

AQUE
in the Chester county pleas,
CHES 29/1–22
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The Dee
[see also Dee Mills, sub MILLS]

The *Dee* which rises in Merionethshire, first becomes a boundary of Cheshire near Shocklach-green; it passes by Shocklach and Farndon, on its Cheshire side, and enters the county near Aldford; thence it passes by Eaton and Eccleston to Chester: from Bangor-bridge it is navigable for barges; at Chester-bridge, where it meets the tide-water, it is about a hundred yards wide; from thence it passes through an artificial channel, along the marshes, under Hawarden castle, for about nine miles; near Flint castle, about three miles further, it becomes an estuary of three miles wide, much incommoded at low-water by sand-banks; the main channel then erodes over to the Cheshire side below Parkgate; ten miles further, near the island of Hilbree, being there of the width of about five miles, it falls into the sea. The parishes of Shotwick, Burton, Neston, Heswall, Thurstaston, and West-Kirkby, on the southern side of the hundred of Wirral, lie on the banks of the Dee.

The navigation of the Dee, by which, in ancient times, vessels were brought up to the walls of Chester, had been so much impeded by sands, from the frequent changing of the channel, that it occasioned the total ruin of the haven of Chester before the year 1449, as appears by a Commission of Inquiry of that date.³

1:130 [13 April 1260]

A man was found dead, by weakness and misfortune, on the sands of Dee. The record does not state where this happened, nor who presented the fact. Nor is the man's name given, though it was obviously known, as his body had been found by his mother.

T'min'

Quod quid' ho' inuentus fuit mortuus sup arenam aque de De. Inuentⁱx. Mater ip'us deffu'cti. villate dicu't quod p infirmitatem & infortuniu'.

20:508 [23 April 1308]

Richard Pochoun of Burton was drowned by accident in the Dee below Saughall; his body was found by Richard Pawe of Blacon. The death was presented by the coroner of Wirral hundred, with the townships of Blacon, Great Saughall, Little Saughall and Shotwick. Burton, Saughall and Blacon lie along the north bank of the Dee estuary from north to south.

Infortuniu'

Presentatu' est p eu'dem Coronator' [de Wirhale] & quatuor villat' Sc'lt Blakene Magna Salghale & pua Salghale & Schotewik q'd Ric'us Pochoun de Borton' die M^artis p^a post d'nica' in ramis palmar.⁴ subm^rsus fuit in aqua de Dee subtus Salghale p infortuniu'. Inuent^r ei^s Ric'us Pawe de Blakene. Et n'lls male creditur. Jud'm infortuniu'. &c'.

It is just possible that this was the Richard Pawe who had fled from home some months before. An inquest was held 8 August 1307, which found that Richard Roter had waylaid Richard son of John Pawe in Norton field, and

³ *Magna Britannia*, Cheshire p.417.

⁴ 9 April 1308

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because of an argument that arose between them about the swine which Roter had secretly and fraudulently been keeping in the prior of Norton's wood, insulting words broke out between them. Roter wanted to strike Pawe with a pickaxe he was carrying; Pawe, being no more than a boy, and fearing Roter, who was big and strong, fled. Roter, chasing Pawe, struck at him with the pickaxe, and badly wounded him, caught him, threw him to the ground and nearly strangled him. Pawe pulled out his knife and stabbed Roter in the side, and Roter soon after died. The jury concluded that Pawe had acted in self-defence, to save his own life; but he had then fled, and had not since been seen.

Inquisic'o capta, de morte Ric'i Rot', int'fecti apud Norton'. p sacr'm Ric'i de Aston' Joh'is Ryngestede Gilb'i de Lymme Joh'is de M'bur' Ran' de ead'm Ric'i de Anderton', Eytropi de Mulynton' Ric'i de Woluyle, Joh'is de Bexton', Rob'i de Ashton' Henr' de Cumberbache, & Will'i fil' Gilb'i de Tabbeleg'h'. Qui dicu't sup sacr'm suu', q'd p'd'cus Ric'us, obuiau't Ric'o fil' Joh'is Pawe in campo de Norton' & ppt' q'dam contenc'om que alias orta fuit int' eos p porcis, quos idem Ric'us Rot' sustinebat in bosco p'oris de Norton' occulte & f'udulent', prumpebant u'ba contumeliosa, ppt' quod. idem Ric's Roter vellet pcussisse p'd'cm Ric'm Pawe, cu' quad' hach' picata, quam g'ebat & idem Ric'us Pawe ip'm timens, quia validus & fortis fuit, & ip'e Pawe, puer; fugit, & in fugiend d'cus Ric'us Roter d'cam hach', q'm g'ebat post ip'm iactabat, & ip'm voluit occidisce +& ip'm male inde uuln'auit+ & postea ip'm, cu' cursu velocit' insequ' app'hendit, & ad t'ram pst'uit & s'b ip'o p'cipitauit, & sup ip'm iacuit & retinuit Ita q'd fere st'ngulasset ip'm; p quod d'cus Ric'us Pawe, sentiens se fere suffocatu' & extinctu'; ext'xit quemd' puu' cultellu' que' h'ebat, & d'cm Ric'm Rot' inde pcussit in lat'e, vnde, cito postea obiit. D'ci Jur' ques' si p'd'cus Ric'us Rot' voluit occidisce d'cm Ric'm Pawe; dicu't q'd sic, vt intendu't. Ques' si alit' potuit, vitam suam saluasse; Dic', q'd nisi p'd'cm Ric'm Rot' occidisset; vitam pp'am no' saluasset Dicu't &'. q'd idem Ric'us Pawe nich' h'uit in bonis. nec aliquis ip'm receptauit p's factu', & q'd statim post f'tm' fugit & adhuc est fugitiuus.

20:93 [19 September 1307] et seq.

Agatha prioress of Chester nunnery brought an action against Richard son of Hamon de Pulford before the coroner of Broxton hundred, for withholding a silver broach of hers; at the same time John de Tarporley sued Richard for withholding an overcoat. John died before the action could proceed further, but the prioress's case continued and came before the county court in August 1308.

It appeared that 30 June 1307 Agatha brought a bundle of wood on a raft across the river Dee from Eaton to Chester, but refused to pay Richard the toll of one penny that he believed due on the crossing; he therefore took her broach as security against the penny due.

In court, Richard stated that his father, Hamon de Pulford, had received a grant of the toll on this ferry from Henry III, charging a penny for the first bundle and a farthing for each further on the same raft; and that after Hamon's death Richard had inherited this right.

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Agatha said that Hugh earl of Chester had confirmed to the nuns of Chester a grant of Ranulph earl of Chester which, among other things, made them quit of all tolls, and she produced the charter (dating from about 1165).

The case continued by successive adjournments until March 1309, when Agatha abandoned the suit.

Robert de Eaton, son or grandson of Richard de Pulford ‘in plea to a quo warranto, claims to hold, by prescription of himself and his ancestors having held the same beyond legal memory,

‘The serjeancy of Dee from Eton Weir to Arnoldsheyre (a rock opposite Chester castle, now called Arnold’s Eye) by the service of clearing the river from all nets improperly placed there, and to have a moiety of all nets forfeited, and of the fish therein, as far as stall nets are placed, viz. from Dee Bridge to Blakene, and from thence to Arnoldsheyre to have one out of all the nets taken and all the fish therein, and to have a ferry boat at Eton over the water, for which he shall be paid by the neighbours according to their pleasure, but shall receive from every stranger if he has a horse and is a merchant, one halfpenny; if not a merchant, the payment to be at his option.

‘And to have toll from every “flote” at Eton passing through his weir “de prima knycke unum denarium qui vocatur hachepeny, et de qualibet knycke sequente, unum quadrantem,” and to have waifs and wrecks on his manor of Eton, and two stall nets and two free boats on Dee.’ [Ormerod ii 450, from Harl. MSS. 2022. p. 88.]

20:93 [19 September 1307]

Priorissa Monialiu’ Cestr’ po. lo. suo Thom’ de Aschton’ u^s Ric’m de Eton’ de pl’ito detenc’ cui^sd’ firmaculi

20:138 [19 September 1307]

Agatha Priorissa Monialiu’ Cestr’ po. lo. suo. Matheu’ de Hullegreue. u^s. Ric’m fil’ Ham’ de Pulford in pl’ito detenc’onis vni^s firmaculi.

20:390 [5 March 1308]

Coronator de Broxin p^rsent’ q’d Agatha Priorissa Monialiu’ Cestr’ quer^r de Ric’o fil’ Hamo’is de Pulford de pl’ito detenc’ cui^sda’ firmac’li. sui. Pleg’ de ps’ Matheus de Hullegreue & Daud fr’ eius. Pleg’ defend’. Rob’s le Mauer de Eton’ & Ric’us Le Couhird de Ead’m

Id’m Coron’ p^rsent’ q’d Joh’es de Torpelegh’ +obiit+ s^ruiens d’ce Agathe Priorisse Monial’ Cestr’ quer’ de Ric’o fil’ Hamo’is de Pulford de pl’ito detenc’ois cuiusda’ suptunice sue Pleg’ de ps’ Math’s de Hoglegreue & Daud fr’ ei^s Pleg’ defend’ Rob’s le Mauer de Eton’ & Ric’us l Couhird de eadem.

20:405 [5 March 1308]

Coronator de Broxen p^rsent’ q’d Agatha Priorissa Monialiu’ Cestr’ queritur de Ric’o fil’ Hamonis de Pulford +ess.+ de pl’ito detenc’ois cui^sdam firmac’li sui pl’ de ps’ Math’s de Hoglegreue & Daud fr’ eius pl’ p^rd’ci Ric’i ve’iend’ &c’. Rob’s le Mauer de Eton’ & Ric’us Le Cowehirde

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Id'm Coron' p'sentat q'd Joh'nes de Torperley +obiit+ s'uiens eiusd'm Priorisse querit' de eod'm Ric'o fil' Hamonis de pl'ito detenc'ois cui'sdam suptunice sue, pleg' de ps' Math's de Hoglegreue & Daudid fr' eius pleg' p'd'ci Ric'i ve'iendi &c' Rob's le Mauier de Eton' & Ric'us Le Cowehirde

20:464 [23 April 1308]

Dies datus est Agathe P'orisse monial' Cestr' quer'. & Ric'o fil' Hamon' de Pulford de pl'ito detenc'ois cuiusd' fermac'li vsq' ad px'm Com' p'ce p'ciu' sine esson' &c'

20:587 [25 May 1308]

Dies datus est +at'n'. e.+ Agathe Priorisse Monialiu' Cestr' quer' & Ric'o fil' Hamonis de Pulford in pl'ito detenc' cui'sd' firmaculi sui vsq' px' Com'. p'ce p't'.

20:686 [20 August 1308]

Ric'us filius Hamonis de Pulford attach' fuit ad respondend' Agathe Priorisse Monialiu' Cestr'. de pl'ito detenc'ois cuiusdam fermac'li argentei vnde eadem Priorissa queritur. q'd idem Ric'us die ven'is px^a post Natiuitatem S'ci Joh'is Bapt'e. anno. Regni Reg^s .E. p'ris Reg^s nu'c tricesimo q'nto. apud. Eton' cepit quoddam fermac'lm argenteu'. & illud iniuste detinuit cont^a vad' &c'. quousq' delibac'o f'ca fuit p coronatore' d'ni Reg^s &c' vnde dicit q'd def'iorata est & dampnu' h'et ad valenc'. viginti solidor. Et inde pducit sectam. &c'.

Et p'd'cus Ric'us venit & defendit vim & iniuria'. q'n. &c'. Et bene aduocat capc'oem p'd'ci fermac'li. iusta'. &c'. Quia dicit q'd d'ns .H. Rex auus Regis nu'c concessit. cuidam Hamoni p'ri ip'ius Ric'i cui's heres ip'e est quoddam tolnetu' sup aquam de Dee int' villam de Eton'. & Ciuitate' Cestr' +ad feod' firma' tene'd' de d'no Rege+. videl't de quolib't p'po'ito fardello +busci seu Maeremiu' in quolib' flote+ t^anseunte p aq^am de Dee. a p'd'ca villa vsq' p'd'cam Ciuitate'. vnu' denariu'. no'ie tolneti. et p quol' fardello seq'nte p'po'itu' fardellu' +in hi^s Flote+ vnu' quadr' p tolneto, de quo tolneto. p'd'cus Hamo p'r suus. fuit seisisus capiend' de quolibet ho'ie ducente boscu' vel Meremiu' in forma p'd'ca. p't^aq^am de Abb'te Cestr'. qui inde q'et^s est pro decima sua. que sibi co'petit de d'co tolneto. Et idem Ric'us post morte' p'd'ci Hamon' p'ris sui. seisisus fuit & adhuc est de p'd'co tolneto capiend' de quolibet ducente boscu'. vel maeremiu' p aqua' de Dee in forma p'd'ca. Et dicit q'd. p'd'ca Priorissa. duxit vnu' fardellu. busce +in q^odam flote.+ p aqua' de Dee. a p'd'ca villa de Eton'. vsq' Ciuitate' Cestr' Et qa p'd'ca Priorissa. p fardello illo tolnetu'. inde debitu'. scil't vnu' denar' solu'e contradixit. cepit p'd'cm fermac'lm de p'd'ca Priorissa no'ie vadii, quousq' ip'a p'd'cm tolnetu' solu'e voluisset, & sic aduocat capc'oem p'd'cam iustam. & no'ie d'ni Reg^s cui's feodi firmarius ip'e est.

Et p'd'ca Priorissa dicit. q'd. capc'oem p'd'i fermac'li iusta' sup ea' aduocare no' potest. Quia dicit q'd quidam Hugo q^ondam Comes Cestr' concessit & carta sua confirmauit. deo & b'e Marie & s'cimonialib^s Cestr' om'es illas donac'oes & tenuras quas. Ran' Com' p'r suus vel alii eis caritatiue dederu't infra Ciuitatem & ex^a. in redditib^s mansuris domib^s, t'ris, aquis, lib'tatib^s dignitatib^s. & om'ib^s modis donor q' eis rac'onabil'r f'ca sunt. Et q'd ip'e. & t're sue lib'e sint & q'ete de tolneto, vigilia, consuetud'ie, om'i q' sec'lari s'ruic'o. & exacc'oe. Et p'hibet q'd n'llu suor in se. u'l sibi p'tinentib^s n'llo modo manu' ext'ndant, nec ab eis aliquid postulant. nisi t'm p'ces & orac'oes. set p deo eas manuteneant & p'tegant. nich' vexantes nec ab aliq^o vexari p'mittentes. p quam concessione'. eadem Priorissa. & predecess' sue +semp hacten^s+ quiete extit'int de tolneto soluend'. vbiq' infra Com' Cestr'. Et petu't Judiciu' si cont^a f'cm p'd'ci Com' cuius statum d'ns Rex nu'c habet cuius feodi firmarius de tolneto p'd'co se fore asserit; aliquod tolnetu'. ab ip'a exig'e potest, & petit Judiciu' de aduoc'. &c'.

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Et p^rd'cus Ric'us dicit. q'd. D'ns. H. q^ond' Rex Angl'. auu^s R^s nu'c. qⁱ concessit p^rd'cm tolnetu' p^rd'co Hamon'. ad feodi firma' fuit seisitus de p^rd'co tolneto capiend'. de p^rdecess' ip'ius Priorisse. & idem Hamo p^r concessione' p^rd'cam seisitus fuit de p^rd'co Tolneto de eisde' p^rdecess'. no' obstante p^rd'ca co'cessione, & ecia' ip'emet seisitus est. de p^rd'co tolneto cap'. de p^rd'ca Priorissa nu'c. querente, & hoc p^r se & statu d'ni Reg^s patus est v^rificare. p^r p^riam. Et p^rd'ca Priorissa simil'r. I'o p^rcept' est vic' q'd venire fac' ad p^rx'm Com' .xij. &c'. p^r quos &c'. Et qui nec &c'. Quia tam. &c'.

21:211 [17 December 1308]

M'ie.i]x.s'.iiij.d'.

Thom' de Tittenlegh' +xl.d'+. Ric'us fil' Ph'i de Farendon' +xij.d'+. Rob'us de Hawarthin +xij.d'+. Henr' Le Heyr de Burwardeslegh' +xij.d'+. David voyl de Crewe +xij.d'+. Ric'us fil' Will'i de Clifton +xij.d'+. Ric'us de Hargreue +xij.d'+ & Thlewelin^s fil' David de Shoghelache +xij.d'+. qa no' no'⁵ ven' in Inqⁱsic'oe. int' Priorissam Monialiu' Cestr' & Ric'm fil' Hamon' de Pulford in m'ia.

21:243 [17 December 1308]

Dies datus est Priorisse Monialiu' Cestr' querenti & Ric'o de Pulford de pl'ito capc'onis catallor^r vsq' ad p^rx'm Com' p^rce p^rciu'

21:264 [17 December 1308]

p^r. e'

Jurata int' Agatham Priorissa' monialiu' Cestr'. & Ric'm fil' Hamon' de Pulford de pl'ito detenc'ois cuiudam firmac'li ponit' in resp'cm vsq' ad p^rx'm Com' p^r def'cu iurator. qa nullus &c' Et p^r. e' vic' q'd h'eat corpa &c'. Et p^rt^r illos tot & tales &c'

21:320 [4 February 1309]

Dies datus est Priorisse Monial' Cestr'. & Ric'o de Pulford' de pl'ito capc'onis catallor^r vsq' ad p^rx'm Com'. p^rc' p^rc'

p^r. e'

Jurata int' Priorissa' Monial' Cestr' & Ric'm de Pulford' de pl'ito capc'ois & detenc' cat' ponit' in resp'cu vsq' ad p^rx' Com'. p^r def'cu iurator qa null' &c' I'o p^r. e' vic' q'd h'eat corpa &c'. & p^rt^r illos tot & tales &c'

21:397 [18 March 1309]

m'ia

p^r

in vt^oq'.xl.d'

Agatha priorissa Monial' Cestr' qa no' est ps' u^rs^s Ric'm de Pulford de pl'ito capc'ois catall'. Ideo considerat' est q'd p^rd'cus Ric'us h'eat ret^onu' p^rd'cor^r catall' & p^rd'ca priorissa in m'ia ppl' Ran' de Molend' & Ric' le Bruyn

m'ia

p^r.

Eadem Priorissa que tulit br'e de capc'one & detenc' catall'. u^rs^s Ric'm de Pulford no' est ps' Ideo consid'. est q'd p^rd'cus Ric'us h'eat returnu' p^rd'cor^r cat'. Et p^rd'ca Priorissa in m'ia ppl' Ran' de Molend' & Ric'i Le Bruyn

21:453 [18 March 1309] et seq.

William, the lad of one Thomas living in Rome, was drowned in the king's water of Dee belonging to the castle of Chester. The mayor and

⁵ sic

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community of the city of Chester seized his horse as deodand; they were then summoned before the county court for contempt.

The mayor &c. claimed the ancient privileges of the city, and produced their royal charters, proving their right to appoint their own coroners, and to take deodands in such cases. What remained unresolved was whether their jurisdiction extended into the river below the castle.

The matter was adjourned from court to court until September 1310, when the justice dismissed the case *sine die*. Meanwhile a further dispute about whether the city's rights extended into the river had arisen (see below, 22:555 et seq.).

21:453 [18 March 1309]

Maior & co'itas ciuitatis Cestr' ath' fueru't ad respond' d'no Regi, de eo q'd rac'oe libertatis ciuitatis p'd'ce in manu eor' existent' quemd' equu' deod' d'ni Reg^s p' que' +quidam+ Will'us garcio cuiusdam Thom' manent' in Roma in aqua d'ni Reg^s speciali de Dee ad castr' Cestr' p'tinent' submersus fuit tamq^a ad libertate' sua' p'tinent' ceperu't & abdux'unt in p'iud'm d'ni Reg^s corone sue & gladii sui Cestr' & contemptu' mille libr' — Et p'd'co Maior & co'itas veniu't & dicu't q'd d'ns Edwardus Rex pat^r Reg^s nu'c co'cessit ciuib' p'd'ce ciuitatis q'd h'eant pl'ita corone de hiis q' infra libertate' ciuitatis p'd'ci emerserint cora' Maiore & ball'is d'ce ciuitatis in Cur' eiusdem ciuitatis pl'itand', Et am'ciamen't & o'ia alia q' ad ip'm Rege' p'tin'e debent q'd ip'i p'cipiant sicut & Rex p'ius p'cipe co'sueuit Et p'feru't carta' ip'ius Edwardi in hec u'rba —

Edwardus dei gr'a Rex Angl' D'ns Hyb'n & Dux Aquit' Archiep'is Ep'is Abbat' p'orib^s com' baron' justic' vic' p'po'itis minist'is & om'ibus ball'is & fidelibus suis salute' Inspexim^s carta' confirmac'ois q'am Celebr' memorie .H. quond' Rex Angl' pat^r noster fecit ciuib^s Cestr' in hec u'rba

.H. dei gr'a &c' om'ibus fidelibus suis franc' & Angl' tam futur' q'am p'sentib^s sal'tm. Notu' sit vob' om'ibus me dedisse & p'senti carta mea confirmasse om'ibus ciuib' meis de Cestr' om's lib'tates & o'es liberas consuetudines q'as illi vnq^a melius & liberius ac q'etus h'ueru't te'pe aliquor' p'decessor' eor' & no'iatim q'etancia' & r'laxac'oem r'cognic'ois pporc'oname'ti in ciuitate cestr' in ppetuu'. Et q'd si ciuis aliq^s de p'd'ca ciuitate moriat^r eius test'm rac'onabil'r f'cm ratu' & firmu' h'eat^r ubicu'q' moriat^r Et q'd si ciuis fec'it empc'oem aliq^am de clara & cora' testibus & sequela ven'it postea de Angl' uel de Franc' q' r'onabilit^r possit empt' disrac'onar' ciuis q' empc'oem fec'it q'etus sit de me & ball'is meis pdend' & reddend' q'd em'it si alit^r no' possit vendicanti satisfac'e. Si u'o sequi' euen't de Walens' q' possit rac'onabilit^r rem empt'a disrac'onar' p'ciu' rei empte cui reddat q'd idem ciuis possit rac'onabilit^r monstrar' se dedisse p re empt'a Et q'd si ciuis in ciuitate p'dca cuiq^a de catallis suis acomoda..... liceat ei namiu' cape in ip'a ciuitate p catallis suis r'cupand' sine licenc' postulata a vic' uel ball'is meis Et si ciuis de p'd'ca ciuitate in s'ruicio meo occisus fu'it de cattallis suis fiat ac si ip'e +r'onabile+ test'm fecisset has om's lib'tates p'd'cas & lib'as cons' p'd'cis ciuib' dedi co'cessi & h'c p'senti carta mea confirmaui eis & hered' suis Habend' & tenend' de me & her' meis liber' quiete & pacifice inpp'm Et phibeo ne q's eos inde disturbet aut her' eor' sup'forisfactur' mea' de viginti libr', Hiis testib^s &c'

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Nos ⁱg hanc donac'oem & co'cessio'em g^atam & ratam habent' eam p nobis & her' n'ris co'cedim^s & sigillo n'ro co'firmauim^s sicut carta d'ci com' Cestr' r'onabilit^r testat^r Hiis testib^s &c' Dat' p manu' &c'

Inspexim^s & q^amd' alia' carta' confirmac'ois q^am p^rd'cus pat^r noster fecit p^rd'cis ciuib^s in hec u^rba

.H. dei &c' Archiep'is &c' com' &c' Sal'tm Inspexim^s & Ran' com' Cestr' & Lincoln' in hec u^rba

Ran's com' cestr' constabular' dapifero &c' sal'tm Sciatis me co'cessisse & p^rsenti carta mea confirmasse d'nicis ho'ib^s meis Cestr' & eor^r her' q'd nullus aliq' genus m^rcimonii q'd ad ciuitate' Cestr' p mare aut p t^rram ven'it emat aut vendat nⁱ ip'i & eor^r her' aut p eor^r g^atum nⁱ in nundinis assis' in Nat' s'ci Joh' Bapt' & in festo S'ci Mich'. Quar' nolo q'd p^rd'ci ho'ies mei & her' h'ea't & tenea't anted'cam lib'tate' de me & her' meis in pp'm lib'e qⁱete & pacifice Et phibeo sup forisfactura' mea' dece' libr' ad opus meu' capiend' ne aliqⁱs eos sup d'ca lib'tate inpediat aut g^auet. Testib^s &c'.

Nos ⁱg p^rd'cam co'[cess'] rata' h'ntes & g^atam ip'am p nob' & her' n'ris co'cedim^s & confirmauim^s Hiis testib^s &c' Dat' p manu' n'ram &c'

Nos aute' donac'o'es & co'cessio'es p^rd'cas ratas h'ntes & g^atas eas p nob' & her' n'ris q^antu' in nobis est p^rfatis ciuib^s & her' suis ciuib^s eiusde' ciuitatis co'cedim^s & co'firmauim^s sicut carte p^rd'ce r'onabil'r testant^r, P^rt^rea co'cessim^s p nob' & her' n'ris ciuib^s p^rd'cis ciuitate' n'ram p^rd'cam cu' om'ib^s p^rtin' lib'tatib^s & lib'is cons' tenend' de nob' & her' n'ris sⁱ & her' suis p^rd'cis in pp'm reddend' inde p annu' nob' & her' n'ris ad scc^am n'rm cestr' centu' libr' videl't mediet' ad scc^am n'rm S'ci Mich' & aliam mediet' ad Scc^am n'rm Pasche Et co'cessim^s eis p nob' & her' n'ris q'd ip'i & her' sui p^rd'ci elig'e possint de seip'is coron' in ciuitate p^rd'ca q^ociens opus fu'it qⁱ coram Maior' eiusdem ciuitatis p^rstent sacr'm q'd ath' pl'itor^r corone n're infra ciuitate' illam & lib'tate' eiusdem em'gent' & alia q' ad officiu' coron' ibide' p^rtine't fidel'r fac' & exequent^r. Et q'd h'eant pl'ita corone n're de hiis q' inf^a eande' lib'tate' em'serint cora' Maior' & Ball'is d'ce ciuitatis in cur' n'ra eiusdem ciuitatis pl'itand' & amerc' ac o'ia alia q' ad nos p^rtine't in h^ac p^rte p^rciipiant sicut nos ea pⁱus p^rcipe consueuim^s. Concessim^s & eisdem ciuib^s p nob' & her' n'ris q'd ip'i & her' sui p^rd'ci inpp'm h'eant. Sok. Sak. Tol. & Tem. Infongenethef. Outfongenethef Et q'd sint qⁱeti p tota' t^rram n'ram & potestate' n'ram de tolnet', passag', lastag', Murag', Panag', Pontag', tallag', leue & Dangelde, gaywite & om'ib^s aliis cons' tam in Angl' q^am in aliis t'ris n'ris Et q'd ip'i uel eor^r bona ubicu'q' locor in t^rra uel in potestate n'ra i'uenta no' arestent^r p aliq^o debito de quo fideiussores aut p^rincipales no' extit^rint debitores. Et q'd ip'i ciues n'ri p t^ansgr' aut forisfactura s^ruientiu' suor bona aut catalla sua in manibus ip'or s^ruient' i'uenta seu alicubi locor p ip'os s^ruient' depo'ita q^aten^s ea sua p^rbar' po^rint no' [amit]tant Et si ip'i ciues uel eor^r aliqⁱ testati uel intestati decesserint nos uel her' n'ri bona ip'or co'fiscar' no' faciem^s qⁱn eor^r her' uel executor' aut amici sui p^rpinq^ror' ea integr' h'eant q^atenus d'ca catalla ip'or constit^rint fuisse defu'ctor dum tamen de d'cis her' execut' uel amicis noticia seu fides sufficient^r h'ea't. Concessim^s & ciuib^s n'ris p^rd'cis q'd n'ls ball's nostr' uel minist^r alius q^am ball'i eisdem ciuitatis sum' ath' u'l distr' aliq^os inf^a lib'tate' ciuitatis p^rd'ce fac' seu officiu' ball'i exc'ciat nⁱ in def'tm eorde' ciuii' uel balli'or p^rd'cor Et si qⁱs capt' u'l ath' fu'it inf^a lib'tate' ciuitat^s p^rd'ce p q^acu'q' re ducat^r ad p'sona' +n'ram+ eiusde' ciuitatis .s. ap'd Nothgate & no' alibi & ibide' detineat^r ac custod' q^ousq' s'cdm lege' & cons' ciuitat^s eiusde' inde delib'etur Concessim^s & q^antu' in nob' est eisdem ciuib^s q'd ip'i uacuas placeas inf^a lib'tate' p^rd'cam edificar' & alias inde appiar' ac co'modu' suu' inde fac'e. Exit^s q' inde penient' ad firma' sua' ciuitat^s p^rd'ce p^rcipe & h're possint Saluis nob' & her' n'ris

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d'nicis t'ris ibidem, Quar' uolum^s & firmit' p'cipim^s p nob' & her' n'ris q'd ip'i ciues n'ri p'd'ci & her' sui ciues eiusde' ciuitatis in ppiu' h'eant & tenea't ciuitate' n'ram p'd'cam cu' om'ib^s pciu' libert' & lib'is cons' suis quibuscu'q' reddend' inde p annu' nob' & her' n'ris ad Scc^am n'rm cestr' centu' libr' videl't vnu' med' ad scc^am n'rm S'ci Mich' & alia med' as scc^am n'rm pasche. Et q'd h'eant om's lib'tat' & q'etanc' p'd'cas eis +prius+ co'cessas sicut p'd'cm est. Hiis testibus &c'

Dat' p manu' n'ram +ap'd Ebor. a^o xxvii+ &c'

Et dicu't q'd locus ubi d'cus Will's subm^rsus fuit in aq^a de Dee est inf^a libertate' ciuitatis p'd'ce & no' alibi pl'itar' debent — Et +q'd+ ip'i amerc' & catalla felon' & Deodand', & o'ia alia q' ad d'nm Rege' ptinu'eru't inf^a lib'tate' p'd'cam emergenc' p'cipe & h're debent s'cdm forma' & tenorem p'd'ce carte +& h'ere consueu'unt a te'pe confect'o'is p'd'ce carte+. Dicu't q'd tempe quo ciuitas p'd'ca in manus Regu' & ecia' Com' a tempe q^o no' extat memoria. anteq^a d'ns E Rex p'r Reg^s nu'c p carta' sua' p'd'cam concessit eisdem burgens' p'd'cam lib'tate'; Justic' qⁱ p tempe fu'nt om'ia pl'ita Corone in Ciuitate p'd'ca de om'ib^s ca..... infra lib'tate'. Ciuitatis p'd'ce. tam in aqua de Dee infra ea'dem lib'tate' q^am alibi em'gentib^s tenueru't. & tenere co'sueu'nt & [inde] am'ciamenta inde, catall' felon', deodand' & om'ia alia que ad corona' ptine't adiudicau'nt. Et dicu't ex quo d'ns R' eis co'cessit q'd ip'i h'eant & teneant ciuitate' p'd'cam cu' om'ib^s lib'tatib^s & liberis consuetudinib^s suis quib^scu'q' p certo annuati' reddend[do] petu't q'd eor lib;tati no' deroget' in hac pte. Et qa Justic' hic volens certiorari qual't & q^o modo & vbi & in quo loco pl'ita Corone in d'nicis d'ni Reg^s & in aqua de Dee infra p'cinctu' Ciuitatis Cestr' em'gent' dedici solebant. & ad quem in quo loco spectabat co'gnic'o eordem pl'itor anteq^a p'd'ca lib'tas co'cessa fuit p'd'cis Ciuib^s Cestr'. Et simil'r p'stq^a lib'tas p'd'ca eisdem Ciuib^s p carta' d'ni. E R' p'ris R' nu'c co'cessa fuit +...t' vel fueru't lib'tat... eis co'cessis+. In pleno Com' inu'ctu' fuit Judicatorib^s & sectatorib^s Com' q'd in fide & sacr'o quib^s tene't d'no Regi. certificent Justic'o hic. qual'r & p que' p'd'ca pl'ita deducta fu'nt tempib^s ret'oactis. Qui dicu't q'd anteq^am lib'tas p'd'ca concessa fuit p'd'cis Ciuib^s; Justiciari^s qⁱ p te'pe fu'it infra lib'tate' Ciuitatis Cestr' om'ioda pl'ita Corone infra lib'tate' illa' vbiq' ex^a Castru' Cestr'. cora' eo pl'itare solebat ad co'modu' d'ni Reg' +inf^a eand' lib'tate' & no' alibi+ Et postq^a p'd'ca lib'tas eis co'cessa fuit; talia pl'ita Corone infra lib'tate' p'd'cam ext^a Castru' em'gencia. coram Maiore & ball'is Ciuitatis p'd'ce deducta fu'nt. & deduci semp hucusq' co'sueu'nt ad eor pp'um co'mod' in auxiliu' firme sue nisi in casu vbi ab eis ammota fu'nt p br'e de recordo in eor defectu I'o ip'i inde sine die. Saluo Jure d'ni Reg^s cu' alias inde loqui volu'it. &c'

21:497 [29 April 1309]

Dies datus est +Maiori+ & vicecomitib^s Ciuitatis Cestr' de audiend' iudicio suo vsq' ad px' Com' eo q'd iudices sectator' no' dum &c' & inf'im &c'

21:663 [10 June 1309]

Dies datus est Maiori. & co'itati Ciuitatis Cestr' de audiend' Judic'o suo de lib'tate sua allocand' uel infirmand' +de q^od' deoda'd'+ &c' ad px'm Com'. &c'. Et inf'im consulend' est &c'

21:717 [22 July 1309]

Dies datus est Maiori & comunitati Ciuitatis Cestr' de audic'o Judic'o suo de lib'tate sua allocand' v'l infirmand' de quodam deodand' &c' vsq' ad px'm Com' &c' Et inf'im consulendu' est &c'

21:866 [2 September 1309]

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Dies datus est Maiori & vicecomitib^s Ciuitat^s Cestr' ad audiendu' iudiciu' suu' de quodam equo deodando. &c' ad px'm Com'. eo q'd iudices sectator'. no' du' &c'

22:83 [2 Octobr 1309]

Dies datus est Maiori & Co'itatu Ciuitatis Cestr' de audiendo iudic'o de quodam equo deodando &c' vsq' ad px'm Com' eo q'd iudices sectator' no' du' &c'

22:807 [30 June 1310]

Maior & co'itas Ciuitatis Cestr' attach' fuer' ad audie'd' record' & Jud'm +suu'+ de eo q'd quemd' equ' deodand' ad d'nm Rege' ptinente' p quem Will' garc'o cuiusd' Th'me manent' in Roma, in aqua de Dee ext^a Ciuitate' p'd'cam subm'sus fuit, lidem Maior & Ball'i p'd'cm equ' deodand' tanq^m ad lib'tate' Ciuitat^s p'd'ce ptinent' ceperu't & adduxer' in contemptu' d'ni Reg^s, Que quid' Maior & co'itas alias ven' coram Rob'to de Holand tu'c Justic' Cestr' & r'oe lib'tatis Ciuitatis p'd'ce in Manu sua existent', ac si infortuniu' illud infra lib'tate' Ciuitat^s p'd'ce euenisset p'd'cm equ' deodand' suu' clamauer't min^s iuste put cstat p insp^cco'em rot'lor tepe eiusd' Rob'i, Que quid' loquela ad Com' die Mart^s in festo s'ce Kat'ine virg'is px'o p'terit' p a'moc'oem p'd'ci Rob' rema'sit sine die &c'. Et p'd'ci Maior & Co'itas ven' & petu't diem ad consulend' &c' Et dat^s est dies vsq' ad px'm Com' in eod' statu quo nu'c, &c'

22:961 [4 August 1310]

Loquela que tangit Maior' & Co'itat' Ciuit' Cestr' de quod' equo deodand' pon' in resp^ctu' vsq' ad px'm Com' &c'

22:1027 [15 September 1310]

Sine die

Loquela int' d'nm Regem & Maiorem & Co'itatem Ciuitatis Cestr' de quod' equo deodand' p que' Will' garc'o cui'd' Th'me manent' in Roma subm'sus fuit in aqua de Dee remanet sine die p p^rceptu' Justic'

22:200 [7 October 1309]

Jokyn ap Iorwerth accidentally drowned in the Dee below Huntingdon wood. The matter was presented by the coronor of Broxton hundred, and the townships of Boughton, Saughton, Rowe Christleton and Ham Christleton. This suggests that Huntingdon wood, or at least the river below it, was considered part of Boughton township.

Infortuniu'

Coronator Hundr' de Brex' & sil'r villat' de Boghton', Salghton', Rowecristelton' & Hamcristelton' p'sent' q'd Jokyn ap Ior subm'sus fuit in aqua de Dee subtus boscum de Huntyndon' infortunio. Nullus inde male credit'. Inuentor Ioruarth' pat' eius. Et no' male credit'. Jud'm, Infortuniu'

22:532 [31 March 1310]

A boat loaded with six pieces of lead and manned by four men (Peter de Waterford, Robert de Waterford, Henry Bateman, and a fourth unknown) foundered, weighed down by the lead, in crossing the Dee towards Chester. The bodies of the three named were thrown up on the shore; the boat and the lead were afterwards recovered from the river, and were seized as deodands. The

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boat was valued at 2s, but was sold to Roger Peacock for 4s; each piece of lead was priced at 8s 4d.

The matter was reported to the county court by the coroner of the hundred of Wirral, together with the townships of Burton, Little Ness, Neston, Puddington, Shotwick, Great Saughall and Little Saughall — more than the usual four townships, suggesting that the incident had involved more than one place along the shore, the principal perhaps being Burton.

The coroner claimed one piece of lead for his fee; an unusual procedure, but this was a very valuable cargo. However, the chamberlain of Chester claimed all the lead for the king. The accounts of the chamberlains of Chester from this period survive in the Public Record Office, but not for 1310: SC6 771/6 covers Michaelmas 1303 to Michaelmas 1304, SC6 771/7 December 1312 to Michaelmas 1313.

A damaged marginal note suggests that four of the pieces were kept, doubtless for building repairs, and two sold.

*[Camer]ar' on'at's sex pec' [plumbi] de quib^s .iiij.end' pa...ar' pro
& .ij. vend'. infraell' vend' p .iiij.s'.
Catall' deodand'
Coronator Hundr' de Wyrhale & similit' villat' de Burton' Nesse parua
Neston' Potinton' Shotewik. magna Salghale et pua Salghale. p^rsent'. q'd quidam batellus
carcatus cum sex peciis plumbi venit transiere p aquam de Dee u^rs^s Cestr' in qua quidem
naui fueru't quatuor ho'ies videl't Petrus de Waterford Rob'us de Waterford Henric^s
Bateman & q^rtus ignotus qui quidem batellis & eciam ho'ies in p^rd'co batello existentes ppt^r
ponderositatem plumbi in batello illo existent' s'bm^rsi fu'nt Ita q'd n'lla creatura viua euasit.
Et dicu't q'd pondus plumbi fuit causa s'bm^rsion^s ho'im illor' & ecia' batelli De quib^s
quatuor ho'ib^s s^c s'bm^rsis. p^rd'ci Petrus. Rob'tus. & Henr' postea eiecti fu'nt ad t^rra' &c'.
Nullus fuit in vi & auxilio nec causa mort^s eor' nisi p^rd'ca sex pecia plumbi. +Judiciu'
Infortun'. &c'+ Ideo batell' & sex pecia plumbi d'no Regi confisca'tur. p^rciu' Batelli .ij.s'.
p^rciu' cui^sl't [pecii] viij.s'.iiij.d', de quib^s Coronator clam' vna' peciam p feodo suo &c'. De
quib^s. quide' peciis om'ib^s & sing'lis Cam'ar' on'at' eo q'd Coronat' remisit d'no reg'
calu'pnia' sua'. de feod' suo. Et sciend' q'd p^rd'cus batell' postea vend' Rog'o Pekoc p
.iiij.s'. Qui on'ant' in vide Com' pxi' post ~~Paseh~~ +fest' s'ci Joh' an' porta' latin⁶+ hoc
anno, eo q'd prius no' vendeb'*

22:555 [31 March 1310]

Hugh Goberd and Alan de Mollington were caught at night on the Dee by Chester bridge stealing wood and timber brought for the castle. They were taken to the king's prison, and then brought before the county court to be arraigned. But then the mayor and bailiffs of Chester arrived and said that, as Hugh and Alan had been taken within the liberty of the city, they should have been taken

⁶ 12 May 1310

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to the city prison, to be tried before the mayor — citing their royal charter. This reflects the similar dispute, then still unresolved (see above) as to whether and how much of the river lay within the jurisdiction of the city. Hugh and Alan were released by mainpern of Hugh de Covetley and Henry de Blackrod. Two months later Hugh Goberd and Alan appeared, but the case remained undecided because of the conflicting claims, and they were returned to gaol, but were again released, on mainpern of Robert de Bradford and Alexander Hurel for Hugh Goberd, and sir Robert de Pulford for Alan.

As we have seen above, the de Pulfords had extensive rights under the Crown of all manner of incidents arising from the river, and would have a natural competing third interest in this case.

The following month, June 1310, Hugh Goberd and Alan appeared again, and were again mainperned, this time by Richard de Whetley and Henry de Blackrod, sheriffs of the city of Chester, to appear at the next court. However, the justice afterwards discharged them, at the instance of sir Robert.

22:555 [31 March 1310]

Manuc'

Hug' Goberd & Alan^s de Molynton' capti noctant' ad aquam de Dee iux^a ponte' Cestr' furantes & asporta't' boscu' p Castro d'ni Reg^s Cestr' puis' & in pⁱsona d'ni Reg^s Cestr' detent', tu'c coram Justic' Cestr' ducti fuerunt inde arrenand'. E[t] sup hoc ven' Maior & Balliui Cestr', & dicu't, q'd p^rd'ci Hug' Goberd & Alan^s de Molinton' capti fueru't infra lib'tate' Ciuit' Cestr', infra quam lib'tate' quicu'q' capti fu'int p feloniam vel p alia quacu'q' c'a ad pⁱsonam +d'ni. R^s+ Ciuitat^s p^rd'ce duci debeant & ibid'm detineri, & coram eisd'm Maiore & ball'is arrenari & iudicari, put d'ns .E. Rex p'r Reg^s nu'c eis p Cartam suam concesserit, ita q'd nullus Ball' seu Minist' d'ni Reg^s de aliq^o re infra lib'tate' Ciuitat^s p^rd'ce em'gent' se int^omittere debeat, nisi in defectu Balli'or p^rd'ce Ciuitat^s Et qa p^rd'ci Hugo & Alan^s capti fuer't inf^a lib'tate' Ciuit^s p^rd'ce, petunt eos ad lib'tate' suam &c' Et qa p^rd'ca lib'tas ad huc no' e' allocand' nec infirmand', id'o dimittu't p manucapc'oem Hug' de Coueteleg' & Henr' de Blakerode, ad habend' corpa eor ad px' Com', sub pena qua decet, &c'.

22:679 [12 May 1310]

Man'.

condo'. p Justic'

Hug' Goberd & Alanus de Molynton' capti noctant' ad aq^am de Dee iux^a Ponte' Ciuitatis Cestr' furantes & asportantes boscu' p Castro D'ni Reg^s Cestr' puis'. Et qa qualif' ad eor delib'aco'em fu'it pcedend', ppt' clam' Maioris & Balli'or Ciuitat^s Cestr', ip'os ad pⁱson' d'ni Reg^s eiusd'm Ciuitat^s clamanciu', no'du' consultu' est, Id'o ip'i remittunt' Gaule Postea p^rd'cus Hug' Manucapit', p Rob'tm de Bradeford & Alex' Hurel Junior' essendi hic ad px'm Com' sub pen^a qua decet. Et p^rd'cus Alan^s Manucapt^s e' p Rob' de Pulford Milit' ad habend' corp^s eius hic &c' sub pen^a qua decet. Postea. Justic' ad instanc'. Rob'ti de Pulford remisit eis p^rd'cam t^ansgr'. I'o ip'i inde quieti.

22:817 [30 June 1310]

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*Hug' Coberd & Alan^s de Molyngton' capt' nocta't^r sup aqua' de Dee iux^a ponte'
Ciuitat^s Cestr' furant' & asportant' boscu' & maerem' d'ni reg^s pro Castro Cestr' prouisu'
manuc' p Ric'm de Whetelegh' & Henr' de Blakerod vic' Ciuitat^s Cestr' corp^s p corpe
essendi ad px'm Com' Cestr' ad respond' & satisfaciend' inde d'no Regi de t^ansgress'
p^rd'ca, Et scid' q'd nich' dant de fine p manuc' h'nd' propt' derogaco'em lib'tat^s Ciuitat^s
p^rd'ce*