

Sir Cecil Trafford of Trafford, knt.

G. lxxxix, fo. 963, etc.; *Cal.* iv, 2865.

Petition of Edward Holt of Sephton, gent., which showed that he had an Annuity of 20 nobles a year issuing out of the sequestered lands of Sir Cecill Trafford of Trafford, co. Lancaster, which had been regularly paid him for 30 years or upwards preceding the date of petition, not only by Sir Cecyll and Sir Edmond Trafford his father, deceased, but also by the then late Committee for Sequestrations; but at the date of petition the same had been detained by the then Commissioners for Lancashire acting in observance of an order from above. As all the witnesses petitioner wished to have examined resided in Lancashire he desired that the examinations might be taken there (12 Aug., 1651). " Let the Commissioners in Lancashire examine and certifie, and upon their return it is referred to Mr. Brereton. J. B., R.M."

fo. 965-7. Report of Mr. Brereton, based on the above order (12 Aug., 1651) on the petition desiring the allowance of an annuity of £6. 13s. 4d. a year arising out of certain lands called the Marled feild, being parcel of the demesne lands of Trafford in co. Lancaster. It was alleged by petitioner that he had an annuity of £6. 13s. 4d. for life arising out of the sequestered lands of Sir Cecill Trafford.

The Lancashire Commissioners, to whom the case had been remitted for enquiry, certified that they had taken the examinations of Sir Cecill Trafford and Francis Mosely. Sir Cecill had deposed that he had seen a grant of an

annuity or rent-charge of 20 nobles granted to petitioner for life by his father Sir Edmond Trafford, deceased, issueable out of the Marled fields, being parcel of the demesne lands called Trafford demesne; that his father after making the grant, during his life, paid the same to petitioner and since his death (1620) he (deponent) had paid the same till Sep., 1650, except three years annuity, being in arrear before that time by reason that deponent in 1641 had made a lease of the said lands to one Thomas Irlam for 2 years, who failing in the payment of his rent, the annuity was unpaid by that means for 3 years; but since the expiration of the lease he (deponent) had engaged to pay the said arrears, and had continued the payment of the annuity to petitioner up to Sep., 1651, when the agent of sequestrations for Salford Hundred told deponent that it would not be allowed without orders from the Commissioners above, two-thirds of his estate then being under sequestration for his recusancy. Since that time no part of the annuity had been paid to petitioner.

Francis Moseley, gent., deposed to having seen the grant relating to the 20 nobles a year.

Petitioner deposed as regarded the annuity to the same facts as were mentioned in the petition, " and that about June or July, 1644 Prince Rupert with the Earle of Darby came into Lancashire with great forces, and at 8 of the clocke at night sent a troope of horse and took petitioner prisoner and carried him to Latham, at which tyme two horses of good value, two trunckes of Cloathes, writings and other goods were taken and plundered from him; and the said deed or grant amongst other writings was then taken and plundered as he believed, for since he

had never seen it nor could he find it," etc.

So it was submitted to judgment whether petitioner should not be permitted to enjoy the said rent-charge or annuity during his life notwithstanding the sequestration for the said Sir Cecill Trafford's delinquency.

fo. 969. Order of reference to Lancashire Commissioners.

971. Petition, copy (12 Aug., 1651).

fo. 974. Communication from Manchester, dated 7 May, 1652, signed by Edward Aspinwall and Robt. Cunliffe, referring to matters connected with the case, enclosing examinations taken, etc.

fo. 975-79. Examination of Sir Cecill Trafford, knt., and Francis Moseley of Collyhurst, gent., sworn at Manchester 7 May, 1652; and (fo. 980) Edward Holt (petitioner), aged 66 or thereabouts, sworn in London, Sep. 9, 1651.

G. clx, fo. 297, etc.

Letter, dated at Manchester 7 May, 1652, signed by Edward Aspinwall and Robt. Cunliffe, mentioning that in observance of an order of 12 August then last made upon the petition of the above touching an annuity or rentcharge of 20 nobles *per annum* issuable out of certain lands sequestred for the recusancy of Sir Cecill Trafford, knt., and payable to the said Mr. Holt, they had taken the examinations and enclosed copies; viz. (fo. 297) Examination of Sir Cecill Trafford taken at Manchester 7 May, 1652 (as above), and of (fo. 298). Francis Mossley of Collyhurst. Confirming.

G. xc, fo. 396.

Petition of Richard Haworth of Manchester, esq., which showed that petitioner had always been well

affected towards the Parliament and in their service had expended much time and money; That two parts of the estate of Sir Cecyll Trafford of Trafford (in demesnes and rents) was property due to the State, he being a convicted recusant. Petitioner humbly desired that their honours would vouchsafe him a lease of the said two parts, he rendering a reasonable rent for the same for the use of the Commonwealth.

14 January 1601-2. " The Commissioners to view, survey and certify what it is worth to be let for 7 years."

G. cxxiv, fo. 619.

Petition of Sir Cecill Trafford of Trafford, knt., which showed that two-thirds of his estate was under sequestration for his recusancy only. He prayed therefore, in accordance with the act, to be admitted to contract for the same (27 Nov., 1653). Referred to Mr. Reading.

fo. 621. A second petition, desiring to be admitted as tenant for a year (12 May, 1654). This was agreed to, and a lease directed to be prepared, if the said estate were not then in lease to some other person.

fo. 623. A joint petition between Sir Cecill and Thomas Gooden of Little Bolton, mentioning that Mr. Reading could not draw up leases for their respective estates because the surveys had not been returned from the country (27 June, 1654). " Ordered: to return the Surveys or certify the reason why they did not do it, within 6 days after notice."

G. cxli, fo. 11, etc.

Report (case heard Oct. 12, 1654): This was a petition by Lieut.-Col. Charles Worsley, desiring the discharge of two parts of certain manors, lands and tenements in the

counties of Chester and Lancaster, granted by the then late King to John Wood and Phillip Osborn, gentleman, and for valuable considerations assigned to petitioner, and notwithstanding this sequestered for the recusancy of Sir Cicile Trafford, knt.

Mr. Brereton, reviewing the case at great length, among other things found that by letters patents, dated 6 July, 1640, King Charles, reciting, that whereas Sir Cecile Trafford of Trafford, knt., was indicted and lawfully convict for that he had not gone to some church, chapel or usual place of common prayers but refrained from the same contrary to the statute in that case provided, and whereas the said Sir Cicill Trafford had made default of the payment of £20 a month for his said recusancy contrary to the statute in that case provided; by reason whereof his title accrued to the then late King by process out of the Exchequer to take, seize and enjoy all the goods and chattels and two parts of all manors, messuages, lands, tenements and hereditaments, of the said Sir Cicill Trafford according to the true intention of the said statute; and reciting that whereas by inquisition taken at Heaton Norrys, co. Lancaster, 12 March, 1639-40, it was found that the said Sir Cicill Trafford was then seised for his life of and in the manors of Trafford, Stretford and Barton upon Irwell in the co. of Lancaster and of certain messuages, tofts, mills, etc., and 40s. free rents with the appurtenances in Trafford, Stretford, Manchester, Lostock, Wiggan, Barton upon Irwell, Erlham, Hulme, Broomehurst, Croft, Dumplington and Eccles, and of rents in Manchester and elsewhere; also of cottages in Rusholme and Fallowfield, and of the capital messuage of Wickleswick

and of lands in Wickleswick and Eccles; and reciting another inquisition taken at Stockport, co. of Chester, on 12 March, 1639-40, when it was found that the said Sir Cecill Trafford was seised for life in the moiety of the manors of Bollyn and Norcliffe in that county and of lands in various places (mentioned in the Report): the King elected to take two parts of all these premises in satisfaction of all debts, penalties and forfeitures due and to be due for the non-payment of £20 a month for the recusancy of the said Sir Cicill Trafford; and for the consideration aforesaid of his special grace, certain knowledge and mere motion he granted to John Wood and Phillip Osborne two parts of the premises mentioned in the said inquisition for 40 years from Pentecost, 1638 (if the said premises should happen so long to remain in the hands of the said King, his heirs or successors, by reason of the recusancy of the said Sir Cicill Trafford), rendering £80 a year; which rent when received should be employed to public uses for the public good, with provisions for voiding the same if the rent were duly paid, with certain other conditions; also releasing the lands, goods and chattels of the said Sir Cecill from any further obligations by reason or occasion of his recusancy only, so long as the said term lasted. Power was given to the said John Wood and Phillip Osborne to demise, grant and to farm let at their pleasure, for any number of years within the said term, or to assign all their interest therein to the said Sir Cicill or any other person to his use or otherwise, and also to have and hold the said premises to the only use and behoof of the said Sir Cicill, the statute 3 James (an Act for the better Discovery and Repressing of Popish

Recusants) or any other statute or statutes to the contrary notwithstanding; with other concessions to Sir Cicill.

Phillip Osborne having died, John Wood, the surviving patentee, by indenture dated 10 June, 1654 (reciting the said letters patents), in consideration of £200 mentioned to have been paid by Lieut.-Col. Charles Worsley (petitioner) granted to him all that the King granted to them for the remainder of the term as by the indenture appeared.

The execution of the deeds, payment of money and other things were deposed to by several witnesses, whose names and the nature of their testimonies are dealt with in the report. After reviewing in great detail many points connected with the devolution of the property and other things, he submitted to judgment whether the sequestration of the two-third parts ought or ought not to be discharged.

fo. 23. Order referring the case to the Lancashire Commissioners. fo. 25-6. Petition (copy). fo. 27.
Petition, original (27 June, 1654).

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