

ART. XIV. – *Canon Winder Hall and its owners*
By C. ROY HUDLESTON

JAMES STOCKDALE in his *Annales Caermoeenses* (pp. 508-10) observes of Canon Winder Hall, Flookburgh: "This is a large and ancient hall, but one about which very little is known". He then sets forth what he did know or thought he knew, for his account contains a good many errors. The estate owes its name, as the Rev. Dr J. C. Dickinson points out in his *The Land of Cartmel* (p. 90), because it was once the possession of the Canons of Cartmel Priory. Stockdale says it was granted by Elizabeth I or James I in fee farm to Richard Kellett, in whose family it continued "for a considerable time, at any rate up to 1634, when John Kellett died". He goes on to say that he does not know into whose hands the estate then passed, and adds "before the middle of the seventeenth century one of the Westby family was living there and at one time Mrs Preston of Holker Hall, but perhaps only as tenants". The fact is that Ann Preston, widow of Christopher Preston of Holker (died 25 May 1594) was the owner of Canon Winder when she made her will on 11 January 1638/9 and, as we shall see, it was her daughter Elizabeth Westby who inherited the estate in 1642. Ann Preston, whose maiden name was Jephson, was Christopher Preston's second wife. Her will¹ shows that in addition to Canon Winder, she was also the owner of Outerthwaite, Boarbank, Espland and Myerside in Cartmel, and of messuages and lands at Gressingham in Lancashire.²

In 1653 Thomas Fletcher of Cartmel deposed that Mrs Preston was a protestant at the time of her death. He lived near her for several years and was with her in her last illness. She died at "the beginning of the late war, when goods were not vendible and all or most of her personal estate was about a year after her death sequestrated for the recusancy of Mrs Westby".³

Elizabeth Westby, Mrs Preston's only daughter and heiress, was thrice married – first at Cartmel Priory 15 September 1605 to Edward Tildesley of Morleys (L),⁴ secondly to Thomas Lathom of Parbold (L), and lastly to Thomas Westby of Burn Hall and Mowbreck Hall (L), who died 1643. Mrs Westby was a Catholic and a recusant, as were most of her descendants. She died in 1652. Her son Sir Thomas Tildesley, or Tyldesley who was baptised at Cartmel Priory, 20 September 1612, was killed at Wigan, fighting for the King in 1651.⁵ Of her Westby sons, George (d. 1690) succeeded to Mowbreck, and was of White Hall, Rawcliffe (L),⁶ Richard succeeded to Canon Winder, Robert⁷ was of Killington and Charles and Bernard were both officers in the Life Guards. The last named was of Manor, Dalton-in-Furness.⁸

Of Richard Westby we know very little. He married Jenet, daughter of Brian Taylor of Methop and had three daughters. He was dead before 1666, and Jenet married secondly Thomas Duckett,⁹ by whom she had three children – James, baptised at Cartmel, 2 January 1666/7 and buried there, 8 April 1668, Mary who was living 1691 and Marian, who was baptised at Cartmel, 5 April 1669. Less than a year later Thomas Duckett was dead. He was buried at Cartmel, 11 September 1670, and administration was granted in the Archdeaconsry of Richmond on 4 November to George Hilton of Millwood, Dalton-in-Furness, and James Duckett and Edward Braithwaite of Cartmel.¹⁰

Jenet survived 20 years and was buried at Cartmel on 9 January 1690/1. In her widowhood, on 9 November 1682, she had, with her daughters Elizabeth, Isabel and Anne Westby, entered into an agreement with Thomas Walton, gentleman, of Walton-le-Dale, that he should marry her daughter Elizabeth and accordingly settled Canon Winder upon him.

After Jenet's death her daughter Isabel married at Goosnargh (L) on 13 September 1691 Gabriel Hesketh of Whitehill, Goosnargh. As we shall see Gabriel was to play a prominent part in the disaster that befell Canon Winder and its owner. To revert to Thomas Walton, the bridegroom of 1682. His family owned the manor of Little Walton on the south side of Walton-le-Dale as early as 1327. His mother was a daughter of Roger Hesketh of Mains (L) and the family were staunch Catholics.¹¹ Thomas is said by Abram (*History of Blackburn*, 730) to have sold the Little Walton estate in 1682; he did not long survive his marriage, for he made his will on 12 November 1683, and was dead before 7 December, when his inventory was taken. He had fathered Thomas, his son and heir, and made provision in his will for his unborn child. If a child was born, it is not mentioned in the will of Elizabeth, the widow, which was dated 28 October 1691. She was buried at Cartmel six days later. Her brother-in-law Gabriel Hesketh and William Simpson of Flookburgh, gent. proved the will on 11 January 1691/2. Tuition of the orphan Thomas Walton, nine years old, was granted to his aunts, Isabel Hesketh, wife of Gabriel and Anne Westby, his mother's sisters.

In 1705 Thomas married Anne, daughter of George Leyburn of Nateby Hall (L) the pre-nuptial settlement being dated 30-31 October, and the estate settled being Canon Winder and the rest of Thomas's lands in Winder, Outerthwaite, Allithwaite, Flookburgh and Cartmel (a messuage called Hungry Moors in Hambleton (L) excepted). The trustees were Thomas and Gabriel Hesketh and Evan Gerard, gent.¹²

Of this marriage two children were born, a son Thomas, buried at Cartmel, 30 November 1715, and a daughter Elizabeth. His son's death found Thomas Walton in prison. He joined with his uncle Gabriel Hesketh, his cousin Cuthbert Hesketh, his brother-in-law John Leyburn, his kinsman Edward Tyldesley, and many other Lancastrians, in the rising of 1715. He was among those captured at Preston on 13 November, tried and convicted of high treason on 26 June 1716. His estate was forfeited¹³ and offered for sale by the commissioners for forfeited estates. The bidders were George Wilson at £620, Robert Stoddart £630 and Croft Corles of London, cheesemonger at £640. Stoddart increased his offer to £650, whereupon Corles topped it to £651, and the estate was conveyed to him on 20 July 1720. The claim of Thomas Walton and his wife had been dismissed on 16 July 1718. The estate consisted of Winder Hall, let to Henry Barwick at £45 a year, the Winder estate let to Thomas Wayne at £50 a year, Outerthwaite to Thomas Leece, £52 a year, three burgage houses in Flookburgh, let to John Barrow, John Burscough and Thomas Clarkson, a messuage and close called Borebanks and Espland in Allithwaite and a close called Stubbins in Wraysholme meadow.

On 17 May 1717, John Fisher of Stainbank Green, Kendal, petitioned the Commissioners on behalf of Thomas Walton's daughter Elizabeth, whose interest in the estate was allowed on 16 June 1718. Elizabeth married Thomas Cholmeley of Brandsby (Y), who died 1742, and secondly before 1747 George Anne of Burghwallis, by whom she had a daughter Lucy. Mother and daughter were remembered in the will dated 24 April 1747 of Lucy, widow of Elizabeth's uncle John Leyburn. Lucy left Elizabeth the

green worked bed, the tapestry hangings, family pictures, two china dishes, two large china basins, the wrought quilt and the dessert knives and forks. To Lucy, her great niece and goddaughter, she left all the plate engraved with the Leyburn arms (except one tankard), and her best diamond ring. The Anne pedigree in Burke's Landed Gentry, calls Lucy, Elizabeth and says she died aged 16.

So ended the story of the Prestons, Westbys and Waltons of Canon Winder.¹⁴ Stockdale (p. 509) gives a more dramatic, though wholly inaccurate, account of the last days. It runs as follows:

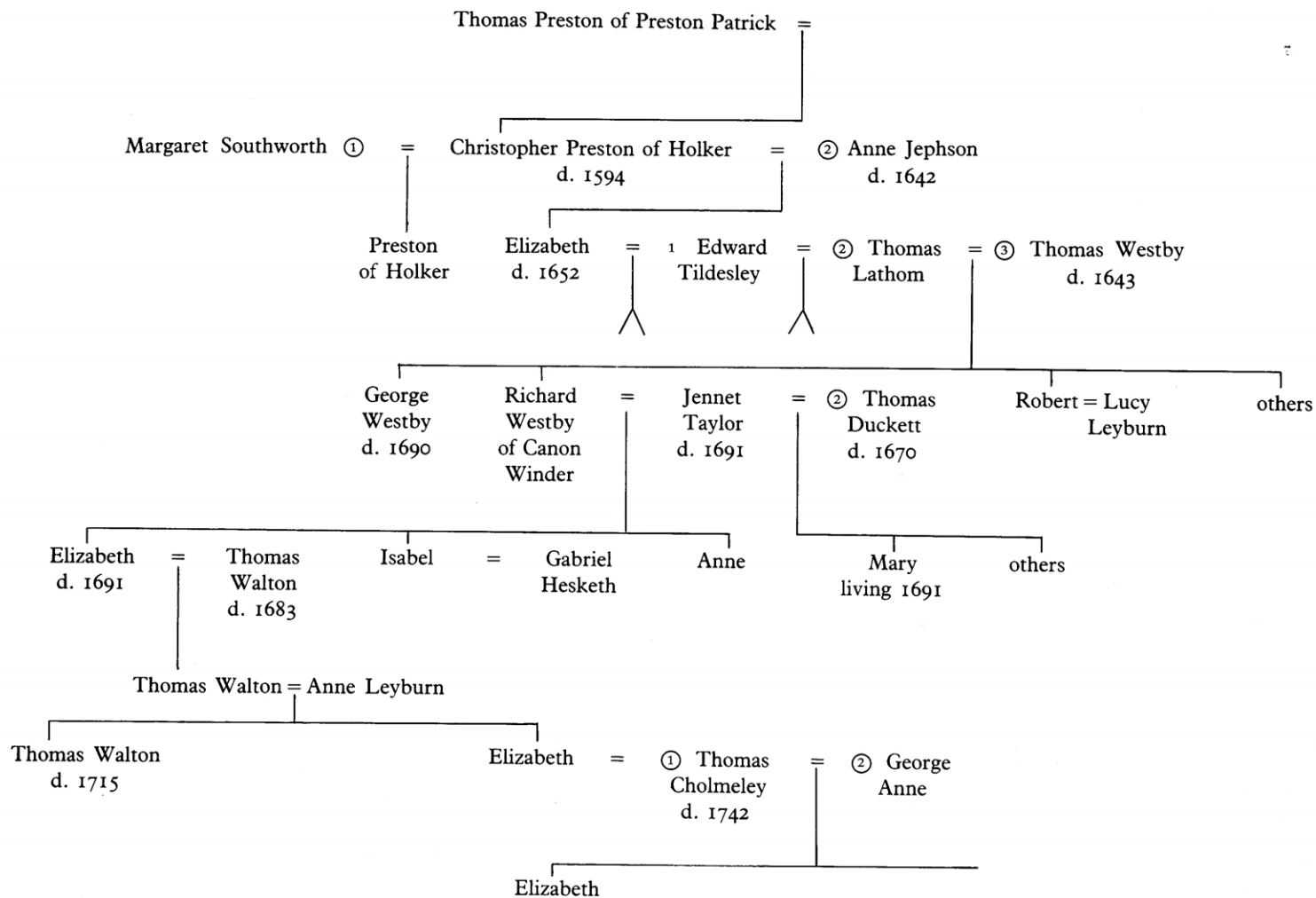
According to tradition a very respectable family of the name of Walton was living at Canon Winder Hall . . . during the last [18th] century, though not perhaps as owners of the place. The head of this family, according to tradition, took an active part in the cause of the Pretender in the Rebellion of 1745, and was executed either at Penrith or Carlisle in 1746. A friend of mine told me lately that he had heard his aged relatives and others now dead speak of this; and that afterwards the children of this gentleman (Mr Walton) when they came to attend the Free School at Flookburgh used to be sadly tormented by their school fellows telling them of their father's execution for treason. Little do people of the present day know about the extreme cruelty resorted to in the executions of 1745-6. The rebels, according to contemporary accounts, were not suspended on the gallows till dead, but strung up and almost immediately cut down, their bowels being torn out whilst they were yet alive, and burnt before their eyes; after which, as a climax, their heads were cut off and placed on the pikes above the gateways and other parts of Carlisle . . .

Appendix I

(a) Will* of Anne Preston 1638

In the name of [tear] Amen the ixth day of Januarye Anno Domini 1638 I Anne Preston of Channon Winder in [tear] dye but in good & perfect remembrance the Lord than . . . for the same doe make & ordaine this my last my last wille [sic] and testament in manner & forme Followinge vizt First & pri[tear] into the mercifull hands of All mightie G[tear] surely trustinge in Jesus Christ my redeemer to obtaine full pardone and remission of all my sines & Fruition of eternall life and my [tear] Church of Cartmell aforesaid neare unto [tear] place where my husband was buried at the discretion of my Freinds Then it is my mynde that the Church have all Dues Due [tear] belonging [tear] moreover I give unto the said Church [tear] adorne the pulpitt & other thinges needfull as the Churchwardens & xxiiii^{ti} shall thinke fitt the summe of Three pounds sixe shil [tear] and I doe give unto the poore of the parishe [tear] mell and the towne where I was borne & neare ther abouts the Summe of twoe hundred pounds for ever the same to be to be [tear] my supervisors and the yearly use thereof [tear] Destributed amongst the poore of the places afforesaid for the settinge forth of printices and otherwise needfull as my supervisors shall [tear] after by the Churchwardens & xxiiii^{ti} of those [tear] For ever if my supervisors soe thinke good . . . or otherwise to be made suer for the uses afforesaid by my said supervisors as they shall thinke [tear] give unto my grandchilde M^r Thomas Tildesley one hundred pounds and to his Children one hundred pounds and to his wife ten pounds Item I give unto my grandchy [tear] pounds Item It is my will & I doe give unto my grandchylde M^r Richard Westbye & his heires for ever All my messuage Tenement and Lands with th appurtenances Called Outerth [tear] sed of John Diconson & his sonne and the Tenants in Flookburgh thereunto belonging & alsoe all those Lands & Tenements with

* The will has been badly torn and a piece approximately 5 inches by 4 is missing.



thappurtenances Called Borebancks & Epland and the Meadow [tear] urrowes deceased Item It is my will & I doe give unto my grandchylde Barnard Westbye & his heires for ever all my messuage tenement and lands with th appurtenances at Gersinghame [tear] of my Lord of Hornbye Item It is my will and I doe give unto my grandchylde Charles Westbye & his heires for ever my messuage & tenement with thappurtenances at Myersyde in Cartmell [tear] me in my life tyme then I doe give him in lew thereof tow hundred pounds Item it is my will and I give unto my grandchylde Robert Westbye twoe hundred pounds & to George [tear] nds Item I give unto my grandchylde Elizabeth Westbye one hundred pounds Item It is my will and I give unto my Daughter M^{rs} Elizabeth Westbye all my playte & houshold [tear] and [tear] [s]hee shall have the use of all my messuages lands Tenements & tennants before disposed of (if she continue widow) untill her said Children to whom I have given my estates as affor [tear] ally accom [tear] Age of xxi^{tie} yeares; but if shee marry before that tyme, then all & everye the said messuages Lands & Tenements to be furthwith to & for the use of hir said children to whom [tear] e & bequea [tear] estates as afforesaid Item It is my will & mynde that the £200 which I gave to the poore shalbe first raised out of my goods & for the other Legacies wher my goods will not extend [tear] that then the [tear] er shall be paid & dischargd out of the yearly profitt of my Lands, vizt Fyve hundred pounds laid on Winder and Fyfte pounds with Richard Clarke Item it is my will & I give [tear] Burtons Children Twenty pounds to be devidid amongst them by my supervisors as they thinke fitt Item it is my will & I give unto Willy Wilkinson sone of Marye Wilkinson Ten pounds after my decease [tear] ve unto my men servants a halfe yeare wage over & besydes that which they have served and to my women servants a whole yeare wage over & besydes that which they have served Alsoe to my Daughter T [tear] nty pounds more Also to George Westbye Fower score pounds to make yt one hundred pounds given in my will Item It is my will & I give for the use of Cartmell Church the Summe of Six pounds thirt [tear] fower pence Also I give for the good of my neighbors Forty shillings for fower Sermons to be preached every quarter one the next yeare after my decease Item & It is my will & I make my daughter M^{rs} [tear] iur Westbye my wholl Executrix to whom I . . . the rest of my goods unbequeathed as well moveable as Immoveable Shee well & trulye payinge & discharging my debts legaces & funerall expenses Item I give unto M^r Thomas Preston [tear] M^r Christopher Preston M^r Geo: Preston Younger M^{rs} Margaret Preston & M^{rs} Eliza: Preston every one x^s a peece and to M^{rs} Anne Preston my god daughter xx^s Item I desyre M^r George Preston and M^r Thomas Tildesley Esqrs. to be supervisors in this my will & to see the trulye performed so farr as they are able as my trust is in them & for their paines therein I give unto either of them a spurryall of golde Records hereof Thomas Burscough iur Walter Kendall iur Richard Fell

Proved 17 October 1642 before [tear] Brooke Preacher of the word of God at Cartmell and administration committed to the executrix

(b) Commission of Joseph Cradock Master of Arts Commissary of the Archdeaconry of Richmond to John Brooke, clerk, preacher of the word of God at Cartmel. 14 October 1642 signed Ger: Benson notary public

(c) Bond of Elizabeth Westbye of Burne, county of Lancaster Widow and Walter Kendall of Meethoppe in the County of Westmorland. husbandman 17 October 1642 that Elizabeth will well and truly execute perform and fulfil the last will of M^{rs} Anne Preston of Channon Winder widow her late mother.

Witnesses: John Brooke Ger: Benson Notary public

(d) Inventory of all the goods and chattels of M^{rs} Ann Preston deceased prysed by George Bigland Richard Simpson William Peper and John Brathwhait 17 August 1642.

	£	s	d
Imprimis in blacke beasts young & ould	150.	7.	0
In hay there at Borebanck	5.	0.	0
2 pair of bedstocks ther with some sealing	1.	10.	0

3 roods of boords with loose planks	4.	18.	0
2 Tabeles	0.	10.	0
In sheep young & ould	40.	0.	0
In oates barley & malt	30.	0.	0
In horses	27.	0.	0
In barley oates beanes pease & hempe	80.	0.	0
In meadow mowen & unmowen	8.	0.	0
In swyne & piges	2.	0.	0
In Arkes	30.	0.	0
In wooll	9.	10.	0
In meale & [?]	3.	13.	0
In pease & malte	?	?	?
In sacks poakes & a windecloth	1.	10.	0
In Brass & puther	14.	0.	0
In Bees	1.	0.	0
In beds beding tables & stooles within the great parlor	10.	10.	0
In wood vessell	2.	12.	0
Within the litle parlor beding a table chaires stooles and all therin	5.	10.	0
In the Nurserye beds beding a table chists lining and all ther in contayned	21.	0.	0
In the storehouse in lininge, chists Truncks and all other there in	65.	7.	0
In the litle Chamber in beds & beding & all therein	8.	10.	0
In the chamber over the parlor all there	13.	0.	0
Within the Kitchinge all ther	4.	0.	0
In Turffe	5.	0.	0
In playt in the buttry all ther	31.	0.	0
In Iron wheelles in the barne with other Iron Carts and all other geere	9.	0.	0
In pultrey	1.	10.	0
In Timber & Slayte	7.	0.	0
In Specialties ut seq ^u			
One bond due by William Peper	50.	0.	0
One bill due by Anthony Preston of Farleton the sume of	16.	0.	0
In lent money to Edward Michelson	3.	0.	0
In money in the house	30.	.	
	<hr/>		
	686.	0.	0

and 17 October 1642 the inventory was exhibited

Appendix II

Will of Elizabeth Westby 1652 PCC 99 Brent

7 August 1652. Elizabeth Westby the relict of Thomas Westby being not altogether in perfect health My body to be decently buried in the parish Church of Cartmell neer unto the place where my father and mother were formerly buried I will and appoint all my owne debts be truly paid and also all my dear mother's legacyes which I have not yet discharged I also will and appoint that all the legacyes bee truly paid which are herein mentioned or which I shall hereafter in a codicill which I do intend to annex bequeath to be paid and all the remaynder of my goods chattels cattle rights credits and personal estate after payment of my debts and legacyes I give to my two sons Robert Westby and Charles Westby equally to be divided betwixt them By deed dated 1 May 1651 I have estated my lands at Winder together with other lands on feoffees in trust to the use

of my sonne Richard Westby and his heirs and have thereby a power to charge and limit and appoint to be paid forth of the same so much money as will make the several sumes of money particularly mentioned and lymited to be paid forth of Winder or my lands in Cartmell to amount in all to the sums of £960 I appoint my said sonne Richard Westby and the feoffees to whom the lands were by the said deed conveyed to pay within three years after my decease so much to my said two sonnes Robert and Charles equally betwixt them as will make the rest of the money charged as aforesaid to amount in all to £960 I make executors John Symson of Flookbrough yeoman and Henry Berry of the Church towne yeoman nevertheless in trust only for the performance of my will I appoint my nephew Thomas Preston of Holker Esq my sonne Richard Lathom of Parbold Esq & Robert Rawlinson of Carke gent whom I earnestly entreat to do their utmost endeavour to assist my executors and in case of any differences among my children to labour a peaceable and loving composure thereof I desire all my said children and grand children to be persuaded and advised by them touching any differences which may happen amongst them which I trust and hope they will all doe I give to my sonne Richard Westby my lease of the close called Sandbirke during the remaynder of the term and also all my bedstocks boards tables chayres or stooles cupboards and all my implements and instruments of husbandry To all my household men servants half a year's wages and the women servants a whole years wages To my cook Thomas Walker £5 and to my servants Bridgett Barton and Elizabeth Serye 40s. To the poor of Holker township to be distributed as my executors, supervisors and my sonnes shall think meet I have lent and paid to my late dear sonne Sir Thomas Tildesley knight several sumes of money which albeit I did intend they should have been in part of the legacies given to him and his children by my late mother yet I do hereby declare that they bee all forgiven and the whole and entire legacies given to him and his children by my said mother's will be all paid without any abatement I give to my sonne M^r Lathom and his children £100 forth of the sume which he is indebted unto me I give my executors and supervisors 20s

Elizabeth Westby

Witnesses William Kempe Robert Rawlinson John Sympson

Memorand I give to my son Bernard Westby £20 two of my best oxen two of my best Kye two feather beds two pair of sheets one pair of curtaynes and vallens of sa. e or cloth viz those I lye in To my grandson Thomas Tildesley £20 and one of my best colts whether he shall choose To my daughter Tildesley my best diamond ring and the bracelete I wear about my arme and six sil To my daughter Lathom my best silver bol silver canne whether she will choose six silver spoons To my granddaughter Dorothy Tildesley £20 my velvet petticoate and best gown To my neighbour John Sympson 20s more then in my will To my goddaughter Elizabeth Westby my son George his daughter all my goods at the barne and as much more in money as will make the said goods at Burne up to £30 To my goddaughters Elizabeth Lathom and Elizabeth Tildesley £20 a piece To my old servant Alice Pickeringe 20s To my cozen M^{rs} Thomasin Thornburgh £2. 16s [?] To my son George Westby his wife my scarlet petticoate silkbodies and four silver spoons. To my loving cozen M^{rs} Prestone one diamond ring which I usually wear with one stone To Bushell 10s in gold To my son George Westby one fether bed to my son Robert Westby two fether beds to my sons Richard Westby and Charles Westby two fetherbeds apiece

Witnesses Robert Westby Bernard Westby Thomasin Thornburgh John Sympson

Proved by John Sympson and Henry Berry 21 September 1652

Appendix III

Will of Thomas Walton of Winder, 1683. Archdeaconry of Richmond

In the name of God Amen, 12 Nov 1683, I Thomas Walton of Winder, Gent – (long preamble) – I have one messuage & lands in Hambleton in Lancs, now in possession of Widow Eccleston,

about 18 acres – my executor to sell the same for the benefit of my son Thomas Walton. I give my estate in Cartmel to my son Thomas Walton & his heirs for ever, he paying all as is by my will expressed; When he is 16 he to have power by his will to charge the said estate with up to £300. My wife being with child – if it be a son I give him £250 to be paid by my son Thomas when said child be 21; if it be a daughter £500 to be paid to her when 21 by my son Thomas. If Thomas die before he is 21 my estate to go to my 2nd son, if my wife have a son, if not my estate to go to Thomas Hesketh of Maynes, Gent & to his heirs & assigns for ever; he to pay out as my son Thomas's will gives & £500 to my daughter when she is 21. My personal estate I give to my sister Mary Walton & £23. To my cuz's Isabel & Margaret Hesketh each £20. The residue to my son Thomas. I appoint Thomas Tyldesley son of Edward of the Lodge Esq. & Thomas Hesketh, John Westby son of Thomas of Burne Esq & Thomas Thornborow of (?) House in Cartmel, Gents Exec's.

THOMAS WALTON

Wits. John Dickson sen.

John Dickson jun.

George Gillow

this being a true copy of T.W.s will
examined by Wm. Leckonby & Geo; Gillow
17 Jan 1683.

Original will to be produced by executors as requested.

Seth Bushell, Tho: Hesketh, Tho: Thornborow, Geo: Gillow. Jn: Westby. 19 Jan 1683.

Greg Elsley
not. pub.

Inventory of Thomas Walton, Gent late of Windor, Cartmel, 7 Dec. 1683.

appraised by Wm. Simpson, Henry Becke, John Braithwaite & George Gillow.

(household goods) ----- £60

(farm stock etc) ----- £195

Total £255. 11s. 8d.

Bond Thomas Hesketh of Singleton, Co. Lanc. Gent, John Westby of Thornton, Gent & Thomas Thornborow of Cartmel, Gent. bound in £500 – 19 Jan 1683.

Ad. Bd. Thomas Hesketh of Singleton, John Wesby & Thomas Thornborow, Gents

Obligation – Elizabeth Walton, wid. of Thomas Walton dec'd. to pay to Thomas Walton son of Thomas; as by his will expressed

T.H., J.W., T.T.

Appendix IV

Will of Elizabeth Walton of Canon Winder 1691 Archdeaconry of Richmond
28 Oct. 1691

Elizabeth Walton of Cannon Winder in Cartmell . . . Widow . . . My body to the earth from whence it came to be buried in such decent and Christian manner as to my Executors . . . shall be thought fitt and convenient . . . Whereas I am indebted some small summes of money upon Bond and otherwise to sundry persons and which are due and payable at severall times . . . it is my will and minde that the same shall be in the first place well and truly paid by my Executors . . . out of my Goods and personall Estate And in the second place that they . . . shall after payment of all my Debts and my funerall expencis and what may be justly due on a faire Accompt from me to M^r Thomas Walton

my sonne my . . . Executors shall pay the Remainder (if any) and what more happens to be after all my said Debts . . . be truly paid unto my sister Mary Duckett and her Assignes . . . It is my will and minde and I doe give unto my sonne Thomas Walton my Bedstooks and the Hangeinges in the Parlour. Chamber . . . I do hereby make . . . and Appoint Mr Gabriell Hesketh my Brother in Law and Mr William Simpson sole Executors . . . to whom I doe give all the rest residue and Remainder of all my Goods . . . they well and truly payinge All my Debts and performeinge the rest of this my will And I doe desire my well beloved friends George Leyburne and Christopher Anderton Esqrs to be supervisors . . . and I doe give unto everyone of them five shillings a peice for their paines and in token of my love unto them

Elizabeth Walton

Witnesses John Barrow James Rigge Tho: Hudson.

Proved 11 January 1691/92 by William Simpson gent of Flookburgh and Gabriel Hesketh. Inventory taken by Robert Hudson, John Atkinson, Henry Becke, Thomas Atkinson and William Spence 7 November 1691. Assets including 20 acres of oats, barley and wheat, and 22 acres of wheat, were worth £220. 2s. 10d. A curation bond was entered into 14 November 1691 by Gabriel Hesketh and Ann Westby spinster and John Barrow, Yeoman of Cartmel in £500, the condition being that Gabriel's wife Isabel, and Ann Westby, pay his legacy to Thomas Walton, child of Elizabeth. Gabriel was bound in £500 on 13 December 1691 to execute Elizabeth's will.

Acknowledgements

Several friends, chief among them Mr R. H. Postlethwaite, have helped me in the writing of this paper, and above all, I am grateful to friends in the P.R.O. in London and Kew, and in the Lancashire Record Office.

Notes and References

¹ Among her bequests was one of £200 to the poor of Cartmel and the town [Lancaster] where she was born, the money to be invested by the supervisors of the will and the interest to be distributed amongst the poor "for the setting forth of apprentices and otherwise as her supervisors should think fitt during their lives and after by the churchwardens".

Alas, however, before the £200 could be raised out of M^{rs} Preston's personal estate, within a year of her death, that personal estate was seized for M^{rs} Westby's recusancy. The matter was referred on 29 August 1648 to the Parliamentary Committee of Lancashire to examine the inhabitants of the parishes. Hugh Wadsworth, yeoman of Haighton (L) deposed on 17 February 1653/54 that shortly after M^{rs} Preston's death most of her cattle were seized by M^r Sawrey, other officials and soldiers. At M^{rs} Westby's request, before this happened, he begged Thomas Fletcher to take the goods towards the legacy, but though Fletcher tried he failed. The goods taken far exceeded £300 in value (SP 23/86).

² On 20 Feb. 1641/2 she sold for £176 to William Pepper of Cark, yeoman, a messuage in Holker, late in the tenure of George Simpson, deceased (Cavendish MSS in L.R.O., DDCA 13/107).

³ SP 23/86. Thomas Burrough deposed on 21 April 1653 that he drew M^{rs} Preston's will (f. 580). Two-thirds of M^{rs} Westby's estate was sequestrated for her recusancy in 1643. John Simpson deposed in 1653 that after her mother's death there came to M^{rs} Westby oxen, kine, sheep and other goods to the value of £100 (f. 581).

⁴ Edward Tildesley was born 1585 and married Elizabeth Preston before 29 March 1609, when his mother in law, who owned the tithes of grain, hay and flax in Amounderness wapentake, formerly parcel of the possessions of the dissolved Priory of Lancaster and of Sion Monastery, Middlesex, settled them on Edward

and Elizabeth. Their post nuptial settlement of 27 July 1611 had as trustees James Anderton and George Preston. Edward died 27 March 1621.

⁵ See DNB, where, however, he is said to have been born 1596.

⁶ He was a major in the Royal Army. His descendant Capt. Jocelyn Tate Fazakerley-Westby, D.L., Scots Greys and Lancs. Hussars Yeomanry (b. 1831) marr. (21 1879 Beatrice F, 3rd dau. of T. B. Jervis, of Ambleside. Their only son Gilbert was killed at Hill 60 in World War I.

⁷ He marr. Lucy, dau. of John Leyburn and widow of Thomas Kitson of Killington. She was buried at Cartmel 11 Nov. 1680.

⁸ Admon. Archdeaconry of Richmond 7 September 1688 to Isabel his widow who was bound in £500 to pay sums to their children Mary, Bernard, Richard, Elizabeth, Ann, Bridget, Isabel and Charles. Bernard's goods were appraised 3 July 1688. His estate totalled £300. 13s., made up of his purse and apparel £10, Cattle, horses &c, £100, 35 acres of corn, bigg and oats £58, rent due at "Surbie" £22 and Surbie wood rent £6. 17s. He owed Thomas Preston £135, Sir Thomas Preston's trustees £86, M^r Houldsby £25, servants' wages and small debts £30, funeral expenses £10.

⁹ Sir George Duckett (*Duchetiana*, 202) thought that Thomas was the eldest son of James Duckett of Grayrigg by his third wife, but that Thomas was alive in 1704, when Thomas of Canon Winder had been in his grave more than thirty years. Nor is it true that Thomas died without surviving issue.

¹⁰ William Kilner, of Winder, yeoman was bondsman. The inventory of Thomas Duckett's goods was taken 4 November by Christopher Finsthwaite, Richard Simpson, George Preston and William Barrow. His assets totalled £345. 15s. 2d., the items including his apparel £5, and at Outerthwaite 43 sheep £6, 9 acres of oats £13. 10s., three acres of barley, and seven of hay. Plate was worth £5, and a case of pistols and a rapier were worth 6s. 8d., goods at Park House, £12. 7s. 8d., and due upon bond from M^r Joseph Huddleston £14. 3s. 4d.

His debts totalled £1,206. 6s. 1d., of which the chief items were

To Anthony Duckett Esq. upon a judgement	£22. os. od.
To Thomas Preston Esq. upon a judgement	£3. 2s. 4d.
To Curwen Rawlinson Esq. upon a judgement	£8. 15s. od.
To Mr William Duckett upon a bond (<i>inter alia</i>)	£300. os. od.
interest for same for 2 years & 30 weeks	£46. 10s. od.
same William Duckett upon a bond	£100. os. od.
In arrears to him for annuity of £10 p 6 yrs.	£60. os. od.
To Mr James & William Duckett upon a bond	£50. os. od.
interest for same for 2 yrs. 11 weeks	£6. 12s. 6d.
To Mr James Duckett upon a bond	£100. os. od.
interest for same	£5. os. od.
To James Barrow upon a bond	£31. 16s. od.
To Mr George Hilton	£10. os. od.
To Mrs Mary Preston upon a bond	£14. os. od.
To Mr William Knipe upon a bond	£10. os. od.
To Mrs Ann Fletcher	£5. os. od.
To Joseph Huddleston	£7. os. od.
To Mr Roger Woodburne	£10. os. od.
To Mr Preston	15s. od.
funeral expenses	£5. 12s. 3d.
servants' wages	£7. 11s. 5d.
To Mr William Duckett	£33. 13s. 4d.
To Thomas & James Duckett	£20. os. od.
To Mrs Isabel Westby, Thomas, Mary, Ann & Barbary Duckett	£6. 19s. 6d.

¹¹ Thomas's sister Teresa (d. 1713 aged 68) and Dorothy (d. 1711 in her 57th year) were English Benedictine nuns at Pontoise in France. (Catholic Record Society, xvii, 321).

¹² F.E.C. 1/1612.

¹³ As was that of his uncle Gabriel Hesketh. By Isabel Westby Gabriel had five sons, all of whom died s.p., four of them in his lifetime. He was buried at Goosnargh 13 March 1730/1. Isabel was living 1738 but dead before 1744. (H. Fishwick: *History of Goosnargh*).

¹⁴ I have not traced the devolution of the estate further, because I have been unable to locate the title deeds.

Stockdale (p. 509) says that about the middle of the 18th century Canon Winder belonged to the Strickland family of Ulverston, and at the death of the last of them it was sold to Miss Lambert of Boarbank, of whose trustees it was bought by E. Mucklow of Castlehead in 1858, and by him sold to the Duke of Devonshire.

