

Fanshawe vs Others (Dronfield 1609)

Introduction

The transcription below follows the order of the vellum-pages bound together and kept at the National Archives (Kew) with the reference-number E 134/7Jas1/Mich35, relating to an accusation brought by Sir Henry Fanshawe against a set of defendants, including the vicar of Dronfield, Robert Topham, the presumed 9xg.grandfather of the transcriber, and his uncle William Topham. Various witnesses are asked to give their depositions in answer to a selection of questions (or interrogatories), which are listed at the end. There are two such lists, one being the questions on behalf of the plaintiff, the other being on behalf of the defendants. The charges include the irregular appointing of churchwardens by Robert Topham and the breaking open of a chest holding documents relating to the Free School of Dronfield. The margin notes whether each deponent is answering to the plaintiff's or the defendants' interrogatories, but I did not try to include these marginal notes when photographing the text. As Robert Topham remained vicar in Dronfield until 1614, it seems unlikely that the charges were upheld. [Robert Topham was transferred to North Wingfield in 1614, ending his clerical service as vicar of Wirksworth from 1630 (probably to his death in 1649), in which post he was succeeded by his son Martin, his oldest son, Francis, serving as vicar of Thorpe-by-Ashbourne for two decades from 1633 to his death in 1655.] Each page carries the signatures at the bottom of John Bullock and Robert Waterhous(e). No attempt is made to preserve the original spellings or punctuation.

Text

Depositions of witnesses taken at Dronfield in the county of Derby the xxth (?xxist) day of September in the year of the reign of our Sovereign Lord James, by the grace of God, of England, Scotland, France and Ireland King, Defender of the Faith, etc., that is to say, of England, France and Ireland the viith and of Scotland the xliiird, by virtue of a commission out His Highness' court of ?Exchequer to John Bullock, ?Esq., William Routh, Robert Waterhouse, ?Esq., and Richard Dakin, Gent., to four or three or two of them directed for the examination of witnesses upon certain interrogatories in a suit depending in the said court between Sir Henry Fanshawe, Knight, complainant, and Thomas Middleton, William Topham, Robert Topham, Thomas Cooke, Richard Cooke, Richard Thorpe and Stephen Haslam, defendants.

George Staynrode of Dronfield in the county of Derby, yeoman, aged forty eight years or thereabouts, sworn and examined.

To the first interrogatory he deposeth and sayth that he knoweth the parties, the complainant and defendants and doth know the free school of Dronfield, in the bill mentioned, and all the lands and tenements thereunto belonging, in the bill as specified, except one parcel of meadow, which (as he thinketh) lyeth in the parish of Eckington in the county of Derby.

To the second interrogatory he sayth that he doth not know or hath heard that one of these defendants, Thomas Middleton, did break open the chest standing in Dronfield church's chancel, wherein the evidences and seal of the said school were kept. But he hath heard that the said Middleton did report that he knew who did break the said chest. And this deponent further sayth that there were six feudal locks and keys unto the said chest, whereof four of the said keys were kept by the four churchwardens for the time being (each one one), the fifth by the vicar, and the sixth by Robert Fanshawe, gent. But what deeds or writings were taken out of the chest when the chest was broken or by whom, this deponent cannot depose but sayth that Mr. Middleton did tell this deponent that the morning after the chest was broken where the same evidences were kept, all the said evidences, being scattered in the church, were found by the clerk, who apparently thereupon sent for the said Mr. Middleton, being then schoolmaster and vicar, so as he thinketh, who thence took the said evidences into his custody, saying that they did most properly belong unto him who kept the same a long time and that of late he hath delivered the same over unto some of the said parish(?ioners), as this deponent hath heard.

To the sixth interrogatory the deponent sayth that he doth know that Thomas Cooke, one of the said defendants and churchwardens, doth now live from [= apart from] his wife, being an honest woman, as he heareth, and that the said Cooke hath and doth lead an adulterous life with one Elizabeth Bates and hath had two (?or) several bastards, by one Anne Straforth, for which and other great misdemeanours exhibited against him at York, as this deponent hath been credibly informed by one Mr. ?Suttan, minister of Pomfrett [= Pontefract] in the county of York, within which parish the said Cooke did dwell, the said Cooke did ?become excommunicated in the said diocese of York, and so doth he still continue, for anything this deponent knoweth to the contrary, and, to avoid punishment of law there, did fly thence to Dronfield, where he still continueth. All which this deponent made known to Robert Topham, vicar, before the said Thomas Cooke was made churchwarden. And this deponent further sayth that he hath credibly heard by the wife of George Oldfield [Margaret Renshaw, married 24 Aug 1601 in Dronfield] that Richard Thorpe [married Marie Topham on 24 July 1604 in Dronfield], another of the churchwardens and defendants, did admit to have carnal knowledge of her body. And this deponent further sayth that he, the said Thomas Cooke, and Richard Cooke were chosen by the said Robert Topham, being vicar, as he hath heard the said Robert Topham report and verily thinketh the same to be so, because public notice was not given thereof in the church according to ancient custom.

To the ninth interrogatory this deponent sayth that he cannot clearly tell what rewards or promises were made unto the said defendants or any of them for making or granting of the last leases or any other estate, but this deponent sayth that a year or more before the making of the said leases or before the said Thomas Cooke was churchwarden, the said Thomas Cooke came to this deponent and told him that Robert Topham and William Topham, two of the said defendants, meant to make him churchwarden and said to this deponent that he would be contented to let him have a dole of land in the ?Dame ?Flat, being parcel of the school-land, that then, when he was churchwarden, the said deponent should have a new lease of the whole farm which sometime was in his grandfather's

occupation and now belonging to the said school, which this deponent would not yield unto, which was the cause, as he verily thinketh, that he went without the same. And further this deponent sayth that the like offer and promise was made unto him by the said Robert Topham, vicar, another of the defendants, to get the same dole of land for his said uncle William Topham, another of the defendants.

Thomas Gibson of Chesterfield in the county of Derby, schoolmaster, aged sixty years or thereabouts, sworn and examined.

To the xth interrogatory he sayth that he doth not certainly know any of the ancient tenants of the said school-land as tenants thereof except one William Newsom dwelling in Chesterfield [he married Agnes Evans in Chesterfield on 01 DEC 1589], whom he hath long known to be a tenant of the said school-land lying about Chesterfield, for which the said Newsom hath anciently paid xi pounds by year, as he hath credibly heard, and that the said William Newsom offered to give to William Topham, one of the defendants (who had taken a lease of the same lands from the vicar and churchwardens of Dronfield) a rent newly imposed thereupon, which, in this deponent's remembrance, did amount to fourteen pounds yearly, which the said Topham refused, alleging that other friends must be pleased, and to the rest of the interrogatory he cannot depose. To the rest of the suit he cannot depose [the words 'cannot depose' were crossed out and possibly replaced by the words 'is not examined'].

Richard Caskyn of Dunston [It's near Chesterfield. Was this the Richard baptised 17 April 1586 in Dronfield?] in the county of Derby, husbandman, aged xxv years or thereabouts, sworn and examined.

To the third interrogatory this deponent sayth that the said Thomas Middleton, in the interrogatory mentioned, told this deponent amongst other teachers that he did not break the church of Dronfield, wherein the school evidence was kept, nor chest, which stood in the said church chancel, but it might be that he know who did the same and at what time to find the evidence there. And more to this interrogatory he cannot depose.
To the rest of the interrogatories is not examined.

Henry Hanco(c)k of Stublely in the parish of Dronfield and county of Derby, yeoman, aged three score and seven years or thereabouts, sworn and examined.

To the first interrogatory he sayth that he doth know the parties, complainant(s) and defendants, and doth also know the free school at Dronfield and all the lands and tenements thereunto belonging, except one parcel of meadow lying at Eckington in the county of Derby, for which he knoweth there hath been anciently given four ?marks of yearly rent to the same School of Dronfield.

To the fourth interrogatory this deponent sayth that the inhabitants and parishioners of Dronfield have during the time of his remembrance, which hath been three score years, and, as he hath credibly heard by h[is?] ancestors and by ?their ancient of the parish during the time whereof the memory of man is not to the contrary, from time to time

yearly somewhat after Easter used to choose four inhabitants of the sai[d] parish to be churchwardens for the year following, and that about a week before warning hath been us[ually?] given by the vicar and the curate unto the said parish of the visitation then following to make choice of the churchwardens against the said time. And further this deponent sayth that by the custom the churchwardens have been used to be chosen out of four feudal quarters of the said parish, viz. out of ?every quarter [WORN END OF LINE, where the words might have been 'one, and'] in some of the said quarters the said churchwardens are chosen by lot and in othersome by house ?row, the [INK IS HERE VERY WORN, maybe the word is 'cause' or 'basis'] of which custom hath been by reason of the feudal manners of their lays [= religious laws], for in some of these quarters the said parishioners are laid [= taxed] by their goods, some by the acres of their land, and othersome by their plough lands, and that the said churchwardens have and do use to make an accompte (= account) only for their own particular quarter for which they be chosen.

To the vth interrogatory this deponent sayth that he hath credibly heard that the said Robert Topham, in the interrogatory mentioned, did contrary to ancient custom in the year of our Lord God 1607, when churchwardens were chosen for the said year without any notice thereof given to the parishioners in the church, as before time was accustomed, elect and consent two churchwardens for the said year, being his brother-in-laws [sic], namely Richard Thorpe and Richard Cooke [Cooke's wife's name is unknown], and, as he hath heard, that Thomas Cooke, another of the churchwardens, was likewise chosen by the said vicar and not according to custom.

To the vith interrogatory this deponent sayth that he taketh Richard Cooke and Richard Thorpe, in the said interrogatories mentioned, to be honest men and of good behaviour, and that Thomas Cook, another of the churchwardens, is a stranger at Dronfield and hath not [Maybe this word is imperfectly erased] inhabited not above four or 5 years there but, as this deponent hath heard, lives from [= apart from] his ?wed(ded) wife and hath left his ancient dwelling in Yorkshire because he was excommunicated there, and, to the rest of the interrogatory, he cannot depose further than he hath deposed to the vth interrogatory.

To the viith interrogatory this deponent sayth that v or vi years ago ## there came a prohibition from Sir Henry Fanshawe, Knight, complainant, directed to the vicar and churchwardens of Dronfield then being, which was delivered unto them by John Fanshawe, Gent., in the chancel there prohibiting them to make leases on any estates on any of the school lands or any charge out of the same until the said complainant by advice of his counsel should make and remove such orders and statutes concerning the same as should be for the profit and commodity of the said school and for the maintaining of the true intent of the said founder and until he might survey the said lands and tenants of the said school to let them at a reasonable value for the benefit of the said school.

To the viiith interrogatory this deponent sayth that he hath credibly heard and verily believeth that Robert Topham, vicar, Thomas Cooke, Richard Thorpe and Richard Cooke, four of the defendants in the said interrogatory mentioned, have made a lease unto one William Topham, another of the said defendants in the said interrogatory mentioned,

of the most part of the lands belonging to the said school of Dronfield. And this deponent further sayth that one Stephen Haslam hath a lease of another small part of the said lands but whether there be any more leases of the said lands he knoweth not, and that the whole yearly rent of the said school lands (as he hath heard) is now brought to twenty and ?nine pounds, and that the said lands are yet worth above the said rent six pounds by year.

To the xth interrogatory this defendant sayth that he knoweth all the persons who were tenants or occupiers of the school lands before the making of the new leases of the said school lands, which were five in number, and that four of them were of the blood or kindred of the said founder of the said school, and further to this interrogatory he cannot depose.

William Steinrod in the county of Derby, yeoman, aged forty and ?nine years or thereabouts, sworn and examined.

To the first interrogatory he sayth that he knoweth the parties, complainant and defendants, and the free school in Dronfield and the lands and tenements thereunto belonging, saving one meadow in the occupation of Peter Stephen and Henry Roger.

To the ivth interrogatory this examine sayth that he doth know of his own knowledge that the inhabitants and parishioners of Dronfield have, since he could remember, until about four years now past, used yearly at the end of every ?year [At the time the year changed on Lady Day = 25 March] to chose four inhabitants of the said town and parish to be churchwardens of the same for the year next coming and hath heard by the report of the ancient inhabitants of the said parish that the same order hath been observed in the choice of them time out of mind, and that they were so elected and chosen out of the four quarters of the said parish, viz. out of every quarter one. And, as he hath heard, this ancient custom of having of every quarter one churchwarden had his [sic] first beginning because that all lays and tests imposed upon them had a feudal kind of testing for payments thereof, for two of the same quarters are tested by ploughs, half ploughs and cottages, the third by acres of land, and the fourth by other goods.

To the vth interrogatory this examine sayth that Robert Topham, in the interrogatory mentioned, and some two other with him one year about three years past, contrary to the ancient custom, chose three churchwardens for the same parish, and for two years since, after either year one, and gave no knowledge to the inhabitants of the parish for ?election of any of them, as hath been usually used there in the like case.

To the vith interrogatory this examine sayth that Richard Cooke and Richard Thorpe, in the interrogatory mentioned, are, for anything that this deponent knoweth, men of good and honest behaviour, and he hath heard that Thomas Cooke, therein also mentioned, is reported to keep in concubinage one Elizabeth Bate(s), wife of one John Bate(s), late of Wentbridge in the county of York [A John Bates married an Elizabeth Swayne on 03 Feb 1600 in Halifax], and is now, or lately was, excommunicated in this diocese of York for the same.

To the xth interrogatory this deponent sayth that Henry Fanshawe was tenant to one ?farm parcel of school land of Dronfield and the heirs of one Philipp Eyre also to another, both which tenants are situate in Dronfield. Also, William Newsom was tenant to divers lands in Chesterfield, and Peter Stephen and Henry Roger to a meadow lying in Eckington before the making of any lease by the defendants or any of them, and that Henry Fanshawe, Peter Stephen and the first wife of Henry Rogers were of the blood and kindred of the founder of the said school. To the rest of the interrogatory he cannot further depose.

To the xith interrogatory this deponent sayth that Mr. Middleton, sometime vicar at Dronfield, and Mr. Topham, now vicar there, have felled divers ashes growing in and upon some parts of the complainant's and have ?conuted them to their own private uses.

To the rest of the interrogatories not examined.

William Mawer of ?Beauchieff in the county of Derby, yeoman, aged 70 years or thereabouts, sworn and examined.

To the first interrogatory he sayth that he knoweth the parties, complainant and defendants, and the free school in Dronfield and the lands and tenements thereunto belonging, saving one meadow lying in the parish of Eckington in the said county of Derby.

To the second interrogatory he sayth that about a week or thereabouts before the chest, in the said interrogatory mentioned, which stood in the chancel of the church of Dronfield, wherein the evidence, writings and seals of the said school was [sic] kept, the said Thomas Middleton, in the said interrogatory mentioned, told this deponent that, although Mr. Robert Fanshawe and others that had the custody of the said deeds, evidence(s) and seal would not suffer him, the said Thomas Middleton, to see them, yet he said he would see them shortly, whatsoe're cause of it. And this deponent further sayth that there was [six] feudal locks and keys to the said chest, whereof Mr. Robert Fanshawe kept one, the vicar another, and the four churchwardens, each of them, one, and further to this interrogatory he cannot depose.

To the third interrogatory he cannot otherwise depose than he hath ?surely/soundly done to the second interrogatory.

To the fourth interrogatory this deponent sayth that ever since he could remember, which is fifty years and more (and he hath credibly heard by his ancestors and others that the same hath been used time out of mind) that the inhabitants of the said parish of Dronfield have yearly used, when the old churchwardens go out, to chose four churchwardens for the same parish for the year next following, and that by a custom used amongst them the same churchwardens have been and ought to be chosen out of four feudal quarters of the said parish, viz. out of every quarter one, which custom hath been kept and observed until about two years past, at Easter last it was broken by one of the defendants, Robert Topham, vicar, who brought in, contrary to the said custom, Richard Thorpe, Richard

Cooke and Thomas Cook, three of the defendants, to be churchwardens, and further to this interrogatory he cannot depose.

To the vth interrogatory this deponent cannot depose otherwise than he hath deposed to the fourth.

James Barlow of Dronfield Woodhouse in the county of Derby, ?Esquire, aged three and forty years or thereabouts, sworn and examined.

To the first interrogatory he sayth that he knoweth the parties, complainant and defendants, and the free school in Dronfield and the lands and tenements to the same belonging, except one parcel of meadow, or meadow ground, lying within the parish of Eckington in the said county.

To the iind interrogatory he sayth that he was one of the churchwardens that received the said school evidences and seal, in the said interrogatory mentioned, from Mr. Benett, then vicar of Dronfield, and laid them first in a chest in the chancel of Dronfield church and some six feudal locks upon the said chest by direction from Mr. Thomas Fanshawe, esquire, for the more safer keeping of the said evidences, and delivered the six feudal keys thereof to those whom the said Mr. Fanshawe appointed, viz. to the then vicar one, to Mr. Robert Fanshawe one, and to three churchwardens, each of them one, and the sixth this deponent kept himself as the fourth churchwarden. And further this deponent sayth that the said chest was broken about eight years ago and the evidences taken out and the seal lost, and further to this interrogatory he cannot depose.

To the third interrogatory this deponent sayth that about a week before the said chest was broken Thomas Middleton, one of the defendants and then vicar, gave general warning to all those that had the keeping of the locks of the chest, wherein the said school evidences and seal lay, to bring the said keys to the said chest and to see the said evidences, which they did accordingly, and, the chest being opened, the said Middleton offered to take out some of the said evidences to peruse, which Mr. Robert Fanshawe, standing by him, would not suffer him to do, saying that there were none there that had skill to judge of them and that they should not be stirred till Mr. Bullock of Darley, deceased, who was of their counsel, did come over and see them, by whose counsel they would be directed, whereunto the said Middleton replied: 'Who but I will see them?', whereupon the chest was shut and locked, with all the said locks and feudal keys; and this deponent did then deliver his key to Robert Cooke, one of the churchwardens, and, within ten days next after, the said chest was broken and the said school evidences taken out and the said seal gone. And this examine sayth that also, as he heard thereof, he made enquiry in the said town whether the said vicar had made any search for those that should break the said chest and what care was taken for the said evidences, and it was answered unto him that no search was made by him, but that he had gotten the evidences into his hands and set his scholars to copy them out.

To the viith interrogatory this deponent sayth that about four or five years ago, as he doth well remember, Mr. John Fanshawe, gent., was sent down to Dronfield with a writing

under the hand and seal of Sir. Henry Fanshawe, knight, directed to the vicar and churchwardens of the said church of Dronfield aforesaid, who were governors of the said school there, by which the said vicar and churchwardens were prohibited to make any lease or estate of the premises until the said Sir Henry by the advice of his counsel should make or declare such orders and statutes as were fitting and for the benefit of the said school and for the maintaining of the intent of the founder, and until such time as the said school lands were viewed and considered of for their value, which writing was delivered by the said Mr. John Fanshawe to the said vicar and churchwardens before divers of the best of the parish who willingly took knowledge thereof and shewed themselves willing to perform the same.

William Blyth(e) of Co(u)ldaston [= Coal Aston] in the county of Derby, yeoman, aged thirty eight years or thereabouts, sworn and examined. [Was this the William Blyth baptised 29 June 1570 in Norton, who died in 1631?]

To the vth interrogatory this examinee sayth that the same year that Richard Cooke, one of the defendants, was made one of the churchwardens for Coldaston, being one of the four quarters of Dronfield parish, this examinee sayth that it fell to his mother's house by the ancient course of their custom to serve as churchwarden there for that year, who sent this deponent, her son, to be sworn churchwarden according to their said custom in her stead, who, meeting their vicar there, told the said vicar wherefore he was come, to whom the vicar answered: 'You may go home again', as he had made his bill and had kirkmasters there enough to serve. And this deponent further sayth that there was no warning given in the church by the said vicar to the parishioners, as was usual before time, when the churchwardens were to be chosen that ever this examinee heard of.

To the rest not examined.

William Newsome of Chesterfield in the county of Derby, carrier, aged 54 years or thereabouts, sworn and examined. [A William Newsam married an Agnes Evans in Chesterfield on 1 Dec 1589]

To the viiith interrogatory he sayth that he heard that Robert Topham, vicar, Thomas Cooke, Richard Cooke and Richard Thorpe, all defendants, have made three feudal leases of the school lands, that is to say, of that which Henry Fanshawe held, that which George Steynrod held, that which Peter Stephen and Henry Rogers held, and that which this deponent William Newsom held, which is all the lands belonging to the said school in effect. And this deponent sayth that there is received yearly upon that land which Henry Fanshawe held seven pound, upon that which George Steynrod and this deponent held seventeen pounds, and of that which Peter Stephen and Henry Rogers held three pounds ten shillings, and that he thinketh that there may be made of all the said lands above mentioned over and above the rents rated and received thereupon twenty nobles yearly.

To the ixth interrogatory this deponent sayth he doth not know what bonds, promises, rewards or agreements have been made or given to the defendants, to any of them, for making and granting of the said leases to the said William Topham, but he sayth that,

when one Richard Thorpe, one of the defendants, was churchwarden and before the making of the said leases, one Philip Thorpe, brother to the said Richard Thorpe, laboured and persuaded this deponent to let him have a part of his farm belonging to the said school, and then he ?durst undertake that this examine should ?envy the rest quietly and have thereof a new lease from the vicar and churchwardens.

To the xth interrogatory this deponent sayth that this deponent himself, Peter Stephen, Henry Rogers, Henry Fanshawe, George Steynrodd, Stephen Haslam and Godfrey Mawer [IGI gives the name as Mower] were tenants unto the school lands in the said interrogatory mentioned before the making of the said last leases in the said interrogatory likewise mentioned, which are all the tenants that he knoweth who have any lands belonging unto the said school, and that all of the said tenants, save the said George Steynrod, Stephen Haslam and Godfrey Mawer are of the kindred or blood of the said founder of the said school. And this deponent further sayth for himself that he did offer unto the said vicar, before the making of the said new leases, the rent newly imposed and rated upon his farm which he so held and to take a lease thereof, and that he hath heard that the rest of the said tenants before mentioned did in like manner make offer to the said vicar to pay the new imposed rent of their feudal farms which they so held and to take new leases of them, save that Staynrod desired to have the whole farm whereof he had but part.

To the rest not examined.

Robert Bamforth of Muggington in the country of Derby, clerk and official under the Archdeacon of Derby, aged fifty seven years or thereabouts, sworn and examined

To the first interrogatory he sayth that he knoweth the most of the persons, defendants, but not the plaintiff.

To the second interrogatory he sayth that he doth know that the defendants Thomas Cooke, Richard Thorpe and Richard Cook were lately churchwardens of the parish church of Dronfield in the county of Derby, and this examine sayth that they were sworn and took their oaths as churchwardens the week after Low Sunday, being in the year of our Lord ?1607, as this deponent now remembreth, and they are men of good reputation, substance and credit, for anything that this deponent knoweth, and chosen in due and lawful manner, for any thing this deponent knoweth.

To the xxth interrogatory this examine sayth that he saw a bill indented which made mention of which evidences as were delivered by Mr. Middleton to Robert Topham, being two of the defendants, concerning the school and the school lands, which evidences was [sic] taken out of a chest in the school and put therein again, as he verily thinketh, but this deponent did not ?peruse them all over but part of them and did perceive thereby that they concerned the school and school lands, and further to this interrogatory he cannot depose.

To the rest of the interrogatories not examined.

Thomas Newton of Dronfield in the county of Derby, clerk, aged five and twenty years or thereabouts, sworn and examined. [A Thomas Newton was baptised in Dronfield on 1 May 1584 to father Richard]

To the first interrogatory he sayth that he knoweth the parties, defendants, but not the plaintiff.

To the second interrogatory he sayth that he knoweth that the defendants Thomas Cook, Richard Thorpe, and Richard Cooke were lately churchwardens of the parish church of Dronfield in the county of Derby, and he sayth that they were chosen churchwardens of the said parish in the year of our Lord 1607, as he now remembreth. And this examine sayth that they are men of good reputation, substance and credit and fit for the office of churchwardens, for anything that he knoweth, and they were allowed before the official. And this deponent sayth that Richard Thorpe and Thomas Cook was [sic] chosen by the vicar as he supposeth, and Richard Cook fell to be churchwarden of the nether quarter of the said parish, as it was reported unto the old churchwarden, and so had summons to appear and was allowed before the official, as he supposeth.

To the xth interrogatory this deponent deposeth and sayth that the vicar of Dronfield sent him to George Steynrod to certify him that he might have a lease of such school lands as did belong to his part so as the said Steynrod would be contented and pay for the same lands according as it was rated by the raters, who answered he would have all or none. And this examine thinketh this offer was made before such time as any demise was made thereof to any other. And further to this interrogatory he cannot depose.

To the rest of the interrogatories not examined.

Edward Drable of Dronfield in the county of Derby, yeoman, aged xl years or thereabouts, sworn and examined. [An Edward Drables was baptised in Dronfield on 10 Oct 1568 to father Edward]

To the 18th interrogatory this deponent sayth that Thomas Middleton, in the interrogatory mentioned, during the time that he was vicar of Dronfield did carry and order himself orderly and civilly to the good liking of all the parishioners, for anything that this deponent knoweth.

To the xixth interrogatory he sayth that he hath heard that in the time that the said Mr. T. Middleton was vicar of Dronfield, as he verily thinketh, the evidence and seal belonging to the school lands was kept in a chest standing in the chancel of the parish church of Dronfield, locked with six locks, and sayth that he thinketh the chest was broken open in the night time, but by whom he knoweth not. And the breaking thereof was first found by one John Hallam [A John Hallome married a Helen Mylwarde in Dronfield on 03 AUG 1585], who came into the church with this deponent, and he sayth that the evidence which was found thrown out of the chest was taken up by this deponent, then being one of the churchwardens, and delivered to Mr. Middleton, and what became of the seal this

deponent knoweth not. And this examine thinketh that the said chest was broken without the consent or ?privity of the said Mr. Middleton. And further to this interrogatory he cannot depose.

Henry Cox of Dronfield in the county of Derby, mercer, aged xxvi years or thereabouts, sworn and examined.

To the first interrogatory he sayth that he knoweth the defendants but not the plaintiff.

To the xiiiith interrogatory he sayth that he was witness of a lease made to William Topham of divers of the school lands of Dronfield by the vicar and churchwardens of Dronfield and that there was 17 pounds [Or is the abbreviation an 's' for 'shillings'?] rent yearly received upon the said lands, which was according to the rent rated by the twelve men who did survey the same lands, as he verily thinketh.

To the xvith interrogatory this deponent sayth that he knoweth by the report of Henry Fanshawe that the said William Topham, since the lease made unto him of the said school lands, made offer to the said Henry to let him have the feudal lands in his holding according to the rents proportionably, which the said William Topham, by the lease thereof to him made, is bound to pay for the same. And he, the said Henry Fanshawe, said to this deponent that he would not accept of the offer to pay after the same rate for the said lands.

To the xviith interrogatory this deponent sayth that the lease of the said school lands to the said William Topham by the vicar and churchwardens was made *bona fide* without any corruption and, as he hath heard, with the liking and consent of divers of the said parish, as namely Francis Cuttlowe and Robert Moore. And he further sayth that it is to the benefit of the said school in regard that the rent is increased.

Isabell Topham, wife of Robert Topham of Dronfield [They married in Egmanton, Nottinghamshire, on 10 June 1606], one of the defendants, aged 27 years or thereabouts, sworn and examined.

To the xith interrogatory this examine sayth that the said vicar and churchwardens made offer to Henry Fanshawe to make him a lease of the school lands in his occupation according to the rent rated by the raters of the said land before such time as they did demise the said lands to any others, who made answer that he would do as the rest did and, being urged two or three times to take the said lands, answered he would not give a ?penny so as he could fare no worse than the rest.

To the rest of the interrogatories not examined.

Robert Mawer of Mullthorpe in the county of Derby, yeoman, aged forty-five or thereabouts, sworn and examined. [A Robert Mower of Dronfield married an Anne Hardron there in 1585]

To the viith interrogatory this examinee sayth that George Steynrod was offered to have lease of two parts of the said farm, which his mother had, but he refused to take the same, saying that he would have all that belonged to that farm or none. And this examinee further sayth that he hath heard say that he had used speeches that it had cost him xx pounds [Or is the abbreviation an 's' for 'shillings'], and further to this interrogatory he cannot depose.

To the viiith interrogatory he sayth that George Steynrod said to the vicar and churchwardens: 'Will you make me a lease of all that farm which I have part of?', meaning the farm which came from the abbey. And he answered he would not, and thereupon he served some of them with subpoenas out of the chancery, as this deponent thinketh.

To the ixth interrogatory this examinee sayth that the said school lands were surveyed and valued by xii men of the said parish or by the most of them, and that they were indifferently chosen, for everything this deponent knoweth. And this deponent further saith that Mr. Barlowe, Mr. Bullock, Thomas Fanshawe, Mr. Selyoke, Adam Hawksworth, Francis Cuttlowe, Ralph Weldon, Thomas ?Burton, Gilbert Cooke and this deponent were there, and, as he thinketh, Henry Hancocke and Mr. Barker were then there also to view and value the said lands, and sayth that Francis Needham esquire was with them at the said [Maybe this word is crossed out] farm which George Steynrod would have had, and that the said Needham said he was appointed by Sir Henry Fanshawe, complainant, to be about that business, and he saith that the most of the persons aforesaid viewed the most of the said school lands, except the meadow in Eckington.

To the xth interrogatory he cannot certainly depose.

To the xiith interrogatory this examinee sayth that either George Steinrod or some of the ?occupiers of the said house and buildings thereunto belonging have suffered the house to decay and some of the buildings to fall down in the default of the occupiers, as this deponent thinketh, as namely one barn being four bays, as he verily thinketh, and that he hath heard that George Steynrod hath taken some of the timber and store of the said barn, and further to this interrogatory he cannot depose.

To the xiiith interrogatory he sayth that the said George Steynrod would have paid a mark a year for the said farm, which was the old rent of the same farm, and, as this examinee thinketh, he paid to one ?miller/Meller after the same rate for his part of the said farm after the end of the old lease, as this deponent thinketh. But this examinee sayth that he knoweth not of any that was paid William Topham nor to the vicar and churchwardens, but that he hath paid some to the exchequer, as he hath said.

To the xiiiith interrogatory this examinee sayth that he hath seen divers leases made of divers parcels of the school lands by the said vicar and three churchwardens, being defendants, to William Topham, another of the defendants, and sayth that the rent reserved to be paid to the said school by the same leases is twenty eight pounds or

thereabouts which is the rent according to the rate and value set down by the said raters or the most of them, which did surveye the said lands.

To the xvth interrogatory he sayth that the lands in every feodal tenant's occupation were indifferently and alike ?improved by the said persons which surveyed the said lands or the most of them, and sayth that the said leases made to the said William Topham was [sic] made at the feodal rate rated by the said persons or most of them and that they were worth so much yearly as they were letten to the said William Topham. But whether they were offered by the said William to be letten for the same rent to the said tenants or not he knoweth not.

To the xvith interrogatory he sayth that William Topham did agree to make lease to one Stephen Haslam in the presence of this deponent and divers others of the fourth part of that farm which George Steynrodd would have had, paying therefore xvi shillings viii pence yearly, where the whole farm was rated by the raters but to three pounds for the term of xviii years and knoweth not of any other that he offered any of the said school lands unto.

To the xviith interrogatory he sayth that he knoweth not whether the leases were made *bona fide* or by ?connivance or corruption or whether any of the said parish did consent thereunto. But for this deponent himself he never gave any consent and sayth in respect of the improvement of the rent of the said leases [it] may be a benefit to the said school.

To the xviiith interrogatory this deponent sayth that the most of the parish did like of the carriage and behaviour of Mr. Thomas Middleton, one of the defendants, for anything that this deponent hath heard, and further sayth that he hath heard him accounted (accopted) a good minister of upright and honest life and carriage.

To the xixth interrogatory this deponent sayth that he hath heard that the evidence and seal belonging to the said school was kept in a chest with six locks standing in the church or chancel locked with six locks, as he thinketh, and that the same was broken and the evidence taken forth and found dispersed, and sayth he thinketh Mr. Middleton had the said evidence for a time, and to the rest of the interrogatory he cannot certainly depose.

To the xxth interrogatory he sayth that such evidences as were delivered by Mr. Middleton by bill indented to Robert Topham are at this present forthcoming in a chest in the school for this examine saw them the day before he was examined and the bill indented, and they was [sic] there placed with the consent of divers honest men of the said parish.

Francis Cuttlowe of Stubbley in the county of Derby, yeoman, aged forty-eight years or thereabouts, sworn and examined.

To the second interrogatory this deponent sayth that he knoweth the defendants Thomas Cook, Richard Thorpe and Richard Cook were late churchwardens of the parish of Dronfield in the county of Derby, but he doth not certainly remember the time when they

were chosen churchwardens, and sayth that they are men of good reputation, substance and credit and fit for the office of churchwardens, and he sayth that they were not chosen according to the ancient order and ?course as they have been usually chosen, but how and in what manner they were chosen he knoweth not.

To the third interrogatory he sayth that he hath credibly heard that the vicar and churchwardens did make public notice to the parishioners that they would meet at a time appointed to confer for the letting of such lands as then were out of lease, that the same might be letten for the best benefit of the school and further sayth that George Steynrod did desire a lease of such school lands as were in his occupation and of such other lands as did belong to that farm which was his grandmother's. But this deponent doth not remember that he offered to give the old rent for the said land but that he then offered to double his rent and sayth that the vicar and churchwardens was [sic] willing to make him a lease of so much of the said lands as was in his own occupation for so much rent as the said lands were then reasonably worth. But they denied to make him a lease of the whole lands and that he hath heard that there was a complaint to the officials that the churchwardens were unduly chosen and that they had some intent to wrong the school by leasing the land belonging thereunto, but by whom the complaint was made to the officials he knoweth not.

To the fourth interrogatory this deponent sayth that the official upon such information as was made unto him, as is afore said, appointed a court to be holden at Dronfield to examine the truth and was there associate with divers ministers and there did at large hear all pleas what they could say concerning the unlawful choosing of the church-wardens, and notwithstanding all that could be then observed against the said church-wardens he did approve and [These two words seem to have been crossed out] allow of them. And further to this interrogatory he cannot depose.

To the xith interrogatory he sayth that he did hear himself that offer was made to George Steynrodd by the churchwardens to have the lands in his occupation and he refused, except he might have all. And like offer was made to William Newsome of all such school lands as were in his occupation by Thomas Cooke, churchwarden, and other of his fellows at a rate of £xiiii, which was the rate ?sealed by the raters. And this offer was made before any lease was made to Wm. Topham. And this examine sayth that Newsom answered at such time as the offer was made that he would give thirteen pounds and no more, and yet he hoped to have the said lands.

To the xvith interrogatory he sayth that he hath heard William Topham say that he did make offer to William Newsom, George Steinrod and Henry Fanshawe of all the said school-lands as were in their occupation upon such rent as he himself was to pay and as it was rated by the raters.

To the xviith interrogatory this deponent sayth that the lease which is made by the vicar and churchwardens to William Topham was made *bona fide* without ?connivance or corruption and, as he verily heareth, for the benefit and good of the school, and further to this interrogatory he cannot certainly depose.

To the rest he cannot depose.

Gilbert Cook of Cowley in the county of Derby, husbandman, aged 50 years, or thereabouts, sworn and examined. [A Gilbert Cook of Dronfield married a Helen Hattersley there on 9 Feb 1594]

To the third interrogatory he sayth that Robert Topham, being vicar of Dronfield, together with the churchwardens made public request to the parishioners of Dronfield that they might meet altogether to confer touching the letting and deposing of such lands as did belong to the free school of Dronfield as then were out of lease so as the same might be letten to the best benefit of the school. And this examine further sayth that he hath heard that there was complaint made to the official that the churchwardens were not duly chosen and that they intended to ?plunder the school of Dronfield by letting leases and disposing the lands thereunto belonging, but who gave the information to the official or by whom this examine knoweth not.

To the fourth interrogatory he sayth that the official upon the said information and complaint at a time by him appointed did repair unto Dronfield associated with divers ministers and there publicly did examine and did hear the matters of the information and complaint, that the official did reprove Staynrod and others and said they had not dealt well with him so to inform him for he neither saw nor found anything but that they were fit to serve that office.

To the rest not examined.

Adam Hawksworth of Woodthorpe in the county of Derby, gent., aged three score years or thereabouts, sworn and examined. [An Adam Hawkesworth was baptised in Dronfield on 11 May 1600 to father Adam]

To the xith interrogatory he sayth that he hath heard that the vicar and churchwardens made offer to divers of the tenants of the school lands to make them leases of the lands in their feudal occupation according to the rate as they were rated by the raters before such time as they did demise them to any others. And this examine sayth that he did hear George Steynrod say that he would have all the lands that did belong to the farm whereof he had part or none. And this examine sayth that he hath heard that some of the rest of the tenants hoped to have their lands at a lower rate than they were rated.

To the xiiith interrogatory he sayth that Thomas Middleton, one of the defendants, carried and ?goaded (= conducted) himself orderly and civilly all the time he was vicar of Dronfield to the good liking of his parishioners, as was meet and fit for his calling and that he was then and still is accounted (accompted) and held for a grave and learned minister and of an upright and honest carriage towards all men.

To the xiiiith interrogatory he saith that there were leases made of divers parcels of the school land to William Topham, one of the defendants, and there was reserves [sic] upon

the same leases, xxviii pounds yearly or thereabouts, which was according to the rate and value set down by the raters or twelve men which/who did survey the said lands.

To the xviiith interrogatory he saith that Thomas Middleton, one of the defendants, carried and ?goaded (= conducted) himself orderly and civilly all the time he was vicar of Dronfield to the good liking of his parishioners, as was meet and fit for his calling, and that he was then and still is accounted and held for a grave and learned minister and of an upright and honest carriage towards all men.

To the xixth interrogatory he saith that he hath credibly heard that the evidence and seal concerning the school lands were kept in a chest with six locks placed and standing in the chancel of the church of Dronfield, and hath heard that the said chest was broken in the night, but by whom he cannot tell, but he thinketh by some rogue who thought to have found money there and saith that he heard that the clerk did first discover the breaking of the said chest and that Mr. Middleton had and kept the evidence after the breaking of the said chest, and saith that he hath heard that he delivered them by bill indented to Robert Topham, now vicar of Dronfield, and that they are now kept in a chest in the school. And this examine further saith that he thinketh the said chest was broken without the knowledge, ?privity or consent of the said Thomas Middleton.

To the xxth interrogatory he saith that the evidence(s) which came to the said Robert Topham, Thomas Cooke, Richard Thorpe and Richard Cooke, four of the defendants, are now in safe keeping in a chest in the school-house of Dronfield, and they were placed in that place by the privity and consent of divers honest men of the said parish.

Interrogatories to be ministered to the witnesses to be examined on the part and behalf of Sir Henry Fanshawe, knight, complainant against Thomas Middleton, William Topham, Robert Topham, Thomas Cooke, Richard Cooke, Richard Thorpe and Stephen Haslam, defendants.

1. **In primis** Do you know the persons, complainant and defendants, and do you know the free school of Dronfield, in the bill mentioned, and the lands and tenements thereunto belonging in the bill also specified?

2. **Item** Do you know or have you heard that the defendant Thomas Middleton or person or persons by or with his privity or procurement did break open a chest standing in Dronfield church or chancel wherein the deeds, evidences, writings and seal of the said school were kept? How many locks were unto the said chest, and who did keep the same keyes? What deeds, evidences or writings were then taken out of the chest, and by whom were they so taken, and what is become of the same deeds, evidences and writings?

3. **Item** Have you heard the said Thomas Middleton at any time use any words or speeches whereby he acknowledged, or you might gather or conceive, that he, the said Middleton, or any other person or persons by or with his direction or assent did break the said chest or did take away the said deeds, evidences and writings or any of them, or had

them or any of them? Declare what these speeches were, and when, where, to whom, and upon what occasion they were spoken or used.

4. **Item** Do you know or have you heard that the inhabitants or parishioners of Dronfield aforesaid have, by all the time whereof the memory of man is not to the contrary, used yearly at the end of every year to choose four inhabitants of the said parish to be churchwardens of the said parish for the year then next following? And whether ought not the same churchwardens to be elected and chosen by the said parish out of four feudal quarters of the same parish, viz. out of every quarter one? Declare your full knowledge herein and what you have heard to be the reason of the said custom.

5. **Item** Do you know or have you heard that the defendant Robert Topham hath, contrary to the said ancient custom, of and by himself chosen or appointed any of the churchwardens of the said parish? Whom and how many hath he so elected or appointed, and whether did the said Robert Topham, or any for him, give notice to the parishioners of their election, as usually hath been accustomed?

6. **Item** Do you know or have you heard of what quality, conversation or behaviour the defendants Thomas Cooke, Richard Cooke and Richard Thorpe, late churchwardens of Dronfield aforesaid, and every of them, are or is, and by whom were they, and every of them, chosen or appointed to be churchwardens of the said parish?

7. **Item** Did the complainant require or prohibit the governors of the said school that they should not make new leases or estates of the premises or any charge out of the same, until the complainant, by the advice of his counsels, should make or declare such orders and statutes concerning the same as should be for the profit and commodity of the said school and for the maintaining of the true intent and meaning of the founder thereof, and might survey the said land and tenements to them, to let them at a reasonable value, and what request or prohibition was made by the complainant unto the said governors or any of them to the effect aforesaid, or concerning the school, or the lands thereof, and when, where, to whom, and in what manner was the same request or prohibition made?

8. **Item** What leases, estates or charges have the said defendants, or any of them, made or procured to be made of the lands and tenements or hereditaments belonging to the said school, or any part thereof, and by whom and by whose means and procurement, and to whom and to whose use were the same leases, estates and charges and every of them so made? What rents are received by or upon the same leases and estates and every of them, and what are the lands, tenements and hereditaments thereby demised or leases worth above the rent therefore received?

9. **Item** What money, rewards, bonds, promises or agreements have been made unto the defendants, or any of them, for, or in consideration of, the making or granting of the said leases and seals and charges or any of them or what accomptes (= accounts), gratuity or other consideration did the said defendants, or any them, or any other, before the making of the said leases, receive or ask of any [of] the new tenants or occupiers of any of the

said lands for making of new leases unto them, and what promise did they, or any of them, make unto the said tenants for the same and upon what occasion?

10. **Item** What person or persons did hold or occupy the premises, and every part thereof, before the making of the said leases or grants, and were the same person and persons that so held the premises of the kindred or blood of the said founder of the said school, and what rent and rents did the same person and persons, which so held the premises, offer to give for the same premises by then held, as is aforesaid?

11. **Item** What wastes or spoils or ?discretions have the defendants and every of them or any other person or persons claiming the premises or any part thereof, from, by, or under the defendants, or any of them, made or committed in or upon the premises, or any part thereof? Declare the same at large and by whom, when and where the same wastes, spoils and ?discretions and every of them were made or committed.

Interrogatories to be ministered to witnesses to be produced on the part and behalf of Mr./Messrs. Thomas Middleton, Robert Topham, William Topham, Thomas Cooke, Richard Thorpe, Richard Cooke and Stephen Haslam, defendants, against Sir Henry Fanshawe, knight, Remembrancer of our Sovereign Lord the King, ?within his Highness' Court of Exchequer.

Item Do you know the persons, plaintiff and defendants?

2. **Item** Do you not know that the defendants Thomas Cooke, Richard Thorpe and Richard Cooke were lately churchwardens of the parish of Dronfield in the county of Derby? When were the said Thomas Cooke, Richard Thorpe and Richard Cooke chosen churchwardens of the said parish? Whether are they not now of good reputation, substance and credit and fit for the office of churchwardens, and were they not chosen and appointed churchwardens of the said parish of Dronfield in due and lawful manner, and how and in what way were they chosen? Declare your whole knowledge in all the premises.

Item Were not the said churchwardens several times called in question before the ordinary and other ecclesiastical judges or officers of that diocese, and before whom what were the matters inquested against them before the said ordinary judges and officers, how and by whom were the said matters suggested and prosecuted? THIS INTERROGATORY HAS A CROSS THROUGH IT AND LACKS A NUMBER

3. **Item** Whether did not the said Robert Topham, being vicar of Dronfield, together with the said churchwardens shortly after their election make public request to the parishioners of Dronfield to meet together at a time appointed for that purpose to confer together and to advise with the said vicar and churchwardens touching the letting and disposing of such of the lands belonging to the free school of Dronfield as then were out of lease so as the same might be letten and disposed of to the best benefit of the said school, and whether did not George Steynerod of Dronfield deliver a lease from the said vicar and churchwardens of such of the said lands as he then had in his possession and divers other

lands in the possession of other men which did belong unto the said school and to have the same lands for the old rent thereupon ?seem(ing)ly/surely received? What answer did the said vicar and churchwardens make to this request? Were not the said vicar and churchwardens willing to make him a lease of so many as then were in his own occupation so as he would pay so much rent therefore as they were then reasonably worth, and whether, upon denial to let him the said lands for the old rent, did not the said Steynerod and others make complaint to the official, before whom the said churchwardens were sworn for ?executing of their offices, that the said churchwardens were unduly chosen and that they intended to deal corruptly and to ?plunder the said school of Dronfield in leasing and disposing of the lands thereunto belonging?

4. **Item** Whether did not the said official upon the said information and complaint, at a time by him appointed, repair to Dronfield and associate unto himself divers others, and who did he associate, and did he not there keep his court and in the said court publicly examine and hear the matters of the said information and complaint? How and what were his ?proceedings touching the said churchwardens in his said court, and whether, upon hearing and examining thereof, did he not allow of [the] choice of the said churchwardens and ?undeniably approve them to be duly chosen, and whether did he not at the same time reprove the said Steynerod and others for their untrue informations and malicious objections against the said vicar and churchwardens? Declare your whole knowledge in all the ?premises and what you have credibly heard.

5. **Item** Whether did not the said churchwardens take their oaths before you in your court holden at Chesterfield in the county of Derby? Whether afterwards, upon complaint made to you of some undue or unlawful course touching the choice of the said churchwardens, did you not appoint a court at Dronfield for examining the matters of the said complaint? What were the matters complained of and by whom? Did you not fully examine all the matters objected against the churchwardens in your court holden at Dronfield ?aforesaid? Did you not find the matters of the said complaint untrue? Declare your whole course of proceedings in the premises touching the choice and allowance of the said churchwardens.

6. **Item** Whether were not the suggestions and matters in the said complaint as aforesaid earnestly prosecuted against the said churchwardens? Before what ordinary officers and judges and in what court or courts were they prosecuted, and whether upon due examination and hearing of the said complaint, matters and objections against the said churchwardens, were not the said complaints and objections found to be false and untrue, and were not the said churchwardens found and judged to be discreet, sufficient and able men for their said offices, and was /the/ not their election judicially adjudged lawful? Declare your whole knowledge in all the premises.

7. **Item** Whether hath not George Steynerod reported and given out speeches that he would have certain lands, being in his own occupation, belonging to the said school and divers other lands in other ?menes (= ?demesnes) holden, either all or none? And whether hath not the said Steynerod likewise reported that it had cost him £xx in making means to obtain the said lands and that it should cost him £xx more before he went without it, them

or ?more? And to the like effect, declare your whole knowledge in all the premises and what you have credibly heard.

8. **Item** Whether did not the said George Steynerod in a commanding manner urge the said vicar and churchwardens to make him lease of such lands as was [sic] in his occupation and likewise of other lands in the occupation of other men belonging to the school for the old rent or at a very ?small rate, and what answer did the said vicar and churchwardens make him, and whether did not the said Steynerod, when the said vicar and churchwardens would not condescend to satisfy his new desire, upon their answer, serve them with with writs of subpoenas to appear in the ?chancery? Declare your whole knowledge in all the premises.

9 **Item** Whether were not the said school lands to be surveyed and valued by twelve men or xiii of the said parish of Dronfield, appointed or named for that purpose, indifferently chosen, as well by the vicar and churchwardens, as the rest of the ?Christians of the parish? What were their names, as you remember, that did so survey and value the same, and were they not associated with one Francis Needham of Melbourne, esquire, and did ?not the said Francis Needham say that he was requested or appointed by George Fanshawe in that business? What lands did they survey and value, and in whose several holdings were the same? What were ?the ?several ?rents ?soundly/seem(ing)ly/securely paid by the said several farmers ?thereof, and what was [sic] the overall rents and values thereof rated and valued by the said same ?raters or persons appointed to survey the same? Declare your whole knowledge in all the premises.

10. **Item** Whether have not the vicar and churchwardens, or some of them, at several times offered to the said Steinerod to make him a lease of all of the lands belonging to the said school as were in his own occupation, ?whereas the said Steynerod would be contented to pay such rents for the same according to the rate as it was rated by the raters before such time as they did demise them to any other, and what answer hath the said Steynerod made to their said offer?

11. **Item** Whether hath not the said vicar and churchwardens or some of them in the name of all made offers to divers others of the tenants of the said school land and to make them several leases of the lands in their several occupations according to the rate as was rated by the raters before such time(s) as they did devise/demise them to any other, to whom did they make such offers, and what answers were made by those to whom such offers were made? And declare your whole knowledge in all the premises.

12. **Item** Whether hath not George Steinerod and his ancestors, or some of them, the occupiers of the lands belonging to the school in their occupations, suffered the buildings thereof to go down and decay or not? If they have, in whose default were the ?farms/same? What were their several defaults, and of what value, and hath not the said George Steynerod taken, or suffered to be taken, from the decayed buildings the timber slate and ?whate stone, and converted the same to his own use? If he had so devised, what value was the same, and how know you the same to be true, and what have you heard by credible report touching the same?

13. **Item** Whether hath the said George Steynerod ever seen the end and determination of one lease ?serenely granted of the lands now in his occupation belonging to the said school, ?whose/which/when composition ILLEGIBLE with the vicar and the churchwardens for the time being, or any ?consideration yielded to the school for the same? If he have [sic] so done, how may years hath he so holden the same, and of what yearly value is the same, and hath not the said George Steynerod holden the said lands by force against the leases of the school and against the said William Topham, since the said Topham were [sic] leasee thereunto? Declare your knowledge thereon and what you have heard.

14. **Item** Whether was not a lease or leases made of divers parcels of the school lands by the said vicar and churchwardens to William Topham, one of the defendants? What rent is reserved to be paid to the said school by the same leases, and whether is not that rent according to the rate and value set down by the said raters or twelve men who did survey the said lands or nearly the same? Declare your knowledge or what you have heard credibly reported.

15. **Item** Whether were not the lands in every several tenants' occupation indifferently and alike improved by the said persons who surveyed the said lands, and whether was [sic] not the said leases made to the said William Topham at the several rents rated and set down by the said persons, and whether or not the said lands [?are] well worth so much yearly rent as they were ?offered/assessed to be letten to the said several tenants, and, as is now reserved in and by the leases made to the said William Topham? Declare your whole knowledge in all the premises, what you think, and what moveth you so to think, and what you have heard reported.

16. **Item** Whether hath not the said William Topham seen the leases to him made of the said school lands [?and] made offer to let the tenants thereof the several lands in their holdings according to and for the same rents proportionably, which he, the said William Topham, by the said leases thereof to him made, is bound to pay for the same? To whom hath he made such offers, and what answers have they made to his said offers? Declare your knowledge and what you have heard by credible report.

17. **Item** Whether was not the said lease or leases of the said school lands made to the said William Topham [THE REST OF THIS LINE IS CONCEALED IN A CRINKLE IN THE VELLUM] ... was done as *bona fide* without any ?connivance or corruption and with the liking and consent of divers of the parish, and whether is not the same for the benefit and advancement of the school? Declare your whole knowledge in all the premises, what you think and what moveth you so to think.

18. **Item** Whether did not Thomas Middleton, one of the defendants, during the time of his being vicar of Dronfield, carry and behave himself orderly and civilly to the good liking of his parishioners, as was meet and fit for a man of his calling, and whether was he not then and still is accompted (= accounted) and ?recognised/received/recorded for a grave and learned minister of upright and honest carriage in all his affairs towards all

men? Declare your whole knowledge, what you have credibly heard by report, what you think, and what moveth you so to think.

19. **Item** Whether do you know or have credibly heard that in the time that the said Mr. Middleton was vicar of Dronfield, the evidence and seal belonging unto and concerning the school lands were boxed in a chest, with six locks placed, and standing in the parish church of Dronfield? Whether do you know or have credibly heard that the said chest was in the night-time set/broke open and by whom and to what purpose? In what manner was the breaking of the said chest first found and discovered and by whom, and what course was taken touching the custody of the evidences belonging to the said school lands after the breaking of the said chest and by whom. What became of the said seal? Where, how and in what manner are the said evidences now kept. Whether was not the said chest broken without the knowledge, privity or consent of the said Thomas Middleton? Declare your knowledge and what moveth you so to think.

20. **Item** Whether is not all or so many of the evidence(s) belonging to the said school, which ran to the hands and custody of Robert Topham, Thomas Cooke, Richard Thorpe and Richard Cooke, four of the defendants, in safe keeping in a chest under lock and key in Dronfield aforesaid, and where is the same chest placed? At whose pl[e]asing and whose consent were the same so placed? Declare your whole knowledge thereon and what have you heard by credible report touching the same.