

**National Archives, E134/29Chas2/Mich22: Duke of Buckingham and trustees v William Gyles**

[f1, Latin]

Charles the Second by grace of God [etc.] to our beloved William Busbye esq., Thomas Farrer of Aylesbury esq., Christopher Eggleton esq. & Bernard Turney jr esq., greatly trusting in your fidelity, industry and provident prudence in performing our affairs, we have assigned you and to you or to two or more of you full power & we give authority[?] & we have entrusted you by the presents that you diligently examine whatever witnesses of & on certain articles or interrogatories both on the part of the most noble George Duke of Buck', Thomas Earl of Danby Treasurer of England, Anthony Earl of Shaftesbury & John Tillotson DTh the plaintiffs and on the part of William Giles the defendant, to be exhibited or delivered before you or two or more of you. And therefore we order you that at this day and place or days and places which you appoint for this or two or more of you appoint, you cause and summon the said witnesses to come before you or two or more of you, and you diligently examine those witnesses and each of them by himself separately of and on the articles or interrogatories aforesaid, on their oath to be taken before you or two or more of you corporally by God's holy evangelists, or two or more of you examine, receive their examinations & you record them in writing on parchment, and thus taken, you send them to the Barons of our Exchequer at Westminster within three weeks from Michaelmas, closed under the seals of you or two or more of you, or two or more of you send them, together with the said interrogatories and this writ (provided that the said defendant has notice by space of 14 days of the day and place of your first session about the execution of this writ of ours). Given to[?] William Mountagu at Westminster on 4 July in the 29th year of the reign [1677] by the Barons. Aylofffe

[f.2, English] Interrogatories to bee administred unto witnesses to bee p(ro)duced on the parte and behalfe of the right honourable George Duke of Bucknigham [*sic*] Thomas Earle of Danby Lord high Treasu(rer) of England Anthony Earle of Shaftesbury and John Tillotson Doctor of Divnity [*sic*] Compl(ainan)ts ag(ains)t William Giles Deffend(ant) as Followeth.

1. Doe ~~~~~ you know the p(ar)ties Compl(ainan)ts and deffend(an)t or any of them? and which of them? And howe long have you ~~~~~ knowne them or any & which of them?

2. Doe ~~~~~ you know the Towne of Winslow in the bill menconed? And the markt places and wast ground within the said Towne? And did you know one Mr. Fige that was Formerly Bailiffe to the Lord of the Mannor of Winslowe?

3. Doe you knowe the def(endan)ts now dwelling house and other mens houses adioyneing thereunto? how long have you knowne them or any & which of them? are the same? and how many and which of them? scituated neare the markt place of Winslowe aforesaid? And did you \knowe/ the deffend(an)ts Father and grandfather and others Formere occupiers of the said houses? or any and which of them?

4. Doe you know beleive or heard That the Lord or Lords of the Mannor of Winslowe or his or their Bailiff for the time being have usually or of right ought to sett and place or lett the setting or placeing stalls shedds or hovlles on the said markt place and wasts of Winslowe aforesaid? and to Receive to his or their owne use the p(ro)fitts and beniffitts thereof? excepting onlie the setting and placeing of one stall shedd or booth for the p(ro)per use of each Inhabitant of Winslowe aforesaid? \did the Lords Bailiff appoint the place where such stalls for Inhabitants should stand?/ whoe paid to the Lord or his Bailiff Fourpence p(er) An(num)?

5. Doe you know beleive or have heard that the deffend(an)ts father and GrandFather or any other occupiers of the house wherein the deffend(an)t now dwells or any other occupiers of the houses neare adioyneing thereunto Antliently? and for what time? used to sett or place any other or more stall shedd or booth upon the markt place of Winslowe aforesaid? before his or their dwelling houses then one for the p(ar)ticular use of each such occupier and what did [*erasure*] such occupier usually pay to the Lord or his bailiff for the same? And have not the Lord or lords or his or their bailiff and Tenants usually and as often as the<y> pleased Antientlie without disturbance sett and placed or Caused to bee sett and placed stalles shedds and bootes as well against the said respective occupiers houses as other places within the said markt place and had the benefitt thereof (other then the said stall shedd or booth for each occupiers owne p(ar)ticular use) declare what you know beleive or have heard with your Reasons.

6. Doe you know believe or have heard that all other Inhabitants within the said Mannor of Winslowe had lib(er)tie of setting or placeing one stall shedd or booth for his, her, or their owne p(ar)ticular use upon the said markt place payeing to the Lord yearlie Fourpence as

well such p(er)sons whose houses are scituate against the said markett place have not such p(er)sons within the said Mannor as had occasions to use more then one stalle apeice used to take of or aske Leave of the Lord or his Bailiff to sett such stalles as they had occasion to place beside one For their owne perticuler use? And if any p(er)son was p(er)mitted to sett stalls there was it not for that in these dayes the stallage was of soe little value that it was not worth [space-filler] the bailiffs Trouble therein declare what you beleive or have heard with your Reasons

7. Doe you know beleive or have heard that Antiently and about what time the Inhabitants scituate neare the said markett place would have enlarged their shedds or penthouses for their private uses? were they not therein p(re)vented by the Lord or his Bailiff and Compelled to hang their shedds upon hookes or thinges that were to shade their shoppes and not to enlarge them to the straigthening the said Markett place? declare what you know beleive or have heard with your Reasons?

8. Doe you know believe or heard that the Lord or bailiff of the said Mannor have usually and for what time sett or placed or had the Beniffitt and what benefitt of sheep penns and all manner of Cattell brought to Faires or marketts there

9. Doe you know beleive or have heard what rights \privileges/ and p(ro)ffitts of Faires and Marketts spent within the said Mannor of Winslowe have usually and For what time bin enjoyed and belonged to the Lord or his baliff [sic] and For what time or times did hee or they Receiv [sic] disturbance therein? and for what reasons? declare what you know believe or have heard touching the same with your Reasons?

10. Doe you know beleive or have heard? That the deffend(an)t or his wife or any other person or p(er)sons from him or her have used any meanes? by threates or otherwise? and in what manner to take of the Compl(ainan)ts witnesses from \[illegible] of the/ declareing the truth in the p(re)misses declare what you know beleive or have heard with your reasons?

11. Doe you know believe or have heard? Of any Custome booke or other record wherein the rights and p(ri)viledges of the Lord of the Mannor of Winslowe and the Tenants thereof are incerted? when was the same soe made and entred and by whome and upon what accompt and by whome hath the same bin kept and what perticuler p(ri)viledge is therein menconed to belong to the occupiers of houses scituated against the Markett [Place] more then for other Inhabitants within the said Mannor, declare what you knowe or where[?] with your Reasons

12. Doe you know beleive or have heard that the defend(an)t himselfe for several yeares after hee came to the house hee now occupys and until what time forbore[?] setting stalls on the said Markett Place; would he not have a[sked of] the new Lord (as they were then called) of the said mannor; dureing the Duke of Bucks sequestracion & to him [t]aken of them the setting and placing of stalls upon the said Markett place when on[?] [what r?]easons why hee did not? was hee not p(re)vailed with by the Lords bailiffs or some others and [by whome?] to sett and place stalls there in the Dukes right? and did hee not keep the same wast[?] th[.....] did not other p(er)sons then and at other times and when use to take the setting stalls or placing goods to bee sold upon the said Markett place of the Lord or his Bailiff declare what you beleive or have heard with your reasons

13. [*another hand*] Do you know beleive or have heard what stalls sheeds or booths the defen(dan)t did sett or place or cause to bee sett or placed upon the said Markett place or other wast grounds of Winslow aforesaid betweene the twentieth sixth day of March in the twentieth yeare of his Maj(es)ties Reigne that now is [1668] and the Four and twentieth day of March in the foure and twentieth yeare of his Maj(es)ties Raigne that now is [1672] and how much money the p(ro)fitts and benefitts of the said stalls sheds[?] & booths[?] doo amount unto, and what damages Compl(ainan)ts sustained by reason of the defend(an)t setting or placing or causeing to bee sett or placed stalls sheds or bootes as Aforesaid and what damages the Compl(ainan)t sustained [by] defend(an)t instigateing or promoteing other persons for the setting stalls sheds or bootes upon the said Market place or wasts[?] as Aforesaid declare what you know beleive or have heard with yo(ur) reasons

14. What relac(i)on are you to the defend(an)t and where have you lived the most part of yo(ur) time

[f.3] Deposic(i)ons of Wittnesses taken at Winslow in the county of Bucks the Twelefth day of October in the Nine and Twentieth yeare of the raigne of our Sovereigne Lord Charles the second by the grace of God of England, Scotland, France and Ireland King defender of the faith &c. Annoq(ue) d(o)m(ini) 1677 Before Thomas Farrer William Busby Christopher Egleton \& Bernard Turney jun(ior)/ by vertue of his Ma(jes)ties Com(m)ission issued out of his Ma(jes)ties Court of Exchequer in a cause there depending Between The Right Honorable George Duke of Buckingham Thomas Earle of Danby Lord high Treasurer of England Anthony Earle of Shaftesbury and John Tilletson Doctor of divinity Complainants against William Giles Defendant as followeth

**Andrew Stutsbury** of Winslow in the county of Bucks Showemaker aged Fifty Eight yeares or thereabouts, sworne and Examined sayth as followeth

- 1) To the First Interrogatory This deponent sayth That hee doth not know the Complainants or either of them but hath knowne the defendant Giles about the space of Twenty yeares
- 2) To the second Interrogatory this deponent sayth that he knowes the Towne of Winslowe The Marckett places therein and sayth that hee did know Twoe Peter Figes Father and son that were Formerly Bayliffes to the Lord of the Mannor of Winslow aforesaid
- 3) To the Third Interrogatory this deponent sayth That he doth know the now dwelling house of the defendant and other mens houses adioyning thereunto and hath knowne the same for the space of Forty yeares and upward and sayth that the same are scituate and neare adioyning to the Marckett place of Winslow aforesaid And this deponent \sayth/ that before the defendant did occupie the said house one Samuell Rawlins did occupy the same and at another time one Abell Seare did occupy the same and at another time one Thomas Pitkin did occupie the same and at another time one John Finsh did occupie the same
- 4) To the Fourth Interrogatory this deponent sayth that the Bayliffe of the Lord or Lords of the Mannor of Winslow aforesaid for the time being have usually sett and plast or Lett the setting and placeing of stalls shedds or boothes on the Marckett place of Winslow aforesaid and doth believe that they have right so to doe, And sayth That the said Bayliffes have receaved to their owne use the profitts and benefitts of those stalls shedds or boothes as they have sett up as aforesaid excepting onely the setting or placeing of one stall shedd or boothe for the proper use of every Tradsman (except a Baker \only/) who pays to the Lord of the

Mannor or his Bayliffe Foure pence a yeaere for the same And this deponent sayth that he hath heard his father say that the Lords Bayliffe did give Leave to the showemakers to make choice of their places for the setting of their stalls And conceave that the Lords Bayliffe had power to place and displace that stalls of all other persons and the reason for his beliefe is for that if there were not some to regulate the Marckett, the Marckett would come to Confusion but this deponent sayth that hee did never know any Townesmans stall displaced

5) To the Fifth Interrogatory This deponent sayth that the Severall occupiers of the defendants said house for above Forty yeares since and upwards never used as this deponent remembers to sett any more stalls shedds or boothes upon the Marckett place aforesaid before theire said houses then one for their perticular use But the deponent hath knowne one widdow Day occupier of part of the house adioyning to the defendants house hath sett up severall stalls before the house of the defendant and in other places besides in the Boutchers Row but whether she had Licence of the Bayliffe soe to doe the deponent knoweth not

6) To the sixth Interrogatory This deponent sayth That if any person hath sett any more stalls then one he doth believe it was without the Leave of the Bayliffe out of negligence of the Bayliffe

9) To the nineth Interrogatory This deponent sayth that besides the setting of stalles shedds or boothes as aforesaid The Lords of the Mannor of Winsllow [*sic*] aforesaid or their Bayliffe have Inioyed the Tole of Corne and Cattle for above Forty yeares And did not know ever the Lord or Lords of the Mannor or their Bayliffes disturbed in takeing a p(ro)fitt[?] And more sayth not

**Ralph Porter** of Winslow in the county of Bucks yeoman aged seaventy \yeares/ or thereabouts sworne and examined sayth as followeth

1) To the First Interrogatory This deponent sayth that hee \hath/ knowen the Duke of Buckingham one of the Complaynants \about Thirty yeares/ and William Giles the defendant about six and Twenty yeares and doth \not/ know the other Complainants

2) To the Second Interrogatory this deponent sayth That he doth know the Towne of Winslow and the Markett places & the wast ground within the sayd Towne and did know Peter Figg the elder & Peter Figg the younger and that they were Bayliffes to the Lords of the Mannor of Winslow aforesaid.

3) To the Third Interrogatory This deponent sayth that he hath knowen the dwelling house of the said defendant and other mens houses adioyning to the same above Forty yeares and upwards and that the same houses are scituate and adioyneing to the Marckett of Winslowe aforesaid and this deponent further sayth that he did know the defendants father And did know Samuell Rawlins Thomas Pitkins Abell Seare John Finsh who were severall occupiers of the defendants house at severall times

5) To Fifth Interrogatory This deponent sayth that neither the defendants father nor any of the severall occupiers of the said house/ to his knowledge did ever at any time whilest it was in their severall occupac(i)ons sett or place any more or other stall or boothe before his or their dwelling houses then one And this deponent further sayth That the severall Bayliffes of the said Mannor did as often as they pleased sett and place stalls shedds or boothes And this deponent doth not know but believes that the Lord of the Mannor or his Bayliffe did receive the rents and profitts of the same

6) To the Sixth Interrogatory this deponent sayth that all the Inhabitants within the said Mannor of Winslowe as well {as} the Inhabitants of/ the houses scituate against the Marckett place as others that are Tradesmen had Liberty of setting one stall shedd or boothe for his her or their owne proper use upon the said Marckett place paying to the Lords of the said Mannor the yearely rent of Foure pence per Ann(um) And further this deponent sayth not.

[signed] Tho(mas) Farrer

W(illia)m Busby

Ch(ristopher) Egleton

Bern(ard) Turney Jun(ior)

[f.4] **Mary Rawlins** of Winslowe in the county of Bucks widdow formerly sworne and examined on the part and behalfe of the defendant and now sworne and examin(e)d on the part of the Complainants deposeth as followeth:

To the Foureteenth Interrogatory This deponent sayth that shee is Aunt to the defendant whose father was owne brother to this deponent:

**Robert Wells** of Winslow in the county of Bucks Showemaker aged Eighty yeares and upwards sworne and examined sayth as followeth:

1) To the First Interrogatory this deponent sayth that he doth not know the Complianants but he \hath/ knowen the defendant Giles for the space of Twenty yeares and upwards:

2) To the second Interrogatory this deponent sayth that he doth know the Towne of Winslow and hath knowne the same above sixty yeares and the Marckett places and did know both Mr Fedyges Father and sonne Bayliffes of the Lord of the Mannor of Winslow aforesaid

3) To the third Interrogatory This deponent sayth that he doth know the now dwelling house of the said defendant and other mens houses adioyning to the same and hath knowne the same for the space of Forty yeares & upwards And sayth that he did know the defendants father and Grandfather and Samuell Rawlins Thomas Pitkins Abell Sare John Finsh who were severally former occupiers of the said defendants house at severall times

4) To the Foureth Interrogatory this dependent sayth that the Bayliffes of the Lord or {or} Lords of the Mannor of Winslow aforesaid for the time being have usually sett and placed or Lett the setting or placeing of stalls shedds or boothes on the Marckett place of Winslow aforesaid But doth not certainly know but hath heard and believes that they have received the rents and profitts of those stalls shedds or booths except only the setting or placeing of one stall shedd or boothe for the proper use of each Inhabitant of Winslow aforesaid being a Tradsman who paid to the Lord or his Bayliffe Foure pence a yeare for the same. And also sayth that the Lords Bayliffe did formerly sett out the place for each Inhabitants stall shedd \or/ booth to stand in.

5) To \ye/ fifth Interrogatory this deponent sayth that hee doth not know that \ever/ any occupier of the defendants said house have sett any stall shedd or boothe more then one upon the Marckett place aforesaid before the said house unlesse it was upon Faire daies and



whether on the Faire dayes they had liberty to sett the same of the Lord of the Mannor or his bayliffe, this deponent knoweth not and further sayth not:

**Gorge [sic] Shaw** of Winslow in the county of Bucks yeoman aged Ninety Two yeares or thereabouts being sworne and examined sayth as followeth:

1) To the First Interrogatory this deponent sayth that he doth not know the Complainants or either of them but hath knowne the defendant Giles for the space of Six and Twenty yeares

2) To the second Interrogatory this deponent sayth that he \hath/ knowen the Towne of Winslow Sixty six yeare and the Marckett places and wast ground in the said Towne And this deponent further sayth that he did know Mr Fidyge in the Interrogatory menc(ion)ed And that he was Bayliffe to the Lord of the Mannor of Winslow aforesaid and that he this deponent was servant to the said Mr Fidyge for the space of Thirty yeares:

3) To the Third Interrogatory this deponent sayth That he doth know the now dwelling house of the defendant Giles and hath knowne the same for the space of Sixty Three yeares and other mens houses scituate and adioyning to the Marckett place of Winslow aforesaid And this deponent further sayth that he did know the Father and Grandfather of the said defendant and one Samuell Rawlins Abell Seare Thomas Pitkin and John Finsh who were severall occupiers of the defendants house at severall times:

4) To the Foureth \Fifth and Sixth/ Interrogatorys This deponent sayth That the Bayliffe of the Lord or Lords of the Mannor of Winslow aforesaid for the time being have usually sett and placed or Lett the setting or placeing of stalls shedds or bothes on the Marckett place Winslow aforesaid and sayth that the said Bayliffes have received to their owne proper use the rent and profitts thereof And that he this deponent himselfe by the order of Mr Fidyge his Master hath received the rent and profitts of the same And this deponent further sayth that he rented the profitts of the said Marckett for the space of six yeares at the rent of Thirty pounds per An(n)um and this deponent Likewise sayes That neither Mr Fidyge nor this deponent his servant were at any time during the life \of/ the defendants father or Grandfather disturbed from the setting up of stalls before the defendants house And that neither the Grandfather or father of this defendant nor any [*deletion*] occupier of the said house did ever sett up or place above one shedd or boothe before the said defendants [house ----- ] as other Inhabitants of the said Marckett had except one for which they paid to the Lord of the Mannor or his Bayliffe foure pence a yeare And this deponent further sayth the Lords Bayliffe did sett out

the place for all the Inhabitants that were Tradsmen where their stalls sheds or booths  
\should stand/ And this deponent further sayth that fifty [*altered from Sixty*] Foure yeares  
agoe or thereabouts this deponent did for some time sett and place stalls before this  
defendants house and that one widdow Day did Likewise sett up stalls before the defendants  
house both which were by the Leave and Licence of the said Bayliffes And this deponent did  
soe continue the same for the space of six and twenty yeares without any disturbance or  
interupt(i)on of the defendants father or Grandfather or any other of the severall occupiers of  
the said defendants house this deponent himselfe sometimes setting up of Foure stalls sheds  
or boothes and sometimes more and sometimes Lesse before the defendants said house as  
they had occasion And this deponent further sayth as well the Inhabitants that have houses  
adioyning to and about the \said/ Marckett place as other Inhabitants within the said Towne  
have their places for their setting out their stalls sett out by the Baylfife of the said Mannor  
and not other wise:

10) To the Tenth Interrogatory this deponent sayth that about six yeares since he being  
sent for by the then Steward of the Court Leet and Court Barron of the Mannor of Winslow  
aforesaid To declare his knowledge Concerneing the Stallage of the Marckett of Winslow  
aforesaid this deponent did meet with the defendant William Giles and he the said William  
said to this deponent George you are now going up to the Steward George if you will not  
speake what you doe know I will be a friend to you as Long as you Live And further this  
deponent sayth not.

[*signed*] W(illia)m Busby Tho(mas) Farrer

Ch(ristopher) Egleton Bern(ard) Turney Jun(ior)

[f.5] **Catherin Shaw** of Winslow in the county of Bucks spinster aged Forty and six yeares or thereabouts sworne and examined sayth as followeth:

To the Tenth Interrogatory This deponent sayth that the defendant Giles wife did send for this deponents father George Shaw of Winslow aforesaid yeoman to the house of one Mr Dix Minister of Winslow aforesaid about six yeares agoe to the best of this deponents remembrance And did \then/ say unto the said Shaw you are sent for to declare your knowledge concerning the stalladge in Winslow aforesaid And the said George Shaw did then make Answer \That he would declare the trueth the whole trueth by the help of god/ And shee the [*space-fillers*] wife of the defendant did say though you doe know the defendant had noe right to the stalladge aforesaid yett you may not declare it And afterwards the defendant himselfe as this deponents father was going to a Court Leet holden for the said Mannor did say unto this deponents Father that if hee would not declare what he knew concerneing the same stalladge hee would be a friend to him as long as he should live, and further sayth not

**Thomas Prentice** of Winslow in the county of Bucks Labourer aged sixty yeares of thereabouts sworne and examined sayth as followeth:

3) To the Third Interrogatory this deponent sayth that he knowes the defendants dwelling house and other houses adioyning to the same. And hath knowne the same for the space of Forty Foure yeares or thereabouts And that the same houses are scitutate and adioyning to the Marckett place of Winslow aforesaid And this deponent further sayth that he did know the defendants father and Samuell Rawlins Thomas Pitkins Abell Seare & John Finsh who were severall occupiers of the defendants said house at severall times

4) To the Fourth Interrogatory this deponent sayth that the Bayliffe of the Lord or Lords of the Mannor of Winslow aforesaid for the time being have usually sett and placed or Lett the setting or placeing of stalls shedds or boothes on the Marckett place of Winslow aforesaid And hath used to receave to his owne use the rents and profitts thereof excepting only the setting or placeing of one stall shedd or boothe for the use of each Inhabitant of Winslow aforesaid being a Tradsmen paying to the Lord of the Mannor of Winslow aforesaid or his Bayliffe Foure pence a yeare for the same And Further that the Lords Bayliffe did appoint the place where such stalls for the Inhabitants should stand

5) To the Fifth interrogatory this deponent sayth that he never knew any occupier of the said defendants house except the defendant himselfe hath placed any more stalls shedds or

boothes upon the Marckett place aforesaid other then one for their perticular use and every occupier hath paid Foure pence a yeare to the Lord of the Mannor or his Bayliffe for the same And this deponent further sayth that the Bayliffe of the said Mannor hath usually and as often as he pleased antiently without disturbance placed stalls aswell at and neare the said respective occupiers houses or other places within the said Marckett \and/ had the benefitt thereof

6) To the Sixth Interrogatory this deponent sayth that all other Inhabitants within the said Mannor as well as those that dwell about the said Marckett place have had Liberty of setting stalls for their owne use upon the said Marckett place paying to the bayliffe of the said Mannor Foure pence a yeare And that if any person did sett up any more then one stall shedd or boothe without the leave of the Lords Bayliffe Then the said Bayliffe would pluck downe the same And this deponent hath severall times seen the Bayliffe pluck downe the stalls shedds or boothes that were sett up without his Leave although the same have been sett up in the Marckett place but within six footes of each Inhabitants doore and further sayth not

**William Browne** of Winslow in the county of Bucks Weaver aged Seaventy and six yeares or thereabouts being sworne and examined deposeth and sayth as followeth:

(1 2 3 4) To the First Second Third and Foureth Interrogatorys this deponent sayth that he knowes the dwelling house of the said defendant and hath knowne the severall occupiers dwelling in the same and that he knowes the houses thereunto adioyning and neare to the Marckett place of Winslow aforesaid and hath knowne the same for the space of sixty yeares and upwards and saith that the Bayliffe of Winslow aforesaid hath usually had the setting of stalls shedds or boothes on the Marckett place there and believes he received to his owne use the profitts thereof and further to the rest of the Interrogatoryes he cannot depose

**Thomas Pease** of Winslow in the county of Bucks Gardiner aged Sixtie yeares or thereabouts being sworne and examined deposeth as followeth:

To the Second Third and Fourth Interrogatory this deponent sayth that hee knows the dwelling house of the said defendant and hath knowne the severall occupiers dwelling in the same and the Marckett Place and wast ground in Winslow aforesaid and hath knowne the same for the space of fifty yeares or thereabouts And doth know the severall houses thereunto adioyning and neare the Marckett place of Winslow And sayth that he was Servant to \William/ [sic] Fidyge in the Interrogatory menc(i)oned And sayth that the Bayliffe of

Winslow aforesaid hath usually had the placing of stalls sheds and bootes on the Marckett place there and believes he he received to his owne ~~proper~~ use the profitts thereof except only the setting of one stall shedd or boote for their proper use he payes to the Lord of the Mannor or his Bayliffe Foure pence a yeare for the same And this deponent further sayth hee never knew that the s(aid) Bayliffe of the said Mannor was disturbed by any persons in the setting up of \any/ stalls \sheds or/ [sic] before the respective occupiers houses or other places within the said \Market place/ And further sayth that any Inhabitant within the said towne hath Liberty of setting one stall shedd or boote within the Marckett place of Winslow aforesaid paying Foure pence per An(n)um for the same as well as those persons who had houses scituate against the \said/ Marckett place to the rest of the Interrogatoryes this deponent sayth not

**William Townsend** of Winslow in the county of Bucks yeoman aged Sixty and Five yeares or thereabouts sworne and examined deposeth as followeth

To the Second Third and Foureth Interrogatoryes This deponent sayth That hee knowes the towne of Winslow and the Marckett places and wast ground \thereof[?]/ and doth know the dwelling house of the said defendant and hath knowne the same for the space of Thirty Foure yeares or thereabouts And doth know the severall houses thereunto adioyning and neare the Marckett

[signed]

William Busby

Tho(mas) Farrer

Christopher Egleton

Bern(ard) Turney Jun(ior)

[f.6] place of Winslow And sayth that he was Servant to Mr Fidyge the younger in the Interrogatory menc(i)oned and sayth that the Bayliffe of Winslow aforesaid hath usually sett the stalls upon the Markett place of Winslow aforesaid and hath received the profits thereof without any disturbance during the time hee lived in the said towne (except only \for/ the setting of one stall for the prop(er) use of each Inhabitant of Winslow aforesaid being Tradsman paid to the Lords Bayliffe Four pence a yeare for the same:

5 6) To the Fifth and sixth Interrogatoryes this deponent says that he doth not know that ever any occupier of any house adioyning to the Marckett Place did use to sett any more stalls upon the {the} Marckett Place before their respective houses then one without the Licence of the said Bayliffe

9) To the nineth Interrogatory this deponent sayth that the Bayliffes of Winslow aforesaid did receive the profits of all Faieres and Marcketts kept within the said Mannor and that he this deponent hath rented the same for the space of six yeares at Thirty pounds per An(n)um and peaceably injoyed the same.

**Thomas Knight** of Winslow in the county of Buck ~~Yeoman~~ \showmaker/ aged Forty Five yeares or thereabouts sworne and examined deposeth as followeth

(2-3-4) To the Second Third and Foureth Interrogatoryes this Deponent sayth that he knoweth the Markett place of Winslow aforesaid and the dwelling house of the said defendant and hath knowne the same for Thirty Five yeares or thereabouts And doth knowe that the Bayliffe of the said Mannor did during all that time did sett the stalls or lett the setting of the stalls on the said Markett place and did receive the proffitt thereof except only the setting of one stall for the proper use of each Inhabitant being Tradsman who paid to the Lords Bayliffe Foure pence a yeare for the same And this deponent further sayth that Thomas Norcott Showemaker to whome this deponent was Apprentice did rent of Mr Fidyge the Bayliffe of the said Mannor the setting of about six Stalls on the ground ~~near~~ Just before the now dwelling house of the defendant Giles and did continue the renting of the same for the space of six yeares or thereabouts for which this deponents Master paid to the said Bayliffe the yearely rent of Three shillings or a pigg for the same as hee remembers And this deponent further sayth That as well the Inhabitants of the said Towne Living without as well as within the said Marckett place have Liberty to sett up one Stall and no more in the said Marckett place paying foure pence a yeare for the same And this deponent alsoe Sayth That one

widdow Day and Thomas Norcott Showemaker uncle to this deponent who were occupiers of the house next adioyning to the defendant Giles his now dwelling house did take and rented the wast ground of Mr Fidgey the Bayliffe which is Just against and neare to the defendant Giles his house and did sett up Stalls and Sheddys upon the said ground over against the said defendants house and further sayth not

**Jane Gibbs** of Winslow in the county of Buck widdow aged Forty yeares or thereabouts sworne and examined deposeseth as followeth

(2-3-4) To the Second Third and Foureth Interrogatoryes this Deponent sayth that shee was \borne/ in the towne of Winslow and hath knowne the Marckett place of Winslow aforesaid and the house thereunto adioyning ever since Shee can remember And sayth that heretofore one widdow Day who lived in the house next the defendants house dureing her life did Sett and place Stalls Just before the doore of the now dwelling house of the Said defendant Giles in Such manner as now the defendant doth sett the same And after her decease one Thomas Norcott Showemaker who lived in the same house of widdow Day during the time as hee dwelt there did alsoe sett up Stalls before the doore of the defendant Giles as the said widdow Day had done before and this Deponent hath heard severally say that the Bayliffe of the same Mannor did give Liberty to sett up the same & further sayth not

[*verso*] **Thomas Eddyn** of Winslow in the county of Buck Labourer aged Forty and Foure yeares or thereabouts being sworne and examined deposeseth and Sayth as followeth

(13) To the Thirteenth Interrogatory this Deponent Sayth that the defendant Giles did between the Six & Twentieth day of March in the twentieth yeare of the now ma(jest)ties raigne \And/ the 24<sup>th</sup> day of March in the Four and twentieth yeare of the said ma(jest)ties raigne that now is sett & placed upon the said Markett place and wasts ground against this said depts house sometimes twoe and sometime Foure and some times six and sometimes eight and sometimes eleaven stalls according as the number of butchers did come into the said markt to take the same & this depont doth veryly beleive that the Lords Bayliffe may bee damnified by the deft setting the same stalls dureing the said terme the sum(m)e of eight poundes

[signed] Tho: Farrer  
Wm Busby  
Ch: Egleton  
Bern: Turney Jun

[f.7] Interrogatoryes to be Administred to Wittnesses to be produced sworne & examined on the part and behalfe of William Giles Defend(an)t att the suite of George Duke of Buckingham & others compl(ainan)ts

1. Doe you knowe the parties compl(ainan)t & Defend(an)t & which of them and how longe have you knowne them [ - - - ] & which of them Declare &c
2. Doe you knowe the Towne of Winslowe in the County of Buck in the compl(ainan)ts Bill menconed Doe you knowe beleive or have credibly heard that tyme out of minde there hath beene a marktett kept within the sayd towne on Thursdayes in every weeke (except itt fall out to be a Faire day or a day by Lawe prohibited to hold Faires or marketts upon) thoroughout the yeare and is there kept a Faire yearely on the tenth day of August (unlesse itt be a Sunday or a day prohibited by Lawe) Declare your full knowledge and beleife with whatever may make for the benefitt of the Defend(an)t in this cause Declare &c
3. Doe you knowe the \customary or/ Coppinghold Messuage or Tenement wherein the Defend(an)t William Giles Defend(an)t now liveth in Winslowe aforsaid and how longe have you knowne the same is not the sayde Messuage or Tenement an auintient Messuage or Tenement & next or adioyneing to the Marktett place there Declare your whole knowledge therein
4. Doe you knowe beleive or have credibly heard that the owners or possessors of the sayd Messuage or Tenement wherein the Def(endan)t William Giles now and for many yeares last past hath dwelt for such tyme as they or any & which of them have lived within the sayd Messuage had right used att their will & pleasure to sett & place twoe rowes of Stalls in the sayd Marktett place with eight & twenty feete \or thereabouts/ extending southward from \the/ front of the sayd Messuage & soe far in length from east to west as the front of his sayd howse extendeth with reasonable liberty & space for the persons resorting to the sayd marktett and Faire to passe betweene the sayd stalls within the now Marktett place in the sayd Towne & had not the Def(endan)t & all others owners or occupiers of the sayd howse by custome right liberty to make use of the same stalls or boothes soe by him or them soe there erected & sett upp lett them to other p(er)sons resorting to the sayd Marktett to sell goodes & wares thereon and to receive rent from such p(er)son & p(er)sons whoe made use of the same stalls) & did not the Def(endan)t & others owners & occupiers of the sayd howse receive (of & from such p(er)sons to whom the sayd Stalls or boothes or any of them were



soe lett) a payment a rent or composic(i)on for the same \& how came you to heare or know the same/ & had not the Def(endan)t & same Occupyers of the sayd Messuage liberty to take away the same stalls or boothes att the night of every such Faire or Markett Day and how longe have you knowne the same or any part of the matter abovesayd practised used or done and did not the Defen(dan)t or such Owner or Occupyer of the sayd Messuage usually pay or ought he not by custome to pay to the Lord of the sayd Mannor of Winslowe owner of the sayd Faire or Markett Foure pence by the yeare & noe more in lieu & satisfac(i)on for such his & their setting and placeing of stalls there Declare &c

5 Hath the Defen(dan)t and others whoe have been owners or occupyers of the sayd howse wherein he now dwelleth (upon scarcety of people resorting to the sayd Markett or Faire) converted and may he & they of right convert twoe stalls into one & upon plenty of people soe resorting together convert one stall into twoe without incroachment of more ground Declare &c

6 Doth not every strainger or forainer (not tenant nor resiant within the sayd Mannor using any of the sayd stalls shedds or boothes) pay or of right ought hee to pay every Market day by custome to the owner of the same Mannor and Markett One penny for a shew penny & every Faire day to the Lord and owner of the sayd Faire twoe pence for shew money Declare &c

7 Doe you not knowe beleive or have credibly heard that the use of the ground for pennis or folds for sheepe in the markt place for the same soe far as the same are now paved with stone or gravell by the respective owners or occupyers of every of the howses in the sheepe markt of Winslowe aforsayd Doth (in right of their sayd howses) belonge to the owners and occupyers of the respective howses fronting upon the respective grounds used for pennis & foolds and the sayd respective owners or occupyers of such howses tyme out of minde have answered or ought to Answer to the Lord of the sayd Mannor Owner of the sayd Faire and Markett Four pence p(er) Ann(um) & noe more of right as a compensacon for the same and have not such Owner and Owners of such howses had the benefit and liberty tyme out of minde or for how longe tyme to sett pennis or foaldes for sheepe in the sayd sheepe market of Winslowe aforsayd soe far as the sayd ground is paved gravelled and repared against the front of the respective howses of such p(er)son and p(er)sons whoe have been Owner or Occupier thereof & doth not such use thereof (of right) belonge to the sayd Owner and Occupyer of such howses and ought not they the sayd respective Occupyers of the sayd

houses to have the sole benefitt to them respectively of setting of penne and foalds for sheepe brought to be sold there in respect of their being Occupyers the same houses respectively abutting on the sayd respective ground and have not the sayd occupyers therefore tyme out of minde enjoyed the same & of right ought soe to enjoy the same as belonging to the same respective howses Declare &c

8 Know you not that about One and twenty yeares since an accord was tryed upon the right of stallage or customs to sett stalls upon the place in question betweene the then Lord of the Mannor of Winslow & the now Def(endan)t and is the copy of the Record now shewed you a hand copy & did not the Veredict upon full evidence before \the/ then Judge of Assise passe for the Def(endan)t & what evidence was then given for the Def(endan)ts right of setting stalls in the place in question & by whome & of what age and what were the sayd Witnesses is the name of Peter Fyge thelder & Peter Fige the younger subscribed to the writeings now shewed you \as you knowe or believe/ of their proper hand writeings respectively and did they give that matter in evidence they soe subscribed unto and are not they & William Pease Thomas Weston and John Travell since dead and what evidence did they give \any & which of them/ att the sayd tryall to your best memory Did not George Shaw then give evidence at that tryall & was not his evidence contradicte by many witnesses of much more eminent credit than he & whome by name to your best memory and did he not then affirme himeselfe to have been servant to both the Mr Fyges (whose evidence he then endeavoured to contradict) & hath not the possession & use of stallage been for this One and twenty yeares enjoyed by the Defendt ever since that Verdit as freely as itt was before and hath not the sayd George Shaw been an Idle loose and debauched liver & greatly guilty of Drunkenesse and prophane sweareing Declare &c

9 Did you know or remember one Widdow Day getting stalls before the front of the Defts dwelling howse Did shee not sett & use more stalls & sett them further into the Markett place then the [*verso*] Defen(dan)t useth to sett them & did shee not recompence William Giles the Defents Granfather for her useing his right of Stallage & what recompence had the sayd Grandfather had hee not the use of her yarde & Well and was not \[*nothing inserted*]/ rent & \what/ rent shee paye old Mr Fyge payd for what ground she used for placeing stalls more & other then what belonged to the sayd Grandfather to place stalls on Declare &c

10 Was you p(re)sent at the Assises held att Aylesbury for the County of Buck about One & twenty yeares since when a cause was tryed wherein the now Deft was pl(aintif)f & Robert

Bowden & others then Lords or P(re)tended Lords of the Mannor of Winslow Defts & was not the right of Stallage or custome to sett stalls upon the place in question betweene the then Lords of the sayd Mannor & the now Deft & did you not then give evidence on the behalfe of the then Defts concerneing the then Defts right of setting of stalls there & how went the sayd tryall Declare &c

11 What other matter or thing Doe you know to the benefit or advantage of the Defendt in this cause Declare &c

[signed]

Thos Farrer

Wm Busby

Chas Egleton

Bern : Turney Jun

[f.8] Deposicons of Wittnesses taken (on the p(ar)t & behalf of William Giles) at Winslowe in the County of Buck on Fryday the Twelfth day of October in the Nine & twentieth yeare of the raigne of our Sov(er)aigne Lord Charles the Second by the grace of God of England &c Annoqe D(omi)ni One thousand ~~six hundred~~ six hundred seventy seven before Thomas Farrer Esqr William Busby Esqr Christopher Egleton Esqr & Bernard Turney the younger Esq by vertue of a Commission yssued out of his Ma(jes)ties Court of Exchequer att Westm(inster) to them directed in a cause there depending betweene George Duke of Buckingham & others Compl(ainan)ts & William Giles Deff(endan)t as followeth

John Rawborne of Stony Stratford in the County of Buck Butcher aged sixty three yeares & upwards sworne & examined Deposeth as followeth

1 To the third & fourth Interr(ogatories) this Depont sayth that he knoweth the Messuage wherein the Defent Will(ia)m Giles now dwelleth & that about sixteene yeares since he this Depont has occasion to come to Winslowe Market he this Depont tooke a stall of the Deft which stood before the Messuage wherein the Deft now dwelleth in Winslowe & for the same he payd sometymes foure pence & sometimes six pence for ev(er)y day he soe stood there

Mary Rawlings of Brackley of the County of Oxford Widdowe aged Foure score & twoe yeares & upwards sworne & examined Deposeth as followeth

2 To the second Inter' this Depont sayth that shee knoweth the towne of Winslowe in the Interr menconed & hath known itt for Seventy yeares & that there is a Market kept on Thursday in ev(er)y weeke & a Faire on the tenth day of August in ev(er)y yeare

3 To the third Inter' this Depont sayth that shee knoweth the customary or copyhold Messuage or Tenemt wherein the Defent now dwelleth in the Inter' menconed & hath knowne itt for seventy yeares & that the sayd Messuage or Tenemt is an auntient Messuage & is neare adioyning to the m(ar)ket place in Winslowe

4 To the fourth Inter' this Depont sayth that William Giles her Father & Samuell Rawlings her husband liveing in the sayd Messuage wherein the Deft now dwelleth in Winslowe for neare Fifty yeares together Did for the tyme they lived in the sayd Messuage sett & place twoe Roes of stalls in the Markett place of Winslowe on the Front of the sayd howse leaveing reasonable liberty & space for the p(er)sons resorting to the sayd Markets &

Faires to passe betweene the sayd stalls in the now m(ar)kett place of the sayd Towne and that her sayd Father & husband did sett stalls there as a privelege & of right as shee beleeveth belonging to the sayd Mesuage in the Inter' menconed without any disturbance of the Lords of the Mannor or any other p(er)son whatsoever & that her sayd Father & husband did receive the rent from such p(er)son or p(er)sons as mad(e) use of the same stalls & that her sayd Father & husband had liberty & did use to take away the same stalls att the night of ev(er)y m(ar)kett & faire day & that the same hath been soe used dureing the tyme her sayd Father & husband lived there without disturbance of the Lord of the \sayd/ Mannor or any p(er)son whatsoever & that shee hath heard that her Father & husband did pay to the Lord of the sayd Mannor of Winslowe foure pence a yeare in lieu & satisfacion for such their setting & placeing of the stalls there & this Depont Furether sayth that if the Lord of the Mannor of Winslowe or his Bayly had any occasion to make use of the sayd stalls they did aske leave of [*another hand*] her Father & husband to make use of the same and shee is induced to beleive the same for that shee the Depont was borne in the said house

5 To the fifth Inter' this Depont saith that her said Father & husband ~~att~~ being \att/ severall times occupyers of the said house wherein the Deft now dwelleth in Winslow did as they had occasion convert more stalls into one and upon plenty of people resorting to the Faire or Markett there did convert one stall into twoe without incroachment of more ground

6 To the Sixth Inter' this Depont saith that every Strainger or Foriner (not tenant nor resiant within the said Mannor useing any of the said stalls boothes or shedds did pay to the Lord of the Mannor or his bayly every Markett Day one penny for a shew peny but shee doth not knowe what they payd on the Faire Day

9 To the ninth Inter' this Depont saith that Mr Figge the elder being bayleife of the said Mannor did aske leave of Samuel Rawlins [*first hand*] this Deponts husband whoe lived in the howse where the Deft now dwelleth for the Widdowe Day to sett \a/ stall upon the front of the sayd howse for one day & further Deposeth not

William Wyatt of Shipton in the p(ar)ish of Winslowe in the County of Buck Butcher aged Forty & five yeares & upwards sworne & examined Deposeth as followeth

3 To the third Inter(roductory) this Depont sayth that he knoweth the customary or copyhold Messuage wherein the Deft liveth & hath knowne itt for Thirty yeares & upwards & that it doth adioyne to the Markett place

4 To the Fourth Inter' this Depont sayth that William Giles the Deft hath sett twoe rowes of stalls in the Markett place before the fronte of the howse wherein he now Dwelleth in Winslowe for twenty yeares last past but by what right he knoweth not & hath lett them to sev(er)all Butchers comeing to the Markett & hath taken money from the Butchers for their standing there as this Depont beleiveth & that the Deft & his servants hath usually taken away the same stalls and Boothes att the night of ev(er)y Market Day

5 To the Fifth Inter' this Depont sayth that the Deft William Giles Doth as he hath occasion upon scarsety of people comeing to the m(ar)ket of Winslowe convert twoe stalls into one & upon plenty of people resorting to the Faire or m(ar)kett there Doth convert one stall without incroachment of more ground[?]

6 To the Sixth Inter' this Depont sayth that eny straingers or foriners not tenant nor Resiant within the sayd Mannor useing any stalls in the sayd Markett payes or ought by right to pay to the Lord of the sayd Mannor (or his Bayly) one penny for a shew peny

9 To the Eight Inter' this Depont sayth that he was P(re)sent att the Assises held at ~~Ayles~~ Aylesbury for the County of Buck about twenty yeares since or there about att which tyme a cause was tryed betweene ye then P(re)tended Lords of the Mannor of Winslowe & the now Deft Giles about the right of the setting stalls before the doore of the howse wherein the Deft now dwelleth & upon what evidence was given on the p(ar)t of the now Deft Giles a veredict passed for him

[*verso*] George Shawe allreddy sworne & examined on the p(ar)t & behalfe of the Comp(lainan)ts in this Cause cause & now sworne & examined on the p(ar)t & behalfe of the Deft deposeth as followeth

10 To the Tenth Inter this Depont sayth that he was P(re)sent att Aylesbury att the the Assises held for the County of Buck about one & twenty yeares since betweene Robert Bowden & others then P(re)tended Lords of \ye/ Mannor of Winslowe & the now Deft William Giles concerneing the setting of stalls upon the place in question before the howse of the sayd Deft & that he this Depont was a Wittnes & did give evidence on the part of the p(re)tended Lords concerneing the right of Stallage on the place in question & that the deft Giles had a veredict for Cloath which was distrained or taken by Distresse from of his Stalls in question by the then p(re)tended Lords or their agents

William Burrell of Winslowe in the County of Buck butcher aged Fifty two yeares & upwards sworne & examined Deposeth as followeth

2 To the second Inter' this Depont sayth that he knoweth the Towne of Winslowe in the Inter named & hath knowne itt ever since he can remember & that there is a m(ar)ket kept on the thursday in ev(er)y weeke & a faire on the ~~th~~ tenth day of August in ev(er)y yeare

3 To the third Inter' this Depont sayth that he knoweth the Customary or Coppyhpld Messuage or Ten(em)ent wherein the Deft now dwelleth in the Inter' named & hath knowne itt ever since he can remember & that the sayd Messuage is an auntient Messuage & is neare adioyneing to the m(ar)ket place in Winslowe

4 To the Fourth Inter' this Depont sayth that he knew Samuell Rawlings whoe lived in the howse in the Inter' named wherein the Deft now dwelleth & that the sayd Samuell Rawlings about Forty yeares since used & did sett up on the m(ar)ket Dayes before the fronte of the sayd howse in right as belonging to the sayd howse as he beleeveth twoe Rowes of stalls & let the same to sev(er)all p(er)sons comeing to the sayd m(ar)ket & took the money for the same to his owne use without any disturbance of the Lords of the sayd Mannor of Winslowe or his Bayliff or any other p(er)son or p(er)sons whatsoever & he this Depont better knoweth the same for that he this Depont for many yeares did dwell in a howse next adioyning to the howse wherein the Deft now dwelleth & used to sett out Foure stalls in right as belonging to the sayd howse wherein this Depont did formerly dwell & that the sayd Rawlings & he this Depont did pay foure pence p(er) Ann(um) for setting the stalls before the respective howses to the Lord of the sayd Mannor or his Bayliff in Liew & full satisfacion for such their setting upp & placeing of their stalls before the fronts of the sayd sev(er)all howses

5 To the Fifth Inter' this Depont sayth that upon scarcety of people comeing to the sayd market of Winslowe the owners & occupiers of the howse in the Inter' menconed have used & may convert twoe stalls into one, and upon plenty of people comeing to the sayd market convert one stall into twoe without incroachm(en)t of more ground

6 To the sixth Inter' this Depont sayth that ev(er)y strainger or foriner not tenant or Resiant within the sayd Mannor using the sayd stalls doe or of right ought to pay to the Lord of the sayd Mannor ev(er)y m(ar)ket day one penny & for ev(er)y Faire twoe pence for shew money

7 \To the seventh Interogaterry/ [*another hand*] this Depont saith that the severall owners or occupiers of the severall howses in the said markt of Winslow Aforesaid have had and received the benefit of setting sheepe penns or {or} folds there soe Far as the same paved or gravelled against their respective howses but Whatt they payd to the Lord of the mannor, for the same hee the Depont knoweth not

8 To the eight Inter' this Depont saith that hee knoweth one George Shaw of Winslow Aforesaid in the said Inter' menconed and saith that the saide hath been formerly a greate drinker æd and often drunke and that hee this Depont hath heard Mr Fyge the younger deceased tell the said Shaw that he was a forsworne man & that he tooke a false oath att a tryall Betweene the Lords of the mannor of Winslow and the now Deft Giles concerneing the setting of the stalls in the place in question and that the said Shaw was a witness for the said Lords

Joane Lettman of Shenley in the County of Buck Widdow 76 yeares and upwards sworne and examined Deposeth as followeth

2&3 To the 2 and 3 Interogatory this Depont saith shee hath knowne the Towne of Winslow in the Interogatory menconed for sixty yeares and knoweth the cobbyhold or customary howse [*first hand*] in the Inter' menconed wherein the Deft now dwelleth & hath knowne the sayd howse for the same tyme

4 To the Fourth Inter' this Depont saith that shee did knowe Willm Giles dec(eas)ed Grandfather of this Deft & Samuell Rawlings deceased & that they did dwell in the sayd howse wherein the Deft now liveth & that they the sayd William Giles dec(eas)ed [*reverts to other hand*] & Samuell Rawlins & all other ownes [*sic*] or occupiers of the sayd house dureing all the time that they lived in the said house have used to sett upp & placed twoe roes of Stalls booths or shedds in the said markt place on the Fronte of the said & had liberty to make use of the same stalls or shedds soe by them there erected & sett upp & to lett them to other persons resorting to the said markt in Winslow to sell goods & wares thereon and & to receive rents from such p(er)son or p(er)sons who made use of the same stalls and this Depont further saith that these occupiers or owners of the s(ai)d house did receive of and from such p(er)sons to whom the same stalls or bothes were let a payment {ent} or composic(i)on for the same & further saith that these occupiers of these Messuages had



liberty to take away the same stalls or boothes att the night of every Markett or Faire day & further saith not

Mary Gearle Wife of William Gearle of the towne of Buckingham in the County of Bucks aged Fifty and five yeares and upwards sworne & examined deposeth as followeth

To the third Inter this Depont saith that shee knows the Messuage in the Interogatory named wherein the now Deft liveeth & hath knowne the same for thirty six yeares

[*signed*]

Thos Farrer

Wm Busby

Chas Egleton

Bern : Turney Jun

[f.9] 4 To the Fourth Interrogatorie this Depont saith that Thomas Pitkin her Former husband about thirty and six yeares since was a tenant too and leived in the said house wherein the deft now dwelleth and and further saith that her husband Thomas Pitkin dureing the time hee lived in ~~house~~ the said house did sett & place stalls & boothes on the Front of the said house in the ~~said~~ markett place there and did lett the same to Butchers as they came to use the same on the market dayes and receaved the money for the same of the Butchers that used them and further sayth that her said husband Thomas Pitkins had liberty and did take away the same stalls or boothes att the night of every markett and Faire day

5 & 6 To the Fifth and sixth Inter' this Depont saith that every strainger standing on the said stalls have paid and ought to pay to the Lord of the mannor every markett day they soe stood there one peny for a shew penny

7 To the seventh Inter' this Depont saith that William [*new hand*] Lownes Father of this Depont being owner of the howse called the Ayngell scittuate in the Sheepe M(ar)kett of Winslowe did let the sayd Ayngell to one Humphry Butcher & did let the standing of the sheepe pens or folds belonging to the Ayngell to one Embery Sutchbery widdowe for sev(er)all yeares together for three pounds p(er) Ann(um) And further this Depont sayth that the sev(er)all owners or occupiers of the sev(er)all howses in the Sheepe m(ar)ket of Winslowe aforesayd have had & rec(iev)ed the benefitt of setting the sheepe pens or folds there soe far as the same is paved or gravelled against their respective howses

Robert Lownes of the p(ar)ish of Bowe in the County of Middlesex yeoman aged fifty eight yeares or there abouts sworne & examined deposeth as followeth

3 To the third Inter' this Depont saith that he very well knoweth the howse ~~wherin~~ wherein the Deft now dwelleth & hath knowne the same for about Fifty yeares & that itt standeth in the ~~fr~~ Front of the M(ar)ket of Winslowe

4 To the Fourth Inter' this Depont saith that one Thomas Pitkin this Deponts Brother in lawe was tenant toe & lived in the howse of William Giles dec(eas)ed Father of the Deft standing in the M(ar)kett place of Winslowe and sayth that the sayd Tho Pitkin neare Forty yeares since & dureing all the tyme he lived in the sayd howse did set twoe roes of Stalls & sometimes more & sometimes lesse according as the m(ar)kett was before the front of the sayd howse leaveing a convenient passage for people to pass & this Depont sayth that the sayd Pitkin did let the same stalls to Butchers on the m(ar)ket days & rec(eiv)ed money for

the same & usually att the night of e(ve)ry m(ar)ket day & faire day & did take away the same stalls without any interupc(i)on

7 To the seventh Inter' this Depont saith that s(ev)erall owners or occupyers of the s(ev)erall howses standing in the sheepe m(ar)ket had the benefitt of setting of sheepe [*deletion*] penns or Folds before the fronts of the sev(er)all howses so far as the same is paved & gravelled & received the proffitts therof to their own use

8 To the eight Inter' this Depont saith that about one & twenty yeares since there was an accon tryed at the Assises held ~~for th~~ att Aylesbury for the County of Buck upon the right of setting of stalls upon the place in question before the front of the howse wherein the now Deft now liveth between the then P(re)tended Lord or Lord of the Mannor of Winslowe & the now Defent & this Depont further sayth that upon evidence given on both sides a veredict passed for the now Deft Giles And this Depont further sayth that he was P(re)sent att the \sayd/ Tryall & did take notice therof & sayd that the Deft Giles did upon the sayd tryall p(ro)duce Mr Peeter Fyge Sen(ior) dec(eas)ed who was sworne as a Witnes for the sayd Giles & did give in Evidence to this Deponts best remembrance to this effect that that he the sayd Peeter Fyge had beene Bayliff of the sayd Mannor of Winslowe for Sixty yeares & that dureing all the tyme he soe continued Bayliff that all the owners or occupyers of the sayd Customary Messuage wherein the Deft now liveth in Winslowe dureing all that tyme did sett & place stalls \and/ has as he conceived had right soe to doe And further this Depont sayth that the name of the sayd Peeter Fyge dec(ease)d sen' subscribed to the paper writeing now shewed unto him this Depont is the p(ro)p(er) hand writeing of the sayd Peeter Fyge as this Depont beleiveth And this Depont further sayth that Will(ia)m Pease dec(eas)ed was p(ro)duced upon the sayd tryall on the p(a)rt of the now Deft Giles he then being a very aged mann did give in evidence att the sayd tryall to this effect that the owners & occupyers of the sayd howse wherein the Deft Giles now liveth in the m(ar)ket place of Winslowe used for neare sixty yeares before the sayd tryall to sett & place stalls upon the m(ar)ket dayes before the front of the sayd howse And this Depont further sayth that one George Shaw of Winslow in the Inter' named did then give evidence upon the sayd tryall ag(ains)t the now Deft Giles & that his evidence was contradicted by Peeter Fyge sen(io)r Will(ia)m Pease Tho(mas) Weson & one Travell a Butcher who are all since dead And this Depont further sayth that the sayd Shawe did affirme himselfe to be a servant to both the Mr Fyges dec(eas)ed whose evidence he did then endeavoure to ~~eeet~~ contradict

Oliver Lawrence of Swanborne in the County of Buck gent aged sixty five yeares & upwards  
sworne & examined Deposeth as followeth

3 To the third Inter(roductory) this Depont \sayth/ that he doth knowe the messuage or  
Tene(me)nt wherein the Deft Giles now liveth & hath knowne the same about Eight & twenty  
yeares & that the sayd Mesuage is adioyning to the market place of Winslowe

[*verso*] 8 To the eight Inter this Depont sayth that about One & twenty yeares  
[?since] an action was tried att the Assises at Aylebury [?between the then P(re)tended Lords]  
of the Mannor of Winslowe & the now Deft Giles [?concerneing the] Stallage or custome to  
sett stalls & booths ~~upon~~ upon the place in question \and this Deponent was att [?the trial]/  
And this Depont further Sayth that upon full evidence on both sides the Veredict went for the  
sayd Gyles And this Depont further Sayth that the cobby of the Record now shewed is a true  
[*new hand*] copy of the record [*space fillers*] thereof And this depont further saith that Mr  
Peter Fyge the elder in the Inter' menconed being sworne [*first hand*] a Wittnes for the s(ai)d  
Giles did then in Court Depose that the Owners & Occupiers of the sayd howse in which the  
Deft Giles now liveth did for Sixty yeares & upwards sett stalls against the said howse in  
their own right paying only to the Lords of the sayd Mannor foure pence p(er) Ann(um) for  
the sayd priviledge & further this Depont sayth that the sayd Mr Peeter Fyge the elder was  
esteemed a man of good repute And this Depont further Sayth That the name of Peeter Fyge  
the elder dec(eas)ed subscribed to the writeing now shewed this Depont is the p(ro)per  
handwriteing of the sayd Peeter Fyge the elder as this Depont verily beleeves & further  
Deposeth not

Jane Gibs already sworne & examined on the p(ar)t of the Comp(lainan)t in this Cause &  
now sworne on the p(ar)t of the Deft Deposeth as followeth

11 To the Eleventh Inter this Depont sayth that shee rents some stallage that belongeth to  
the Market of Winslowe & that she payed the rent for the same to Mr Badyly the Duke of  
Buckingham's Bayly

John Hogson of Winslowe in the Count of Buck yeoman aged Sixty yeares & upwards  
Deposeth as followeth

8 To the Eighth Inter this Depont sayth that about One & twenty yeares \since/ an action  
was tryed att the Assises att Aylesbury between the then P(re)tended Lords of the Mannor of

Winslowe & [*space fillers*] the now Deft Giles concerneing the right & setting of stalls before  
the now Defts howse att Winslowe & upon full evidence æ a veredict passed for the now  
Deft Giles

[*signed*]

thos Farrer

Wm Busby

Ch: Egleton

Bern: Turney Jun

[Latin]            Delivered 20th October 29 Charles II [1677] before the Chief Barons on the  
oath of Richard Boddily