

Bailiffs of Broxton Hundred

Philip de Egerton sued Katherine who was wife of John de Sancto Petro, Roger son of Thomas de Dutton and Nicholas his lad for having on Thursday 25 September 1292 seized two axes of his in the township of Bickley in a certain place called Turnendpool, and kept them until they were recovered for him by the royal bailiff. Katherine answered that the axes had been being used to cut her trees in Bickley wood. Philip claimed that he had every right to cut down branches and trees in the wood for housebote and haybote, i.e. for repairing houses and hedges. Katherine said that Philip's house was in Egerton, and he had no right to take wood from Bickley (Bickley adjoins Egerton on the south); that the townships of Egerton and Bickley did not share right of common in Bickley wood. Philip said that in the time of John de Sancto Petro he had been accustomed to take estover in Bickley wood: this Katherine denied.

7:70: 9 December 1292

Kat'ina que fuit vx' Joh' de s'co Pet^o Rog's filius Thom' de Dutton' & Nich'us garc'o ip'ius Rog'i attach' fu'u't ad respond' Ph'o de Eg'ton' de pl'o quare cepu't vadia ip'ius Ph'i & ea iniuste detinuer't cont^a vad' & pleg', Et vn' quer^r q'd die Jouis p^x^a post f'm s'ci Math'i ap'li ann^o Regni Reg^s nu'c xx⁹⁷, cepu't duos secures ip'ius Ph'i in villa de Bykeleye in quod' loco qui vocat' Turnendepol, & eos iniuste detinuit cont^a vad' & pleg' & quousq' delib' fu'u't p ball'm d'ni R^s vn' dicit q'd det'iorat^s est & dampnu' h't ad valenc' dimid' marc' & inde pducit sectam.

Et Kat'ina & alii ven', & Kat'ina respondit p se & aliis & bene aduocat d'cam capc'one' d'cor securiu' in dampno suo in bosco suo de Bykeleye, arbores suos & ramos succidendo & alias t^angression' faciend' & ita iuste aduocat d'cam capco'em &c'

Et Ph'us dicit q'd ad talem aduocac'oem no' debet d'ca Kat'ina admitti quia dicit q'd ip'e sicut ei b'n licuit cepit & succidit & succidi fecit ramos & arbores rac'onabilia estou'ia capiend' ad Husbute & Heybote in d'co Bosco de Bykeleye ad emend' domor suor in Eg'ton' & petit iudiciu' de iniuste aduocac'one p'd'ca &c'

Et Kat'ina dicit q'd ten' ip'ius Ph'i ad que clam' rac'onabilia estou'ia +in d'co bosco de Bykel'+ su't in villa de Eg'ton', & d'cus boscus de Bykekeleye⁹⁸ est in villa de Bykeley nec idem Ph'us potest ostendere q'd d'ce ville de Eg'ton' & de Bykeley in aliquo simul co'icant, nec id'm Ph'us aliquod speciale factu' ostendit in euidenc' cur' p quod rac'onabilia estou'ia in bosco de Bykeleye possit exig'e ad ten' suu' in Eg'ton' petit iud'm &c'

Et Ph'us dicit q'd ip'e fuit seiss' tempe cui'sdam Joh'is de S'co Petro q'ndam viri ip'ius Kat'ine de d'cis rac'onabilib^s estou'iis capiend' in d'co bosco de Bykeleye rac'one ten' suor in Eg'ton', & hoc pat^s est verifficare, quam verifficac'one' d'ca Kat'ina no' admittit, petit iud'cm sicut prius de iusta aduocac'one p'd'ca &c'. Jud'm ponit' in resp'cm vsq' ad px'm Com'.

7:165: 3 March 1293

Iud'm

⁹⁷ Thursday 25 September 1292

⁹⁸ sic

Iud'm int' Ph'm de Egg'tone querentem & Kat'rinam q' fuit vx' Joh'is de s'co Pet'o de pl'o capc'ois vad' ponit' in resp^ctu vsq' ad px'm Com'

7:297: 26 May 1293

Dies datus est Ph'o de Egg'ton' quer' & Kat'ine q' fuit vx' Joh' de S'co Pet'o de pl'o capc' vad' p'cept'm. vsq'. &c'.

Adam son of Anian de Dodleston sued John de Boydel for having seized two of his cows on Thursday 14 May 1293 at his house in Dodleston and driven them to his manor in the same township, until the bailiff released them the following Saturday. John said that Adam was his neif and the cows had been born and raised in villeinage and were therefore John's own property.

Adam said that he was a free man: indeed, John had acknowledged the fact both by suing him as one free man suing another, and by surrendering the cows to the bailiff. John dismissed the latter point by saying that the cows had been surrendered to the bailiff by his reeve without having consulted him.

As for the cows, John said that one had been born in his possession, the other acquired lawfully during the Welsh war, and had been fed by him since. In any case, to assert that the cows were born in villeinage was nonsensical: property follows the man, the man is not bound by his property.

John said that on Thursday 26 March, William son of the reeve of Dodleston had been attached to prosecute a trespass against Adam in Dodleston halmote, but Adam had not appeared, and repeatedly failed to attend, hence the distraint. Adam said that John had now changed his defence, and asserted the distraint to have been on behalf of a third person. The court agreed, and John was amerced half a mark (6s 8d) for unjust seizure.

7:406: 18 August 1293

M'ia

Joh'es de Boydell +di'.m'.+, Ad' & Will'mus garco'es sui attach' fu'unt ad respondd' Ade fil' Aniani de Dodeliston' de pl'ito capc' au'ior vnde q'rit' q'd die Jouis px^a ante f'm Pentec' pxi'o p't'itum⁹⁹ duas vaccas suas ad domu' ip'ius Ade in Dodeliston' cepunt & ad Man'iu' ip'ius Joh'is in ead'm villa dux'unt & detinu'unt con^a vad' &c' vsq' diem sabb'i sequ¹⁰⁰ q'd p Ball'm &c' Et vnde det'iorat^s est & dampnu' h't ad valenc' .xx. sol' & ampl'. Et off't sectam &c'.

Et p'd'cus Joh'es +respondet p se & aliis &+ dicit q'd die capc'ois au'ior p'd'cor +p'd'ca+ fu'unt p'd'ce vacce catallu' ip'ius Joh'is et q'd nate & nut'te in villenagio suo & in poss'one p'fati Ade natiui sui inuente. et ita aduocat capc'om p'd'cam e'e iustam vt de catall' suis ppriis &c'.

Et p'd'cus Ad' dicit q'd d'cs Joh's ad aduoc'om illam capc'ois admitti no' debet Quia dic' q'd ip'e lib'm statu' possidet & hacten^s possedit. & hoc id'm. d'cs Joh'es ratificauit, in hoc q'd ad vltimu' Com' hic datus fuit eis dies p'ce ptiu' vsq' ad hunc diem. & sic compauit ip'm Ad' sibi q^asi eiusd'm condic'ois & lib'tatis, et simil'r in delib'acione d'cor au'ior p Ball'm d'ni Reg^s Jurat' f'ca absq' cont'dicc'oe siue pp'etate au'ior aliq^atenus allegata, Et vnde si modo ad talem aduoc'oem admitt'et^r, sequeret^r talis inconuenie's. q'd

⁹⁹ Thursday 14 May 1293

¹⁰⁰ Saturday 16 May 1293

corpus sequeret' catalla & no' econu'so, quod iuri est cont^ariu'. eo q'd ncc^aio oporteret ip'm pⁱmo disratore' corpus & sup consequē's catalla & hoc p br'e natiuitatis quod sonat in recto & puritate sangⁱnis, quod maius est q^am br'e istud quod ad nichil aliud intendit q^am ad quamda' capc'om iniusta' que t^ansg^rssio est psonal'. Dicit &', q'd vna d'car vaccar fuit sibi nata, & alia in guerra Wall' ulti'a fidelit' compata, & sic in custodia semp hactenus nut'ta, vnde d'cs Joh's n'llam propⁱetate' catallor siue au'ior in eisd'm exig'e possit u'l h'ere. Et petit iud'm &c'.

Et p^rd'cus. Joh's replicando dic', q'd delib'atio d'car vaccar Ball'o d'ni Regis f'ca. fuit f'cm p'po'iti sui loci ip'o Joh'e inconsulto, q^od no' debet ei iniuriari in hac pte. Dicit ecia' quo ad dies concessus p'ce ptiu' post delibac'om p^rd'cam f'cam in nullo debet ei noc'e ad au'ia p^rd'ca que sua asserit in forma p^rd'ca recupanda, desicut patus est verificare put Cur' cons', q'd p^rd'cus Ad' est & fuit nat's suus. & bo^a sua & catalla +in poss'one sua inuenta+ bona & catalla ip'ius Joh'is. Et petit iud'm simil'r. Et d'cm est p'fato Joh'i q'd dicat aliud quo ad capc'om & detenc'om p^rd'ca si sⁱ vid'it expedire.

Et p^rd'cus Joh's dicit q'd quid' Will's fil' p'po'iti de Dodeliston' p vad' & pl' se attach' ad ps' q'ddam pl'itum t^ansg^r in Halimoto de Dodeliston' u's ip'm Ad'm die Cene pxi'o p'f'ito¹⁰¹ ad quem die' id'm Ad' fecit defalta'. & sic de Halimoto in Halimot' q'd de die in diem consid' fuit a Cur' q'd pon'et' p meliores pleg', &c' Et vnde id'm Joh's p talem consider'om & causa p^rd'ca aduocat capco'm p^rd'cam. &c' et nichil aliud dicit.

Et p^rd'cs Ad' dic' q'd ad talem aduocaco'em p'fat' Joh'is no' debet admitti quia dicit q'd ex quo idem Joh'is capco'em p^rd'cam supius aduocau'at vt de catall' suis pp'is pp'etate' catall' in psona' suam affirmand' & modo in aduocac'oe ista ca'm capco'is illius in alt'ius psona ext^anea allegat & nich' aliud dic'. & petit Judiciu' simil'r Id'o considerat' est q'd p^rd'cs Joh'es sit in m'ia p iusta¹⁰² capc'oe & p^rd'cs Ad' sine die

¹⁰¹ Thursday 26 March 1293

¹⁰² sic