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Fight with Axes from a 13th C Manuscript

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JAMES HALL AND SONS

Woollen and Cotton Manufacturers, Merchants and Paper Makers

Part 1

Alan Schofield¹

In common with many Saddleworth families, James Hall and his descendants seized the opportunities presented in the eighteenth and nineteenth centuries to improve their fortunes. The Halls became wealthy as manufacturers and merchants of woollen cloth, cotton spinners and paper manufacturers. Over time the family owned land and buildings at Cloughbottom, Sherbrooke, and Slades near Saddleworth Church, in Delph and Castleshaw, at Pinfold, Saddleworth Fold and Uppermill, and at Diggle Bridge, Shaw Lee, Leese, Lee Cross, Harrop Court in addition to three mills at Diggle. But, alas, for some of the sons in following generations, all did not end well.

James Hall of Cloughbottom

James (1) and Alice Hall's third son James Hall (2) was baptised at Saddleworth Church in 1745.² He married Mary Mallalieu in 1774 and, following his marriage, lived at Cloughbottom.³ A deed of 1776 records the sale to him of 'a plot of land at Cloughbottom called the old garden, 11 yds by 11 yds, and the newly erected messuage lately built by James Hall on the said plot of land'.⁴ The sale and the baptism records of his children describe him simply as a clothier. But his will proved on 4th March 1813 indicates his success as a manufacturer of woollen cloth and his increased wealth. At the time of his death he owned four dwellings at Cloughbottom, of which two were leased to other families and 'ten field inclosures, folds, meadows or pasture, two shippens, two gardens, and a grindstone [possibly for milling oats]'. His cloth manufacturing activities are reflected by tenters and a dye vat. The estate was valued as just under £450, a considerable sum for the time, the bulk of which was bequeathed to his son, James Hall (3), one of his four children, born in 1779. He also provided two annuities for his wife Mary and ground floor accommodation in one of the houses. Dwellings and land were bequeathed to his deceased daughter Mary's children, James and Francis Platt.⁵

The fortunes of woollen cloth manufacturers continued to grow. Manufacturing woollen cloth expanded from the existing independent weavers who produced their weekly length of cloth, delivered it to the cloth hall and returned with the raw wool for the next week, to be joined by the merchant manufacturer who became increasingly prominent from the early nineteenth century.⁶ They created an extra tier as middle men, providing the raw material, paying for the end product and then marketing it where quality and quantity created a trading reputation and wealth. Many of Saddleworth's specialist three-storey loom houses were built to include more looms, spinning jennies, warping frames and some added a warehouse and a separate dye house. Created by the merchants, loom houses enabled intensive cloth manufacture by family and relatives or by an employed work force.

¹ The author gives his acknowledgement and thanks to Victor Greenhalgh and Norman Haigh for making available their family research papers. He is indebted to Neil Barrow for his help with the research involving Canada and Australia. All references to censuses, national probate calendars, nineteenth century parish registers, passenger lists and electoral rolls have been taken from Ancestry (www.ancestry.co.uk, accessed March 2017).

² J. Radcliffe (ed), *The Parish Registers of St. Chad Saddleworth, 1613 to 1751*, (Privately printed, 1887), p. 251.

³ J. Radcliffe (ed), *The Parish Registers of St. Chad Saddleworth, 1751 to 1800*, (Privately printed, 1891), p. 44.

⁴ Saddleworth Historical Society Archives (SHSA), H/BB, 'Notes on Registrations at the West Riding Registry of Deeds to Properties in Saddleworth', Vol. 1, Cloughbottom, Deed 19th June 1776, Ralph Royle of Cloughbottom, clothier, to James Hall of Cloughbottom, clothier.

⁵ 'Copy of the will of James Hall' (1812), Greenhalgh & Haigh Family Papers (GHFP). See also Lancashire Archives (LA), WCW Supra, James Hall, clothier, of Cloughbottom, Saddleworth, 1813.

⁶ B. Barnes, 'Early Woollen Mills in a Pennine Parish', *Saddleworth Historical Society Bulletin (SHSB)*, vol. 13 no. 2 (1983), p. 25.

John Aikin, in 1795, detailed the very rapid increase of the woollen trade of Saddleworth:

In 1740 there were not more than about 8,640 cloths manufactured here and those of a very course kind. In 1791 the numbers were 35,639 and in 1792, 36,637 which were on average £7 each in an unfinished state, and sold at Huddersfield market, nearly double the value of those made in 1740.⁷

Cloughbottom was leased by James Farrer, lord of the manor of Saddleworth, to Robert Holden and in 1789 his executors were in possession. The estate of twenty acres had one new dwelling and outbuildings at High Stile and a further building at Cloughbottom itself.⁸ The manor lands were sold in 1791 and, at this time, the tenant, Robert Holden, purchased the estate. However, subsequently, James Hall (2) appears to have bought part, if not all, of it.⁹ The other major estate at Cloughbottom was that of Ralph Royle who also leased and then bought his nineteen acres and dwellings at Cloughbottom.¹⁰ Royle also held the water rights and built a scribbling mill at Lower Church Bank, a part of which was occupied by James Hall.¹¹

The new proprietors who had purchased the remains of the manor of Saddleworth in 1791 recorded the protracted negotiations they were engaged in with numerous claimants, including those with James Hall (2) of Cloughbottom, who claimed rights to common pasture, inclosures and manor shares. He was also charged with encroachment on a corner of land allocated to Runninghill.¹²

James Hall (3) Manufacturer and Merchant of Sherbrooke

Comparison between James Farrar's manor map of 1770 (Figure 1) and the 1822 Township map (Figure 2), shows that the estate numbered 63 in 1770, and leased by Robert Holden, was in 1822, split into four estates. The newly built dwelling, Sherbrooke Cottage, and the inclosures numbered 215 were occupied by James Hall (3). The house bears a datestone of 1819 indicating his ownership (Figure 4). The others numbered 216, 218 and 219 were in a different ownerships or occupations. His father's will of 1812 mentions some of the fields numbered 215, also the Hill (possibly all or part of 218 and 219 - the whole was undivided in 1770) and the unnumbered field below the Hill called Coiting Green. High Stile was centered on enclosures numbered 216. In 1819 James was described as of High Stile, merchant when he jointly purchased Pinfold with his neighbour George Mallalieu, also described as of High Stile, merchant.¹³ In his will, proved 7th November 1832, George Mallalieu then described as late of Dobcross, gent, gifted his estate at High Stile to his nephews James, John, William, Samuel and Joseph Mallalieu, all then of High Stile in Saddleworth.¹⁴ It seems likely therefore that the houses at High Stile (Figure 3) and the enclosures numbered 216 were in the ownership of George Mallalieu in 1822 and subsequent to this, of his nephews. Whether James Hall had earlier owned this estate is unclear.

⁷ J. Aikin, *A Description of the Country from thirty to forty miles round Manchester*, (John Stockdale, 1795), p. 558.

⁸ 'Map of the Inclosures in the Parish of Saddleworth Belonging to James Farrer Esq., 1770', index. Cloughbottom (No. 63), in Mike Buckley, David Harrison, Victor Khadem, Alan Petford and John Widdall (eds) *Mapping Saddleworth, Volume II: Manuscript Maps of the Parish 1625-1822*, (Saddleworth Historical Society, 2010), p. 82.

⁹ 'Plan of the Township of Quick and Parish of Saddleworth, 1822', index: Sherbrooke (No. 215) & High Stile (Nos 216, 218, & 219), Buckley et al., *Mapping Saddleworth II*, p. 228.

¹⁰ 'Map of the Inclosures, 1770', index: Cloughbottom (No. 57) in Buckley et al., *Mapping Saddleworth II*, p. 81. The estate had been sub-divided by 1822. See 'Plan of the Township, 1822', index: Cloughbottom (Nos 220, 221, 222, & 223), in Buckley et al., *Mapping Saddleworth II*, p. 228.

¹¹ 'Plan of the Township, 1822', index: Church Bank Mills (Nos. 217 & 224); Barnes, 'Early Woollen Mills', pp. 38 & 50; Conveyance & Assignment Dated 28th July 1860, Saddleworth, Yorkshire available at Family Deeds (<http://www.familydeeds.org/YK50357.php>.)

¹² Barnes, 'Manor Records, part 2', *SHSB*, vol. 8 no. 3 (1978) p. 46; Barnes, 'Manor Records, part 4', *SHSB*, vol. 8 no. 4 (1978), p. 65; Barnes, 'Manor Records, part 5', *SHSB*, vol. 9 no. 2 (1979), p. 35; A. J. Petford, 'Saddleworth Records, part 3', *SHSB*, vol. 10 no. 4 (1980), p. 73.

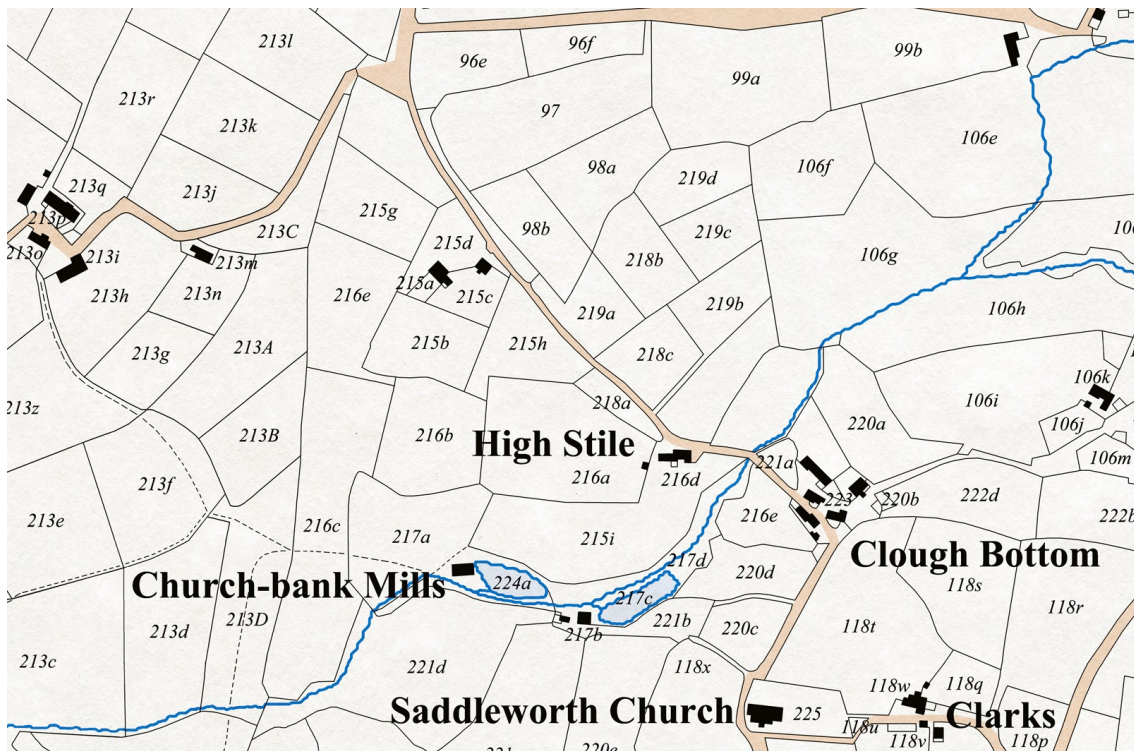
¹³ 'Old Saddleworth, Pinfold', *SHSB*, vol. 14 no. 3 (1984), p. 54.

¹⁴ SHSA, Conveyance and Assignment dated 29th August 1873, H/MHS/19.



Mapping Saddleworth vol. II

Figure 1 Estate Number 63 at Cloughbottom in 1770



Mapping Saddleworth vol. II

Figure 2 Cloughbottom, now High Stile, and showing Sherbrooke in 1822



Anon

Figure 3 Cottages at High Stile (now demolished)

James Hall's (3) property, Sherbrooke Cottage, (Figure 5) with its freehold house and land entitled him to vote and he is listed as eligible in the 'West Riding of the County of Yorkshire Election of Knights of the Shire'. Only one-fifth of males in the country were given the vote at this time. Like his father who had voted Whig in 1807, between 1835 and 1859, James consistently voted Liberal. The electoral rolls also record his change of abode to Diggle Bridge in 1853 and 1854.¹⁵ James Hall (3) married Mary Whitehead in 1801 at St. Chad's.¹⁶ During their time at Cloughbottom James Hall (3) and Mary's three daughters were born: Alice who married John Bennett of Glossop; Mary who died aged three and Mary who married Rueben Calvert, Congregational minister at Uppermill. Of the three sons: James Hall (4) died aged four and James George Hall died aged 14;¹⁷ leaving only Joseph Whitehead Hall, born 1809,¹⁸ to be involved in the family business. After the move to Sherbrooke, James (3) and Mary had three more sons; Charles who died aged three,¹⁹ John Sherbrooke Hall born 1820,²⁰ and William Dehown Hall born 1824.²¹ James (3) was listed in 1834 as a woollen cloth manufacturer and merchant of Sherbrooke Cottage.²² In the census of 1841, James Hall (3) of Sherbrooke, aged 62 was recorded with independent means. He lived with Mary, his wife and two grandchildren, Mary and James Hall (5) aged seven and five, children of his son Joseph Whitehead Hall and his deceased wife Sarah Ann who had died in 1838 aged 25. Margaret Buckley, 26 years old, was also with the family, possibly as nanny or house maid.

¹⁵ 'Saddleworth Voters List: West Riding of the County of Yorkshire Election of Knights of the Shire 1832', *SHSB*, vol. 36 no.3 (2006) pp. 12 & 15; after 1832 the entitlement to vote was based not only on ownership of freehold property and land but also included those who paid £50 or more in rent for houses, buildings and land. West Riding Electoral Registers, Polling District no. 348, Quick, (1853) p. 7; no. 348, Saddleworth, (1854), p. 7.

¹⁶ St Chad's, Saddleworth, registers, 1801, Ancestry.co.uk.

¹⁷ GHFP.

¹⁸ St Chad's, Saddleworth, registers, 1809, Ancestry.co.uk.

¹⁹ GHFP.

²⁰ St Chad's, Saddleworth, registers, 1820, Ancestry.co.uk.

²¹ *ibid.* 1824.

²² *Pigot & Co.'s Commercial Directory* (1834), p. 910.

It would appear that the name ‘Sherbrooke’ had a special meaning for James Hall, naming both his new house, built in 1819, Sherbrooke Cottage, and his son, John Sherbrooke, born in 1820. Moreover, his oldest surviving son Joseph Whitehead, living in St John, New Brunswick Canada, jointly owned a ship also named *Sherbrooke*. St Chad’s registers have not revealed a connection between the Halls and a family named Sherbrooke, and it cannot be a name for the field on which Sherbrooke Cottage is built, as there is no ‘brook’ in the vicinity. Indeed, it is unlikely that Joseph Whitehead Hall would have named a ship after his old house or a distant relative. Rather, in this context, Sherbrooke must refer to Sir John Sherbrooke who, from 1811-1818, was Britain’s most important military figure in Canada during the war with America and in 1816 was Governor in Chief of British North America (i.e. Canada).²³ As early as 1793 an artillery regiment was formed in St John to defend the town against French invasion. Amongst the volunteers enlisted in 1809 were privates Ezekiel Barlow and his son Thomas, and by 1811 they had been joined by Ezekiel junior - Joseph Whitehead Hall, James’s son, would marry Ezekiel’s daughter, Anne, in 1840 (see p. 71 below). Thomas rose to the rank of captain in 1811 as the war raged between the United States and Britain. In 1813 Sir John Sherbrooke sent guns to the defend the harbour of St John.²⁴ It therefore appears that James Hall, perhaps like the Barlows, had some connection with the American wars and, inspired by the instrumental role played by Sherbrooke, he named his son and newly-built house in his honour.



Alan Schofield

Figure 4 Datestone (JMH 1819) at Sherbrooke

If James Hall had named both house and son after Sir John Sherbrooke, it suggests a personal connection with North America. A correspondent’s letter to the *Oldham Chronicle* on 11th May 1901 in response to the newspaper’s announcement of the death of James’s son, William Dehown, stated that James Hall himself had ‘prospered greatly as an American merchant.’²⁵ This is consistent with the fact that many of the Saddleworth manufacturers and merchants traded with America. The passenger lists for the transatlantic crossing contain several journeys made by a James Hall, including a merchant sailing from Liverpool to New York in 1827, his birth is recorded as 1779, the same as James (3). None can be tied directly to James (3) and if trading with America, it may have been through agents, perhaps, for instance, his son Joseph Whitehead Hall. Nonetheless, it is clear James Hall (3) was intimately interested in transatlantic affairs.

²³ ‘Sir John Coape Sherbrooke’, *Oxford Dictionary of National Biography* (www.oxforddnb.com, accessed 1st October 2017).

²⁴ J.B.M. Baxter, *Historical Records of the New Brunswick Regiment Canadian Artillery*, (privately published, 1896), pp. 22-3 & 27.

²⁵ *Oldham Chronicle*, 11th May 1901.



Alan Schofield

Figure 5 Sherbrooke Cottage

James Hall (3) at his death in 1859 had accrued a huge portfolio of properties and wealth which was valued at under £8,000.²⁶ Probate was granted on 1st October 1860 but the will was written in 1850. He left his personal estate in trust to his sons John Sherbrooke Hall and William Dehown Hall and also to his friend Timothy Whitehead late of Lee Cross in Diggle, who as executors and trustees had to administer the estate. The estate was to be used to generate rents and profits which would be for the benefit of the next in line of succession with provisos that they attain the age of 21 and not be in financial trouble (i.e. bankrupt or have mortgage problems) to prevent the money going outside the family. Should the next in line not be 21 or have financial problems then the trust would use the rents and profits to look after their well-being until they reached 21, or if in financial difficulties, until they died. The first possibly to benefit was his son, Joseph Whitehead Hall, who had been declared bankrupt so the trustees presumably had to support him and his children until he died, when his son James Hall (5) would inherit. James (5) died when his son was only fifteen so the trustees would have had to support him until he was of age. If at any stage there was no issue then on the decease of the last beneficiary the estate would go to John Sherbrooke Hall and in similar manner to William Dehown Hall. The will was six pages long and detailed every next potential recipient even to the great-granddaughter.

The estate comprised his dwelling houses at Sherbrooke, with its outbuildings and parcels of land at Cloughbottom, several cottages and dwelling houses at Cloughbottom, his dwelling house at Castleshaw, The White Lion and cottages at Delph, Bakestone Croft, Delph, paper works, buildings, tenements and hereditaments at Diggle, his machinery and other effects, messuages or dwelling houses at Uppermill, Saddleworth Fold, Slades and two houses in Millgate, Delph and all his common lands in Saddleworth, messuages and outworks and land at Pinfold otherwise known as Knowl Top.²⁷

Sherbrooke and Cloughbottom were left in trust to the eldest son Joseph Whitehead Hall. Joseph was a bankrupt and therefore we assume that the trustees supported him and his

²⁶ Copy of the will of James Hall, GHFP.

²⁷ Following the purchase of Pinfold at auction in 1819 by James Hall (3) and George Mallalieu, the Mallalieu's share was bequeathed to John Bentley of Damhead, Uppermill in 1832. He mortgaged it to James Hall (3) who then owned the whole property. It eventually came to his son William Dehown who sold it to John Radcliffe of Boarshurst in 1871, 'Old Saddleworth, Pinfold', *SHSB*, vol. 14, no. 3 (1984), p. 54.

children until he died. His sons James (5) and John Bradbury Hall both died before Joseph and so the estate probably went to James's (5) son William Henry Sherbrooke Hall who died in 1942 leaving £1,262 in his will, probate being granted to William Robinson Bower.²⁸ Had there been no issue then the estate would have gone to the second son John Sherbrooke Hall. John Sherbrooke inherited in trust the properties at Delph and Diggle and a moiety (half) of the paper works and associated hereditaments. Alice as his only child inherited on his death. At probate in 1925 her estate was valued at £12,049 and left for her son Joseph Charles Howard Sandbach.²⁹

Younger brother William Dehown Hall inherited in trust the remaining moiety of the paper mill and the property at Pinfold and, as we will see, he also would be declared bankrupt and again it must be assumed that the trustees used the rents and profits to support him and his family. Dwellings in Uppermill, Saddleworth Fold and Slades were in trust to be used by James's granddaughter Mary Ann Howard of Glossop.

The remaining two houses at Millgate Delph and all James's (3) common land were to be sold to raise the money to pay off his outstanding mortgage.

Joseph Whitehead Hall

Joseph lived at Sherbrooke when he married Sarah Ann Bradbury, daughter of mill owner, John Bradbury of Kinders, at St Chad's, Rochdale in 1833.³⁰ In the electoral register of 1840 he was listed as Joseph Hall of Diggle Mill with a freehold mill and houses, and land rented for £50 or more at Back o' th' Lee. This suggests that he had some form of ownership with his father.³¹ The *London Gazette* recorded that Joseph Hall was declared bankrupt in January 1840; the final award was issued on 26th January 1841.³² He retained his eligibility to vote from 1843 to 1852 as an occupier of land and buildings at Diggle Mill and Diggle Bridge with a rent of £50 pounds, a reflection of his changed financial status.³³ From 1843 until 1852 he was recorded at 29 Crescent, Salford in the electoral register.³⁴ In 1851 Joseph was missing from the English census but reappears in 1861 at Sherbrooke as a visitor where his son James Hall (5) was then head of the household with his wife Eliza Ellen. From 1861-1863 he was again on the electoral roll for Sherbrooke as a freeholder of land and buildings.³⁵

Despite being on the electoral roll Joseph had, in fact, since his early twenties, been settled in St John, New Brunswick, Canada where he was a successful merchant and ship owner.³⁶ In 1840 he married Anne, the daughter of Ezekiel Barlow, a Pennsylvanian loyalist who had settled in St John after the American Revolution and who was a leader in the new community which was to become a leading trading and shipbuilding centre.³⁷ Ezekiel Barlow was a shipwright, traded with the West Indies and was a prominent liquor trader. Ezekiel's sons, Thomas and Ezekiel junior, joined the company and they became the third largest mercantile enterprise in British North America. They had a valuable water front site with 2,000 tons of

²⁸ National Probate Calendar 1942, p. 37.

²⁹ *ibid.*, 1925, p. 192.

³⁰ St Chad's, Rochdale, registers, 1833, Ancestry.co.uk.

³¹ West Riding Electoral Registers, Polling District no. 34, Quick, (1840), p. 5.

³² *London Gazette*, 3rd January 1840, p. 13; *London Gazette*, 26th January 1841, p. 235 available at Ancestry.co.uk.

³³ West Riding Electoral Registers, Polling District no. 353, Quick, (1843-1847), pp. 6-7: no. 348 Quick, (1848-1852), pp. 7-8.

³⁴ *ibid.*

³⁵ West Riding Electoral Registers, Polling District no. 332 Saddleworth, (1861-1863), p. 7.

³⁶ *Report of the Commission ... to Investigate the Advantages from the Construction of the Baie Verte Canal*, (1875), p. 51 (available via www.google.co.uk/books). On 27th February 1835 James Gregg and John Whitehead Hall both of St John, merchants, sold a vessel called the *Sherbrooke*, Merseyside Maritime Museum Archives, 'Liverpool registers of merchant ships', C/EX/L/4/45, no. 3. A 505 ton barque called *Sherbrooke* built in St John in 1834 was registered as being owned by 'Gregg and Company' by Lloyds Register of British & Foreign Shipping in 1834 and 1835, *Lloyds Register of Ships online*, number S416, (http://www.lrfoundation.org.uk/public_education/reference-library/register-of-ships-online/, accessed 1st October 2017).

³⁷ The marriage registration has not been traced in Canada but it is referred to in *New Brunswick Courier*, 25th June 1840 & 27th June 1840.

shipping including steamships and a foundry making their own steam engines. He was the largest private customer and a board member of the New Brunswick Bank. His son, Thomas, had a businesses in timber, marine assurance and mining and was a member of the House Assembly.³⁸ It was into this prominent family that Joseph Whitehead Hall married. But the Halls and Barlows clearly had a close relationship before the marriage. When Joseph's sister, Mary, was married on 31st July, 1834 at Rochdale, Anne Barlow, alongside Mary's father, James (3), served as a witness.³⁹ At this time Joseph was married to his first wife and may well have been living in Canada, so the Barlows were evidently connected to the Halls in some other way.⁴⁰

In 1866 Joseph Whitehead Hall is listed living in St John with no occupation and so perhaps he could afford to be retired.⁴¹ Anne died in 1870. The census for 1871 records Joseph in New Brunswick, Canada, listed as a retired merchant and widower, aged 60, born in England with Congregational as his religion.⁴² Mary Bradley, aged 60, was his Irish servant. He married his third wife, Rachel Ann Harris, in Kings, Nova Scotia in 1871.⁴³ A fire in 1877 devastated the town destroying 1,612 houses, two-fifths of the town, including Joseph's 'handsome residence' on Orange Street which was 'devoured early by the flames'.⁴⁴ The census for 1881 records Joseph W. Hall, of English origin, aged 71, Gentleman, of New Brunswick, his wife Rachel Ann, aged 63 and their servant Grace Carter, aged 22, from Scotland.⁴⁵ Joseph Whitehead Hall died on 6th May 1890 in St John's, New Brunswick. His will was proved on 12th September 1890 at the Principal Registry by the executors, Thomas James Wild, auctioneer and estate agent, and John Holden, valuer and estate agent, both of Uppermill.⁴⁶

Joseph Whitehead Hall's son, James Hall (5), continued to live at Sherbrooke with his wife Eliza Ellen until his death in 1886.⁴⁷ He is listed in the censuses of 1861, 1871, 1881 as a farmer of 25 to 35 acres and a Poor Rate Collector. His father Joseph's bankruptcy appears to have changed his son's life opportunities in the family business. Eliza continued to live at Sherbrooke until her death in 1907.

Joseph had another son, John Bradbury Hall, born in 1838, the year his wife Sarah Ann died, possibly in child birth.⁴⁸ Bradbury was Sarah's family name. Along with the rest of Joseph's family he is absent from the census returns. He probably lived abroad with his father since when he married Elizabeth Buckley from the Church Inn in 1858 at Saddleworth Church he is described as a ship's carpenter: not a Saddleworth occupation!⁴⁹ His older brother James (5) signed the register. John's address at the time was Field Top, which is above Hollingreave, only three fields away from Sherbrooke. The family reappeared in the 1881 census at Waterhead, Oldham, with four children, three born in Victoria, Australia, and the youngest in Oldham in 1877. John Bradbury Hall died in 1888. He was buried in the New Yard at

³⁸ For the Barlows see 'Thomas Barlow', *Dictionary of Canadian Biography*, Vol. VII, 1836-1850, (University of Toronto Press, 1988), p. 47.

³⁹ St Chad's, Rochdale, registers, 1834, Ancestry.co.uk.

⁴⁰ The baptism of his first daughter, Mary Alice, has not been traced in English registers suggesting she may have been born in Canada. In 1835 Joseph was described as 'of St John, Brunswick' (see fn. 35).

⁴¹ *Hutchinson's New Brunswick Directory for 1865-66*, p 167, available at <http://www.ourroots.ca/page.aspx?id=3911991&qryID>.

⁴² Library and Archives Canada, Ottawa, Ontario (LAC), Census of Canada, 1871, St John, New Brunswick Division 2, district 174, p. 23, available at www.Ancestry.co.uk.

⁴³ 'Nova Scotia Vital records, 1763-1957' database, FamilySearch accessed at <https://familysearch.org/ark:61903/1:1:KMG5-Y68>: 8th December 2014, Joseph W. Hall and Rachel Ann Hall, 1871, Marriage; citing p. 48, volume 1826, Kings, Nova Scotia, Canada, Nova Scotia Archives, Halifax.

⁴⁴ George Stewart, *The Story of the Great Fire in St. John, N.B., June 20th, 1877*, (Library of Alexander, 1980).

⁴⁵ Canada census, 1881, Province of New Brunswick District 24 South District ward Queens Division 2 p. 46.

⁴⁶ Brief obituary in *The Daily Telegraph* [St John], 7th May 1890; England & Wales National Probate Calendar, 12th September 1890, available at www.Ancestry.co.uk.

⁴⁷ *England & Wales Civil Registration Deaths 1837-1915*, 1888, Q4, vol. 9a, p. 181 available at www.Ancestry.co.uk.

⁴⁸ St Chad's, Saddleworth, registers, burials, 5th September 1838, Ancestry.co.uk.

⁴⁹ St Chad's, Saddleworth, registers, 22nd February 1858, Ancestry.co.uk.

Saddleworth Church and his gravestone outlines the family story. After marrying, John and Elizabeth soon went to Australia where his son John White was born later that year. Five more children followed before the family returned in the 1870s. The family gravestone reads:

In loving memory of JOHN BRADBURY HALL of Latimer Street, Oldham formerly of Saddleworth who died July 17th 1888 in his 51st year. Also of ELIZABETH his Relict who died June 25th 1913 in her 79th year. Also of the children of the above John Bradbury & Elizabeth Hall - JOHN WHITE - JAMES - KINDER. Also SARAH ANN who died at Long Gully Bendigo Australia. Also FRANK PLATT their son who died June 12th 1896 aged 29 years. Also of RACHEL HARRIS HALL (ANNIE) their daughter who died July 7th 1940 aged 68 years. JOSEPH WHITEHEAD HALL their son who died January 29th 1941 aged 69 years

It seems that Joseph's problems led both him and his son, John, to seek a better life elsewhere. In Canada, Joseph had prospered. In the census, the birth places of John's children are shown as Sandhurst, Victoria. This is better known as Bendigo, which became a boom town when gold was discovered there in 1851. But John, it seems, did not make a fortune, as, when he returned he lived in a terraced house in Waterhead, working as an iron turner.⁵⁰

Diggle Bridge Mill

James Hall's (3) will confirmed that the family fortunes had turned to a new venture, the manufacture of paper. He operated from Diggle Mill as it was first known (not to be confused with Broadbent's Diggle New Mill of 1845 further up the valley, also known locally as Diggle Mill). The business had been established by 1837.⁵¹ James retained his ownership in the paper mill, presumably initially with his son Joseph, until Joseph was declared bankrupt and moved to Salford. Then the business is listed as John Hall & Co although John was only 21 years old.⁵² After James' death in 1859 and probate in 1860 the Trustees would continue to finance the paper mill. In 1841 John Sherbrooke Hall, aged 21 and younger brother, William Dehown Hall, aged 15, lived at Diggle Bridge as paper makers working for their father.

Diggle Bridge was an important river crossing from the middle ages, carrying one of the main routes from Yorkshire through Marsden over Standedge to Mottram-in-Longdendale, Stockport and Cheshire, and was therefore an ideal site for investment.⁵³ A mill on this site dates back to 1776 when John Smith, who owned land at Diggle Bridge and the water rights to a section of Diggle Brook, built a rasping mill to make vegetable dyes by grinding timber, for use in the woollen trade.⁵⁴ John Smith, a drysalter from Dobcross, further invested in a scribbling mill set up by two Harrop Green clothiers, James Wood and William Broadbent.⁵⁵ It is likely that both processes were driven by one water wheel on the same site.

During the period 1760 to 1800 improvements to the technology of woollen cloth production such as the flying shuttle and spinning jenny facilitated an increase in weaving broadcloth which replaced some of the narrow kerseys. Hence the need to increase the provision of yarn and capacity for finishing. This demand led to the development of scribbling mills, particularly in the 1790s, and an increase in number of fulling mills for finishing the cloth.⁵⁶ John Smith was one of the Saddleworth entrepreneurs who had the foresight to put their

⁵⁰ Census, 1881, Parish of Oldham, Municipal Ward Waterhead, p. 51.

⁵¹ W. White, *History Gazetteer and Directory of the West Riding of Yorkshire*, vol. 1 (1837), p. 337.

⁵² Pigot & Co.'s Royal National and Commercial Directory, (1841), p. 293.

⁵³ The road was in existence when Saddleworth Church was built at the beginning of the thirteenth century and possibly could have Roman and prehistoric origins. At the Quarter Sessions in 1774 the stone bridge over a rivulet called Diglee Water was described as 'very narrow and ruinous and in great decay' and in 1775 the people of Saddleworth were awarded £30 towards for their expenses in building the stone bridge, B. Barnes, *Passage Through Time*, (Saddleworth Historical Society, 1981), p.87.

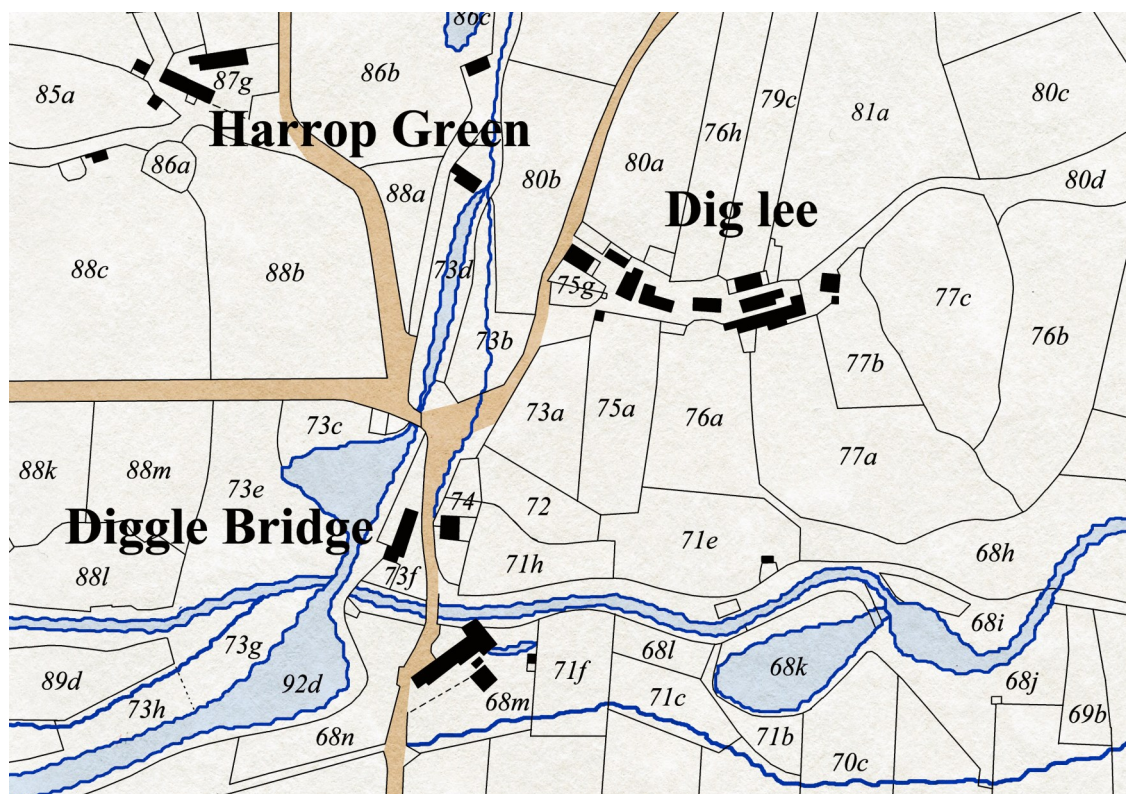
⁵⁴ B. Barnes, 'Early Woollen Mills', p. 54.

⁵⁵ A drysalter was a dealer in dyestuffs, gums, dried, tinned or salted foods and edible oil, Barnes, 'Early Woollen Mills', p. 54.

⁵⁶ In 1720 there were four fulling mills in the Upper Tame Valley and 25 by 1800. The Diggle valley alone had seven scribbling mills, Barnes, 'Early Woollen Mills', pp. 26, 28, & 30. The process of scribbling is explained in Barnes, 'Early Woollen Mills', p. 29.

considerable financial resources into the growth of water powered mills.⁵⁷ By 1794 Smith had mortgaged the scribbling and slubbing mill at Diggle Bridge to William Hardman, a Manchester investor.⁵⁸

In 1794 an act was passed to create a canal from Huddersfield to Dukinfield Bridge. The Huddersfield Canal Company's canal passed over Diggle Brook on a new high level aqueduct just downstream from Diggle Bridge. The Company built a reservoir in c.1800 in the upper reaches of Diggle Brook to supply water for the canal.⁵⁹ The water course was channelled



Mapping Saddleworth vol. II

Figure 6 Diggle Corn Mill in 1822 (in close labelled 68m)

across the land at Back o' th' Lee and high above the original mill site and then it plunged underground under the ancient routeway and down to the canal, as it still does. Safeguarding the water course would have been sufficient reason for the canal company to purchase the mill in 1802 although the channel may have been only planned at that stage. They invested in a new waterwheel and in 1815 the mill was advertised to let in the *Manchester Mercury* on 28th November as Diggle Bridge Corn Mill.

⁵⁷ John Smith's investment in water-powered mills included Brownhill Bridge (1772), Diggle Bridge (1776), Gibbs (later Royal George) (1788), Haybottom (1779), Mytholm (1779) and Warth (1786), 'Old Saddleworth, Gibbs', *SHSB*, vol.6 no. 1(1976), p. 13, B. Barnes, 'Uppermill: The Manorial Mill and other Corn Mills in Saddleworth', *SHSB*, vol. 6 no. 2 (1976) p. 28; & Barnes, 'Early Woollen Mills', pp. 38, 40-42, 51, 52 & 54. Following the sale of James Farrar's estate in 1791 he was a shareholder and proprietor of the manor of Saddleworth: 'Manor Records', *SHSB*, vol. 5 no. 2 (1975) p. 17. He also was a shareholder of the Oldham-Standedge Turnpike and surveyor for the branch from Woolroad to Tamewater Bridge, Barnes, *Passage Through Time*, pp. 44 & 90.

⁵⁸ William Hardman was a drysalter who married into the rich Lawton family of Churchfields, Dobcross. His wife Mary had a dowry of £3,000, Barnes 'Early Woollen Mills' *SHSB*, vol.13. no. 2 (1983) pp. 47, 48. He lived in Quay Street, Manchester and like Smith had invested in several mills including Diggle Bridge, Husteads at Wall Hill, Haybottom in Friezland & Linfitts in Delph, Barnes, 'Early Woollen Mills', pp 32, 35, 37-39, 47, 52, 54. He made claims for manor shares, inclosed land, access to commons and compensation, Barnes 'Manor Records, part 4', p. 13; Barnes, 'Manor Records, part 5', p. 33 & 37. Barnes, 'Manor Records, part 6', p.40. He died in 1813.

⁵⁹ Graham Keevill, *Standedge Guide*, (Kirklees Council, 1986), p. 20.

The property consisted of a mill, drying kiln, 4 cottages and a stable. The mill contained dressing machines for flour and oatmeal, fans and sieves for cleaning wheat and shilling, and 4 pairs of stones, there was one pair of French stones for grinding oat meal, one for shilling and one for other purposes. Over the drying kiln was a granary for oats 30ft x 20 ft.⁶⁰

Henry Hepworth became tenant there until the mid 1830s.⁶¹ The Township map of 1822 (Figure 6), shows the site of the corn mill with the canal feeder running through the fields.⁶² It also shows the water supply, dam and part of the mill race. The row of houses between the school and the canal embankment was built on waste land which was offered to the Canal Company by the proprietors of the Manor of Saddleworth in 1794.⁶³

By 1838 Diggle Corn Mill had become Diggle Paper Mill.⁶⁴ It may not be a coincidence that the Halls changed the focus of their business. Several Saddleworth manufacturers suffered from the Trade Depression in America in 1826 losing huge sums of money when foreign bills were dishonoured and payments fell well short. Several family businesses were declared bankrupt at this time.⁶⁵

Diggle Paper Mill

By 1838 James Hall (3) and his eldest son Joseph Whitehead Hall owned Diggle Bridge Mill. Trade Directories for 1841 and 1842 listed James Hall of Sherbrooke as a gentleman and Joseph Hall as a paper manufacturer of Sherbrooke.⁶⁶ Expansion of the corn mill site had occurred by 1851 when the survey for the OS Map of 1854 was carried out. Figure 7 shows the buildings extending over Diggle Brook and up the hill towards the canal water channel where the mill chimney was sited. There are buildings across the other side of the ancient highway. The hamlet of Shaw Lee is more prominent and the three cottages at Leaside have been built. The most obvious change is the introduction of the first railway line and the alterations to the line of the canal.



Mapping Saddleworth

Figure 7 Diggle Paper Mill Corn Mill in 1854 (OS 6in to 1 mile).

⁶⁰ Barnes, 'Uppermill: The Manorial Mill', p. 28.

⁶¹ Pigot & Co. *Commercial Directory*, 1834, p. 412.

⁶² Buckley et al., *Mapping Saddleworth II*, pp. 194-95.

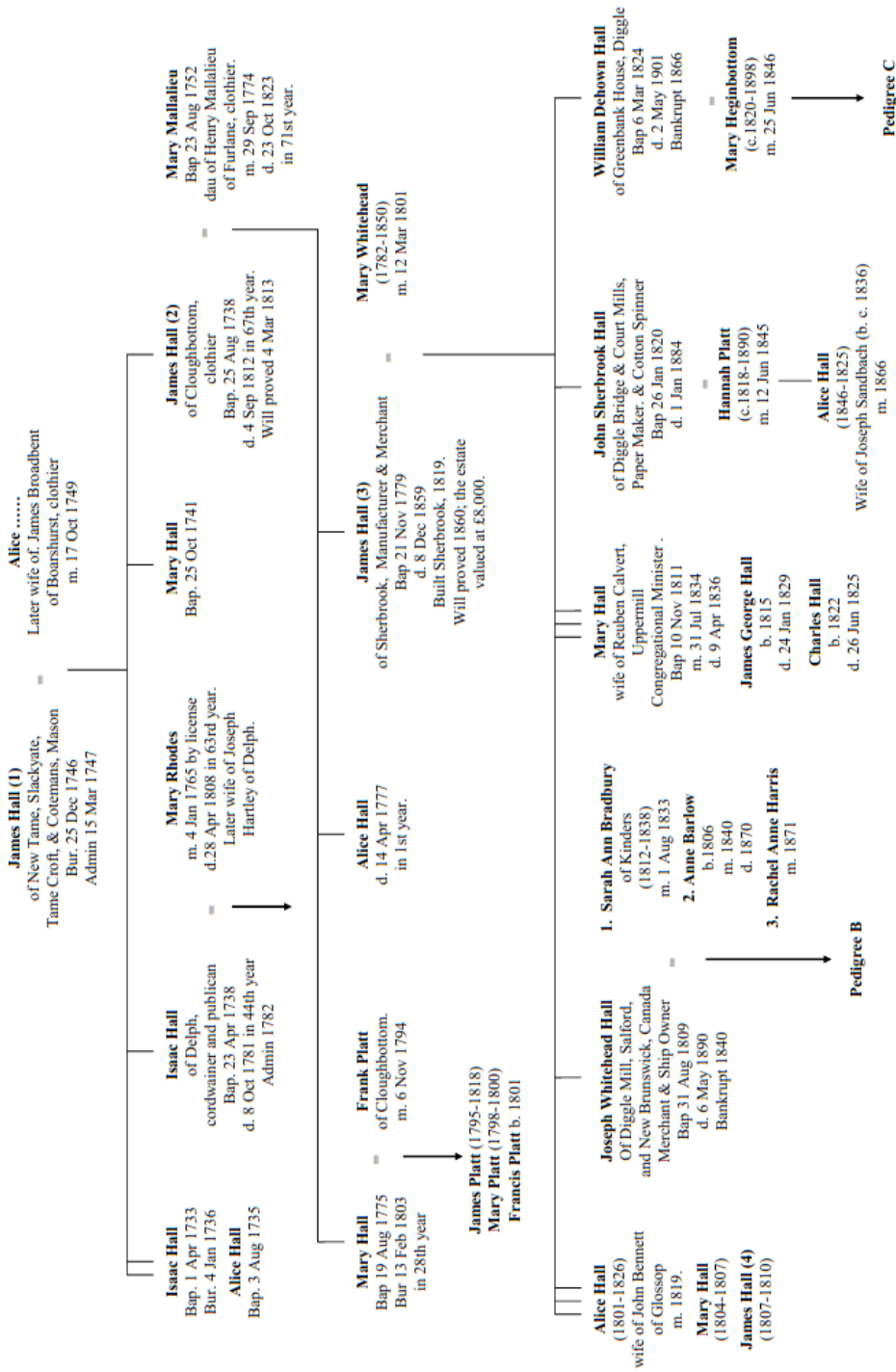
⁶³ Barnes, 'Manor Records part 4', p. 9.

⁶⁴ Barnes, 'Uppermill: The Manorial Mill', p. 28.

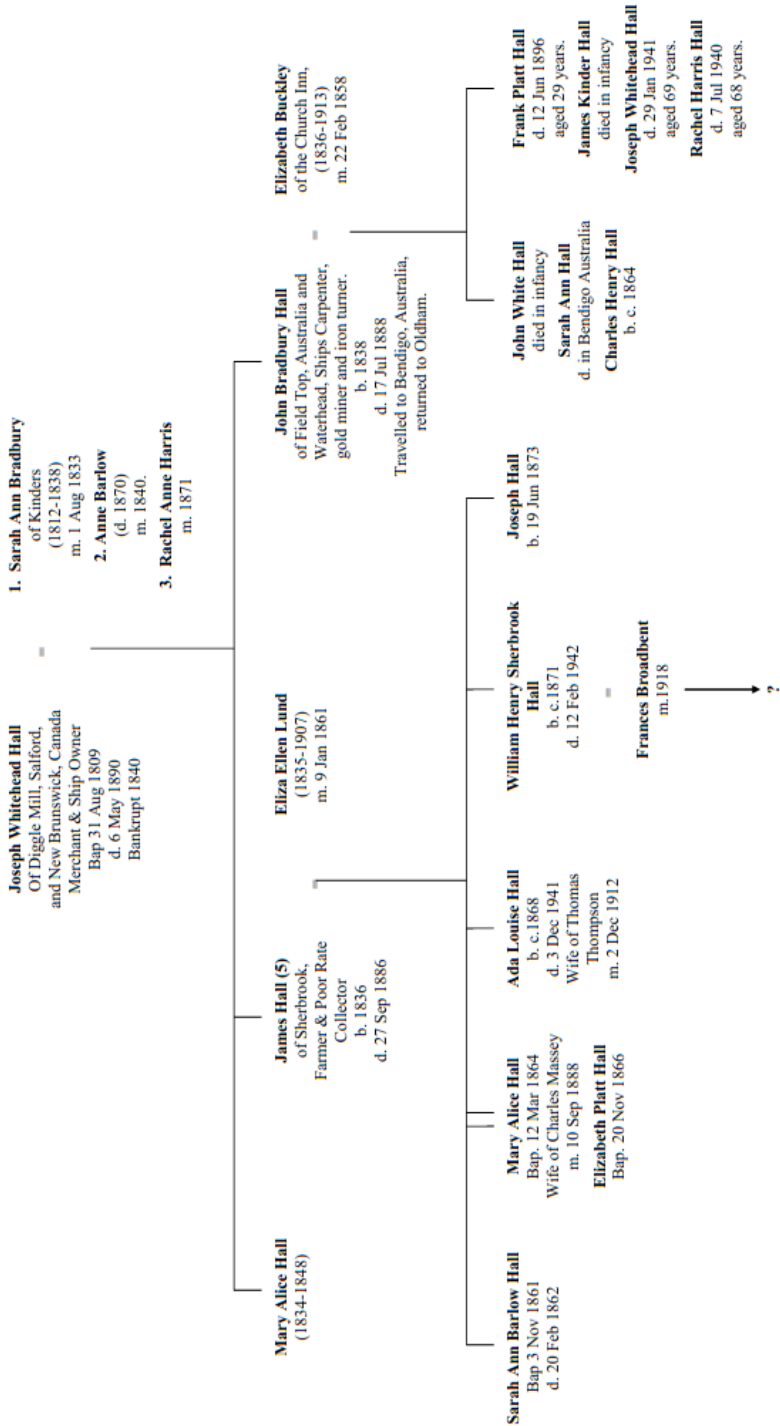
⁶⁵ A.J. Brook, 'Trade Depression and the decline of the Domestic Woollen Industry', *SHSB*, vol. 12 no. 1 (1982) pp. 1-3.

⁶⁶ Neil Barrow, 'The Early Trade Directories for Saddleworth', *SHSB*, vol. 22 no. 3 (1992), pp. 14 & 17; Pigot & Co. *Commercial Directory*, 1841 p. 412; William White, *Directory ... of Leeds and the ... Clothing District*, 1842, p. 497.

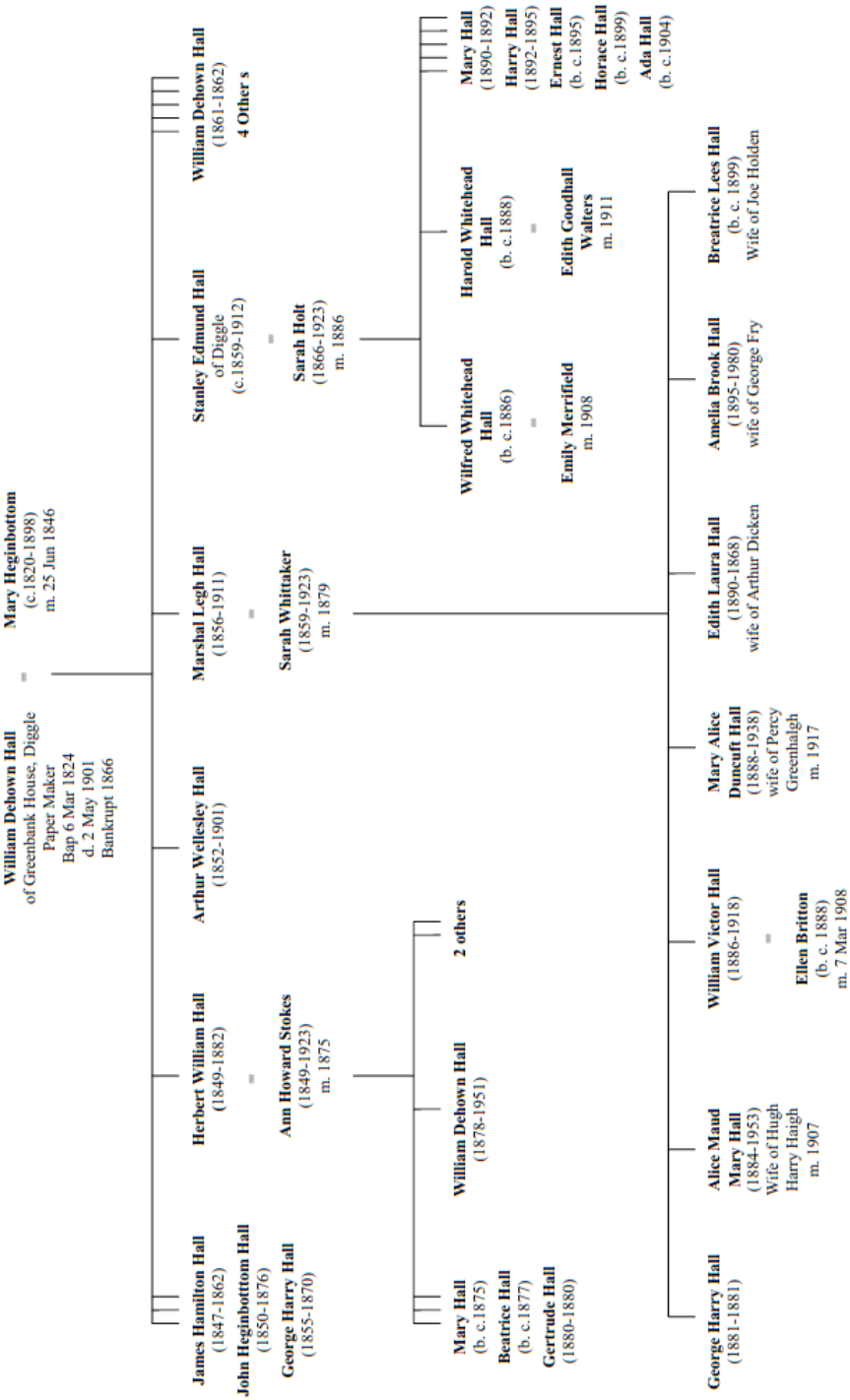
THE HALL FAMILY OF SADDLEWORTH, YORKSHIRE (A)



THE HALL FAMILY OF SADDLEWORTH, YORKSHIRE (B)



THE HALL FAMILY OF SADDLEWORTH, YORKSHIRE (C)



SADDLEWORTH IN THE CROWN PLEAS

Early Saddleworth Records - 9

Victor Khadem

The introduction to the crown pleas in the last *Bulletin* discussed the nature and form of the eyre and the significance of the Saddleworth pleas. The records transcribed below aim to be comprehensive, representing all the Saddleworth references found in the surviving Agbrigg juror's presentments made when the justices in eyre sat at York during the thirteenth century.

Editorial Note

The following extracts from the eyre rolls include the full presentment or indictment in which the Saddleworth reference is found. In the case of amercements rolls, the reference is given alongside the other entries relating to the same offence. Where possible personal names and place names have been modernised in the translation. *Solidus* (shilling), *denarius* (penny) and *obulus* (halfpenny) have not been expanded in the transcriptions. Words marginated in the original have been italicised and placed in parentheses next to the word or words to which the marginated text relates. Expansion of contracted Latin words is indicated by '[]' and interlineations by '{ }'. All the documents are at The National Archives, unless otherwise stated. Digital copies of the originals can be accessed on the University of Houston's excellent Anglo-American Legal Tradition website - <http://aalt.law.uh.edu>.

The Eyre of 1251-2¹

1. *William son of Jordan is amerced for default*
JUST 1/1047 m. 5d

De Steph[an]o de Sharneston' p[ro] defalta	di[media] m[arca]
De Hug[o] de Crofton' p[ro] eodem	di[media] m[arca]
De Will[elm]o de Crofton' et Joh[ann]e de eadem	
p[ro] eodem	di[media] m[arca]
Rob[er]to coco de Horebyr' p[ro] eodem	di[media] m[arca]
De Rob[er]to de Linthwayt in Crosland p[ro] eodem	di[media] m[arca]
De Will[elm]o fil[i]o Jordani in Quik p[ro] eodem	di[media] m[arca]
From Stephen of Sharleston for default	6s 8d
From Hugh of Crofton for the same	6s 8d
From William of Crofton and John of the	6s 8d
same for the same	6s 8d
From Robert Cook of Horbury for the same	6s 8d
From Robert of Linthwaite in Crosland for the same	6s 8d
From William son of Jordan in Quick for the same	6s 8d

William son of Jordan 'in Quick' was amerced for default, that is, for not appearing on the first day of the eyre, as he ought to have done as a freeholder. He was most probably William son of Jordan of Ley who claimed a sixth of Shelderslow from his step-mother, Margery, in the civil pleas of the 1268-9 eyre.² His father also appears to have held freehold land at Greenacres in Oldham.³

2. *Richard of Staveley is amerced as an Agbrigg juror*
JUST 1/1047, m. 5d

D[e] Thom[a] de Horbyr uno jur[ate] p[ro] f[a]ll[s]a	
p[re]sentat[i]o[n]e et concel[amentis]	di[media] m[arca]
D[e] Will[elm]o de Lelay pro eodem	I m[arca]

¹ Only the amercements roll, not the crown pleas themselves, survive for this eyre.

² He successfully claimed to have been enfeoffed of this sixth part prior to his father's marriage to Margery, The National Archives (TNA), JUST 1/1040 m. 40.

³ TNA, KB 26/176, m. 5d.

D[e] Will[elm]o de Tuleston pro eodem	di[media] m[arca]
D[e] Ric[ard]o de Staveley p[ro] eodem	I m[arca]
D[e] Will[elm]o de Wath p[ro] eodem	xls
D[e] Joh[ann]e de Kally p[ro] eodem	di[media] m[arca]
D[e] Rob[er]to de Winerthorp p[ro] eodem	di[media] m[arca]
D[e] Joh[ann]e fil[i]o Will[elm]i de Whitel' p[ro] eodem	di[media] m[arca]
D[e] Ric[ard]o de Fossato p[ro] eodem	di[media] m[arca]
D[e] Henr[ico] de Kirkeby' p[ro] eodem	di[media] m[arca]
From Thomas of Horbury for a false presentment and concealments	6s 8d
From William of Leatheley for the same	13s 4d
From William of Touleston for the same	6s 8d
From Richard of Staveley for the same	13s 4d
From William of Wath for the same	£2
From John de Cailly for the same	6s 8d
From Robert of Wrenthorpe for the same	6s 8d
From Richard of Fosse for the same	6s 8d
From John son of William of Whiteley for the same	6s 8d
From Henry of Kirkby for the same	6s 8d

The justices must have discovered that Richard of Staveley, an Agbrigg juror, had falsely presented and concealed cases, or information about cases, during the proceedings of the Agbrigg jury's presentments. Corruption was by no means unheard of and jurors might be economical with the truth for a variety of reasons.⁴ In this instance two of the twelve appear to have escaped punishment.

Staveley was Saddleworth's most important freeholder, inheriting and being granted lands which in the next century would be described as the manor of Shaw.⁵ His relative status to the other jurors is suggested by the amount he was amerced: like William of Lethley he paid 1 mark, rather than the lower rate of ½ mark which seven of the other jurors were amerced. The largest sum, 3 marks (£2), was reserved for William of Wath, a member of the powerful Thornhill family. Wath was granted respite from being made a knight in 1252 but by the end of the decade had begun to be styled as one.⁶ Staveley can be linked to two of the jurors. Leatheley was a witness to the charter by which Staveley was granted a considerable holding in Saddleworth by Robert of Stapleton and, in 1250, both he and Staveley acted as pledges for Ughtred of Bradshaw.⁷ Thomas of Horbury, alongside Staveley and Stapleton, witnessed a quitclaim of land in Friarmere to Roche Abbey, given at York in c.1247.⁸ In 1260, Horbury was described as having formerly been a servant of Robert of Stapleton, then deceased.⁹

The Eyre of 1257

3. *The vill of Quick is amerced for not attending the coroner's inquisition at Wooldale*
JUST 1/1109, m. 9d

Thom[as] de Kenewod Inventus fuit occisus In campis de Wulvedale Nich[olas] fil
[ius] eius p[ri]mus Inventor ven[it] et no[n] malecr[editur] et testatum est quod

⁴ See for instance, *Crown Pleas of the Lancashire Eyre 1292*, ed. M.E. Lynch et al, intr. H. Summerson, 3 vols, Lancashire and Cheshire Record Society, vols 148-150 (2015), vol. 1, pp. 42-4 and V. Khadem 'Early Saddleworth Records – 8: Two Homicides in a Yorkshire Meadow', *Saddleworth Historical Society Bulletin*, vol. 46 no. 4 (2016), pp. 1-11.

⁵ For the acquisition of the estate see V. Khadem and M. Buckley, 'Early Saddleworth Records 6 - The Subinfeudation of Shawmere', *Saddleworth Historical Society Bulletin*, vol. 42 no. 3 (2012), pp. 75-96.

⁶ C.T. Clay, 'The Family of Thornhill', *Yorkshire Archaeological Society Journal*, vol. 29 (1929), pp. 310-11.

⁷ Khadem & Buckley, 'The Subinfeudation of Shawmere', pp. 94-5.

⁸ M. Buckley, 'Early Saddleworth Records 3', *Saddleworth Historical Society Bulletin*, vol. 39 no. 4 (2009), p. 96.

⁹ *Three Yorkshire Assize Rolls*, ed. C.T. Clay, Yorkshire Archaeological Society Record Series, vol. 44 (1911, for 1910), p. 104.

Rob[ertus] le Heyr de Cartewuth subtr[a]xerunt¹⁰ se p[ro] supic[i]o[n]e latrocin[i]i et malecr[editur] I[de]o ex[igatur] et utl[agetur] (*ex[igatur] utl[agetur]*) cat[alla] eius iijs (*iijs*) un[de] vic[ecomes] r[espondeat] et vill[ate] Wulvedale Halun Scepele Thursanland et quik non ven[ereunt] ad Inquis[itionem] I[de]o in mi[sericordi]a (*mi[s]e[ricordia]*)

Thomas of Kenwood was found dead in the fields of Wooldale. Nicholas his son, the first finder, comes and is not suspected. And it is witnessed that Robert the Heyr of Cartworth withdrew himself on suspicion of larcenies and is suspected. So let him be exacted and outlawed (*exacted outlawed*). His chattels are worth 3s (3s) for which the sheriff must answer. And the vills of Wooldale Holme Shepley Thurstonland and Quick did not come to the inquest so they are in mercy (*in mercy*)

4. *Hugh Gloskwrđ of Saddleworth is indicted of larcenies*

JUST 1/1109, m. 9d

De Indictat[is] d[icu]nt quod Will[elmus] fil[ius] Milse[n]t[e] Thom[as] fil[ius] Eve de Hydrefeud Ad[am] fil[ius] Rob[ert]o de Quernesby Joh[annes] fil[ius] Thom[e] de Byrchinley Thom[as] fil[ius] Alan[i] Herke de Depinnton' Gilbert[us] fr[ater] eius Henr[icus] de Glodhot Ad[am] Rok Gilb[ertus] Bonweysin Rob[ertus] fil[ius] Thoraldi Rob[ertus] fil[ius] Rob[ert] de Bretton' Thom[as] Flendes de Fleketon Thore de Horbyr' Ad[am] Hakel de Altoftis Rad[ulphu]s Herte de Heylbel et Will[elmus] fil[ius] Thom[e] de mor subtr[a]xerunt se p[ro] suspic[i]o[n]e lat[ro]cinii et simil[ite]r Joh Gener Ad[am] de Spyney Hugo Gloskwrđ de Sadelewrth Hamo Krok de Stanley Sim[o] Aygelam In Meateley et Ad[am] Hothelori de Emmeley subtr[a]xerunt se simil[ite]r p[ro] eod[em] et omnes malecr[editur] I[de]o ex[igatur] et utl[agetur] (*ex[igatur] utl[agetur]*) Cat[alla] p[re]d[i]c[t]i Thore iijs ijd ob (*iijs ijd ob*) un[de] vic[ecomes] r[espondeat] Cat[alla] Joh[anni] fil[i]i Will[elm]i xvijjs jd (*xvijjs jd*) un[de] p[ro]c[ur]ator hospital[is] s[an]c[t]i Joh[anni] Jer[osim]e In Angl[ia] r[espondeat] et alii null[a] h[ab]u[er]unt cat[alla]

Concerning indicted persons, they [the Agbrigg jurors] say that William son of Millisent, Thomas son of Eve of Huddersfield, Adam son of Robert of Quernby John son of Thomas of Birchinley Thomas son of Alan Herk of Depinnton Gilbert his brother Henry of Gledholt Adam Rok Gilbert Bonweysin Robert son of Thorald Robert son of Robert of Bretton Thomas Flendes of Flockton Thore of Horbury Adam Hakel of Altofts Ralph Herte of Heylbel and William son of Thomas of Moor withdrew themselves on suspicion of larceny and similarly John Gener Adam of Spyney Hugh Gloskwrđ of Saddleworth Hamo Krok of Stanley Simon Aygelam in Methley and Adam Hothelori of Emley withdrew themselves similarly for the same and all are suspected. Therefore, let them be exacted and outlawed (*exacted outlawed*). The chattels of the aforesaid Thore are worth 4s 2½d (4s 2½d) for which the sheriff must answer. The chattels of John son of William are worth 18s 1d (17s d) for which the procurator of St. John of Jerusalem in England must answer. The others have no chattels.

Hugh Gloskwrđ did not later appear at the eyre and so he would have been exacted and would ultimately be outlawed if he failed to attend one of the next five sittings of the county court. He must have been a peasant of relatively low status, with no freehold land nor chattels to his name. Presumably a nickname, the first element of his surname cannot be discerned, though the second is perhaps the Middle English 'ward', a keeper or custodian (e.g. 'woodward').

¹⁰ Recte 'subtraxit'.

The Eyre of 1268-9¹¹

5. *The vill of Quick is amerced for falsely valuing three fugitives' chattels*
JUST 1/1051, m. 9d

Ric[ardu]s fil[ius] Henr[ici] de farnlay veniens de taberna de Slathwayt obviavit Thom[e] de Nithington Laur[entio] et Gregor[orio] f[rat]ribus eiusd[em] Thom[e] litigav[er]unt ad invicem ex antiquo odio p[re]d[i]c[t]u[s] Thom[as] et alii verb[er]av[er]unt et malet[ra]ctaverunt et postea eum occiderunt et Thom[as] Lau[entius] et Gregor[orius] statim fug[er]unt et malecr[editur] I[de]o exi[guntur] et utl[aguntur] (*ex[iguntur] et utl[aguntur]*) Catalla eor[um] xxii s und[e] Id[em] vic[ecomes] respond[eat] Et vill[ate] de Slathwayt Crosland Querneby Quik f[a]ll[s]o app[re]ciaverunt p[re]d[i]c[t]a Catalla I[de]o in mi[sericordi]a

Richard son of Henry of Farnley coming from the tavern of Slaithwaite met Thomas of Nithington and Lawrence and Gregory brothers of the same Thomas and they quarrelled with one another because of an old hatred. The aforesaid Thomas and the others beat and maltreated him and afterwards killed him. And Thomas, Lawrence and Gregory immediately fled and are suspected. Therefore let them be exacted and outlawed (*exacted and outlawed*). Their chattels are worth £1 2s for which the same sheriff must answer. And the vill[s] of Slaithwaite, Crosland, Quarmby and Quick falsely valued the aforesaid chattels, therefore they are in mercy.

6. *Adam of Grotton is slain by Ralph Ragge upon Quick Moor*
JUST 1/1051, m. 9d

Adam de Grotton et Rad[ulfu]s Ragge et quidam Ignor[us] litigav[er]unt ad invicem sup[er] moram de quike ex antiquo odio int[er] p[re]d[i]c[t]u[m] Ad[am] et p[re]d[i]c[t]u[m] Rad[ulfu]m habito Ita q[uo]d p[re]d[i]c[t]u[s] Rad[ulfu]s sagitavit ad p[re]d[i]c[t]u[m] {Ad[am]} et ip[su]m vuln[er]avit in ventre Ita q[uo]d statim inde obit. Et Rad[ulfu]s statim fug[it] et malecr[editur] I[de]o ex[igatur] et utl[agatur] (*ex[igatur] et utl[agatur]*) Catalla eius nulla p[r]imus Inventor obit

Adam of Grotton and Ralph Ragge and a certain unknown man quarrelled with one another upon the moor of Quick because of an old hatred held between the aforesaid Adam and the aforesaid Ralph so that the aforesaid Ralph shot an arrow at the aforesaid Adam and he wounded him in the stomach so that he immediately died from it. And the aforesaid Ralph immediately fled and is suspected therefore let him be exacted and outlawed (*exacted and outlawed*). His chattels are worth nothing. The (male) first finder has died.

On Quick Moor, Ralph Ragge killed Adam of Grotton by shooting him in the belly with an arrow and immediately afterwards fled. The presentment records that the quarrel and ensuing violence took place *ex antiquo odio* ('because of an old hatred'). There was also an unknown man present who probably fought alongside Ragge. 'Unknown men' did not reside in the tight-knight communities of thirteenth-century England and the implication is that he had been drafted in from outside to help. For Ragge to have been armed, accompanied by a supporter from elsewhere, and to have met Grotton on Quick Moor, a large tract of unenclosed waste, suggests that for him at least, this was no chance encounter.

7. *Henry son of Henry the Smith is slain by Henry Fox*
JUST 1/1051, m. 9d

Henr[icus] Fox vaccar[ius] Grangie Abbatis de Rupe de hildebrighope et Henr[icus] fil[ius] Henr[ici] Fabr[i] venientes de taberna de villa de Sadewrthe litigaver[un]t ad invicem ex antiquo odio Ita q[uo]d p[re]d[i]c[t]u[s] Henr[icus] Fox occidit p[re]d[i]c[t]u[m] Henr[icum] fil[ium] Henr[ici] Et Henr[icus] Fox statim

¹¹ Part of the margin of m. 9 is damaged meaning the marginations cannot be read. Moreover, having been struck through, a number of marginations relating to the amounts individuals were amerced are illegible.

fug[it] et malec[reditur] I[de]o exig[atur] et utl[agetur] Catalla eius ij s de stipend[o] suo und[e] Abb[a]s de Rupe respondebit. Et vill[atae] de Sadewrthe Crosland Holne Slahtwayt concelav[erunt] p[re]d[i]c[t]a cat[alla] I[de]o in mi[sericordi]a

Henry Fox cowherd of the grange of the abbot of Roche of Hilbrighthope and Henry son of Henry the Smith coming from a tavern in the vill of Saddleworth¹² quarrelled with another because of an old hatred so that the aforesaid Henry Fox killed the aforesaid Henry son of Henry. And Henry Fox immediately fled and is suspected. Therefore let him be exacted and outlawed. His chattels are 2s of his wage, for which the abbot of Roche will answer. And the vills of Saddleworth, Crosland, Holme and Slaithwaite concealed the aforesaid chattels. Therefore they are in mercy.

Henry Fox, ‘cowherd of the grange of the abbot of Roche of Hilbrighthope’ fled on killing Henry son of Henry the Smith. Hilbrighthope, or Friarmere as it was later known, had been counted amongst Roche Abbey’s possessions since at least the mid-thirteenth century.¹³ The grange was undoubtedly on the site of the settlement known today as Grange in the Castleshaw Valley and Fox’s employment as a cowherd there suggests that already by the 1260s the abbey was directly farming Hilbrighthope as a vaccary, a large cattle-rearing enterprise.¹⁴ There was also an iron-smelting operation in the Castleshaw Valley which would have required a smith and given his evidently long-standing relationship with Fox, it is tempting to suggest that Henry the Smith might also have been in the abbey’s employ.¹⁵

The presentment is notable for containing the earliest reference to a public house in Saddleworth - ‘a tavern in the vill of Saddleworth’. How many public houses there were at this early date must remain unknown, but it is probable there was one near to Saddleworth Church, the focal point of the district where two regional highways met and where a public house is recorded in the seventeenth century.

Unlike some of the terser presentments, in this case some of the circumstances surrounding the homicide are recorded. The slayer and slayed are two low status individuals, a cowherd and the son of a smith (who, defined by a patronymic and his father’s trade, was probably a young man). Leaving the tavern, they had quarrelled *ex antiquo odio* (‘because of an old hatred’). Thus, the killing was not just a drunken brawl which got out of hand; they fought over grievances whose origins predated the fatal argument. Although only two participants are referred to, the ‘old hatred’, indicates feud-like circumstances which would have drawn in family, kin and perhaps others.¹⁶ Considering they were leaving the public setting of the tavern, there can be little doubt there were indeed others present, but not being directly responsible for Henry son of Henry’s death, the clerk was not concerned with recording their names. That they were leaving the tavern and, perhaps, not completely in control of their faculties, might indicate that although violence was intended, homicide was not. Whilst the ‘old hatred’ may have been one harboured directly between the two Henrys it is also possible that their animosity derived from a loyalty to others.

The four vills that attended the coroner’s inquest, Saddleworth, Crosland, Slaithwaite and Holme, were amerced for concealing Henry Fox’s wages, which the abbot of Roche appears to have taken back into his own hand and been responsible for handing to the crown. At

¹² ‘de taberna de villa de -’ (from the tavern of the vill of -) implies there was just one tavern in the vill, but it is a construction frequently used by the clerk and applied in the case of a tavern in the populous town of Wakefield which certainly would have had more than one tavern. Elsewhere the clerk records *de taberna in villa de* - (‘from a tavern in the vill of -’) which seems to be the sense in this instance too. The National Archives (TNA), JUST 1/1051, m. 9.

¹³ M. Buckley, “‘Seeing Through a Glass Darkly’ – an Outline of the Early History of Saddleworth”, *Saddleworth Historical Society Bulletin (SHSB)*, vol. 36, no. 2 (2009), pp. 40-6.

¹⁴ V. Khadem, ‘Early Saddleworth Records 5 – The Lay Subsidy of 1297’, *SHSB*, vol. 40 no. 4 (2010), pp. 108-9, 112-3 & 114-6.

¹⁵ Archaeological digs suggest the bloomeries at Castleshaw date of the late twelfth to the early thirteenth centuries. Reports of the digs led by Dr Norman Redhead can be found at <http://www.castleshawarchaeology.co.uk/documents.htm> (accessed May, 2017).

¹⁶ V. Khadem, ‘Saddleworth in the Crown Pleas: Introduction’, *SHSB*, vol. 47 no. 2 (2017), p. 50.

Michaelmas 1270, the ‘vill of Holnfirthe’ stilled owed the Exchequer the 15s it was amerced for this concealment, and Crosland likewise had not paid off its debt for this and other amercements imposed on it at the eyre.¹⁷ Saddleworth and Slaithwaite, however, are unrecorded in the Michaelmas pipe roll suggesting they had by then settled their debts to the Exchequer.

8. Robert son of Geoffrey of Hurst is found dead in the field of Saddleworth

JUST 1/1051, m. 9d

Rob[ertus] fil[ius] Galfr[idi] de Hurst Invent[us] fuit mortuus in campo de Sadewrthe qui sepe morbo caudco laborabat p[ri]mus Inventor no[n] venit nec melcr[editur] Iud[icium] Inf[ortunium] Et fuit attach[iatus] p[er] And[ream] fil[ium] Sweyn de Holingreve et Walt[erum] fil[ium] Rog[er]i de eadem I[de]o ip[s]i in mi[sericordi]a.

Robert son of Geoffrey of Hurst, who regularly suffered from the falling sickness, was found dead in the field of Saddleworth. The (male) first finder does not come nor is suspected and he was attached by Andrew son of Swein of Hollingreave and Walter son of Roger of the same place. Therefore they are in mercy.

The ‘falling sickness’, which it is implied caused Robert son of Geoffrey’s death, is the medieval term for epilepsy.

It is not entirely clear what was meant by the ‘field of Saddleworth’ where Robert was found. Considering the dispersed nature of settlement, it is highly unlikely that there was just one common arable field serving the whole vill. *Campo de Sadewrthe* may, however, indicate an arable enclosure in contrast to open pasture. Because the names of the pledges suggest the first finder was associated with Hollingreave, it may have been in that vicinity.

9. Elias son of Thomas kills William the Fletcher and flees

JUST 1/1051, m. 9d

Elyas fil[ius] Hug[onis] occidit Will[elmu]m le Flecher in {villa} Sadelwrthe Et Elyas statim fug[it] et malecr[editur] I[de]o ex[igatur] et utl[agetur] cat[alla] eius xxviiij s[olidis] und[e] vill[a] de Quikes respond[eat] Et q[ui]a testat[ur] [est] p[er] rotulos coron[atoris] q[uo]d catall[a] t[ra]dita fuerunt p[re]d[i]c[t]e vill[e] ad habend[um] hic et ea modo no[n] h[abe]nt¹⁸ I[de]o in m[isericordi]a Et xij Jur[atores] concealav[er]unt omnia p[re]d[i]c[t]a catalla p[re]ter qu[am] xvj d[enarios] I[de]o g[ra]vit[er] sint mi[sericordi]a

Elias son of Hugh killed William the Fletcher in the vill of Saddleworth. And Elias immediately fled and is suspected. Therefore let him be exacted and outlawed. His chattels are worth £1 8s for which the vill of Quick must answer. And because it was witnessed by the coroner’s rolls that the chattels were handed to the aforesaid vill to have here and it does not now have them, it is therefore in mercy. And the twelve jurors concealed all the aforesaid chattels save 1s 4d. Therefore, let them be gravely in mercy.

Elias son of Thomas killed William the Fletcher and fled. The clerk inserted ‘villa’ before Saddleworth showing a desire to clearly distinguish it from the vill of Quick.¹⁹ Chattels were usually entrusted to the vill in which they were found and it must have been because Elias’s goods were found in Quick that they were handed to that vill.²⁰ Having failed to produce them at the eyre, Quick was put in mercy. Perhaps indicative of the influence the vill was able to exert on the Agbrigg jury, the jurors sought to minimise Quick’s omission by suggesting that Elias’s chattels only amounted to 1s 4d. The coroner’s rolls alerted the justices to this substantial undervaluation of £1 6s 8d and the jurors’ concealment, no doubt because it was deemed to be wilful, meant they found themselves ‘gravely in mercy’.

¹⁷ TNA, E 372/113, r. 6.

¹⁸ *Recte* ‘habet’

¹⁹ Khadem, ‘Saddleworth in the Crown Pleas: Introduction’, p. 54-5.

²⁰ Hunnisett, *Medieval Coroner*, p. 30.

10. *Adam the Carpenter is indicted of larceny*
JUST 1/1051, m. 10

De Indictatis d[icu]nt q[uo]d Joh[anne]s Topping in Shitlington Alic[ia] Sele androgia Rad[ulf]i de Horbyr Rob[ert]us Curtehorse in Walton Willelmus Shimming Adam le Hayr de Tornille Will[elmu]s Attelidgate Symon Rungun de Crosselannd Gamel de Helm in Meltham Lucok filius Modeste Adam fil[ius] Ad[am]e le carpent' de Sadelwrthe et Rad[olfu]s Paramurs de Dinkele s[u]bt[ra]xeru[n]t se p[ro] latrocinis et malecr[eduntur] I[de]o exigant[ur] et utl[agentur] (*ex[igantur] et utl[agentur]*). Et p[re]d[i]c[t]i Joh[anne]s Topping Alic[ia] Rob[ert]us Will[elmu]s Shimming Will[elmu]s Attelidgate Gamel Lucok Adam fil[iu]s Ad[e] et Rad[olfu]s Paramurs nulla habuer[un]t catall[a]. Catalla p[re]d[i]c[t]i Rob[ert]i Curtehorse xxxv s[olidis] vj d[enarios] und[e] Id[em] vic[ecomes] respond[eat] Idem h[ab]uit t[er]ram lib[er]am und[e] ann[um] et vastum xl s und[e] Idem vic[ecomes] respondeat. Catall[a] p[re]d[i]c[t]i Ad[e] le Hayr ij s[olidis] vij d[enarios] Idem vic[ecomes] respond[eat] – Catalla p[re]d[i]c[t]i Symonis Rimgun xxij s[olidis] j d. Idem h[ab]uit t[er]ram und[e] ann[um] et vastu[m] xxvij d. und[e] Idem vic[ecomes] respond[eat] Postea venit Thom[as] de Burton capital[is] D[omin]us D[omin]us feodi illius et fine[m] fecit p[ro] anno et vasto {p[re]d[i]c[t]i Rob[ert]i Curtetaus} p[ro] xl s[olidis] p[er] pl[egium] Will[elmu]i de Deneby et Pet[ri] de Walton. Post venit p[re]d[i]c[t]us Rob[ert]us Cuthorse et p[ro]fert cartam D[omi]n[i] r[egis] q[uo]d D[omi]n[u]s rex p[er]donavit ei rancorem animi et indignat[i]o[n]em quam h[ab]uit v[er]sus eum occ[asion]e t[ra]nsgresson[u]m quas cont[ra] ip[su]m D[omi]n[u]m Regem fecisse dicebatur temp[or]e turb[ati]o[n]is h[ab]ite in regno suo Ita tamen q[uo]d erga ip[su]m D[omi]n[u]m Rege[m] et heredes {suos} ac alios fideles suos bene et fide[li]ter se habebit inpost[er]um. Et q[ui]a Jur[atores] testant[ur] quod f[ac]t[u]m p[ro] quo se sub[ra]xit f[ac]t[u]m fuit temp[or]e Gwerre concedit[ur] ei firma Pax (*Pax*) Ita tam[en] q[uo]d stet d[i]c[t]o de Kenelwrthe etc I[de]o nich[i] de utl[agaria]

Concerning indicted persons, they [the Agbrigg jurors] say that John Topping in Shillington, Alice Sele dairy-maid of Ralph of Horbury, Robert Curthose in Walton, William shimming, Adam the Hare of Thornhill, William at Lydgate, Simon Rimgun of Crosland, Gamel of Helm in Meltham, Luke son of Modesta Adam son of Adam the Carpenter of Saddleworth and Ralph Paramurs of Dinkele withdrew themselves for larcenies. Therefore let them be exacted and outlawed (*exacted and outlawed*). And the aforesaid John Topping, Alice, Robert, William Shimming, William at Lydgate, Gamel, Luke, Adam son of Adam and Ralph Paramurs have no chattels. The chattels of the aforesaid Robert Curthose are worth £1 15s 6d for which the same sheriff must answer. The same had free land whereof the year and waste is worth £2 for which the same sheriff must answer. The chattels of the aforesaid Simon Rimgun are £1 2s 1d. The same man had land whereof the year and waste is worth 2s 3d for which the same sheriff must answer. Afterwards, Thomas of Burton chief lord of that fee came and made fine for the year and waste of the aforesaid Robert Curthose for £2 by the pledge of William of Denby and Peter of Walton. After the aforesaid Robert Curthose comes and produces a charter of the lord king that the lord king pardoned him the rancour of soul and anger which he had against him by reason of the trespasses which it was said he had made against him, the lord king, in the time of disturbance in his kingdom. So that, however, he will in future hold himself truly and faithfully towards the king, his heirs and faithful subjects. And because the jurors witness that the deed for which he withdrew was done in the time of war, firm peace (*peace*) is granted to him. So that, however, he stands to the dictum of Kenilworth etc. Therefore nothing of the outlawry.

Adam son of Adam the Carpenter of Saddleworth was suspected of larceny and fled before he could be arrested, leaving no chattels behind. The contracted Latin means it is impossible to tell whether it was the fugitive or his father who was the carpenter, but either way, to be described as such is indicative of a skilled craftsman, perhaps primarily employed in

construction.²¹ William at Lydgate may have been from Saddleworth, but with at least one other settlement called Lydgate in Agbrigg wapentake, it is impossible to say definitively that he was.

The Eyre of 1279-80

11. *Agbrigg Jury Kalendar*²²

JUST 1/1078, m. 74²³

Wappent[acum] de Aggebrigg

Henr[icus] de Ryvil ball[ivu]s	Jur[atus]	El[ec]tores	Johannes de Caylby	Jur[atus]
			Will[el]mus Russel	
			de Normanton	Jur[atus]
Rob[er]tus de Stavelay	Jur[atus]	Ada de ffoxholes		Jur[atus]
Will[el]mus de Wythelay	Jur[atus]	Ric[ard]us del Rodes		Jur[atus]
Rob[er]tus de Leppetton	Jur[atus]	Jacobus fil[ius] Ad[e]		Jur[atus]
Ricard[us] de Bretton	Jur[atus]	Michael de Floketon		Jur[atus]
Thom[as] fil[ius] Ad[e]				
p[ar]sone de Heton	Jur[atus]			
Johannes le Chamberleyn	Jur[atus]			

Wapentake of Agbrigg

Henry of Ryvil bailiff	Sworn	Selectors	John de Cailly	Sworn
			William Russel	
			of Normanton	Sworn
Robert of Staveley	Sworn	Adam of Foxholes		Sworn
William of Whitley	Sworn	Richard of the Rodes		Sworn
Robert of Lepton	Sworn	James son of Adam		Sworn
Richard of Bretton	Sworn	Michael of Flockton		Sworn
Thomas son of Adam				
parson of Heaton	Sworn			
John the Chamberlain	Sworn			

11a. *The Agbrigg jurors are amerced*

JUST 1/1060, m. 66

D[e] Will[elm]o Russell Joh[ann]e de Caylly et sociis suis xij	
Jur[atores] de fine pr[o] co[n]cel[amentis] et aliis t[ra]ns[gressionibus]	xl s
From William Russell John de Cailly and their fellow twelve	
Jurors of the fine for concealments and other trespasses	£2

Robert of Staveley was the son of Richard of Staveley, the Agbrigg juror in 1251-2. He inherited the estate later known as Shaw or Shawmere and was probably the first member of the family who began to adopt the local surname.²⁴ As 'Robert del Shagh' he was the first of four named parishioners who came to an agreement with Stanlow Abbey over the funding and maintenance of Saddleworth Chapel.²⁵ He may also have been the Robert of Shaw who in the early 1280s was accused of being a follower of Sir John le Byron, burning down the lord of

²¹ C. Dyer, *Everyday Life in Medieval England*, 2nd edn (London: Hambledon, 2000) p. 157-8.

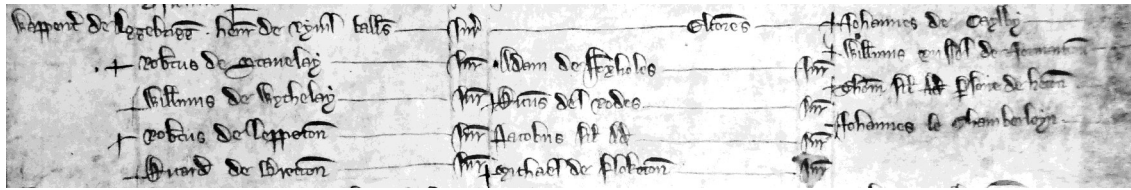
²² The layout of the kalendar has been preserved here as best as possible. In the original, the names of the ten jurors are in three columns of four, four and two names, the latter (here headed by Thomas son of Adam) being the third column under the names of the two selectors.

²³ A copy also exists in JUST 1/1060, m. 52.

²⁴ V. Khadem and M. Buckley, 'Early Saddleworth Records 6 – The Subinfeudation of Shawmere', *SHSB*, vol. 42 no. 3 (2012), pp. 75-84 and Buckley, "'Seeing Through a Glass Darkly'", p. 38.

²⁵ M. Buckley, 'Early Saddleworth Records - 1', *SHSB*, pp. 53-4.

Manchester's houses and stealing £100 worth of goods there.²⁶ The raid on Robert de Grelley's Manchester estate was made by scores of men including Robert of Grotton (13) and perhaps Richard of Quick (18). Staveley was probably nearing the end of his life in 1293 when a trustee settled his Saddleworth estate upon him, with remainder to his eldest son, Richard, who by 1303 had certainly succeeded his father.²⁷



JUST 1/1078, m. 74

The Agbrigg jury kalendar of the 1279-80 eyre

12. Henry Iagel of Saddleworth is indicted of larcenies

JUST 1/1057, m. 18d²⁸

D[e] Inidictatis d[icu]nt q[uo]d Henr[icus] Iagel de Sadeword^a Will[el]m[u]s exco[r]icat[or]^b Ric[ard]us de Redige^c Rob[ert]us Cranderigg^d Ad[a]m de Crumbeton^e Elyas del ffryth in Marcheden Hug[o] fil[ius] Hugon[is] Birun Thom[as] fil[ius] Thom[e] Gilb[ert]us Walding Henr[icus] fil[ius] Cristiane de ffloketon Ric[ard]us fil[ius] Rog[er]i de Miggelay^f Joh[ann]es Scherewynd Rob[ert]us de Okenheued Alic[ia] ux[or] Rog[er]i de Leppetton Petrus de Dronfreud Joh[annes] del Okes^g Rob[ert]us de Rodh[a]m^h et Will[el]m[u]s le Gaythird subt[ra]xer[un]t p[ro] pl[ur]ibus latroc[iniis] et malecr[eduntur] I[de]o om[ni]s ex[ig]antur et ho[m]i[n]es utl[agentur] et Alic[ia] weyvit[ur] Cat[alla] p[re]d[i]c[t]i Ade de Crompton ijs iijd (*ijs iijd*) un[de] vic[ecomes] respond[eat] Cat[alla] Gilb[ert]i Wading xjs vjd (*xjs vjd*) un[de] Id[e]m vic[ecomes] r[espondeat] Cat[alla] Rob[ert]i Okenfeldⁱ iijs ijd (*iijs ijd*) un[de] Id[e]m vic[ecomes] r[espondeat] Cat[alla] Pet[ri] de Dronfeud xxijs (*xxijs*) Id[e]m vic[ecomes] r[espondeat] Cat[alla] p[re]d[i]c[t]i Will[el]m[i] le Gaythird iijs vjd (*iijs vjd*) un[de] Id[e]m vic[ecomes] respondebit

^a Sadewrth, JUST 1/1064, 1070 & 1073 ^b Will[elmu]s exco[r]icat[or] de Reding, JUST 1/1064

^c name not included, JUST 1/1064

^d Crandinge, JUST 1/1073

^e Crombethorp, JUST 1/1060 & 1064

^f Migeton Just 1/1073

^g Joh[annes] de Idel Krokes, JUST 1/1064; Idel cokes, JUST 1/1060

^h Roderham, JUST 1/1073

ⁱ Ric[ard]i de Okenheued, JUST 1/1073

Concerning indicted persons, they [the Agbrigg jury] say that Henry Iagel of Saddleworth William Skinner, Richard of Redige Robert Cranderigg Adam of Crompton Elyas of the Firth in Marsden Hugh son of Hugh Biron Thomas son of Thomas Gilbert Walding Henry son of Christine of Flockton Richard son of Roger of Midgley John Scherewynd Robert of Oakenhead Alice wife of Roger of Lepton Peter of Dransfield John of the Oaks Robert of Rotherham and William the Goatherd withdrew for many larcenies and are suspected. Therefore let them all be exacted and let all the men be outlawed and Alice be waived. The chattels of the aforesaid Adam of Crompton 2s 3d (*2s 3d*) for which the sheriff will answer, the chattels of Gilbert Wading 11s 6d (*11s 6d*) whereof the same sheriff will answer, the chattels of Robert Oakenfield 4s 3d (*4s 3d*) whereof the same sheriff will answer, the chattels of Peter of Dransfield £1 3s (*£1 3s*) whereof the same sheriff will answer, the chattels of the aforesaid William the Goatherd 4s 6d (*4s 6d*) whereof the sheriff will answer.

²⁶ TNA, JUST 1/499, m. 41d.

²⁷ West Yorkshire Archives Service, Kirklees (WYASK), DD/WBD/X/63; TNA, KB 27/173, m. 34.

²⁸ Also in JUST 1/1060, m. 16; JUST 1/1064, m. 17; JUST 1/1070, m. 16; JUST 1/1073, m. 14d. Significant variant spellings of the names between the them are appended to the transcriptions.

The Eyre of 1293-4²⁹*13. Agbrigg jury kalendar*

JUST 1/1098 m. 108

Wapp[entacum] de Aggebryg

Joh[an]nes de Qwerenby	Jur[atus]	Thom[as] de Wytley	Jur[atus]
Rob[er]tus de Grotton	Jur[atus]	Thom[as] fil[ius] p[ar]sone de Heton	Jur[atus]
Henr[icus] de Staneley	Jur[atus]	Will[elmu]s de S[ou]thingley	Jur[atus]
Rob[er]tus de Stokes	Jur[atus]	Ricardus Bretton	Jur[atus]
{loco Roberti Robertus de Letton}			
Rob[er]tus e Whylrenthorp	Jur[atus]		
Nich[olaus] de Clayley	Jur[atus]		
Will[elmu]s de Oyketon	Jur[atus]		
Rog[er]us de Oyketon	Jur[atus]		

Wapentake of Agbrigg

John of Quarmby	Sworn	Thomas of Whitley	Sworn
Robert of Grotton	Sworn	Thomas son of the parson of Heaton	Sworn
Henry of Stanley	Sworn	William of Southingley	Sworn
Robert of Stokes	Sworn	Richard Bretton	Sworn
{in the place of Robert, Robert of Letton}			
Robert of Wrenthorpe	Sworn		
Nicholas de Cailley	Sworn		
William of Ackton	Sworn		
Roger of Ackton	Sworn		

13a. The Agbrigg jury is amerced

JUST 1/1101, m. 5d

D[e] Joh[an]ne de Querneby Nicho[lao] de Kaylley et Henr[ico] de Shelfley de fine p[ro] se et sociis suis xij Jur[atores] p[ro] conc[elamentis]

From John of Quarmby, Nicholas de Cailley and Henry of Shelfley of the fine for themselves and their fellow twelve jurors for concealments

Robert of Grotton held land in the township of Quick and was in all likelihood resident there.³⁰ A detailed account of his life must be left for another time, but he was evidently a wealthy freeholder who, through a shrewd second marriage to Agnes, widow of John of Catterall and co-heiress of Richard of Towneley, augmented his Yorkshire holdings with extensive estates in Lancashire.³¹ In the early 1280s, he was accused of joining an attack headed by Sir John le Byron on Robert de Grelley's houses and goods in Manchester, possibly alongside Robert of Staveley, the juror of 1279-80 (11) and Richard of Quick (18).³²

Grotton appears in numerous pleadings and was a regular witness to charters in Saddleworth and beyond. Of relevance to this eyre is the entail of Robert of Staveley's Saddleworth estate on 3rd May 1293 the month before the eyre opened on 7th June.³³ The entail was given at

²⁹ The Agbrigg pleas can be found in JUST 1/1098, mm. 28-32d and JUST 1/1101, mm. 19d-22d. The jury kalendar is only found in Just 1/1098 whilst the amercements roll is only found in JUST 1/1101. Significant variations between the two sets of pleas are appended to the transcriptions.

³⁰ He was a defendant in a plea of entry for land in Shelderslow in the civil pleas of the 1293-4 eyre, TNA, JUST 1/1085, m. 32d.

³¹ W. Farrer and J. Brownbill (eds), *A History of the County of Lancaster*, (London: Victoria County History, 1911) vol. 6, p. 457 and W. Farrer and J. Brownbill (eds), *A History of the County of Lancaster*, (London: Victoria County History, 1912) vol. 7, pp. 192n and 321n.

³² TNA, JUST 1/499, m. 41d.

³³ WYASK, DD/WBD/X/63.

Saddleworth and heading the witness list is John of Quarmby who also heads the list of Agbrigg jurors and was probably one of the two selectors of the jury. Quarmby had no landed interests in Saddleworth and it is not inconceivable that he was with Grotton in Saddleworth making preparations for the crown pleas they were to present and hear together at the forthcoming eyre.

14. *The vill of Saddleworth is amerced for not attending the coroner's inquest in Walton*
JUST 1/1101 m. 20

Ric[ard]us le Doukere mendicans noctant[er] occidit Evam Baron' et Sibill[am] Ancill[am] eius in vill[ata] de Walton Et statim p[ost] f[ac]t[u]m fug[it] et mal[ecreditur] I[de]o ex[igatur] et utl[agetur] (*ex[igatur] et utl[agetur]*) null[a] h[ab]uit cat[alla] Et vill[ate] de Walton Crofton Warmefeld et Sadelesworth no[n] ven[erunt] plen[e] ad inquis[itionem] cora[m] Coronat[ore] I[de]o in m[isericordi]a (*mi[sericordi]a*) Et Elena de Walton' et Claricia de ead[e]m attach[iatiis] eo quod p[rae]sent[es] no[n] ven[erunt] n[ec] mal[ecreduntur] Et fuit att[achiata] videl[icet] p[re]d[i]c[t]a Elena p[er] Will[elm]um fil[ium] Will[el]mi de Waleton et Joh[ann]em fil[ium] Rob[ert]i de ead[e]m et p[re]d[i]c[t]a Clar[icia] p[er] Gregor[ium] fil[ium] Ric[ard]i de Walton' et Thom[am] fil[ium] Gilb[ert]i de ead[e]m qui modo no[n] h[ab]ent ip[s]as I[de]o ip[s]i in m[isericordi]a (*mi[sericordi]a*)

Richard le Doukere begging at night killed Eve Baron and Sibyl her maid in the vill of Walton and immediately after the deed he fled and he is suspected. Therefore let him be exacted and outlawed (*exacted and outlawed*). He has no goods. And the vill of Walton, Crofton, Warmfield and Saddleworth did not come fully to the inquest before the coroner. Therefore they are in mercy (*in mercy*). And Ellen of Walton and Clarice of the same were attached because they were present. They do not come nor are suspected and were attached as appears: the aforesaid Ellen by William son of William of Walton and John son of Robert of the same, and the aforesaid Clarice by Gregory son of Richard of Walton and Thomas son of Gilbert of the same who now do not have them, therefore they are in mercy (*in mercy*).

- 14a. *The vill of Saddleworth's amercement*
JUST 1/1101, m. 5

D[e] vill[ata] de Walton q[ui]a non ven[it] plene
D[e] vill[ata] de Crofton p[ro] eod[em]
D[e] vill[ata] de Warnefeld p[ro] eod[em]
D[e] vill[ata] de Sadelesworth p[ro] eod[em]

From the vill of Walton because it did not come fully
From the vill of Crofton for the same
From the vill of Warmfield for the same
From the vill of Saddleworth for the same

The amercements roll is incomplete insofar as the sums charged to each vill are unrecorded. Quick's amercement for failing to attend a coroner's inquest (below) is not included, possibly because it was intended to be included with Saddleworth.³⁴

15. *The vill of Quick is amerced for not attending the coroner's inquest in Manchester*
JUST 1/1098, m. 29

Malef[ac]tores Ignoti de die occider[unt] Thom[am] de Ryle et Henr[icum] Coleman garc[i]o[n]em eius in villa de Mannescestre nescit[ur] qui fuer[unt] n[ec] quo deven[erunt] p[ri]mus Inventor obiit Et vill[at]a de Quayke no[n] venit plene ad Inquis[itionem] coram Coron[at]ore I[de]o in m[isericordi]a (*mi[sericordi]a*)

By day, unknown evildoers killed Thomas of Ryle and Henry Coleman his servant

³⁴ Khadem, 'Saddleworth in the Crown Pleas: Introduction', pp. 54-5.

in the vill of Manchester. It is not known who they were nor where they came from. The first finder is dead. And the vill of Quick did not come fully to the inquisition before the coroner. Therefore, it is in mercy (*in mercy*).

This double homicide which took place in Manchester in the Hundred of Salford was not presented at the Lancashire eyre of 1292 and must therefore have been committed at some point between then and the opening of the Yorkshire eyre in 1293. It is unclear why the vill of Quick should have been responsible for attending such a distant inquest.

Ralph of Thirsdene of the Quick and Ralph, his son, beheaded for stealing cows and oxen in Lancashire, 1293-4

TNA JUST 1/1098 m. 29

Jur[atores] p[re]sentant q[uo]d Rad[ulfu]s de Thyrsedene del Quyk et Rad[ulfi]us fil[ius] eius furati fuer[un]t vaccas et boves in Com[itatu] Lanc[astriensis] p[ro]pter q[uo]d insecuti fuer[un]t p[er] patriam usque vill[at]a del Quyk [et] ibid[e]m decoll[at]i fuer[un]t Cat[talla] eor[um] xxvs ixd (~~xxvs—ixd~~) unde Rob[er]tus de Wynthorp de Com[itatu] Lync[olnensis]^c q[uo]ndam Constabular[ius] de Ponte ffracto respond[et] Et quia cepit pred[ic]ta cat[talla] per potestatem officii sui ext[ra] custod[iam] pred[ic]te vill[e] I[de]o ad iud[ic]iu[m] (~~ad iud[ic]iu[m]~~) de eo^a

^a 'I[de]o ip[s]e in mi[sericordi]a (*mi[sericordi]a*)' replaces 'Ideo ad iudicium', JUST 1/1101, m. 21.

Ralph of Thirsdene of the Quick and Ralph his son stole cows and oxen in the county of Lancaster for which reason they were pursued by the country to the vill of Quick and were beheaded there. Their chattels are worth £1 5s 9d (~~£1 5s 9d~~) for which Robert of Winthorpe of the County of Lincoln, formerly Constable of Pontefract, must answer. And because he took the aforesaid chattels through power of his office outside the custody of the aforesaid vill so to judgment (~~to judgment~~) of him.^a

^a 'so he is in mercy' replaces 'so to judgment of him', JUST 1/1101, m. 21.

16a. *Robert of Winthorpe's amercement*

JUST 1/1101, m. 5d

(*Linc[olnensis]*) D[e] Rob[er]to de Wynthorp de Cat[alla] Rad[ulfi] de Thirsdene et Rad[ulfi] fil[i] eius latron[um] decoll[atorum] xxv s ix d
D[e] eod[e]m Rob[er]to quia cepit pred[ic]ta cat[alla] di[mida]
sine war[rent]o
m[arca]

(*Lincolnshire*) From Robert of Winthorpe of the chattels of Ralph of Thursden and Ralph his son, beheaded thieves £1 5s 9d
From the same Robert because he took the aforesaid
Chattels without warrant 6s 8d

The beheading of thieves caught stealing goods worth over 1s (as the cows and oxen would have been) was permissible, although in 1292 the justices had voiced concern at the enthusiasm with which Lancashire men took to this summary form of justice.³⁵ Such beheadings, as appears to have been the case in this instance, should have taken place in public after the hue had been raised. The deaths were then to be reported to the county court. It may have been there that the constable of Pontefract took the thieves' £1 5s 9d of chattels which had been entrusted to the vill of Quick. For failure to produce them before the justices he was amerced ½ mark.

Described as 'of Thursden of the Quick', suggests the two Ralphs were living in Quick, but originally from Thursden, which probably refers to a settlement nearby Thurston Clough.

³⁵ *Crown Pleas of the Lancashire Eyre*, vol. 1, p. 18.

Thursdenroyd existed to the west of the clough near the present settlement at Greaves.³⁶

17. *The Sheriff accounts for the goods of Adam of Shelderslow, a beheaded thief*
JUST 1/1098, m. 29d.

De J[ohanne] Byrun vic[ecomite] de Cat[talla] Petri le ffullur de Thronhil latron[is] s[suspensi] ix s xd (~~ixs—xd~~) De eod[e]m vic[ecomite] de cat[tallis] Ade de Schelderslawe latron[is] decoll[ati] xixs iij d (~~xixs—iij d~~) De eod[e]m vic[ecomite] de catall[is] Hugo[n]is le Rede de Deneby latron[is] suspensi vjs vjd (~~vjs—vjd~~) D[e] eod[e]m vic[ecomite] de cat[tallis] Ric[ard]i de Boulton latron[is] s[suspensi] xd (~~xd~~) D[e] eod[e]m vic[ecomite] de Cat[tallis] Joh[ann]is Knoscy in Skytlington latron[is] s[suspensi] iijs (~~iijs~~) D[e] eod[e]m vic[ecomite] de cat[tallis] cui[us]dam latron[is] ignoti fug[iti] vs jd (~~vs—jd~~) Et quia Henr[icus] Bouer cepit Catall[a] predi[cti] Johis Knoscy sine War[rent]o l[de]o in mi[sericordi]a (*mi[sericordi]a*)

From John Byron sheriff of the chattels of Peter the Fuller of Thornhill, a hanged thief, 9s 10d (~~9s—10d~~); from the same sheriff of the chattels of Adam of Shelderslow, a beheaded thief, 19s 3d (~~19s—3d~~); from the same sheriff of the chattels of Hugh the Rede of Denby, a hanged thief, 6s 6d (~~6s—6d~~); from the same sheriff of the chattels of Richard of Bolton, a hanged thief, 10d (~~10d~~); from the same sheriff of the chattels of John Knoscy in Shillington, a hanged thief, 4s (~~4s~~); from the same sheriff of the chattels of a certain unknown thief who fled, 6s 1d (~~6s 1d~~). And because Henry Bower took the chattels of the aforesaid John Knoscy without warrant, he is therefore in mercy (*in mercy*).

Adam of Shelderslow was presumably from the family who held land at Shelderslow, though he himself cannot have had freehold land there as the sheriff did not account a year's worth of revenues. His 19s 3d of chattels, however, mark him out as being a relatively well-off compared to others found guilty of larceny. That he was beheaded rather than hanged suggests that like the Ralphs of Thursden senior and junior, he too was caught red-handed and summarily executed.

18. *Richard son of Brinne of Quick, Thomas son of Jordan of Shelderslow and William son of Margery of Shelderslow are amerced for default*
JUST 1/1098 m. 30d

De defaltis etc d[icu]nt q[uo]d Germanus ffylcock de Wakefeld Joh[an]nes ffox de fflocketon Will[elmu]s de ffyney de Melth[a]m Adam de ffyney de Almanbery Adam de Langeley cl[er]icus Math[e]us de Marisco de Thurstanlond Will[elmu]s fil[ius] Petri de ffloketon Ric[ard]us fil[ius] Gyne {Binne} de Quyk Joh[an]nes ad Aulam de Wakefeld Thom[as] de Ludh[a]m Will[elmu]s Ilwyby Thom[as] fil[ius] Joardani de Scelderslawe Will[elmu]s fil[ius] Marg[er]i[a]e de ead[e]m et Thom[as] de Garderoba no[n] vener[un]t hic p[ri]mo die l[de]o in mi[sericordi]a (*mi[sericordi]a*)

Concerning defaults etc they say that German Fylcock of Wakefield, John Fox of Flockton, William of Finney of Meltham, Adam of Finney of Almondbury, Adam of Longley clerk, Mathew of Marsh of Thurstanland, William son of Peter of Flockton, Richard son of Gyne {Brinne} of Quick, John at Hall of Wakefield, Thomas of Ludham William of Ilwyby Thomas son of Jordan of Shelderslow, William son of Margery of the same place and Thomas of Garderobe did not come here on the first day. Therefore they are in mercy (*in mercy*).

³⁶ The original name of this tenement is unknown as it took the name of the family who resided there in the seventeenth century, making it quite possible it was earlier known as 'Thursden'. Khadem and Buckley, 'Early Saddleworth Records 6', pp. 80 & 82-3.

18a. *Amercements for the above defaults*

TNA, JUST 1/1101, m. 5d

D[e] Germano filkok de Wakefeld p[ro] default[a]	xx s
D[e] Joh[an]ne ffox de ffloketon p[ro] eod[e]m	xl d
D[e] Will[elm]o de ffynney de Almanbur' p[ro] eod[e]m	xl d
D[e] Ada de Langeley cl[er]ico p[ro] eod[e]m (<i>Br[ev]e</i>)	[erasure]
D[e] Ada de ffynney de Almanbur' p[ro] eod[e]m	di[mida] m[arca]
D[e] Math[e]o de Marisco de Thurstonland p[ro] eod[e]m	x s
D[e] Will[el]mo fil[i]o Pet[ri] de ffloketon p[ro] eod[e]m	xx d
D[e] Ric[ard]o fil[i]o Brinne de Quik p[ro] eod[e]m	xx d
D[e] Joh[an]ne de Aula de Wakefeld p[ro] eod[e]m	xl d
D[e] Thom[a] de Ludh[a]m p[ro] eod[e]m	di[mida] m[arca]
D[e] Will[el]mo Wyly p[ro] eod[e]m	I m[arca]
D[e] Thom[a] fil[i]o Jordani de Skelderlawe p[ro] eod[e]m	xl d
D[e] Will[el]mo fil[i]o Marg[er]ie p[ro] eod[e]m	xl d
D[e] Thom[a] de la Garderobe p[ro] eod[e]m	J m[arca]

From German Filcock of Wakefield for default	£1
From John Fox of Flockton for the same	3s 4d
From William of Finney of Almondbury for the same	3s 4d
From Adam of Longley, clerk, for the same (<i>by writ</i>)	[erasure]
From Adam of Finney of Almondbury for the same	6s 8d
From Matthew of Marsh of Thurstanland for the same	10s
From William son of Peter of Flockton for the same	1s 8d
From Richard son of Brinne of Quick	1s 8d
From John of Hall of Wakefield for the same	3s 4d
From Thomas of Ludham for the same	6s 8d
From William Wyly for the same	6s 8d
From Thomas son of Jordan of Shelderslow for the same	3s 4d
From William son of Margery for the same	3s 4d
From Thomas of the Garderobe for the same	13s 4d

Three freeholders amerced for failing to appear on the first day of the eyre were from Shelderslow and Quick, illustrating the extent to which freehold tenure was established there. Thomas of Shelderslow's father may still have been alive in 1293-4 because a Jordan of Shelderslow was assessed for the lay subsidy of 1297 and also one of eight men from Quick accused by Thomas of Assheton of stealing his cattle from Palden in 1303.³⁷ If he were a young man in 1293-4 (but old enough to have acquired or inherited freehold land), it is just possible that he can be identified with the Thomas of Shelderslow who, in 1352, was a defendant in a plea of an acre of land at Withington brought by the four co-heiresses of Roger of the Platt.³⁸ In the same year, they claimed land there from Robert of Trafford, a considerable Lancashire landholder who by then had probably purchased much of Shelderslow.³⁹

The civil pleas of the 1293-4 eyre show that there were two men named William of Shelderslow living in the 1290s: William 'Pinkene' of Shelderslow who brought a plea of entry against Robert of Grotton, and the other, simply William of Shelderslow, who was his namesake's pledge for prosecuting.⁴⁰ One was probably the elderly William son of Jordan amerced for default in 1251 and the other, recorded here, the son of Margery. William son of Jordan may have died soon after because his son, Adam, was a defendant alongside several other men from Quick in the plea brought by Thomas of Assheton referred to above. That would mean the William of Shelderslow who was also a defendant in the plea brought by Assheton can be identified as the son of Margery amerced here.

³⁷ TNA, CP 40/148, m. 39d.

³⁸ TNA, JUST 1/435, m. 8.

³⁹ TNA, JUST 1/435, m. 4d.

⁴⁰ TNA, JUST 1/1085, m. 32d.

Richard son of ‘Brinne’ of Quick is less well attested in contemporary records. He might well be the Richard of Quick accused of being a follower of Sir John le Byron in the 1280s who, along with scores of others (including Robert of Grotton (13) and perhaps Robert of Staveley (11)), attacked Robert de Grelley’s property in Manchester. It is possible that Agnes wife of Richard of Quick was his widow; alongside Alexander de Shoresworth and Cecilia his wife, she was a defendant in a plea of *novel disseisin* brought by Robert son of Adam of Quick in 1332.⁴¹

The name of Richard’s father caused the clerk some trouble. Initially he wrote ‘Gyme’, but in the amercements roll the name is rendered ‘Brinne’. Thereafter, ‘Brinne’ was written above his name in the presentments, though ‘Gyme’ was not struck through, it is perhaps a corruption of the Christian name ‘Brian’, rare in the thirteenth century.

The amercements roll gives an indication of the relative status of the three men to one another and to the other Agbrigg freeholders who had failed to attend the first day. Richard of Quick was amerced the smallest sum, 1s 8d, half that which the two men from Shelderslow paid. The largest amercement, £1, was reserved for German son of Philip, a mercer who had a shop in Wakefield, was once earl Warenne’s bailiff there and seems to have been influential in the town’s affairs.⁴² In 1306, German was in dispute with another defaulter, Thomas of Garderobe, who also had landed interests in and around Wakefield.⁴³ William of Finney, amerced the same amount as William and Thomas of Shelderslow, may have been receiver of the manor of Almondbury in 1296-7.⁴⁴

19. *William of Scargill is said to enjoy the right of free chase in Saddleworth Frith*
TNA, JUST 1/1098, m. 30d

De Warrenn[is] etc. d[icu]nt q[uo]d Petrus de Cestr[ia] h[ab]et quendam p[ar]cu[m] et lib[er]am Warrenn[am] in d[om]inicis t[er]ris suis Apud Aldetoftes. Et Joh[an]nes de Warren[e] Com[es] Surr[eie] h[ab]et quenda[m] p[ar]cu[m] qui vocat[ur] le Lund et inclusit quend[a]m aliu[m] parcu[m] de novo in bosco de Wakefeld Et Will[elmu]s fil[ius] Will[elmu]i h[ab]et quend[a]m parcu[m] et lib[er]am Warrenn[am] apud Emeley Et Joh[an]nes de Horbery h[ab]et unu[m] parcu[m] apud Schytlington Et Joh[an]nes le Tyes h[ab]et lib[er]am Warrenn[am] apud Slatweyth Et Abbas de ffontib[us] h[ab]et Warrennam apud Bradeley Et Steph[an]us le Waleys h[ab]et lib[er]am Warrennam apud Haneley Et pred[i]c[t]u[s] Joh[ann]es de Warrenn[e] h[ab]et lib[er]am chaciam {et Warrenn[am]} apud Holnefryth {et Horbery} Et Henr[icus] de Lacy Com[es] Linc[oln]iensis h[ab]et lib[er]am Warrenn[am] in d[om]inicis terris suis apud Almanbery et lib[er]am chaceam apud Marcheden Et Will[elmu]s de Scargil h[ab]et lib[er]am chacea[m] apud Sadilworthfryth Et ffr[a]nco le Tyes h[ab]et lib[er]am Warenn[am] in d[om]inicis t[er]ris suis apud ffarneley et nescit[ur] quo war[rent]o I[de]o prec[eptum] est vic[ecomiti] q[uo]d fac[iat] eos venir[e] etc ad ostendend[um] etc.

Concerning warrens etc., they say that Peter of Chester has a certain park and free warren in his demesne lands at Altofts, and John de Warenne, earl of Surrey, has a certain park which is called the Lund and he enclosed a certain other park from new in the wood of Wakefield and William fitzWilliam has a certain park and free warren at Emley, and John of Horbury has a park at Shillington, and John le Tyas has free warren at Slaithwaite and the abbot of Fountains has free warren at Bradley and Stephen le Waleys has free warren at Honley and the aforesaid John de Warenne has free chase {and warren} at Holmfirth {and Horbury}, and Henry de Lacy, earl of Lincoln, has free warren in his demesne lands at Almondbury and free chase at Marsden, and William of Scargill has free chase at Saddleworth Frith,

⁴¹ TNA, JUST 1/1411A, m. 9.

⁴² W.P. Baildon (ed), *Court Rolls of the Manor of Wakefield, 1297-1309*, Yorkshire Archaeological Society Record Series, vol. 26 (1906), p. 58-9 et seq.

⁴³ *ibid.*

⁴⁴ TNA, DL 29/1/1 m. 4.

and Franco le Tyas has free warren in his demesne lands at Farnley [Tyas] and it is not known by what warrant. Therefore the sheriff is ordered to make them come etc. to show etc..

Quo Warranto ('by what warrant?') proceedings had been a feature of the eyre since 1278.⁴⁵ Based on articles first set out in the Hundred Rolls, they interrogated the justification by which private individuals claimed franchises, rights normally reserved to the crown. The most significant of these involved the administration of justice such as the right to try and hang thieves. Holding markets and fairs and collecting tolls were deemed franchises because they limited the king's revenues. A number of *Quo Warranto* pleadings were sued by the king's attorney in a discrete part of the eyre, but others, as in the extract above, were presented by the wapentake jury.⁴⁶

The article which the jurors in this extract were answering relates to hunting rights held by the wapentake's landowners. It is heavily abbreviated in this presentment to *De Warennis etc* but in full reads:

Qui eciam de novo appropriaverunt sibi liberas chacias vel warennas sine warento et similiter qui ab antique hujusmodi chaceas et warennas ex concessione reg' habuerint et fines et metas eorum excesserint et a quo tempore.

Further, who from new have appropriated to themselves free chases or warrens without warrant and similarly who from old have like chases and warrens out of the grant of the king (or kings) and who have exceeded their bounds and metes, and from what time?⁴⁷

Outside the royal forests (none lay in Agbrigg wapentake) hunting wild animals was permitted, but hunting rights vested in just one individual over a specified area was a privilege derived from the king.⁴⁸ The right to warren gave an individual exclusive rights, usually in their demesne lands, to hunt hare, fox and rabbit, and fowl such as the pheasant and lark. Free chase, areas often described as forests or friths, reserved to its owner more wide-ranging rights, analogous to those enjoyed by the king in the royal forest, notably the exclusive right to hunt the venison: red deer, fallow deer and roe deer. Beyond hunting rights, free chase probably also gave its owner the right to impose strict rules over the vert, the flora which provided covert for the venison. This would make it incumbent on those living within the free chase to maintain their woods and not make assarts (enclosures) within them. The third privilege which the jurors reported in their answer to this article is the creation and maintenance of parks, specific enclosed tracts given over to the preservation of game.

The Agbrigg jurors' response to the article shows that free chase applied only to the Pennine uplands, at Marsden, Holmfirth and Saddleworthfrith (Saddleworth Forest). Such forests here, as elsewhere, were normally reserved to feudal overlords but for reasons not entirely clear Saddleworth's free chase had been subinfeudated.⁴⁹ The earliest charter to refer to the 'forest' of Saddleworth is William of Stapleton's grant of the tithes to Rochdale in c.1200.⁵⁰ In the charters of his son, Robert of Stapleton, wild beasts are often explicitly excluded from the grant. The first, in c.1220, reads:

Salvis feris meis et avibus alias aves capientibus et piscibus meis et salvis omnibus dignitatibus forestae meae pertinentibus⁵¹

⁴⁵ *Crown Pleas of Lancashire*, vol. 1, pp. 77-82.

⁴⁶ Not presented by the jurors was the abbot of Roche's claim to free warren in Hilbrihthope which he was required to justify by the king's attorney in the formal *Quo Warranto* proceedings of this eyre. This will be transcribed and discussed in a future edition of the *Bulletin*.

⁴⁷ C.A.F. Meekings, 'The Verdictum of Chippenham Hundred, 1281', in N.J. Williams (ed.), *Collectanea*, Wiltshire Archaeological and Natural History Society Records Branch, vol. 12 (1956), p. 92.

⁴⁸ For free chase, warren and parks see J. Tunner (ed.), *Select Pleas of the Forest*, Selden Society, vol. 13 (1899), pp. cix-cxxxiv.

⁴⁹ Thus in Agbrigg, Marsden was held by the earl of Lincoln and Holmfirth, the earl Warenne. See A.J.L. Winchester, *Landscape and Society in Medieval Cumbria* (Edinburgh: John Donald, 1987), pp. 20-2.

⁵⁰ M. Buckley, 'Early Saddleworth Records – 1', *SHSB*, vol. 39 no. 2 (2009), pp. 52-2.

⁵¹ Khadem and Buckley, 'The Subinfeudation of Shawmere', p. 85.

SADDLEWORTH IN THE CROWN PLEAS

With all my wild game, and birds catching other birds [i.e. birds of prey], and my fish reserved and with all liberties pertaining to my forest reserved.

The Agbrigg jurors' presentment confirms that William of Scargill, Stapleton's grandson and heir, was exercising the right of free chase. The jurors were unable to say in this instance, as in all the others they recorded, by what right he did so. Although the sheriff was ordered to make them come before the eyre and produce supporting evidence, nothing further is stated, possibly because mid-way through the eyre was permanently suspended owing to war with France.

SADDLEWORTH NOTICES AND REPORTS FROM THE LEEDS INTELLIGENCER: PART 3, 1789-1794

Howard Lambert

17th February 1789

Friday se'nnight William Wilberforce Esq, one of the Members for the County, presented an address of thanks to Mr. Pitt, from the inhabitants of Saddleworth and neighbourhood thereof, in the West-Riding of Yorkshire, which was signed by upwards of one thousand names.

Editorial Note: The loyalist movement, which sought to denounce radicalism, reached its peak in the 1790s and addresses were a public way of stirring support for both crown and parliament. The pretext for this address appears to have been to thank Pitt for the way he had handled the regency crisis during George III's illness. George III had suddenly recovered from his insanity in February 1789 to huge delight locally. Ammon Wrigley recounts 'George III had recovered from an illness and the loyal villagers of Delph went wild with joy, Heights Chapel, Independent Chapel and the Methodist Meeting House, and all the houses in the village were illuminated. Each household had tried to outshine his next door neighbour. An ox was roasted ...'¹ An address of congratulations to the King followed and was announced in the *London Gazette* of 7th April 1789. 'Be pleased most gracious Sovereign, to accept the sincere and humble Congratulations of your Majesty's dutiful and loyal Subjects, the Gentlemen, Clergy, and Manufacturers of the Parish of Saddleworth, on the Re-establishment of your Majesty's Health. Delivered by Rev. Thomas Seddon attended by Henry Duncombe and William Wilberforce, Esquires. Representatives in Parliament for the County of York.' The full address, published in the *London Gazette* is printed on p. 102 below.

William Wilberforce, a close friend and ally of Pitt, had been elected as MP for Yorkshire in 1784 and commanded strong support throughout the county, particularly in Saddleworth. At a meeting of gentlemen, clergy and freeholders of the Parish of Saddleworth held at Widow Bottomley's Cross Keys Inn on 26th May 1796, with John Radcliffe in the chair, 53 present resolved 'that William Wilberforce and Walter Fawkes Esqs are proper persons to represent this County in Parliament and that we will support them at the ensuing election.'²

24th February 1789

Mr. Pitt's answer to the address from the inhabitants of Saddleworth and its neighbourhood, on his late patriotic conduct in Parliament, has given such satisfaction to that very populous part of the West-Riding of this County, that it was absolutely read by the several Ministers of that extensive district after divine Service on Sunday se'nnight, to the congregation of their respective places of worship.

16th June 1789

Benjamin Buckley's Creditors. May 30th, 1789

Whereas Benjamin Buckley, of Dobcross, in Saddleworth, in the County of York, Innkeeper and Shopkeeper, hath by Indenture dated the 28th Day of May Inst. assigned all his Estate and Effects to Henry Platt of Dobcross aforesaid, Joiner ; Samuel Whitehead, of Marsden in the said County, Corn Dealer; Joseph Sevil, of Strines, in Saddleworth aforesaid, Cotton Manufacturer ; and James Lawton of Delph in Saddleworth aforesaid, Dry Salter, IN TRUST for themselves and the rest of the Creditors of the said Benjamin Buckley, who shall execute the said Assignment on or before the 1st Day of August next.

NOTICE is therefore hereby given,

That the said Assignment is left in the office of Mr James Ingham, Attorney at Law, in Dobcross aforesaid, for the inspection and execution of the Creditors of the said Benjamin Buckley, who at the Time of the Execution thereof are requested to leave an Account of their respective Demands; and such of the said Creditors as shall not execute the same, or otherwise assent thereto by the Time aforesaid, will be excluded all benefit arising therefrom. All Persons indebted to the said Benjamin Buckley, are requested immediately to pay their respective Debts to the said Mr Ingham, otherwise Actions will be commenced against them for Recovery thereof without further Notice.

¹ A. Wrigley, *Saddleworth Chronological Notes*, (1940), p. 28. Also 'Celebrations at Delph' *SHSB*, vol. 46, no. 4. (2016), p. 108.

² West Yorkshire History Centre, John Goodchild Collection, JG001095.

Editorial Note: Benjamin Buckley was an innkeeper at Dobcross. In 1779 he took out a lease of a plot of land in Dobcross, part of a close called the Intake, on which he built a public house which he named the White Lion. This flourished for a relatively short time and in 1786 he assigned his lease to John Harrop, merchant of Dobcross. By 1792 the public house had closed and the premises had been divided into three cottages.³ These are now Nos 10, 12 and 14, The Square. From 1808-1826, No. 10 was the site of John Harrop's Saddleworth Union Bank.

27th July 1790

A few days ago died, Mrs Kenworthy, the wife of Mr. Kenworthy of Quick, in Saddleworth.

Editorial Note: Ann, wife of William Kenworthy of Quickwood was buried at Mossley Chapel on 14th July 1790. He married his second wife, Tabitha Ryley, at Ashton-under-Lyne on 27th June 1793. He was bankrupt in 1795 - see entry of 27th July 1795 below.

21st September 1790

NOTICE is hereby given,

That Application is intended to be made to Parliament the next Session, for an Act for making a TURNPIKE-ROAD from or near Stand Edge, in the Parish of Saddleworth, in the West-Riding of the County of York, through or near Dobcross and Lydiate, in the said Parish of Saddleworth, through the Parishes of Ashton-under-Lyne and Prestwich, and the Townships of Failsworth and Newton, in the Parish of Manchester, in the County of Lancaster, to the Third Mile Stone at Newton Heath, on the Turnpike Road leading from the Town of Manchester, to the Town of Oldham, in the said County of Lancaster ; which said Road is intended to pass through the Parish of Saddleworth, in the West-Riding of the County of York, and the Parishes of Ashton-under-Lyne, Prestwich, and Manchester, in the County of Lancaster. September 13th 1790.

Editorial Note: The Turnpike was a Saddleworth initiative, supported by over 50 Saddleworth merchants and woollen manufacturers who between them subscribed a total of £5,400 towards the cost of obtaining the Act and the building of the road.⁴

21st September 1790

RECOGNIZANCES

To appear at Leeds Sessions, October 7, 1790

Hugh Brearley, of Quick, Clothier	£40
John Gartside, of the same place, Clothier, as his Surety, in	£20

28th December 1790

RECOGNIZANCES TO ANSWER

To appear at Wakefield Sessions, January 13, 1791

Amos Platt of Quick, Clothier, in	£20
William Shale, of the same place, Cordwainer, and James Platt, of the same, Clothier, as his Sureties each	£10

28th May 1792

Friday last died, in the 80th year of his age, at Quickwood, in Saddleworth, where he had retired from business, Mr. James Buckley, formerly of Upper-Mill.

Editorial Note: See notice and editorial note 16 August 1785. James Buckley, Quickwood, gent., was buried at Saddleworth on 28th May 1792. His gravestone records he was late of Uppermill. His wife, Mary, was buried at Saddleworth, 29th January 1794. His will dated 28th August 1790 was proved 14th April 1794.⁵

10th September 1792

Thursday last was married, Mr. Peter Greaves, woollen cloth manufacturer, of Saddleworth, to Mrs Catherine Harrison, of Manchester.

³ West Yorkshire History Centre, Registry of Deeds, CI 412 597, CT 300 387, and DM 215 254.

⁴ West Yorkshire History Centre, John Goodchild Collection, JG001095.

⁵ James Buckley's gravestone is in the Old Yard. Numbered 191, the inscription is transcribed in P.M. Buckley (ed), *St Chad's Church, Saddleworth: Monumental Inscriptions in the Old Churchyard*, (Saddleworth Historical Society, 2015), p. 40. His will was proved at Chester (Lancashire Archives, WCW Supra 1794).

10th September 1792

NOTICE is hereby given, THAT Application is intended to be made to Parliament the next Session, for an Act for making a Turnpike Road from a Place called French-Mill, in the Parish of Saddleworth, in the West-Riding of the County of York, through Micklehurst, Stayley, Matley, and Hattersley, in the Parish of Mottram, in Longdendale, in the County of Chester, Chisworth, Ludworth, Mellor, Thornset-Hamlet and Great-Hamlet, to Brookhouses, in the Parish of Glossop, in the County of Derby ; which said Road is intended to pass through the said Parish of Saddleworth, Mottram, in Longdendale, and Glossop. - Dated the 24th Day of August in the Year of our Lord, 1792. I. and G. WORTHINGTON, Solicitors.

Editorial Note: The Act for the Staley Turnpike Road was passed in 1793. Initially, the road did not extend directly to Frenches but joined the existing Oldham Turnpike near Shaw Hall. From there it followed what is now Oaklands Road, via Wellihole and the Dysart Arms, to Stalybridge. In 1855, Shaw Hall Bank Rd, a private road built by the Whiteheads of Royal George Mill to link their mill to the railway station, was added to the turnpike.⁶

5th November 1792

Same day [1st November 1792] was married, Mr. Scudamore, to Miss Greaves, daughter of Mr. John Greaves, merchant of Saddleworth.

Editorial Note: John Sommersett Scudamore and Mary Greaves were married by licence at Saddleworth on the 25th October 1792. Mary, daughter of John and Sarah Greaves of Brookbottom, and wife of John Somersett Scudamore, died on 2nd January 1795 in her 23rd year and was buried at St George's Church, Mossley. (See postscript on p. 101)

10th December 1792

LYDGATE SCHOOL, SADDLEWORTH,

THE ELECTION of a SCHOOL-MASTER for the said SCHOOL, is appointed to be on Friday the Fourth Day of January next, at Ten o'clock in the Forenoon, at the said School, where the Candidates are requested to attend with Testimonials of good character, and of a competent knowledge of the Latin and English Languages, Writing and Arithmetic. The School is situate in a populous and healthy Neighbourhood and has flourished very greatly under the direction of the late Master. There is a good School House, Rooms for the Accommodation of the Master, and a small Endowment.

Editorial Note: Lydgate School was established in 1768 by a grant of land at Lydgate by Philip Buckley of Grasscroft and a messuage or dwellinghouse intended to be used as a schoolhouse, built by James Farrer, lord of the manor. Eight trustees were to appoint a 'discreet, learned, sober person, to be master of the said school' who was to receive 1s 6d per quarter for each scholar learning English only and 2s for each scholar learning Latin, writing and arithmetic.⁷

18th March 1793

PARTNERSHIP DISSOLVED

The Partnership subsisting between JOHN PLATT, and ROBERT PLATT, of Castleshaw, in Saddleworth, Clothiers, is this Day dissolved by mutual consent - All Debts and Demands will be received and discharged by the said JOHN PLATT - As Witness our Hands this 10th Day of March 1793.

JOHN PLATT

ROBERT PLATT

3rd June 1793

RHODES's BANKRUPTCY.

To be SOLD by AUCTION, (By order of the Assignees of JOHN RHODES, a Bankrupt)

At the House of Mr. Davenport, Innkeeper in Marsden, on Friday the Seventh of June inst. at Four o'clock in the Afternoon, THE FOLLOWING VALUABLE ESTATES : LOT I. An ESTATE in Saddleworth, known by the Name of Brown Knott Hill, or Dale, in the Occupation of Joseph Shaw, or his Undertenants, containing about Twelve Acres of Arable, Meadow and Pasture Ground, (be the same more or less) with Two Farm Houses, Barn, Stable, and other Outhouses thereto belonging. The respective Tenant will shew the Premises; and Particulars may be known on the Day of Sale.

⁶ B. Barnes, *Passage Through Time*, (Saddleworth Historical Society, 1981), pp. 60-61.

⁷ M. Brierley, *A Chapter from a Manuscript History of Saddleworth*, (1891), pp. 16-18.

SADDLEWORTH NOTICES AND REPORTS

10th March 1794

LEEDS, March 10.

The Assizes for this County are to be opened by Lord Kenyon and Mr. Justice Heath, at the castle of York, on Saturday next, before whom the following persons are to take their trials, viz - John Taylor, of Quick, in Saddleworth, Clothier, charged with uttering certain seditious words against his Majesty.

Author's Note: Under the Common Law, a statement was seditious if it criticised or brought into "hatred or contempt" either the Monarch or his heirs, the government or the administration of justice; or if it incited or promoted hostility or unlawful outcome by others. Those convicted of this crime sometimes received a sentence of life imprisonment.

9th June 1794

Thursday se'nnight was married, Mr. R. Kenworthy of Quick, in Saddleworth, to Miss Betty Marland of Mossley.

Editorial Note: Robert Kenworthy and Betty Marland were married at Rochdale 29th May 1794.

7th July 1794

RECOGNIZANCES To appear at Bradford Sessions, 17th July.

James Lawton of Quick, Clothier	£30
Joseph Lawton of Quick, Innkeeper, as Surety for the said James Lawton and John Bell	£30

29th September 1794

GAME DUTY West-Riding of Yorkshire

A LIST OF CERTIFICATES issued in the Riding aforesaid, with respect to the said Duty, between the First Day of July, and the Twenty-fifth Day of September 1794, pursuant to the Act of Parliament granting Duties on such Certificates:

Buckley, James of Saddleworth, merchant
Haigh, Wm. of Hill-Top, Saddleworth, gent
Harrop, James of Tame Water, Saddleworth, gent
Harrop, Thomas of Dobcross, Saddleworth, gent
Harrop, James of Grasscroft, gent
Harrop, Joseph of Grasscroft, gent
Kenworthy, Wm. of Quickwood, gent
Roberts, John jun. of Linfitts, gent
Shaw, Wm. of Furlane, Saddleworth, gent
Smith, John jun. of Dobcross, Saddleworth, gent

13th October 1794

WOOD'S BANKRUPTCY. September 22nd, 1794

WHEREAS a Commission of Bankrupt is awarded and issued forth against JOHN WOOD the Younger, now or late of Castle-Shaw, in Saddleworth, in the County of York, Clothier, Dealer, and Chapman, and he being declared a Bankrupt is hereby required to surrender himself to the Commissioners in the said Commission named, or the major Part of them, on the Third and Fourth Days of October next, at the House of Hannah Davenport, Innholder, in Marsden, in the Parish of Almondbury, in the said County, and on the twenty-fifth Day of October aforesaid, at the House of James Cowgill, the Beaumont's-Arms, in Kirkheaton, in the said County.

20th October 1794

Wednesday was married, Mr. J. Ainley, of Saddleworth, attorney at law, to Miss Mary Haigh, of Marsden.

Editorial Note: Mr Jonas Ainley, of the Parochial Chapelry of Saddleworth and Mary Haigh of Almondbury Parish were married at Almondbury by licence on 15th October 1794.

3rd November 1794

On Thursday was married, Mr. John Duckworth of Huddersfield, to Miss Mary Lawton, daughter of Mr. Joseph Lawton, of Delph, in Saddleworth.

Editorial Note: John Duckworth of Huddersfield Parish and Mary Lawton of Saddleworth were married at Saddleworth by licence on 23rd October 1794.

Note

My apologies for the typing error in the first line in Part 1 of my article, in the previous *Bulletin* (volume 47, number 1). The correct website address for the British Newspaper Archive (BNA) should read www.britishnewspaperarchive.co.uk

howard.lambert@brent.gov.uk

POSTSCRIPT - JOHN SOMERSET SCUDAMORE

Victor Khadem

Mary Greaves was the daughter of John and Sarah Greaves of Brookbottom, and granddaughter of Peter Greaves and Sarah, his wife, of Haycroft.¹ She was married at Saddleworth Church to John Somerset Scudamore by licence on 25th October 1792.² The marriage was also announced in the *Bath Chronicle* in which the groom was described as being the son of Henry Scudamore, gentleman, of Newent, Gloucestershire.³ Henry Blackford Scudamore was a landowner in Gloucestershire and Herefordshire who had inherited an interest in Pauntley Court, Gloucestershire, through his grandmother, Frances, one of the six daughters and co-heiresses of Charles Somerset. He married Tamar, a niece of Frederick Bull, once Lord Mayor of London and she, after her husband's death, acquired the remaining shares of Pauntley.⁴

The limited pool of names recorded in the Saddleworth parish registers testifies to the very local nature of most eighteenth-century marriages in the district. Greaves's marriage to Scudamore is a rare example of a Saddleworth bride marrying a man from well outside the district and, apparently, her social status. Her husband, John's, middle name, 'Somerset', was an allusion to his direct descent from Henry Somerset, first marquess of Worcester (1576-1646) through his great-grandmother, Frances, and suggested his kinship with Henry Somerset, fifth duke of Beaufort (1744-1803), whose grandfather, the fourth duke, became 'Henry Somerset-Scudamore' on his marriage to Frances, the daughter of Viscount Scudamore, also a distant relation.⁵

It would appear the textile industry had drawn Scudamore to Saddleworth. Gloucestershire produced some of the country's best quality wool which Saddleworth clothiers are known to have bought.⁶ Scudamore was described as 'of Saddleworth, clothier' in his marriage licence and was in business with his father-in-law.⁷ They traded together as woollen clothiers under the name 'Greaves, Scudamore & Co.', until the partnership was dissolved on 27th December 1794.⁸ The Scudamores' first and only son, Henry Blackford Greaves Scudamore, named for his paternal grandfather, died on 10th December in his second year and was buried at St. George's, Mossley on 13th. His mother, Mary, died aged just twenty-three in June 1795. She too was buried in the Greaves family plot at Mossley, where a gravestone remains to their memory. John Somerset Scudamore returned to live at Pauntley Court, remarried and had issue.⁹ His will was proved in 1807 when he was described as being of Swindon, near Cheltenham.¹⁰

¹ *Radcliffe's Registers*, (1891), p. 103. Haycroft was a settlement at Brookbottom and presumably where John Greaves lived, M. Buckley, D. Harrison, et al., *Mapping Saddleworth, Volume II*, (Saddleworth Historical Society, 2010), estate number 12, pp. 204 & 210.

² *ibid*, p. 103.

³ *Bath Chronicle*, 8th November 1792. Scudamore's brother was a solicitor in Bath which perhaps explains why it was announced in this paper too.

⁴ 'Pauntley', in *A History of the County of Gloucester: Volume 12*, (Victoria County History, 2010), pp. 281-301, available at British History Online (www.british-history.ac.uk/vch/glos/vol12/281-301 - accessed 28th November 2017).

⁵ *ibid*.

⁶ John Radcliffe of Stonebreaks testified to a parliamentary inquiry into the woollen industry in 1800 that he used to purchase wool from Gloucestershire, *An Account of the Proceedings of the Merchants, Manufacturers, and others, concerned with the Wool and Woollen Trade of Great Britain*, (London, 1800), p. 110.

⁷ The licence is accessible at www.ancestry.co.uk.

⁸ *London Gazette*, 1st April 1797.

⁹ He may have moved back as early as August 1795, Gloucestershire Archives, Q SO/11. *Miscellanea Genealogica et Heraldica and the British Archivist*, 5th series, vol. 4 (1920-1922), p. 24.

¹⁰ The National Archives, IR 26/346/238.

THE LOYAL ADDRESS FROM THE INHABITANTS OF SADDLEWORTH, 1789

To the KING's Most Excellent Majesty
(The *London Gazette*, 7th April 1789, p. 235)

Be pleased, most gracious Sovereign, to accept the sincere and humble Congratulations of your Majesty's dutiful and loyal Subjects, the Gentlemen, Clergy, and Manufacturers of the Parish of Saddleworth, on the Re-establishment of your Majesty's Health.

Unused to a Court, we are unable to express our Sentiments according to the Criterion of it's Language; but from the Mildness of your Majesty's Government, the Wisdom of it's Councils, and the Preservation and Protection of your Majesty's Reign, our Manufacturers of the Staple Commodity of this Country have abundantly improved and flourished.

The Idea of your Majesty's Death could not therezfore be more publically dreadful to any than us, nor can any Apprehension be more painful, when we contemplate the Virtues which characterize your Majesty in private as well as in public Life. Whose example of Religion and Piety, of conjugal Affection and Fidelity, of paternal Tenderness and Love, has enthroned you in our Hearts, which are expanded with universal Joy, and filled with Gratitude and Thanks to God, who has providentially heard our Prayers, and effected an event so truly valuable and important to all your Majesty's Dominions.

May your Majesty live long, and may your Reign be happy and prosperous; may the blessings of peace attend it, and may the Reward of it be a Crown of everlasting Glory.

[Delivered by Rev. Thomas Seddon, attended by Henry Duncombe, and William Wilberforce, Esqrs. Representatives in Parliament for the County of York.]



Thomas Rowlandson (Lewis Walpole Library, Yale University)

Rowlandson's caricature of the drunken Prince of Wales disrespecting the afflicted King George

