

Kinghts End

A messuage in the Parish and Manor of Minsterworth, Gloucestershire

Overview

In the parish of Minsterworth, Gloucestershire there was a continuing dispute (1566-1593) as to the rightfull title to two dwellings and associated land. One of these properties was commonly known as Knights End, and the other called Walklines. The contestants in the ongoing legal battle were Arthur Barrett on the one hand and various descendants of one Thomas Cooke on the other. Each claimed title as lawfull next heir to Joan Phipott.

Arthur Barrett appears to have been resident at Knights End at the time the legal manuevers began. The first was an unsuccessful challenge by Anthony Arnold in Manorial Court about 1566, and is know only by reference in later proceedings¹.

The second was a suit brought about 1576 in Manorial Court by William Bodnam (cousin to Anthony Arnold) in which the Court found for Arthur Barrett. Bodnam responded by appealing to the Court of Star Chamber (1578) where he again brings suit against Arthur Barrett as well as all members of the Manorial Court, charging forgery, perjury, and conspiracy. Again, Arthur Barrett is affirmed as rightful tenant.

Finally, one Richard Arnold (son of the above Anthony) brings suit, again (1593) in Manorial Court, with what appears to be a similar set of claims as had earlier been offered. Although the ejudication is not found in the extant documents, Arthur Barrett is listed in the tax records as residing at Knights End as late as 1600, and seems clearly to have prevailed in this action as well. His son, William and grandson Arthur were also resident there in the mid 17th century.

¹ This case is listed in a calendar of pleadings published as *Ducatus Lancantriae* (part III). Arthur Barrett is listed as filing suit in Manorial Court against Anthonie Yarnold. I have not located the original documents.

Bodnam's Claim

William Bodnam contends that he is the rightful hereditary heir of two properties in Minsterworth. The one known as Knights End or Knights House, and the other as Walklines, and that the current tenant, Arthur Barrett, is there only by virtue of a lease, but which is now expired.²

Bodnam's hereditary claim is as follows. The title in the property held by John Knight passed to his daughter, Edith. Edith married Walter Shaftsbury, and their daughter Margaret married Richard Cooke (who then, about 1422, held title.)

Margaret and Richard Cooke had two sons. The elder, William, had a daughter, Joan, who made lease of the property to one Robert Phipot, whom she later married. Joan died in 1530 without issue, and so at the expiration of the lease, heirship now reverted to the descendants of Thomas, the second son of Margaret and Richard Cooke and brother to William.

Thomas Cooke (deceased) then had four daughters as descendents. The eldest, Joan, rightful next heir, married Thomas Bodnam. Thomas Bodnam and Joan Cooke had a son, John, who is the father of the present William Bodnam. (As for the remaining daughters of Thomas Cooke, Maude married Richard Yarnold, Alice married [Sodbe.], and Agnes married one Bougham.)

Bodnam claims that a copy of a 1532 Manor of Minsterworth Court Roll, given in evidence by Arthur Barrett, showing that William Barrett (grandfather of the present Arthur) was declared rightful next heir, is a forgery. In support of that claim, Bodnam offers that one Nicholas Keylock (recently deceased) had said that he was not on that (1532) jury, as is found in the Roll. The implication being that since Nicholas Keylock was listed as one of the jurors on the document presented by Barrett, it must therefore be a forgery.

Bodnam goes on to claim that the Manorial Court of Minsterworth found against him, contrary to all the evidence, only because Barrett bribed and conspired with members of the Jury of the Manorial Court at Minsterworth. He claims that the fix was in and justice denied, which brings him to the Court of Star Chamber for appeal and redress.

² In *Barrett v. Arnold*, 1593 (*TNA DL 4/36/36*), deponants testifying for Richard Arnold (cousin of the present William Bodnam) claim Robert Phipot had a 60-year lease from Johan Cooke, made prior to their marriage. She (Johan) died with years yet remaining on the lease to her surviving husband. He remarried, and at his decease, his second wife, Alice Phipot, then made lease to Arthur Barrett for the remainder (perhaps no more than two) of the 60 years. After the supposed expiration, Arnold claims that he has a lease that Bodnam made to Bleeke (Arnold's father in law) that was subsequently assigned to him.

Barrett's Response

Barrett responds that until recently, Bodnam was a very poor man residing in Oxfordshire, without knowledge or concern of any heirship in Minsterworth. Bodnam was recruited by the well-to-do John Bleeke, as a pawn in his effort to get control of the property.

To wit: Bleeke, with the assistance of William Woodward and Richard Byrd (Steward of the Manor), arranges for Bodnam come to live in his home, where he is carefully coached as to his pretended line of decent. An agreement is already in place for Bodnam to lease the property to Bleeke, who is paying all legal expenses as well as Bodnam's upkeep. In the midst of the trial in manorial court, and perceiving that the jury may find against Bodnam, Bleeke manages to delay the proceedings.

During this interval Bleeke recruits and cultivates underlings Cuffe and Pyme as primary witnesses in support of Bodnam. But these two offer nothing more than vague hearsay in support of Bodnam's pedigree. Bodnam himself has no direct knowledge of his alleged pedigree and can only repeat what he has been told.

Further, Barrett questions whether William Cooke had any such brother, *Thomas*, and any kinship that Bodnam might have otherwise had. In support of that position, Barrett cites a similar, earlier suit, wherein the plaintiff Richard Yarnold (Arnold) testified that Thomas Cooke was the son of one Lawrence Cooke.

Charges of conspiracy brought against the jurors are characterized as naked intimidation in order to get them to retreat from their findings. And as to the claim that Nicholas Keylock said he was not of the jury as listed in the 1532 Court Roll, several witnesses say that soon after, Keylock, upon further reflection, remembered that he was indeed present at that proceeding.

Barrett does not challenge that John Knight was prior title-holder and traces his own claim to the same. And he agrees that Joan Phipot was legal heir, but that upon her decease, the next heirs are among the Barrett family. To wit: John Knight had two daughters. The eldest, Edith married with Walter Shaftsbury and Dennys with John Barrett. Arthur Barrett attests that he is the son of William Barrett, the son of William Barrett, the son of Thomas Barrett, the son of John Barrett, the son of John Barrett, husband of the aforesaid Dennys.

It seems certain that the premises came to bear the name of Knights End in remembrance of the said John Knight. Some rough extrapolation places this same John Knight in the late 14th century. There is speculation (mine) that John Knight may have been, *John de Minsterworth, knight*, who was

convicted of conspiring with the French in the Hundred Years War, and executed in 1377.

Ruling of the Court

These documents do not reveal the Court's decision, but it is apparent that that they found generally for Barrett and against Bodnam, upholding the ruling of the Manorial Court. That is, some thirteen years later, Richard Arnold (grandson of the aforementioned Richard Yarnold married to Maude Cooke) brought suit against Arthur Barrett for right to the same premises. (See TNA DL 4/36/36) In brief, Arnold claimed that William Bodnam had made lease to John Bleeke, who subsequently sold him (Arnold) the remaining years. That proceeding makes reference to the present, and states that Barrett is then (1593), and has been for some number of years, tenant. (Further details on Knights End are given in that later entry.)

Various other documents of the period reference Arthur, and later his son, William Barrett, and grandson, Arthur as residing at Knights End as late as 1647.

Contemporary Analyses

In places, both Bodnam (and later Arnold) and Barrett appear to make some legitimate claims. It seems, finally, to come down to whether or not **Richard Cooke** and **Margaret Shaftsbury** had, besides **William**, a second son – **Thomas**. (See Figure 1.) If so, Bodnam's claim (and subsequently Arnold's in 1593) as nearer kin to Joan Phipott has merit.

Testimony of Alice Yarnold

One of Bodnam's witnesses is 87-year-old Alice Yarnold (b. 1491) who states that she knew **Thomas Cooke**, and his son, **Thomas** (whom she reported deceased in Spain without issue) as well as the aforesaid four daughters, of whom **Joan** (married to **Thomas Bodnam**) was eldest.

If these statements are to be reconciled with other documents, there is a rather tight time-line. Suppose that Alice Yarnold's memory stretches back to the year 1500 when she was but 9 and that the elder **Thomas Cooke** was, at the same time, 80. That would place his birth in 1420 and make him just barely old enough to have taken possession of Walkeleys in 1444 as is reported in the Manorial Court Roll. (See below.)

On the other hand, the 1522 Military Survey in Minsterworth records, adjacent entries that are then necessarily, **Thomas Cooke** (the younger, before his departure to Spain) and brother-in-law, **Thomas Bodnam**. Neither man is listed as able-bodied for military service.

Likewise, in the 1539 Muster Roll, adjacent entries list Thomas Cooke and William Cooke (who is able-bodied). Now, this William Cooke cannot be

William, son of **Richard** and presumed brother of **Thomas**. That is, **Thomas** is above reckoned born c. 1420, and younger than **William**.

So then, we have a Thomas Cooke and William Cooke here in 1539, perhaps brothers or even father (Thomas) and son (William), who cannot be any of those given by Bodnam as his pedigree. And I expect it altogether likely that these are the same remembered by Alice Yarnold, making her testimony unreliable and irrelevant.

Barrett's hereditary line is unchallenged. Bodnam merely claims that his hereditary claim is stronger. (By Bodnam's accounting, he and Arthur Barrett would be 5th cousins.) The strongest piece of evidence that Barrett offers is the copy of the 1532 Court Roll naming his grandfather **William** (d. 1547) as rightful heir. Bodnam's claim that the document is a forgery does not appear credible.

Military Survey of 1522

Returning to the 1522 Military Survey, in addition to Thomas Cook(is) and Thomas Bodnam (above), we find: John Cooke of Gloucester and John Cooke of Salisbury. The former (of Gloucester) is certainly the great benefactor (Bartholomews, Crypt School, etc.) and civic leader who is reported born in Minsterworth c. 1455 and died in Gloucester 1528, without issue. His widow, Joan, lived on until 1545. John is accounted the son of Thomas Cooke by local historian Terry Moore-Scott, though by what evidence, I cannot say.

Furthermore, as Barrett's counsel posits in an Interrogatory (STAC 5/B80/34), having accepted the presentment of **William Barrett** as heir, the jury named in the 1532 roll were mostly old men, who might be expected to know very well the relevant facts required to make such a determination.

Early Cooke References

From the Minsterworth Manorial Court Roll of 1444 (TNA DL 30/77/985), we have the following extracts:

Likewise, they (the jury) present regarding the toll of horses sold 6 pence, pledge John Cokkes.

To this court, Richard Haile comes and surrenders by suit of which court the messuage called Walkeleys to the use of Richard Coke. And the same Richard to this is admitted. And did fealty.

To this court, Walter Coke comes and surrenders by suit of which court the messuage, with appurtenances, formerly belonging to Mark Silvester, to the use of Thomas Coke. And the same Thomas to this is admitted. And did fealty.

Richard Coke makes formal complaint against John Broune in a plea of debt, pledge of prosecuting John Tone.

John Broune, in mercy, that he comes not to answering Richard Coke in a plea of debt as he has been attached. And thus called to distrain, etc.

1478 Corporation of Gloucester Record #1169 (1158)
20 Jun 1478. Release from Thomas Beche and Joan his wife, daughter and heir of Thomas Danyell, of Mitcheldean (Magna Dene), to Thomas Coke, of Minsterworth, of their right in the lands, tenements, etc., within the manor of Mynstreworth and Roddley that Thomas Danyell aforesaid, the father of the said Joan, had together with Walter Smarte, deceased, of the gift of John Gye, of Mynstreworth. Witnesses: Thomas Woodward, senior; William Dygas; John Mongey; William Baret; Thomas Faekener; William Mason.

1478 Grant of Lands in Minsterworth and Rodley GRO D3270/133
Thomas Beche and Johanne his wife, daughter and heir of Thomas Danyell of Great Dean, To Thomas Coke of Minsterworth, kinsman and heir of Thomas Bye (bb Gye) of Minsterworth. 01 Aug 1478 (18 Edward IV). Witnesses: William Hathaway, Thomas Perkyns, John Colyns, Richard Boyfeld *et al* (specified but not transcribed here).

1522 Men and Armor:

John Cooke of Gloucester, John Cooke of Salisbury {adjacent entries: Thomas Cookis, Thomas Bodnam}. None listed as able-bodied.

1539 Muster Roll

(44)	Thomas Cooke	bill
(45) a	William Cooke	glaive

1562 m Alice Cooke v. John Barrett: matrimonial (Minsterworth) GDR/B4/1/1718
This document is missing from the Gloucestershire Records Office.
Alice Cooke may be from Hempsted.

The hereditary claim of William Bodnam

John Knight
m. **Unknown**
 chn. **Edith Knight**
 m. **Walter Shaftsbury**
 chn. **Margaret Shaftsbury**
 m. **Richard Cooke**
 chn. **William Cooke**
 m. **Unknown**
 chn. **Johane Cooke**
 m. **Robert Phipot**

 Thomas Cooke
 m. **Katherine Unknown**
 chn. **Thomas Cooke**

 Johane Cooke
 m. **Thomas Bodnam**
 chn. **John Bodnam**
 m. **Margaret Unknown**
 chn. **William Bodnam**

 Maude Cooke
 m. **Richard Yarnold**
 chn. **Unknown Arnold**
 m. **Unknown Bleeke**
 chn. **Richard Arnold**

 Alice Cooke
 m. **Unknown [Sodber]**

 Agnes Cooke
 m. **Unknown Bougham**

Prior to her marriage to **Robert Phipot**, **Johane Cooke** (daughter of **William**) made a 60-year lease or the property to the said **Phipot**. **Johane** died childless and her husband survived her with the lease still in force. At the expiration of the lease, the hereditary right reverts then to **Thomas Cooke**.

The younger **Thomas Cooke** is said to have died in Spain, childless, leaving **Johane Cooke**, eldest daughter of **Thomas**, as next heir. Right then passes though **Johane** (married to **Thomas Bodnam**) to **John Bodnam**, and from **John** to his son, the present **William Bodnam**.

A more detailed account of the Bodnam family is given elsewhere.

The hereditary claim of Arthur Barrett

John Knight
m. **Unknown**
 chn. **Edith Knight**
 m. **Walter Shaftsbury**
 chn. **Margaret Shaftsbury**
 m. **Richard Cooke**
 chn. **William Cooke**
 m. **Unknown**
 chn. **Johane Cooke**
 m. **Robert Phipot**

 chn. **Dennys Knight**
 m. **John Barrett**
 chn. **John Barrett**
 m. **Unknown**
 chn. **Thomas Barrett**
 m. **Unknown**
 chn. **William Barrett**
 m. **Agnes Unknown**
 chn. **William Barrett**
 m. **Mary Unknown**
 chn. **William Barrett**
 Thomas Barrett
 Arthur Barrett
 m. **Alice Keylock**
 chn. **Henry Barrett**
 m. **Elizabeth Unknown**
 Thomas Barrett
 Agnes Barrett
 Alice Barrett
 Margaret Barrett

In agreement with the plaintiff, **William Bodnam**, **Arthur Barrett** acknowledges **Johane Cooke** (daughter of **William**) to have held legal title as descendant of **John Knight**. However, he discredits that **William Cooke** had any brother **Thomas Cooke**. Indeed, he points to an earlier case where **Richard Arnold** names **Lawrence Cooke** as father to **Thomas Cooke**. Thus, upon the decease of **Johane Phipot**, title reverts back to the heirs of **Dennys Knight**, and subsequently, the Barrett descendants.

*The case before the Court of Star Chamber**To the Queens Most excellent Magistie*

[...stie] complaynyng shewith unto your most excellent magistie your true obedient and faythfull servent William Bodnam of Mynsterworth in the Countie of Gloucester, husbandman, that whereas one Richard Cooke aboute the beginninge of the raygne of Kyng Henrye the syxt³, late Kyng of England, was, as in the ryghte of Margaret his wieff the daughter of one Walter Shaftesbury⁴, Lawfullie seased in his demesne as of fee as well, of and in two mesuages and certayn erable land thereunto belonginge sett and lyinge in Minsterworth aforesaid, the one called Knights place and the other called Walkelyns⁵ as also of and in certayne free lands in Mynsterworth aforesaid the sayd Rychard Cooke so beinge thereof seased had issue by the said Margaret, William Cooke and Thomas Cook and afterwardes died therof seased, and the said Margaret [him survived] and was of the said Customarye lande seased accordinge to the Custom of the Manor and also of the said free lands seased. By force whereof the sayd Margaret entrid into the said Customarye lands and the said [... some scratched-out lines ...]

... and so the said Margaret seased, tooke to husband one William Smyth and afterwards died seased of the said land and of the said Copihould lands accordinge to the said Custom and after her death the said lands Customarye disendid to the said William as Sonne and next heir of the Customarye lands to the said Margaret, which William Cooke, beyng of the premisses seased, had issue Johan and shortlie after died ~~seased~~ of the Copihold and Freehold premisses seased.

After whose death the said premisses discendid and came to the said Johan Cooke as daughter and next heire unto the said William By force whereof the said Johan entrid into the said premisses and was thereof lawfullie seased and soe seased, the said Johan at her lawful age in her virginitie made a lees of the said Customarye lands and Free lands to one Robert Phypott for the terme of threescore yeres as by the Custom of the Manor aforesaid every

³ Henry VI: 1422-1461 & 1470-1471.

⁴ Perhaps from *Shaftesbury* - a town in Dorset near Salisbury, where a Cooke family resided.

⁵ A 1444 Minsterworth Court Roll (TNA DL 30/77/985) records that: *To this court, Richard Haile comes & surrenders by suit of which court the messuage called Walkeleys to the use of Richard Coke. And the same Richard to this is admitted. And did fealty.*

Walkeleys is a common surname in that area, and the dwelling likely takes its name from the same.

Cusstomarye tenant may make a leese for threscore yeres of the Customarye lands and after the said Johan entermarried with the said Robert Phipott By force whereof the said Robert and Johan were of the said premisses seased.

And soe seased the said Johan died without issue of her bodie lawfullie begotten After whose death the said Robert enclayminge the said premisses By force of the said leese for terme of yeres to hym made by the said Johan in her virginittie as aforesaid entried into the said premisses as was thereof ~~seased~~ possessed, the revercion of the Free lands to one Johan Cooke, Mald Cooke, Alice Cooke, and Agnes Cooke, daughters and heires of the said Thomas Cooke as Cosins and next heires to the said Johan Phipott, that is to saye as daughters and heires to Thomas Cooke, brother ~~and heire~~ to William Cooke, father of the said Johan Phipott, And the reversion of the Customarye lands discendid to Johan Cooke, eldest daughter of the said Thomas by the Custome of the Manor of Mynsterworth aforesaid, and after the said Johan entermarried with one Bodnam and Mald entermarried with one Yarnold and Alice married with one [Sodbe..] and Agnes with one Bougham, and the said Robert Phipott so possessed of the premisses did devise the same to his wieff which he had at the tyme of his death⁶ and after(ward) died, and the same leas after came to the hands of one Arthur Barrett which lees for the terme of yeres aforesaid aboute five yeres past determind and ended At the expiracion of which leese the said Barrett delivered to the nexte heires of the said Thomas Cooke, the said freehould lands.

And for that said Customarye land did and ought to come to your said subject as cosyn and next heire to the said Johan Phipott, that is to saye, sonne and heier of John Bodnam, sonne and heire of Thomas Bodnam and Johan his wieff, daughter and heire by the Custom of the manor aforesaid to the said Customarye lands to Thomas Cooke, next brother to William, father of the said Johan Phipott, your said subject did bring his acction of majus jus⁷ in the Courte of the Manor of Mynsterworth [be.. ... sid] in the Countie of the said manor for the triall of the title of the Cuatomarye lands there tyme out of mynd of man in which acction the said Arthur Barrett appeared and pleaded [issue], whereupon a Jury was charged and knowne in the said Courte for the triall of the said title, that is to say Arthur Callowe, John Pirton, Robert Venn, Thomas Adams, John Whooper, John Bretfer, John White, Rychard Hoper, Thomas [Dagan], John Mayo, Thomas Churche, Thomas Aboyfield, and Nicholas Phelps, which Jury being there sworne for the tryall of the title upon evidence geven there to them it did appeare Manyfestlie to the Courte that the said Jury ought to passe with your said subject.

⁶ In *Barrett v. Arnold*, 1593 (TNA DL 4/36/36), Robert Phipot's second wife is identified as Alice, who is claimed to have leased the remaining two years of the lease to to Arthur Barrett. Bodnam appears now to be claiming the reversion here, as did Arnold (Bodnam's cousin) some 13 years later (1593) after the decease of Bodnam in 1592.

⁷ *majus jus* -- a writ proceeding in a customary manor to try a right to land.

But so it is and it maye please your moste excellent magistie that the said Arthur Barrett not havinge the fear of God before their eyes nor any regard to your majesties lawes and statutes in that behalfe sett forth and provided, did by procurement, subornacion, and mayntenance of the said Arthur Barrett, as well by reason of a composicion or agrement between some of the said Jury and the said Arthur made before they were proverne that they would pass and finde the tytle with the said Arthur and against your subject as also by reasone of divers rewards, promisses and other recompense and agrement of recompence made by with and between the said Arthur and the said Jury so as the sayd Jury found the title with the said Arthur Barrett and gave their verdict against your said subject in the said directive against the evidence ther given to them and contrary to the opinion of the Steward, tennants, and Counsel ther present, whereby the sayd Jury comytted most detestable and willfull perjuye to the overthrowe of Justice and to the utter dissercion of your sayd subject and to the example of others like offenders yf [condigne] punnishment and due and sharpe correction be not herein had and provided, for reformation.

Whereof maye it please your most exelent magistie of your aboundant [cleinencie] to grant to your said subject, your highnes most gracious several writts of Subpoenas to be directed unto the said Arthur Barrett, Arthur Callowe, John Pirton, Robert Ven, Thomas Adams, John Whoper, John Brether, John Whyte, Rychard Whoper, Thomas [Drgan], John Mayo, Thomas Church, Thomas Aboyfield, and Nicholas Phelps, commanding them and every of them therby at a daye certayn and under a certayne payne, personallye to appeare before your highnes privie Counsell in your most graces high court of Starr Chamber, then and ther to annswere to the [...] premisses and further to stand [and] suche [reasonable ... th..] as to your magisties most honorable pryvie Counsell [sh..] thought best and [..st] and your said subject accordinge to his bounded Dutye shall Lay and praye to almightie God for the prosperous [...] ...] of your magistie longe to reigne over us.

(Attorney signature)

1578/9 **Bodnam v. Pyrton and Hooper**

STAC 5/B110/28

The answer of John Whoper, Defendante, to the Bill of Complainte of William Bodnam, Complaynante

The said Defendante for answer sayeth that true yt is that the said Complaynante William Bodnam did bring his action of majus jus⁸ for the said messuages and lands thereunto belonging in the bill specified agaynst

⁸ *majus jus* -- a writ proceeding in a customary manor to try a right to land.

the said Arthur Barrett in the courte of the Manor of Mynsterworth, being the usuall acction for the Tenants which doe holde their tenements in base tenure [sbi et suis] according to the custome of the said manor to [recon] their rights therein, in which said acction the said Complaynante being Demannданnte, and the said Arthur Barrett in the bill specified being Tenante, issue was joyned betwene the said Complaynante and the said Arthur Barrett uppon the majus jus, videlit: whether the said Complaynante or the said Arthur Barrett had better right unto the said tenements according to the custome of the said Manor, The tryall whereof was putt to the said Defendant and others in the bill named, being customary Tenants of the said Manor, which said Defendante being charged and sworne in the said courte.

1578/9

Bodnam v. Pyrton, et al

STAC 5/B2/33

Interrogatories to be mynstered on the parte and behalf of William Bodnam, playntyfe, againste Arthure Callowe and others, Defendants

*Depositions of Wytynesses taken at Glocester the viith (7th) daye of October in the xxith (21st) yere of the Reigne of our Soverayne Ladie Queen Elizabeth, before Henrye Poole, Thomas Throgmartoy, and John Higsard, esquirers, by vertue of her Magisties Comysson to them in that behalf Directed.
(Responses interspersed below).*

1. Imprimis: whether doe you knowe one William Bodnam of Minsterworthe, ye or no, and whether do you know one Arthure Callowe, John Pirton, Robert Venn, Thomas Adams, Thomas Abofeld, John Mayo, John White, Thomas Organ, John Whopper, Richard Whooper, Thomas Church, and John Brether, Deffendants, ye or no, and whether doe you knowe certen Lande called Knights in Mynsterworth aforesaid and certen lande called Walkelyns there and howe longe have you knowen them.

Ex Parte Querint

Richard Byrde of the Citie of Gloucester, gentleman, of the age of xxxiii (63) yeres or there abouts, sworne and examyned,

1. to the first and second Interrogatories Answerethe that he doth verye well remembar of the suyte mencioned in the same Interrogatorye in the Courte of the Mannor of Minsterworth, for this deponent wan then Steward of the same mannor; and was present when evidence was geven and the Jurye charged upon the title of the Land then there in variance, which Lands this examynant knoweth not, But dothe knowe the parties plaintiff and defendants to the same Suyte.

Robert Grasinge of Mynsterworth in the Countye of Gloucester, Smith, of the age of xl (40) yeres or there abouts, sworne and examyned,

1. to the first Interrogatorye saith that he hath knowne all these parties named in the said interrogatories for the space of xxx (30) yeres, savinge one John Brethers, whom he hath knowne xii (12) yeres or there abouts, and Robert Venn whom he hath knowne about xx (20) yeres, and that hath knowne the names of suche Lands and parte of hit for the space of xxx (30) yeres, but all the Lands he knoweth not.

William Grasinge of Minsterworth in the Countie of Gloucester, marrinar, of the age of Lx (60) yeres, or there abouts, sworne and examined,

1. to the first Interrogatorie he speaketh affirmativelye and that he hath knowne the parties in the Interrogatorye named, for the space of xxx (30) yeres, and some of them for the space of xl (60) yeres, and that he hath knowne the Land in the Interrogatorye named by the name of Knyghts end and certaine Land called Walkklins, and further to this interrogatorye he cannot depose.

Ales (Alice) Yarnolde of Minsterworth in the Countie of Gloucester, wydowe, of the age of Lxxxvii (87) yeres, or there abouts, sworne and examined on the plaintifs behalf,

1. to the first Interrogatorye saith she knoweth certaine of the parties in that interrogatory named and certaine of them she doth not knowe.

Nicholas Phelpes of Minsterworth aforesaid, of the age of xxxviii (38) yeres, or there abouts, sworne and examined, upon his oathe,

1. to the first interrogatorie he speaketh affirmativelye and that he hath knowne the parties in the Interrogatorye saiethe that he knoweth the persons deffendants in the interrogatorie named and doth also knowe the Lands therin named in Mynsterworth or the more parte thereof as he thinkethe.

2. *Item: whether doe you know of a sute had between the said William Bodnam and one Arthure Barrett, defendante, aboute two yeres paste for Certen lande in Minsterworth aforesaid called Walkelyns and Knights ende; yf you due, whether were you present at the Courte of Minsterworthe when the deffendannts were Chardged and sworne for the title of the same land betweene the said parties, And whether doe you remembre the Evidence there geven by Counsell of eyther side, ye or no, or any parte therof.*

2. **Richard Byrde:** (See response to #1.)

2. **Robert Grasinge:** to the second Interrogatory he saith that he doth knowe that there was a sute comensed by the said Bodnam against Arthur Barrett aboute the same tyme specified in the said Interrogatories for [Knyghtes inde] and Waklyns, but that he was not present at the Courte there holden, and further he cannot say touching this Interrogatry.

2. **William Grasinge:** to the second Interrogatory he saith that he knoweth that there was a sute commensed by Bodnam against Arthur Barrett touchinge the said Land, and that he was present at the Courte there holden, and that he remembrethe A deed there shewed in open Courte by the Counsell of Bodnam, and further he cannot Depose.

2. **Nicholas Phelpes:** to the second and third Interrogatories he saieth that he knoweth there was A Sute betwyxt the said William Bodnam and Arthur Barrett, defendant, aboute ii (2) yeres past for the said Lands in Mynsterworth and that he, this deponent, was present at A Courte holden at Mynsterworth when the Defendants was charged and sworne for the tittle of the said Lands betwene the said parties, And further saieth that he doth remembar there was evidence geven by Counsell of [... ...] as he doth remembar yt was then geven in evidence by a pedegree aleaged, that one Richard Cooke was seased of the Land in question, butt whether in the Righte of Margaret his wyfe, or no, this deponent remembreth not, And that there was shewed at the said Courte A wrytynge with two Labells with a seale at the one Labell, as this deponent upon the hearinge of the same redd remembreth, from one Smyth, then husband of the said Margaret, to Thomas Cooke, Sonne of Richard Cooke, and to Katherine his wyfe, of parte of the Land in variance called Knights [~~inde~~] and of other free Lande and to their heires, but for the more certaine he referreth him self unto the deed then shewed.

3. *Item: whether doe you remember that yt was there geven in Evidence that one Richard Cooke was seised of the land in Question as in the righte of Margaret his wife, and that after his deathe, Margaret married with one Smith, ye or no. And whether was there a wrytynge with twoe labells and a seale to the second lable [There] at the Courte from the same Smithe and Margaret to Thomas Cook, sone of Richard Cooke, of Certen Landes called Knights End and other fre landes, and to Katherin the wiefe of the same Thomas and their heires, ye or no, or [that] effect or what is your knowledg herin.*

3. **Richard Byrde:** to the thirde Interrogatorie this examinant saieth that as nere as he doth nowe remembar, when the Jurye were charged, the plantif gave in evidence that Richard Cooke was seased of the Lands then in variance, as in Righte of Margaret his wyfe, And that after the death of the said Richard Cooke, the said Margaret married with one Smythe, and did well remembar of A wrytynge having ii (2) Labells, the one Sealed, mencoyng a grante or a Releass of the premisses from the same Smithe and Margaret unto one Thomas Cooke, Sonne of Richard Cooke, and to Katherine, the wyfe of the said Thomas Cooke, as this deponent now remembreth to the which wrytynge, this examynant doth referr himself.

3. **Robert Grasinge:** to the *iiith*, *iiiith*, *vth*, *vith*, *viith*, *viiith*, and *ixth*, (2nd through 9th) Interrogatories, he can say nothing.

3. **William Grasinge:** to the *iiith* Interrogatory he saith that he doth not not knowe any suche evidence there geven other then the deed in the second Interrogatorie named, and tha the said deed there shewed had ii (2) Labells and one Seale, which seale was upon the second Label And that by the said deed there shewed, it did apeare that William Smith and Margaret his wyfe did passe it over to Thomas Cooke, sonne of Richard Cooke, and to Katheryn, wyfe of the said Thomas, and to their heires, and also doth know the free Lands in the Interrogatory named, for that he doth hold part of yt him self.

3. **Nicholas Phelpes:** (See response to #2.)

4. *Item: whether did you remembre a writinge of [partuon] to be made of Certen lande between one Bodnam, sonne of the eldest daughter of the said Thomas and that her daughters and their husbands, ye or no, and whether ys Bodnam Discendid of the eldeste Daughter of Thomas Cook, ye or no and howe do you knowe the same.*

4. **Richard Byrde:** to the fowerth Interrogatory this deponent doth remembar of a writinge, beinge as he rememberth a [Tie], to make [proticion] of Lands between the Sisters and heires of Thomas Cooke, and theyr husbands shewed fourth in evidence in open Courte, , whereunto he, this deponent, doth referr him [sees] and more to that interrogatory he cannot depose.

4. **William Grasinge:** to the *iiiith* Interrogatory he [spekethe] affimateyvelye and that he know it rather to be trewe, for he, this deponent, married with the abovesaid Thomas Cooks daughters daughter beinge the second, the second which Baughan Sonn in Lawe to Thomas Cooke, And did also knowe the daughters of Thomas Cooke which were these, viz: named Ales and Annes, but Jone beinge the eldest daughter of Thomas Cooke he never sawe, but as he hath hard his wives Aunts and his mother in law Annes Baughan often times declare that the said Jone was the eldeste Syster, for as they have affirmed and as yt apeareth by A writinge of particion, she the said Jone had the first choyse of those parts of the Land then beinge devided because she was the eldest sister.

4. **Nicholas Phelpes:** to the *iiiith* he saieth that there was (as he thinks) a writinge shewed at the said Courte concernynge a particion of certen Lands betwixt Bodnam, Sonne of one of the daughters of the said Thomas, and the other daughters and their husbands, and as he remembreth, by the said pedegree shewed, yt apered that the said Bodnam was decended of the eldest Daughter of the said Thomas.

5. *Item: whether was there geven in Evidence a lees from Joan Cooke to Roberte Phypot, of the land in question and of certen fre land for three score*

yes, And whether was the free land Delivered by Arthur Barrett to the next heires of Thomas Cooke after the end of the said lees, and whether was this Confessyd at the Corte by Barrett, and whether did the Jury knowe the same to be true and howe longe since was the same delyveryd as you remembre and howe do you knowe the same.

5. Richard Byrde: to the vth (5th) and vith (6th) Interrogatories this examinant doth remembar of A Leasse for yeres made from one Johane Cooke unto one Robert Phipott of certen Lands, And doth also remembar of an award in paper made by John Arnold, esquire, and one Callowe touching a sute between one Phipott, Baugham, and one Richard Yarnold, which award was then shewed forth in evidence at the said Courte, and more to the interrogatories he cannot Depose.

5. William Grasinge: to the vth (5th) and vith (6th) he saieth that the leasse in the interrogatory named he did not see, but as he hath hard say, yt was readd in open Courte, And that he, this deponent, William Bodnam, John Pheysie (Vessy), Anthony Yarnold, and Richard Wilmots, did enter in certane free Lands Lieinge within the manor of Minsterworth, decendinge to them as heires from Thomas Cooke, which is contained within the Leasse Phipott held it by duringe the tearme of the leasse as yt doth apeare by an awarde thereof made by John Arnold, esquire and Humfrey Callowe, yoman.

5. Nicholas Phelpes: to the vth he cannot remember.

6. Item: whether was there an Awarde shewne in Courte of John Arnolde, Esquier and one Humphrey Callowe for a suite betweene Phipott and one Richarde Yarnold and one Bougham [to proceneck] and next heires of Thomas Cook together with the said Bodnam, which Arnolde was of the lande in question and certen free Land, ye or no.

6. Richard Byrde: (See response to #5.)

6. William Grasinge: (See response to #5.)

6. Nicholas Phelpes: to the vith he saieth there was such an awarde shewed in Courte asin this interrogatorye is mencioned.

7. Item: whether did one John Cuffe and John Pymme prove the petegre of Bodnam, plantif, at the saide Courte of Mynsterworthe, ye or no, in the the said suyte.

7. Richard Byrde: to the vijth (7th) Interrogatory this examinant doth remembar that ii (2) men were brought unto the said Courte of the mannor of Mynsterworth, dependinge the suyte, which then called them selves then John Cuffe and the other John Pymme, who deposed the petigre of the plantif as the Custome of the said mannor hath used.

7. **William Grasinge:** to the viith (7th) he cannot depose.

7. **Nicholas Phelpes:** to the viith he saieth that John Cuffe and John Pyme in this interrogatory named did prove the pedegree of the said Bodnam, plaintiff, at the said Courte of Minsterworth.

8. *Whether did Arthure Barrett make his petegre as heire to John Knighte and howe longe since did the said Knighte [... as he thinke], and whether did he prove his petegre, and how manie descents ys since Knighte as you knowe or have harde saye.*

8. **William Grasinge:** to the viiith (8th) Interrogatory he saith he hath hard Arthur Barrett saye that he helde the said Land in the Interrogatory named as heire to John Knyghte and so contynewethe the occupacion thereof, And saith by credible reporte that it was abouts An hundred yeres now paste synthece the said John Knyghte dyed, and that there is by Lyke reporte fyve or sixe decents sithence that tyme, and further he cannot depose.

8. **Ales Yarnolde:** to the viiith (8th) she saieth that Thomas Cooke, the Brother of William Cooke had a sonne called Thomas Cooke, which Thomas Cooke died beyond the see, and as this deponent thinketh, in Spain, without issue, And saieth that Jone Cook, Maude Cooke, Ales Cooke, and Agnes Cooke, Sisters of the said Thomas, were then next heires unto Thomas Cooke the sonne.

9. *Item: whether did the said Arthure Barrett geve in the Courte in Evidence, a Courte Rolle of the presentment of William Barrett, grandfather to the said Arthure Barrett, heire to the land in question, and whether did he prove the Courte Rolle to be a true Courte Rolle, and whether was the same alledgyd by the Counsell to be forged, ye or no.*

9. **Richard Byrde:** to the ixth (9th) Interrogatory, this deponent saith that he doth well remembar that Arthur Barrett did geve in evidence at the same Courte, a Coppie oute of a court Rolle, [havinge] date aboute the xxth (20th) yere of King Henry the VIIIth (8th)⁹ as this examinant now remembreth, by which Coppye yt apeared that the grandfather or some other Ancester of the said Arthur Barrett was presented by the homage to be the next heire to the Lands then in variance, which Courte Rowle was, as this deponent rememtreth, subscribed with the hand of one James Dowlle, Sometime Deputie Steward of the same mammor, and more (he) cannot depose to the said ixth (9th) and xth (10th) Interrogatories.

9. **William Grasinge:** to the ixth (9th) he saith that Arthur Barrett did shew a Courte Rowle of the presentment of William Barrett, Grandfather to the said Arthur, as

⁹ This would be the year 1528.

next heir to the Land in question, as it did apere by the same Courte Rowle he hard they Redd, and further to this Interrogatory he cannot depose.

10. *Item: whether did you knowe one Nicholas Keylock depose in a sute between Barrett and Yarnold at a Court holden at Minsterworthe that one William Barretts presentment was false and forged, and that he was not of the Jurye as the said Courte Rolle [mencioned], and wether was that shewed to the [defendents] in evidence at the Courte, and whether did the Jury or any of them knowe the same of their owne knowledges, ye or noe, and howe doe you knowe the same to be trewe or have hard therof.*

10. **Robert Grasinge:** to the xth Interrogatorie, he saieth that one Nicholas Keylock did depose at A Courte holden at Mynsterworth in a Suyt betweene Barrett and Yarnold, that he was none of the Jury as the Court Rowle made mencion, and further he cannot saye.

11. *Item: whether did you knowe one Mr. Byrde, Stewarde of the same Courte geve his opinion to the Jurye that he thoughte the Evidence did warrante them to find for the plaintiffe against the defendante, and that they shold so find unlesse they knowe more of their owne knowlege, ye or no, and what other words spake Mr. Birde the Stewarde at that tyme touchinge the same.*

11. **Richard Byrde:** to the xith (11th) this examinant saith that he beinge the Steward of the said Courte, delivered and reported the evidence unto the Jurye, which was then shewed forthe in Courte, as nerely as he possiblye coulde acordinge to the trothe of the same, And there upon in verry shorte tyme followinge, the Courte brake [up] and was adjourned till the afternoon, And thie deponent further saith that he doth verylye thinke that he uttered not any words unto the Jurye at the first tyme touchinge his opinian upon the evidence then geven, but doth more remembar that at some other meetinge with the homage afterwards and before verdict, seinge the Jury made Longe staye to bringe in the verdict, And had had divers daies geven them for that purpose conceyuinge in his opynion that the [then] plantif, except they knew any matter to the contrarye of their owne knoledge more then was oponed concernyine the tittle or the Lyke words, he spoke in effecete and to the rest of the interrogatories this examinant doth not depose.

11. **Robert Grasinge:** to the xith and xiith, he can say nothinge.

11. **William Grasinge:** to the xith (11th) he saith he hard Mr. Birde saye that he thought the evidence would be A [warrat] for them, unlesse they did know more of their owne knowledge, and further he cannot saye.

12. *Item: whether did Arthure Barrett geve in Evidence at the said Courte a verdicte found for him for the land in question againste Anthony Yarnolde, yff he Did, whether was Anthony Yarnolde heire or Bodnam and whether did the*

Jury find for Barrett againste Yarnold bycause Bodnam and his kynred were nearer heires and that Yarnold had no righte at all to the land. And whether in that sute was Yarnolds petegre to Knight or to Cook if the [fine nere] to Knight, whether did Yarnold affirme Bodnam was heire to Cook, ye or no; and whether was the twoe verdictts all the evidence in writinge that was geven by Barrett in Evidence at the same Courte, ye or no; and whether were you present at the said Court when the defendents were chargyd.

12. William Grasinge: to the xiith (12th) he cannot depose.

13. Item: whether did you heare one Thomas Churche confesse that one Dowle forged a lieke false Courte Rolle againste him as he did for Barrett, [meaninge] the said presentmente of the said William Barrett, and where were these wordes spoken and to whom and at what tyme or what words were spoken by the said Church and what have you harde or knowen touchinge the same Courte Roll to be forged, and what have you harde touchinge that Courte Roll spoken by any other meanes. And whether did the Jurye knowe any thinge touchinge the same. And whether did you thinke the same a false Courte Rolle, and what maketh you so to thinke, whether the plantiffs Evidence or any other thinge or Keylockes othe or other wordes, and what ys your further knowledge herein.

13. Robert Grasinge: to the xiiith, he saiethe that he did not here Thomas Churche confesse that one dowle forged a Lyke false courte Rowle against him as he did for Barrett, But in speches betweene Mr. John Bleeke and Thomas Churche spoken in the said Robert Grasings Shop, but the tyme he Remembreth not whereas John Bleeke said unto him, that, that was a false [viewe] which Barrett did shew in the Courte as by the othe of Nicholas Keylock, did apeare, whereupon he said the Lyke [viewe] he made against him, And yf some special friends had not been a Lyve which he did put in the [viewe], he had lost his Land, and further he cannot saye.

13. William Grasinge: to the xiiith (13th) he saiethe in all points as before Robarte Grasinge hath said to this interrogatorye, and further he cannot depose.

14. Item: whether had Thomas Cooke, the Brother of William, a Sonne called Thomas, and whether died he without Issue and where died he and who were next heires, and what ys your knowledge herein.

Item: whether was the said Thomas Cooke from whom Bodnam ys descendid, the brother of the said William Cooke, the sonne of Richard, yf they were, howe do you knowe, by heresay or of your owne knowledges, and by what knowledges or [toker..] as you judge or can say that they were brothers.

14. Robert Grasinge: to the xiiiith and xvth, Interrogatories he saiethe that he hathe hard one William Combley of the age of Lxxx and xii yeres saye that Thomas Coke

and William Cooke were Brothers, and that he hath hard them Calle eache other Brother when he was but A Boye, and this is his knowledge geven.

14. **William Grasinge:** to the xiiith (14th) he saieth affirmativelye, and that by the report of Systers and divers others, he died in Spaine, And that Jone, Maude, Ales, and Annes Cooke were heires to the said Thomas Cooke as he hath before declared in the fowrthe Article.

15. *Item: whether have you harde say or doe knowe Arthur Barrett to have no righte to the Lande and what have you harde Barrett [saie] and what have you harde others say touchinge the same and what ys your knowledge therin, and what have you harde others affirme touchinge the righte and were [others at] what tyme as you thinke or Judge.*

15. **William Grasinge:** to the xvth (15th) he saieth that Thomas Cooke was Brother to William Cooke as he hath hard one William Comleye reporte, beinge a man of Lxxx yeres olde and an inhabytant in the said Towne of Minsterworth, and further to this Interrogatory he deposeth not.

16. *Item: whether doe you thinke Barrett did [m..egle] or [subor..] the Jurye to finde for him, and whether doe you knowe the same, and what doe you thinke in Consequence therin, and whether did he, after they were chardged, shewe any writtings or evidence to them or use any speaches of his title or promised any rewardes to any of the Jurye, and whether doe you think anie of the Jurye to be [a Hewionat] to Barrett, and for what cause doe you thinke soe, and whether did you heare them so affirme, and what have you harde therein, and what ys your knowledge herein, and whether doe you thinke the [Defendants] and [ispehent] for the [L...] for Bodnam before they were sworne, ye or no.*

16. **Robert Grasinge:** to the (remaining) Interrogatories he can say nothinge.

16. **William Grasinge:** to the xvith (16th), xviith (17th), and xviiith (18th) he saiethe nothing.

17. *Item: what is your knowledge in Barretts dealings in the parish of Minsterworthe, and whether did he Cause a [Fine] to be sett downe in Courte for the Jurye to agree upon their verdict and Cause [...ocossek] from the Counsell of the Marches¹⁰ [.. the] Stewarde to sett downe suche [Fine], and whether doe you thinke [...] the Jurye would have agreed and whether did one of the Jurye called Phelpes disagree, ye or no, and would not [... we...] with the said Barrett.*

¹⁰ The Council of Marches was a governing / judicial body (principally in Wales) established by Edward IV in 1472 and revived by Cromwell in 1543. It served as a convenient, ancillary Court to those in London.

17. **Nicholas Phelpes:** to the xviith he saieth that [pro.es] was procured by the said Barrett from the Counsaile in the Marches and that he, this deponent Phelpes, did disagree to the said verdict, for that he thoughte the title by pedegree better proved one the other syde.

18. *Item: whether do you knowe or have harde of one Walter Constable, deceased; if you did, what have you harde of him, And whether was he reportid to be father of the said Margaret Cooke, which Constable was otherwies called Shaftsbury, And whether did the saide Margarett geve any landes by any writtings to Thomas Cooke, her sonne, as you have harde or have Reade, And whether did she geve any landes by the same writtings so by [ys] hande or [worde] that sometyme were Walter Constables, ye or no; and [could] have any [lands noted] in possession which was the said Constables.*

19. *Item: whether did Thomas Cooke die seased of any landes in Fee simple or by Custome that discendid to the daughters of the said Thomas Cooke, And of how manye lands and who have the saide lands so discendid and whether do you knowe that the same lands so discendid, be the free lands that passed from the saide Margaret to the said Thomas Cooke, ye or no, And whether have you any writinges or doe knowe whether the said Thomas did purchase any of the saide landes so discendid and of whom, and what ys your further knowledge therin, And whether did the heire of Thomas Cooke enjoye the saide landes so discendid before the death of the said Joan Phipott and before the landes of the saide Joan Phipotte were discendid, ye or no.*

19. **William Grasinge:** to the xixth (19th) he saidth that Thomas Cooke died seased of certaine Lands in Mynsterworth which decended to the said daughters of the said Thomas Cooke of the yerely rent of iii ℓ (3 pounds), and saith that parcell of the Lands was the inheritance of the said Thomas, and parte of his owne purchase, And further Saieth that the heires of the said Thomas hathe hitherto injoyed the said Lands from the time of the expiracion of Phipotts Leasse.

20. *Item: whether did the said Arthure Barrett and one Mr. Sankye of Counselle with the said Arthure geve in evidence at the said Courte of Minsterworthe, that the said Thomas Cooke from whom the saide [plaintiff] ys descended was the sonne of one Richarde Cooke by an other wieffe and not by the said Margaret the owner of the lande, ye or no; and whether had the Jury any other evidence by the said Barrett to prove whose sonne the said Thomas was then (than) the said Richardes; whether did the said Barrett confesse at the said Courte the Plantiffs petegre to be trewe in all things, savinge that Thomas Cooke and William Cooke were not brothers by one woman but by divers [venters] or wyffes [...] and what prooffs did Barrett bringe to prove the said Thomas Cooke to be by an other Wieffe, and what can you say touchinge the Confession therein of the said Barrett and his prooffe therein as [you thinke].*

20. **William Grasinge:** to the xxth (20th), xxith (21st), and xxiith (22nd) he can say no more than before he hathe deposed.

21. *Item: whether did Arthure Barrett threaten you or any other yf you or they did or should depose a truthe or anythinge in this matter, and what words used he of thretnynge, and where and at what tyme as you doe remembre or have harde said.*

21. **Ales Yarnolde:** to the xxth (21st) she saieth that Arthur Barrett, upon A tyme, did send for this deponent and said unto her these words, were you send for to Mr Blecke, whereunto she this deponent answered that the said Mr. Blecke did did not send for her, And thereupon the said Barrett willed this examinant to go agane to the said Mr. Blecke and denye the words she had spoken at the Court, wherunto she Answered, that she would go talke with William Grasinge and tell him what the said Barrett had spoken unto her, And saieth that at her comyinge after she had told him the same tale, the said William demanded of her whether she would deny these words, ye or no, whereunto she Answered that she would not deny them, for she could not, for that she did well know the said Thomas Cooke the father, Thomas Cooke his sonne, and his said Systers, And saieth that at her beynge with the said Barrett, the said Barrett did tell her that yf she this deponent would not denye but that she did knowe the persons before named, he would make her goe one hundred miles hense.

22. *Item: what [did] you [saie] touchinge the tittle of the lands or the suyte depending, and what is your whole knowledge.*

Answer of John Pirton, Robert Venn, Thomas Adams, Thomas Aboyfield, Arthur Callow, Richard Hooper, John White, John Mayo, Thomas [...], defendants, to the untrue bill of William Bodnam, complainant.

[...] defendants say that the said bill of Complaynt Exhibited against them [...] to be Answered unto for [the] Causes therein manisfested [apearinge out [...]] as they verelye thinke , devise, and sett fourthe against [th..] the meanes and procurement of Mr. John Bleyke [...] for that these Defendants, Contrarye to there Consciens, woulde not serve his [t...e] and Deside to give there verditt in the bill Specified, for which they are nowe wrongefullye vexed with the said Complaynant and against the said Arthur Barrett in the bill of Complaynt mencioned.

And Also to put these defendants to great Costs, Charges, and wrongfull expences in the lawe thereby to procure there utter undoinge and spoile by reason of there great povertye and not for any good or just Cause that the Complaynant hathe in turthe against these Defendants, wherefore these

Defendants pray to be dismissed out of [the ..movable] Suit with there Reasonable Costs and Charges for there wrongfull [.ex..es] in this behalfe [S..gined].

And yf these Defendants shall be Compelled to make Any Further Answer [to the] said insufficient bill of Complaint, then the Advantage of the insufficiency thereof to these Defendants hereafter at all tymes Saved for further Answer, they say and every of them severallye for himselfe saith that they, these Defendants, John Pyrton and John White onelye excepted are Ignorant an unlearned men, and canne neither write nor reade and the said John Pirton and John White say that they Canne verye Symply write or reade englishe, but neither write, reade, nor understand any latten (Latin), and that they bothe are laboringe men and of Small understandinge, wherefore yt ys the more harder for them, beinge ignorant men, to Carry well in remembrance what Evidence ys given unto them out of latten (Latin) deeds or rowles by suche as were learned and of Counsell in the Cause.

And therefore they thinke they are to be borne withall in [Answer unto] to the said [interrogatories] to there knowledges and remembrances, And the said John Pirton first for himselfe saith that he [to the] fourthe interrogatorye did depose touchinge the said deede or writinge as in the bill of Complayant is Alleged, And the Cause why, this Defendant did so depose was for that the supposed Deed then shewed to this Defendant and the other Defendants in Evidence was [made ...s] this Defendant Remembreth from the said Margarett and from one William Smithe, then husband of the said Margarett, and that two labells and one seale to the first labell was then at the said Deed so that yt [seemed] to this Defendant and to the other Defendants as this Defendant thinketh that the said seal to the one labell was onelye the seale to the said William Smithe, husband to the said Margarett, and that no seal of the said Margarett was at the said Deed.

And therefore this Defendant Doth verelye thinke that he might trulye depose that no deed sealed from the said Margarett to the said Thomas Cooke in the article mencioned [was] given in Evidence.

And where this Defendant further Deposeth to the said interrogatorye that they, meaning these Defendants, gave no Credit to the said Deed for that the same had no seale there at, And for that yt made mencion that one Thomas Cook shoulde be brother to William Cooke, the meaninge of the Defendant and the other Defendants, as this Defendant thinketh, was for that the said Deede was given in Evidence as the deed of the said Margarett, And for that there was no seale of the said Margarett at the said deed, therefore this Defendant did Depose to the said deed in [m...] as ys aforesaid as he thinketh he might lawfullye do yf yt were not the deed of the said Margarett.

And for that it Appeared by the evidence their given and [not] denied to this Defendants remembrance that the said Margaret had by one Richard Cooke, her first husband, issue one William Cooke, who had issue A daughter, Johane by name, and the said William died, and after the said daughter died without issue and so no heire remayninge of the bodye of the said William Cooke, and the Deed or writinge then shewed fourthe did purport that the said Thomas Cooke shoulde be the sonne of the said Margarett whereof proof was then made and by [intend..t] and implicacion it seemed to this Defendant that by the said Deed or writinge the said Thomas Cooke should be brother to the said William Cooke, whereuppon this Defendant not uppon any Corruption or willfullnes, but uppon Symplicitye Did depose that the said Deed did make mencion that one Thomas Cooke should be brother to William Cooke, which matters beinge Considered by this honorable Court, this Defendant trustethe the same will be [expounded] and taken accordinge to the true intent and meaninge of this Defendant, And not Accordinge to the evill interpretacion of the said Complainant.

And the said Robert Venn for himself saithe that he beinge examined to the fourthe interrogatorye deposethe and saithe as in the bill ys alledged, and saithe the Causes that moved him, this Defendant, so to Depose was the verye [space of several words obscured by a slight fold] as the said John Pirton before hathe sett Downe and Answered to the fourthe Interrogatorye.

And this Defendant beinge also deposed to the seventh interrogatorie saithe that the said Mr. Byrd there saied that the Deed before mencioned was of Creditt, althoughe the same had no seale there at, which words or the like in effect the said Mr. Birde did then use to some purpose or intent, but to what intent the same was, this Defendant nowe remembrethe not In Deposinge whereof this Defendant thinkethe that he hathe not Comitted any willfull or Corrupt perjurye.

And the said Thomas Adams, one other of the Defendants, for himself saithe that he beinge Deposited to the fourthe Interrogatorye saithe for Answer to his said Deposition as the said Robert Venn and [the said] John Pirton have deposed and saied in every matter and thinge Conerninge that Interrogatorye.

And the said Thomas Aboifyeld for himself saithe that he beinge examined to the [fourthe] Interrogatorye Deposethe as the said bill ys alledged, And for Answer [thereunto] saithe in all points as the said John Pirton hathe Answered and said to that Interrogatorye.

And the [said Arthur] Callowe for himself saithe that he beinge examined to the third interrogatorye Deposethe mucche to that effect as in the bill ys alledged, And whether the same Court rowle did [Co... ...] or a presentment, this Defendant dothe not Certainlye remember, but this Defendant Dothe thinke and hathe allwayes taken yt That the presentment of A Jurye ys A

verditt of [...] and that as this Defendant hathe hard sinthens (since) one Phipott then Claymed A longe lease of the said Lands which was the Cause of the said verditt or presentment in the behalf of [...] William Barrett, And this Defendant further saithe that his Deposition to the fourthe Interrogatorye ys true in suche sorte as he hathe Deposited the same, and further saithe that [he the said Defendant] was not pryvie of Any suche [Devisiō] of lande as in the bill ys mencioned, and that he Dwellethe in one parishe, And the said lands supposed to be Divided in Another parish [...] And this Defendant beinge examined to the Seventh Interrogatorye Dothe maynteyne his sais Deposition to be true, And that the said Deed did make mencion of lands in Westburye hundrethe [but that] the lands in question Do lye in Minsterworthe, which Caused this Defendant and others to suspecte the same Deed, and this Defendant beinge deposed to the sixteente Interrogatorye [... ..nethe] his said othe to be true as yt ys deposed, And that the said free lands should go to the heirs of Cooke after Phipotts leasse by that Award of Mr. Arnolde then shewed [... ..] but what more lands the heires of the said Cookes should have by that Award, this Defendant nowe remembreth not.

And the said Richard Hooper, one other of the Defendants, for himself saithe that he beinge examined to the fyft interrogatorye deposed that the said plaintiff at the said Courte did exhibite his petegree to the Jurye and proved the same by one John Cuffe and John Pymme but the said Barrett exhibited non at that Court and the Cause [when] this Defendant Deposethe that Barrett did exhibit non at that Court, was for that the plaintiff did exhibit his petegree to the said Jurye in writinge was not receaved so to do, for that the tenants of the manner do say that, ys Contrarye to there Custome that the tenant beinge in possession shoulde put in any pedigree, but the said Barrett by his Counsell did open and declare his pedigree at the said Courte as this Defendant thinkethe, and this Defendant as touchinge his Deposition to the seventh Interrogatorye Dothe make Answer thereunto in all things as Arthur Callowe in Answeringe to the seventh Interrogatorye hathe before Answered and saied.

And the said John White, one other of the Defendants for himself saithe that for Answer to his Deposition to the Seventh Interrogatorye he saithe in all things as the said Arthure Callowe hathe to the Seventh Interrogatorye Answered and saied, And for Answer to the Fyftenthe and Sistenthe Interrogatories he saithe as in his deposition he hathe saied that to his knowledge there was no suche Award shewed as in that Article ys mencioned.

And the said John Mayo, one other of the Defendants, for himself saithe for Answer to his Deposition to the seventh interrogatorye he saithe in all things as the aforesaid Arthure Callow to that interrogatorye hathe before answered and saied, and to the sixtente interrogatorye this Defendant for Answer saithe as John White to that interrogatorye before hathe said.

And the said Thomas Church, one other of the Defendants, for himself saithe for Answer to the Seventh Interrogatorye in all things as the aforesaid John White before in this Answer to that interrogatorye hathe Answered and sayed that as touchinge the two verditts in the bill Specified, this Defendat hath Deposed no suche matter to the Seventh interrogatoye Concerninge the said verditts as in the bill of Complaynt ys layed to this [Defendants] Charge, but this Defendent beinge examined to the second Interrogatorye Affirmethe two verditts to pass in the Courte, the one for one William Barrett and the other for the said Arthur Barrett.

And this Defendant thinkethe he may well terme them verditts, for by there Custome, yf Any person thinke that he hath wronge and lands within that manner withholden from him which hathe right unto, uppon request of suche person, And Accordinge to the Custome of the same manner, shall be enquired of by a Jurye there and presented by the Jurye, which presentment this Defendant and the Courte there do Comonlye Call A verditt, as they think yt ys in deed. And every man that makethe Clayme to Any lands there as aforesaid, And uppon which the Jurye do enquire Althoughe the Jurye do present but the title of the one onelye, yet the tenants there do Call them bothe parts because they bothe beinge out of possession make title to oneseif parcell of lande.

And for Answere to his Deposition to the third Interrogatorye this Defendant saithe as he hathe to the same Deposed, that he Dothe not know whether Any person Did Clayme the same lands from Barrett's Ancestors or not or from whom the clayme was made at that tyme, and as to the deposition of this Defendant to the Seventh interrogatorye he saithe to the same as he hathe there deposed, which ys but to his remembrance for that he, this Defendant, ys An Ignorant person and Canne neither write nor reade.

And further this Defendant affirmethe his deposition to the fyftenthe interrogatorye to be true as the same he hathe deposed, without that that the Defendants, or Any of the, have Committed Any false, wilfull and Corrupt purjury, as in the bill of Complaynt ys untrulye Alledged and sett fourthe, And without that that any other materiall or effectuall in the said bill of Complaynt Alledged and [in] this Answere not Sufficientlye Answered unto Cousessed and Avoided, Denied, or [tran..sed] ys true, all which matters these Defendants are redye to Avere and prove as this honorable Court shall Award, And prayen as before they have prayed.

[Hurleton Reed]

Interogatories to be mynestered unto John Pyrton, Thomas Adams, Robert Venn, and Thomas Boyfeld

1. Imprimis: whether doe you knowe or remember the evidence geven unto you by the counsell lerned at the Court holden at Mynsterworth for the triall of the title of the lands in the said bill and Annswere pleaidid between the said plaintiff and the said Arthure Barrett.

2. Item: whether doe you knowe or remember what maner of verdicts were geven in evidence at the said Courte of Mynsterworth in your Annswere named by the said Arthur Barrett for the mayntenance of this title and to the premisses for your verdicts and aboute what yeres of the raygne of what kyng were the same verdicts severally geven, and between whom these verdicts passed and of what effect was the same verdicts, and who were plaintiffs there and who were defendants in the said suyte, and wherupon was there any verdict ever geven for the said Barrett as in your annswere is deposed, and whether was there any verdict ever found by the homage of the said manor of Mynsterworth agaynst the said William Bodnam [now] or any his anncesters and for the said Arthur Barrett or his anncesters, and what other evidence of your owne knowlege did perswade you to fynd the said verdict lastlie by you and others geven in the said Courte of Mynsterworth for the said Barrett against the said Bodnam, and what is your hole knowledge in the tytle of the said Barrett to perswade you to fynd for hym and against the [plaintifs] title, and whether had you any other other knowledge or evidence to maynteyne your verdicte then [he..] is deposed or was at the said courte revealed and disclosed.

3. Item: whether did the said Bodnam and his anncestors ever sue the said Barrett before the said suyt in the said Courte for the said land, and if not, for what cause did you thinke the said Bodnams ryght to be nothings, and whether because that others that had no righte to the land did sue Barrett and it was founde agaynst them, and whether for that cause did you thinke Bodnam to have no ryght to the land because others had no ryght or for what other cause as you thinke or Judge.

4. Item: whether was there geven in evidence to you and the rest of the Jury at the said Courte of Mynsterworth, when you were charged and sworne for the title, any deed or wrytinge ensealed from the said Margaret in the bill and Answere named to one Thomas Cooke her sonne, yea or no. And if there were, what credyte or discredyte was by you then geven to the said deed, and what was the Reason of such credid or discredit by you then had.

And further, whether was there not at the same Courte for evidence likewise geven to you a wrytynge of particion betweene the daughters and heires of the said Thomas Cooke, and whether by the said wrytinge of particion was not evidence geven and read that Johan, the eldest daughter of the said Thomas

Cooke, did marrye with one Thomas Bodnam, grandfather to the said William Bodnam, plaintiff, and whether do you thinke the said evidence true or false, and whether did you thinke the same evidence untrue and for what reason or cause, and whether do you thinke the said William Bodnam next heire to the said Thomas Bodnam and Johan his wieff, or what evidence doe perswade you to the contrarye of the evidence geven for proffe therof.

5. Item: whether did one John Cuffe and John Pymme at the said Courte of Mynsterworth swere and depose there the said William Bodnam was next heire to the said Margaret in the bill and annswere named to the said lands, and whether did you credit theire othe, ye or no, and whether were they ever discredited of [worde] or for what other cause ought not theire othe to be receaved or credited as you know or Judge.

6. Item: whether was the said land of Customarye nowe in question leassed by the said Johan Cooke, the daughter of William Cooke, to one Robert Phypott for threescore yeres and also certayne Freland in the lees also, and whether was there evidence geven to you to that end on both sides, yea or no.

And whether cannot that leese and the title thereof by the evidence to the said Arthur Barrett, and whether did the same leese end and deteryned aboute five or six yeres past, yea or no.

And whether did the said Arthur Barrett at the end of the said lees deliver up to one Yarnold and others the said Freeland in the said lees [devised] as unto the next heires of the said Johan Cooke, the daughter of William Cooke in the bill named, and whether is not the said Yarnold and Bodnam and others descended of the daughters and heires of one Thomas Cooke, and whether the the heires of the said Yarnold and others of the said daughters of the said Thomas Cook [have] the said Freeland in quiet possession by the deliverye of the said Arthur Barrett, Yea or no.

And whether was that Freelande the land of the said William Cooke in the bill naymed, and after his death, the land of one Johan Phipott, his daughter and heire, and if it were, whether doth the said lande discend to the heires of the said Arnold and others as next heires of the said Thomas Cooke, next heire of the said Johan Phipott, for that she died without issue of her bodie begotten, and yf [the heires] of Thomas Cooke oughte to have the Freelands lessed, for what cause ought not they, the next heires of the said Thomas Cooke, to have likewise the said Customarye lande nowe in question likewise lessed by the said Johan Phipott, and what is your knowlege therin, and whether was this evidence geven to you at the said Courte of Mynsterworth aforsaid, yea or no.

And what difference of title of the ryght of the free lands to Cooks heires, that the other Customarye lands to Barrett did you fynd or do knowe or have hard

saye, and what is your knowledge to lead you to fynd the same land in that sorte by your verdict as you thinke or can remember.

7. Item: Whether did one Mr. Birde of the Jurer [tempee], gentleman Steward of the Courte of the manor of Mynsterworth at such time as you were sworne for the title of Bodnam and Barrett, after the evidence there Geven to you by counsell on both sides geve his opinion to you and the rest of the Jurye before Mr. Sankye, one of the Counsell of the said Barrett, that you and the rest of the Jurye by the evidence there and then geven ought to fynd for the said Bodnam and agaynst the said Barrett for the title of the premisses, yea or no, and yf the said Mr. Birde did so, what evidence of your knowlege there not geven did lead you to fynd for the contrarye as you thinke or Judge.

8. Item: Whether did the said Arthur Barrett make any composacion (composition) before or after you were eympanellid on the said Jury with you or any other of the Jury as you have hard that you or they should fynde the title of the land with hym, and what composacion or offer of composacion was then had by hym with you or any other of the Jury as you Judge or have hard saye, to fyne the tytle with the said Arthur, and what rewarde or promisses of rewarde was there by the said Arthur Barrett geven, offered, or promised to be geven or offered to you or any of the Jury to find the said title of premisses with the said Arthur agaynst the said Bodnam, yea or no.

9. Item: Whether did you or any other of the Jury, and who of the same Jury did speake and affirme as you knowe or have harde before they and you were chargid and sworne that they or you would fynd the tytle with the said Arthur agaynst Bodnam howsoever the evidence for Bodnam should be geven or the ryght of the said Bodnam appeare or to that effect, and whether were such words by you or any of the Jury spoken to that effect before or since you were sworne for the title as you nowe remember or have hard saye.

10. Item: Whether did the said Arthur Barrett after you and the rest of the Jury were sworne for the title practise and have conference and talke with you and the rest of the Jury by the space of one halfe yere before agrement of verdict aboute his ryght and title for the premisses and whether after you were sworde and charged out of the Courte did the said Arthur use conference with you in any place or with any of the Jury to your knowledge aboute his title and shewe to you and the rest of the Jury or to some of them any writings or evidence of his title, yea or no, and where and when and what writings and other conference was there had betwene you and the said Barrett, and what rewards or promise of rewarde or other composition dyd the said Arthur offer you or any of the Jurye to fynde the said verdict with hym against the said Bodnam, yea or no.

11. Item: Howe many of the Jury disagreed at the first tyme you were charged by the space of one fortynight after to geve verdict with the said Barrett but

rather to fynd the same with the said Bodnam, and by what [...] or evidence dyd they of the Jury so [... ...] afterwards had to find for Barrett and what rewarde promisses [practices ...] was there[used] to them [...] for Barrett, and to who and by whom were such [promisses ...].

1579/80

Bodnham v. Barrett

STAC 5/B14/20

Preliminary Abstract

This item contains the responses of Arthur Barrett to the interrogatories (included) administered on behalf of William Bodnham. At issue is who is the rightful tenant of the messuage known as Knights End. In a later legal proceeding (1593 – Barrett v. Arnold) several witnesses testify that 13 years earlier, Arthur was declared the rightful tenant in a suit brought by Bodnham.

Of particular interest is that at the end of Arthur's deposition, we find where he wrote his initials. In various other matters, Arthur testifies that that he has read certain documents, so I imagine he could write his full name as well.

Interogatories to be mynestered unto Arthur Barrett [defendant] at the suyt of William Bodnam Complainant

1. Item: Whether have you any recorde or Copy of Courte Roll mencioninge William Barrett to be heire to Johne Phypot or to one John Knighte, ye or no, and of whose hand wryttinge ys the same Courte Roll and whether doe you knowe the same to be a true courte Rolle and not forged, ye or no, and howe doe you knowe the same to be knowne.

2. Item: whether ys one Nicholas Keylock named in the Court Roll and of the Jury and whether have you harde one Nicholas Keylock thold affirme and depose that he was ever of any such Jurye as the Courte Roll doth mencion, ye or no, and where and when have you hard the same.

3. Item: Whether did one James Dowle make the Courte Roll, ye or no, and whether did he wryte the whole Courte Roll or parte thereof and [..owe..inthe] thereof and for what Cause did he wryte the same parte, and whether did you geve out and say that the said James Dowle shold make the same Courte Roll, ye or no.

4. Item: Whether did you deliver to Anthony Yarnolde and William Grasinge and one Veysey certen free Lands in Mynsterworth which Joan Phipott dyed seased of as next heyres to the said Johan Phypott, ye or no, and howe longe synce was the same delyvered and whether be they nearer of kynned to the same Johan Phypott then you, ye or no and whether be they next heyres to the saide Johan at the Common lawe and of the whole blodd, ye or no.

5. *Item: Whether ys the Custome of the Mannor of Mynsterworthe that the next of kyndred of the whole blodd to any Customary Tenante that dyethe seased of Customary Lands shold be next heyre by the Custome, to the partye that Dyeth seased, ye or no, and to whom doe your Customary Lands Discend after the death of the Customary Tenant.*

6. *Item: Whether did you affyrme in the suyte dependenge betwene Anthony Yarnold and you at the Courte of Mynsterworth for the [Complainant] that yf the said Anthony were of the eldest daughter of Thomas Cook that you wold deliver the said land unto him, ye or no.*

7. *Item: Whether have you any wryttings in your Custodye that dothe belonge to the heyres of Thomas Cook for any land they owghte to have or whether have any other, any wryttinges [thereof] the same by your delivery, ye or no, and whether have you, or any other to your use or [...] your delivery the last will and testament of Richard Cook or ever had the same will or the will of William Cooke or of Thomas Cook or any of them, and what wrytings thereof have you and for what ease do you [deteugne] the same.*

Answers of Arthur Barrett

The answers to the interrogatories are contained in three pages in what was certainly a first draft. That is, the writing appears in many places to have been hastily put down, and perhaps only fully decipherable by the writer. What follows are some excerpts and some abstraction on my part.

Arthur Barrett of Minsterworth [age 54, yeoman, sworne]

To the first interrogatory: He has a copy of a Court Roll naming William Barrett¹¹ as heir to Johan Phipott.

To the second interrogatory: Some mention of Nicholas Keylock and perhaps Anne Keylock

To the third interrogatory: Some mention of the Court Roll (perhaps) made by James Dewold. ... Jurors of the Court ... Court Roll.

...

...

To the seventh interrogatory: Some mention of Anthony Yarnold and the last will and testament of Thomas Cooke and Richard Cooke.

Following the deposition is "Ab". The writing is in a different hand and is clearly the signature initials of *Arthur Barrett*.

¹¹ This would be his grandfather, William Barrett, who died in 1547.

(Countersuit of Defendant)

Moste humblie complayinge shewethe unto you most Excellent Magistie your true, faithfull, and obedient Subject Arthur Barrett of Mynsterworthe in your Magisties Countye of Gloucester, That whereas the same your sayd Subject was and yet ys lawfullye siesed in [his demeane] as of fee in base tenure accordinge to the Custome of the Mannor of Mynsterworthe in Mynsterworthe aforsaid, of and in one messuage or tenement and one half [yard and Land] with the appurtenans comenlye called or knowenby the name of Knights place, also Knights end, lyinge and being in Mynsterworthe aforsaid, And also of and in one Mondayse of Lande with the appurtenans conteynynge by estimation eighte acres, Comomlye called or knowen by the name of Walkelins.

And your said Subject soe beinge thereof seised the issues, rentts and proffitts thereof comynge, rysinge and growinge aswell by hym selfe and his Servants and Fermors thereof hathe lawfullye receaved and taken to his or their owne use and uses untill nowe of Late.

That is to say, aboutes Three yeeres [now] last past, That one John Bleeke, gentleman, verye greedlye, unconinonablie and unlawfullye seekinge to gett to him selfe the same premisses, dyd Cause and procure one William Bodnam dwellinge in the County of Oxon¹² or Berck, not farr from Henlye uppon Thames in the Countye of Oxon, a verye poore, simpell and needie person, a meere estranger and unknowen in Mynsterworthe aforsaid, not onlye to come to Mynsterworthe aforsaid from his [said] dwellinge and to abyde and continue with the said Bleeke at Mynsterworthe aforsaid at the onlye coste, chardge and Expençe of the said Bleeke, But Also to make clayme to the premisses as Cozen and next heir to one John Knyght, somtyme owner of the same premisses viz as sonne and heire to John Bodname, sonne and heire to Johane Bodnam, daughter and heire to Thomas Cooke, brother and heire of William Cooke, sonne and heire of Margaret Cooke, daughter and heire of Edith Shaftsburie, daughter and heire of the said John Knyght, for that the (said) William Cook dyed without issue.

And the said John Bleeke the better to bring his unlawfull pretence and purpose to passe for the obteynynge and gettyng of the premisses from your said subject, he the same Bleeke not beinge [avt...] of ... to composses and beinge aboute the same, his subtill purpoze dyd make relacion thereof to one William Woodward, gentleman, and craved his assistance therein offeringe and gevinge to the same Woodwarde for the same, his assistance, onlye one graye horse, But also dyvers somes of monye and other rewards whereuppon

¹² Oxon: Oxfordshire

he the said Woodward not onely greedie to receive the same, but also verrie willinge to [wyne] with the said Bleeke in the ... [praitize] aforesaid, They the said [p..ke] and Woodwarde the more ease to havinge aboute and achyve their former porpose did first procure the great favor and frendshipp of Richard Byrd, gentleman, Steward of the said Mannor ... of the premisses from your said Subject which beinge donne, Then the said Bleeke and Woodwarde at their or at one of their costs and charges did procure the said Bodname to bringe comende and [persocute] to his sute or [... ..] nature of a writte of righte after the custome of the Manner comenlye called the majus jus for the premisses in the courte of the said Mannor, before the said Richard Byrde against your said Subject, To which said [suc.. ..] said subject [apped] and [..leaded] and soe the said Bodnam and your said subject discended to a perfect yssue therein upon the verie righte for the triall whereof the homage of the said mannor at [a..te] there holden the ... November in the [x... th] yeere of your magisties most prosperous rayne were sworne and charged and the matter openlye and delibatelie herde and debated by counsell Learned on boathe [syds at] which tyme the said Bodnam made [first] in proufe of his said petegree which bee deryved from the said Johan Coke which he oughte to donne by the custome of the said Mannor.

And after that, That the said homage weore sworne and charged as aforesaid, they [w.. got..] and conferred of [the ne...sue] then in chardge And after longe conferrance together they weere as yt semed, and as the said Birde thoughte no cause to the Contrarie, then showed or proved fullie resolved to yelde there [verdict] for your said Subjecte, which being perceaved by the said Birde, he the same Birde being verie affectionate on the behalfe of the said Bodname, and being thereunto [tell] as yt should seeme by some perswacion or [regarde] to [h..] used geven, or promised, did send (space of seveal words left blank) then and [yeo..s] his Servante to one Arthur Callowe, then one of the said homage and Jurie, requestinge him to stave in gevinge his verdict there [and to sit waste] and that he the said Callowe should Crave further tyme viz to the next Courte there to bee holden to geve upp there verdicte which the said Callowe did accordinglye.

And a Stewarde at the next Courte there holden viz [in ...] the seaventh day od December in the twentieth yeere of your Magisties Raygne the said Richard Birde [yinagenynge] that the said homage would then geve upp their verdicte in the [...] for your said Subject as [he ma.. case] to the contrarie he the said Birde did not onely absent him selfe from the same Courte but also sent the said his Servante (space of seveal words left blank) then to [tepe] the same Courte Comanninge him aswell to deale with the sayd [...] Callowe to saye his verdicte and to Crave daye over to the next Courte, As also to declare to the sayd homage, that if they [were] agrede of their verdicte and would then geve upp the same, That he had not anye [warrante ..ecerve the] same.

Whereuppon the said homage prayed tyme to the next Courte there to be holded for the gevinge of their verdict in the premisses which was granted and soe from Courte to Courte the said homage weere [put s... g..inge their] verdicte by the said Byrde, by the meanes of the said Bleeke and Woodwarde by the space of one whole yeere and more, to [them tent] as yt afterwards appeared, that the said Bodname Bleeke and Woodward [might unlawfullye] procure some persons to make proufe of the said Bodnams petegree, And accordinglye duringe the same deleys the said Bodnam Bleeke and Woodwarde practised with dyvers persons to prove the same Petegree [which they knowe] not, and therefoure utterlye resisted the same proufe which delays and sinister pratizes being perceaved by your said Subjecte, he the same your said Subjecte to prevent and avoyd the same repayed to your Magisties Counsell in your highnes Marches of Wales and procured from the same your Magisties Counsell, your magisties [tres] and proces directed to the said Birde Comanninge how thereby not onlye to sommon and kepe Courte within the said Mannor of Mynsterworth and then and there to call the said homage before him, but also to bynd and enjoyne them and any of them in a great some of monye to yeld up there verdicte in the premisses at the next Courte then and there after to be [... ...].

All which the said Byrd did accordinglye, although not wilinglye, which beinge knowen to the said Bleeke, he the same Bleeke not Havige fullye provyded his said unlawfull witnesses to make proufe of the said pretended petegree of the said Bodnam dyd earnestlye deale and travell with the said Arthure Callowe to staye in gevyng or yeldinge upp of the said verdict in premisses, And in consyderacion therof offered to the same Callowe that yf he would not geve upp any verdict at the said next Courte accordinge as he the said Callowe and the others of the said homage weer bounde and [enjoynd] That he the same Bleeke would seme harmeles aswell the same Callowe as one other of his followers of the said homage from all suche Losses, penaltyes, fynes or [amerc..un..] should happen to come or be taxed to or uppon them by reason of there not gevyng their verdict in the premisses which said offer the sayd Callowe refused.

And thereuppon the said Bleeke, Bodname and Woodwarde, hopeles therein in dryven to there [shists] for want of good wytnesses in the proufe of the said Petegree, They the said Bleeke, Bodname and Woodwarde, or one of them, dyd most wyckedlye, unlawfullye and corruptlye, procure and suborne one John Cuffe, John Pyme, poore tenants of the said Bleeke and at this Comannde[ment] uppon there others to make proufe of the said Petegree, and at the next Courte holden within the said Mannor of Mynsterworthe the (space left blank) day of (space left blank) in the (space left blank) yeere of your said Magisties Raygne before the said Richard Byrde the said homage appeared.

And then the said Byrde, contrarye to the Lawe, the Custome of said Mannor and the parte of [fair] uprighte and [nidefere..] Steward, was contented and

did allowe that the sayd Bodname, Cuffe and Pyme should be deposed uppon the truthe of the Petegree then exhibyted which was that the said Bodnam was Cosyn and next heire to the said Johane Knight viz sonne and heir to John Bodname, sonne and heire to Johan Bodname, daughter and heire to Thomas Cooke, brother and heire of William Cooke, sonne and heire of Margarett Cooke, daughter and heire of Edithe Shaftsburye, daughter and heire of John Knyght for that the said William Cooke dyed [whont of heire], And when the same Petegree was reede to the said Bodname, he the said Bodname being demanded uppon his othe whether the same Petegree was true in such for to as yt was then reede unto him he the same Bodname uppon his Corporall othe then depozed that he could not nor would swear that the same Petegree was true.

But he then depozed that he was heire to Knyghts ende house meanyng the said messuage called knyghts ende In which his said deposicon he hathe comitted most wilfull and [cer...t] perjurye, For that the said Bodname was not heire in truthe, and in deed the said William Cooke had not any brother called Thomas, from which Thomas the said Bodname claymed the premisses by [dyn...s] discents, And at the said Courte the sayd Cuffe and Pyme by the meanes and procurement aforesaid and to geve some shewe, conutenance and Credite to the cause and to bolster the same on the behalf of the said Bodname dyd uppon their Corporall othes then and there depoze and saye that the said Bodname had sworne trulye, wherein the said Cuffe and Pyme have comytted most wilfull and corrupt perjurie For that the said Bodnam in truthe was not Cosen and heire to the said and in deede the said Cuffe and Pyme understood verye well by the Confession of the said Bodname and otherwyse, that he the said Bodname knewe not howe to deryve himselfe to be Cosen and heir of the said Johane, And also [han.. ... and] the sayd Bodname sayd that he never meantte to have clayme to the premisses nor to have [stinred] therein had he not ben thereunto procured by the said Bleeke and Woodward, To which said perjurye so comitted by the said Cuffe and Pyme [sente] and [conte... ..ye] or sythence hathe boughte and obtayned to him selfe the pretended interest of the sayd Bodname in and to the premisses countrarie to your heighnes Lawes and Statute [gayn... mayntenance] lawfull brynge sute in your Magisties Benche at Westminster against your sayd Subjecte for and concernynge the tryall of the tytell of the premisses.

In tender consideracion whereof and for as muche as [the said customarye chainpertye, pernies, Escurenter] and subornscion of perjuryes, corrupte dealinge and other the misdemeaners before remembered are aswell odious and detestabell before God and mane and [meer..ht] and expresseye contrarye to your Magisties good and holesome lawes and statutes of this Realme made and provyded for the punishment of suche offenders, And also for that the same ys most perilous Exampell and [great] ymboldedyng to all suche wycked offenders to comytte the lyke yf [ceadyng] punishment and sharpe Correction be not with speed mynystred to the same offenders herein,

May yt therefore please your most Exelent Magistie to grannte your most gracious writts of Subpena to be directed to the sayd John Bleeke, Richard Byrde, William Woodwarde, William Bodname, John Cuffe, and John Pyme, Comanndynge them and everye of them thereby at a certayne daye and under certayne payne therein to be [ly..itted] and appoynted personallye to appeare before your Magistie and ys most honorable pryvye Counsell in your heighnes honorable Courte of Starre Chamber at Westminster and then and there to annwere the premisses And further to stand to and abyde suche order and direcion therein as to your Heighnes said Counsell shalle thought good, And your said Subject accordinge to his [bound ...] dutye therein shall duely pray to you for your Magistie Longe and prosperously to raynge [... ...].

Signed: G..ckeringe

Interrogatories to be mynistered on the parte and behalfe of Arthur Barrett, Complainant, against William Bodnam, Defendant

Responses of defendant Bodnam (interspersed below) taken 18 Jan 1579 (22 Elizabeth)

1. Imprimis: in what parishe and in what County did you dwell or remayne nexte before your comynge to dwell with Mr. John Bleeke, And what yearlie rente, wealthe, or substannce hade you then or are you nowe of.

1. To the first he saith that he dwelled in the parish of [Lutenor] in the County of Oxen, And saithe that he was but a shepperde and had very smale wealthe or substannce nor hathe not as yett.

2. Item: by whose means or procurement, And for what cause, intent or purpose dyd you come to dwell or remayne with the said Mr. Bleeke, and howe longe have you dwelled with hym; howe longe muste you dwell with hym, and what yearelie wage, or other proffitte or are you promissed to have of or by hym.

2. To the seconde hee saiethe that hee came by the meane of a letter that was sent him by some of his kynred or alliances, but who, he dothe not nowe remember, to seeke his right which was fallen unto him which was the onlie cause of his comyng to Mynsterworth: And saiethe that hee hathe ben with Mr. Bleeke come Trynitie Sondaye¹³ next, twoe yeres: And saith that he hathe no certen tyme appointed to dwell with Mr. Bleeke: And further saiethe that he hath not anie yerlie wages or recompence at all but what yt please him to geve or bestowe upon him which is meate, drinke, and cloathe.

3. Item: by what title, And from whom, And in what maner, And by whose means, encoragement or procurement doe you or did you clayme Knights place, also Knights end house, and other Laands and tenements in Mynsterworthe in the County of

¹³ *Trinity Sunday* is the Sunday after Pentecost -- typically late May or early June.

Gloucester, nowe or Late in varyance between you and the said Arthur Barrett, And declare you petegree by which you clayme the same Lands.

3. To the thyrde hee saithe that he claymeth the Lands in that article specified as rightfull heyre to the Cooks whoe were the right heyres of the Lands in that article specified but for the petigree he is ignorant.

4. *Item: howe longe have you pretended title to the premisses nowe in varyance, And whoe did first encoradge you to sue for or clayme the same.*

4. To the iiiijth (4th) he saithe that he hath made claime unto the Lands in that article specified for the space of these twoe yeres and haulf past or therabouts: And saiethe that one William Grasinge, John Veysie, and others gave him the firste intelligence of yt, and theruppon he made his claome unto yt.

5. *Item: dyd you knowe of your self your petegree that you or your Counsell exhibited in the courte of Mynsterworthe when you sued for the premisses there before your comynge to dwell at Mynsterworth or afterwards, And whoe did firste bringe or healpe you to the knowledge thereof.*

5. To the vth (5th) he saithe that he is not of knowledge to sett fourthe his owne petigree nor that of him self hee did not perfectly knowe yt, but as he was helpen by the [untrey] and those that were of his kinred and alliance: And saiethe that one William Crumeley (being a man of good yeres and one that hath knowen the annicesters of this exaiat¹⁴) was one of the first that helpe him to his petigree.

6. *Item: whoe dyd helpe you or did offer or promise you to procure witnesses to helpe you to prove the said petegree by you or your Counsell exhibited in the corte of Mynsterworthe aforesaid, And what money, moneysworth, proffite or rewarde, or promisse offer, or ceveninte of money, proffitte or rewarde dyd you, John Bleeke, or William Woodward, gentleman, offer or promise to geve to John Cuffe and John Pyme or to either of them to prove your petegree or too affirme your oathe therin.*

6. To the vith (6th) he saithe that he the said Cumeley, William Grasing, John Veysie and others whom he doth not nowe remember did helpe him and brought him to the first knowledge of his said petigree which was exhibited by him and his counsell in the Courte of Mynsterworthe.

7. *Item: ys the said petegree true, And doe you knowe the same of your self, or by the reporte of others, And of whom.*

7. To the viith (7th) he saithe that he knowth his said petigree to bee true by the report of the moste parte of the parishe, there names certen he rememberthe not.

¹⁴ *ex aiat*: Latin - the deponant or one giving sworn testimony.

8. *Item: dyd you at any tyme uppon your oathe taken at any tyme in the Courte of Mynsterworthe, prove the said petegree to be true, Or what was the effecte of your proufe there made touching the same petegree, And whoe moved, willed, or procured you to make the same proufe.*

8. To the viiith (8th) he saithe that he did swere his said petigree to be true: And saith that hee was moved therunto by the voice of the moste of the parishe.

9. *Item: did you or any other, And what, move, will, procure or intreate John Cuffe and John Pyme or either of them to prove the said petegree with you, or to affirme your oathe touchinge the same, and what money or other rewarde or promise or covenante of or for money or rewarde hade they or either of them geven or promised by you or by any other person, And by whom to make the same proufecion or affirmacion.*

9. To the ixth (9th) he saithe that hee did procure John Cuffe and John Pyme to bee at the courte to depose and reporte the trueth of their knowledge in the oathe which he did make touching the said petigree: And saith that he did never offer or promise them anie giefte or rewarde at all so to doe.

10. *Item: were you at any tyme when you were sworn for proufe of the said petegree, demanded or asked by any person or persons whether you woulde sweare that the said petegree was true, yea or not. And did you then saye that you Could not sweare soe, But you woulde sweare that you were heier to Knights end house.*

10. To the xth (10th) he saithe that he was asked when he was sworn whether that he woulde sweare that the said petigree then laide downe in Court by him were true, saith that he answered that he woulde proeve that the said petigree was true by the voice of the [cuntry]: And sayeth that he answered further that he woulde sweare dyrectlie that he was right heyre to Knightes ende house.

11. *Item: whoe firste procured, moved, or encouradged you to comence sute for the premisses against the said Arthur Barrett in the Courte of Mynsterworthe, And at or by whose costs or chardges was the same sute comenced or prosecuted, And howe muche hath the same sute coste as you knowe or have hearde, And of whom herde you the same.*

11. To the xith (11th) he sayeth that was not procured by anie but by his owne kynred and the aforementioned William Crumeley and said that he saied the same in the courte of Mynsterworthe at his owne proper costs and chardges and with his owne money: And further saith that the said sute hath cost him out of his owne purse above xv l (15 pounds) which he receavid for a lease to bee made.

12. *Item: at whose coste and chardge was the action of trespas brought in your name againste the said Arthur Barrett in the [kings] benche Comenced or prosecuted.*

12. To the xiith (12th) he saithe as before that he precenthe the said suete in the [atnenes] benche himself and with his owne money and at his owne coste and chardge, as he dyd all other in the lawe.

13. Item: at whose coste and chardge are the severall sutes in your name in the Starre Chamber at Westminster Comenced, maynteined, or prosecuted.

13. To the xiiith (13th) he saithe that it was at his owne coste as before is answered in the twelf (12th) artycle.

14. Item: when did you firste promise to make any conveyance, grante or offerance or the presisses nowe in varyance or of any parte therof to the said John Bleeke, And have you made any grannte, conveyannance or offerance of the same premisses or any parte therof to the said John Bleek sythence you sued the said Arthur Barrett for the same premisses or for any parte therof, And what have you hade or muste you have of the said John Bleeke for the same premisses.

14. To the xiiiith (14th) he saithe that he made a lease or the premisses unto Mr. Bleeke aboute twoe yeres and haulf Last past for the terme of lx (60) yeres and receavid and must receive of him for the same, twentie pounds.

15. Item: what were the oathes or depositions or the effect therof That the said Cuffe and Pyme made with or for you in the said Courte of Mynsterworthe.

15. To the xvth (15th) he saithe that the oathes of John Cuffe and John Pyme were that they thought in their conscience and by the comon reporte of the contrey harde that he this exaiat¹⁵ was the rightfull heyer of the Lands in varyence.

16. Item: howe many persons, And what byn their names, did the said John Bleeke or William Woodwarde move, intreate, or persuade to have proved the said petegree with you or to have affirmed your oathe touchinge the same.

16. To the xvith (16th) he saithe that he knowethe none that the said John Bleeke, nor William Wodwarde did pursuade to prove the said petegree to this exaiats remembrance.

17. Item: doe you knowe of your owne knowledge or by the reporte of any other, And of whom, That the said Thomas Cooke from whom you clayme the premisses by your petegree was brother of and nexte heier of the whole bloude to the said William Cooke, which you suppoze to dye without yssue.

17. To the xviith (17th) and last he saithe that he hathe harde by the said William Cumeley, William Grasing, John Veysie, and others his kynred, that the said Thomas Cooke in that article named was the brother in the whole bloude, and right heyre to the Lands in varyence.

¹⁵ *ex aiat*: Latin - the deponant or one giving sworn testimony.

(Signatures:) [R.] Arnold, Thomas Porter

Interrogatories to be mynistered on the parte and behalfe of Arthur Barrett, Complainant, against John Cuffe and John Pyme, Defendants

(Interspersed are the responses of Cuffe and Pyme.)

The expaicions of John Cuffe taken the said daie upon the interrogatories annexed.

The expaicions of John Pyme to the said interrogatories.

1. Imprimis: how long tyme sithence ys it that you have firste knowen William Bodnam nowe or late dwellinge with Mr. John Bleeke in Mynsterworthe in the County of Gloucester, And where dwelled the said Bodnam before comynge to dwell at Mynsterworthe aforesaid.

1. Cuffe: To the first he saithe that he hathe knowen William Bodnam in that article named for the space of these three yeres last past: And saiethe that he hathe hearde by reporte that he dwelled besides Henley upon Thames, the place certen he knoweth not.

1. Pyme: To the first he saithe that he hathe knowen the said Bodnam by the space of aboute xiiii (14) yeres, but where he dwelled before his comynge to Mynsterworthe he is ignorant.

2. Item: of what wealth, substance, or yearlie lvyng was the said Bodnam at his comynge to dwell at Mynsterworthe or is nowe of as you knowe, thinke, have herde or in your conscience verelie believe, And howe mucche money have byn spent by the said Bodnam in the sutes between hym and Arthur Barrett and in the Starre Chamber at Westminster as you knowe, thinke, or have herde said.

2. Cuffe: To the second he saithe that he knoweth not of what wealth or substannce the said Bodnam was at his coming to Mynsterworthe, but as he verylie thinkethe, he was worthe very litle: And further saiethe that he knoweth not what money nor howe mucche money the said Bodnam spent in anye suyte between him and Arthur Barrett in that article named in the Starr Chamber [orrelle] where [of].

2. Pyme: To the second he saithe as the former deponent hathe saied.

3. Item: howe longe tyme sithence at the moste ys it that you have herde saye That Bodnam ought to have the houses and lands now or late in varyance between hym and Arthur Barrett, And whoe was it that you firste herde [said so].

3. Cuffe: To the thirde he saithe that it is aboute fyve yeres past sythence he harde that the said Bodnam ought to have the house nowe in varyence between hym and the said Barrett: And saiethe that he hearde by the three, Grasings (viz) William, Robert, and Thomas, William Cumeley, John Whopper, John Veysie and his wife, and divers others

that the said Bodnam ought to have the houses and Lande in varyence between him and the said Barrett.

3. Pyme: To the thirde he saithe that for the space of xiii (13) yeres ago he harde by William Cumeley, William Grasing, Robert Grasinge, Thomas Grasinge, and divers others that the said Bodnam ought to have the Lande in that article specified.

4. Item: by whose procurement, And for what cause, intente, or purpose did the said Bodnam come to dwell with the said Mr. Bleeke, And howe and from when, And in what maner Claymeth the said Bodnam, Knights end house

4. Cuffe: To the iiijth (4th) hee saithe that he knowethe not for what cause or entent the said Bodnam came to dwell with Mr. Bleeke, otherwise then to make clayme to the Lande in varyence: And saiethe that the said Bodnam claymeth the said Lande (as hee hathe truelie harde) as right heyre to the same.

4. Pyme: To the iiijth (4th) he saithe that knowethe not by whose procurement, nor for what cause, he came to dwell at Mynsterworthe with Mr. Bleeke, nor howe nor from whence: And saiethe that hee hathe harde yt reported that hee claymeth the same Lande as heyre to one Thomas Cooke.

5. Item: at whose costs and chardges and by whose procurement were or are all or any [sayd of sute prosecution or ...] begone or sued in the name of the said Bodnam againste Arthur Barrett for or concerninge Knights ende house longe tyme paste ys it sithence you first knewe the same petegree, And by or of whom did you firste know the same.

5. Cuffe: To the vth (5th) he saithe that as farr as hee knowethe or thinkethe that all the suytes that were, or are comenced in the name of the said Bodnam against the said Barrett, were comenced in his owne name and by his owne procurement and at his owne coste and chardge.

5. Pyme: To the vth (5th) he saithe as the former deponent hathe saied.

6. Item: doe you knowe by what petegree the said Bodnam Claymeth the premisses, And if doe, Declare the same, And howe longe tyme paste ys it sithence you firste knewe the same petegree, And by, or of whom, did you first knowe the same.

6. Cuffe: To the vith (6th) he saithe that as he hathe harde comonlie reported by William Cumeley, John Vesye, William Grasinge, and divers others that the said Bodnam dothe claime his petegree from one Cooke: And saiethe that yt is aboute iii^d (3) yeres past sythence hee knewe the same first.

6. Pyme: To the vith (6th) he saithe that he hard yt reported by the aforementioned William Cumeley and divers others aboute xiiii (14) yeres past and divers tymes sythence, that the said Bodnam claymeth his petegree from one, but from what Cooke, he knowethe not .

7. Item: have you ever talked or conferred with the said Bodnam touchinge his said petegree or his certen knowledge therof, And dyd he evere tell you that he knewe that the same petegree was true or was he ignorante therin or doubtfull therof.

7. Cuffe: To the viith (7th) he saithe that he harde the said Bodnam at diverse tymes saie and reporte that the petegree which was donne by him in the Courte of Mynsterworthe was his verye true petegree.

7. Pyme: To the viith (7th) he saithe in every pointe as the former deponent hathe said in that article.

8. Item: what moved, willed, intreated, perswaded, or procured you to prove the said Bodnams petegree or any thinge for Bodnam in the corte of Myneterworthe or ellswhere, And what hade you, have you, or were, or are you to have therefore, And of whom.

8. Cuffe: To the viiith (8th) he saithe that no man did procuer or persuade this exaiat to prove the said Bodnams petegree: And saiethe that hee is not, nor was not to receave anie rewarde of anie man for the same.

8&9. Pyme: To the viiith and ixth (8th and 9th) he saithe as the former deponent John Cuffe hathe saied.

9. Item: what was the facte of substannce of Bodnams and your deposicion in the Corte of Mynsterworthe touchinge the proufe of the said Bodnams petegree.

9. To the ixth (9th) he saithe that the substannce of Bodnams oathe taken in Mynsterworthes corte was that hee was the rightfull heyre to the lande in varyence.

8&9. Pyme: To the viiith and ixth (8th and 9th) he saithe as the former deponent John Cuffe hathe saied.

10. Item: did you heare the said Bodnam uppon his oathe saye, That he neither coulde nor woulde sweare that the said petegree by hym or his Counsell exhibited in the said Courte of Mynsterworthe was true, But he woulde sweare and did then sweare that he was heier to Knights end house.

10. Cuffe: To the xth (10th) he saithe that he did not here the said Bodnam saye that he coulde not nor woulde not swere that the said petegree was true, but saiethe that he did swere that hee was right heyre to Knights end house.

10. Pyme: To the xth (10th) he saithe that he never hearde Bodnam saie that he woulde not swere but that his petegree was true: But saiethe that hee did sweare that he was verye heyre to the lande in that article specified.

11. *Item: was the said Bodnam sworn in your presence and before you for proufe of his petegree, And howe doe you knowe That Bodnam is heier to Knights end house, And howe longe, And howe often tymes, And by whom were you moved or sollicited to prove Bodnams petegree or to affirme uppon your oathe that Bodnams oathe was true before you woulde prove the same, And by what meanes, And by whom came you to the knowledge of the said Bodnams petegree.*

11. Cuffe: To the xith (11th) he saith that Bodnam was sworn in this expaiats presnece for proof of his petegree: And saith that he knoweth by the reporte aforesaid that Bodnam is right heyre to the lande in that article specified: And further saith that hee this expaiat was produced by the said Bodnam to affirme that the said Bodnams oathe was true: And saith that by the meanes of William Cumeley and the other men aforesaid, he came to the knowledge of the said petegree.

11&12. Pyme: To the xith and xiith (11th and 12th) he saith in every pointe and article as the former deponent, John Cuffe.

12. *Item: doe you knowe or are you, or were you when Bodman was sworn, persuaded or thought in your Conscience That Bodnams oathe was true when he did sweare that he was heier to Knights end house, And what moveth, enforceth, draweth, or perswadeth you soe to thinke.*

12. Cuffe: To the xiith (12th) and last he saith that hee thinketh and was verylie persuaded that the oathe of Bodnam was true: And saith that he verylie thinketh that he was and is right heyre to Knights end place in that article specified.

11&12. Pyme: To the xith and xiith (11th and 12th) he saith in every pointe and article as the former deponent, John Cuffe.

(Signatures:) [R.] Arnold, Thomas Porter

1579/80 Barrett v. Bleek, et al

STAC 5/B112/33

The Replicacon¹⁶ of Arthur Barrett, Complainant, to the [R...] Answers of William Bodnam, John Cuffe, John Pyme, and John Bleeke, Defendants

The said complainant for replicacon saith in all and everye matter, Cause, thinge and things as before in his said bill of complante, he hathe said, And allso averreth¹⁷ and maynteineth his said bill of complante and all and everye matter, cause, thinge, and things therin contened, to be good, just, and true in such sort maner and forme as in the same bill of Complante they and everye

¹⁶ replication - the plaintiff's answer to the defendant's plea

¹⁷ averreth - to formally declare the truth of the matter

of them byn trulye declared and sett furthe; without that, that the said [I] Customarye Lands deseinded or came to the saide William Bodnam as Cozen and nexte heier to the said Johane Cooke or that the said Bodnam did or could make any Lawfull entree therinto or Could lawfullie make any demise or grannte therof for threescore yeares to the the said John Bleeke, Or that it was or is lawfull for the same John Bleeke to dysburse or laye out any money for the said Bodnam in the said sute.

And without that, that the said Cuffe and Pyme did or doe knowe the said Bodnam to be Cozen and nexte heier to the said Johane Cooke, Or that the said Cuffe and Pyme can trulie aver or prove that then said deposicions are true for the Cause in the said answer alledged, Or that the said complainant about fyve yeares paste delivered to the heiers of the said Thomas Cooke certain free lands in Mynsterworth as Cozen and next heiers of the said Johane.

And without that, that there is any other matter or Cause in the said answers alledged which in this Replicacon ys not Sufficentlie confessed and avoyded, [tranersed] or denied is true. All which matters [Et cetera], And praieth [Et cetera].

12 Feb 1578

The Answer of John Pyrton, Robert Venne, Thomas Adams, and Thomas Abofylde, Defendants, to the Bill of Complaynt of Wyllyum Bodnam, Complaynant

The said Defendants sayen that true yt is that the sayd Complaynant William Bodnam did bring his acction of majus jus for the sayd twoe Messuages and lands thereunto belonging in the bill specyfyed agaynst the said Arthur Barrett in the courte of the Manor of Mynsterworth being the usuall acction for the Tenants which do houlde their tennents in basse tennure, sibi et suis, according to the costome of the said Manor to recover their rights therein, i which said acction yssue was joyned between the said Complaynant and the said Arthur uppon the majus jus, videlit: whether the said Complaynant, or the said Arthur, had better right unto the sayd tenants of the said manor, which said Defendants being chardged and sworne in the sayd court with others in the bill namyed to trye the said issue, aswell the said Complaynant as the said Arthur Barrett, being Tenants, did gyve in evidence unto the said Jurie their severall tytles and rights unto the said Messuages and lands thereunto belonging.

And for that the said Complaynant did not make any sufficient proffe as they did then verely suppose and take yt provyng himself to be next cosin and heire unto the said Margaret Cook, daughter to Walter in the bill specyfyed, whoe was, of the sayd tennements in question, the true heire and owner there of in basse tennure according to the costome of the sayd Manor, whether yet the said Complaynant did not make a sufficient proffe of the said Thomas Cooke in the bill namyd to be sonne of the said Margaret Cooke, by whom the Complaynant did convey, so that in defaulte thereof the Complaynant coulede not be heire unto the said Margaret Cooke.

But on the other syde, for that the said Arthur Barrett in evidence did intitell hymself unto the sayd twoe Messuages and land thereunto belonging as cosin and heire unto the sayd Margaret, and for proffe thereof amongst other evidence shewed unto the sayd Jury twoe verdicts had and gyven of the sayd twoe Messuages and and lands thereunto belonging which semed to be good and sufficient proffe, proving the said Arthur to be Cosin and heire unto the said Margaret and to have right unto the same twoe Messuages and lands thereunto belonging, according unto the Costome of the sayd Manor the said Defendants with the rest of the Jury sworn (one Nicholas Phelpes excepted) Did fynde uppon their othes, and gave verdict wyth the sayd Arthur Barrett, that is to say, that he the same Arthur had more right to the sayd twoe messuages and lands thereunto belonging, then the sayd Wiliam Bodnam, Complaynant.

Without that, that uppon evidence gyven unto the said Jury, yt did appere manefestly to the courte, that they ought to passe with the Complaynant, or that the sayd Defendants by reson of any procurement, mayntenance, subornacion, composicion or other agreement of the sayd Arthur Barrett, or by reson of any rewarde, promyse, or other recompence of agreement of recompence made by or betwene the said Arthur and the said Jury, the said Defendants, did gyve their verdict with the said Arthur.

And without that the sayd Defendants did gyve their verdyt perjuriouly and wickedly agaynst the said Complaynant agaynst their evidence gyven unto them, or that they did then comitt most detestable and willfull perjury to the overthrowe of Justice or to the utter disherison of the said Complaynant, For the said Defendants then at the tyme of the verdyt gyven did, and yet doe verely beleve that by the evidence gyven unto them, the said Complaynant hath no right unto the sayd twoe messyages and lands thereunto belonging or to any part thereof, For that the said Complaynant is not descended or come of the Lyne or bloude of the said Margaret as they verely suppose, but that the said Arthur Barrett ought to have and enjoy the same according to the costome of the said manor as they have gyven upp their verdyt.

And without that, that the said Defendants are gyltye of any other trespas or mysdemeanor in the bill supposed. All which matters the said Defendants are redy to aver and prove as this honorable courte will awarde and preayen to be dismissed with their reasonable costs wrongfully susteyned on this behaulf.

Wyot Reader

09 Feb 1579

The Answer of Arthur Barrett, Defendante To the Bill of Complaint of William Bodnam, Complainant

The sayd Defendant saieth that the bill of Complaint against him exhibited in this honorable Courte and the matters therein conteyned, as theye are most fowle and slanderous, So are theye most untrue and Devised of wicked and forward malice by Confederacie between the plaintife and others, to put the Defendant to wrongfull Costs and Charge and thereby also to weary him aswell from prosecutyng his just and rightful Title in and to certein Lands in the said Bill mencioned as from following certeyn just and lawfull Suits which he hath Depending in this honorable Courte against the said Confederators.

And all advantage of insufficiencie or other imperfecions in the said bill to this Defendant at all times saved, for answer to the said slanderos bill and the untruths and surmised matters therein conteined and for plain declaracion of the truthe concerning the same, this Defendant Saieth that longe time before the sayd Richard Coke and Margaret his wife named in the said bill had any thing in the said base tenure or Customery Lands in the said bill mencioned, one John Knyght was Seazed of the said Lands in his [Demeane] as of [fee] and of base tenure, and so beinge Seazed, had issue twoo Daughters, viz: Edith, his eldest daughter married to Walter Shasteburye, and [Dennys] married to one John Barrett, which Edyth had Issue, the sayd Margaret, wief of the sayd Richard Cook, who had issue William Cooke, who had issue Johan, married to Robert Phipot as in the sayd bill is declared.

To which sayd Johan, the premisses of right did Discend as Cousyn and heire to the sayd John Knyght by suche Conveiancs (*conveyance*) as is before declared, which sayd Johan Died without issue, after whose death the premises dyd and ought to discend to the sayd Defendant as Cousyn and heire to the sayd Joane, viz: Sonne to William Barrett, Sonne to William Barrett, Sonne to Thomas Barrett, Sonne to John Barrett, Sonne to the sayd Dennys, Sister to the sayd Edythe, Mother to the sayd Margaret, Mother to the sayd William, Father to the said Joane.

And as for the sayd Thomas Cooke, supposed by the bill to bee one of the Sonnes of the sayd Richard and Margaret from which sayd Thomas Cooke, the plaintiff (*i.e. William Bodnam*) Claimeth the sayd Landes as heire by one Joane, Daughter of the sayd Thomas, The said Defendant Sayeth that it is not knowne, neither any good prooffe to be made that the sayd Margaret had any such Sonne caled Thomas as the plaintiff in his said bill hathe supposed.

So that after the death of the sayd Joane, the wief of the sayd Phipott, the Defendant as trewe and lawfull heire of the sayd Joane by suche Conveyans as is afore sett forth, Claimed to hold the sayd Landes and Doth yet hould the same as it is lawfull for hym to Doo.

And the sayd Anthony Yarnold in the Bill mencioned pretendinge Title to the sayd Lands as heire also to the sayd supposed Thomas Cooke by one Maude, an other of the Supposed Daughters of the sayd Thomas, made his Claime to the sayd Lands and the Triall of his pretended Title therein at a Courte holden for the Manor of Mynsterworth, a lawfull Jurie of the Courte of the sayd Manor (among whom is evidently to be proved Nycholas Keylock was one) was charged and sworn.

At which tyme eache partie, viz: aswell the sayd Anthony Yarnold as the sayd Defendant had their lawfull Challenge to them allowed and Seaven or eyght persons of the sayd Jurie, uppon the sayd Challenge Drawen and put forth. To which Jurie so charged and sworn, The said Defendant for the prooffe of his Title Shewed forth in Evidence a Coppie of a presentment or verdict geven up and made by certein Tennants of the sayd Manor, whereby it was founde that the sayd William Barrett, Grandfather to this Defendant, was heire to the said Lands.

Which said Coppie was written and taken out of a Courte rolle of the sayd Manor by one William Shottesford, Deputie to John Arnold, Esquyer, then Steward of the said Manor. Which said Coppie, as also the Courte rolle, the said Defendant verily perswaded are truly and faithfully Doone, and that the rather, because the sayd James Dowle named in the bill, a gentleman of honest reputacion and good Credite, being sometimes Deputie both to Sir Anthony Kingeston and Sir Henry [Ternyngham], knyghts, sometimes Stewerds of the said Manor, hath declared and also upon his othe deposed that he hath seene the very original Courte roll, agreeing with the said Coppie, amonge other the courte rolles of the the said Manor remanyng in his custodie being Deputie Steward there.

Although since that tyme by the leawde and sinister practize of Some (which will not bee hard to proove), The sayd Court rolle hath beene mangled and [jumbeceled]. After which evidences shewed on both parties to the said Jurie and diverse Daies geven to them to give up the verditte, when the said Defendant perceived nothing to bee done, he, for his owne speede, desirous to have an ende in the matter, procured [proc..] from her Magisties Counsell in the Marches of Walles directed to the Steward of the said Manor to call upon the said Jurie to give up the verdict, by virtue whereof the sayd Jurie being all agreed (the said Phelpps only excepted, who therefore was excluded and put forth from the rest), yelded up their verdit to the sayd Steward according to the Consciens directed by the evidens as this Defendant verily thinketh.

Which verdytt not well pleasing the said plaintiff, for that it did not serve his turne for the obteynyng of the said Lands, which he so gredely sought, being enflamed with anger and malice, hath charged the sayd Jury with perjury comitted in the said verdit, and so hath called them into your majesties honorable Courte of Star chamber to answeere to the same, not so much as is greatly to bee feared and for to punysh or reform any fault or offence by them comitted, as by this maner of vexacion to revenge his private malice against them conceived.

In which Suite so Depending in your Highnes said Court of Star chamber, This Defendant hath Doone nothing nor Deald any otherwise than was lawfull for him to doo. And as touching the perjury wherewith the said plaintiff chargeth the said Defendant by his bill in this that for the obteynyng of a Comission out of the sayd Courte of Star chamber for the examynyng of witnesses on the parte of the sayd Jury, Defendants in the sayd Suite there Depending, the said Defendant should Depose that the sayd Jurie Defendants dyd go to Gloster and after had warnyng for a weeke further, This Defendant saieth that he Deposd onely That Some of the sayd Defendants came to Glocester uppon warnyng to them geven as the sayd Defendant was credibly informed and that shortly after a new [... ...] geven to me of the Defendants to come ageyn to the sayd Towne of Glocester wherein the sayd Defendant dyd depose and saye the trueth.

Without that the sayd Defendant dyd Simply Depose That the sayd Defendants dyd goe to Glocester. And without that [... ...] any Suche False and forged Record of presentment knowynge the same to be false and forged as is most slanderously alledged in the Bill, And without that the sayd Jurie gave any verdytt or founde the saide Defendant not Giltye ageynst the sayd Yarnold uppon Composicion made between the sayd Yarnold and the sayd Defendant as It verye untruly and maliciously layed in the byll.

And without that the sayd Defendant by Subtyle perswacions by Corrupte Dealyngs, Sinyster practyses and Secreate Confederacye had with Some of the sayd Jurie Charged and Sworn at the sayd Court of Mynsterworth for the Triall of the right in the primisses dyd perswade and Suborn, suche of the sayd Jurie as were not agreed to condescend to others of the Friends and confederats of the sayd Defendants in the sayd Jurye to geve their verdyt with the sayd Defendant as is most untrulye and Sclanderously alledged also in the sayd bill.

And without that the sayd Defendant requested the Steward of the Courte to amerce the sayd Jurye unles theye would agree or that the sayd Defendant purchased [proce] from your Majesties Counsell in the Marches of Wales Comanndyng the sayd Steward to accept a verdytt of the sayd Jurye or else to amerce them as is very untruly also Sett forth in the sayd Bill otherwise or in any other maner than before in the Answere is Declared.

And without that any other matter or thing Contained in the sayd Bill necessarie or material to bee answered unto and here not denyed or confessed and avoided is true. All which things this Defendant is readie to averre and prove as this honorable Courte shall award, and praieth to be Dismissed with good Costs and Charge in this behalf wrongfully Sustained

Atkyns reader

Interrogatories to be mynstered on the parte and behalfe of Willyam Bodnam, Plaintiff, against Arthur Callowe and others, Defendants

... Queenes Majestie by Nicholas Thorpe and Richard Arnold, Esquires, by vertue of her Majesties Comission granted furth of the moste honorable Courte of Starre Chamber as well on the behalf of William Bodnam, plaintiff, as of Arthur Kallowe and other defendants. (ex parte querentis: Responses interspersed.)

1. Imprimis: whether do you knowe of a suyte that dependyd in the Court of Mynsterworth betwene William Bodnam, plaintiffe, against Arthur Barrett, Defendant for certen Customarie Lands lieng in Mynsterworth, ye or no.

*1. **William Keylocke** of Mynsterworth, In the Countie of Gloucester, yeoman of the age of xliii (53) yeres or there abouts, beinge deposed and examined on the plaintifs behalf,*

to the first Interrogatory deposeth affirmatively

*1. **Thomas Bodnam**¹⁸ of Mynsterworth, In the Countie of Gloucester, husbandman of the age of xxx (30) yeres or there abouts,*

to the first Interrogatory, upon his othe, deposeth affirmatively.

*1&2. **Thomas Adams the elder** of Mynsterworth, In the Countie of Gloucester, yeoman of the age of lx (60) yeres or there abouts, sworne and examined to the first and second deposeth affirmatively.*

*1&2. **Thomas Adams the younger** of Mynsterworth, In the Countie of Gloucester, husbandman of the age of xxxiiii (34) yeres or there abouts, sworne and examined to the first and iind (2nd) he deposeth affirmatively as Thomas Adams the elder, the former deponant, hath said.*

*1&2. **William Grasing** of Mynsterworth, of the age of lx (60) yeres or there abouts, sworne and Examined deposeth and sayith to the firste and iind (2nd) affirmatively.*

2. Item: whether is the Custome of the Manor of Mynsterworth that yf any person die seised of any Customarie Lands there that the next of nerest of kynred of the hole bloud to the partie that die seised is to have the said lands as next heire by the Custome of the Manor to the same partie that so dieth seised, ye or no, and howe do you knowe the same to be true.

¹⁸ This Thomas Bodnam is likely the son of John Bodnam and nephew of the plaintiff William Bodnam.

2. William Keylocke: to the iind (2nd) he saith also affirmatively and that he hathe not knowne the Custom otherwise.

3. Item: whether ~~do~~ is your Custome in the said Manor that any partie that shall sue for Customarie Lands in Mynsterworth ought by the Custome to make his petigre in the Court of the said Manor as next or nerest of kynred to the partie that dieth seised and to swere the same petigree to be true with two hands wytnesses, ye or no, and that by the Custome the partie plaintiff must have the same Customarie lands upon proffe therof and howe do you knowe the same to be true.

3. William Keylocke: to the iiird (3rd) he saith that the Custome of the said Manor is that any partie that shall sue for Customary Lands in Mynsterworth ought, by the Custom, to make his petigree at the Court of the said Mannor as next or nerest of kyndred to the partie that died seased and to swere the same petigree to be trew with two hands or wytnesses also. And that partie to enjoye the same by the said Custome, yf nothinge be alledged to the contrary, but if there be tittle or clayme made to the Customary Landes there by sundry persons, then he or they to have and enjoye the same which shaall prove his or theirtitle to be most lawfull, and otherwise he hath not knowne.

3. Thomas Adams the elder: to the iiird (3rd) he saith that in cases that be evident, there neadith no provinge of petigre, otherwise then to come to the Court and shew hym selfe and put in his view and [side] to be presented by the homage and Recorded by the Steward, and in cases of a contraversey, the defendant which maketh best prooffe of his pedegree is by the homage to be founde next heire and to enjoy.

3. Thomas Adams the younger: to the iiird (3rd) he deposeth affirmatively as Thomas Adams the elder, the former deponant, saith.

3. William Grasinge: to the iiird (3rd) he deposeth in all poyntes as Thomas Adams the elder.

4. Item: whether do you knowe or have heard that one Nicholas Keylock dyd aboute eleven yere past in a suyte in the Court of Mynsterworth betwene anthony Yarnold and Arthur Barrett swere that he was not of any Jurye to present one William Barrett heire to the Lands in question called Knights end and Walklyns as heire to one Johan Phipott, the daughter of William Cooke and the record for that presentment was untrue and forged, ye or no.

4. William Keylocke: to the iiith (4th) he saith that he hath hard say that one Nicholas Keylock¹⁹ did, aboute xi (11) yeres past in a sute in the Court of Mynsterworth betwene Anthony Yarnold and Arthur Barrett say that he was not of any Jury to present one William Barrett heire to the Landes in question called Knights end and Wakelynes as heire to one Joane Phipott, the daughter of William Cook, but this deponant hath not hard that the said Nicholas did swere the same, nor that he said the Recorde for that presentment was untrew or forged, but sayith that he hath hard Reported that the said Nicholas did upon the shewing of the Recorde conteinyng his name to be one of the Jury amongst others at the tyme, call hym self to better Remembrance and acknowledged that he was one of them.

4&5. Thomas Bodnam: to the ivth (4th) and vth (5th) he saith that he hath hard one John Brether say that if the plaintiff did recover the land in question from Arthur Barrett, that he woulde geve hym his land for it, and sayeth that the said Brethers did speke those wordes as he, this deponant thinketh, before the Court at which the said Jury nowe in question was charged.

4&5. Thomas Adams the elder: to the fourth and fifth he knoweth nothings.

4. Thomas Adams the younger: to the ivth (4th) he saith that he hard Nicholas Keylock say in the Court, but not upon his othe, that he was none of the Jury between Anthony Yarnold and Arthur Barrett, but afterwarde this deponant hard say that the aforesaid Nicholas Keylocke upon sight of the said Court bookes did call hym selfe to better Remembrance and acknowledged hymself to be one of the Jury which did present William Barrett to be heire to the lands.

4. William Grasinge: to the fowerth de depositions that he hard the saide Nycholas Keylock in the Interogatory mencioned say many tymes that he was none of that Jurye which did present William Barrett heire to the landes in question and as Farre as he this Deponent canne Remember he harde hym also swere the same, nevertheles, he never harde hym say that presentment to be forged.

5. Item: whether have you heard the Deffendants Callowe and the rest or any of them of the Jury for Bodnam and Barrett for the land in question, speke any words in the behalff of Barrett for the tittle of Barrett, and what words have you heard and what is your knowledge therein.

5&6. William Keylocke: to the vth (5th) and vith (6th) he deposeth not.

5&6. Thomas Adams the younger: to the vth (5th) and vith (6th) he cannot depose.

5. William Grasinge: to Fifte he cannot depose.

¹⁹ The deponant, William Keylock, is the brother of Arthur Barrett (married to his sister Alice). Nicholas Keylock died in 1572 and was the uncle of the present William Keylock (and brother to John Keylock).

6. *Item: whether had Thomas Cooke any free land which discendyd to his daughters and if he had, howe came he to the same Free land as you remember or have heard.*

5&6. *William Keylocke: to the vth (5th) and vith (yth) he deposeth not.*

6. *Thomas Bodnam: to the vith (6th) he cannot depose.*

6. *Thomas Adams the elder: to the vith (6th) he saith he did not knowe that Cooke in the interrogatory mencioned, nor what land he held.*

6. *William Grasinge: to the vith (6th) this deponent sayith that Thomas Cooke in the Interrogatory mencioned had Free Lande in Mynsterworth which did discend to his daughters, whereof this Deponent hath parte by marriage of a daughters daughter of the said Thomas Cooke, but howe Cooke came to it he cannot say, but this deponent thinkith that he came to it as heire unto his father.*

Interrogatories to be mynistered upon the parte and behalf of Arthur Callowe and others, Defendants, agaynst Willyam Bodnam, Complaynante

1. *Imprimis: yf you doe knowe Willyam Bodnam the Complaynant and Arthur Barrett, one of the customary Tenants of the Manor of Mynsterworth in the county of Gloucester.*

1. **William Keylock** of Mynsterworth in the Countie of Gloucester, yeoman of the age of xliii (43) yeres, as is above said sworne and examined in the defendants behalfe, to the first Interrogatory deposeth affirmatively

1. **Agnes Flower** of Mynsterworth aforesaid, wydow of the age of lxxx (80) yeres, or there abouts, sworne and examined to the first Interrogatory deposeth affirmatively

1. **Henry Barrett** of Mynsterworth in the Countie of Gloucester, husbandman of the age of lxx (70) yeres or there abouts sworne and examined, to the first and iind (2nd) (2nd) deposeth affirmatyvely.

1. **Arthur Barrett** of Mynsterworthe in the Coutie of Gloucester, yeoman of the age of liiii (54) yeres or there abouts, sworne and examined, to the first, iind (2nd), and iiird (3rd) Interrogatorys he deposeth affirmatively, that is to say, the Evidence in the interagatoryes mencioned was delivered by this deponent to his Counsell, and by his Counsell to Arthur Callowe and others defendants, And furder he deposeth that Shotteford was a very honest manne and of good credit.

1. **William Grasinge** of Mynsterworth, husbandman of the age of lx (60) yeres or thereabouts sworne and Examined, deposeth to the first, iind (2nd) and iiird (3rd) affirmatively.

2. *Item: yf you knowe twoe tenements custemary in Mynsterworth aforesaid, the one called Knights place, the other called Walkelynes and certen land therunto belonging.*

2. William Keylock: to the second he saith he doth knowe two Tenemants Customary in Mynsterworth afforsaid by the severall names in the Interrogatory mencioned and doth know certene lands thereunto belonginge.

2. Agnes Flower: to the iind (2nd) she saith she doth knowe the two Tenements in the Interrogatory named, but doth knowe also the Landes thereunto belonginge.

3. *Item: yf you doe knowe or have harde that the said Willyam Bodnam of late did sue the said Arthur Barrett in the courte of the said Manor of Mynsterworth for the said two tenements and lande, in which sute the yssue was joyned according to the custome of the said manor, that is to say, whether the said William Bodnam or the said Arthur Barrett had better right to the said Tenemants and lands according to the custome of the said Manor.*

3. William Keylock: to the iiird (3rd) he saith affirmativelie, for he was present at the Court holden at Mynsterworth when the sewt in the Interrogatory named was comenced.

3. Agnes Flower: to the iiird (3rd), iiiiith (4th), vth (5th), and vith (6th) she deposeth not.

4. *Item: yf you can remember That the said Arthur Barrett or his counsell did shewe in evidence unto the said Arthur Callowe and others being of the homage of the said manor, being sworne to trye the said yssue before they gave upp their verditt, one petegree in wryting proving or conveying William Barrett, grandfather of the said Arthur Barrett, whose heire he is, to be cosen and heire to Jone Phipott, whoe was daughter and heire to William Cooke, which William was son to Margaret Cooke, which Margaret was daughter and heire to Edythe Shaftisbury, daughter to John Knight, and under whose had the said petegree was written, and whether the said Petegree was shewed under the hand of William Shotteford being understeward to John Arnolde, Esquire, steward of the said manor and of what credyte the same William Shotteford was of.*

4. William Keylock: to the fowerth he saith that the said Arthur Barrett and his Counsell did at Courte holden at Mynsterworth deliver unto the homagers there being sworne to try the said Issue, a pedigree in wryting thereby to convey hym self heire unto the said landes. And further to this Interrogatory he cannot depose,

but that he hard Sir Nicholas Arnolde, knight, say that the said petigree was wrytten under the hand of William Shotteford, which Shotteford, as this deponant hath hard, had ben under Steward of the said Mannor unto John Arnold, Esquier [deyerslad], and after his death unto the said Sir Nicholas Arnold, and hath hard say that the said Shotteford was in his life [accompted] a manne of very good credit.

4. Henry Barrett: to the *iiiith* (4th) he saith that Arthur Barrett did deliver a pedegree to the Jury to convey hym self heire to the Land, but what the pedegree was he knoweth not or under whose hand it was.

4. William Grasinge: to the *iiiith* (4th) he saith that he Remembreth that Arthur Barrett did deliver a pedegree in Evidence to the Jury and some of the Manes conteyned in the same pedegree he doth well Remember, but under whose hand it was he knoweth not.

4. **Richard Birde** of the Citie of Gloucester, gentleman, of the age of xxxix (39) yeres or there abouts, sworne and Examined, to the *iiiith* (4th) Interrogatory deposeth that the said Arthur Barrett did exhibit a pedegree in wrytinge and as neere as he canne Remember, agreable to the point of the Interrogatory

5. Item: yf you doe remember that the said Arthur Barrett or his counsell did also shew in evidence unto the said Arthur Callowe and others the sayd defendants, for the proffe of the said petegree one Copie of courte roll or courte booke bering date in or about the *xxiith* (22nd) yere of the late Kyng Henry The Eight²⁰ whereby yt appered and that yt was founde in a sute betwene the said William Barrett and Robert Phipott, husband of the said Jone Phipott, by the othes of twelve men and more, That is to say Rychard Yarnolde being foreman and others of the homage of the Manor, That the said William Barrett, grandfather of the sayd Arthur Barrett, was next cosen and heire unto the said Jone Phipott, daughter and heire of the said William Cooke, sonne and heire of the said Margaret, daughter and Heire of the said Edythe Shaftsbury, daughter to John Knight, and so the said Willyam Barrett founde by the verditt to be heire unto the said twoe Tenements and lands.

5. William Keylock: to the *vth* (5th) he saith that he doth Remember that the said Arthur Barrett did at Court holden at Mynsterworthe shewe unto the said Arthur Kallow and other the said defendants, for the proof of his petegree another [vewe] in wrytinge and as he thinketh, in parchment whereby it appeared was founde at a Court holden there longe agoone by the othes of the *xii* (12) menne and more, that is to say, Richard Yarnolde beinge Foremanne and others of the homage of the said Mannor that William Barrett, grandfather of the said Arthur Barrett, was next heir unto the said Two Tenements and lands and hath hard by Report that Richard Pate, Esquire, did a *ix* (9) or *x* (10) yeresnow past shew unto the

²⁰ 22 Henry VIII (1530/1)

deffendant a Courte booke of that Mannor Ratifyinge the said vote or view in wrytinge.

5. Henry Barrett: to the vth (5th) and vith (6th) he saith nothing.

5. Arthur Barrett: to the vth (5th) he deposeth fully and wholly affirmatively.

5. William Grasinge: to the fifthe he deposeth affirmatively. That is to say that Arthur Barrett did deliver a copie of a Courte Rolle For the proove of his pedigree to the Jurye, the Contents of the which Rolle he doth not Remember.

5. Richard Birde: to the vth (5th) he sayeth that he doth well remember that the Counsell of Arthur Barrett did shew a Copie of a Courte Rolle mencionyng the said Arthur Barrett pedegree being the date mencioned in the interrogatory as he nowe thinketh, which this deponent as he doth now remember, did the conceave to be a verditt of the homage which founde the Ancestor of Arthur Barrett to have Right unto the Landes in variance, but howe the disscent and pedegree was set downe in the said Copie, he doth not presentlie Remember.

6. Item: yf you have seen the courte roll or courte booke or any such copie to the effect as aforesaid, and howe doe youu knowe the same to be a true copie of the courte roll or court booke, and what else you can say touching the said copy.

6. William Keylock: to the vith (6th) he canne noe more then before to the vth (5th) he hath deposed.

6. Arthur Barrett: to the vith (6th) he sayith that he hath seen the Court Rolle or book and hath a Copie of the same to the effect as afforsaid and doth knowe the same to be a trew Copie because he dyd here one James Dowle that was under steward there deposed in open Court that it was a trew Copie of the Court booke.

6. William Grasinge: to the vith (6th) he canne depose no further then he hath spoken in the vth (5th).

6. Richard Birde: to the vith (6th) he saithe that as he doth Remember since the tyme that this deponant was steward of Mynsterworth, the said Arthur Barrett brought one Mr. Dowle, somtyme under steward of the same Mannor Justifie the same Copie, who, as this deponent doth Remember, did Justifie the same to be a trew copie.

7. Item: yf you doe knowe or have hard say that the said Richard Yarnolde was sone of Maude Cooke, sister of the whole bloudd unto Jone, granmother of the Complaynante, and whether you have hard one Richard Whoper, deceased, say that he was one of the Jurye that passed for the said William Barrett, fynding him heire to the land nowe in question.

7. William Keylock: to the viith (7th) he sayith by Report and heresay affirmatively.

7. Agnes Flower: to the viith (7th) she saith that she doth know that Richard Yarnold was Sonne to Maude Cooke and more to the interrogatory she doth not depose.

7. Henry Barrett: to the seventh he saith and deposeth that Richard Yarnold was Sonne to Maude Cooke, And Further he hard say that Maude Cooke and Joane in the Interrogatory mentioned were sisters of the hoole blood.

7. Arthur Barrett: to the viith (7th) he deposeth affirmatively to be trewe as he hath harde by Report.

7. William Grasinge: to the viith (7th) he affirmeth that Richard Yarnolde was Maudes Sonne and that Maude was Sister unto Joane, Grandmother to the Complainant.

8. Item: yf you doe remeber that yt was gyven in evidence unto the said Arthur Callowe and to the other the said defendants as followeth, or to the same effect, videlit: That the homage sworne in the said xxiith (22nd) yere of the late Kyng Henry The Eight being most of them very olde men, might very well knowe whoe was next heire unto the said Jone Phippott, dyeing within short tyme next before they gave their verditt, fynding the said William Barrett to be next heire unto the said Jone Phippott, and therefore coulede not be ignorant whoe was next here unto Jone Phippott, but that they made a true verditt.

8. William Keylock: to the viiith (8th) he canne noe more then to the vth (5th) he hath said.

8. Agnes Flower: to the viiith (8th), viiiith (9th), xth (10th), xith (11th), and xiith (12th) she deposeth not.

8. Henry Barrett: to the viiith (8th) and ixth (9th) he canne say nothing.

8. Arthur Barrett: to the viiith (8th) and ixth (9th) he deposeth that the Jury was Informed by his Counsell according to the contents of the Interagatories mencioned.

8. William Grasinge: to the viiith (8th), viiiith (9th), xith (11th), and xiith (12th) he cannot depose.

8. Richard Birde: to the viiith (8th) he doth Remember the Counsell of Arthur Barrett [...nforce] his Evidence unto the Jury sayinge that the homage was made [...] verditt [... ...] said Copie being older menne and Nearer unto the tyme [wh..]

when the truth might be knowne, might well understand who should be next heire unto the said Joane Phippott or like wordes to that effect.

9. Item: yf you doe remember that yt was gyven further in evidence by the said Arthur Barrett of his counsell unto the said Arthur Callowe and others as foloweth, or to the same effect, That is to say that yf Jone, grandmother to the complaynante, daughter to Thomas Cooke had byn next heire unto the said Johane Phippott of the said lands, the said Rychard Yarnolde then beinge sonne of Maude the sister of the whole bloudd of the said Jone, maryed to one Thomas Bodnam, grandfather unto the Complaynant, woulde rather have founde uppon his othe the said Jone Bodnam to be heire unto the said Jone Phippott before the said William Barrett, being a strainger in bloudd to the said Rychard Yarnolde.

9. William Keylock: to the ixth (9th) he canne say nothinge.

10. Item: yf you doe remember or have harde that in the said sute or accion brought in the courte of the said Manor by Anthony Yarnolde agaynst the said Arthur Barrett about tenn or twelve yeres last past for the said lands, the homage of the said Manor, Sworne for the right and title of the said lands according to the custome of the said Manor, did fynd uppon their othes the said Arthur Barrett to have right unto the said lands according to the custome of the said Manor, and to be heire unto the said Jone Phippott of the said lands.

10. William Keylock: to the xth (10th) he saith affirmativley the same to be trew.

10. Henry Barrett: to the xth (10th) he deposeth affirmativley.

10. Arthur Barrett: to the xth (10th) he deposeth affirmativley and that he hath a Copie of the presentment in the Interagatory mencioned under the Steward and Under stewards handes, which also was gevin in Evidence to Arthur Callowe and other the defendants.

10. William Grasinge: to the xth (10th) he affirmeth.

10. Richard Birde: to the xth (10th) he sayeth that about the tyme mencioned in the Interrogatorye, the homage then sworne did finde that Arthur Barrett had Right unto the Landes then in variannce, wherein this deponent doth not now remember the shewing of the Courte booke in the Interrogatorye mencioned.

11. Item: yf you doe remember that Mr. Pates farmer of the said Manor, about ten or twelve yeres last in the said sute heretofore had betwene the said Anthony Yarnolde, deceased, and the said Arthur Barrett for the said tenements and lands, did shewe unto the said Arthur Callowe and others then of the said homage, the courte booke of the said Manor proving the said cotype

to be true in manor and forme, or to the effect, as yt was gyven in evidence.

11. William Keylock: to the xith (11th) he canne noe more then before to the vth (5th) he hath deposed.

11. Henry Barrett: to the xith (11th) he cannot depose.

11. Arthur Barrett: to the xith (11th) he deposeth affirmatively, saying that Mr Pates did shew unto hym, Arthur Callowe, and other the defendants the Courte booke at the speciall sute of this deponent.

12. *Item: yf you doe remember of have harde say that in the said sute or acction betwene the said Anthony Yarnolde and the said Arthur Barrett, the said Anthony did make his petegree which he did gyve in evidence unto the homage, That one Lawrence Cooke was father unto the said Thomas Cooke, father unto the said Jone Cooke and Maude Cooke, Jone maryed to Thomas Bodnam, grandfather of the Complaynante, and Maude maryed unto the said [blank] Yarnold, grandfather of the said Anthony Yarnolde, and for proffe that Lawrence Cooke was father unto the said Thomas Cooke, the said Anthony Yarnolde shewed an amnnent deed thereof.*

12. William Keylock: to the xiith (12th) he sayith upon heresay in [bill paynt] affirmatyvely.

12. Henry Barrett: to the xiith (12th) he sayith that he hard say that Anthony Yarnold in his Action in the Interogatory mentioned against Arthur Barrett did geve in Evidence his petigree shweing that one Lawrence Cooke was father unto Thomas Cooke, which Thomas was father unto Joane Cooke and Maude, which Joane was maryed to Thomas Bodnam, for proffe of which petigre the said Anthony Yarnolde shewed an anncient deede.

12. Arthur Barrett: to the xiith (12th) he deposeth affirmatively.

13. *Item: fy you did knowe one Thomas Cooke of mynsterworth, deceased, father to the said Jone Cooke, which Jone was maryed to Thomas Bodnam, grandfather to Willyam Bodnam, Complaynant, and what was the name of the mother of Jone, wyffe of the said Thomas Bodnam.*

13. Agnes Flower: to the xiiith (13th) she saith she dyd knowe Thomas Cooke of Mynsterworthe, deceased, father, as she hath hard say, father unto one Joane Cooke, which Joane as this deponent hath also hard reported, was maryed to Thomas Bodnam and saith that the name of the mother of the said Joane was Margaret and further to this Interogatory she deposeth not.

13. **Elizabeth Grasinge**, the wife of William Grasinge of Mynsterworth aforesaid --
--- of the age of lvii (57) yeres or there abouts, sworne and examined to the xiiith

(13th) Interrogatory this deponent hath hard her mother Report that Margaret Cooke was the mother of Joane, which Joane was to Thomas Bodname grandfather (sic) to William Bodname, The Complaynante.

13. Henry Barrett: to the xiiith (13th) and xiiiith (14th) he cannot depose.

13. Arthur Barrett: to the xiiith (13th) he cannot depose.

13. William Grasinge: to the xiiith (13th) he saith that he knoweth not Thomas Cooke, but he hath harde say that Margaret was mother unto Joane, wyfe of Thomas Bodnam.

14. Item: yf you doe remember that the said Rychard Pates did declare unto the said Arthur Callowe and others to trye the title of the said lands between the said Anthony and the said Arthur Barrett, That the said Rychard Pates did here one John Pyme of Hempsted say that the said Jone Phippott did say diverse tymes that yf she shoulde happen to dye without heire of her body, That then her customary lands in Mynsterworth shoulde descend to William Barrett and his heires.

14. Arthur Barrett: to the xiiiith (14th) he deposeth and sayith that he hard Richard Pates, Esquier, declarede unto Arthur Kallowe and others that the said Richard had hard one John Payne of Hemsted say that if that if (sic) the said Joane Phippot in the interrogatory mencioned did [divers] say that she should happen to dye without heires of her body, that then her Custumary landes in Mynsterworth should dissend to William Barrett and his heires.

14. William Grasinge: to the xiiiith (14th) he answereth Negativelie, but he hard Master Pates say that he canne Remember no suche matter.

14. Richard Birde: to the xiiiith (14th) he doth not Remember any Report made by Master Pates concernynge the saynge of one John Payne as is mencioned in the said Interrogatory.

15. Item: yf you doe remember that in the tryall of the said yssue between the said Complaynant and the said Arthur Barrett, there was gyven in evidence by othe, the tyme of death of the said Jone Phippott, which was about the xxth or xxith (20th or 21st) yere of King Henry The Eight, and that the said Robert Phippott came into the courte of Mynsterworth aforesaid after the deathe of the said Jone his wiffe and there declared that he had a lease of the said twoe Tenements and lands thereunto belonging, and that after his lease expired, William Barrett and his heires ought to have the said lands, and what he was that gave the same evidence uppon his othe in the said tryall betwene the said complaynant and the said Arthur Barrett for the said land.

15. William Keylock: to the xvth (15th) he cannot depose.

15. Henry Barrett: to the xvth (15th) he saith that Robert Phipott in the Interrogatory mencioned declared in open Court that he had a lease of the two Tenements, after the which lease expired the two Customary Tenents should discend To William Barrett and his heires, but whether this were gevin in Evidence to Arthur Callowe and others defendants, he knoweth not.

To the rest, nothinge.

15. Arthur Barrett: to the xvth (15th) he deposeth that one Thomas Barrett, deceassed, did give in Evidence by oathe the tyme of the deathe of Joane Phippot and also what Report Robert Phippott made in open Courte after hir deceasse aswell toughinge a leasse which he had of the same two Tenements and Landes belonging as also that after his lease expired and he said landes ought to discend to William Barrett and his heires.

15. William Grasinge: to the xvth (15th), xvith (16th), and xviith (17th) he cannot depose.

15. Richard Birde: to the xvth (15th) he, this deponent, doth not Remember any prooffe made concernyng the Report of Robert Phipott as the same is sett downe in the Interrogatory. But this deponent sayith that as neare as he canne nowe remember, one Thomas Barrett did then geve in Evidence that the freehold Landes of John Phipott shoulde goe to the heires of the Cookes and the Custumary landes To the Barretts.

16. Item: yf the Manor of Mynsterworth be within the hundred of Westbury in the county of Gloucester.

16. William Keylock: to the xvith (16th) he saith that the Mannor of Mynsterworth is in the Countie of Gloucester and parcell of the Dutchie as this Deponant thinkith, not within the hundred of Westbury.

16. Arthur Barrett: he denyith Mynsterwood (sic) to be in the hundred of Westbury.

17. Item: what other matter ye can say for the proffe of the said verdit gyven by the said Arthur Callowe and other the Defendants, between the said William Bodnam and the said Arthur Barrett.

17. William Keylock: to the xviith (17th) he cannot say no more then to other of the Interrogatorys on the defendants behalfe he hath deposed.

Signatures: Nicholas Thorpe, Richard Arnold
Brought in by William [Cow...] the xxxth (30th) of January 1579
Bodnam versus Callowe

Abstract

Arthur Barrett, the son of William Barrett and the grandson of William Barrett, and Richard Arnold each lay claim (by lease) to land and two tenements within the Manor of Minsterworth. The first is called, alternatively, (1) Knights House, (2) Knights Place, or (3) Knights End. The second is called [Walkline].

Arthur Barrett's claim, one of heirship, is as follows: Joan Cook, daughter of William Cook, made a lease of the property for 60 years to Robert Phipott, whom she subsequently married. She died without children, and so the Right passed to her next of kin – her cousin, William Barrett, grandfather of the Plaintiff, Arthur Barrett. This right of inheritance then came to William Barrett, father of the Plaintiff, and then to Arthur himself.

In further evidence of this, several witnesses report that Arthur, some 25 years earlier, was admitted as rightful tenent and his name placed on a Court Roll to that effect. Also, in a dispute with William Bodnam 13 years earlier, Arthur was declared rightful tenent by the Manor Court.

The Defendant offers a quite different account. Witnesses report that Joan Cooke did marry Robert Phipott and passed the right to him at her death. He then passed it to his second wife, Alice. Alice Phipott made a lease to Arthur Barrett and, independently, her son-on-law, acting on her behalf, sold the lease to Anthony Arnold.

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Elizabeth, by the grace of God, Queen of England, France, and Irelande, defender of the faith. To our trustie and welbeloved Richard Atkins, Xpofer²¹ George, Rowland Skidmore, Henry Robins, Luke Garnous, and Thomas Alston, gentleman, and to everie of them, greatinge. Whereas complaynte hath been made before our Channcellor and Counsell of our Duchie of Lancaster in our Duchie Chamber at our Castle of Hartforde²² on behalf of Arthur Barrett, plaintiff against Rycharde Arnold and other defendants for that theye in sondrie wise should wronge him of, for, and concerning twoe messuags and tenaments with appurtenances and Thirtie acres of land, meadowe, and pasture the appurtenances therunto belonginge, parcell of our Mannor of Mynsterworth in our Countie of Gloucester and further as by the bill of Complaint remaynyng upon recorde in our Duchie chamber more at large appereth whereunto the said defendants have made answere and the said plaintiff hath thereunto replied, whereupon the said parties are at full and

²¹ This unusual forename is written thus, consistently, at several occurances.

²² Perhaps this is *Hertford*, just north of London, where Queen Elizabeth spent much time during her childhood.

perfect issue.

[... ..] to be ascerteyned of the truth of the premisses and of the Circumstance of the same, and trusting in your wisdoms and discrecions will and require youe unto iiii, iii, or ii (4, 3, or 2) of youe at the leaste at tyme and place conveynient by youe to bee lymytted and apoynted to call before youe by vertue hereof both the said parties and all such other parsonnes as youe shall thinke meete and convenient to enquire of the said matters as well by verve, oathe, evedence, perambulacon²³, examination of witnesses and by all other waies and means as to your wisdomes and discrecions therein shall seem best.

*And also to examtne all such witnesses as shall come before youe upon such Interrogatories as eyther of the said parties shall then and there exhibitte and bringe before youe and thereupon of your facts doinges and proceedings herein, wee will and require youe, iiii, iii, or ii (4, 3, or 2) of youe at the leaste by your wrytinge enclosed under your seales with [thers our...lres] to certifie our Chancellor and Counsell of our said Duchie in our Duchie Chamber att our Pallace of Westminster in the [vtas] of the holy Trinity next comynge Nott fayllinge hereof as wee trust youe, provided always that the said plaintiff shall geve unto the said Defendant [8] dayes warninge of the daie, tyme, and place where and when the said Comysioners shall appoint to sette upon the execution of this our [Comysseyeaven] at our said Pallace of Westminster and the seale of our said duchy, the [xvii] daye of Aprill in the xxxvith (36th) yeare of our raigne.
(Signature obscured.)*

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Interogatories to be ministered to witnesses examined on the part and behalf of Arthur Barrett, complainant, against Richard Arnold, alias Yarnald, and other defendants.

1: Inprimis: doe you knowe the said plaintiff and defendant and every or any of them and doe you knowe the mannor or [...] of Mynsterworth in the Countye of Gloucester belonging or parcell of the possessions of the Queenes Magisties Duchy of Lancaster.

2: Item: doe you knowe two messuages or tenements and thertye acres thereabout of Lande medow and pasture thereunto belonginge or usually held or occupied therewith in Minsterworth aforesaid the one of the said Tenements called knights place, otherwise called knights end the other called Walkelins. And do you not knowe that the said Tenement and premisses are,

²³ *Perambulation* - (to take) a walk about the premisses for the purpose of inspecting the condition or boundaries of the same.

and time out of minde hathe ben, parcell of the sayd mannor of Minsterworth and parte of the Customarye and base tenure Lands and Tenements of the said mannor. And used to be lett or granted and held by coppye of Courte roll or otherwise by coppye or by the verge or in base tenure accordinge to the custom of the said Mannor in fee simple and of estate of inheritans. And to discende and goe to the next heyre according to the custom of the said mannor the freehoulde and inheritans therof at the [common] Lawe belonginge to the Queenes Majesties or for the tyme of your knowledge, and as you have hearde, have not the sayd tenement and presmies ben so reputed taken and enjoyed as such customary and base tenure Lands and Tenements of the sayd mannor.

3. Item: doe you knowe or have hearde that one Johan Phipott, sometimes the wife of Robert Phipott, and the daughter and heyre of William Cooke, was inheritrix, and seised of the sayd Lands and Tenements to her and her heyres according to the said custome of the sayd manor, and that the sayd Johan before her marriage with the said Robert Phipott, Leased the sayd Lands to the said Robert for three schoore (60) yeares or such like tenure.

4: Item: doe you knowe or have hearde that the sayd Johan Phipott dyed, seised of the said Lands and Tenements and premises or of the reversion and her said estate of inheritans thereof accordinge to the said custom, not having any issue, child, or children of her body lawfully begotten. And that by and after her decease the said Tenements and premises or the said estate of inheritans therof accordinge to the said custome, descended and came or of right should or ought to have descended and comen in possession or in reversion upon and after the said Leas to one William Barrett as Cosen and next heyre of the said Johan. And doe you not knowe or have sene or hearde of any verdit or presentment verified or contained in any Courte roll or Courterolls of the said mannor of Minsterworth persuinge the same or tendenge to such effecte.

5. Item: doe you not know or have hearde that the sayd William Barrett was in his life time seised of the Reversion of the sayd Tenement and premisses of an estate in fee simple or inheritance in base tenure accordinge to the said custome and dyed so therof seised. And that he was grandfather to the now complainant Arthur Barrett and that the said Complainant is heyre of the said William Barrett, his grandfather; that is to saye, son and heyre of William Barrett, deceased, who was likewise seised of the Reversion of the sayd premisses and died so therof seised and was son and heyre of the sayd William Barrett the grandfather, and that the said Complainant is true heyre and rightfull inheritor of the sayd Tenement and premisses.

6. Item: did you knowe William Bodnam Late of Minsterworth, deceased, in what state of povertye or welthe lived and dyed he and who kept and mainteyned him, and do you knowe or have hearde that Johan Bodnam

Deceased, pretended on the defendants part to be grandmother of the said William, had also a sister Called Maude, which Maude was mother unto Richarde Yarnolde, Late of Minsterworth, deceased, which Richard Yarnolde was grandfather unto the said now defendante Richard Arnolde.

7. Item: doe you knowe of your owne knowledge or otherwise have you certenly and credibly heard or ben enformed that the said Johan Bodnam was oldest daughter or one of the daughters of Thomas Cooke, Deceased: And that the said Thomas Cooke was the son of one Lawrence Cooke or of one Richard Cooke. And that the wife of the said Richarde and pretended mother of the said Thomas was called Margett or Margaret and was the daughter of Edith Shaftsbury, how when, by whome, and by what meanes doe you knowe or have hearde or ben enformed of the premisses in this interogatorye mentioned or of any part thereof.

8. Item: doe you not knowe or have hearde that the said now Complainant Arthur Barrett about five and twenty yeares now Last past was by the homage in the Counte of the said mannor accordinge to the custome there presented tenant or next heyer to the said tenement and premisses and was admitted Tenant therof and payed his fine thereupon and therefore accordinge to the custome of the said manor. And hath not the said complainant ever sithence by himself and his undertenant continued the possession or occupacon and taking of the Rents issues revenues and proffits thereof and ben reputed the true and lawfull inheritor or owner therof to your knowledge exceptinge or not withstanding the momentary interuptions or Claymes or pretended title of his said now and former adversaryes therin or thereunto.

9. Item: what other matter thinge or circumstance doe you knowe remember or have heard touching or Cocerning the matter title or premisses now in varians in parte of the Complainant said title estate or possession of in or to the said premisses or in dispose of the said Defendants pretended title or Clayme thereunto.

10. Item: do you knowe or have you harde that about xiii (13) years paste the tytle of the tenements above namyd was in question and sute of Lawe in the Countie of the sayd manor of Mynsterworthe between William Bodnam, Lesor of the premysses for the term of yeares now claymed by the defendant of the one part and the nowe Complainant Arthur Barrett of the other part, whether dyd the sayd Bodnam then clayme the premysses by dysent as heyer to Lawrence Cook, sonn of Thomas Cook, And whether was his right putt to the homadge of the sayd mannor to be tryed or not. And whether dyd the sayd homage fynd and [gyve vailid] for the sayd Barrett and against the sayd Bodnam or not.

11. Item: Do you know or have you heard that the sayd William Bodnam was not in possession of the premysses or eny parte or parcel thereof at the

makinge of the lease whereby the Defendant nowe claymeth the premysses or at eny tyme before or after, And that John Bleek, gentleman, was never in possession of the premysses or eny parte therof by vertue of the sayd lease.

(attorney signatures)

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Interrogatories to be ministered unto witnesses to be examined on the behalf of Richard Arnold, Defendant to the byll of Complaynt of Arthur Barrett, Complainant.

- 1. Imprimis: whether do you knowe the Plaintiff and Defendant.*
- 2. Item: whether do you knowe two messuages or tenements and certeyn land, pasture and meddowe to the same belonging, lyinge, and being in Mynsterworth within the Countie of Gloucester, the one of them called Knights Place and the other Walkings, howe longe have you knowen the same.*
- 3. Item: Whethe(r) dyd you knowe William Barrett, father of Arthur Barrett, the Complainant; howe longed dyd you knowe him, and whether within your memory was he, the sayd William, seised of the same Lands yea or no.*
- 4. Item: whether do you know or have harde of eny lease that was made of the sayd Lands unto Robert Phipott, by whome and for howe many yeres, Declare in what manner you came to the knowledge or reporte therof.*
- 5. Item: whether dyd the sayd Arthur Barrett buye the remainder of the years that were to Cum upon the sayd Phipotte lease; when, of whome, and for howe muche money, and howe many yeres were then to come of the same Lease, And what meanes, intretyes, Composycons, or speches dyd he use to make eny person or persones for the obteynynge therof; Declare to what persones and so what Cause dyd he buye the same lease; And whether was not Anthony Arnold Determynd to have bought the same Lease; yf yea, for what Cause wold he have bought the same and by what means was he putt from yt, And whether dyd the sayd Barrett Cum to the possession therof by means of the sayd lease yea or no, or by eny other meanes declare the whole troeths and circumstances therof.*
- 6. Item: what speches dyd you hear Phipotts wyfe use, concerninge Bodman's tytle in or to the sayd Land, and what was his opinion therin and what moved him to depart with his interest; Declare the Certentye therof.*
- 7. Item: whether dyd not William Bodnam, within shorte tyme after the expyracion of Phipott lease make his Clayme to the sayd Land in varyance, And whether dyd not the Right of the inherytance of the fee simple Lands in*

Mynsterworth and the Customary lands there decend to him the sayd Bodnam, from one selfe same Anncetor; And whether nowe not the fee simple land yielded to him as heyar unto his sayd father.

8. Item: whether by the Custome of Mynsterworth ought not the customary Lands there to decend to the oldest Daughter yf there be more daughters then one and no heyr male, yea or no.

9. Item: whether dyd you knowe the sayd William Bodnam as sonne and heyre to Thomas Bodnam dyd make eny sale of eny parte of his fee simple Land in Mynsterworth unto William Gracing, yea or no, when and where, was the same doan, And who was attorney to gyve lyvery and seison²⁴ therof and whether was lyvery and seison therof made accordingly, howe do you know therof, And whether hathe not the same Land byn quietly enjoyed by the same William Gracynge, his heyres ever sithens; Declare the Certenty therof.

10. Item: were you present and a wyttnesse as thensolyng and delyvery of a lease made by William Bodnam unto John Bleeke, gentleman, of the lands and tenements in varyannce yea or no; yf you new, what date doeth the same wryttinge bere, when, where, and in presents of what personnes, was the same seallyd and deliveryd.

(11.) Item: were you present and a witesse, as thensolinge and delivery of a wryttinge of an assignment of a lease made by John Blyke, gentleman, unto the Defendant, Richard Arnold, of all suche Right, tytle, and interest, as the sayd John Blyke had of and in the land in Question, what Date Doeth the same wryttinge beare, when, where, and in presents of what persones was the same seallyd and delivered.

(attorney signatures)

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Deposycons of witnesses taken at the Boothehall²⁵ in the Citie of Gloucester the xxiith (22nd) Daye of May in the xxxvith (36th) yeare of the Raygne of oure Soveraygne Lady Queen Elizabeth: Before Xpofor George Esquire, Roland Skidmore, Luke Garuons and Thomas Alston, gentleman: by force of hir majesties Comyssyon to them Directyd forthe of the Courte of hir highness Dowchye of Lancaster, As well on the parte and Behalf of Arthur Barrett, Complainant as on the parte and Behalf of Richard Arnold, gentleman, Defendant.

²⁴ *livery and seisen* - transfer of possession. A ceremony performed in medieval England that effected the transfer of land from one party to another.

²⁵ *Booth Hall* -- constructed in 1559 (Westgate Stret), it remained in use until the mid 20th Century.

Ex parte Quirents

William Keylocke of Mynsterworth in the Countie of Gloucester yeoman aged lx (60) yeares or therabout sworne and examined on the Plaintiff's behalf, Deposethe and sayethe as followethe.

1. To the fyrst Interrogatory he awnsereth affyrmatyvolly
2. To the second Interrogatory he sayethe that he knowethe messuages and tenements in the interatory specyfied, And sayethe that the same are parcell of the mannor of Mynsterworth and parte of the Customary and Base tenure Lande of the sayd mannor, And usid to be Letten granntyd and held by Coppy Lande of Courte Rowlle or by the verge in base tenure according to the Custome of the sayd mannor in suche mannor and forme as in the Interrogatory ys specyfied, And ought to Decend and goo to the next heyre according to the Custome of the sayd mannor, And sayethe that the sayd tenements have bin Reputyd taken and enjoyed as such Customarye and base tenure Land by all the tyme of this deponents memory and knowlledge.
3. To the third Interrogatory he sayeth, that he this Deponent hath Credibly hard that Johan Cooke, alias Phipott, in that interrogatory namyd was wyfe to the sayd Robert Phipott and Daughter and heyre to the said William Cook, and was inheritrix to the Land and tenements in varyance and seised therof accordinge to the Custom of the sayd mannor, And that the sayd Johan Before hir maryage with the sayd Robert Phipott made a Lease to the sayd Robert of the sayd Land and tenements for lx (60) years, And this Deponent the Rather belevethe the same to be true for yt he hathe seen a lease in wrytting to the same effect.
4. To the iiith (4th) he sayethe, that he hathe Credybly harde that the sayd Johane Phipott dyed seized of the Revercon²⁶ of the tenements in the interrogatory specyfied and had no yssue of hir body begotten, And hathe lykewyse hard that the Revercon of the sayd Lande and tenements by and after hir Decease Decendyed and came to William Barrett in the interrogatory namyd as Cosin and heyre to the sayd Johan Cooke, alius Phipott: And this Deponent sayethe he hathe seene a Courte Rowlle specyfyinge a presentment of the homage of the sayd mannor of Mynsterworth whereby the sayd William Barrett was presentyd to be heyre to the sayd tenement after the Decease of the sayd Johane Cook, alias Phipott.
5. To the vth (5th) interrogatory he sayethe that he hath hard that William Barrett, grandfather to the Plaintiff, dyed seised of the Revercon of the tenement in the interrogatory specyfied, And that William Barrett, father to

²⁶ Reversion

the Plaintiff and sonne to the sayd Willyam the grandfather, dyed seised allso of the Revecon of the premisses.

8. To the viiith (8th) Interrogatory he sayethe that he knowethe that about xxv (25) yeres past the Plaintiff was presentid sworne and admyttyd tenante to premisses at a Court holden within the sayd mannor of Mynsterworth, and payd a fine for the same tenement according to the Custome of the sayd mannor, and hathe taken the profyts therof ever sythens.

10. To the xth (10th) Interrogatory he sayethe that there was a sute brought in the Courte of the sayd mannor of Mynsterworth about xiii (13) yeres past in the name of William Bodnam in the Interrogatory specyfied afainst the nowe Complainant, and sayeth that the matter and tyle beinge putt upon the homadge to be tryed, they gave verdyct for the sayd Plaintiff Arthur Barrett against the sayd Bodnam, And sayethe that the Defendant, Richard Arnold nowe Claymeth the premysses by a lease from the sayd William Bodnam, and further to that interrogatory he can not depose.

11. To the xith (11th) Interrogatory he sayethe that he knowethe that the plaintiff, Arthur Barrett, hathe bin possissid of the tenement in varynace longe before the makinge of the Lease in the interrogatory specyfied and ever sythens, And sayethe that the sayd Bodman was never in possession therof to the knowlledge of this Deponent, And further sayeth that the Defendant, Richard Arnold, or John Bleeke, gentleman, were never in possession therof by vertue of the sayd Lease, to his knowlledge.

***Anthony Callowe** of Churcham in the Countie of Gloucester yeoman aged xxxv (35) yeares or therabout sworne and examyned on the Plaintiff's behalf, Deposethe and sayethe as followethe.*

1. To the first Interrogative he awnserethe affyrmatyvly

2. To the second Interrogative he sayethe that he knowethe the messuages tenements and Lands in the interrogative specyfied and sayethe the same are parcell of the mannor of Mynsterworth and parcell of the Customary and base tennure land of the sayd mannor, And have bin usually Letten, granntyd and held by Copy of Court Rowlle as in the sayd interrogatorie is specyfied, And ought to dacend to the next heyar accordinge to the Custome of the sayd mannor, And that the sayd Tenements and Lands have byn so taken and reputyd byall the tyme of this Deponent's knowlledge.

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3. To the third interrogatory he sayeth that he hathe Credibly hard that the sayd Johan Cooke, alias Phipott, sumtyme wyfe of the sayd Robert Phipott, was Daughter and heyre of the sayd William Cooke and inheratrix and seised of the sayd Tenements to hir and hir heyres accordinge to the Custome of the

sayd mannor and further to that Interrogatory he Cannot Certeynly Depose.

4. To the iiith (4th) Interrogatory he sayethe that he hathe Credibly hard that the sayd Johane Phipott died seised of the sayd Lands and tenements or the Revecon therof of an estate of inherytance according to the Custome of the sayd mannor and had no issue of her body begotten, And that the Right therof in possession or Revercon after hir Decease, Decendyd and came to the sayd William Barrett, grandfather to the Plaintiff (as this Deponent hathe harde), And this Deponent sayethe he hathe seen the Copy of a court Rowlle of the sayd mannor of Mynsterworth tendinge to that effect, beringe Date in the xxiith (22nd) yeare of the Raygne of our Late Kinge of famose memory, Kinge Henry²⁷ the viiith and further to that interrogatory he cannot Depose.

5. To the vth (5th) Interrogatory he sayethe that he hathe Credibly hard that William Barrett, grandfather the Plaintiff, and William, his son, father to the Plaintiff, dyed seised of the revercon of the Tenement in question of an estate of inherytance in base tenure according to the Custome of the sayd mannor, And that the complainant ys Right heyre and the inheritor of the sayd tenements and premisses (as this Deponent verely thinketh).

6/7. To the vith and viith (6th and 7th) Interrogatories he sayethe that he know William Bodnam in the interrogatory specyfyed, And that he was a very poore man and Lyved very poorely in the service of Mr. John Bleek, gentleman, father in lawe to the Defendant, And further to thoes interrogatories he cannot Depose.

8. To the viiith (8th) Interrogatory he sayethe, that he hathe Credibly hard that the Complainant, about xxv (25) yeres past, was by the homage of the sayd mannor of Mynsterworth presentid tennante and next heyre to the tenement in question, and was admyttd tenant thereunto and made his fine for the same, and this Deponent hathe Seen the Copy of a courte Rowle of the sayd mannor bering Date the xviiith (18th) Daye of January in the xith (11th) yere of hir majesty's Raygne²⁸ tendinge to that effect. And sayethe that the Complainant sythens (since) the sayd admyttinge hathe had the possession and taken the yssues and profytts therof by him selfe and his undertenents and hathe byn reputyd the true and Lawfull inheritor therof notwithstanding the interupcans and claymes by the nowe defendent and others before tyme made and used.

10. To the xth (10th) Interrogatory he sayethe, that about xiii (13) yeres past ther was a sute brought in the Courte of the Mannor of Minsterworth in the name of William Bodnam or John Bleeke, gentleman, his lesor, agaynst the sayd Plaintiff Arthur Barrett for the tenement nowe in question and that the

²⁷ That year would be 1531.

²⁸ This references the present Queen, so the year is 1568/9.

same was putt for tryall uppon the homage of the sayd mannor and that they gave a verdyct for the sayd Plaintiff Arthur Barrett, And further to that interrogatory he cannot depose.

11. To the xith (11th) he sayethe, that he doothe not know neyther hathe hard that the sayed William Bodnam was in possession of the sayd tenement or eny parte therof at the makinge of the sayd Lease by the sayd Bodnam to John Bleeke, gentleman, nor eny tyme before of the premysses by vertue of the sayd Lease.

Thomas Gracynge of Elmore in the Countie of the Cytie of Gloucester yeoman aged lxx (70) yeares or therabout sworne and examyned on the Plaintiff's behalf, Deposethe and sayethe as followethe.

1. To the first Interrogative he awnserethe affyrmatyvely

2. To the seconde sayethe that he knowethe the tenements and Lands in the interrogative specyfyed and sayethe further in all things as the former Deponent, Anthony Callowe hathe sayed.

3. To the third interrogatory he sayethe as the sayd Anthony Callowe before him hathe sayed and sayeth further, that he hathe Credyibly hard that the sayd Johane before hir maryage with the sayd Phipott made him a Lease of the Tenement in question for the term of lx (60) yeares and further can not Depose.

4. To the iiith (4th) he sayethe that he hathe Credyibly hard that the sayd Johan Phipott dyed seysed of the sayd Lands and tenements or the revercon therof of an estate of inhertytannce accordinge to the custome of the mannor of Mynsterworth and had no issue of hir body begotton and further to that mater he cannot Depose.

5. To the vth (5th) Interrogatory he sayethe that the Plaintiff Arthur Barrett was sonne and heyre to William Barrett, And that the sayd William was sonne and heyre to one William Barrett, And further he cannot depose.

(8.) To the viiith (8th) Interrogatory he sayethe that aboute xxx (30) yeres past the Plaintiff Arthur Barrett, was by the homage of the mannor of Minsterworth represented to be next heyre to the tenements in question and was admitted tenant therof and payd his fine, accordinge to the Custome of the sayd mannor and hathe enjoyed the same ever sythens, notwithstandinge the interrupcons and claymes of his nowe and former adversayers.

10./11. To the xth (10th) and xith (11th) Interrogatories he sayethe in allthings as Anthony Callowe hathe before Deposited and sayd to the same Interrogatories savinge that he rememberethe not the Certeyn tyme when the

sayd sute was brought.

Robert Venn of Mynsterworth in the Countie of Gloucester husbandman aged lx (60) yeares or there aboute sworne and examyned on the Plaintiff's behalf, Deposethe and sayethe as followethe.

1. *To the first interrogatory he sayethe affirmatyvely.*
2. *To the second Interrogatory he sayethe in all things as Anthony Callowe before Deposited hathe sayd to the same interrogatory.*
3. *To the third Interrogatory he sayethe as Thomas Grasinge the former deponent hathe deposid and sayd to the same interrogatory*
4. *To the iiijth (4th) he sayethe in all things as Anthony Callowe hathe sayed, saving that he rememberethe not the Date of the Copey of Courte Rolle.*
- 5/6/7. *To the vth (5th), vith (6th), and viith (7th) Interrogatories he sayethe in all things as the sayd Anthony Callowe hathe deposyd and sayd to the same interrogatories.*
8. *To the viiith (8th) he sayethe in all things as the sayd Anthony Callowe hathe sayd to the same interrogatories saving he rememberethe not the Date of the Copey of Courte Rolle.*
- 10/11. *To the xth (10th) and xith (11th) Interrogatories he sayethe in all things as the sayd Anthony Callowe hathe Deposited and sayd.*

Thomas Addams of Morcott in the parishe of Mynsterworth aged fyfty yeares or there aboute, sworne and examyned on the Plaintiff's behalf, Deposethe and sayethe as followethe.

1. *To the first interrogatory he sayethe affirmatyvely.*
2. *To the second Interrogatory he sayethe in all things as Anthony Callowe the former Deponent hathe Deposited and sayd to the same Interrogatory.*
3. *To the third Interrogatory he sayethe in all things as Thomas Grasinge before him hathe deposid and sayd to the same interrogatory.*
4. *To the iiijth (4th) Interrogatory he sayethe in all things as Anthony Callowe before him Deposid hathe sayd, saving that he rememberethe not the Date of the Copey of Courte Rolle.*
- 5/6/7. *To the vth (5th), vith (6th), and viith (7th) Interrogatories he sayethe in all things as the sayd Anthony Callowe hathe sayd to the same*

interrogatories.

8. *To the viiith (8th) he sayethe in all things as the sayd Anthony Callowe hathe sayd to the same interrogatories saving he rememberethe not the Date of the Copye of Courte Rolle.*

10. *To the xth (10th) Interrogatory he sayethe in all things as the sayd Anthony Callowe hathe sayd to the same interrogatory, And sayethe further that the sayd William Barrett made his Clayme to the premisses by dyscent heyre to Thomas Cook, sonne of Lawrence Cook as were as nere as this Deponent nowe rememberethe.*

11. *To xith (11th) he sayethe in all things as the sayd Anthony Callowe hathe sayd to the same interrogatorye.*

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George Hancok *of Hempstid in the Countie of the Cyttye of Gloucester, yeoman, aged Threescore (60) yeares or therabouts, sworne and examyned on the Defendants behalf Deposethe and sayethe as followeth.*

1. *To the first Interrogatory he sayethe he knowethe the Plaintiff and the Defendent.*

2. *To the second interrogative he sayethe that he knowethe the lands and tenements in that interrogatory specyfied and hathe knowen the same for xxiii (23) or xxiiii (24) yeres Last past.*

3. *To the third interrogatory he sayethe that he can not depose eny thinge Certeynly of his owne knowlledge.*

4. *To the iiijth (4th) interrogatory he sayethe, that the sayd Johan Cooke made a lease for lx (60) yeares of the Lands and Tenements in the interrogatory specyfied to Robert Phipott in the sayd interrogatory namyd, And that after the makeinge of the sayd Lease, she maryed with the sayd Robert Phipott, And sayethe that the sayed Robert Phipott held the same Lands and Tenements by vertue of the same Lease Duriinge his Life, and at his deathe Left the same Lease to Allyse, his second wyfe, whoes daughter this deponent maryed.*

5. *To the vth (5th) Interrogatory he sayethe that about xxi (21) yeares past the Plaintiff, Arthur Barrett, dyd buye of the sayd Allyse the Remynder of the yeares of the lease made to the sayd Phipott, beinge then aboute two yeares and syxe weeks to over and unexpyred and gave for the same Thirtie pounds; And sayethe that before the sayd Arthur Barrett bought the same lease, Anthony Arnold, father to the Defendent, had bargayned with this Deponent (who Dealt for the sayd Allse, his mother in Lawe therin) and shoulde have gyven for the same lease Twenty seven pounds in money and certeyn other*

things to the vallue of former marcks, but after the same Conclusion so made, the sayd Anthony Arnold revised the sayd bargayne and yeelded uppe the same by meanes wherof this Deponent bargayned (on the behalf of his sayd mother in Lawe) with the plaintiff Arthur Barrett as aforesayd.

6. To the vith (6th) Interrogatory he sayethe, that he hathe hard his sayd mother in Lawe often tymes reporte that she had hard hir husband Phipott saye, That his fyrst wyves mother had towld him that after his Lease endyd, Tow Doggs wold stryve for a bone and the iiird (3rd) would cary yt away, And that she thought the Right of the tenements in question to be in Bodnam: And Sayed the further he knowethe no other Cause or considoracon whye his mother in Lawe solde the sayd Tenement but for xxx^l (30 pounds) in the former Interrogatory specyfyed.

To the viith (7th) viiith (8th) , ixth (9th) , xth (10th) , and xith (11th) Interrogatory he can depose nothinge.

Thomas Gracynge of Ellmore in the Countye of the Cytie of Gloucester, yeaman, aged lxx (70) yeares or therabouts, sworne and examyned on the Defendant's behalf deposethe and sayethe as followethe.

1/2. To the fyrste and second interrogatories he speakethe affirmatyely

3. To the third interrogative he sayethee that he knew William Barrett, the Plaintiff's father, of Longe tyme, And sayethe he was not seised of the Lands and Tenements in question to this Deponent's knowlledge.

4. To the iiith (4th) interrogatory he sayethe, he hathe harde that there was a lease made to Robert Phipott by his wyfe before the maryage between them for lx (60) yeres of the Lands and tenements in question, And that the sayd Plaintiff Arthur Barrettt bought the remanent of the years of the sayed verve when there about ii (2) yeres to [over], And that the sayd Arthur Barrett firste came to the possession of the premisses by the sayd Lease.

5/6. To the vth (5th) and vith (6th) interrogatories he cannot Depose.

7. To the viith (7th) interrogatory he sayethe that after the end of the Lease made to Phipott, William Bodnam in the interrogatory specyfyed, made Clayme to the Lande in varyannce, but howe longe after he knowethe not, And sayeth further that the sayd William Bodnam had Certeyn free Land in Mynsterworth in fee simple which he sold to William Gracinge, this Deponent's brother, And sayethe he hathe hard that the sayd free Land Decendyd to the sayd William Bodnam as heyer to his grandmother who was one of the daughters of Thomas Cooke.

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8. To the viiith (8th) interrogatory he speaketh affirmatively.

9. To the ixth (9th) he sayeth he can say no more then he hath before sayde in his answer to the viith (7th) interrogatory saving that his sayd brother and his heyres have enjoyed such Lands as he bought of the sayd William Bodnam quietly ever sythens the purchase therof.

Arthur Morgan of Hempstyd in the Countie of the Cyttye of Gloucester, gentleman, aged lx (60) or therabouts, sworne and examyned on the Defendant's behalf, Deposeth and sayeth as followeth.

1. To the firste interrogatory he answereth affirmatively.

2. To the second interrogative he sayeth that he knoweth the messuage or tenement in Mynsterworth nowe in the tenure of Arthur Barrett and hath hard of same Callyd by the name of Knights House or Kinghts Place, and further to that interrogatory he can not depose.

3. To the third interrogative he can not depose.

4/5. To the iiith (4th) and vth (5th) interrogatories he sayeth, he hath hard, one Jone Cooke made a Lease for lx (60) yeres to Robert Phipott, in that interrogatory specyfyed, of Certeyn Lands and Tenements in Mynsterworth which he thinketh to be the Lands in question, And this Deponent was Requested by Anthony Arnold, the Defendant's father, to be a [meane] that the sayd Anthony Arnold myght buye the same Lease of one Allse Phipott, the second wyfe and widdow of the sayd Robert Phipott, by means wherof this Deponent came to the perfect knowlledge of the sayd lease; And further sayth that the sayd Anthony Arnolde agreed upon a price of xxx^l (30 pounds) or therabouts for the same lease to gett the possession of the Lands and Tenements therein Conteynyd, wherunto he pretendyd tyle: But afterwards, and befor he had taken assurannce therof, he refusid the same lease, wherupon the Plaintiff, Arthur Barrett, bargayned with the sayd Allse Phipott for the same lease and bought the remaynder of the terme, being about ii (2) yeeres for the somme of xxx^l (30 pounds) and therby had the possessyon of the tenements and therein Conteynyd.

6. To the vith (6th) he can not Depose.

7. To the viith (4th) he sayeth, he hath hard that shortly after the expyracon of Phillpotts lease, the sayd Bodnam made Clayme to the tenements before specyfyed and made a lease therof to John Bleek, gentleman, father in Lawe to the Defendant.

8. To the viiith (4th) and rest of the interrogatories he can depose nothinge.

William Flower of Mynsterworth, yeaman, aged lxxiii (63) yeares or thereabouts, sworne and examyned on the Defendant's behalf, Deposethe and sayethe as followeth.

1/2. To the fyrste and second interrogatoryes he annswerethe affyrmatyvely.

3. To the third interrogatory he Deposethe and sayeth in all things as Thomas Grasinge before Deposited hathe sayd to the same interrogatory.

4/5. To the iiiiith (4th) and vth (5th) interrogatories he sayethe, that he hathe hard, that Arthur Barrett dyd buy a lease of the Lands in varyannce of Robert Phipotts's wyfe, when ther were ii (2) yeres or therabouts to Cum and unexpyred therof, And further he can not depose.

(6.) To the vith (6th) interrogatory he can not depose.

(7.) To the viith (7th) he sayethe that after the end of Phipott's lease, the sayd William Bodnam made Clayme to the Lands in Questyon, but howe Longe after he knowethe not, And sayethe that Certeyn free Lands in Mynsterwoorthe Decendyd to the sayd William Bodnam, but from what Anncetor he knowethe not.

(8.) To the viiith (8th) he sayethe affyrmatyvely.

(9.) To the ixth (9th) interrogatory he sayethe in all things as Thomas Gracinge before him Deposited hathe sayd to the same interrogatory.

To the rest of the interrogatores he can Depose nothings.

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James Doon of Mynsterworthe in the Countie of Gloucester husbandman aged lxx (70) yeares of therabouts, sworne and examyned on the Defendant's behalf Deposethe and sayethe as followeth.

1/2. To the fyrste and second interrogatoryes he sayethe he knowethe the partyes, Plaintiff and Defendant and hathe knowen the Lands in question by the space of threescore (60) yeres Laste paste.

3. To the iii^d (3rd) interrogatory he sayethe he knew William Barrett, father of the Plaintiff and sayethe he was never seised of the Lands in variance to the knowledge of this Deponant.

4/5. To the iiiiith (4th) and vth (5th) interrogatories he sayethe that he hathe hard, that Arthur Barrett bought ii (2) of the Last yeres of a lease of the Land varyriannce of Allse Phipott, widdowe of Robert Phipott for xxx^l (30 pounds), And that the sayd Arthur Barrett after the buyinge therof had the possession of

the same Lands and not before.

6. To the vith (6th) interrogatory he can saye nothinge.

7. To the viith (7th) interrogatory he sayethe that the sayd William Bodnam sold Certeyn free Land in Mynsterworthe to William Gracinge the elder and Certeyn other free Land to John Veysye, And further to that interrogatory he cannot Depose.

8. To the viiith (8th) interrogatory he sayethe, that by the Custome of the mannor of Mynsterworthe, the base tenure Land decendyth to the oldest syster solly (solely).

9. To the ixth (9th) he sayethe that he can saye no more than he sathe before sayd to the viith (7th) interrogatory savinge that the sayd John Veysye and William Gracynge the elder enjoyed the Lands by them bought of the sayd Bodnam according to the purchase.

To the rest of the interrogatories he can Depose nothinge.

The remaining pages (10-27) appear to be a first draft of deponants responses, written in a different hand, or at least, a less careful hand.