

John le Cock

In October 1305 Gilbert de Ashton sued Adam de Urmston for 5 bovates 60 acres of (arable) land, 8 acres of meadow, 10 acres of woodland, 100 acres of moor, 10 acres of marsh, 100 acres of pasture, a mill and 4s rent in Urmston, in a plea of warranty of charter. Urmston being on the far side of the Mersey, was in Lancashire and not in Cheshire.

Adam did not attend, and was distrained. Two separate suits then ensued: Adam sued Gilbert for having distrained him, and Gilbert pursued his plea of warranty of charter.

As for the distraint, Adam said that on Tuesday 9 November 1305 Gilbert seized seven oxen and a bull of his in a place called the Scoles by the Mersey in Ashton-upon-Mersey, and kept them until the following Saturday, when they were recovered by John le Cock, bailiff of Chester. Gilbert said that Adam was bound to pay him sixty shillings sterling rent per annum at Martinmas (11 November), pledging his lands in Ashton, Sale and Altrincham for distraint on non-payment. The record is damaged, but Adam seems to have denied that the 60s was in arrear.

As for the main suit, Gilbert said that Adam had enfeoffed him of the lands in Urmston as above, but now Richard son of Adam de Urmston and Jordan de Workedele had brought two writs of assize of novel disseisin against him at Lancaster on Thursday 10 November 1306: he had called Adam to warrant, but he had refused. He now produced the charter from Adam which proved that Adam had pledged warranty. Adam appeared and said that Gilbert had called him to warranty in Lancashire, where the Cheshire court had no jurisdiction. Gilbert said that he had given his lands in Cheshire to Adam in exchange for his lands in Lancashire. Again, the record is damaged, but the Cheshire court was of opinion that Gilbert's action was invalid because of the actions in Lancashire. However, no final decision was made, and the case continued through successive courts until abandoned by Gilbert in May 1307.

17:15: 5 October 1305

Gilb'tus de Ashton'. op. se. u^s. Adam de Vrmston' de pl'ito q'd reddat ei decem & nouem Mesuag' quinq' bouat' & sexaginta acr' t're octo ac^as prati decem acr' bosci Cent' acr' more decem acr' marisci cent' acr' pasture vnum Molend' & quatuor solidatas redditus cu' ptin' in Vrmston'. Et ip'e sum' no' venit. I'o prec' est vic' q'd ponat eum p vad' &c'. q'd sit ad px'm Com' ad r' p'd'co Gilb'to de pl'ito p'd'co.

17:191: 11 January 1306

p^r.

Gilb'tus de Asshton'. op. se. u^s. Adam de Vrmston' de pl'ito war' carte. Et ip'e no' ven'. Et vic' ma'd' q'd sum' eum, I'o. p^r. est vic' q'd pon' eum p vad' &c'. q'd sit ad prox' Com' ad r'. p'd'co Gilb'to &c'.

17:247: 15 March 1306

M'ia .ii.s' p^r.

Gilb'tus de Asshton'. op. se. u^s. Ad' fil' Ric'i de Vrmeston' de pl'ito Warantie carte. Et ip'e no' ven'. Et vic' mand' q'd attach' eum p Rob'm fil' Gilb'ti & Rob'm Vryel I'o ip'i in m'ia Et p^r. est vic' q'd distr' eu' &c', & q'd de exit' &c'

17:328: 12 April 1306

exit^s .ij.s'. p^r.

Gilb'tus de Asshton' op. se. u^s. Adam de Vrmeston' de pl'ito War' carte. Et ip'e no' ven'. Et p^r fui[t vic'] q'd distr' eum &c'. & q'd de exit' &c'. & q'd h'ret corp^s ei^s hic ad r'. &c'. Et vic' mand' q'd distr' eu' p catall' [ad] valenc' duor sol' & q'd idem Adam no' fuit inuent^s. I'o. p^r. est vic' sicut pl'ies q'd distr' eu' p om's terr' [& cat'] & q'd de exit' &c'. & q'd sit ad prox'm Com' ad r' &c'. de pl'ito p^rd'co.

17:374: 31 May 1306

exit^s .xl.d'. p^r.

Gilb'tus de Asshton'. op. se. u^s. Adam fil' Ric'i de Vrmeston' de pl'ito War' carte. Et ip'e no' venit. Et p^r fuit vic' q'd distr' eu' p om's terr' &c'. & q'd de exit' &c'. Et vic' mand' q'd distr' eu' p catalla ad valenc' xl.d'. I'o p^r. est vic' q'd distr' eum p om's terr' &c'. & q'd de exit' &c'. & q'd sit ibide' &c'. ad r' &c'.

17:459: 13 July 1306

exit^s .xl.d'. M'ia .ij.s'. p^r.

Gilb'tus de Asshton'. op. se. u^s. Adam fil' Ric'i de Vrmeston' de pl'ito war' carte. Et ip'e no' venit. Et vic' mand' q'd distr' eum p catall' ad valenc' quadrag' den'. Et q'd Rob'us Vriel & Rob'us fil' Gilb'ti manucepunt eum. I'o ip'i in m'ia. Et p^r. est vic' q'd distr' p^rd'cm Adam p om's terr' &c'. & q'd de exit' &c'. q'd sit &c'. ad r'. &c'.

17:510: 6 September 1306

Dies dat^s est Gilb'to de Asshton' & Ade de Vrmeston' in pl'ito War' carte vsq' ad px' Com' p^rce pc' s'n esson'

17:556: 6 September 1306

Dies dat^s est Ad[am] de Vrmeston' quer' & Gilb'to de Asshton' in pl'ito capc'onis au^rior de Asshton' & ton'.

18:24: 29 November 1306

Gilb's Ahston' att' fuit ad resp' Ade de Vrmeston' de pl'ito capc'ois au^rior Et vnde idem Ad' quer' q'd [idem] Gilb's die Martis px^a ante f' s'ci Martini in yeme anno .rr'. E. xxxiiij.⁹⁴ in villa de Ahston' in quod' [loco] vocat' le Scoles iux^a Merese cepit septem boues & vnu' taurum ip'ius Ade & ill' fugauit & apud ibid' c^a vad' & pleg' det' usq' diem sab'i px' sequ' quo die deliber' fu^rnt p Joh'em le Cokke ball'm Cestr' vnde dic' q'd deteriorat^s est & dampn' h't ad val'. C. solid' & inde pducit sectam

Et p^rd'cs Gilb's ven' & def' vim & iniur' q'n &c'. Et bene aduoc' pred'cam capc' esse iustam qa dic' q'd p^rd'cs Ad' tenet' & obligat' p se & h'ed' eidem Gilb'o & h'ed' & assig^at^s suis in sexaginta sol' sterling' redditus annuati' imppetuu' ad fest' s'ci Martini in yeme soluend' Et obligauit o'ia ten' sua in Ashton' Sale Alt'ingh^am districc'oi d'ci Gilb'i & qa pred' sexaginta solid' de redditu pred'co sibi [aretro fuit die capc' dis]tricc'om pred'cam die ven'is px^adr' px' sequ' sicut ei bene licuit. Et pred'cus Adam [dicit q'd] ei accreuit accio ad aliq^am Et p^rd'cs Gilb's dicit [q'd] in respc'm ad px' com' [recogno]scend' si huiusmodi distr' sit ptib^s raco'ib^s sui

18:41: 29 November 1306

Adam filius Ric'i de Vrmeston' sum' fuit ad respond' G'lbto de Ashton' de pl'ito q'd Warr' eid'm Gilb'to dece' & noue' Mes' q'nq' bouat' & sexaginta acr' t're octo ac^as p^ati

⁹⁴ Tuesday 9 November 1305

dece' acr' bosci Centu' acr' More dece' acr' Marisc' Cent' acr' pastur' vnu' Molendinu' & quatuor solidat' reddit^s cu' p_{tin} in Vrmeston' que ten' & de eo tenere clamat & vnde carta' sua' habet Et vnde id'm Gilb'tus dic' q'd cu' p_d'cus Adam ip'm p carta' sua' feoffaut de p_d'cis ten' & obligavit se & hered' suis ad p_d'ca ten'. Quidam Ric' fil' Ade de Vrmeston' & Jordan^s de Workedele p duo br'ia ass'. no. diss' inpl'itaueru't ip'm Gilb'tu' de p_d'cis ten' cora' Henr' de Sutton' & sociis suis Justic' ad ass' capiend' assign' apud Lancastr' vig' S'ci M^rtini anno. r'. r'. E. xxxiiij^o.⁹⁵ p quod id'm Gilb'tus petiit ip'm Ada' sibi warr' p_d'ca ten'. Id'm Ada' ten' illa sibi warr' dedixit & ten' illa hucusq' warr' no' curavit, vnde dic' q'd deteriorat^s est & dampnu' h'et ad valenc' Centu' librar' & inde pduc' secta'. Et pfert qnd' Cartam sub no'ie p_d'ci Ade q' sufficient' testat' ip'm Ada' teneri ad warr' sibi p_d'ca ten'. Et p_d'cus Ad ven' & def' vim & iniur' q'n &c' & dic' q'd ten' de quib^s id'm Gilb'tus exigit warr' su't in Com' Lancastr' de quib^s ten' Cur' ista no' potest h'ere cognic'om n^c iurisdicc'onem exercend' execuc'om iudicii si quid hic +inde+ cting'et adiudic'om Vnde petit iudiciu' si ad war' de p_d'cis ten' ext^a dominiu' & potestate' d'ni istius curie existent' respondere debeat Et p_d'cus Gilb's dicit q'd ip'e dedit ten' sua in Com' Cestres' p_d'co Adam in escambiu' p aliis ten' in Com' Lanc' rac'one cuius escambii idem Ad' & h'ed' sui h'entur ten' sua data War' quamq^a p aliud f'cm speciale⁹⁶ no' obligarent' si p dolem & fraudem ip'ius Ade diu'sa pl'ita de ei'dem terre u'sus ip'm mouer' Warantiam in hac pte def..... possit Et qa videt' cur' q'd istud br'e ad presens cassetur qd p consimili br'i alias & sic..... sequeret' exh'edico absq' remedio ponit' inde

8:134: 28 February 1307

dies.

Dies datus e' Gilb'to de Ashton' & Ade filio Ric' de Vrmeston' def' in pl'o warr' carte ad px' Com' p_rce p_{ciu}'

18:162: 28 February 1307

Dies.

Dies datus est Gilb'to de Ashton' & Ade filio Ric'i de Vrmeston' in pl'ito warrantie Carte ad Dies.

Dies datus est Gilb'to de Ashton' & Ade filio Ric'i de Vrmeston' in pl'ito warrantie Carte ad px' Com' p_rce p_{ciu}' sine Esson'

18:206: 4 April 1307

Dies datus est Gilb'to de Ashton' & Ade de Vrmeston' in pl'ito warrant' Cart' vs' ad px' Com' p_rce p_{ciu}' sine esson'

18:248: 4 April 1307

Dies datus est Ade fil' Ric'i de Vrmeston' quer' & Gilb'o de Ahston' in pl'ito capc'. au'. ad px'm com' prece p_{ciu}'

19:10: 16 May 1307

m'ia .ij.s'.

Gilb'tus de Ashton' qui tulit br'e uersus Adam de Vrmeston' de pl'ito warrantie carte no' est ps' br'e suu' I'o p_d'cus Adam inde sine die Et p_d'cus Gilb'tus & pleg' sui de ps' in m'ia videl't Nich'us de Frodesha^m & Will'mus Daniel.

⁹⁵ Thursday 10 November 1306

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