



Catalogue of the Vincent Eyre Manuscripts

Date range of material: 1719-1810

Ushaw College Library
September 2023

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Preface

Creation of catalogue

Catalogued by Jonathan Bush

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Introduction

Collection title: Vincent Eyre Manuscripts

Reference code: GB-0298-UC/P28

Dates of creation: 1719-1810

Extent: 3 volumes

Repository: Ushaw College Library

Creator: Thomas Eyre

Language of material: English and Latin

Contents

Volumes of manuscripts collected by Vincent Eyre, lawyer and brother of Thomas Eyre (Ushaw College's first president), chiefly legal papers shedding light on the operation of the penal laws in Britain during the eighteenth century. The manuscripts cover various court cases, mostly legal opinions, briefs, and letters, on the interpretation of the penal laws against Catholics relating to the inheritance or sale of their estates, as well as prosecutions brought against certain Catholics for failing to attend Protestant services and Catholic priests for saying mass. There are also manuscript and printed copies of the various bills and acts of penal legislation, as well as a number of documents highlighting the involvement of prominent individuals in the Jacobite Rising of 1715, such as the earl of Derwentwater and Lord William Widdrington.

About the creator

Vincent Eyre (1744-1801)

Previous custodial history

Acquired at different times from many different sources.

Arrangement

The sequence retains the original volume-number arrangement.

Conditions of access

Open for consultation.

Copyright and copying

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Finding aids

Card index with calendar

Form of citation

The form of citation should use the code GB-0298-UC/P 28, or the collection name Vincent Eyre Manuscripts, followed by the *reference number*

To order items in the searchroom, use the collection reference code(s), derived by removing the repository code (GB-0298-), followed by the reference number. Citing the section of the finding aid is useful.

Volume I

UC/P28/1/1 [?1810]

List by Rev John Kirk of cases of manuscripts belonging to the late Thomas Eyre or Nathaniel Eyre now in the possession of John Lingard

1f

UC/P28/1/2 [?1730]

Transcripts of the acts of parliament (*tempore* James I and Charles I) relating to the penal laws against Catholics

2f

UC/P28/1/3 [?1730]

Transcript of the Popery Act (An Act for the further preventing the Growth of Popery) 1698

2f

UC/P28/1/4 17 April 1730

Extract from an account of a will dispute involving Philip Dorrell of Coleshill, including the opinion of Raymond C.J. on the Popery Act of 1698

13f

UC/P28/1/5 23 February 1720

Printed case papers of Thornaby v. Fleetwood and 53 others concerning a claim on the estate of the late Lord Gerard (Catholic)

4p

UC/P28/1/6 9 February 1767

Judgement in the House of Lords on the case of Hobson (an infant) v. Meade concerning a claim on an estate under 2nd & 3rd Queen Anne, including the Lord Justice's criticisms of the penal laws

1f

UC/P28/1/7 1 November 1737

Opinion of J. Ward on Christopher Parker's case, and opinions of Henchman, Strahan, Reeve and Lutwyche on the right to wreckage in the Humber and Lea

1f

UC/P28/1/8 1727 - 18 October 1728

Account of the dispute over the estate of George Watkins

5f

UC/P28/1/9 12 May 1763

Legal opinion of R. Wilbraham in the case of Thomas Edward Clifford, son of Lord Hugh Clifford, who has purchased estates and holds a mortgage.

Wilbraham quotes the Act of 3rd Geo. IV "intended to encourage Roman Catholics to sell and Protestants to purchase their real estates".

1f

UC/P28/1/10 11 January 1760

Legal opinion of Edmond Hoskins on a case relating to an estate left by Mrs Margaret Salkeld, and claimed by Ord, the Protestant next of kin

1f

UC/P28/1/11 1720

An account of the grounds of the suit prosecuted by the duchess of Hamilton against Thomas Fleetwood, esq, and his wife, for the estate of Lord Charles Gerard in the county of Stafford.

Includes a genealogy of the Gerard family

1f

UC/P28/1/12 3 July 1744

Legal opinion of Richard Challoner on the case of a girl entering a convent and making a promise by letter to put all her money at the disposal of her mother

1f

UC/P28/1/13 8 May 1775

Legal opinion of D. Ryder, Attorney-General, on the illegal marriage of Mrs Wyburn and the requirement of obtaining a military decree, and the possibility of the English Spiritual Court granting one

1f

UC/P28/1/14 15 May 1724

Account of a case relating to scruples of conscience over money, including the opinions of Edward Hawarden and John White

2f

UC/P28/1/15 [?1737]

Incomplete case of Jones & (Catherine) Meredith v. Watkins, relating to inheritance involving a Catholic daughter and Protestant son

2f

UC/P28/1/16 18 November 1762

Legal opinion by Wilbraham on the inheritance case of Anthony Carew

3f

UC/P28/1/17 [1720 x 1729]

Transcript of an act of parliament relating to the penalties for those receiving religious education abroad

2f

UC/P28/1/18 23 June 1759

Case of Johnson v. Thompson: action against a Catholic for not attending Protestant service, including the opinion of D. Poole

1f

UC/P28/1/19 [1720 x 1760]

Licence to assign between Sir Henry Hunloke and the earl of Besborough, and the opinion that the purchaser has a good title

1f

UC/P28/1/20 29 August 1762

Opinions of James Booth and the earl of Besborough in the case of Mr Wilmote on the time in which the oath must be taken by a Catholic

1f

UC/P28/1/21 6 January 1773

Opinion of Thomas Walker on John Lancaster's claim to the estate of Mercer of Rainhill. Mercer of Rainhill died leaving estate to John Lancaster. He was advised by Booth to sell or mortgage the same. Ellen Thompson, living on one of the estates, refused to leave on the grounds that Lancaster was a Catholic and so the devisement was illegal. The opinion of Walker is that she cannot be ejected nor can the estate be mortgaged
4f

UC/P28/1/22 31 July 1764

Opinion of James Booth in the conveyancing case of Fairclaim v. Newland
3f

UC/P28/1/23 5 January 1738

Opinion of James Booth and Edwin Webley on the estate of the late Giles Meredith. The case related to the Protestant wife of Meredith wishing to eject Meredith's Catholic sister
1f

UC/P28/1/24 28 April 1738

Notes on property held by the Dormers in the Chancery
2f

UC/P28/1/25 1758

Case of Carlos & Shuttlewood v. Dormer
3f

UC/P28/1/26 8 January 1738

Opinion of Fazakerley on the exercise of the penal laws in the case of J.B. a papist [?in the county of Lancaster]
2f

UC/P28/1/27 [18th century]

Transcript of 12th Anne c. 12 for the preventing of benefices simoniacally obtained, and forbidding Catholics to have the presentation of benefices, the right belonging to the University of Oxford and the University of Cambridge
2f

UC/P28/1/28 25 October 1757

Answer of the earl of Stafford to the Chancellor of the University of Cambridge and James March of Queen's University in a dispute over the presentation of a benefice
4f

UC/P28/1/29 22 January 1756

Opinion of Wilbraham on a dispute over the selling of a right of presentation of a benefice by Lord Fairfax who was incapable by law of presenting to it
1f

UC/P28/1/30 [?1742]

[Unsigned] opinion on 12th Anne c. 12 relating to the lease or grant of an advowson
1f

UC/P28/1/31 9 February 1742

Opinion of N. Fazakerley that Catholics can legally grant or lease advowsons for a valuable consideration
1f

UC/P28/1/32 [?1762]

Case of the estate of Henry Williams, deceased.

The beneficiaries of his will are all Catholics and his heir at law (Gerald Williams) is a Catholic priest. A distant relative (Mrs Burnell) and the next heir after Williams was a Catholic but had conformed.

2f

UC/P28/1/33 5 January 1738

Opinion of W. Murray in the case of Giles Meredith, deceased

Case relating to the right of a Catholic next of kin to sell and mortgage a contested estate

3f

UC/P28/1/34 10 January 1738

Opinion of James Booth in the case of Giles Meredith's heirs

1f

UC/P28/1/35 9 November 1751

(1) Opinion of James Booth on the Plompton case and the capability of nuns re the inheritance of property when they enter a religious abroad

(2) Opinion of Robert Raymond in a case of a deed of trust of John Tasburgh and Frances his wife

3f

UC/P28/1/36 21 June 1753

Opinion of Fazakerley on removing the burden of maintaining a Catholic priest on the estate of the late Mr Adams following the proposed sale to Protestants

1f

UC/P28/1/37 30 October 1733

Opinion of P. Yorke in a dispute over the inheritance of John Courtenay

4f

UC/P28/1/38 12 May 1763 - 31 July 1764

(1) Opinion of James Booth in the case of Lord Teynham

(2) Opinion of R. Wilbraham in the case of Hugh Lord Clifford

Both cases involved purchases made by Protestants of estates acquired by Catholics contrary to law

4f

UC/P28/1/39 12 May 1763

Opinion of R. Wilbraham in the case of Hugh Lord Clifford (copy of UC/P28/1/38)

1f

UC/P28/1/40 [mid 18th century]

[Unsigned] opinion on the case of Lord Middleton questioning whether copyhold lands fall within the statute 11th & 12th William III

2f

UC/P28/1/41 [1720 - 1770]

[Unsigned] opinion on a conveyancing case under 3rd Geo. I.

The statement of the case is missing

3f

UC/P28/1/42 1745

Opinions of Wilbraham and D. Ryder (attorney-general) on the duke of Norfolk's answers in Talbot's case

2f

UC/P28/1/43 27 May 1746

Opinion of Richard Challoner (D.D.) on a case involving the estate of a Catholic who died intestate.

Challoner argues that the measure proposed is not unlawful or unbecoming to a Catholic

2f

UC/P28/1/44 6 May 1749

Opinions of Wilbraham and Fazakerley on a case involving the eviction of a Protestant purchaser

1f

UC/P28/1/45-46 16 February 1710

Case brief of Hamilton v. Fleetwood & Others.

Case relating to ejectment in the Court of Common Pleas

3f

UC/P28/1/47 9 May 1713

Judgement by Lord Justice Trevor, Court of the Common Bench, finding in favour of the defence in the case of Hamilton v. Fleetwood & Others

5f

UC/P28/1/48 [1720 x 1770]

Opinion of Metcalfe providing evidence of the catholicity of a certain Mrs Giffard through the wording of her epitaph

3f

UC/P28/1/49 31 July 1751

Lord Chancellor's judgement in the case of Harrison & Wife v Southcote & Moreland.

The case relates to the sale of land by Edmund Southcote and whether he was a Catholic before conveying the estates to the defendant

2f

UC/P28/1/50 [1720 x 1770]

Case of Smith v Read, relating to Mrs Paine devising her estate to Read and her heir-in-law marrying Smith and desiring a bill of discovery that Mrs Paine was a Catholic and therefore the inheritance is null

1f

UC/P28/1/51 6 May 1749

Opinion of Fazakerley (following Wilbraham's opinion) in the case of Fairclaim v Newland.

This case relates to the Catholic sale of land

2f

UC/P28/1/52 1749

Opinion of Fazakerley on a case involving the question of whether a Protestant purchaser living under a Catholic can be evicted

1f

UC/P28/1/53 [1720 x 1770]

Statement of Amy Smith (Catholic) in a unidentified case

1f

UC/P28/1/54 27 April 1740

Opinion of Browne on the case of John Thornton, Protestant heir-at-law to the estate of [W.W.] (a Catholic)

1f

UC/P28/1/55 22 February 1693

Opinion of [?Sampson] Ward on the proposal of the duchess of Norfolk, to sell her estate for her lifetime and draw an income to avoid paying double taxes

1f

UC/P28/1/56 16 August 1753

Opinion of Fazakerley in a case involving a Catholic trustee in a mortgage

2f

UC/P28/1/57 18 October 1733

Opinion of C. Talbot in a case involving the disputed inheritance of John Courtenay and the right of Paston and Chichester

3f

UC/P28/1/58 17 December 1756

Brief for the defence in the case of the University of Cambridge & Thomas Goodwin v Viscount Fairfax & Others.

The case relates to Lord Fairfax's advowson and his sale for a valuable consideration. The buyers were presented to the living but the University of Cambridge had already appointed Goodwin under 12th Anne c. 12

6f

UC/P28/1/59 April 1703

Opinion of Mr Harecourt, solicitor, on the case of the duke of Norfolk who is next of kin [to his estate] under the Acts of 11 & 12 Wm. III

1f

UC/P28/1/60 9 April 1701

Opinion of Edward Northey on UC/P28/1/59

1f

UC/P28/1/61 27 January 1702

Opinion of Edward Sutwyche on UC/P28/1/59, suggesting that the duke of Norfolk should not take the test

1f

UC/P28/1/62 8 December 1762

Opinion of James Booth in the case of Mostyn v. Wright.

The case relates to Wright acting on behalf of the French Jesuits in the raising of a loan for their West Indian Missions. A pencil note on this manuscript states that it is connected with the removal of the Jesuits from St Omers and makes reference to a letter of Alban Butler of 10 January 1763

2f

UC/P28/1/63 12 May 1763

Opinion of R. Wilbraham in a particular case questioning whether Edward Clifford (Catholic) can be made a good title to a Protestant mortgagee or purchaser
1f

UC/P28/1/64 31 July 1764

Opinion of James Booth in a case involving Lord Teynham
4f

UC/P28/1/65a [18th century]

Opinion of Fitzgibbon in the case of John Farrell
2f

UC/P28/1/65b 1 February 1715

Case of Edward Northy & Fortescue Alland to the L.L. [?] of the Treasury
This case relates to stewards at Preston attempting to raise money. The Crown is reminded that it is not entitled to profits from estates until High Treason is proved. They are asked to prevent cutting of timber except for personal profit of prisoners in cases where treason is not proved
1f

UC/P28/1/66 15 March 1765

Opinion of Booth and Wilbraham in the case of Sir Henry Hunloke (earl of Bath) v. Lord George Cavendish.

The case concerns a lease in Piccadilly by Hunloke who was a Catholic
5f

UC/P28/1/67 12 May 1763

See UC/P28/1/63
1f

UC/P28/1/68 31 July 1764

See UC/P28/1/64
3f

UC/P28/1/69 13 December 1774 - 9 May 1775

Opinions of Wedderburn and MacNamara on a case relating to an Irish Protestant who was converted and married a Catholic lady in France whose parents were Irish. He wishes to know his legal disabilities as to land, his marriage and the succession of his children
5f

UC/P28/1/70 8 August 1738

Opinion of N. Fazakerley in the case of [T.W.]
1f

UC/P28/1/71 [18th century]

[Unsigned] opinion in the case of Edwin v. Watkin
2f

UC/P28/1/72 16 December 1719

Draft of a proposed petition by the English Catholics to Rome concerning the Oath of Allegiance, displacement of Cardinal Gualteri, preventing the Pretender nominating Irish bishoprics, obtaining civil relief, and the danger of penalisation of property
1f

UC/P28/1/73 29 July 1760

Opinion of James Booth relating to the case of Francis Cholmley and his avoidance of a benefice under 12th Anne c. 14

1f

UC/P28/1/74 [18th century]

Case involving a Protestant next of kin who claims the estate of a Catholic man, who left his estate to two others

1f

UC/P28/1/75 [18th century]

Case of compassion for Mary Aylmer, widow of Garrett Aylmer, late of Lyons in the county of Kildare, Ireland

2f

UC/P28/1/76 [18th century]

[Unsigned] opinion that there are no popish recusant estates already forfeited by law

1f

UC/P28/1/77 8 August 1738

Opinions of N. Fazakerley and Peter Daly on Catholic estates in Ireland under the penal laws

1f

UC/P28/1/78 [1745]

Copy of a clause of 11th George II c.17 concerning the presentation of benefices belonging to Catholics

2f

UC/P28/1/79 1740

Opinions of Ryder, Browne K.C., and N. Fazakerley on mixed marriages between Catholics and Protestants

2f

UC/P28/1/80 10 February 1763

Opinion of James Booth in the conveyancing case of Mrs Stephens

1f

UC/P28/1/81 25 February 1757

Opinion of James Booth in an inheritance case advising Catholics to sell whatever they are in danger of losing to the penal laws

1f

UC/P28/1/82 [18th century]

Case of Smith v. Read

2f

UC/P28/1/83 17 October 1750

Opinion of Wilbraham on a clause in [A.B.'s] settlement

Case refers to UC/P28/79

1f

UC/P28/1/84 9 February 1742

Opinion of Fazakerley in a case involving the leasing of an advowson by a Catholic

1f

UC/P28/1/85 [18th century]

Letter from Robert [?] to George Wilmot: a tax case at Bank Newton, Yorkshire, over the double taxation of Christopher Greenwood

1f

UC/P28/1/86 28 May 1737

Opinions of G. Strahan and J. Andrew on the case of George Forster who has been left estates in France by Joanna Bowes

1f

UC/P28/1/87 15 January 1744

[Unsigned] opinion on the case of Mr Widdrington

1f

UC/P28/1/88 9 November 1751

Opinion of James Booth on the case of Robert Plompton.

The case relates to the succession to Plompton's estate by Ann and Cecily Plompton who were nuns at Cambrai

2f

UC/P28/1/89 9 May 1713

Judgement by Lord Justice Trevor in the case of John Thornby, lessee of the duke of Hamilton v. Thomas Fleetwood and others

11f

UC/P28/1/90 8 April [18th century]

"State of Mrs Fenwick's case on which appreciation is now making for a private Act of Parliament"

This case relates to Mrs Fenwick's attempts to obtain a real estate from the late Thomas Benson esq

2f

Volume II

UC/P28/2/1 10 June 1765

Case involving the sale between Sir Henry Hunloke and William Sitwell esq of the manor of William Thorpe in the county of Derby

Also includes an abstract of Sir Henry Hunloke's title to a messuage in Piccadilly held by Lord Bath

4f

UC/P28/2/2 8 October 1722

Opinions of Robert Raymond and John Conyers in the sale of land by Lady Frances Winter (Catholic) to John Barber

5f

UC/P28/2/3 31 October 1722

Opinions of C. Phipps and Thomas Lubuyche on a case of a claim for tithes against William Witham by the vicars of Mansfield in the lordship of Clift

3f

UC/P28/2/4 27 March 1723

Opinion of Robert Raymond in the conveyancing case of one of the late directors of the South Sea Company (Mr Paston)

4f

UC/P28/2/5 4 January 1698 - 1 February 1715

Case involving the estates of the earls of Derwentwater.

The case involves the Radcliffe estates being left to Lady Margaret Radcliffe for life and then descending to James, earl of Derwentwater, who being attainted, the estates revert to the Commission for Forfeited Estates. Finding Lady Margaret was a Catholic, the commissioners sent an agent to administer the estates. However, the tenants refused to recognise the agents and continued to pay rents to Lady Margaret

3f

UC/P28/2/6 15 August 1723

Opinion of Robert Raymond on a case arising from the will of the above (UC/P28/2/2)

5f

UC/P28/2/7 28 August 1723

Case involving the administration of the right to crops on sown lands owned by "A" who has died in jail. The administrator of A's estate is his mother

1f

UC/P28/2/8 22 December 1725

Opinion of Thomas Pengelly on the case of the Rt Hon Lord Robert Petres, a Catholic, and his estate at Writtle in the county of Essex.

The case related to a difference over an ejectment order during the minority of Robert under the guardianship of his mother, Edward Southcote and Edward Caryle, who are reputed papists

3f

UC/P28/2/9 6 December 1727

Opinion of Nathaniel Pigot on a case involving the question of whether "A" (a Catholic) can legally sell advowsons by his marriage settlement

1f

UC/P28/2/10 [1728]

Opinion of D. Commons on a case involving the question of whether the wording of "casual profits" written into a land agreement made by the duke of Buckingham (in the reign of King Henry VIII) was still legally binding

2f

UC/P28/2/11 16 August 1729

Opinions of Nathaniel Pigot, Thomas Reeve and Thomas Lubuyche in the case of the manor of Cossing, mortgaged by Henry Hovils, William Wolly, Humphrey [?Shaleross], and Richard Rudyard, to Thomas Rich and Thomas Cockayne

3f

UC/P28/2/12 18 October 1728

Opinion of C.T. [?Abott] in the case of Mrs Jane Williams, [?daughter] of Mr Allan Horde and whether the latter is entitled to profits from Mrs Williams's trust estate

1f

UC/P28/2/13 1769

Opinion of Wilbraham in a case relating to the Yorkshire estate of John Wilkinson

1f

UC/P28/2/14 1738

Opinion on N. Fazakerley in the case of "T.B.", a "papist"

2f

UC/P28/2/15 1753

Opinions of N. Fazakerley, Wilbraham and Filmer, on the case of earl Stafford and a forester.

The case questions how far a Protestant can safely lend to a Catholic on the security of land

2f

UC/P28/2/16 1762

Opinion of Wilbraham on a case relating to the duties of a trustee.

The case relates to a woman who wished to speculate and increase her capital

1f

UC/P28/2/17 1765

Opinion of Wilbraham on the case of the will of Henry Wells.

The case related to Wells devising all his real estate to his Catholic relations and friends and depriving his heir-at-law, a Protestant

1f

UC/P28/2/18 1762

Case relating to the will of Lord Teynham

5f

UC/P28/2/19 29 May 1759

Opinion of James Booth in the non-attendance at church of Sir Thomas Haggerston of Haggerston

1f

UC/P28/2/20 23 June 1759 - 1760

(1) Opinion of D. Poole on the case of Johnson v. Thompson relating to a charge of recusancy for non-attendance at church.

(2) Opinion of J.M. on the case of a Catholic gentleman charged with recusancy

2f

UC/P28/2/21 1761 - 1763

Opinions by J.M. and Wilbraham on a case relating to voluntary settlements and how far they precluded creditors

1f

UC/P28/2/22 23 November 1710

Case of Hamilton v. Fleetwood and others, relating to opposition towards the continuation of an injunction

2f

UC/P28/2/23 1769 - 1770

Opinions of Booth and Dunne on a case relating to the execution of the will of Roger Fryer

2f

UC/P28/2/24 10 April 1770

Opinion of John Maire on the case of John Johnson and his wife, Helena.

This case related to an agreement between John and Helena to separate and not to interfere with one another's affairs. Helena subsequently became an heir to an estate worth £2,000 pa. Maire raised the question of whether her husband could legally challenge her for possession of the estate

2f

UC/P28/2/25 2 February 1764

Opinion of R. Wilbraham on a case relating to the brother of two Catholics who claimed the estate from his sisters as his father's Protestant next of kin. Wilbraham considered that the brother's right of possession was merely personal and he could not claim the estate

2f

UC/P28/2/26 11 January - 8 June 1753

Opinions of D. Ryder and W. Murray on the right of a tenant (B) to deduct Land Tax from a property owned by the rector of (D)

1f

UC/P28/2/27 July 1756

Opinion of N. Fazakerley on a case involving land owned by Mrs Frances Wells and the right of succession to her nephew, Edward Sheldon

1f

UC/P28/2/28 1758

Opinion of J. Hardcastle on whether outstanding rents should be paid by the executors of an estate or his successor

2f

UC/P28/2/29 7 February 1764

Opinion of R. Wilbraham on a dispute over the entitlement to a legacy of the late Mrs Lucy to the executors of the late Henry Williams

1f

UC/P28/2/30 1745

Opinion of D. Ryder on an illegal marriage, the requirement of obtaining a military decree and the possibility of the English Spiritual Court granting one
1f

Related material in other DUL collections: See also UC/P28/1/13

UC/P28/2/31 1752

Opinion of H. Fielding on the effects and persons of lunatics
1f

UC/P28/2/32 11 January 1760

Opinion of Edmond Hoskins on a case relating to an estate left by Mrs Margaret Salkeld, and claimed by Ord the Protestant next of kin
2f

Copy of UC/P28/1/10

UC/P28/2/33 1752 - 1758

Opinions of the Lord Keeper, D. Fazakerley and John Maine, on the will of Richard Tucker and a bequest of annuities to grandchildren provided they are Protestants. The father (Booth) was a Catholic and considered that the eldest child could not decide the matter as he was only 14 and therefore annuities should be payable to the father
2f

UC/P28/2/34 2 - 29 March 1757

Opinion of C. Pratt on the case of Wright v. Specman relating to a disputed bond
2f

UC/P28/2/35 26 February 1759

Opinion of R. Wilbraham on a case involving the presentation of a living by an infant. The infant was not supposed to be a Catholic by law but was under the influence of their parents and, therefore, any presentation was null and void
1f

UC/P28/2/36 1764

Opinion of R. Wilbraham on Mrs Skipwith's disputed legacy to Mrs Wells
1f

UC/P28/2/37 23 February 1757

Opinion of James Booth on a case involving the succession of an estate to Catholics
2f

UC/P28/2/38 1756

Opinions of Fazakerley and Wilbraham on the estate of William Jackson. Fazakerley and Wilbraham argued that a Catholic could make a perfectly good sale of land to a disinterested party despite the claims of a Protestant next of kin
3f

UC/P28/2/39 2 March 1764

Opinion of John Maire on a case involving the estates of John Marshall. The case involved Mr Peters, who entered on these estates and was considered to be a reputable owner, although the heir-at-law was a Protestant. Maire argued that it would be quite safe for a Protestant to buy lands from Mr Peters
2f

UC/P28/2/40 3 April 1767

Opinion of John Maire on the case of Stephen Walter Tempest.

The case involved the refusal of a vicar to allow Tempest to bury his son in the church at Broughton. The vicar threatened to prosecute him as a Catholic

1f

UC/P28/2/41 24 March 1770

Opinion of James Booth on a case involving disposition to superstitious uses.

The case involved a bequest to a [?Catholic] charity

1f

UC/P28/2/42 17 July 1777

Opinion of the solicitor-general, Duanne, and Maddock on a case of inheritance relating to the estate of Mr Bellew, an Irish gentleman, and Mrs Dorias

1f

UC/P28/2/43 20 May 1777

Opinion of J. Dunning on the question of escaping disabilities on estates.

J. Dunning was of the opinion that a Catholic could:

(1) Buy land in the name of his son (an infant under 18 years and 6 months)

(2) Sell his expectancy in land

1f

UC/P28/2/44 27 June 1777

Opinion of G. Hill on the question of escaping disabilities on estates

1f

UC/P28/2/45 31 July 1751

Summary of case law and the opinion of Edmund Hoskins on Harrison (Mr & Mrs) v. Southcote & Moreland.

The case involved succession to an estate involving Catholics

5f

UC/P28/2/46 21 August 1777

Opinion of E. Thurlow on a case involving a Catholic who wished to purchase an estate in order to obtain a valid title

1f

UC/P28/2/47 [mid 18th century]

Abstract of laws relating to the estates of Catholics

6f

UC/P28/2/48 11 January 1762

Case of Bord Petre & Hon Anne Howard.

Proposal for a scheme of minutes for their marriage articles, with the consent of guardians on both sides

1f

UC/P28/2/49 [?1763]

Letter of James Booth to [?]: the affairs of Mr Pye

2f

UC/P28/2/50 23 August 1753

Opinion of James Booth on an intermarriage case of [?S] and [S.C.]

2f

UC/P28/2/51 12 May 1763

Opinion of R. Wilbraham on the case of Thomas Clifford

1f

Related material in other DUL collections: See UC/P28/1/38

UC/P28/2/52 [?mid 18th century]

Manuscript copy of an act of parliament concerning the collation of benefices etc by a Popish recusant, including an appendix on the effect of the act in Scotland

3f

UC/P28/2/53 1 June 1772

Letter from John Lancaster to [?] Tomkinson: Mr Booth has passed on Lord Langdale's affairs to Mr Wilmot

1f

UC/P28/2/54 25 February 1756

Letter from [?Ricard] to Wilmot: the disposal by a Catholic of an advowson, with the opinion of Booth

1f

UC/P28/2/55 20 February 1756

Brief of a case: Cambridge University v. the archbishop of York and Lord Fairfax on the disposal by a Catholic of an advowson

5f

Related material in other DUL collections: See UC/P28/2/54

UC/P28/2/56 [?late 18th century]

Newspaper report of parliamentary proceedings on a "Bill for the Better Securing Liberty of a Subject"

On the reverse of UC/P28/2/55

UC/P28/2/57 [?late 18th century]

Pictorial genealogy of the Howard (dukes of Norfolk) family

On reverse of UC/P28/2/55

1f

UC/P28/2/58 2 March 1746/7

Account of the trial of Lord Simon Lovat

On the reverse of UC/P28/2/55

2f

UC/P28/2/59 29 February 1747/8

Extract of a letter from a gentleman in Scotland to a gentleman in York: account of occurrences in RR. Teviot and Kirtle, the princess of Villemont has brought about a match between the young Chevalier and Princess de Radzeveil

On the reverse of UC/P28/2/55

1f

UC/P28/2/60 March 1746/7

Account of proceedings during the execution of Lord Simon Lovat

1f

UC/P28/2/61 [?late 18th century]

Genealogical tree showing the lines of descent of John of Gaunt

1f

UC/P28/2/62 [?late 18th century]

Arguments for granting livings to Protestants by Catholics for full and valuable consideration

1f

UC/P28/2/63 3 May 1773

Case of *quare impedit* involving the earl of Stafford, the bishop of Norwich & others

1f

UC/P28/2/64 [?late 18th century]

Genealogy of the House of Norfolk, including a query as to who will inherit the title if the duke does not take the oath

1f

UC/P28/2/65 24 July 1744

Opinion of D. Ryder on the Catholic purchase of land

1f

UC/P28/2/66 16 November 1704

Letter from Nathaniel Pigot to Sir Robert Throckmorton: informing him that he has obtained Rowland Bartlett as security

1f

UC/P28/2/67 29 August 1762

Letter from James Booth to [George] Wilmot: Oath of Allegiance

1f

UC/P28/2/68 11 July 1763

Opinion of James Booth on the will of Sir Thomas Webb

1f

UC/P28/2/69 [mid 18th century]

Objections to the registration of Catholic estates

3f

UC/P28/2/70 23 September 1735

Pedigree of the Tasburgh family

1f

UC/P28/2/71 [September] 1735

Opinion of Dixon on a case relating to the Tasburgh livings

2f

UC/P28/2/72 [September] 1735

Letter from John Stallingfleet to Peter Fullyn: Dixon's opinion on the Tasburgh case

1f

UC/P28/2/73 2 September 1766

Letter from G. Wilmot to the duchess of Norfolk: marriage arranged between Lord Petre and Anne Howard and citing evidence of James Booth in having a Protestant trustee

2f

UC/P28/2/74 [mid 18th century]

Opinion of J. [?Guijaun], Mangis of Louvain and C. Robert, Dr of Civil Law, on a case involving the religious orders and their property

Language: French

1f

UC/P28/2/75 10 March 1754

Opinion of Méchin on a marriage contract

Language: French

2f

UC/P28/2/76 4 May 1730

Case of Matthias Arcedeckne and Wife v. James Hogan & Others

Appeal from Ireland at the Bar of the House of Lords.

Brief for the defence signed by P. Yorke and C. Talbot

2f

UC/P28/2/77 31 December 1748

Letter from James Booth to [?Lady Lichfield]: advising her that a Catholic needs to exercise caution with their estates

2f

UC/P28/2/78 [mid 18th century]

Manuscript copy of the Acts of 11th and 12th William III and 3rd George I

1f

UC/P28/2/79 [mid 18th century]

Commentary on the Penal Laws and their effect on Catholics' disposal of property

8f

UC/P28/2/80 4 February 1763

Letter from James Booth to Lord Langdale: Lord Montague's affairs, [?selling a parliamentary borough], and [?Gallican] criticism of "Papalians" and distinguishing between genuine Catholics and those that are led by priests

2f

UC/P28/2/81 3 March [?1760]

Letter from James Booth to [?]: delay in sending a draft of a document

2f

UC/P28/2/82 [early 18th century]

Opinion of Nathaniel Pigot on Francis Carington's will (devisees and legatees are all Catholics)

2f

UC/P28/2/83 11 March 1720

Unsigned opinion on Dame Frances's will (devisees and legatees are all Catholics)

1f

UC/P28/2/84 [early 18th century]

Opinion of Nathaniel Pigot on the will of Sir Roger Hall

3f

UC/P28/2/85 10 March 1725

John Goodright v. John Shepherd & Others.
Brief for the defence, signed by [?] D'Anvers
2f

UC/P28/2/86 12 December 1748

Opinion of Fazakerley on Wright v. Charles Specman
4f

Related material in other DUL collections: See UC/P28/2/34

UC/P28/2/87 23 September - 22 December 1752

Opinion of Edmund Hoskins and N. Fazakerley in a case involving Catholics in the sale of real estate
3f

UC/P28/2/88 [?mid 18th century]

Document entitled "Alterations which Mr Berkeley and his son would have made in the draft of the settlement"
1f

UC/P28/2/89 26 April 1742

Opinion of D. Ryder (attorney-general) and Daley in the case of Coleman v. Burke in Ireland
7f

UC/P28/2/90 1720

Duchess of Hamilton v. Fleetwood & Others
Brief for the defence
2f

Related material in other DUL collections: See UC/P28/1/11

UC/P28/2/91 [?mid 18th century]

Cox v. Symonds
Opinion of [?Pigot] of the advowson granted to Cox by Gilbert, earl of Shrewsbury
3f

UC/P28/2/92 1720

Effect on the affairs of the duke of Norfolk of the legal construction of 11 c. 12 William III
1f

UC/P28/2/93 3 February 1749

Davis & Shackstaff v. Pine & Hughes
Chancery case relating to John Evans, who is a Catholic, cannot inherit an estate and Hughes is the Protestant next of kin
9f

UC/P28/2/94 [?mid 18th century]

Case involving information against William Fermor of Rotherfield, Sussex, & John Shorthouse, in the Exchequer
3f

UC/P28/2/95 [?mid 18th century]

Case involving Henry Fermor, Ralph Sheldon, Thomas Stonor & Winifred Brooks against a bill brought in for the better discovery of superstitious uses.

This case relates to the English Jesuits at St Omer

4f

UC/P28/2/96 18 January 1729

James Backhouse v. Richard Biddulph.

Case involving Richard Biddulph who was a Catholic and could not take Sir William Goring's estate

3f

UC/P28/2/97 25 March 1700

Regina v. Giffard & Others (Martin and Hughes).

Brief for the defendants in a case involving accusations made against Joseph Giffard, a Catholic bishop, saying mass in the parish of St Giles

1f

UC/P28/2/98 [?mid 18th century]

Case of Thomas Earleston and his succession to his father (Henry's) estate, involving whether the sheriff has the legal right to take possession of the estate because of its use for "superstitious purposes"

1f

UC/P28/2/99 [?early 18th century]

Substance of a petition and answers to matters objected in a bill relating to superstitious uses

3f

UC/P28/2/100 1703

Poem on the Padley Martyrs

5f

UC/P28/2/101 [early 18th century]

Regina v. Boson

Brief for the defence: the defendant was arrested in the house of Mr Sheldon of Weston (taken as a priest for Warwick Gaol)

1f

UC/P28/2/102 1716

Articles of impeachment of high treason against Lords Derwentwater, Widdrington, Nithsdale, Winton, Carrwath, Kenmere, and Nainor

4f

UC/P28/2/103 [early 18th century]

Petition to parliament relating to lands applied for the use of foreign seminaries signed by Lewis Gerard, J. Denham, Timothy Soole, and Samuel Dudley

1f

UC/P28/2/104 1747

Document entitled "Account of expenses paid and to be paid upon the returns of the Justices of Lancashire of the persons in that county who refused or neglected to take the oaths etc."

1f

UC/P28/2/105 8 September 1745

King v. Revet (John) & Anderson.

Presentation by a grand jury of two priests for trial for exercising their office.

Signed by Knutsford

1f

UC/P28/2/106 27 December 1745

Recusants (including John Green, John Revet, Thomas Wilson, Luke Cooper, Martin Hounshill, William Anderson) committed to York Castle following a warrant for high treason issued by the duke of Newcastle

1f

UC/P28/2/107 2 February 1674/5

Address to Sir John Osborne of a draft commission to or warrant to seize two-thirds of the lands of recusants in certain counties

1f

UC/P28/2/108 1746

Petition by William Hesketh and Thomas Brockholes to the king pointing out that oaths to be taken are of a religious nature and that failure to take them would outlaw Catholics

1f

UC/P28/2/109 [1746]

Petition by the Lancashire magistrates to the king on the refusal of the clerk of the peace to record convictions against Catholics.

Signed by magistrates

1f

Volume III

UC/P28/3/1 12 June 1691

Letter from Henry, duke of Norfolk, to the Rt Hon the Lord Commissioners for the Custody of the Great Seal of England: property in Norfolk and Suffolk (including dissolved monasteries)

1f

UC/P28/3/2 1716

Great Britain, *An act to oblige Papists to register their names and real estates* (London, 1716)

8f

UC/P28/3/3 [?1760]

A list of the names of the High-Sheriffs, for the county of Derby, since the reign of Queen Elizabeth

1 sheet

UC/P28/3/4 [early 18th century]

Petition from Thomas, duke of Norfolk, to parliament, for relief from certain effects of the act for further preventing the growth of popery

1f

UC/P28/3/5 [early 18th century]

Brief on the effect upon Thomas, duke of Norfolk, of an act of parliament which he considers to be introspective

1f

UC/P28/3/6 [?1729]

Letter from Alexander Pope to his sister: advice received from a lawyer on her husband's death, and a mortgage

1f

UC/P28/3/7 [early 18th century]

Petition from Thomas, duke of Norfolk, to parliament, for leave to bring in a bill to purchase a capital messuage in St James Square belonging to Lord Frederick Howard

1f

UC/P28/3/8 9 July 1729

Letter from Alexander Pope to his sister (Mrs Racket): legal matters resulting from her husband's death

1f

UC/P28/3/9 28 July 1729

Letter from Alexander Pope to his sister (Mrs Racket): his arrival at Lord Peterborough's, he is in good health

1f

UC/P28/3/10 [?1720]

Petition from Thomas, duke of Norfolk, to the king, for leave to bring in a bill to purchase a capital messuage in St James Square belonging to Lord Frederick Howard

3f

UC/P28/3/11 22 November [?1737]

Letter from Alexander Pope to his sister (Mrs Racket): his safe arrival in Bristol, and the purchase of the Hall Grove estate

2f

UC/P28/3/12 22 January 1738

Letter from Alexander Pope to his sister (Mrs Racket): the possible seizure of the Hall Grove estate because of its Catholic owners and as security for debt, advising sale to a Protestant and suggesting what to do with the money, and agreeing to advance the Racket family £100

2f

UC/P28/3/13 [early 18th century]

Extract from an act of parliament ordering that laws will not pass by will to a Catholic

1f

UC/P28/3/14 20 July 1723

Certification by the Commissioners for Forfeited Estates that Thomas Eccleston of Eccleston, Lancashire, has become a Jesuit and has therefore forfeited his estates

1f

UC/P28/3/15 [early 18th century]

Extract from an act of parliament enabling Catholics to take lands by way of mortgage

1f

UC/P28/3/16 1715

Answer by Lord William Widdrington to the articles of impeachment for high treason

2f

UC/P28/3/17 [?1716 x 1720]

Petition by Peregrine Widdrington (brother of Lord William Widdrington) to the king seeking a free pardon in respect of the penalties of attainder forbidding him to receive any gift or legacy

1f

UC/P28/3/18 1715

Address of [?Lord Widdrington] to [?the House of Lords] seeking clemency in respect of high treason

2f

UC/P28/3/19 [?1743]

Draft of an inscription for the tomb of Lord William Widdrington

1f

UC/P28/3/20 [?1743]

Great Britain, *Act for the relief of William, late Lord Widdrington, in respect to some of the disabilities occasioned by his Attainder*

3p

UC/P28/3/21 1701

Pedigree of Thomas, duke of Norfolk, to answer a query relating to who is the next of kin

1f

UC/P28/3/22 [?1720]

Draft petition from Thomas, duke of Norfolk, to parliament, for leave to bring in a bill to purchase a capital messuage in St James Square belonging to Lord Frederick Howard
3f

Related material in other DUL collections: See UC/P28/3/7 and UC/P28/3/10

UC/P28/3/23 [early 18th century]

Memorandum by Lord Thomas Howard on the basis on act of parliament to review his attainder in view of incumbent debts on the present duchess of Norfolk
2f

UC/P28/3/24 [early 18th century]

Petition from Mrs Mary Aylmer to Sir Robert Walpole asking that she should not, at present, be required to produce her son in the court of chancery in Ireland
2f

UC/P28/3/25 [early 18th century]

Account by King Louis XIII of his birth caused by his mother's sea-sickness in 1637
Language: French
1f

UC/P28/3/26 1774

Newspaper cutting of an act of parliament for making more effectual provision for the government of the province of Quebec
1 sheet

UC/P28/3/27 1773

Newspaper cutting concerning objections to a bill to secure the payment of rents by Catholics to Protestants on mortgages of land, tenements or hereditaments in Ireland
1 sheet

UC/P28/3/28 [late 18th century]

Rules for the Registry Office in Dublin
2f

UC/P28/3/29 [late 18th century]

[?Petition] from Edward Blount to [?] to recommend to His Majesty to take his Catholic subjects into his protection
1f

UC/P28/3/30 1710

Extract of a release by John Thornton of Nether Witton, Northumberland, to Thomas Eyre, Rt Hon James earl of Derwentwater, and others
1f

UC/P28/3/31 1716

Abstract of the bill for obliging papists to register their names and real estates
2f

UC/P28/3/32 1717

Claim by Thomas Eyre, of Eastwell in the county of Leicester, for himself and certain Thorntons of Nether Witton of Northumberland, to a lease or release of land for 100 years for certain purposes
9f

UC/P28/3/33 [early 18th century]

Discourse on the lawfulness of combats to be performed in the presence of the king
4f

UC/P28/3/34 1772

Great Britain, *An Act to vest in trustees, to be sold certain estates in the counties of York, Westmorland, and Lancaster, which belonged to Ann Fenwick, widow, before her intermarriage, and for the relief of the said Ann Fenwick, in such manner as in the said act is mentioned* (London, 1772)

16p

UC/P28/3/35 [?1723]

Draft Act of Parliament to explain and amend the Act for vesting the estates of Sir Gervase Clifton to enable him to purchase an estate

8f

UC/P28/3/36 26 November 1742

Document entitled "Land Tax since the Revolution printed in the *London Daily Post* 26th Nov 1742"

1f

UC/P28/3/37 [18th century]

Abstract of the Popery Laws of Ireland

8f

UC/P28/3/38 1774

Note on the right of Protestants to use Bills of Discovery against Catholic estates

1f

UC/P28/3/39 [?1716]

Reasons humbly offered for enlarging the time for registering [relating to the act for registering Catholic estates]

1f

UC/P28/3/40 [18th century]

Reasons humbly offered against two bills (an Act to explain and amend an Act instituted for registering the popish clergy, and an Act for the better putting in execution of the laws and statutes made in this kingdom for banishing popish regulars and papists)

1f

UC/P28/3/41 [?1705]

Clause from an act limiting the privilege of Protestant heirs to papist estates

1f

UC/P28/3/42 29 September 1705

Clause from the same act barring from its effects any Catholics over 21 years of age

1f

UC/P28/3/43 [?1705]

Clause from the same act permitting the wife of a Catholic to enjoy property settled in jointure before marriage

1f

UC/P28/3/44 [?1705]

Identical or similar copy of UC/P28/43

1f

UC/P28/3/45 [early 18th century]

Notes on the effect of an act of parliament giving the right of a Protestant next of kin to seize the estate of a Catholic

2f

UC/P28/3/46 1691

Legal opinion on the case of Sarah Farrell, an Irish Catholic with lands in Galway, Roscommon and Sligo

12f

UC/P28/3/47 [early 18th century]

Case of Sir Lawrence Anderton (a Catholic) and his inheritance to an estate

2f

UC/P28/3/48 1753

Great Britain, *Act for allowing further time for inrolment of deeds and wills made by papists; and for relief of Protestant purchasers* (London, 1753)

9f

UC/P28/3/49 [18th century]

Great Britain, *Bill to explain and amend an Act made in the third year of the reign of His Late Majesty King George the First, entituled, an Act for explaining an Act passed the last session of Parliament, entituled, an Act to oblige papists to register their names and real estates, and for enlarging the time of such registering, and for securing purchases made by Protestants; and for securing the estates of papists, who are or shall become Protestants, against the disabilities created by several Acts of Parliament relating to papists*

3p

UC/P28/3/50 [?1738]

Extract from a section of an act preventing Catholics fraudulently exercising a right to present to a benefice, prebend, or ecclesiastical living etc.

2f

UC/P28/3/51 [?1716]

Objections against the bill for appointing commissioners [to deal with the estates of those Catholics who have committed high treason since June 1715]

2f

UC/P28/3/52 [early 18th century]

Draft of a bill to disable Catholics over 18 from inheriting estates unless they take certain oaths and make a declaration, although it will not make void the appointment by Thomas, duke of Norfolk, of Lord Henry Walden as a marshal of England

3f

UC/P28/3/53 [early 18th century]

Extract from a bill to enable Catholics to take manors, lands, etc. by way of mortgage

1f

UC/P28/3/54 [early 18th century]

Draft of a section of a bill enabling Catholics to take manors, lands, etc. by way of mortgage

2f

UC/P28/3/55 [?1739]

Epitaph of Thomas Howard of Greystock

1f

UC/P28/3/56 [early 18th century]

Draft of a Bill enabling Catholics to provide for family or to pay debts out of their estates by their last will and testaments, as well as other reliefs

4f

UC/P28/3/57 [?1753]

Great Britain, *An Act for the better preventing of clandestine marriages* (London, 1753)

9f

UC/P28/3/58 1746

A letter from a Catholic gentleman to his Protestant friend (London, 1746)

A defence of the loyalty of English Catholics during the Jacobite rebellion

8p

UC/P28/3/59 1717

Great Britain, *An Act for the further security of His Majesties person and government, and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants; and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors* (London, 1717)

16p