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LORD MAYOR'S COURT OF LONDON  
DEPOSITIONS RELATING TO AMERICANS  
1641 - 1736

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INTRODUCTION

Civil disputes affecting citizens of London frequently came to be heard before the Sheriffs' or Lord Mayor's Court which sat in the Guildhall of London.\* The Sheriffs' Court dealt with an enormous variety of cases, largely in the field of small debts, breach of contract, conditions of apprenticeship, and seamen's wages, though it was commonly the practice to refer cases from this Court to the Lord Mayor's Court when the issues were considered to be of a substantial character. Thus, almost all disputes arising out of London's considerable trade with the colonies, out of claims to personal inheritance, and out of contracts made between London and overseas merchants, began either in the Lord Mayor's or the Chancery Courts.

Procedures followed in both of the London courts were similar to those employed at Westminster: a Bill was presented by the plaintiff(s) to which an Answer had to be put in by the defendant(s), and supporting depositions could be introduced by either side to the dispute. A distinctive feature of the Lord Mayor's Court, however, was that it acted as a center for transacting a wide range of judicial business, such as the authentication of copies of deeds, certification of powers of attorney, and the procurement of evidences from London citizens.

The collection of signed depositions preserved in the Corporation of London Record Office begins in 1640 and, with many large gaps, continues to early in 1736. The ravages of damp, fire, and (presumably) past negligence have taken a heavy toll; between 1736 and the beginning of the nineteenth century no depositions have survived. The charred condition of the early nineteenth-century papers suggests that a fire was responsible for the destruction of the depositions of the intervening period.

Condensed abstracts have been made of those depositions which clearly relate to mainland America, leaving aside the even greater number which concern the West Indies. In sharp contrast with the early depositions, many of those dating from the last quarter of the seventeenth century are so unspecific as to their subject matter that it has been impossible, without extensive research, to determine which ones relate to American interests. Those, too, have therefore been omitted, leaving a profitable field to be plowed by some future researcher.

In theory, at least, it should be possible to associate some of the depositions with the original Bills and Answers. An attempt to perform this feat in relation to a case arising in 1665 suggests that it is not an undertaking to be embarked upon lightly. Bills and Answers are

\*See "The City Courts of Law," *Law Journal* (1943), 93:301.

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filed in huge bundles sorted in roughly chronological order according to the attorney responsible. The conclusion to be drawn from the attempt just referred to is that this collection too, despite its huge bulk, suffers considerable voids.

To round off these abstracts, we have included a note on those few documents of American interest which were found among the Corporation's collection of Affidavits, Interrogatories, and Attestations.

of Henry Gregory of St. Botolph's Bishopsgate, merchant, also deposes.

1 June 1731. Ferdinando John Paris of the Inner Temple, London, gent., deposes that, following an appeal brought by Eunice Wharton, two verdicts given in Rhode Island relating to 661 acres of land and five dwelling houses in North Kingston, Rhode Island, in favor of Stephen Northup, Thomas Northup, Benjamin Northup, Henry Northup, Jr., Nicholas Northup, and Lawrence Whaley, were to be reconsidered by His Majesty's Council. Mr. Richard Partridge, attorney for the respondents, had employed the deponent as their attorney and, by order of the Council 23 December last, the original verdicts were to be set aside and a new trial to be opened in Rhode Island. When deponent went to make his deposition 14 May last as instructed, he found that he was too late. He then attempted to procure the Will of Richard Wharton on the respondents' behalf. He searched the records of the P.C.C. on 28 May last and found that the Will had been proved there in April 1690.<sup>136</sup> He asked for the original to be sent to Rhode Island, but was told that the P.C.C. could not part with it, for it to be sent overseas would be contrary to usage.

JAMES WHETCOMBE of New England

5 September 1673. William Pate of London, citizen and ironmonger, issues letter of attorney to Thomas Clouter of London, mariner, now bound to New England on the *Katherine* of London, and revokes previous letter of attorney to James Whetcombe<sup>137</sup> of New England, merchant.

WILLIAM WHITE and  
DAVID ROBERTSON of Boston

11 April 1687. Daniel Harris of London, gent., age 21, and Thomas Crome of London, merchant tailor, age 33, depose that William White of Boston, New England, merchant, signed a deed 11 May 1685 to the use of Crome. David Robertson of Boston, New England, mariner, has been appointed attorney.

THOMAS WHITLOCK of Virginia

30 June 1680. John Whitlock of Mansfield, Nottinghamshire, clerk, age 55, and Johanna Harris, age 62, wife of Henry Harris of Finchley, Middlesex, gardner, depose for Anthony Whitlock of Lambeth, Surrey husbandman, that they know the requestant to be the only child now living of John Whitlock, formerly of Lambeth, silk weaver, deceased, who was a brother of Thomas Whitlock of Rappahannock River, Virginia,

136. Will, 1690, of Richard Wharton of Boston (P.C.C. 169 Dyke). Will, 1690, of William Wharton of Boston (P.C.C. 64 Dyke).

137. See Frederick W. Wead, "James Whetcombe of Boston," *New England Historical and Genealogical Register*, 112:160.

planter. Thomas Whitlock has no brother or brother's child living in England or elsewhere except the requestant. Deponent John Whitlock is cousin german to the requestant's father and deponent Harris is aunt to the requestant, being his father's sister.

JACOB WILLETT of New England

13 March 1677/8. Andrew Willett of London, merchant, age 35, deposes that Jacob Willett, his uncle, and late citizen and haberdasher of London, signed a letter of attorney 10 May 1672 appointing Nicholas Giffard of London, citizen and painter stainer. In 1675 an order was sent by Jacob Willett from New England that the letter of attorney was to be revised.

THOMAS WILLIAMSON of Virginia

6 September 1672. Richard Legatt of London, merchant, age 30, Thomas Malyn of London, haberdasher, age 38, and Richard Parratt, age 21, servant to Malyn, depose that an inventory produced in court and dated in Virginia 13 June 1668 was left by Thomas Williamson<sup>138</sup> when he was last in England. Letters 6 and 14 September 1671 were sent to Williamson by the ship *Isaack and Benjamin*, Captain John Plover.

FRANCIS WILLOUGHBY of Charlestown, Massachusetts

1 June 1665. John Ive of London, merchant, age 30, deposes that in October 1664, as factor for Nehemiah Bourne, then resident in Rotterdam, he received in London a quantity of cocklewood from Francis Willoughby of Charles Town, New England, merchant, by the *Society* of London, Master John Pevice. The wood was shipped from London to Hamburg in the name of Senor Carlos Bencon, merchant, in the *Fortune* of Hamburg.

SIMON WILMER and  
NATHANIEL HEATHCOTT of Maryland

23 October 1678. Certificate that Priscilla Holland of London, spinster, daughter and administratrix of her father James Holland of London, citizen and grocer, that she appointed as attorney Simon Wilmer,<sup>139</sup> now in Maryland, her father's late factor in Maryland and Virginia, or in

138. Thomas Williamson of London, haberdasher, age 28, deposed in 1668, that he was born at Saffron Walden, Essex; has lived in London a month and before that two years beyond the sea; and was present when Henry Vassall made a nuncupative Will on board *The Marygold* bound for Virginia in Feb. 1666. In 1669, he deposed that he never possessed any of the estate of Henry Vassall, deceased. (Sherwood, *American Colonists in English Records* (London, 1932-3), p. 52.) G.E.R.

139. Simon Willmer (Willmore) immigrated 1679 to Calvert Co., Md. (Maryland Patents, WC2:107, 208, 316). Will, 30 Oct. 1694, of John Biddle of Kent Co., Md., bequeathed personalty to Simon and Lambert Wilmer, and appointed Simon Wilmer as his executor. (Maryland Provincial Wills, 7:174.) Will, 10 Aug. 1699, of Simon Wilmer of Kent Co., probated 16 Sept. 1699, names sons Lambert and Simon, daughters Frances, Mary, and Rebecca, wife Rebecca, and unborn child. (*Ibid.*, 11:85.) Lambert Willmer witnessed Will, 17 Dec. 1683, of William Davis of Calvert Co. (*Ibid.*, 4:25.) G.E.R.