestones in the Forrest of Weredale and County of Durham
Aged Sixty nine yeares or thereabouts Sworne and Examined sayth as Followeth

1. To the First Interrogatory this Depon[en]t Sayth that hee knoweth all the partyes Compl[ainan]t and Def[endan]t in this Suite (Except William Blackett John Boulton Thomas Ritson and Edward Stoute) some of which hee hath knowne above Thirty yeares and others longer.

2. To the Second Interrogatory this Depon[en]t Sayth that hee knoweth the Severall Mynes hereafter particularly named (vizt) Hoesike in Ireshope Fairgrove in the same Greeneheads in the Same Taygrove in the Same Barberry Grove Earnewelhead Bradesike Ireshopburnefoote and Grovehead all lying within Ireshoppfell Allerclough Elmeford Stouphheads Clough head Lodgefoote nooks and the Rakes lying on Middleblackdeanefell Langtay head in Burne hopp Broadmay Sike Earneclough and Dowkes lying in Middlehopp Newmeadow Grove lying part in the Said Middlehopp and part in Easterblackdeanefell Groverake in A pasture called Westgate hyght Greenefeild in Carterfellsyde Toadstone Burneygrove and Bailehille in Sedling Greenehille in Middleblackdeane <alsoe> Brackensike Midgepitts

Sedling grove Redgrove Westrake of Greenefeild all in Sedling fell [struck out: 'Wolsingham'] Gorbut May Gravelclough Wolfeclough Langtay head Thorngrove all in Rookehopp Welheads in Welhopp East and West of Puddingthorne in Heddryclough fell Hilhagarth <Cowhouse> fell in Welhopp But for the rest of the Mynes menconed in the Interrogatory he knoweth them not all which Myne foresaid are distinct and Severall mynes Rakes and being as well as they have distinct and Severall names and further to this Interrogatory Deposeth not.

3. To the Third Interrogatory this Depon[en]t Sayth that hee knoweth that Allerclough and Greenefeild above mentioned paid Tythe unto the Parson of Stanhopp or to his Agent And that all manner of charges whatsoever for Digging workeing and winning of the Lead Oare was deducted out of the whole and the Tenth part of the Remaind[er] onely paid unto the Said Parson or his Agent and for his use except the owners of the Said Mynes who had none of their owne wages allowed unto them (<... for> the Said owners wrought) And hee likewise Sayth that it was and is A Custome within the Said Forrest of Weredale dureing all the time of this Depon[ent]s Remebrance and by report time beyond that memory that there were foure Dayes or termes in the yeare (vizt) Candlemas Day St Markes day Lammas Day and All Saints Day on which the Myners and owners of these Mynes did meete the Moorem[aster] or his Agent and an Agent for the Said parson of Stanhopp who were Appoynted to take the Accompts for Lott and

Tyth oare att A place called St Johns Chappell in Weredale where they the Said Myners did give Accompt unto them for the Said Lott and Tyth where they had all charges allowed unto them and paid onely A Ninth and Tenth part of the Remainder and hee knoweth the better to Depose herein for that this Depon[en]t with other partners were owners and workers of the Said Lead Mynes called Allerclough and Greenefeild and gott good quantytypes of Lead oare there and had always Such charges Deducted as aforesaid and hee verily believeth that the Myners workeing at other Mynes within the Said Forrest which paid Tythes had such Charges Deducted as aforesaid for hee this Depon[en]t hath Seene other Myners of other Mynes p[re]sent att those Days and give in theirre Accompts as aforesaid further to this Interrogatory Deposeth not ./.

4.To the Fourth Interrogatory this Depon[en]t Sayth and Deposeth that Dureing all the time of his Remembrance Tything oare and Cuttings Got out of the Waistgrounds wholegrounds and old heapes never paid any Tyth unto the Rector or Parson of Stanhopp or to any other per[son] for his use nyther was itt ever demanded to this Depon[en]ts knowledge ./.

5.To the Fifth Interrogatory this Deponent saith that he with other partners wrought at other Two Lead Mines vizt at < Stoupheads> in Middleblackedeane fell & Wolfesclough in Rookehoope and did digge winne and get some quantity of Lead oare at both places and yet never paid any Tithe oare for the Same unto the Said Rector or Parson of Stanhopp or to said Agent because the Expences and charges in working did surmount the profit thereof. And further to this Interrogatory deposeth not.

6.7.To the Sixth and Seventh he cannot depose.

8.9.To the Eight & ninth he is not required to be Examined

10.To the Tenth he cannot further depose upon what he hath p[re]deposed by answers to the former Interrogatories.

John Lonsdale

22 Apr 1667 Thomas Emerson

Thomas Emerson of Ireshoppburne in the Forrest of Weredale & County of Durham yeoman aged Sixty Three yeares or thereabouts Sworne & Examined saith as followeth,

1.To the First Interrogatorie this Deponent Saith that he knoweth all the parties Compl[ainan]ts & Defend[an]ts in this Suite (Except Mr William Blackett the one of the Compl[ainan]ts & John Bolton & Edward Stowte two of the Defendents, & hath

known Doctor Basire and Humphrey Wharton Esqr for Five yeares last past, & all the rest for the Space of Ten yeares or more.

2.To the Second Interrogatorie this Deponent saith that he knoweth Severall Lead mines within the parrish of Stanhopp vz namely Hoesike Faw Groves Greenewel heads, Greenewell foote Claygrove Barber grove Gravell lodge Perleclough Earnewell head Windsike Deepeclough head Wardsons Grove West Grane Bradesike Arnegrove the West Side of Earnewell Ireshoopburne foote Grovehead all in Ireshop Fell. Allerclough Elmeford Stowpeheads Lodgefield Slitte, Rakes & Cloughhead all in Middleblackdeane Fell, Langtahead Berry Well Greenegroves Stoniesike Scratchheads StonieSikefoote Cock lake Springwell East and West of Longtay, Flaske Blakelaw Heslygill Sally grane and East and West of Blakstands all those in Burnehop. Earnesclough Burnegrove Seenesike Dowkes & new medowhead all in Middlehop, save a part of the new medowhead which lieth in East Blackedeanefell Groverake and Postwell on Westgate Hight Brodemayfoote and Berryclough in Swinehop Greenefielde Toadstone Burntgrove Slackegrove Bailehill in Sedling Greene hills in Middleblackdeane Fell, Brakensike WhiteRakes Midgepit, Redgroves and Westrake of Greenefield in Sedling Heddeyclough on the Same Wolfeclough head Greeneclough Wolfeclough foote Rispy bridge in Rookehope South Graine on the Same. Heathnesse and Allersike in Harthop Wearheads Bog Grove Heslygills the West of Puddingthorne Heddryclough mayshild Hill grove Snodberryclough Redhills Cowfoard Easte graine Birkes in Killhop and Wellhope & likewise Hillhaygarth & Cowhorse in the Same Burntgrove in Sedding Burnthill above Heddryclough Brodemain Sedding all which are severall & distinct Lead mines (to this Deponents knowledge) as well as they have Severall and different names

3.To the Third Interrogatorie this Deponent Saith and Deposeth that he was a partner and Worker of the Lead mine called Hoesike at Which this Deponent and his partners did pay Tithe unto the Parson of Stanhop or his lessee of all oare which they there did digge winne & get, and the S[ai]d Deponent and his partners did Subtract abate and deduct from thence all materiall charges whatsoever which they /: Expended in winning and getting that oare (Except this Deponent and his partners owne wages which were not deducted) and paid onely Tithe on the other part of the Remainder. And this Deponent likewise with other partners did worke a mine in Brademay in Sedling and got a good quantity of lead oare there, but paid noe Tithe (or <h...ped> unto the Parson of Stanhop or anie other because the Charges on working <did surmount> the gaines and further saith that the workemen thear did give accompt for the S[ai]d Tithe Four times on the quarterdaies vizt Candlemas St Marks Day Lammas Day & all Saints Day at w[hic]h times they usually did meete the parsons agent at a place called Chappell in Weredale where they made Deductions of all charges and paid Tithe of the Remainder onely, w[hic]h parsons Agent did <.....> accept of such Accompt and never Questioned the Same to this Deponents knowledge, And he likewise saith that it <was ..g..de..in> custome within the Forest of Weredale that all

Myners there (w[hi]ch) wrought any Tithable places within the Same did <at> the> & gave Accompt in like manner & had both Deductions allowed them And this Deponent Saith that he knoweth the better to depose to such because he hath manie times bene present at such Quarter Days & heard thse Accompts. And further to this Interrogatorie Deposeth not

4.To the Fourth Interrogatory this Deponent saith that Tithes were never paid of Tything Oare gotten in the Waste Ground <old heapes> And whole Ground nor ever any Tithe Demanded for the Same to this Deponents knowledge.

5.To the Fifth he cannot Depose.

6.8.9.To the Sixt Eight and ninth he is not required.

7.10.To the Seventh and Tenth he cannot Depose otherwise but as he hath formerly Deposited.

Thomas Emerson

22 Apr 1667 John Westwood

John Westwood of Daddriesheele in the Parrish of Stanhop in the Countie of Durham yeoman Aged Eighty Two yeares or thereabouts Sworne and Examined Saith as followeth

To the First Interrogatory this Deponent saith that he knows to all the parties plaintiffs and Defendants (except Mr Blacket, John Robson Thomas Burges Thomas Stowte and Thomas Ritson)

To the Second Interrogatory this Examinee Saith that he knoweth the particular Mines hereafter mentioned vizt Hoesike in Ireshoopburnefell Allerclough and Elmeford in Middleblackdeanefell Stowpeheads Cloughhead in Easter blackdeanefell Earnesclough in Middlehop Dowkes in the Same Nine midg<..> part in Middlehop and part in Easterblackdeanefell Groverake and Postwell in Westgateheight Westerclough in Whelnhoop Berryclough in Swinehope. Ramshaw Well in Daddriesheele fell, Greenefield Todstone in Sedling Bailehill in the Same, Lodgefield in Middleblackdeane pasture Brakensike in Sedling, Westerake and Middge pits in Sedding Gorbuto may in Rookhorp, Groverake in the Same Harthynde in Herthopp, Allersike in the Same & Rake in Middleblackdeane Fell But for the rest of the Mines mentioned in the Interrogatory he knoweth them not And saith these are all Particular Mines and from another as they have particular names & he knoweth the better to

depose herein because he hath wrought at some of these Mines w[hic]h he hath named before above Sixty yeares agoe.

To the Third Interrogatory this Deponent saith that there was an usage and custome in Stan[h]op Parrish above Sixtie yeares agoe and soe hath continued that the Miners and Groves within the Forrest of Weredale which wrought and had parts in Leade Mines did meete at a place called the Chappell in Weredale at Fowre times & <Quarters> in the yeare Vizt on Candlemas day St Marke day Lammas day and All Saints day, & did there give Accompt unto the Parson of Stanhops Agent for the Lead oare w[hi]ch they had gotten, where they had deductions of all manner of Charges expended in the winning of the Lead Oare (Except the owners owne Charges) and paid onely the Tenth part of the remainder And he further Saith that he this Deponent w[i]th some other partners did drive a Small Levell through <Loose> Limestones and clay about Twenty or Thirty yeares at a place called the Newmedowes but they had noe deduction of Charges for the same becaus they never required any, but beleeveth if they had required the Same they might have had them allowed. And further to this Interrogatory deposeth not.

To the Fourth Interrogatory this Deponent Saith that the Tything Oare or Cuttings got out of the Waste grounds Whole Grounds and Old heapes did never pay anie Tithe unto the Parson of Stanopp or any other.

To the Fifth Interrogatory this Deponent saith That he w[i]th other partners above Sixty yeares agoe did worke a Mine called Wolfeclough in Whesinhop, & did winne Some Lead oare there but they paid noe Tithe unto the Said Parson of Stanhop or his Agent because the expences in the winneing digging and getting thereof Did Surmount the gaines. And this Deponent further saith that he with other partners did worke a Mine called Brakensike and wonne Lead oare there but they paid noe Tithes unto the S[ai]d Parson of Stanhop or to anie other to or for his use for the reasons aforesaid.

To the Sixt Eight and Ninth he is not required.

To the Seventh he cannot depose.

To the Tente he cannot otherwise depose, but as he hath predeposed in his Deposition to the Third Fourth and Fifth Interrogatories.

John Westwood

22 Apr 1667 Cuthbert Peart

Cuthbert Peart of Drygill in the Forrest of Wearedale & Countie of Durham yeom[an] aged Seventy Seven yeares or thereabouts Sworne & Ex[am]ined saith as followeth.

1 To the First Interrogatory this Deponent saith that he knoweth all the parties Compl[ainan]ts & Defend[an]ts (except John Horton John Bolton Edward Stowte and Mr Blacket.

2 To the Second Interrogatory this Deponent saith that he knoweth these severall Lead Mines in the parrish of Stanhop in the Interrogatory mentioned, vizt Hoesike in Ireshoopfell Greenwellhead in the same Greenwellfoote in the same Earnewell in the same Peateclough in the same Earnewellhead in the same Windsike in the same Ireshopburnefoote and Grovehead in the same Allerclough lieing in Middleblackedeane Fell and pasture : Stowpeheads in Middleblackedeane fell Clough head in the same Lodgefeild nooke in the same Berrywell in Burnhopfell. Stoniesike Scrathhead Springwell & Sallowgrane in Burnhop. Earneclough in Middlehop. Blackeaxeltree Bondgrove Seenesike and Dowkes all these in Middlehop, Newmedowheads lyeing part in Middlehop and part in Eastblackedeane Fell Groverake and Postwell lieing in Westgate hight Ashclough in Wheshop Blayberryclough in the same Westgrane in the same, Wolfeclough in the same, The Westside of Blayberryclough in the same Berryclough in Swinehop. Ramshawwell in Windesidefell West of Berryclough in Swinehop Greenfield Todstone Burnegrove & Bailehill in Seddlingfell Greenehills in Middleblackedeane Fell, Brakensike in Seddling Middgepits in the same Seddling grove in the same Redgrove in the same The West rake or vein of Greenfield in the same, Heddryclough on both sides the one in Seddling and the other in Heddryclough=fell Wolfeclough in Rookehop, Gorbetma in the same, Greeneclough in the same, Fowlewood in the same Wolfeclough=foote in the same, Longwell in the same Groverake in the same Rispie mires in the same, South Grane in the same, Allersike and Heathenese in Harthop Drygill on the Billing Midellheads in Wellhop Boggrove and Heslyhill in Kellhop East and West of Puddingthorne in Heddrycloughfell, Westgrove in Wellhop Hill grove & Snodberryclough in Kellhop Redhills in the same Mossegrove in the same Birkes in the same Burnegrove in <Cowddling> Hillhaygarth in <W>ellhop Cowhome in Kellhop Burnthills & Middlegrove in Kellhop Wadesons=grove, Millerburygrove Quarryhill Allergill East and West of Newlandside. And he knowes another Lead Mine not mentioned in the Interrogatory called by the name of Hilgrove and he saith all these are severall Lead mines Rakes or veines Except Foure in Kellhop named High Grove, Boggrove, Mossegrove and Middlegrove w[hi]ch are by all probabilitie all of one Rake or Veine, Stowpehead Rakes and Cloughhead are likewise all of one Rake or Veine.

To the Third Interrogatory this Deponent saith that he this deponent about forty five yeares <since> was a workeman and owner of part of a Lead Mine called Whiterake & that he hath beene <Workeman> thereat Seventeene yeares before that time or thereabouts whereat he and his partners got a <good quantity> of Lead Ore and they always <deducted> out of the same the Charges etc namely for Ropes, Wood <Bu..... dammedge> , Wood for Cheekes & <Swat.m.> for materiall, of Smithwork as Pickes, Mells and <Wod...th.. ...ge W...ge> who digged Peates, foraging for fuel for burneing Stone <within> the parish for opening the veine <and so..... Wage> (Except for their owne labor wh[ic]h <p..... out> of the worke) And after such Charges deducted <and after the> paid Tithe of that wh[ic]h remained and he saith that the manner of giveing these Accompts was in this manner <..... ..> the yeare appointed for giveing such accompte (vizt) Candlemas day, St Marks day, Lammas day, <..... day they mette the Parson of Stanhops Agent at the Chappell in <Weardale> where they the said <miners> Agent of the Parson of Stanhop and after they had taken out the charges as affores[ai]d <they paid Tithe> what remained due unto <.....> Tithe after
[six or seven lines illegible]

To the Fift he cannot otherwise <depose> but what he hath predeposed in his <Affidavit> to the Third Interrogatory

To the Sixt Eighth and ninth he is not required

To the Seventh he cannot depose

To the Tenth Interrogatory this <Examine> saith that he hath heard it reported and verily believeth it to be true that Barkerburne paid Tithes w[i]th <s[u]ch> deduccions as he this deponent and his partners had at Whiterake ,as is atter...> because he hath heard the <owner> and workemen of the said mine report soe. And further deposeth not.

Cuthbert Peart

22 Apr 1667 Ralph Harrison

Ralph Harrison of Hill in the parrish of Stanhop and County of Durham yeoman aged Seventy Seven yeares or thereabouts Sworne and Ex[a]mi[n]ed saith as followeth

1.To the first Interrogatory this deponent saith that he knoweth all the parties Compl[ain]ants and Defend[an]ts in this Suite (Except John Bolton and Edward Stowte.)

2.To the second Interrogatory this Deponent Saith that he knoweth manie of the Mines in the Interrogatory mentioned and that they are situate and lying in the parrish of Stanhop, as namely Hoesike, Fawgrove, Greenewell foote, Greenewellhead, Barber Grove, Gravell Lodge Earnewelhead Windsike Deepeclough head West Graine Fawhead <Claygrove> the West Side of Earnewell Ireshoburnefoote Grovehead all these in Ireshop fell Allerclough Elmfoard Lodgefield nooke Stowpehead the Rake and Clough head being in Middleblackdeane Fell and pasture Langtahead Berrywell Greenegrove Stoniesike Scrathead Stoniesikefoote Cockelake Springwell East and West of Langta Flaske Blakeberry Hesly Gill SallowGraine East and West of Blakelawe these ly in Burnhopp Earnesclough Dowkes & new medow heads in Middlehop Groverake in Westgate pasture Greenefield Todstone Burne grove Slackegrove Baylehill in Seddlingrove Greenefield Brakensike Whiterake Middgepits Seddling grove Hedgrove West rake of Greenefield in Seddling Rospye mires in Rookehoop South Graine in Rookehop Pudding thorne in Heddrycloughfell. Heddryclough on both sides Welgrove in Kellhop Hillgrove Snodberry Clough Cowford Moss grove Bankes Boundgrove in Kellhop and Wellhop Hillhaygarth Middlegrove Burntsike in Kellhop and Werehead Cowhorse in the same Wellheads in Wellhop But for the rest of the Mines in the Interr[ogatory] mentioned he knoweth them not, and that all these to this Deponents knowledge are Severall and particulare Lead mines and knowen by the affores[ai]d Severall and particular names.

3.To the 3rd Interrogatory this Deponent saith That he hath knowen these particular Mines hereafter mentioned to pay Tithes unto the Parson of Stanhop his Agents or lessees as namely Whiterake Barkerburne Braken Sike Brademan Redgrove Todstone Bailegill Longta head Browegrove Sedling Grove & Cowford, but for some of the other (being wrought before this time) he doth not know whether they paid Tithes or noe, and likewise there were others wrought in his tyme w[hic]h this Deponent knoweth not whether they paid Tithes or noe. And this Deponent saith that the usuall custome & manner of payment was within the said Forrest of Weredale during all the time of this Deponents remembrance which is for Sixty yeares that those which were owners and Partners at these Mines did first deduct out of the whole all Hirelings Wages, charges of Ropes Sundrey Timber Smithie worke and Charges of Levells, but for the partners owne labor they were not deducted and paid Tithe or the Tenth part of the Remainder. And this Deponent further saith That it was & hath beene a Custome within the Forrest of Weredale in the Said parrish of Stanhop during all the time of this Deponents remembrance that the owners or partners at Mines within the Said Forrest Did meete the Parson of Stanhops Agent at a place called the Chappell in Weredale Four tymes in the yeare (vizt) on Candlemas day St Marks day Lammas day & all Saints day to give accompt for such Tithes in wh[ic]h Accompts the Said Miners Deducted all charges as aforesaid And after such deduction of Charges the Tenth part of that w[hi]ch remained was afterwards delivered unto the Said Parson of Stanhops Agent in cleane and well Dressed Oare:/

4. To the Fourth Interrogatorie this Deponent saith that Tything Oare and cuttings never paid Tithes to the this Depon[ent]s knowledge

5. To the Fift Interrogatorie this Deponent saith that he knew noe Mines wrought within the Said Forrest but they paid Tithes though with Deductions as aforesaid Except Some w[hi]ch are more wrought who payed noe Tithe because the Charge Surmounts the profits

To the Sixt Eight and ninth he is not required.

To the Seventh he cannot depose

To the Tenth Jurerr this Deponent saith that the rest of the Mines within the Forrest of Weredale (as this Deponent hath heard) paid Tithes with such deductions and further deposeth not.

Ralph Harrison

22 Apr 1667 George Harrison

George Harrison of <Hamstellford> in the County of Durham yeoman aged Thirty yeares or thereabouts Sworne & Examined saith as followeth

1 To the first Interrogatorie this Deponent saith that he knoweth all the parties Compl[ainan]ts & Defend[an]ts in this Suite except John Bolton and Mr Willm Blacket.

6 To the Sixt Interrogatorie this Deponent saith that he was a workman and wrought at a certaine Mine called Lodgefield weste and he knoweth that the expences & charges sustained in the winneing digging & getting Lead <Ure> <therein> from the First of August in the year of our Lord God One Thousand Six Hundred & Sixty Six unto the seventh of March past did amount unto the Sum of Fourescore and Twelve Pounds Ten Shillings And he knoweth the better to depose herein because he this Deponent did worke at the said Mine dureing all that time.

To the rest he is not required

George Harrison

22 Apr 1667 George Whitfield

George Whitfield of Finnehills in the parrish of Stanhop and county of Durham yeoman aged one and Twenty yeares or thereabouts Sworne and Exa[m]ined Saith as followeth

1 To the first Interrogatory this Deponent saith that he knoweth Doctor Isaac Basire one of the Compl[ainan]ts and Humphrey Wharton Esqr and other the Defend[an]ts

5 To the Fift Interrogatory this Deponent Saith that knoweth a Mine within the parrish of Stanhop called the Rakes w[hi]ch paide noe Tithes this tenne yeare, though it was demanded within this yeare last past by Thomas White Steward unto Doctor Isaac Basire one of the Compl[ainan]ts

6 To the Sixt Interrogatory this Deponent saith that the charges expended at the said Rakes <mine> from the first of August last past unto the seventh of March next after did amount unto Fifty <Three> pounds Eight Shillings

To the rest he is not required

George Whitfield

Ra: Davison
John Shaw
John Westgarth

22 Apr 1667 Isaac Basire

[Note: Cross interrogatories drawn up on behalf of Isaac Basire, the lead plaintiff, to be used in questioning Wharton's witnesses.]

Cross Interrogatoryes Exhibited to be Administred to such Wittnesses as shall be produced sworne and Examined on the part and behalfe of Issaac Basire Doctor in Divinity and William Blackett Compl[ainan]ts ag[ains]t Humphrey Wharton Esqr and other Def[endan]ts on the behalfe of the said Def[endan]ts

Imprimis Doe you know all the Lead mynes and groves of ore within the parrish of Stanhopp and in p[ar]ticular doe you know these severall mynes at Hoesike Fawgrove Greenewell:heads Greenewelfoote Claygrove Bi<..>ergrove <Gravelledge Whiteclough> Earnewell:head Windsike Deepecloughhead Waggengrove Westgraine Fawhead Broadesike Arnegrove Westside of Earnewell Ireshopeburnefoote Grovehead

Allerclough Elmeford Stouphead Cloughhead Lodgefeildnooke the Rakes Langtayhead Berrywell greene:grove Stony sike Scratcheheds Stonysikefoote Cocklake Springwells East and West of Langtay Flaske Castenholes Blacklaws Hesleygill Salleygraine East and West of Blacklaws Broadmaysike Earneclough Blackaxeltree Bulliongrove Bondgrove Seinesike Dowkes Newmeadowheads Groverake Postwell <Pawperhills> EshcloughBlaberryclough Westgraine Wolfeclough Nicholsons grove East and West of Blackstand West of Blaberryclough Broadmayfoot Berryclough Ramshawell West of Berryclough Spargrove Broadmaygrove Greenefeild Toadstone Burnegrove Slackgrove <Backhill> Greenehills Lodgefeildnooke Brakensike Whiterakes Midgepitts Sedling:grove Read:grove Westrake of Greenfeild Adderclough both sides Wolfeclough:head Highgrove Gorbutt May Greeneclough Dixonsgrove Laws Leape Fowlewood Barkeshaw mea:dow Wolfecloughfoote Langwell Arnehill Groverake Resby Myres Thornegrove <Picklawcarr> Southgraine Booteswell Allersikes <Heathacres> Bollihopgrove Pirke:gill Westside of Harnishaw Shaftwell Craggrove Blackburne Eastgraine undercrag Bollihopshelnooke Drigill Birkehill Welheads Bog grove Hesley:hill Claygrove East and West of puddingthorne Heddryclough both sides Snodbury clough Hilgrove Reedhills Cowford Mosgrove Birkes Burnegrove Ewetree Crawley Crowbank Brinsike Hillhagarth Cowhouse Middle:grove Burnthills Newgrove <Westergrove> may slitt <Makeside> Eastfeild grove <Cowsike groves Windsonsgrove Millerburygrove> quarryhillgrove Allergill East and West of <Newlandgrove Rogerwellfoote>

2: Doe you know any of the above named Lead mynes and which of them was wrought within the time of your remembrance where or in what place doe they ly were you A Workeman at any of them what quantity of Lead oare was there gotten which of them have you knowne to pay Tyth ore in kind unto the Rector or parson of Stanhopp whether did they pay the same with or without deductions of charges have you not knowne or heard that deductions were or should have beene made before any Tythes were paid have you seene any Tyth oare delivered in kind att any of the Said Mynes and which of them.

Depositions of Sundry Witnesses produced Sworne and Examined on the p[ar]t and behalfe of Isaac Basire Doctor [1-2 words obscured] Compl[ainan]ts against Humphrey Wharton Esqr and other defend[an]ts but now Examined upon [3-4 words obscured] at Stanhop in the Countie of Durham the Two and Twentieth day of April in the Nineteenth yeare of the reigne of [3-4 words obscured] England etc before <.....> clarke Ralph Davison Esqr and John Westgarth Gent by virtue of a commission [1-2 words obscured] awarded and to the said John Shaw Ralph Davison John Westgarth & to one Anthonie <Brente> [3-4 words obscured]

22 Apr 1667 Nicholas Richardson

Nicholas Richardson of Stanhop in the Countie of Durham yeoman aged
Seventie Eight yeares or thereabouts Sworne and Examined Saith as followeth

To the first Interrogatorie this Deponent saith and deposeth that he knowes Severall
Lead mines in the Parrish of Stanhop vizt Hoesike <Greenclough> [2-3 words
obscured] Fowlewood Barkeshaw medows, Wolfeclough, Longwell, Groverake, Resby
mires, but not Resby <mine> <w[hi]ch is> now wrought, Thornegrove, Picklawcarr,
Southgrane, Bollihopgrove, [1-2 words obscured] Drigill Ewtree, Crawley, Crowbanke,
<Peaksid, Cowes>, the Grove called <Wadesongrove>, The Grove at <Mellerbury>
Quarryhill Grove Allergill, East and West of Newlandside <Rogerswell> [1-2 words
obscured] of the Groves mentioned in this Interrogatorie he knoweth them not or ever
did know any of them. And further to this Interrogatory deposeth not.

To the Second Interrogatorie this Deponent saith that he was a partner to them this
Thirtie yeares at the working of Picklaw, Groverake, Thornegrove and <Sta.....> [1-2
words obscured] fifty <Mines wch is> now wrought as he hath p[re]deposed in his
deposicion to the former Interrogatory And that this Deponent & his partners got a
great quantity of Lead [3-4 words obscured] but at Picklaw a very small quantity (vizt)
not above a quarterne of a <pecke> , and at the said Resby mires not above a horseload
and a halfe And furthermore saith that <D.....> his said partners did pay Tithe in
kinde for the oare gotten at Groverake and Thornegrove without any Deduction of
charges, but for the other Groves wh[ich] he was a partner [1-2 words obscured] and
his partners paid noe Tithe at all, because the oare there gotten was not <valueable>
but for Greenclough and <Gorbetmay> this Deponent saith he beleives they were
<.....> but [1-2 words obscured] did so any Tithe there paid. And further
deposeth not

22 Apr 1667 George Harrison

George Harrison of Shittlehopburne in the parish of Stanhop and County of
Durham yeoman aged Fifty nine yeares [1-2 words obscured] Sworne and
Examined Saith as followeth

1 To the first Interrogatory this Deponent Saith that he hath <led oare> from
Allerclough Longthead, Sallygrane newmeadowhead Greenfield <BunkerSike,
Whiterake > [1-2 words obscured] Greenfield

2 To the Second Interrogatorie this Deponent Saith that he Knoweth that the workes
which he hath named in the first Interrogatory were all wrought at some time in the
time of his [1-2 words obscured] because he the Deponent hath led Tithe <oare> from

them but he was never a workeman at any of them and he knoweth not the Actuell quantity of Lead <Oare> there gotten And he further saith that <he> knew nothing nor heard nothing but that the mines abovenamed paid Tithes unto the parson of Stanhop but he knoweth not whether Tithes were paid there w[i]th Deductions [1-2 words obscured] And he Saith that he never heard that any Deduction were made or Should have beene made. And further deposeth not

Capt et jurat die Annoque Suprascript / coram nobis

Ra: Davison
John Shaw
John Westgarth