

# The Early History of the Davenports of Davenport

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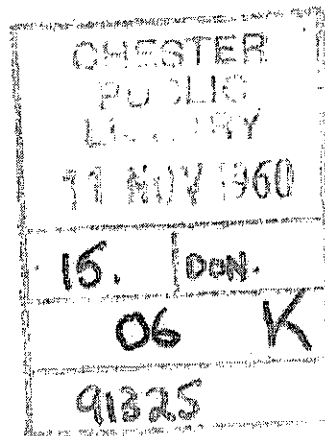
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TO  
W. McK. C.  
A TRUE FRIEND



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## PREFACE

THE bulk of the evidence incorporated in this work is derived from the Bromley-Davenport Muniments, deposited at the John Rylands Library partly in 1948, and partly in 1951. Dr. Taylor arranged these under four headings: I. Correspondence, II. Deeds and allied documents, III. MS. Books, and IV. Miscellaneous. In section I are some letters from Earwaker and Ormerod, written when they were compiling their histories. In section II are most of the original and contemporary documents used in this thesis. This is a vast collection, covering wide areas of England, and the number of separate items listed runs into several thousands. Inevitably, therefore, I was obliged to confine myself to the strictly relevant parts; but there will be very little concerning the earlier Davenports that I have not been able to examine, thanks to the guidance and assistance of Dr. Taylor and the library staff. To them also I am indebted for the excellence of the photographs herein reproduced. The other collections at Rylands also proved helpful, to most of which I was directed by examination of the excellent calendars and hand-lists of Dr. Tyson, M. Robert Fawtier, and Dr. Taylor.

From the middle of the thirteenth century onwards the bulk of the Cheshire materials preserved at the Public Record Office increases, both in size and complexity. The plea rolls of the Chester county court are the earliest, and become the most voluminous of the local courts. There are 102 such rolls before 1399, but only a few could be selected, since many rolls are very poorly preserved, and some are unfit for presentation. The "recognizance" rolls of the county were records of the Chester exchequer, at first largely concerned with recognitions of debt and other memoranda, and then enrolling various warrants and grants under the Chester seal. These rolls survive from 1307 onwards, with a gap between 1365 and 1375. The Cheshire Quo Warranto rolls, three of which I examined, were really plea rolls, concerned simply with these special pleas in the county court. The most fruitful source of information on the serjeants in Macclesfield, and the Davenports, were the Macclesfield Eyre rolls, covering, with large gaps, the period to the end of the fourteenth century, and after. The earliest one, 1285-90, was calendared by R. Stewart-Brown. With these must be coupled the Indictment and Calendar of Indictments rolls of the Macclesfield eyres, which survive from the time of Edward III. Useful, too, was the collection of Ministers' Accounts, covering the Chamberlains and other ministers of Chester, and the Great Roll of Debtors of the county. Various other items were examined, among which, but not transcribed, since they had already



been pretty thoroughly worked through by Earwaker, were the files of inquisitions *post mortem*, which do not survive regularly until the reign of Edward III.

The only contemporary evidence derived from the collections of the British Museum was amongst the Additional Charters, most useful of which were 37,242—Transcript 15—and 37,255-8. Other useful evidence was derived from Additional Charters 37,243, 37,246 and 37,249, which last is the will of Thomas de Macclesfield. There were also one or two references in the Shrewsbury-Talbot collection. Non-contemporary but valuable evidence was derived from the work of the copyists. Among the most important of these were the Randle Holmes of Chester, whose work survives in several volumes of the Harleian Manuscripts.

I am indebted to the Registrar of the Diocesan Registry at Lichfield for permission to consult the Episcopal Registers, and to the Chester and North Wales Architectural, Archaeological, and Historic Society for permission to make abstracts from the Earwaker Collection, more especially from the MS. books of John Booth of Twamlow which include his so-called "Swettenham Chartulary", written about 1636, and many deeds not now extant.

Miss Lofthouse, Librarian of Chetham's Library, kindly allowed me to make extensive use of the calendars of the Legh of Adlington MSS. and the Leicester-Warren MSS. at Tabley House, compiled by Miss E. M. Halcrow for the National Register of Archives. In the Leicester-Warren collection are the manuscripts of Sir Peter Leycester who copied some deeds which have not survived. Also at Chetham's are one or two useful Towneley MSS., the Adlington MS., c. 1611, and an Elizabethan Book of Tenures, which provide useful comparisons with earlier evidences.

I was privileged to examine and use the unpublished sections of Mrs. Margaret Sharp's typewritten Ph.D. thesis, 1925, "Contributions to the History of the Earldom and County Palatine of Chester, 1237-1399". Her lists of office-holders in the county and the various hundreds, especially Macclesfield, are a very useful background of chronology, on which I have based the dating of many charters.

Finally, my sincere thanks are due to Mrs. Bromley-Davenport for the interest she has shown in the publication of this book, and for permission to print extracts from the family muniments and reproduce three of the documents in facsimile; and also to Professor C. R. Cheney and Dr. G. H. Tupling for inspiring me to undertake the work and for their guidance in seeing it through.

T. P. H.

## LIST OF ABBREVIATIONS

B.D.M. . . . .	Bromley-Davenport Muniments.
B.I.H.R. . . . .	<i>Bulletin of the Institute for Historical Research.</i>
B.J.R.L. . . . .	<i>Bulletin of the John Rylands Library.</i>
B.P.R. . . . .	<i>Black Prince's Register.</i>
Cal. Close R. . . . .	<i>Calendar of Close Rolls.</i>
Cal. I.P.M. . . . .	<i>Calendar of Inquisitions Post Mortem.</i>
Cal. Lib. R. . . . .	<i>Calendar of Liberate Rolls.</i>
Cal. Pat. R. . . . .	<i>Calendar of Patent Rolls.</i>
Chart. . . . .	Chartulary.
Chet. Soc. . . . .	Chetham Society.
D.K.R. . . . .	<i>Deputy Keepers' Reports.</i>
East Cheshire . . . . .	By J. P. Earwaker.
E.H.R. . . . .	<i>English Historical Review.</i>
H.M.C. . . . .	<i>Historical Manuscripts Commission.</i>
L. & C. Ant. Soc. . . . .	<i>Lancashire and Cheshire Antiquarian Society.</i>
N.R.A. . . . .	National Register of Archives.
N.S. . . . .	New Series.
Ormerod (Helsby) . . . . .	<i>History of Cheshire</i> , Second edition, 1882-5.
Q.R. . . . .	Queen's Remembrancer.
R.C. . . . .	Record Commission.
R.S.L. & C. . . . .	Record Society of Lancashire and Cheshire.
R. L. Lit. Claus. . . . .	<i>Rotuli Litterarum Clausarum.</i>
Rot. Parl. . . . .	<i>Rotuli Parliamentorum.</i>
S.H.C. . . . .	Historical Collections, Staffordshire, Publications of the William Salt Archaeological Society.
Trans. Hist. Soc. L. & C. . . . .	<i>Transactions of the Historic Society of Lancashire and Cheshire.</i>
V.C.H. . . . .	<i>Victoria County Histories.</i>

## SELECT BIBLIOGRAPHY

BEFORE listing the printed materials under authors it would be as well to mention some of the more important printed records. The Public Record Office Calendars and other publications were useful, as also were some of the publications of the Record Commission, and the materials in Deputy Keepers' Reports, as referred to in the text. Especially useful was the Black Prince's Register, Part III, Chester, 1351-65, published by the Stationery Office in 1912. The various volumes of the Cheshire Sheaf, being notes reprinted from the "Chester Courant", appeared in three series from 1880, and were also very helpful. The publications and transactions of many of the learned societies and reviews were used extensively, and the more important items are listed below under the names of the individual authors. Many standard works have been omitted, but are referred to in footnotes.

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THE EARLIEST DAVENPORTS <sup>1</sup>

## (a) ORME AND RICHARD DE DAVENPORT

THE township of Davenport from which the family derived its name is about five miles west of Congleton, on the banks of the River Dane. The earliest reference to Davenport is in the twelfth-century chronicle of Symeon of Durham who says that in A.D. 920 King Sihtric of Northumbria *infregit Davennport*.<sup>2</sup> This suggests that Davenport had a strategic importance in the defence of Mercia from raiders across the Cheshire plain, deriving from its situation on the steep bank of the narrow valley through which the River Dane runs. If Symeon's chronology is reliable, then Davenport had a foundation earlier than 920, and by the latter date was already a place of some note. The River Dane, from which the town derives its name, was probably known as such in pre-English times.<sup>3</sup> The town itself may have been founded by Scandinavian merchants, but certainly existed for well over a century before the Norman Conquest. Even before the Conquest, therefore, the local magnates may have been known as "of Davenport".

At the time of the Domesday survey Davenport was held by Gilbert de Venables, "the hunter", Baron of Kinderton. Before him it had been held by Godwin. In Davenport there was half a hide that paid geld, land enough for one plough, one radman, two oxmen, three bordars, and an acre of woodland. At the time of the survey the manor was worth three shillings but Gilbert had found it waste. It was situated in the hundred of Middlewich—later known as the hundred of Northwich.<sup>4</sup> This Domesday evidence does not seem compatible with the claim that the Davenport family descended in "one uninterrupted male line from the Norman conquerors of the palatinate . . ." <sup>5</sup> unless the Davenport family received the grant at some date after Domesday.

<sup>1</sup> For existing printed accounts of the Davenports of Davenport see Ormerod (Helsby), iii, pp. 61-9; *East Cheshire*, ii, pp. 378-88; and also the only history of the family, as such, by Amzi Benedict Davenport, 1851, with supplement in 1876—a very unreliable book for the pre-1500 period.

<sup>2</sup> *Symeon of Durham, Opera Omnia* (Rolls Series, 75), ii, pp. 93 and 123. Arnold makes the curious suggestion that *Devennport* was the port of the Devonians at the head of Plymouth Sound. See Introduction, p. xxxi, and n. 1.

<sup>3</sup> Ekwall gives the river-name a Middle Welsh origin.

<sup>4</sup> Tait, *Domesday Survey of Cheshire* (Chet. Soc., N.S. 75), pp. 194-5.

<sup>5</sup> Ormerod (Helsby), iii, p. 61.

The earliest recorded member of the Davenport family is an Orme de Davenport whose name occurs in the witness lists of two twelfth-century charters of which the originals do not survive.<sup>1</sup> From this scanty evidence it cannot be said that Orme was the original grantee of Davenport, nor that he was born in 1086, nor, even, that he was born about 1100.<sup>2</sup> The wide range of possibilities makes any definite conclusions about Orme's dates unwise. Equally, it would be rash to infer Norman blood from his name; there is no real evidence that Orme was one of, or was descended from, the Norman conquerors of the Palatinate. There is as much evidence for a Scandinavian or English ancestry,<sup>3</sup> and the only conclusion that can be reached is that an Orme de Davenport was living in the twelfth century, probably before 1154, if we can be sure of the identity of the Gilbert de Venables of one of the charters.

The second Gilbert de Venables married Margery, daughter of Walthew son of Wulfric, and among their children were a son, William, and a daughter, Amabilia. Some time after the death of his father, William, then Baron of Kinderton, gave his sister in free marriage to Richard de Davenport, the second recorded member of the family, together with the half of Marton that her mother had had as her marriage portion. For this Richard was to render an annual rent of six barbed arrows at Pentecost.<sup>4</sup> Ormerod, and after him Earwaker, both dated this grant in 1176, but thought that it might have been earlier.<sup>5</sup> The evidence is inconclusive, and there is little to show at what point in the second half of the twelfth century the deed was made. The earliest terminal date is 1154, when William de Venables first appears, confirming grants made by his predecessors.<sup>6</sup> The latest date is indeterminate, but, if Amabilia was young enough to have children, was probably not later than 1190.

In Domesday Book one half of Marton was held by Earl Hugh, and the other half, by Hugh fitz-Norman, of the earl. Both were previously in the hands of a *liber homo*, Godric. In both halves there was one virgate that paid geld. In the earl's half there was land enough for one plough, in the other for half a plough-team, and in both there were 20 perches of woodland. Both had always been waste, and still were.<sup>7</sup> It is difficult to say which half was involved in the grant to Richard de Davenport, but the extent of the grant can be appreciated. The land itself may not have been particularly valuable, but, undoubtedly, considerably extended the

<sup>1</sup> See below, Transcripts 9a and 9b.

<sup>2</sup> B.D.M., I, 5 (iii): letter dated 29th December, 1817, from 16 Wimpole Street, London; and see Ormerod (Helsby), iii, p. 61, n.b.

<sup>3</sup> Wainwright, "North-West Mercia, A.D. 871-924", *Trans. Hist. Soc. L. & C.*, 94, pp. 34-5.

<sup>4</sup> See below, Transcript 10.

<sup>5</sup> Ormerod (Helsby), iii, p. 61, n.b.; *East Cheshire*, ii, p. 379.

<sup>6</sup> Tait, *Chart. Chester Abbey* (Chet. Soc., N.S. 79, 82), especially pp. 216-18.

<sup>7</sup> Tait, *Domesday Survey of Cheshire* (Chet. Soc., N.S. 75), pp. 115 and 179.

Davenport inheritance, and marked a step up the social ladder. Later evidence shows that Marton often became the seat of the eldest son, and when this happened the son was often known as *de Marton*, rather than *de Davenport*. Marton is about four miles north-west of Congleton, and about the same distance north-east of Davenport, and was in the hundred of Macclesfield.

This same Richard de Davenport was appointed supreme forester of the Earl's forests of Leek and Macclesfield by Earl Hugh of Cyveiliog. This can only be dated between 1153 and 1181 when Hugh was earl.<sup>1</sup> Whether this appointment preceded, or was connected with the Venables marriage, or otherwise, is uncertain. Earl Hugh gave Richard and his heirs, with the supreme forestership, a place in the hundred of Macclesfield, by the service of forestry, in fee and heredit. This place, *anhus* in the charter, may be the forest tenement known as the "One House", between the townships of Hurdsfield and Rainow, about two miles north-east of Macclesfield. For this Richard gave the earl a pair of gilt spurs and two marks; and he gave the earl's uncle Richard a pair of iron spurs. The exact significance of *supremus forestarius* is difficult to establish in the absence of any evidence connecting the Davenports with the "supreme forestership" between the original grant and the late sixteenth and early seventeenth centuries.<sup>2</sup> None of the "One House" deeds in the Bromley-Davenport muniments ever state that the "One House" carried with it the tenurial obligation as defined in Earl Hugh's charter; but the frequent description of "in the forest of Macclesfield" suggests that a tenure in the forest might imply a forest service.<sup>3</sup> The Davenports, however, never described themselves as foresters until the original grant was enrolled on 19th April, 1596; and on 17th September, 1616, John Torkington, keeper of the seal in the Exchequer at Chester, issued a receipt to John Davenport, Esquire, for sixpence due to the king for one year for the forester's fee of the forest of Macclesfield.<sup>4</sup>

The same Richard de Davenport, or a descendant of the same name, received a grant from Earl Ranulf de Blundeville, between 1208 and 1211, at Leek. Richard was granted quittance from suit of the county court at Chester, the hundred court of Northwich—in which hundred Davenport was situated—and from the earl's pleas of Middlewich. He was also exempted from finding "judgers" for the county and hundred courts, and from serving on juries himself. For this grant Richard was to render annually to the earl's *camera* at Chester, on 24th June, a pair of gilt spurs, or sixpence.<sup>5</sup> The fee occurs among the "Chamber Rents" in the

<sup>1</sup> See below, Transcript 11.

<sup>2</sup> B.D.M., II, 3, Macclesfield.

<sup>3</sup> *Ibid.*, Hurdsfield.

<sup>4</sup> *Ibid.*, Macclesfield. There is a similar receipt for 1614, but neither can refer to the original grant where no sixpenny fee is mentioned.

<sup>5</sup> See below, Transcript 12a.

Chamberlain's Accounts for the years 1302-4, in the latter year as "Of Thomas de Davenport for his land in Davenport . . . 6d." <sup>1</sup> This sixpence may also be the "forester's fee" of the early seventeenth-century receipts already quoted. There is no mention of forest or foresters in the charter, but Turner has pointed out that "foresters in fee were not liable to be put in juries and assizes" <sup>2</sup> and this might be the actual statement of these exemptions. In any event the exemptions were important enough to be the later subject of *quo warranto* proceedings, inspection, and enrolment. <sup>3</sup> Richard also occurs as *tunc vicecomite Cestrie* in a pre-1211 witness list, <sup>4</sup> and unless *vicecomite* can be given a literal meaning of "earl's deputy"—and, therefore, an alternative description of his functions as "supreme forester"—the exemptions could quite easily appertain to his position as sheriff. <sup>5</sup>

Richard de Davenport brought himself and his family into the favours of the Earls of Chester and the Barons of Kinderton, and established for himself, in the county, a powerful position as a land-holder and an office-holder. This was largely the result of the Venables marriage, and the stage was set for a further extension of the Davenport power and prestige by Richard's successors.

#### (b) VIVIAN DE DAVENPORT

Richard's successor as lord of Davenport and Marton was Vivian de Davenport. He was never described as son of Richard, but it seems probable that he was Richard's son and heir. <sup>6</sup> The date of Vivian's birth is dependent on the date of his parents' marriage, and if he was the son of Richard and Amabilia he was probably born before 1190. He appears as grantee in several deeds which cannot be dated later than 1226, and, therefore, he was almost certainly born before 1205. He was living as late as 1254, <sup>7</sup> and during the preceding twenty or thirty years he left sufficient evidence of his activities to have later become the most colourful

<sup>1</sup> *Cheshire Chamberlains' Accounts, 1301-1360* (R.S.L. & C., 59), pp. 36 and 73.

<sup>2</sup> *Select Pleas of the Forest* (Selden Soc., 13), Introduction, p. xxiv. See also *Rot. Lit. Claus.*, ii, pp. 59 and 94.

<sup>3</sup> *Quo Warranto Rolls*, Chester 34/1, m. 2 and 34/4, m. 28d (office copies in B.D.M., II, 3, Macclesfield); Transcripts 12a and 12b—*Inspeximus* dated 2nd September, 1353, and endorsements; and *Plea Roll*, Chester 29/68, m. 39, where the *inspeximus* is enrolled, 13th February, 1364.

<sup>4</sup> *Middlewich Chartulary*, I (Chet. Soc., N.S. 105), p. 67.

<sup>5</sup> *Cheshire in the Pipe Rolls* (R.S.L. & C., 92), pp. 28-9; *Chester County Court Rolls* (Chet. Soc., N.S. 84), pp. xxvi-xxvii.

<sup>6</sup> N.R.A., Legh of Adlington, Bundles 15/7, 24/11; Renaud, "Early History of Prestbury" (*Trans. L. & C. Ant. Soc.*, 13), p. 6; Wrottesley, *Chart. Dieulacres Abbey* (S.H.C., N.S. IX), p. 314—for John, Peter, and Walter de Davenport, brothers of Vivian, and Amicia, daughter of Richard de Davenport.

<sup>7</sup> Legh of Booths Charters, No. 270.



and revered of the early Davenports. Much romance and legend has been attached to his name, and he was certainly an important figure during the period in which he was head of the family.

Between 1217 and 1226, Ranulf de Blundeville, then Earl of both Chester and Lincoln, granted Vivian the hereditary office of master-serjeant of Macclesfield, which Adam de Sutton had held, in exchange for Vivian's land called *Wilewic*, in Macclesfield park.<sup>1</sup> He, or his heirs, were to suffer forfeiture in all their lands held of the Earl in chief, if they could not or would not keep and protect the Earl's peace and justice. The frequency with which this grant was exhibited, copied and enrolled,<sup>2</sup> shows that it was regarded as a valuable one involving considerable delegation of power. The deed does not define in detail the duties involved; this probably means that the office was not a recent creation for a particular purpose, but was an office whose duties were known, and was directly subject to the appointment and direction of the Earl himself.

Whether the grant was made because of the death of Adam de Sutton without heirs, which later evidence does not allow,<sup>3</sup> or whether Adam had forfeited the office for dereliction of duty, as prescribed in the charter; or whether he had exchanged the office for some other administrative position, in the forest of Macclesfield, is uncertain. His later descendants appear as holders of lands and services in the forest of Macclesfield; by the inquests of 1288, 1300, and 1349, the Suttons held as hereditary foresters in Sutton and Disley.<sup>4</sup> Their tenure there may date from the same period as Vivian's grant.

By another grant between 1217 and 1229 Earl Ranulf gave Vivian a perpetual release and quitclaim from three shillings rent which Vivian used to pay the Earl for *Hysebelesebothes*, and for the land of Peter, the smith. In return Vivian quitclaimed to the Earl "Isobel's Booths", from the wood of *Wilewic* to the river. For this release and for the land of Peter, the smith, Vivian and his heirs were to pay an annual rent of four barbed arrows on 1st November, for all service and exaction.<sup>5</sup>

The only surviving original of a grant by Vivian, dated after 1247, gifts to his younger son, Richard, all his lands in the town of Macclesfield, except the burgage of his eldest son Roger, and the rent which he held of Edmund de Lacy, constable of Chester, and save a certain fourpenny rent which he gave to the service of St. Mary of Macclesfield. This

<sup>1</sup> Transcript 13.

<sup>2</sup> *Ibid.*, see references.

<sup>3</sup> Tait, *Chart. Chester Abbey* (Chet. Soc., N.S. 79, 82), p. 319, where Adam witnesses a charter c. 1245-50; and Harl. MS., 2074 f. 82v (old 185v).

<sup>4</sup> Add. MS. 6031, f. 147r; Add. MS. 6032, f. 17r; *Cheshire Sheaf*, V, p. 15; Ormerod (Helsby), iii, p. 761; *Chester County Court Rolls* (Chet. Soc., N.S. 84), pp. xlix, and lxi.

<sup>5</sup> Transcript 14; and see also the interesting series of charters concerning "Isobel's Booths" in British Museum Additional Charters, 37,255-8.

interesting grant shows that the Davenports had a tenurial connection with the powerful Lacy family, barons of Halton, and earls of Lincoln.<sup>1</sup>

Vivian occurs frequently in the Cheshire entries in the public records between 1237 and 1250. These terminal dates are significant. John the Scot, the last Norman earl, died about 6th June, 1237; and the county was given to the lord Edward early in 1254.<sup>2</sup> Between these dates accounts of the revenues of Cheshire appear on the Pipe Rolls, but the apparent disappearance of Vivian from other royal records before and after these terminal dates may not mean that he was not as active as in the intervening period, but merely that no record was made or survives.

From 10th July, 1237, to his death in July, 1240, John de Lacy, Earl of Lincoln and constable of Chester, was *custos* of the county.<sup>3</sup> In the Liberate Rolls for October, 1239, and February, 1240, Vivian is listed as having received wages from John de Lacy, for preceding periods, for keeping the king's peace in Cheshire.<sup>4</sup> Similar entries occur in the Pipe Rolls, *pro pace custodiendo*, at the apparent rate of 24s. per year. Vivian receives similar payments in most of the accounts up to July 1250, but not in the account for July, 1250, to Easter, 1254.<sup>5</sup> The Close Rolls for 1242—28th April—record a mandate to John Lestrangle, justiciar of Chester, to allow Vivian to have his master serjeancy of Macclesfield as he ought to, and was accustomed to have it, in the time of Ranulf, late Earl of Chester, *qui eum inde per cartam suam feofavit*.<sup>6</sup> In a *contrabreve* on the Liberate Rolls dated 24th May, 1244, John Lestrangle was ordered to cause Vivian to have what he should find by diligent inquiry that Vivian used to receive yearly in the times of Ranulf and John, Earls of Chester, "in exchange for the park and stew of Makefeud".<sup>7</sup> Another *contrabreve* to the justiciar and chamberlain of Chester, dated 20th October, 1246, instructs them to cause Vivian and his "servants" to have their "liveries" established from of old, as they used to have them in the times of Earls Ranulf and John.<sup>8</sup>

These entries help to date between May, 1244, and September, 1245, the inquisition, which survives in the Bromley-Davenport muniments, recording in fuller terms than the original grant Vivian's exchange of the

<sup>1</sup> Transcript 15; *Cheshire in the Pipe Rolls* (R.S.L. & C., 92), pp. 69, 87 and 91. Edmund de Lacy recovered his lands in May, 1247.

<sup>2</sup> *Ibid.*, pp. 28 and 106.

<sup>3</sup> *Ibid.*, p. 28—appointed 10th July, 1237; accounts begin 29th August.

<sup>4</sup> *Cal. Lib. R.*, i, pp. 423 and 448.

<sup>5</sup> *Loc. cit.*, pp. 37, 46, 52, 64, 76, 88, 95. The entry for 1242-5 (p. 76) is—*Et Viviano de Deveneport pro excambio parci et vivarii de Makefeud' xxiiij s. per annum per inquisitionem quam idem Johannes (Lestrangle) inde fecit per breve R. Et eidem Viviano iiij li. xvj s. de iiij<sup>or</sup> annis preteritis*. See also *Cal. Lib. R.*, ii, p. 20.

<sup>6</sup> Close Roll, C. 54/52, m. 4. See also *Close Rolls, 1237-1242*, p. 417, where *Alneport* seems to be a misreading for *Daneport*.

<sup>7</sup> *Cal. Lib. R.*, ii, p. 238.

<sup>8</sup> *Ibid.*, iii, p. 86.

park and vivary of Macclesfield, *se invito*, for the office of master serjeant of Macclesfield, *cum putura ad dictam serianciam pertinente*.<sup>1</sup> Wilewic wood is not mentioned, but presumably was part of Macclesfield park.<sup>2</sup> Nineteen inquirers found that Ranulf had so enfeoffed Vivian, and that the latter used to have "puture" throughout the hundred of Macclesfield, and in Longdendale except Mottram, and in the land of Richard Fitton, except *Bolin*, which John the Scot had quitclaimed to Richard Fitton, again against Vivian's will.<sup>3</sup> Vivian had also lost his puture in the land of Richard de Mottram, and in several places in Staffordshire, of the Honor of Chester, appurtenant to the hundred of Macclesfield and its liberty.<sup>4</sup> Vivian had formerly had puture in all these places, for the exchange of the park and vivary of Macclesfield; and he had also received, from the time of the exchange, an annual grant of 24s. at the Chester exchequer, in two instalments of 12s. at Christmas and 24th June. This grant appears continually in fourteenth-century accounts as an assessed rent, and is usually described as paid out of the issues of the park and mill of Macclesfield. The money is occasionally specified as being for the provision and repair of robes for under-serjeants.<sup>5</sup>

Attached to the famous "Robber Roll" of the Davenports, is a copy of an inquisition taken on 20th or 22nd June, 1352. This states that Adam de Sutton also had this payment, when he was serjeant, for repairing the robes of his under-serjeants.<sup>6</sup> The inquisition also gives the name of the land Vivian exchanged as *Wylweyk*, and adds that the mill and manor were said to be parcels of the said exchanged land. The location of *Wylweyk* wood, or the park and vivary of Macclesfield, seems to be merely conjectural.<sup>7</sup>

There is no reliable evidence as to who was Vivian's wife, but he had several sons, and a daughter, Beatrix, to whom he gave the wood of *Hee*, or Heywood, near Davenport, in free marriage with Bertram de Hulme.<sup>8</sup> His eldest son was Roger. Other sons were—Richard, father of Roger de Turnock who had land in Somerford Booths, Robert, ancestor of the Lawtons of Lawton, Peter, Henry and Thomas.<sup>9</sup>

Vivian occurs as witness to charters too numerous to mention. In one of these, other witnesses were—Ranulf, Earl of Chester and Lincoln, Philip de Orreby, justiciar, William de Venables, Warin de Vernon, Roger

<sup>1</sup> Transcript 16.

<sup>2</sup> *Cheshire Sheaf*, XXXIII, pp. 34-5.

<sup>3</sup> Ormerod (Helsby), iii, pp. 586-91. *Le Bolyn* is the old name for the Wilmslow parish of Bollin.

<sup>4</sup> Farrer, *Honors and Knights' Fees*, ii, pp. 255-63.

<sup>5</sup> Ministers' Accounts, S.C. 6/802/1, m. 2d. (Macclesfield Ministers, 3-4 Edward III), and in most of the surviving accounts up to Henry V.

<sup>6</sup> Transcript 1.

<sup>7</sup> Ormerod (Helsby), iii, pp. 63-4; *Cheshire Sheaf*, XXXIII, pp. 34-5.

<sup>8</sup> B.D.M., II, 3, Church Hulme (Holmes Chapel).

<sup>9</sup> *Ibid.* especially 614-15.

de Mainwaring, Hamon de Massey, and others, all leading men and important land-holders in the county.<sup>1</sup> That Vivian appeared in such a distinguished list is evidence of his high status, either because of his official position, or his landed wealth. In another witness list, Vivian occurs together with others who are described as "coroners of the lord Edward".<sup>2</sup> Since Cheshire did not come into the hands of Edward until February, 1254, Vivian must have been living after that date.

The imposing list of charters witnessed by Vivian is evidence of the growing importance of himself and his family. He is mainly concerned with affairs in the eastern half of Cheshire, but he is connected with most of the powerful county families. This may have been due to his influence as master-serjeant, but was also evidence of his growing power as a land-holder.

Vivian de Davenport died between 1254 and 1260. In March, 1260, Roger de Davenport sued Richard de Hattersley in the county court for withholding puture of serjeants due from his land in Hattersley. This the defendant denied and offered trial. Roger's appearance probably meant that his father was dead, for he is not described as *filius Viviani* in the record, and he is acting as master-serjeant.<sup>3</sup> Vivian seems to have been buried at Prestbury church, under the pavement of the Tytherington chantry. In the 1880's fragments of the covering of a stone coffin were found there, with the remains of a Norman French inscription—'VIVYN:D . . . I:GIST:DE:LY:M/RCI:HV:CRIST . . .'<sup>4</sup>

#### (c) ROGER DE DAVENPORT

Roger de Davenport, Vivian's son and heir, first appears in evidence datable between 1245 and 1249, a final concord between Alexander of Withington, and Simon his brother, concerning lands in Withington.<sup>5</sup> Roger was probably of full age at the time, and was, therefore, probably born before 1228. The Withington interest of the above concord suggests that about this time Roger married Mary, daughter of Robert Salemon, and had half of Withington and other lands from her father as her marriage portion.<sup>6</sup> From the terms of the grant both fathers were still alive, but Robert Salemon was probably dead by 1252 when his son Gilbert was confirmed in a 40-shillings rent out of the mills of Dernhall and Macclesfield, which his father had been granted by Earl Ranulf.<sup>7</sup>

<sup>1</sup> Harleian MS. 2007, f. 69r; Bodleian MS., Dodsworth 31, f. 38v.

<sup>2</sup> Legh of Booths Charters, No. 270.

<sup>3</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 13.

<sup>4</sup> Croston, "Early sepulchral memorials found at Prestbury", *Palatine Notebook*, iv, pp. 181-8, with illustrations. See also Croston, *County Families of Lancashire and Cheshire*, pp. 414-15.

<sup>5</sup> B.D.M., II, 3, Withington.

<sup>6</sup> Transcript 17.

<sup>7</sup> *Close Rolls, 1251-1253*, p. 292; and for Earl Ranulf's grant to Robert Salemon (1217-28) see Mainwaring Charter, No. 11. This is a copy of the fourteenth century.

The Salemon grant to Roger consisted of half of the whole township of Lower Withington, a bovate of land once held by Enok, the service, homage, relief and wardship of John de Withington, Richard son of Laurence, and Roger de Toft, half of Tunsted, Lundris, and Wardshaw, half of Heywood, half of Wheltrough which Hamon de Weaverham held, and all Butley, free and quit of everything except one *forinsec* service; namely, whenever the burden of defence fell on the geldable lands of Withington, Roger, or his heirs, were to come to the court of Weaverham, and there Robert, or his heirs, would guarantee them against the said service and all other services.<sup>1</sup>

The extensive grants which Roger thus received as a result of his marriage with Mary de Salemon were an important source of wealth, power and prestige, and probably helped him to extend his influence to the northern parts of the hundred of Macclesfield. One step was an exchange of lands in Marton for lands in Bramhall and Hillcroft, held by Robert, son of Richard, the smith, of Marton.<sup>2</sup> Roger's power in Withington and elsewhere was such that he was able to make extensive grants to other members of his own family. About the middle of the century Robert de Hyde granted Robert de Davenport, Roger's brother, all his lands in Newton which he bought from his brother Richard de Hyde. On Robert de Davenport's death without heirs, the lands came into Roger's hands, and he gave them to his younger brother Thomas. Several of the witnesses to Robert de Hyde's grant to Robert de Davenport reappear in Roger's grant and there may be only a few years between the two. Roger's grant is notable for the fact that he explicitly retained the issues and rights appurtenant to his serjeanty, especially puture.<sup>3</sup>

In Withington itself Roger granted lands to his younger son, John. Richard, son of the same John, later granted the same lands to Thomas de Marton, second son of Thomas de Davenport, Roger's son and successor.<sup>4</sup>

Roger occurs in two commissions of *oyer* and *terminer* dated 25th May, 1281, and 14th September, 1283, the former issued at Westminster, the second at Macclesfield, regarding Roger's complaint about the non-payment of puture by the lords of the fees wherein he was entitled to demand it.<sup>5</sup> Roger had already appeared in the county court in 1260 against Richard de Hattersley, for withholding puture in Hattersley.<sup>6</sup> In 1281, again, he sought and demanded puture from two tenures in

<sup>1</sup> For more detail about places named in the grant, and its extent, see Ormerod (Helsby), iii, pp. 720-1; Tait, *Domesday Survey of Cheshire* (Chet. Soc., N.S. 75), pp. x, 115; *East Cheshire*, ii, p. 375.

<sup>2</sup> B.D.M., II, 3, Marton.

<sup>3</sup> *Ibid.*, Newton by Mottram.

<sup>4</sup> *Ibid.*, Withington.

<sup>5</sup> *Cal. Pat. R. 1272-1281*, pp. 471-2, and see p. 475. 1281-1292, p. 76.

<sup>6</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 13.

Butley, which the abbot of Chester claimed to hold quit of puture by the gift of William Pigott.<sup>1</sup> This claim was not determined until Thursday, 20th December, 1302, at Prestbury, by the verdict of Robert de Dounes, Thomas de Newton, Vivian de Foxwist, Hugh de Hopley, and John de Mottram, who said that the tenures involved were always quit of puture.<sup>2</sup>

At the Eyre of September, 1290, Roger's son, Thomas, appeared as *serviens pacis*, complaining that in the pursuit of his duties he, and others, had been excommunicated by Simon, chaplain of Geoffrey, parson of Cheadle.<sup>3</sup> Roger is not mentioned, but other evidence shows that he was still alive, and he must have appointed his son to act in his place, perhaps because of illness. It was not until 1297 that Mary, Roger's widow, appeared in the county court, suing Thomas de Newton and Roger de Turnock for her *dot.*<sup>4</sup> Between 1294 and 1296, Hugh de Venables, lord of Kinderton, released to Thomas de Davenport the demand he made on him *post mortem patris sui.*<sup>5</sup> From this and other charters Roger's death can be fixed between 1291 and 1296.

Roger occurs as a witness to well over forty charters, of which most of the originals survive. Most are undated, but all belong to the period 1245-96. They involve lands all over the hundred of Macclesfield, and the neighbouring areas of Cheshire, extending from Congleton and Holmes Chapel, to Wythenshawe, Hyde and Newton, from Macclesfield, Cranage and Goostrey, to Over Peover, Chelford and Wilmslow. Among the grantors and grantees were Henry de Lacy, Earl of Lincoln, John de Montalt, Baron of Mold, the Mainwarings, the Fittons, the Stockports, the heads of the families of Orreby of Gawsworth, Vernon, Cotton, Pigott, Foxwist and Venables, and many other wealthy and important people. Roger must have been regarded as an important person, and he widely extended the wealth and power handed down to him by his father Vivian.

Of Roger's children, a daughter, Ellen, married William de Bulkeley, and to them Roger and Mary gave a 7-shillings annual rent in Macclesfield.<sup>6</sup> A son, John, married Maud, daughter of William de Rode, and their son, Richard, had land in Chorley from Edmund Fitton.<sup>7</sup> Another son, Henry, occurs as acting bailiff of the hundred of Macclesfield, on 6th December, 1295.<sup>8</sup>

<sup>1</sup> B.D.M., II, 3, Macclesfield.

<sup>2</sup> B.D.M., II, 3, Macclesfield. By 1302 the parties involved were Thomas, Roger's son, and William, son of the first William Pigott.

<sup>3</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 247.

<sup>4</sup> *26th D.K.R.*, Appendix 4, p. 47.

<sup>5</sup> Bodleian MS., Dodsworth 31, f. 44r.

<sup>6</sup> Sir Peter Leycester's Liber A, f. 138v.; Harleian MS. 338, f. 12r (Erdeswicke's copy).

<sup>7</sup> B.D.M., II, 3, Withington.

<sup>8</sup> Plea Roll, Chester 29/8, m. 14.



## (d) THOMAS DE DAVENPORT

The third and last of the Davenports named in the famous "Robber Roll", who exercised the right of executing robbers and claiming payments for their heads at Chester castle, was Thomas de Davenport, eldest son and heir of Roger de Davenport, and grandson of Vivian. He was already acting as serjeant of the peace in 1290, and in the same year at the Macclesfield eyre he stood as pledge, with his brother Henry, in a fine of half a mark, for John del Brodhok, for release of the king's suit.<sup>1</sup> He occurs before this in many charters, and was probably born about the middle of the century.

During his father's lifetime, in 1287, Thomas de Davenport married Agnes, daughter of Thomas de Macclesfield, who was bailiff of the hundred at the time. With Agnes, Thomas de Davenport received all the lands of Thomas de Macclesfield in Swettenham and Somerford, near Davenport, for an annual rent of one penny, and the rents and services due to the chief lord.<sup>2</sup> About the same time, Roger de Davenport of Somerford, known as "de Turnock" his cousin, gave Thomas de Davenport, a piece of waste land in Somerford Booths; and Thomas gave his uncle Richard, father of Roger de Turnock, some rights in the mill of Somerford, for an annual rent of 9 shillings.<sup>3</sup>

Before his father's death, Thomas bought two crofts in Marton, from Robert, son of Richard, the smith, of Marton, for 44 shillings, and an annual rent of one penny. On Sunday, 14th August, 1300, Robert of Marton, released to Thomas certain rights of *housbote et haybote* in Marton. On Sunday, 2nd July, 1301, at Brereton, Thomas granted John, his eldest son, all the lands which he had on the death of Mary, his mother, or by descent, except his manor of Davenport, and some land in Withington. Mary, widow of Roger de Davenport, probably died early in 1301. On Wednesday, 26th June, 1308, by a deed dated at Marton, Thomas's second son, Thomas—often known as "de Marton"—released to his father all the lands and rights he had received from Robert, the smith, of Marton. In the following year, Thomas came to an agreement with Richard de Sutton, knight, and his son John, regarding the boundary between Eaton and Marton. On Sunday, 21st October, 1313, Thomas gave Roger son of Henry de Davenport, his brother, a place in Marton, with right of way to his *averia* in certain other lands in Marton, in return for all liberty and commons within Thomas's lands, together with the *housbote et haybote* which he had by the grant of 1300. In the following year, Thomas "de Marton" released to his father all liberty and commons in Withington, Marton, and Davenport, part of which he had by the grant

<sup>1</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), pp. 242, 247.

<sup>2</sup> Transcript 18.

<sup>3</sup> B.D.M., II, 3, Somerford.

of Richard, son of John de Davenport. This John was Thomas de Davenport's younger brother.<sup>1</sup>

All this activity centred around the large holdings of the family in Marton is balanced by equally varied and interesting transactions elsewhere. In Withington, Thomas had a gift of land from William le Poker, and he gave the same lands to his son Roger, the younger, with remainder to Roger, the elder. The perpetuation of his father's name was apparently so important to Thomas that he called two of his sons Roger, and they occur in this charter, and elsewhere, as Roger *senior*, and Roger *junior*. The grants mentioned above are undated but probably took place before 1315, when William le Poker's son Richard was acting bailiff of the manor of Macclesfield.<sup>2</sup> Roger *senior* had a grant of land in Somerford, from William son of Peter of Somerford Booths, about 1308; this was confirmed at the same time by William's brother Henry, who released to Roger all his rights in the same lands.<sup>3</sup>

In the time of Reginald de Grey, justiciar of Chester, and probably about 1290, Thomas, described as son and heir of Roger de Davenport, gave his younger brother, John, the lands in Withington once held by Richard, son of Hugh, with *housbote et haybote* in *Le Tunsted*, and with certain other liberties in the mill and woods of Withington, for an annual rent of one penny.<sup>4</sup>

Between 1300 and 1302, Thomas had a grant of land from Richard Hurnes and Matilda, his wife, in Somerford. Richard was grandson and heir of Gilbert de Somerford, and granted his grandfather's lands in Somerford to Thomas. Thomas and Agnes also exchanged lands in Somerford with Roger Throstle of Macclesfield.<sup>5</sup>

Again, about 1290, William, son of Adam de Withington, granted Thomas all his lands in Withington, rendering to the chief lord, Roger de Davenport, the rents and services due. William de Withington was a descendant of the John de Withington of the Salemon marriage agreement. In another grant between 1300 and 1302, John gave his elder brother, Thomas de Davenport, another piece of land in Withington.<sup>6</sup>

Between 1312 and 1318 Thomas exchanged lands in Marton and Withington with his second son, Thomas de Marton. He gave the latter two messuages at *Le Tunsted* in Withington, and in return his son gave him all the lands he had from Robert son of Richard, the smith, of Marton, and from Richard, son of John de Davenport, in Withington. Some time later, Thomas, lord of Davenport, gave his eldest son and heir, John, all his lands in Withington, with turbary, marl, escheats, and other rights.<sup>7</sup>

<sup>1</sup> B.D.M., II, 3, Marton.

<sup>2</sup> *Ibid.*, Withington.

<sup>3</sup> *Ibid.*, Somerford.

<sup>4</sup> B.D.M., II, 3, Withington. The grant of rights in the mill was conditioned by—*si quod molendinum ibidem habere contigerimus*.

<sup>5</sup> *Ibid.*, Somerford.

<sup>6</sup> *Ibid.*, Withington.

<sup>7</sup> *Ibid.*



In 1307 Thomas leased his serjeanty in Macclesfield for two years to Henry de Cotton and his 13 pledges. One of the latter, William de Astbury, occurs later, in 1317, as a serjeant of Thomas de Davenport presenting at Chester castle the heads of John, son of Alexander de Hyde, and Thomas, son of Hugh del Hough, whom he beheaded for breaking and entering the house of Robert, son of William de Woodford, and carrying away goods to the value of 40 shillings. For his lease of the serjeanty Henry de Cotton paid ten pounds a year, half in June, and half in November.<sup>1</sup>

On 3rd November, 1309, Thomas leased the serjeanty at an annual rent of 16 marks, for two years, to be paid at the same terms as before, to his second son, Thomas, and his 12 pledges, none of whom were the same as Henry de Cotton's.<sup>2</sup> A receipt for four marks rent in part payment of the half-yearly term of eight marks, from Thomas, lord of Davenport, to his eldest son John, dated 12th June, 1313, at Davenport, shows that Thomas had again leased the serjeanty at the same rate as he had leased it to his younger son, Thomas.<sup>3</sup> John's lease was for more than two years, for, in an account of 1316, he received a fee of 12*d.* for presenting the head of John dele Redeforde, "a fugitive felon", at Chester castle.<sup>4</sup>

In the Chamberlain's Accounts for the 31st and 32nd years of Edward I (1302-4), Thomas paid sixpence in a list of Chamber Rents. The second account describes the fee as being for his land in Davenport. The sixpence must be the annual fee payable for the exemptions granted by Ranulf de Blundeville to his ancestor, Richard de Davenport. The duties from which he was exempted, were those which he would owe by virtue of holding lands at Davenport, in the hundred of Northwich.<sup>5</sup>

Thomas's first wife Agnes must have died before 1309, for in that year Thomas de Davenport and Roesia, his second wife, appeared in the County Court against Richard de Barthomley, suing for dower of one messuage and 30 acres of land in Weston near Barthomley.<sup>6</sup> This Roesia was daughter of Ralph de Vernon, and widow of William de Brereton.<sup>7</sup> She may also have been the widow of Alexander de Bamville.<sup>8</sup> Thomas's second marriage was another link in the strong Brereton connection, which had resulted from the marriage of Thomas's eldest son and heir, John, to Margery, daughter of William de Brereton.

<sup>1</sup> Transcript 19a. See also Harleian MS. 2155, f. 86v; Ormerod (Helsby), ii, p. 109; Mainwaring Papers (5), 356—Dugdale's Notes, *Placita apud Cestr' 10.E.2.*

<sup>2</sup> Transcript 19b.

<sup>3</sup> *Ibid.*, 19c.

<sup>4</sup> *Cheshire Chamberlains' Accounts, 1301-1360* (R.S.L. & C., 59), p. 86.

<sup>5</sup> *Ibid.*, pp. 36, 73.

<sup>6</sup> *27th D.K.R.*, Appendix 4, p. 96.

<sup>7</sup> Ormerod (Helsby), iii, p. 82.

<sup>8</sup> There is an incomplete demise, in 1315, from Thomas de Davenport and Roesia, to Thomas de Bamville. See Varley and Tait, *A Middlewich Chetulary* (Chet. Soc., N.S. 108), p. 318; Ormerod (Helsby), iii, pp. 63, 68; and *East Cheshire*, ii, p. 385.

Thomas de Davenport died about 1320. On Tuesday, 9th October, 1319, Richard, chaplain of Prestbury, conceded the manors of Davenport and Marton, which he had by the gift of Thomas de Davenport, to John, son of Thomas, and the heirs of John and his wife Margery.<sup>1</sup> By another deed of 13 Edward II (1319-20), William de Brereton, knight, released to Thomas Davenport all his right in certain lands, except a right of way for cutting and carrying away turves *de turbaria de Brereton*.<sup>2</sup> By 15 Edward II (1321-2), however, Roesia is described as widow of Thomas de Davenport, and she granted Richard, son of Lucie, all her manor of Davenport, which she had as *dot* from Thomas de Davenport, for the term of her life, at an annual rent of ten pounds.<sup>3</sup>

The eldest daughter of Thomas, and his first wife Agnes, was Millicent. By her grandfather's will in 1303, she received 6 oxen, 6 cows, 6 young cattle, 20 sheep, 10 pigs, and two mares with their young, one of which was in the forest and the other in the park. Thomas de Macclesfield made this will on 20th December, 1301, and it was proved on 17th January, 1303, before the official of the archdeacon of Chester, and letters of administration were then granted.<sup>4</sup> Apart from his eldest son, John, by far the most important offspring was his second son Thomas, often known as "de Marton", and later as of Tunsted, or Wheltrough, in Withington, both of which places his father gave him. From this Thomas, and his wife Elizabeth, descend the Davenports of Wheltrough, of Henbury and Bechton, and of Bramhall. The similarities of the christian names of the descendants of this Thomas, with those of the main line of the family, with John, and Thomas, constantly recurring, make the path of the genealogist in the fourteenth century a tortuous one.

Thomas de Davenport occurs so frequently in the witness lists of private charters, that it would be pointless to attempt an enumeration of them. Suffice it to say that, over a period of 30 years, Thomas de Davenport was an important figure in the land transactions of the county. Like his ancestors, he gradually extended the landed power of his family, not least by judicious intermarriage with other wealthy families in the county.

<sup>1</sup> Booth's MSS., Liber D, p. 126(b).

<sup>2</sup> *Ibid.*, p. 80(f).

<sup>3</sup> *Ibid.*, p. 80(e).

<sup>4</sup> British Museum Additional Charter, 37,249.



## THE FOURTEENTH-CENTURY DAVENPORTS

JOHN DE DAVENPORT'S marriage to Margery de Brereton provides an interesting and unusual episode in the family history, involving a marriage in 1301, a divorce in 1305, and a remarriage in 1308. This "domestic drama", as it has been called, is complicated by the fact that John's father's second wife, whom he married in 1308 or 1309, was Roesia, Margery's widowed mother, thus creating a double link between the Davenport and Brereton families.<sup>1</sup>

In 1301 at Brereton, Thomas de Davenport granted to William de Brereton, knight, the marriage of his eldest son John, with William's daughter Margery, for 60 marks. This was clearly a family agreement for the marriage of two minors. John could have been no more than 13 years old, since his parents were married in 1287. The divorce in 1305, when John was about 17 years old, was made under the official seal of the Episcopal Court of Chester. A cause of annulment of marriage had been brought forward between Margery and John, both of them being both plaintiff and defendant, that they had been under lawful age at the time of the marriage, but they had come to lawful age, and renounced and objected to the marriage. They put forward "libels", or written statements commencing the suit, containing their allegations. The court found that the two parties had lawfully proved their intention, pronounced the marriage to be invalid, and ordered the parties to be separated by irrevocable sentence of the court.

Nevertheless, on Monday, 22nd January, 1308, when John was about 20 years of age, William de Brereton again made an agreement with Thomas de Davenport, whereby the latter granted the marriage of his son and heir, John, to William's daughter Margery, for 80 marks. As a result Thomas de Davenport granted John and Margery, in free marriage, the lands in Somerford, which he had received from his late father-in-law, Thomas, one-time bailiff of Macclesfield. He also granted them an annual rent of 39 shillings, out of his water-mill—*de molendino meo aquatico*—at Marton, payable in two terms in June and November. In return John and Margery had to pay an annual rent of 40*d.* on St. Martin's day, November 11th. Later, John de Davenport bound these lands and the rent to his wife Margery, for her life, *in nomine dotis*, with a special clause reserving these lands to Margery in the event of another divorce!

<sup>1</sup> Transcripts 20a, 20b, 20c, 20d, and 20e; *Cheshire Sheaf*, XXXVIII, p. 46; Ormerod (Helsby), iii, pp. 63, 68.

The Davenports thus established a close relationship with the Breretons, and evidence survives of various land transactions between the two families, in the person of Thomas de Davenport, on the one hand, and William de Brereton, or, after 1308, his grandson of the same name, on the other. Most of these transactions must have been a consequence of the intermarriage between the two families. Various later grants were made to John and Margery jointly, and many of these came from the Brereton centres of interest and influence. For example, in 9 Edward III (1335-6), Roger de Cranage and William de Chetulton granted them lands in Holmes Chapel.<sup>1</sup>

John had a grant of lands in Withington from his father, and on 17th March, 1317, he leased these lands for life to his own son, Thomas, for the annual render of a rose. His son could have been no more than eight years old at the time. On 6th February, 1337, John de Davenport, then a knight, granted a waste place in Withington to Thomas his brother; and on Sunday, 30th April, 1340, John sent a letter of attorney to John Blagg, to deliver seisin of his lands in Withington, Marton, and Somerford, to Thomas his son, and Matilda his wife, who were probably married a few years before.<sup>2</sup>

From 1331 to 1348 John and Margery were involved in transactions in the "One House" in Hurdsfield.<sup>3</sup> One of the chief participants in these affairs was John de Passelegh, chaplain. He was also involved in transactions with John de Davenport in Withington and Somerford in 1342. On Friday, 8th February, John de Davenport gave him lands in Withington, and the rent and services which his brother Thomas rendered for his tenement in the same township. On Tuesday, 7th May, John de Passelegh granted Thomas, son of John de Davenport, and Matilda, his wife, in tail, lands in Withington and Somerford, with remainder to John de Davenport and his heirs.<sup>4</sup>

In July, 1346, John de Davenport had letters of protection until Christmas because he was going abroad in the king's service, and in the Crecy-Calais campaigns of 1346-7 he was among the knights in the division under the command of the Earls of Arundel and Northampton.<sup>5</sup> By the autumn of 1347 John was back in England, and on 20th October, received a grant of lands in Withington, from Roger de Turnock.<sup>6</sup> In 25 Edward III (1351-2) John gave Thomas, his son, and Matilda, the manor of Marton for Sir John's life. Two years later Sir John de Davenport gave John de Passelegh, chaplain, a piece of land in Marton for his life; and in the same year, John's son Thomas gave land in Marton

<sup>1</sup> Harleian MS. 2007, f. 60v.

<sup>2</sup> B.D.M., II, 3, Withington and Marton.

<sup>3</sup> B.D.M., II, 3, Hurdsfield.

<sup>4</sup> *Ibid.*, Withington.

<sup>5</sup> *Crecy and Calais, 1346-47* (S.H.C., XVIII, Part II, 1897), pp. 34, 115, from French Roll, 20 Edward III, m. 23.

<sup>6</sup> B.D.M., II, 3, Withington.

to Agnes de Bradford, his father's second wife, and her heirs by Sir John.<sup>1</sup> John's first wife, Margery, was still living in January, 1348.<sup>2</sup> She must have died before 1354, when Agnes de Bradford occurs as John's wife. The frequency of grants to John and Agnes in 27 Edward III (1353-4), suggests that this was the year of their marriage.<sup>3</sup>

On 14th May, 1353, at Marton, Sir John granted Richard de Bonetable, chaplain, all the lands in Holmes Chapel, Withington, and Swettenham, which Adam Wasson held of him.<sup>4</sup> Later in the same year Richard gave the same lands back to John with remainder to John's son Thomas, and his heirs. At the same time Richard gave back some lands in Swettenham to Thomas, for his father's lifetime, with remainder to Agnes, John's second wife, and their heirs, failing whom, to Vivian, one of John's younger sons by his first wife Margery.<sup>5</sup> Richard also made a grant to Agnes from the lands that Sir John had previously given him. On Christmas eve, 1353, she had another grant in Somerford, from Roger, son of Thomas de Davenport, her brother-in-law.<sup>6</sup>

In June, 1352, an inquisition was taken before Thomas de Ferrers, justiciar, to inquire into the 24-shillings rent that John drew to pay for robes for his under serjeants.<sup>7</sup> The inquirers found that John and his predecessors always drew the rent, and Adam de Sutton also had it when he was serjeant. This 24 shillings appears as an assessed rent in the accounts of Macclesfield manor and hundred, usually as an issue of Macclesfield park, of which Vivian de Davenport gave the part called Wilewic to Earl Ranulf for the serjeanty, wherever these accounts survive in full throughout the fourteenth century. In the account for March-September, 1349, the clerk has added a marginal note to the payment of this "ancient rent" to the effect that the authority for the payment of this rent was not contained in the charter exhibited.<sup>8</sup>

At the County Court held before Roger Hillary, justiciar, on Tuesday, 20th August, 1353, John was summoned to show "by what warrant" he claimed to be quit of suit to the County Court, and the hundred of Northwich, and the pleas of Middlewich, and other exemptions. John exhibited the charter granted to his ancestor Richard, by Ranulf de Blundeville, which showed that he had these exemptions for a pair of gold spurs, or 6*d.* on 24th June every year. A clerk of the court accidentally let the charter drop, and broke the seal, when he was examining it.

<sup>1</sup> *Ibid.*, Marton.

<sup>2</sup> *Ibid.*, Hurdsfield.

<sup>3</sup> *Cheshire Sheaf*, V, p. 102, "The Cheshire Bradfords".

<sup>4</sup> B.D.M., II, 3, Swettenham.

<sup>5</sup> Harleian MS. 1967, f. 108r (Vernon's Liber D, f. 3b).

<sup>6</sup> Booth's MSS., The Swettenham Chartulary, pp. 63b, 65b.

<sup>7</sup> Transcript 1.

<sup>8</sup> Ministers' Accounts S.C. 6/802/2, m. 1. *Allocatio compoti de tempore Regine pro solucione xxiij s. pro Johanne de Davenport non continetur in carta ut prius exhibita.* The grant of the serjeanty is enrolled on the dorse of the same membrane.



For this reason the pieces were assembled in the presence of the justiciar, and bound in parchment, and an *Inspeximus* issued on 2nd September, 1353, to ensure that the charter would not lose its validity. In a rental of the same year for the hundred of Macclesfield, John de Davenport owes *unum par calcarium deauratum*, or 6d. John's son Thomas enrolled the *Inspeximus* on the "Plea Rolls" ten years later, after his father's death, on Tuesday, 13th February, 1364.<sup>1</sup>

On 14th May, 1354, John gave his son Arthur some land in Swettenham, and on 4th April, 1355, Arthur released to his father and his step-mother Agnes all his rights in their goods and chattels at Davenport.<sup>2</sup> In the Macclesfield Eyre of that year, John appointed his son Thomas to appear in his place.<sup>3</sup> On 4th May, John granted an annual rent of 20 shillings to his cousin, John de Davenport of Wheltrough, for his counsel and aid, for the latter's life.<sup>4</sup> The following year Sir John appeared in the Macclesfield Eyre against Thomas de Becheton, executor of the will of Adam Deneys, concerning a plea about certain chattels. Thomas had been attached by chattels to the value of 6d. but had not appeared. The bailiffs were ordered to distrain him through all his lands and to bring him before the next hundred to make reply; meanwhile the 6d. was forfeit.<sup>5</sup>

On 14th June, 1356, Roger de Davenport, *senior*, acknowledged the receipt from Sir John, his brother, of £3 in part payment of a debt of 100 shillings. In the same year Sir John gave his son Thomas £20 annual rents out of Davenport and Marton.<sup>6</sup> In the Macclesfield Eyre of June, 1357, Sir John appointed William de Wetenhall, then bailiff of Macclesfield, to appear on his behalf.<sup>7</sup> John was probably ill, and he died early in the following year, when he was about 70 years old. On 1st April, 1358, the Black Prince's chancery sent letters of *diem clausit extremum* to Thomas le Yong, escheator of Cheshire, touching the death of Sir John de Davenport.<sup>8</sup>

On 7th May, 1358, an order was sent from London to Thomas le Yong concerning three matters. First, there was an inquisition, taken by Thomas, by the prince's order, showing that Sir John de Davenport died seised of certain manors and lands. Second, there was an intervention by Thomas, son and heir of Sir John, who came before the prince's council, and produced part of a fine levied in the County Court of Chester,

<sup>1</sup> Transcripts 12a, 12b; Quo Warranto Rolls, Chester 34/1, m. 2.; Plea Rolls, Chester 29/68, m. 39 (calendared in 28th D.K.R., Appendix 6, p. 62); Harleian MS. 2009, f. 20r (Randle Holme's copies of notes taken out of the "pipe office" by Roger Dodsworth in 1640).

<sup>2</sup> Booth's MSS, The Swettenham Chartulary, pp. 58b, 59d.

<sup>3</sup> Eyre Roll, Chester 17/14, m. 7.

<sup>4</sup> Transcript 21a.

<sup>5</sup> Eyre Roll, Chester 17/14, m. 11d.

<sup>6</sup> Booth's MSS., The Swettenham Chartulary, pp. 57c, 58d-59a.

<sup>7</sup> Eyre Roll, Chester 17/14, m. 16.

<sup>8</sup> B.P.R., iii, p. 299.

between his grandfather, Thomas de Davenport, and Richard, chaplain of Prestbury, concerning the manors of Davenport and Marton, whereby Thomas acknowledged the manors to be the right of Richard, as those which he had of his gift, in return for which acknowledgement Richard surrendered the manors to Thomas for life, with remainder to John, his son, and John's heirs by Margery, his wife. John had died seised of this estate, leaving the intervener, Thomas, as his issue by Margery. Third, there was an intervention by Agnes, Sir John's second wife, who came before the council and sought that her dower might be delivered to her out of the prince's possession. Thomas le Yong was ordered to make diligent inquisition as to how the matter stood, and to send the result to the prince before 3rd June, and in the meantime deliver the manors and lands to Thomas, after making an allotment of dower to Agnes, taking security from him to answer to the prince for the issues thereof until further order.<sup>1</sup>

In the middle of June, Thomas de Davenport did homage and fealty to the prince, as Earl of Chester, at the manor of Popiller, and acknowledged that he held of the prince, as Earl of Chester, the bailiwick of the serjeanty of the hundred of Macclesfield by serjeanty. Thereupon an order was issued from Westminster on 26th June, requiring the escheator to remove the prince's hand utterly from all the lands which were taken into his hand because of the death of Sir John, and to deliver them entirely to Thomas, together with any issues taken thereof since the day on which the latter did homage and fealty to the prince.<sup>2</sup>

On 12th July, 1358, at Swettenham, John's widow, Agnes, confirmed her late husband's grant of a 20-shillings annuity to John de Davenport of Wheltrough, for the term of her life.<sup>3</sup> In 1361 Agnes occurs as wife of Robert le Massy of Sale, when, by an indenture with her stepson, Thomas, lord of Davenport, he received back from them all the lands which Agnes had in *dot* from Sir John de Davenport in Davenport, Swettenham, Holmes Chapel, and the mill of Marton.<sup>4</sup> This same Agnes occurs again on 23rd January, 1386, when she had a grant of lands in Swettenham, Somerford, and Marton, from John, son of Roger de Davenport—a nephew.<sup>5</sup> She was still living on 1st November, 1389, when she occurs as widow of Thomas de Swettenham of Kermincham.<sup>6</sup>

One of the most interesting of Sir John's children was his son, Vivian. On two occasions he is described as son of John and Agnes,<sup>7</sup> but since he occurs in earlier evidence, during the lifetime of Margery, Sir John's first wife, he must have been the offspring of this first marriage.<sup>8</sup> Vivian

<sup>1</sup> *Ibid.*, p. 300.

<sup>2</sup> *Ibid.*, pp. 301-2.

<sup>3</sup> Transcript 21b.

<sup>4</sup> Booth's MSS., Liber D, p. 86g.

<sup>5</sup> *Ibid.*, The Swettenham Chartulary, p. 68b.

<sup>6</sup> *Ibid.*, p. 68c.

<sup>7</sup> Bodleian MS., Dodsworth 31, f. 42r; Booth's MSS., The Swettenham Chartulary, p. 57d.

<sup>8</sup> *Ibid.*, pp. 64c, and 77d-78a.



is supposed to have been concerned with his father in the foundation of Marton Chapel.<sup>1</sup> Sir John gave lands in Marton to John de Passelegh, chaplain, in 27 Edward III (1353-4), but the same John de Passelegh had lands in Withington from Sir John in February, 1342.<sup>2</sup> There is evidence also for a much earlier foundation, for there is a reference to Marton Chapel in an exchange of lands between Robert, the smith of Marton and Roger de Davenport, of 1245-96.<sup>3</sup> About 1600, however, the inhabitants of Marton thought that Sir John had given three tenements in Marton, of the ancient yearly rent of 59s. 4d. for the use of saying mass and other divine prayers for ever in the chapel there, reserving 6d. to the house of Davenport for ever.<sup>4</sup> From 1418 onwards, charter evidence shows the successive heads of the family granting and regranting to the successive chaplains of Marton, four messuages and 60 acres of land in Marton, to maintain a fit priest to celebrate mass in the chapel of Marton, for the souls of Sir John de Davenport and his successors.<sup>5</sup>

However that may be, Sir John de Davenport and his son Vivian seem to have established a very strong link between themselves and Marton Chapel, for two very mutilated effigies still survive at Marton, which are reputed to be those of Sir John and his son. Vivian is also supposed to have been of great stature, and to have been an outstanding soldier.<sup>6</sup>

Another of John's children was Isabella, whose first husband was Robert de Eaton. This Robert was also surnamed Stockport, and became, as heir of his brother Nicholas, baron of Stockport. Isabella survived Robert de Stockport, and is reputed to have had four more husbands. She died in 1381.<sup>7</sup>

One of John's sons, Richard, killed John de Miggebroke, and for this murder his father paid £6 13s. 4d., of a recognizance of £20, in the Chamberlain's Account of 1350-51.<sup>8</sup> Another son, Arthur, occurs frequently throughout the second half of the century. He married Katherine de Calveley, and from them descend the Davenports of Calveley. Katherine had formerly been the wife of Thomas de Beeston, and in 36 Edward III (1362-3), Arthur sued her daughters by her first husband, Katherine, Agnes, and Alice, for her dower in Alperham. Between 1378

<sup>1</sup> Harleian MS., 2151, f. 69r (old f. 54r). Randle Holme says the foundation was in 17 Edward III (1343-4).

<sup>2</sup> B.D.M., II, 3, Marton and Withington.

<sup>3</sup> *Ibid.*, Marton.

<sup>4</sup> Ormerod (Helsby), iii, p. 68; *East Cheshire*, ii, p. 390; Crossley, "The Timber-Framed Churches of Cheshire", *Trans. Hist. Soc. L. & C.*, 92, pp. 27-9.

<sup>5</sup> B.D.M., II, 3, Marton.

<sup>6</sup> Crossley, "Medieval Monumental Effigies Remaining in Cheshire", *Trans. Hist. Soc. L. & C.*, 76, pp. 43-4; Harleian MS. 2151, f. 69r (1597).

<sup>7</sup> B.D.M., II, 3, especially Woodford.

<sup>8</sup> *Cheshire Chamberlains' Accounts, 1301-1360* (R.S.L. & C., 59), p. 162.

and 1380 Arthur was concerned with lands in Heswall in Wirral, and in Somerford. He was killed in 1403 at the battle of Shrewsbury, fighting for the Percies.<sup>1</sup>

Sir John de Davenport also had a son called John.<sup>2</sup> He should not be confused with a John de Davenport of Bramhall, whose position in the Davenport pedigree is problematical. The main line of the family had lands in Bramhall from the time of Roger de Davenport, and John de Davenport of Bramhall may have derived his name from this holding. He occurs as such from 1356 onwards, in all types of records.<sup>3</sup> On 8th September, 1386, aged 48 or more, he appeared for Grosvenor v. Scrope in the "bend or" controversy; and he occurs in the Patent Rolls in 1391.<sup>4</sup>

John de Davenport of Bramhall, occurs frequently in connection with the serjeanty of the peace, the holding of the main branch of the family. In the Puture Roll of 29 Edward III (1355-6) there is a payment to John de Davenport, *in camera apud Bromale*.<sup>5</sup> In the Puture Roll of 1356-7 John de Davenport *de Bromale* occurs at the same time as Sir John de Davenport and his son Thomas, and in an indenture covering the period 1358-9, he is actually described as serjeant of the peace in the hundred of Macclesfield.<sup>6</sup> Again, on 10th February, 1365, nearly seven years after the death of Sir John de Davenport, and during the lifetime of his successor, Thomas de Davenport, a John de *Damport*, serjeant of the peace of the hundred of Macclesfield, and over 45 other Cheshire men, were accused, in a commission of *oyer and terminer*, on a complaint by Elizabeth, widow of Nicholas de Wortelay, knight, of having come by night to Wortelay, Yorkshire, to ravish her, and inflict other evil on her, broke her gates, doors, windows, chests; threatened her so that she fled through a window, and hid for a night in a thicket, so that for fright and the cold her life was despaired of; they broke the seals of her deeds and writings, tore some in pieces, carried away goods, assaulted her men and servants, and so threatened her and them that she dared not return to her lands, and her servants dared not serve her.<sup>7</sup> This must be our John de Davenport of Bramhall, and in the Eyre of 47 Edward III (1373-4), when Ralph de Davenport, another of Sir John's sons, was head of the

<sup>1</sup> 28th D.K.R., p. 62; 29th D.K.R., pp. 50-1; 36th D.K.R., p. 138; B.D.M., II, 3, especially Calveley; British Museum Additional Charter, 72,537.

<sup>2</sup> B.D.M., II, 3, Marton. One of the witnesses to a deed of 27 Edward III (1353-4) is *Johanne de Davenport filio Johannis de Davenport militis*.

<sup>3</sup> B.P.R., iii, pp. 311 (1358) and 390 (1360); Eyre Roll, Chester 17/14, mm. 8d, 15, 26; Indictment Roll, Chester 25/21, m. 17 (29 Edward III), and Chester 25/20, mm. 67a, 90, 91 (7 Richard II).

<sup>4</sup> Sir N. H. Nicolas, *De Controversia . . . Inter Ricardum Le Scrope et Robertum Grosvenor Milites*, ii, p. 283; *Cal. Pat. R.*, 1391-1396, pp. 77-8.

<sup>5</sup> Transcript 3.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Cal. Pat. R.*, 1364-1367, p. 140.

family, he appears again as *Johannes de Davenport de Bromhale, magister servientium pacis hundredi de Macclesfeld*.<sup>1</sup>

John de Davenport of Bramhall, then, cannot be identified with any of the heads of the main line of the family who were, by hereditary right, master-serjeants. This implies that the serjeanty had again been leased, as it had been earlier in the century, or, because of the growing burden of managing their extensive land-holdings, and their activities as soldiers in the service of the crown, they had appointed, and were employing, a member of a junior branch of the family to carry out the duties of master serjeant. This was a period when the people of Cheshire were particularly unruly, but, as will be gathered from the Wortelay affair above, the peace officers seem to have done as much to encourage the breaking of the peace, as the preservation of it.

In 30 Edward III (1356-7), Thomas, son and heir of Sir John de Davenport, was granted the custody of the lands and heir of Emma, widow of Robert le Grosvenor, namely Robert, son of Ralph le Grosvenor, by John Laurence, his wife Mabilla and her sister Agnes.<sup>2</sup> In the Macclesfield Ministers' Accounts immediately following the death of Sir John de Davenport, the payment of the 24-shillings rent is listed as to the descendants of John, but in the account for 1360-61 Thomas was the recipient.<sup>3</sup> Thomas's first wife was called Matilda, and they had one son, John, who occurs in an indenture dated 26th June, 1350.<sup>4</sup> Matilda's parentage is unknown, and the date of her marriage to Thomas is uncertain, but probably before 1340. Some time after Michaelmas, 1368, Thomas was married a second time, to Eva, widow of Sir John de Draycote. Eva's parentage is also doubtful. In 1383 she was sued by the son of her first husband, John de Draycote, the younger, for committing waste and destruction in her dower lands of his inheritance. On 11th September, 1387, William de Legh, knight, made recognizance of debt to Eva, and on 5th October, she gave all her dower in the serjeanty of the hundred of Macclesfield, a fourth part worth 40 shillings, to William, and his wife, Joyce, widow of Sir Ralph de Davenport, and mother of the next heir, Ralph, who was under age. Eva died, apparently without issue, in 11 Richard II (1388-9).<sup>5</sup>

Thomas de Davenport had two-year licences for his oratories at Davenport and elsewhere, on 19th February, 1361, 21st August, 1367, and 23rd February, 1371. On 27th August, 1371, a two-year licence was granted to Eva, widow of Thomas de Davenport, and in the following

<sup>1</sup> Indictment Roll, Chester 25/20, m. 67a.

<sup>2</sup> Booth's MSS. Liber L, p. 111a.

<sup>3</sup> Ministers' Accounts, S.C. 6/802/17, m. 1d.

<sup>4</sup> B.D.M., II, 3, Davenports of Davenport, (iv).

<sup>5</sup> *Ibid.*, Macclesfield; 36th D.K.R., p. 138; Carter, *Notes on Staffordshire Families* (S.H.C., 1925), p. 113; Ormerod (Helsby), iii, p. 68; *East Cheshire*, ii, pp. 385-6.

year on 21st August, Ralph de Davenport was granted a similar licence.<sup>1</sup> This enables us to fix the death of Thomas de Davenport between February and August, 1371; and his son John died within the year, on 21st December, 1371. In his Escheator's Account for September, 1371, to September, 1372, John de Scolehall accounted for the issues of the lands which belonged to John de Davenport. The next holder of the Davenport inheritance was Ralph, another son of Sir John de Davenport, described in the account as "uncle and heir".<sup>2</sup>

Ralph de Davenport first appears in a grant to Sir John de Davenport, *patri meo*, and Agnes, his wife, of rights in Somerford and Swettenham, on 30th October, 1356.<sup>3</sup> In 1372 the annual issues of the lands of John de Davenport amounted to £11 3s. 4d., and Ralph had livery of the estates by letters close sent to the escheator on 20th May. His nephew, John, had also left a widow, Margaret, and she was to have one-third of the issues up to 20th May, 1372, and reasonable dower. Later in the same account,<sup>4</sup> Ralph paid a relief of £8, the annual value, for the serjeanty of the peace of the hundred of Macclesfield.

On 8th June, 1373, Ralph de Davenport, "our beloved knight", was appointed by the Black Prince to be custodian of his castle of Flint during his life, receiving 50 marks from his treasury of Chester, from the hands of his chamberlain there, at two equal terms, Michaelmas and Easter, to hold the castle during time of war with one esquire, without taking any other fee for himself or his esquire.<sup>5</sup> Ralph paid his fee of the seal for this grant, but in the same year Ralph received 20 marks, "and no more", because the lord prince had made him sheriff of Flint, with a fee of £20 per annum from the issues of that office, as part of the annuity of 50 marks.<sup>6</sup>

Ralph and his predecessor as sheriff, Adam de Kyngeslegh, were among the officers and farmers of the issues of the county of Flint, who accounted for a total receipt from the county of £285 3s. 1d., in the year ending Michaelmas, 1373. In the account of September, 1378, Ralph again received 20 marks, in part payment of his annuity.<sup>7</sup> The Black Prince's grant was confirmed on 25th February, 1377, by Richard, then Prince of Wales, and Earl of Chester and Flint; this supplemented a previous confirmation of his annuity of 50 marks on 6th February. In the following year, Morgant le Yonge was appointed sheriff and *raglor* (*sic*) of the county of Flint, during pleasure, in the room of Ralph, who had

<sup>1</sup> Lichfield Act Book 5, ff. 5v, 17r, 25v, 27r.; calendared by R. A. Wilson, in S.H.C., 1905, Part I, pp. 12, 37, 58, 60, 62.

<sup>2</sup> Ministers' Accounts, S.C. 6/787/2, m. 8.

<sup>3</sup> B.D.M., II, 3, Somerford.

<sup>4</sup> *Loc. cit.*

<sup>5</sup> Irvine, "Early Deeds from Aston Hall, relating to Chester, 1301-1459", *Cheshire Sheaf*, XXIX, p. 60.

<sup>6</sup> Ministers' Accounts, S.C. 6/772/9.

<sup>7</sup> *Ibid.*, and 772/11.

prayed his discharge. However, on 9th November, 1381, and 29th June, 1382, Ralph had an *inspeximus* and confirmation of the grant of 1373.<sup>1</sup> Ralph, therefore, was sheriff of the county of Flint from 1373 to 1378, but he held the office of constable of Flint castle from 1373 until his death in January, 1383. Morgant le Yonge's appointment as sheriff dates from 30th September, 1378; but Roger de Coghull was appointed to be keeper of the castle of Flint on 24th February, 1383, in the room of Lambert Fermor, to whom, on the death of Sir Ralph de Davenport, the office had been entrusted. Roger was to receive £20 yearly, but this sum was not to serve as a precedent for future keepers of the castle.<sup>2</sup>

From 1373 to 1378 Ralph held the combined offices of sheriff, raglot, constable, and mayor, emphasizing the growing tendency of the earlier part of the century for the shire offices, as distinct from the local bailiwicks, to be concentrated into one man's hands; but the offices were split from 1378 to 1383. The Sheriff's Tourn Rolls, Flint Ministers' Accounts, and Chester Rolls of Debtors, show Ralph in these various capacities. He held his first tourn at Flint, on Monday, 29th August, 1373, and his last at the commote of Prestatyn, on 2nd September, 1378. He accounted as Raglot of Englefield, and sheriff of Flint, from 12th June, 1373, to 29th September, 1378.<sup>3</sup>

On 8th March, 1379, John de Davenport of Wheltrough came before Richard de Stokes, one of the barons of the Westminster Exchequer and auditor of Ministers' Accounts in Cheshire and Flintshire, in the Chester Exchequer, and made recognizance that he owed the king £40, payable the following Whitsuntide, unless he brought Ralph to the County Court to be held after the following Ascension Day, in which case the debt would be nullified.<sup>4</sup> On 1st July, 1379, Ralph made an indenture with the king, whereby he promised to serve the king with three archers, well mounted, armed, and arrayed, to make war for a whole year with the king overseas in France. Ralph was to muster his archers at Newcastle-under-Lyme on 15th July, and make his way to Southampton on Saturday, 16th July.<sup>5</sup> Ralph may have given up his Flintshire shrievalty to serve the king overseas; and John de Davenport, of Wheltrough, may have been bound to guarantee Ralph's presence at Chester for the express purpose of making the above agreement. Both may also have been connected with the debt incurred by Ralph during his tenure of the shrievalty.

An interesting feature of the period when Ralph was sheriff, was that the warden of the castle was also mayor of the town of Flint. On Monday, 5th February, 1375, at Flint, Adam de Haregrefes and Alice his wife

<sup>1</sup> 36th D.K.R., pp. 137, 546.

<sup>2</sup> 31st D.K.R., Appendix 3, pp. 169-261.

<sup>3</sup> Sheriffs' Tourn Rolls, Chester 19/8, mm. 73-89; Ministers' Accounts, S.C. 6/787/6-9, 1187/15, and 1188/1-6.

<sup>4</sup> *Ibid.*, 1188/5 and 6, m. 3d.

<sup>5</sup> Transcript 22.

gave Ralph half a burgage in Flint. Ralph witnessed this grant to himself as mayor.<sup>1</sup> On 4th March, 1382, by which time he had returned from his service with the king and was again warden and mayor, Ralph witnessed a deed given under the common seal of the Borough of Flint as "Lord Ralph de Davenport, knight, then Mayor of the Town of Flint".<sup>2</sup>

Another interesting connection of Sir Ralph de Davenport was with Sir John de Warren, of the family of the Warrens of Poynton, the barons of Stockport, and earls of Surrey. This sprang from the marriage of his sister Isabella to Robert de Eaton, later de Stockport. In 1372 Sir John de Warren passed the manors of Poynton and Stockport, with the advowson of the church of Stockport, by fine to Sir Ralph and John de Davenport of Wheltrough.<sup>3</sup> In the following year Sir John made Ralph his attorney to manage his affairs with Robert de Legh.<sup>4</sup> In 1381, by writs dated 30th May and 1st October, Sir Ralph and John de Davenport of Wheltrough had livery of these manors and advowson, which had been taken into the king's hands on an inquisition finding that Isabella, Ralph's sister, then wife of Thomas de Stathum, held these manors *in capite*, but Sir John, who had the reversion, had passed them to Ralph and John in 1372.<sup>5</sup> On 1st May, 1382, at Skegeton Sir John gave his manor of Woodplumpton, Lancashire, to the same Ralph and John and others.<sup>6</sup>

Sir John de Warren made larger grants to John de Davenport of Wheltrough, Ralph's cousin, who married Isabella, daughter of Richard Craddock of Congleton, and was ancestor of the Davenports of Wheltrough, Henbury, and Woodford. On 25th March, 1370, Sir John constituted him his steward;<sup>7</sup> and in 1382 Sir John gave him lands in Bredbury with rights in Romiley, Werneth, and elsewhere, for an annual rent of 1d.<sup>8</sup>

On 1st March, 1382, Ralph had a two-year licence for his oratories in all his manors, *ut possit dominica celebrari*.<sup>9</sup> He died less than a year later, on 11th January, 1383, leaving as his son and heir, Ralph, who was nearly five years old.<sup>10</sup> In Astbury church, in the south angle of the chancel, on an embattled altar-tomb, is the recumbent figure of a knight armed in plate armour, with a gorget of mail and a conical helmet; his surcoat is emblazoned with the arms of Davenport, the hands are uplifted

<sup>1</sup> *Ibid.*, 23.

<sup>2</sup> Taylor, "The Arms of Flintshire", *Flintshire Historical Society Publications*, Volume II (1925), pp. 59-60. This confuses two deeds copied by Randle Holme III in 1664 in Harleian MS. 2099, f. 30r.

<sup>3</sup> 36th D.K.R., p. 137.

<sup>4</sup> B.D.M., II, 3. Davenports of Davenport (v).

<sup>5</sup> 36th D.K.R., p. 137.

<sup>6</sup> Langton, *Abstracts of Inquisitions Post Mortem* (Chet. Soc., 95), p. 48.

<sup>7</sup> B.D.M., II, 3. Davenports of Davenport (iv).

<sup>8</sup> Harleian MS. 2068, f. 83r.

<sup>9</sup> Lichfield Act Book 5, f. 35r.

<sup>10</sup> Chester Inquisitions, Chester 3/10, 9 Richard II, No. 5.



and clasped in prayer, and the feet rest on an animal.<sup>1</sup> About 1910 a tile was found under the tomb, bearing the arms of the Knights of St. John of Jerusalem, the Hospitallers, who had lands in that area, and especially at Astle in Chelford.<sup>2</sup> This is probably the effigy of Sir Ralph de Davenport.

Sir Ralph and his wife Joyce had at least three sons, Ralph, Richard, and Thomas. Since Ralph, their eldest son, was born on 1st May, 1378,<sup>3</sup> they were probably married in 1377 or before. By writ of livery dated 23rd October, 1383, Joyce was given a fourth part of the manors of Withington and Marton, and a sixth part of the lands and tenements in Somerford and Holmes Chapel, held of Thomas de Swettenham of Kermincham, of which she was jointly enfeoffed with her husband on the day of his death, and which were taken into the king's hands unjustly, because Ralph was seised of the fourth part of the serjeanty of the peace in the hundred of Macclesfield.<sup>4</sup>

On 11th December, 1383, Joyce was granted the wardship and marriage of the young Ralph, her son, and Thomas Fitton of Bolyn (Wilmslow), Thomas Fitton of Gawsworth, John de Leycester, and Hamon de Asshelegh made recognizance to the king for £40 for the wardship and marriage. Joyce was obliged to pay the £40 within 6 years at the Chester Exchequer.<sup>5</sup>

The first inquisition post mortem after Sir Ralph's death was taken at Chester on Thursday, 2nd April, 1383; another was held on Tuesday, 13th April, at Holmes Chapel.<sup>6</sup> These found that Ralph held a fourth part of the serjeanty of the peace of the hundred of Macclesfield of the king by grand serjeanty, and this was worth 40 shillings a year. Together with his wife, Joyce, he held a fourth of the manors of Davenport, Marton, and Withington, a sixth of certain lands and tenements in Somerford, and certain lands in Holmes Chapel. These manors were held from the heirs of Hugh de Venables, of Kinderton, by knight service and 6 barbed arrows, and their annual value was £10. He also held lands worth 20 shillings a year in Somerford and Holmes Chapel, of Thomas de Swettenham of Kermincham. The total annual issues from these holdings, therefore, was £13, or £11 without the fourth part of the serjeanty, which was not much different from the £11 3s. 4d. of the escheator's findings in September 1372.

Another inquisition was held on Friday, 1st June, 1386, at Chelford, which found that Ralph also held some lands in Swettenham of the Knights Hospitallers, by service of 12d., and of an annual value of 7

<sup>1</sup> Ormerod (Helsby), iii, p. 30.

<sup>2</sup> *Ibid.*, iii, p. 712; Cartlidge, *Newbold Astbury & its History*, pp. 44-5.

<sup>3</sup> Chester Inquisitions, Chester 3/18, 22 Richard II, No. 6.

<sup>4</sup> 36th D.K.R., p. 137.

<sup>5</sup> Transcript 24.

<sup>6</sup> Chester Inquisitions, Chester 3/9, 6 Richard II, No. 2; *East Cheshire*, ii, p. 380.

shillings. He also held a place in Swettenham of Thomas de Swettenham in socage by service of one penny, and worth 24 shillings per annum; and some land in Somerford of Peter le Warde in socage by service of 3½d., and worth 20 shillings. Joyce, his widow, had married William de Legh, and occupied the fourth part of the serjeanty of the peace by the gift of the king, from whom they also had the custody and marriage of Ralph, son and heir, who was under age; and the inquirers also said that Thomas de Swettenham of Kermincham, and Agnes his wife, who had previously been the second wife of Sir John de Davenport, occupied the lands and tenements in Swettenham and Somerford.<sup>1</sup>

A similar return was made to yet another inquisition, held on Saturday, 1st September, 1386, at Chelford. The only additional information was that the land held in Somerford of Peter le Warde was by a rent of 4d., and worth 20 shillings a year. Hamon, parson of Brereton, gave these lands and tenements to Richard, son of Sir John de Davenport, with remainder to Sir Ralph and his heirs. The lands descended to Sir Ralph who died so seised, and his son Ralph was next heir, and when his father died was about five years old and in the custody of the king; but Thomas de Swettenham of Kermincham and Agnes his wife received the issues from these lands from the death of Sir Ralph in January, 1383, until June 11th, 1386.<sup>2</sup> As a result of these inquisitions, a writ was sent to the escheator on 14th September, instructing him to take into the king's hands the messuage and lands in Swettenham and a messuage and lands in Somerford.<sup>3</sup>

Richard, son and heir of Hugh de Venables, had livery of his father's estates by a writ dated 30th November, 1385, at Westminster. Among these estates was an eighth part of one knight's fee in Davenport held by Sir William de Legh and Joyce his wife at 10 pounds, as part of his two-thirds of the knights' fees and advowsons of his father, as found by the escheator's inquisition of the previous year.<sup>4</sup>

On 1st November, 1385, at Macclesfield Sir William de Legh and Joyce his wife leased to Peter de Legh and John his brother, all the office of the serjeanty of the hundred of Macclesfield, which belonged to Joyce during the minority of her son Ralph, for a term of 6 years at £8 a year, the assessed annual value of the serjeanty.<sup>5</sup> On 9th November, 1387, and 28th November, 1393, Sir William was granted licences for his oratories of Baguley and Davenport.<sup>6</sup> On 11th September, 1387, he made recognizance of debt to Eva, widow of Thomas de Davenport, Sir Ralph's

<sup>1</sup> Chester Inquisitions, Chester 3/10, 9 Richard II, No. 5.

<sup>2</sup> *Ibid.*, 10 Richard II, No. 1; *East Cheshire*, ii, pp. 380-1.

<sup>3</sup> 36th D.K.R., p. 137.

<sup>4</sup> *Cal. Close. R.*, 1385-1389, p. 32; *Cal. I.P.M.*, iii, pp. 69 and 77; Ormerod (Helsby), iii, p. 190.

<sup>5</sup> Sir Peter Leycester's Liber A, f. 150v (1); Ormerod (Helsby), i, p. 550.

<sup>6</sup> Lichfield Act Book 6, ff. 123v and 130v.



elder brother.<sup>1</sup> In the same year Eva appeared in the County Court against William and Joyce for dower.<sup>2</sup> The outcome of her claim is not certain, but an indenture was made at Davenport on 5th October, 1387, between Eva on the one hand, and William and Joyce on the other, by which Eva released to them, during Ralph's minority, all her dower in the office of the serjeanty for a rent of 40 shillings a year, with right to distrain on their manor of Baguley.<sup>3</sup>

On 25th January, 1391, at Chelford William and Joyce gave Robert de Legh of Adlington the wardship and marriage of the young Ralph, and the rent of some land in Bramhall, together with the Macclesfield serjeanty, until Ralph was of full age. If Ralph died under age, the grant was to be of his younger brother, Richard, and failing Richard, Thomas, and failing Thomas, their sister Margaret was to be married to one of Robert de Legh's sons. In return Robert promised to make the annual payments of the various shares in the issues of the serjeanty. He was to pay 26s. 8d., for a sixth part, to Margaret, wife of John, son of Henry de Delves, widow of John de Davenport, to whom Sir Ralph succeeded as uncle and heir. He was to pay 40s., a fourth part, to Eva, widow of John de Draycote and of Thomas de Davenport; and he was to pay William and Joyce 40s., for their fourth part, during Joyce's life.<sup>4</sup> The consecutive divisions of the serjeanty, therefore, were a third part to his widow, Agnes, on Sir John's death in 1358; a fourth part, in 1371, to Thomas's widow, Eva; later in 1371, a sixth part to John's widow, Margaret. This left the fourth part held by Sir Ralph at the time of his death.

The young Ralph was married to Robert de Legh's daughter, Joan, probably before 1399, when Ralph came of age. In the indictments of the Macclesfield Eyre of 5th May, 1392, Ralph, then only fourteen years old, occurs as master-serjeant; but from 23rd February, 1393, until 1399 Sir Robert de Legh was master-serjeant.<sup>5</sup>

In 15 Richard II (1391-2), William and Joyce gave the manors of Davenport and Marton, and all their lands in Somerford, Holmes Chapel, Withington, and Swettenham, during Joyce's life, to Sir William de Sharesall, John Puille, Edward Massey, of Timperley, and Thomas Fitton of Pownall.<sup>6</sup> This completed the disposal of Joyce's holdings as Sir Ralph's widow, and guardian of his son and heir, Ralph.

On October 10th, 1397, the king gave Richard, Ralph's younger brother, a life annuity of £5, and retained him in his service. On 12th November he was appointed an archer of the livery of the crown,

<sup>1</sup> 36th D.K.R., p. 138.

<sup>2</sup> 29th D.K.R., p. 57.

<sup>3</sup> Transcript 25.

<sup>4</sup> Bodleian MS., Dodsworth 31, f. 52r; Sir Peter Leycester's Liber A, f. 151r.

<sup>5</sup> Indictment Rolls, Chester 25/22, mm. 24, 26, 32, 41, 52, 52d, 61.

<sup>6</sup> Bodleian MS., Dodsworth 31, f. 42r-v.

the white hart, with 6*d.* a day for life.<sup>1</sup> Richard could have been no more than eighteen years old. Soon afterwards Ralph entered the king's service, and on 12th June, 1398, at Chester, he had an annuity of £20 from the king.<sup>2</sup> By grants of 20th August and 1st November in the same year, Robert de Legh, master-serjeant, also had a £20 annuity.<sup>3</sup> Ralph's new annuity is recorded in the account of Michaelmas, 1398, and he had a payment of £5 19*s.* 2½*d.*<sup>4</sup>

On 3rd January, 1398, Richard II ordered his chamberlain of Chester to allow Sir William de Legh £16 15*s.*, or £20 less a debt of £3 5*s.* still outstanding against Sir William. This was a refund of half the fine made by Joyce in 1383 for Ralph's wardship and marriage. Joyce paid 10 marks in 1384, and Sir William paid the balance in three instalments in 1390, 1391, and 1392.<sup>5</sup>

On 14th June, 1399, on Ralph's petition for livery of his inheritance, a writ for proof of age was sent to the escheator, who held an inquisition on 23rd June at Macclesfield. One of the jurors, John de Davenport of Bramhall, said that his daughter Elena was born on 2nd February, 1378, and Ralph was born on 1st May following. All the jurors agreed on this date, but this proof was not fully implemented until 21st December, 1400, when Henry, Prince of Wales, as Earl of Chester, instructed the new escheator, Richard de Manley, to take reasonable relief for livery of Ralph's inheritance.<sup>6</sup>

The Cheshire archers of Richard II were important and colourful actors in the dramatic events of the end of the reign. Richard assumed the title of Prince of Chester in the middle of 1397; and from Chester, were to come the archers of his last loyal bodyguard. An "Archer" Davenport, and Henry, his son, killed William Vernon, and their goods and chattels, worth £100, were forfeit, and given to the king's esquire, Ralph de Davenport, by a privy-seal order from Windsor Castle on 23rd April, 1399.<sup>7</sup> Ralph also appears in an account of payments for the half-year ending Michaelmas, 1398, to the men-at-arms and the crown archers, forming the king's bodyguard. Of the seven "watches" listed, the first is headed by Ralph de Davenport. In his watch were 44 men, who received a total of £163 15*s.*<sup>8</sup> Although he was only 21 years old, Ralph was a leader of the "men of the white hart" who remained faithful to the unfortunate Richard. They became notorious for their extortionate

<sup>1</sup> 36th *D.K.R.*, p. 138.

<sup>2</sup> Transcript 27.

<sup>3</sup> Ministers' Accounts, S.C. 6/774/10, m. 4.

<sup>4</sup> *Ibid.*, 774/9, m. 12d.

<sup>5</sup> Transcript 26; Ministers' Accounts, S.C. 6/772/17 and 773/6-8.

<sup>6</sup> B.D.M., II, 3, Macclesfield; 36th *D.K.R.*, p. 138; Chester Inquisitions, Chester 3/18, 22 Richard II, No. 6; Bodleian MS., Dodsworth 31, ff. 40-1; *East Cheshire*, ii, p. 381.

<sup>7</sup> *Cal. Pat. R.*, 1396-1399, p. 544.

<sup>8</sup> Exchequer Accounts (Q.R.), E. 101/42/10.

behaviour wherever they went, and Ralph must have been a party to some of these scandals.<sup>1</sup>

On 22nd May, 1400, a general pardon was extended to the king's lieges in Cheshire for all treasons, insurrections, felonies, rebellions, and trespasses committed between Christmas 1399 and 2nd February, 1400, except murders and rapes.<sup>2</sup> Ralph had a royal pardon on 18th August, 1 Henry IV; and another on 6th May, 1402.<sup>3</sup> In July, 1400, Ralph was among the leaders of Cheshire archers in the Scottish war. From the hundred of Macclesfield went 100 archers. Ralph, accompanied by Sir Robert de Legh, William de Assheton, and Reginald de Dounes, went at the head of 36 archers of the Macclesfield contingent.<sup>4</sup>

On 26th April, 1402, Ralph was appointed one of the collectors of a subsidy in the hundred of Macclesfield. On 11th October, 1403, he was made a commissioner of array in the same hundred. In the following year, on 24th January, Ralph and seven other leading men of the hundred were commissioned by Henry, Prince of Wales, to inquire about those who spread false rumours to the disquiet of the people of Cheshire and disturbance of the peace there, and they were to array all the fencible men of the hundred. On 9th December, 1405, £20 was paid to Roger de Belgrave by William Warde of Somerford, in the names of Sir William de Brereton and Ralph de Davenport, for conducting men-at-arms to the marches of Wales and remaining there for the defence of the county against the rebels.<sup>5</sup>

On 7th April, 1411, there was an agreement for the marriage of John, Ralph's eldest son and heir, then ten years old, and Joan, daughter of Randle le Mainwaring. Randle contracted to pay Ralph 100 marks, and was to provide food, clothing, and other necessities, until the young couple were twenty years old, or, if Randle died before then, his heirs or executors were to pay the young couple 10 marks a year. If John died without issue by Joan, before he was seventeen years old, Ralph was to repay 40 marks; and if Joan died without issue before she was seventeen years old, then Randle would be released from his obligation to provide sustenance for John. Ralph was to endow John with lands worth six shillings per annum when he reached the age of twenty. Ralph bound himself in 100 marks to Randle; and Randle bound himself to Ralph in £200.<sup>6</sup>

The Chamberlain's Account of 1416-17 says that Ralph and his cousin,

<sup>1</sup> Gray's Inn MS., 9, f. 144v; Clarke and Galbraith, "The Deposition of Richard II", *B.J.R.L.*, Volume 14, No. 1, p. 50; Harleian MS. 1989, f. 38.

<sup>2</sup> *Cal. Pat. R.*, 1399-1401, pp. 285-6.

<sup>3</sup> *B.D.M.*, II, 3, Davenports (vi).

<sup>4</sup> *Calendar of Documents relating to Scotland*, iv, p. 115; *Cheshire Sheaf*, XVIII, pp. 27 and 33-4; Exchequer Accounts (Q.R.), E. 101/42/29.

<sup>5</sup> 36th *D.K.R.*, pp. 32, 138, 139, 363, 422.

<sup>6</sup> Mainwaring MS., 203; *B.D.M.*, II, 3, Davenports of Davenport (vi).

Robert de Davenport, went to France with Henry V, and were in charge of archers at Harfleur and the battle of Agincourt *in partibus Francie*.<sup>1</sup> The battle was fought on 25th October, 1415, but elsewhere Ralph is said to have died on 30th September, 1415, so he must have died during the previous campaign.<sup>2</sup> Ralph's impressive record in royal service shows the importance his family and he had attained in Cheshire and royal affairs. He followed his father as essentially a soldier and royal servant.

After Ralph's death a writ of *diem clausit extremum* was issued, dated 24th October, 1415, and at the same time Ralph's widow, Joan, sued for and had livery of dower.<sup>3</sup> On October 30th an inquisition post mortem was taken at Holmes Chapel, and the twelve jurors found that Ralph held two parts of the Macclesfield serjeanty of the king as Earl of Chester by knight's service, value £4, and that he held no other lands.<sup>4</sup> The two parts were the fourth inherited from his father, and the fourth which Eva, his aunt, had held in dower. John, his son and heir, was fourteen years old on 18th March, 1415. Seven years later John proved his age at Middlewich on Wednesday, 17th June, 1422; and on 20th June he had respite of homage and livery of his inheritance.<sup>5</sup>

In 1418 another inquisition found that Ralph and John de Davenport of Wheltrough held the manor of Stockport, with the advowson of the church of Stockport, of the king by the service of two shillings or a lance. The annual value was £10. They also held the manor of Poynton of Geoffrey Pontrell by the service of two shillings or one esquire, and the annual value was £10. These they demised to Laurence de Warren, who became heir by feoffment.<sup>6</sup>

On 16th January, 1416, Randle Mainwaring, John's father-in-law, had a lease of the custody of the half-serjeanty, during John's minority, reserving knights' fees, advowsons, reversions, wards, marriages, reliefs, and escheats, at £4 yearly. Randle had livery of the half-serjeanty on 26th January.<sup>7</sup> About this time, William de Lumley, chaplain, gave Joan, Ralph's widow, the manor of Davenport with reversion of all the lands which John de Kighley and Joyce his wife, Ralph's mother, held as Joyce's *dot* in Davenport, Marton, Swettenham, Somerford, Holmes Chapel, Bramhall, and Withington. Shortly afterwards, Joan gave all these lands to Thomas le Grosvenor, Randle le Mainwaring, and William Feysant, chaplain, to hold until her son John reached twenty-one years of age. With Joan Mainwaring, John received the manor of Swettenham

<sup>1</sup> Ministers' Accounts, S.C. 6/776/4, m. 2d.

<sup>2</sup> Chester Inquisitions, Chester 3/28, 3 Henry V, No. 2.

<sup>3</sup> 37th D.K.R., Appendix II, p. 180.

<sup>4</sup> Chester Inquisitions, Chester 3/28, 3 Henry V, No. 2.

<sup>5</sup> *Ibid.*, Chester 3/31, 10 Henry V, No. 4; Ministers' Accounts, S.C. 6/776/9, m. 2; 37th D.K.R., pp. 138, 181.

<sup>6</sup> *Ibid.*, p. 138.

<sup>7</sup> *Ibid.*, p. 493; Mainwaring Papers, (5). 356—Dugdale's Notes.

and the advowson of the church. His mother married John, son and heir of Richard de Legh, of High Legh, and they sued her son, John de Davenport, for dower in 5 Henry VI (1426-7), in Davenport, Marton, Withington Swettenham, Kermincham, Somerford, Bramhall, and Holmes Chapel.<sup>1</sup>

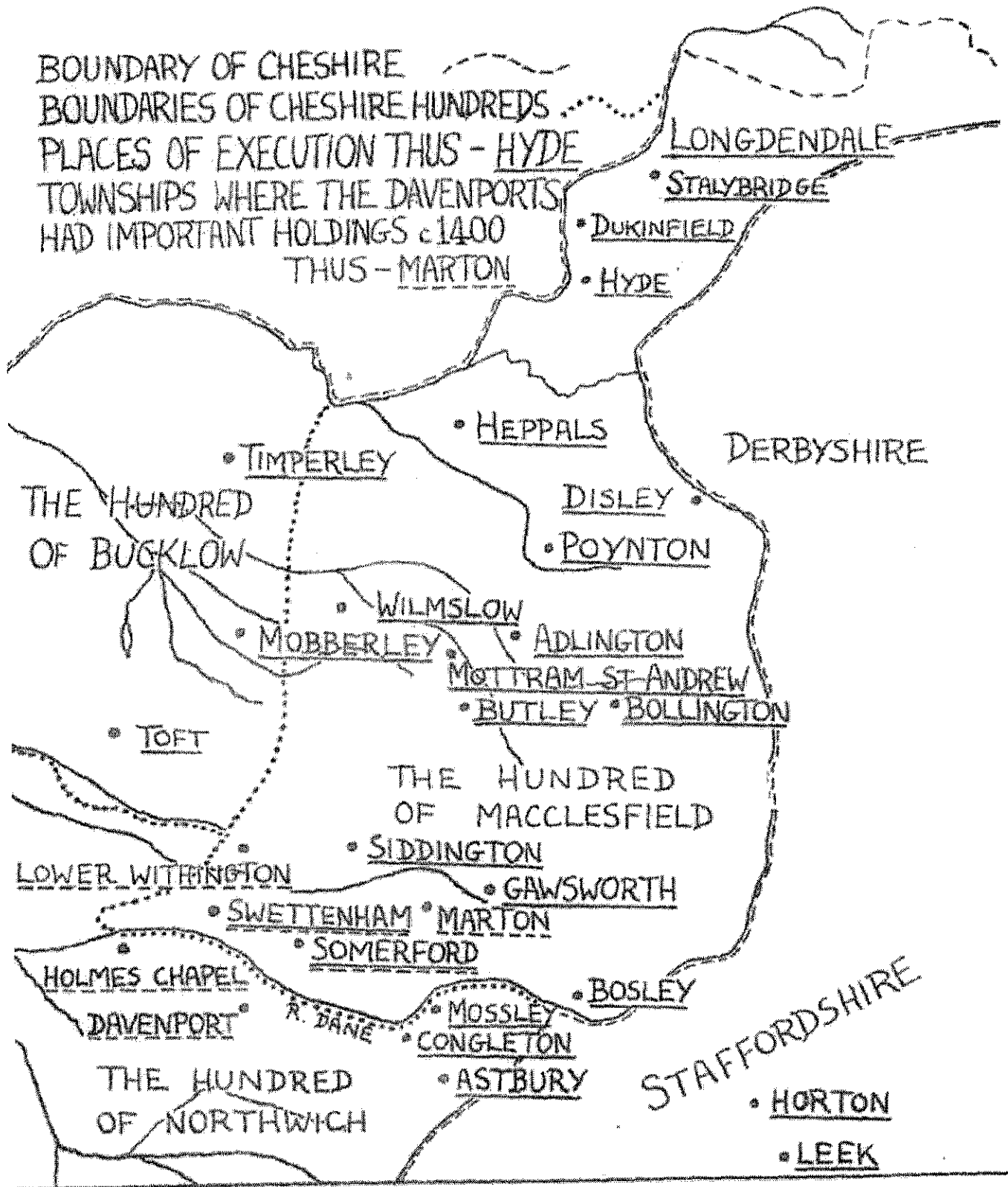
The Davenports of Davenport continued to be important actors in the affairs of Cheshire throughout the troubled years of the fifteenth century, and were frequent members of various commissions.<sup>2</sup> The period of "bastard feudalism" saw the institutions and practices of the thirteenth and fourteenth centuries corrupted, amended, and transformed, by the forces of change that demanded new attitudes and posed new problems. The Davenports had gradually become important members of the lesser aristocracy. It was their good fortune to belong to such ranks, for it enabled them to retain their wealth and their traditions until modern times.<sup>3</sup>

<sup>1</sup> Bodleian MS., Dodsworth 31, f. 42v.; 29th D.K.R., p. 80.

<sup>2</sup> 37th D.K.R., pp. 181-8.

<sup>3</sup> Cf. Stenton, "The Changing Feudalism of the Middle Ages", *History*, XIX, pp. 290-1.

BOUNDARY OF CHESHIRE  
 BOUNDARIES OF CHESHIRE HUNDREDS  
 PLACES OF EXECUTION THUS - HYDE  
 TOWNSHIPS WHERE THE DAVENPORTS  
 HAD IMPORTANT HOLDINGS c1400  
 THUS - MARTON



MAP I.—Showing where the serjeants executed criminals

## CHAPTER III

### SERJEANTS OF THE PEACE

DURING the thirteenth and fourteenth centuries, the earl's peace in Cheshire, as the bishop's peace in Durham and the king's peace elsewhere, was maintained very largely through the jurisdiction of the local courts and officials. In medieval usage, the manorial peace belonged to the lord or his bailiff. The sheriff, coroners, bailiffs, and bedells, all had their places in the maintenance of the peace. In addition, there were, in Cheshire as in many other areas of England, certain officers called serjeants of the peace, under the headship of a hereditary master-serjeant.

This interesting and peculiar office, as it appears in Cheshire, has been described by Ormerod, Earwaker, and Mrs. Sharp;<sup>1</sup> but the only collective and comprehensive treatment of the office, in Cheshire and elsewhere, is that of R. Stewart-Brown, in his *Serjeants of the Peace in Medieval England and Wales*.<sup>2</sup> Professor Hazeltine made some very useful general remarks on the office,<sup>3</sup> and, more recently, Dr. Tupling made a comprehensive study of "The Royal and Seignorial Bailiffs of Lancashire in the Thirteenth and Fourteenth Centuries".<sup>4</sup> This extremely useful work throws a great deal of light on the practices of the serjeants in Lancashire. The conclusions can be usefully related to the position of the serjeants generally, and are relevant to the study of the office in the hundred of Macclesfield.

Cheshire was a place of unusual potential disorder, for the three comital sanctuaries of Rudheath, Overmarsh, and Hoole Heath, and the protection system of the avowries, "attracted to Cheshire many felons and criminals, as well as those who came there upon their lawful occasions".<sup>5</sup> Cheshire for a long period was a sort of frontier area, where it was essential to have a speedier and more effective method for meting out the earl's justice than the slower and more sedate methods of the local courts. Outlawry was the only sentence of death that could be pronounced by a community without police, and that could only be pronounced in the county court.

<sup>1</sup> Ormerod (Helsby), ii, p. 109; *East Cheshire*, ii, pp. 3-4; Sharp, Ph.D. thesis, 1925, i, pp. 206-7. See also R. Stewart-Brown, *Wapentake of Wirral*, 1907, Chapter III.

<sup>2</sup> 1936.

<sup>3</sup> Dowdell, *A Hundred Years of Quarter Sessions*, 1932, General Preface, "The Justice of the Peace", pp. ix-xliv.

<sup>4</sup> *Miscellanies VIII* (Chet. Soc., N.S. 109), 1945.

<sup>5</sup> Mrs. Sharp, *op. cit.*, i, p. 207.



The system of serjeants of the peace, therefore, had its advantages in other regions where conditions were similar to those in Cheshire, and where the system of *frankpledge* never existed, or could not easily be established.<sup>1</sup> This being so, it is strange that legal historians, from Stubbs and Maitland, to Miss Putnam and Sir William Holdsworth, did not notice the system of serjeants of the peace, even where the *frankpledge* or the tithing system was not known.

R. Stewart-Brown gives a brilliant general survey of the available printed sources, and throughout the following pages most of his conclusions will be found borne out. Nevertheless, as will have appeared, the serjeanty of the peace in the hundred of Macclesfield, and the master forestership of Macclesfield, could only receive a brief and inadequate treatment in the few paragraphs he was able to devote to them.<sup>2</sup>

In the development of institutions origins are generally the most illusive of all stages to determine. As Dr. Lewis has observed, "all that we can say with any definiteness is that the maintenance of the peace in the fourteenth century was a complicated business, and that the most profitable line of research with regard to this problem should concern itself with duties rather than with names".<sup>3</sup> This seems to be Stewart-Brown's line when he traces the existence of a hereditary county master-serjeanty, with its staff, in Cheshire, to at least 1181, and infers that the office had an earlier origin still. He quotes the Pipe Roll entries for Cheshire for the period 1181 to 1187, where payments are regularly made for "doing justice" at the normal rate of one shilling per robber.<sup>4</sup> He takes these entries to mean that, even at this early date, serjeants of the peace were receiving payments of a shilling for each robber's head presented at Chester castle. Yet there is no mention of serjeants of the peace in these entries; and it seems equally possible that these payments were being made to the officers of the earl, who *ex-officio*, had the full powers of a guardian of the earl's peace, namely, the justiciars, sheriffs, coroners and chamberlains. Even the later Pipe Roll evidence does not always link the serjeants directly with these payments; nor does it suggest that the payments were attached exclusively to any particular office, nor that any special officer was involved, nor that "doing justice" always meant the cutting off of a robber's head. Not until the account of 1275-6 do the serjeants of the peace appear specifically in this connection, but the fee of a shilling for each head is then described as customary.<sup>5</sup>

<sup>1</sup> Stewart-Brown, *Serjeants*, p. viii.

<sup>2</sup> *Ibid.*, pp. 10-11, 13-14.

<sup>3</sup> Lewis, "The Justice of the Peace in Wales", *Transactions of the Honourable Society of Cymmrodorion*, 1943-4, p. 120.

<sup>4</sup> Stewart-Brown, *op. cit.*, pp. 4, 87, 113; *Cheshire in the Pipe Rolls* (R.S.L. & C., 92), especially p. 17. Note that the 1185-6 account has—*Et pro iusticia facienda xx d.*

<sup>5</sup> *Ibid.*, pp. 37, 52, 119; Stewart-Brown, *op. cit.*, p. 113.

Many of the serjeanties in Lancashire are known to have been made hereditary in the second half of the twelfth century.<sup>1</sup> Such offices are not likely to have been made hereditary until they became important and desirable for the wealth and power derived from them. In Lancashire therefore, some of the serjeanties may date from before the middle of the twelfth century. In Cheshire, however, there is very little direct evidence before the beginning of the thirteenth century, and the previous existence of the office in Cheshire is largely inferential. One or two charters record acquittances of puture for serjeants; one, from Earl Ranulf to the Abbey of Chester, in Wirral, is dated 1181-1232; another, from the Earl to Peter, his clerk, or other owner of Thornton-le-Moors, is 1208-17; and another, from the Earl to the freemen of Wirral, is 1194-1208. There are also references to serjeants in the *Magna Carta* of Cheshire of 1215-16.<sup>2</sup> By the beginning of the thirteenth century, therefore, there was an organization of serjeants of the peace, with a regular system of maintenance, which may have been in existence for some time.

The earliest document in connection with the master-serjeanty of the peace in the hundred of Macclesfield is the charter by which Ranulf de Blundeville, between 1217 and 1226, granted the office to Vivian de Davenport and his heirs.<sup>3</sup> Vivian was to hold the serjeanty as Adam de Sutton held it, in exchange for Vivian's land of Wilewic. Failure to fulfil the duties of the office would entail forfeiture both of the bailiwick and of the lands held of the earl in chief. The only words defining the functions of the office, *pacem et gardum curie mee*, are rather vague, but a grant in such general terms implies a wide jurisdiction and a long previous existence of the office, with functions and perquisites so well known that they did not require precise definition. The reason for Adam de Sutton's removal from the office is uncertain, but it is interesting to note that the Suttons, with the St. Pierres, were later hereditary holders of the county serjeanty, and the Suttons of Sutton and Disley were foresters in fee of the forest of Macclesfield. The grant to Vivian may mark a separation from the county serjeanty of this special serjeanty for the hundred of Macclesfield, wherein lay the earl's demesne manor.<sup>4</sup>

There may be some connection between this grant to Vivian and the supreme forestership of the forests of Leek and Macclesfield granted to Richard de Davenport, as *vicecomes*. All these offices involved the exercise of police functions, and Earl Ranulf may have been influenced by consideration of Vivian's experience in the supreme forestership, as Richard's heir, as well as by his local power as a land-holder. The appointment to the serjeanty may also explain the disappearance of

<sup>1</sup> Tupling, *op. cit.*, *passim*.

<sup>2</sup> Stewart-Brown, *op. cit.*, pp. 115-19; Tait, *Chart. Chester Abbey* (Chet. Soc., N.S. 79, 82), pp. 103-6.

<sup>3</sup> Transcript 13.

<sup>4</sup> *Ante*, p. 5.

references to the Davenports as supreme or master foresters until the end of the sixteenth century. For example, the Close Roll entry of 28th April, 1242, records an instruction to John Lestrange, justiciar of Chester, to allow Vivian de *Daneport*<sup>1</sup> to have his master-serjeanty of Macclesfield as he ought to have it and as he was wont to have it in the time of Ranulf, one-time Earl of Chester, who enfeoffed him by his charter. There is no parallel entry regarding the master forestership. The forest law never excluded the common law, and Vivian's appointment may simply have entailed an extension into the area of the whole hundred, of certain functions which he and Richard had already performed within the forest.

Turner's remark, that "the foresters in fee were not liable to be put on juries and assizes", may explain the charter of exemptions granted to Richard de Davenport. Earl Hugh's grant of *anhus*, for the service of forestry, would require some definition of the exemptions it entailed, but the exemptions listed do not specify any in Macclesfield.<sup>2</sup> It should be noted that in 1252 Fulk de Orreby was *custos* of the forests of Wirral, Delamere, and Macclesfield,<sup>3</sup> and by 3rd March, 1353, Sir John Chaundos was master-forester, and in 1354 "custodee and master forester of the forest of Macclesfield, and of all other the Prince's forests in co. Chester".<sup>4</sup> The Davenports, therefore, had ceased to act as hereditary master foresters, certainly by the middle of the fourteenth century, and probably by the middle of the thirteenth century.

Stewart-Brown and others discuss the possibilities of earlier origins for the serjeants. Enough has been written about *radmen* and *radknights* to show that they were a class too numerous to be the prototypes of the later serjeants. Cheshire has over 130 of these "riding-men", or nearly a fourth of the total number recorded. It is possible that the earls recruited their local officials from this class. Round shows that the duty of the *radmen* was to attend the lord as an escort, not military service as Maitland supposed; but neither function would make them serjeants of the peace in embryo.<sup>5</sup>

Mr. Rees claims a Welsh origin for the serjeants of South Wales. Stewart-Brown does not agree, but he asserts that the avowries of Wales and Cheshire in the thirteenth century "are undoubtedly a development of the *alltudion* of the Welsh laws . . . The presence and survival in Cheshire of such a highly developed species of commendation may perhaps be accounted for by referring to the times before the founding of the

<sup>1</sup> *Ante*, p. 6.

<sup>2</sup> Transcripts 11, 12a; Turner, *op. cit.*, p. xxiv.

<sup>3</sup> *Close Rolls*, 1251-1253, p. 160.

<sup>4</sup> *B.P.R.*, iii, p. 95; *Cheshire Chamberlains' Accounts*, 1301-1360 (R.S.L. & C., 59), p. 214.

<sup>5</sup> Stewart-Brown, *op. cit.*, p. 88; Round, *V.C.H. Worcester*, i, pp. 250-1, 273; Maitland, *Domesday Book and Beyond*, pp. 303-13.

Mercian kingdom, when what is modern Cheshire was part of the possessions of the Cymry and subject to the incidence of their laws and customs." <sup>1</sup> An argument along similar lines could be put forward for the origins of the serjeants in Cheshire, and in other border counties, where there would be a tendency for the "central" government, at its weakest limits, to retain the framework of local institutions more fully than elsewhere.

Mr. Jolliffe's discussion of Northumbrian Institutions, again, argues for a pre-conquest origin for the serjeants of the peace.<sup>2</sup> Stewart-Brown discusses these arguments pretty thoroughly, and searches through Anglo-Saxon law for examples of personal, as opposed to the later institution of communal, suretyship, which appears in the *frankpledge* system. He draws the inference from his search that, "in order to enforce the Anglo-Saxon peace system in its various aspects, a machinery of public security offices must have been required and have existed"; and, in districts to which *frankpledge* did not extend, where there was no system of communal responsibility for crime, the serjeants of the peace appeared as the active agents for the enforcement of law and order, and they were not superseded by the system of watch and ward imposed in other areas in 1241.<sup>3</sup>

Such an institution might also have been regarded as a desirable and essential aspect of stronger and more effective government in particular danger areas. Miss Cam sees the hundredal manor of Domesday Book in such areas as Lancashire, Cheshire, Shropshire, Herefordshire, and Cornwall, as evidence that the lands most lately conquered from the Welsh had been kept most completely under royal control. Again, in discussing Edward I's policy, she makes a comparison with the *politisch gebotene Dezentralisation* of Philip Augustus in France, and shows that there was a tendency to convert the one-time fiefs into administrative districts governed by officials only, and thus "transform what threatened to be disintegration into 'decentralization under political control'".<sup>4</sup> The palatinate of Chester, as well as that of Durham, might well serve this purpose. A professional police force, such as that which the serjeants of the peace provided, would be essential to such a system; and it may have been considerations such as these which made the earls of Chester, Norman and royal, preserve and extend this institution. It should be noted that the Statute of Winchester, 1285, supplemented and did not replace the serjeants in Cheshire, in spite of complaints from the men of Cheshire about the burden of maintaining so many peace officers.<sup>5</sup>

<sup>1</sup> "The Avowries of Cheshire", *E.H.R.*, XXIX, p. 43.

<sup>2</sup> "Northumbrian Institutions", *E.H.R.*, XLI.

<sup>3</sup> Stewart-Brown, *Serjeants*, pp. 71, 89-98.

<sup>4</sup> Cam, "The Decline and Fall of English Feudalism", *History*, XXV, p. 208; "The Hundred and the Hundredal Manor", *Liberties and Communities*, p. 88.

<sup>5</sup> *Rot. Parl.*, i, f. 51a (67), 1290; Stewart-Brown; *op. cit.*, pp. 10, 117.

Another reason for the long survival of the system in Cheshire, and particularly in the hundred of Macclesfield, was the peculiar status of the sheriff in Cheshire, and his exclusion from "meddling" with the affairs of Macclesfield. The master serjeant of Macclesfield received his appointment direct from the Earl, with no intermediate official to whom he was to be responsible. The history of the serjeants in Macclesfield was not, as elsewhere, bound up with that of the sheriff; and, therefore, they were not involved in his decline. In the guardianship of the peace, the execution of judgements, the arrest of criminals, the placing of fugitives under suretyship, the serjeants of Macclesfield performed functions similar to those performed by the sheriff in the normal English county, as defined in the Assize of Clarendon. The decline of the serjeants as a working institution in the hundred of Macclesfield springs directly from their ineffectiveness against the lawlessness of the county in general, and, perhaps, of Macclesfield in particular. In some instances, too, they were guilty of breaking the peace they were supposed to preserve.

The area over which the Davenports exercised their jurisdiction as master serjeants of the peace is fairly clearly defined in the available evidence. Three of the six puture rolls which survive in the Bromley-Davenport muniments are described in the heading as the puture of serjeants of the hundred of Macclesfield; and they show that most of the townships in the hundred owed maintenance.<sup>1</sup> These include most of the townships of Longdendale and some of the towns in the forest area, which shows that as serjeants they were peace officers in the forest as well as in the hundred. Puture is never claimed outside the hundred in the appurtenant manor of Leek; but this is probably due to acquittances granted to the holders of lands of the Honor of Chester in Staffordshire by the Earls Ranulf III and John the Scot. Leek, Rocester, Quixhill, Denston, Roston, Waterfall, Calton, Alstonfield, and Ipstones, all in Staffordshire, are listed in the inquisition of about 1245, as having been exempted against Vivian's will.

The place-names in the "Robber Roll" show that robbers were beheaded throughout the hundred and forest, and also in the bordering Staffordshire areas. Executions also took place short distances outside the western boundaries of the hundred, in the rest of Cheshire. This means either that the serjeants sometimes pursued robbers outside the actual boundaries of their jurisdiction, or that the Macclesfield serjeants were also peace officers for the county generally. They did not execute in Lancashire or Derbyshire.<sup>2</sup>

The peculiar position of the Leek and Dieulacres area was a subject of litigation and complaint. The commissions of *oyer* and *terminer* in 1281 and 1283 stated that, as serjeant of the peace, Roger de Davenport

<sup>1</sup> Transcripts 2-8, 16, and Map 2; Farrer, *Honors and Knights' Fees*, II, pp. 255-62.

<sup>2</sup> Transcript 1 and Map 1.

had the service of riding through the fees of the queen, Eleanor, by reason of the County of Chester, and through the queen's fees in the County of Stafford, by reason of her manor of Macclesfield, to see that the king had the full service due to him and that his peace was kept.<sup>1</sup> Again, in the Inquest of Service of 1288, Roger was said to hold a serjeanty in the hundred of Macclesfield, Leek and Dieulacres, by the service of finding eight serjeants, of whom one was to be a horseman, and he had to do his service in the same way as Urian de St. Pierre, and Rotheric, son of Griffin. The horseman was to have fodder upon the *forinsec* lands for the half-year in winter, and the serjeants were to keep the peace and come at the king's summons, at their own charges in Cheshire; but as soon as they crossed the Dee, or went elsewhere out of Cheshire, they went at the king's expense.<sup>2</sup>

A Patent Roll entry, dated 20th September, 1334, says that Dieulacres was "situated in a lonely waste on the confines of the county of Stafford".<sup>3</sup> Leek and Dieulacres were within the forest area known as the forest of Leek and Macclesfield. Earl Hugh's grant of the supreme forestership, given at Leek, probably covered the whole of the appurtenant Staffordshire area. The grant of the master-serjeanty of Macclesfield, on the other hand, makes no mention of any appurtenant area of jurisdiction outside the hundred of Macclesfield. Again, the grant of the serjeanty makes no mention of a service of finding eight serjeants, as in the 1288 Inquest. There were, however, eight hereditary sub-foresters in the forest of Macclesfield.<sup>4</sup> This may be a coincidence, but it suggests that the Davenports had incorporated the area of jurisdiction of the master forester in that of the master-serjeant, and that they performed the police functions, and claimed the perquisites of both offices, as master-serjeants of the peace.

The anomalies arising from the peculiar position of the Leek area are illustrated by the affairs of the Macclesfield Eyres of July, 1287, and October, 1288. The abbot of Dieulacres and many others were said to have withdrawn and alienated a serjeanty in Staffordshire pertaining to the manor of Macclesfield, which Vivian de Davenport, father of Roger de Davenport, had held. The abbot said that it pertained to his manor

<sup>1</sup> *Cal. Pat. R.*, 1272-1281, pp. 471-2; 1281-1292, p. 76.

<sup>2</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), pp. xlix, III-12, II5-16. Stewart-Brown follows Randle Holme, in Harleian MS. 2115, f. IIIr (old 138), and reads "Maclisfeld, Leek and (Densington)" but could not identify the last named place. Only the initial "D" remains on the MS. (Plea Roll, Chester 29/6, m. 1d.), the rest of the word having been torn off. Holme may have misread some spelling of Dieulacres, e.g. Deulincress. Another alternative is Denston, near Leek, which occurs in the Inquisition of 1244-6, but was not in the Honor of Chester (Farrer, *op. cit.*, ii, p. 258).

<sup>3</sup> *Cal. Pat. R.*, 1334-1338, p. 9.

<sup>4</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), pp. xlix, III-12, II5-16.



of Leek, and he ought not to answer for it in the Macclesfield court. This was admitted, and so he was quit, saving the king's right. He also had to answer for two stags taken in the forest. He replied that in the time of the last eyre he had not been created abbot, and therefore ought not to answer for another's deed, even supposing his predecessor had committed an offence. He asked for a respite, and this was allowed.<sup>1</sup>

Some of the features of serjeanties in general have been discussed by J. H. Round, and, more recently, by Lady Stenton.<sup>2</sup> Both agree that in theory serjeanties were impartible and inalienable; but Round shows that the office and the lands were distinct, and therefore the lands attached to a serjeanty were often divided. In origin, personal service was the essence of serjeanty, but from the reign of Henry III serjeanties of all kinds were constantly being performed by deputy.

The annual value of the master-serjeanty of Macclesfield in the fourteenth century was £8, the relief paid by Sir Ralph de Davenport in 1372.<sup>3</sup> Later, and earlier, transactions showed that the serjeanty was reckoned as a partible possession in the allocation of dower to the widows of the holders. Eva, widow of the Thomas who died in 1371, had a fourth part of the assessed issues—40 shillings. Margaret, widow of Thomas's son, John, had a sixth part—26s. 8d. These divisions do not suggest that the office of master-serjeant was divided between the holders of the issues.

At the end of the thirteenth century, however, when certain payments due to the serjeants were being withheld, and growing unrest and lawlessness in Cheshire made successful performance of the functions of the office very difficult, it became customary to appoint deputies, and to lease the office, during the lifetime of an indisposed, or even of a fully competent nominal, holder of the office. When Thomas de Davenport appeared at the Macclesfield Eyre of 1290 as *serviens pacis*, he was acting as such during his father's lifetime. The latter was probably sick, as he had been in 1286. Thomas was the only officer named, which suggests that he was leader of those concerned, and, therefore, that he was acting as master-serjeant, and not merely as one of his father's under-serjeants.<sup>4</sup>

The practice of putting the serjeanty out to farm appears to have become fairly well established towards the end of Thomas de Davenport's life. In 1307 Henry de Cotton had a two-year lease for £10 a year. From 1309 two sons, Thomas and John de Davenport, leased the serjeanty successively at the rate of £10 13s. 4d. a year.<sup>5</sup> One of the outcomes of this practice, which had become prevalent in the rest of the county, was

<sup>1</sup> *Ibid.*, pp. 232, 237.

<sup>2</sup> Round, *The King's Serjeants*, pp. 35-8; Stenton, "Serjeanty", *Chambers' Encyclopaedia*, 1950.

<sup>3</sup> Ministers' Accounts, S.C. 6/787/2, m. 8.

<sup>4</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 247.

<sup>5</sup> Transcripts, 19a, b and c.



the complaint of Edward III in the first year of his reign to Richard Dammory, justiciar of Chester, that he should remedy the abuses consequent upon the farming of their office by the serjeants and others to men who not only neglected their duties, but actually concealed trespassers against the king's peace in the county.<sup>1</sup>

These abuses were also attacked by the Black Prince's officers during his tenure of the earldom between 1333 and 1376, when an attempt was made to suppress crime by the threat of a general eyre, unknown in Cheshire, and by the holding of an equally severe commission of "trailbaston".<sup>2</sup> The people of Cheshire in the fourteenth century were notorious for their lawlessness, and Edward III, his son, and their successors, were obliged to take even more extraordinary measures, such as the institution of special peace commissions, which can be traced back to 1359.<sup>3</sup> The hundred of Macclesfield was no exception to the prevailing disorders. The master-serjeant of Macclesfield does not appear, as such, on the special commissions to arrest malefactors until the fifteenth century, when he was included in the commissions of 1435, 1442, 1445, and 1446.<sup>4</sup> An original of such a commission, dated 5th September, 1458, to John Davenport, master-serjeant, lists over 120 persons outlawed in the county court during the previous seven years.<sup>5</sup>

Recourse to such special measures was an admission that the system of serjeants of the peace had ceased to be a sufficiently effective method of keeping the peace. Special orders had become essential because the master-serjeant could not, or would not, act as independently as his predecessors had been expected to do. Those who leased the office would be more interested in the revenues than the duties. The nominal holders of the office were for long periods unable to devote themselves to their hereditary duties because of their services to the earl and the crown elsewhere. For example, Sir John de Davenport served in the Crecy-Calais campaign of 1346-7, Sir Ralph was occupied in Flint and elsewhere from 1373 to 1383, and the younger Ralph, a minor until 1399, was also serving with Richard II from 1397 to 1399, and in Scotland, 1399-1400, and in France in 1415.

From the early fourteenth, and possibly from the late thirteenth, century, therefore, the Davenports leased the serjeanty, or appointed deputies. Thomas acted for his father, Roger, in 1290; Thomas in turn leased the serjeanty to Henry de Cotton and to his sons John and Thomas. For a long period in the fourteenth century, from at least 1356 to 1383, a John de Davenport of Bramhall acted as serjeant of the peace. From

<sup>1</sup> Stewart-Brown, *Serjeants*, pp. 23, 122.

<sup>2</sup> *Ibid.*, pp. 24-5; *B.P.R.*, iii, pp. 77, 115, 116, 129, 146, etc.

<sup>3</sup> Stewart-Brown, *op. cit.*, pp. 25-6; *B.P.R.*, iii, p. 377.

<sup>4</sup> *37th D.K.R.*, pp. 58, 121, 183, 184, 185; Stewart-Brown; *op. cit.*, p. 31.

<sup>5</sup> *B.D.M.*, II, 3, Macclesfield.

1383 to 1385, at the beginning of the young Ralph's minority, the serjeanty was in the hands of Joyce and her second husband, William de Legh of Baguley; from 1385 to 1391, John and Peter de Legh leased it; and from 1391 to 1399, it was in the hands of Robert de Legh of Adlington.

Such frequent leases and changes show that the office of master-serjeant had lost its original and essential nature. Personal service was no longer necessary; and it had become in large measure both partible and alienable. The office was still, clearly, desirable for its power, prestige, and revenues; but the Davenports had become large landholders, and they were increasingly occupied in royal and military affairs. This could have left little time for acting as peace officers, having regard to the greatly increased lawlessness of the county of Chester, and the complaints, demands, and special measures of Edward III and his successors.

The decline of the system in the fourteenth century was also accelerated by the occasional lawless activities of the acting serjeants. In 1360 John de Davenport of Bramhall and William de Hulgreve of Teverton "and at least a hundred other men" cut turves at Tilston, within the forest area, in the soil of the abbot and convent of St. Werburgh, and carried them in carts to Teverton outside the forest, and "while they were digging they kept watch night and day with bows, arrows, swords and 'bokelers'".<sup>1</sup> In February, 1365, as has already been described, John de Davenport, serjeant of the peace, with over 45 other men made an incursion into Yorkshire at Wortelay. Eight years later a jury of the town of Macclesfield found that the serjeants of the peace of the hundred of Macclesfield had broken the peace of the lord earl of Chester in the fair at Macclesfield on Saturday, 11th June, 1373. They were bound to keep and protect the peace under penalty of £8, but they had attacked a servant of the earl, Henry le Mareschall, who was there as a *custos* of the peace. They had struck, wounded, and maltreated him *contra pacem*. On the same Saturday John of Pexhull pursued another man with drawn sword, and sought to strike this other man down. The catch-poll of the town of Macclesfield arrested John, and put him in gaol for disturbing the peace until the lord or his council should order otherwise. John de Davenport of Bramhall, master-serjeant, however, released John and allowed him to go at large, to the prejudice of the town, the damage of the lord earl, and against his peace, because, he said, no other minister of the lord was allowed to make an arrest in the town while he was present.<sup>2</sup>

Such actions, whether justified or not, were hardly in the best interests of law and order, and probably contributed to the general state of lawlessness in the county during the last decades of the century. On 8th

<sup>1</sup> *B.P.R.*, iii, p. 390.

<sup>2</sup> Indictment Roll, Chester 25/20, m. 67. The membrane is simply headed *Iter 47°*.

December, 1391, John de Davenport of Bramhall, with William, Robert, and Peter de Legh, was named in a commission about the failure to collect 3,000 marks in the county because of insurrection there. These 3,000 marks were to be found by the following Whitsuntide or the commissioners were to report at Westminster with the reason for the default.<sup>1</sup> A few years later, when Henry, Duke of Lancaster, entered Chester, the county was said to have molested the realm "for two whole years, with murders, adulteries, thefts, pillages and other unbearable wrongs".<sup>2</sup>

Disorders and insurrections were frequent enough earlier in the century. Mr. Hewitt shows that at least "six Cheshire murderers earned their pardons by military service under the Black Prince in Gascony; another was pardoned for service at the siege of Calais, and two others at the request of Sir Hugh Calveley and the Duke of Lancaster".<sup>3</sup> In 1360 a hermit's head was broken at Poynton; in 1362 there was a stabbing affair at Pownall. From 1350 to 1352, there were several murders in the hundred of Macclesfield; and throughout the second half of the century there were frequent complaints of the raids made by gangs of men from Cheshire in the neighbouring counties.<sup>4</sup>

This small sample of the available evidence shows that the system for preserving the peace in the county had already broken down by the middle of the fourteenth century; and even before this special measures had to be taken. The serjeants of the peace continued to act, and the Davenports continued to hold the nominal office of master-serjeant of the hundred of Macclesfield. In 1499, the then head of the family, Ralph Davenport, claimed the office in *Quo warranto* proceedings, and this was allowed.<sup>5</sup> The nominal serjeanty was also included in a family recovery of 1744-5, and the deodands, waifs, strays, and other perquisites of the hereditary office were still being claimed in the nineteenth century.<sup>6</sup> Already in the fourteenth century, however, although the names remained the same, the realities had changed. The Davenport tenure was no longer one of personal service, as when Vivian served Earl Ranulf and his successors. The office had become an item of wealth, to be traded like a piece of land.

Of the functions and perquisites of the serjeants<sup>3</sup> in the thirteenth and fourteenth centuries, the most important was their power to execute criminals. In his *Origines Iuridiciales*, in his chapter on "Punishment

<sup>1</sup> *Cal. Pat. R. 1391-1396*, pp. 77-8.

<sup>2</sup> Stewart-Brown, *op. cit.*, pp. 27-8; *Chronicon Adae de Ush*, pp. 26, 175. Henry entered Chester on 10th August, 1399.

<sup>3</sup> Hewitt, *Medieval Cheshire* (Chet. Soc., N. S. 88), p. 152.

<sup>4</sup> Indictment Roll, Chester 25/19, mm. 31d., 39; Eyre Roll, Chester 17/13, mm. 28, 32, 32d.; *Cal. Pat. R. 1358-1361*, p. 418; 1381-1385, p. 495; 36th D.K.R., p. 100 (1399).

<sup>5</sup> B.D.M., II, 3, Macclesfield; Quo Warranto Roll, Chester 34/4, m. 28.

<sup>6</sup> B.D.M., II, 3, Macclesfield.

in causes criminal", Sir William Dugdale said, "It seems that the Decree of King Henry the first for the putting to Death such as should be convicted of Theft and Robbery, by Hanging, was not used in the County Palatine of Chester; for by an account of William de Melton, chamberlain of Chester in 29.E.1. it appears that they were beheaded, and that the Justices (*sic*) of the Peace in that Shire, did receive xii *d.* a piece from the King, for the head of every one which was cut off by their Officers." <sup>1</sup>

This function is illustrated by a unique and important piece of evidence concerning the serjeanty of the peace in the hundred of Macclesfield among the Bromley-Davenport muniments.<sup>2</sup> The so-called "Robber Roll" has been highly prized by the Davenport family as evidence of their former powers. This high regard is not without foundation, but the precise nature of the roll has never been properly established, nor its contents accurately deciphered.

The roll has been dated as early as 1300,<sup>3</sup> but the internal evidence suggests that it is more recent. The Queen of England, who was mistress of Macclesfield in the time of Thomas de Davenport, was Isabella, wife of Edward II. Macclesfield was not included in the draft of lands to be given Isabella as dower, drawn up as early as July 1299; but was then listed in the *dot* of Margaret, wife of Edward I.<sup>4</sup> The manor of Macclesfield was first granted to Isabella by the king on 1st March, 1309, and remained in her hands, with short breaks until the autumn of 1347.<sup>5</sup>

Queen Eleanor, first wife of Edward I, had held the Manor of Macclesfield from 8th September, 1270, until her death on 28th November, 1290;<sup>6</sup> but the earliest record of Thomas de Davenport as serjeant of the peace in the hundred of Macclesfield is in the Macclesfield Eyre of September, 1290, during his father's lifetime.<sup>7</sup> In 1316, Thomas's son, John de Davenport, was serjeant of the peace, acting in his father's place, and received the fee of 12*d.* for "bringing the head of John dele Redeforde, a fugitive felon and beheaded, to Chester Castle".<sup>8</sup> In the following year, 1317, William de Astbury, *serviens* of Thomas de Davenport, presented the heads of four robbers at Chester castle, but no payment was recorded.<sup>9</sup>

The two attachments to the roll are dated in June, 1352, and although

<sup>1</sup> Cap. 31, p. 89. The account referred to still survives.

<sup>2</sup> Transcript 1.

<sup>3</sup> *B.I.H.R.*, XXV, p. 106; *Cheshire Sheaf*, XLVI, p. 32. See also *H.M.C.*, II, p. 32, where Horwood dated it in the reign of Edward II.

<sup>4</sup> Cole, *Documents illustrative of the 13th and 14th centuries*, pp. 342, 346, 347, 348.

<sup>5</sup> Ministers' Accounts, S.C. 6/1297/3; *Cal. Pat. R.*, 1307-13, p. 101; 1345-1348, pp. 451, 452; 1348-1350, p. 86.

<sup>6</sup> *Ibid.*, 1270, p. 459; Ministers' Accounts, S.C. 6/1090/2.

<sup>7</sup> *Chester County Court Rolls* (Chet Soc., N.S. 84), p. 247.

<sup>8</sup> *Cheshire Chamberlains' Accounts 1301-1360* (R.S.L. & C., 59), p. 86.

<sup>9</sup> Ormerod (*Helsby*), ii, p. 109.

they are only copies of the inquisition and judgement they record, having no authentication, they are probably closer in date to the main schedule than has previously been thought. The roll may date from shortly after 30th September, 1347, when the manor of Macclesfield came into the hands of the Black Prince, and, more certainly, from after 1333, when he was granted the county as a child. Some peculiarities had sprung up in the relationship between the county of Chester and the "liberty of Macclesfield" during Queen Isabella's tenure, but the advent of a new lord and the reunion of Macclesfield with the rest of the county would be the occasion for a complaint about non-payment of fees due, especially about fees claimable from the chamberlain of Chester. The palaeographical evidence is not against this later dating of the roll, which would then appear to be the basis of a petition or claim sent or presented by Sir John de Davenport to the earl's court at Chester, asking for recompense for fees due in some period after 1316. The fees claimed were two shillings and a salmon for a master robber, and one shilling each for his associates. The attachments to the roll may therefore be the record of parallel inquiries into other fees due to the master-serjeant, and they are, in fact, concerned with the 24 shillings due to the master-serjeant from the issues of the park of Macclesfield to provide for, and repair, the robes of his under-serjeants.

Ormerod, and his editor, Helsby, Earwaker, Renaud, Croston,<sup>1</sup> and others have noted the existence of the roll and its contents, but their comments require some slight amendment. There is no mention of forests or foresters in the roll. On the seventh line of the roll is a clear reference to the serjeanty in the hundred of Macclesfield, and there is no record of, or reference to, any robbers beheaded by Richard de Davenport, the grantee of the supreme forestership. By comparing the place-names in the roll with lists of towns in the forest and hundred of Macclesfield of about 1388-9, it appears that nearly a quarter of them have no connection with the hundred or forest of Macclesfield—places like Toft and Timperley in the hundred of Bucklow; and over a quarter are definitely not in the forest area.<sup>2</sup>

The Davenports were not the only people to receive payments for robbers' heads at Chester castle,<sup>3</sup> and the serjeants of the peace were probably not the only officers of the earls who executed robbers and had

<sup>1</sup> Ormerod (Helsby), iii, p. 62, notes b and d, and p. 63, note e; *East Cheshire* ii, pp. 3-4; B.D.M., I, 5 (v), Letters of Earwaker; Croston, *County Families*, pp. 412-13; Renaud, *The Ancient Parish of Prestbury* (Chet. Soc., 97, 1876), pp. vii-viii, 191-3.

<sup>2</sup> Calendar of Indictments Roll—Macclesfield, Chester 20/7, mm. 12, 13. These list 44 towns in the hundred, and 15 towns in the forest. Some towns occur in both lists.

<sup>3</sup> *Cheshire Chamberlains' Accounts, 1301-1360* (R.S.L. & C., 59), pp. 6, 24, 93; Stewart-Brown, *op. cit.*, pp. 113-14.

fees for so doing. However, during the period in which Vivian and Roger de Davenport received the prescribed fees, from some time after 1217 to some time before 1296, from the grant of the serjeanty to Roger's death, the roll records the execution of over 120 thieves, robbers, murderers, and cut-purses. In the second part of the roll, concerning the time when no fees were received by Thomas de Davenport, nearly 50 executions are recorded. This must cover some period between 1296 and Thomas's death about 1320, but the problem is complicated by the payment to John de Davenport in 1316, and the presentation of heads by William de Astbury in 1317. The long period covered by the roll, which is all written in the same hand, suggests that the master-serjeants kept some other record of their executions, but no other evidence survives.

The serjeants were still cutting off heads as a duty in the second half of the fourteenth century. The Macclesfield Eyre of September, 1377, recorded that John Fraysell, a well-known robber, had acknowledged several crimes before the serjeants and coroners, and the serjeants of the peace *capud suum amputaverunt*. They also confiscated a horse worth 10 shillings, and handed it over to William de Moreton of Goostrey.<sup>1</sup>

This reference to the goods of a felon suggests a search for examples of "pelf", the fee which the serjeants and others were entitled to demand as a perquisite of their office, namely, a proportion of the goods and chattels of felons and outlaws forfeited to the earl.<sup>2</sup> The term is not used in any Cheshire records involving Macclesfield, but the serjeants probably extracted such a fee when they confiscated or distrained the goods and chattels of persons they had arrested or failed to arrest. The "robber roll" shows that, on two occasions the serjeants executed robbers *pro uno iumento*, and on another occasion *pro panno*.

Sometimes there were disputes about "pelf" between sheriffs, coroners, serjeants, and special officials appointed to superintend the goods and chattels of felons. In 6 Edward II the county serjeants were fined for a false claim of "pelf" because they had not confiscated the goods of the felon involved; the fee only belonged to the official who was first able to carry out the act of confiscation, and was not a general claim on all goods of felons.<sup>3</sup> R. Stewart-Brown gives another example of a dispute about "pelf", but this, again, is not connected with the Macclesfield serjeanty.<sup>4</sup>

The right to execute criminals presupposes a right to arrest, and "they had an *ex-officio* power to arrest, or place under attachment, on their own suspicion, or upon that of others communicated to them".<sup>5</sup> They were also expected to make presentments of suspects, report crime,

<sup>1</sup> Eyre Roll—Macclesfield, Chester 17/15, m. 33a.

<sup>2</sup> Stewart-Brown, *op. cit.*, pp. 6, 21, 114.

<sup>3</sup> Plea Roll, Chester 29/25, m. 40d.

<sup>4</sup> Stewart-Brown, *op. cit.*, p. 114.

<sup>5</sup> *Ibid.*, pp. 74-5.



summon persons indicted by juries of the hundred to appear at the eyre, and to distrain the goods and chattels of the persons they summoned and presented.<sup>1</sup>

Most of the evidence on these points comes from the second half of the fourteenth century. The earliest surviving Macclesfield Eyre Roll covers the period 1285 to 1290. This records that Thomas de Davenport, acting as serjeant of the peace for his father, with other ministers of the queen, went to the house of Richard de Trafford, parson of Cheadle, to arrest John de Punchardin, a robber received therein, and because John had fled they took his horse found there; the parson immediately caused excommunication to be denounced against them by Simon his chaplain, in contempt of the king and queen. In this affair Thomas appears to be merely an ordinary plaintiff, with no special functions attaching him to the court.<sup>2</sup>

The next surviving Macclesfield Eyre Roll covers the period 1336-52, and in it are two instances of the serjeants making presentments at the Eyre of September, 1342.<sup>3</sup> In the first, Richard de Swettenham, Richard Sclegh, William de Bebynton, and Thomas de Vernon, serjeants of the peace of the hundred of Macclesfield, presented that William de Mottrum had been outlawed in the county court for felony, and the serjeants had therefore taken the goods of the said William, and presented them to their mistress, the queen, as forfeit. These goods are listed and valued; for example, five cows worth 50 shillings, four cows worth 32 shillings, a "styrk" worth two shillings, a calf worth 12*d.*, growing crops worth two shillings, harvested crops worth 3*s.* 8*d.*, and so on. After this William's son Edmund came and claimed that all these goods were his property, and that his father had no rights in them; but the serjeants said otherwise, and a day was appointed for an inquiry before the justiciar of Chester at the next Eyre. The goods were delivered to Adam and Edmund de Mottrum to hold until the appointed day, when they were to bring them or their value to the court, under suitable penalty for failure to do so. The jury then decided that the goods had been given to Edmund by collusion, and they therefore rightly belonged to their mistress, the queen.

At the same Eyre, three of these serjeants presented that William le Taillor of Honford had broken the queen's peace by assaulting Roger de Stanylondes in Honford. William cut off Roger's hand with a sword, and so maltreated him that his life was despaired of; William had then fled to the church of Macclesfield. The serjeants went to his house, and appointed a day for him to come and make his peace. On that day at the fixed hour the serjeants sought William at his house in Honford, but they could not find him there, so they took his goods that they found in

<sup>1</sup> Stewart-Brown, *op. cit.*, pp. 76-80.

<sup>2</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 247.

<sup>3</sup> Eyre Roll, Chester 17/13, m. 67.



his house, and presented them to their mistress as forfeit. Again, a son, Robert, came and claimed that the goods were his and not his father's, but an inquiry judged them to be rightly forfeit to the queen.

Among the pleas of the crown and gaol delivery held at Macclesfield on Monday, 12th June, 1357, a jury presented that John de Davenport of Bramhall, serjeant of the peace in the hundred of Macclesfield, had been ordered by a writ of the lord earl to arrest William de Walkeden, outlawed for felony; but John had wilfully allowed William to wander at large in Stockport and elsewhere, to the prejudice of the earl's peace, although he had plenty of opportunities to make the arrest. An inquiry, however, found him not guilty, and he was quit.<sup>1</sup>

Four years later, at the Eyre of 1361, the serjeants were again involved in presentations. Nearly all of these concerned persons outlawed in the county court, whose goods and chattels the serjeants had confiscated; in a few instances they had then presented the goods to the bailiff of Macclesfield. As in 1342, sons appeared claiming that the goods confiscated were not their father's but their own. One case concerned the confiscation of the goods of Sewall de Bredbury, who fled after he had murdered Richard le Barber of Stockport.<sup>2</sup> No names of under-serjeants are mentioned; the stock formula is *servientes pacis presentant quod*. . . .

In 1362 the serjeants presented that William de Hulme had come to Adlington on the previous 2nd November, and had broken into the house of Richard, son of Hugh del Sherd, and had beaten and seriously wounded Richard, and immediately afterwards fled into the county of Lancaster; so the serjeants went to his house at Worth, and since William did not make his peace they confiscated his goods and chattels. On the same membrane Alan Perssons, catchpoll of the town of Macclesfield and forester of the Forest of Macclesfield in fee, presented that Thomas le Walker had murdered Roger Wodecok at Macclesfield the previous July.<sup>3</sup>

In 1364, the serjeants again presented outlawed persons whose goods they had confiscated; they had also arrested and committed to Macclesfield gaol a certain William de Profyt, *captum per suspicionem felonii*.<sup>4</sup> Two years later, John de Blakeburne and Adam, his son, were presented by the serjeants for having stolen a cow of Robert de Asscheton, *et cum eadem vacca fugerunt*; the serjeants therefore confiscated their goods and chattels, and presented them to the bailiff of Macclesfield. Among the property listed was a bull worth 16 shillings, which was sold to Richard, son of Simon de Mottrum, and two cows worth 8 shillings each, which were sold to Henry de Prestbury.

In January, 1366, Richard del Burell murdered Philip Harald at Macclesfield and immediately afterwards fled; the serjeants went to his house at Pexhull, arrested him, and took him to Macclesfield gaol; and

<sup>1</sup> *Ibid.*, 17/14, m. 15.

<sup>2</sup> Indictment Roll, Chester 25/19 m. 32a.

<sup>3</sup> *Ibid.*, m. 35.

<sup>4</sup> *Ibid.*, m. 45a.

they took his goods and chattels within the bailiwick, and presented them to the bailiff of Macclesfield. The goods are listed with their values, and the names of the persons to whom they were sold. John de Davenport of Bramhall, master-serjeant, claimed a black horse worth 10 marks, presumably as "pelf", but the term is never used. Henry, son of Richard del Burell, claimed that the horse was his own, not his father's. A decision on this was postponed until the next eyre.<sup>1</sup>

In 1374, the serjeants presented eight cases of persons taken for felony and committed to the gaol of Macclesfield.<sup>2</sup> The tale is much the same in the succeeding years of the century. The Calendar of Indictments for the eyre of 1376 lists 9 persons indicted by the serjeants of the peace. In 1378, 1379, 1384, and 1392, a total of 26 persons were indicted by the serjeants.<sup>3</sup> Similarly, from 1377 to the end of the century, the serjeants are to be found making arrests and presentments, committing persons arrested for felony to Macclesfield gaol, and confiscating or distraining the goods and chattels of outlawed or suspected persons.<sup>4</sup> In one or two instances arrest was resisted; in 1383, for example, one of the serjeants, a Robert de Whytecurtell, had a warrant to arrest Geoffrey, son of William le Mulward, but the latter set upon him, and with accomplices threw Robert to the ground and nearly killed him, but Robert, lying beneath them, for fear of death and in self defence struck Geoffrey with a dagger.<sup>5</sup>

This large bulk of evidence for the second half of the fourteenth century, shows the serjeants of the peace as an active institution, with a personnel that cannot be numbered by merely cataloguing the names of under-serjeants. Over 20 different names of under-serjeants occur in this fifty-year period; of these, 9 occur together in the Indictments for the Eyre of 1393—*Johannes de Sondebache, Willelmus le Warde, Robertus le Mascy, Ricardus de Neuton, Johannes Janny, Willelmus de Bradford, Hugo de Hennesshagh, Johannes Saunderessone, Thomas Nyle*—and they are headed by *Radulphus de Davenport, filius et heres Radulphi de Davenport militis, magister servientium pacis hundredi de Macclesfeld*, who was then only a boy of 15.<sup>6</sup> Most of these under-serjeants occur more than once in the last decade of the century, but whether or not the above list is their total strength at the time, it is impossible to say.

This evidence also shows that the serjeants of the peace had a fairly well defined function in the administration of justice, and the maintenance of the earl's peace; but conclusions cannot be based on this evidence

<sup>1</sup> Indictment Roll, Chester 25/20, m. 27.

<sup>2</sup> *Ibid.*, m. 85.

<sup>3</sup> Calendar Roll, Chester 20/7, mm. 6, 7, 10, 16d.

<sup>4</sup> Mainprise Roll, Chester 26/21, mm. 1, 2d.; Eyre Roll, Chester 17/15, mm. 33, 33a; Indictment Roll, Chester 25/20, mm. 90, 92, 95, Chester 25/21, mm. 17, 34, 35, 38, Chester 25/22, mm. 7, 18, 25, 26, 32.

<sup>5</sup> Indictment Roll, Chester 25/21, m. 17.

<sup>6</sup> *Ibid.*, 25/22, m. 26.

alone for their functions in the previous century. In fact, the absence of any reference to the serjeants, as such, acting in conjunction with the courts, in the Eyre Roll of 1285-90, suggests that their powers and functions had been limited and amended by the end of the fourteenth century, when they acted on warrants and precepts, and were obliged, or wont, to report at the annual eyre.

Much has been written about the origins and practice of the system by which the serjeants of the peace and other officials were maintained, especially when the duties of these officials carried them far afield in the county or hundred, in perambulations for preserving the peace, in the pursuit of criminals, and so on. In Wales, for example, the "annual services were called *Kilgh*, . . . metaphorically signifying a course of anything which returned at stated times, a circle, but in the Welsh laws meaning a yearly custom of provision, or other things paid to the prince's officers or servants by those who held land under him". This service, sometimes represented as a customary one, and sometimes as a voluntary one, normally consisted of finding pasture for the bailiff, or steward, and his horse, and sometimes for his servant, for a day and a night, or a day only.<sup>1</sup> The Flintshire Ministers' Accounts of the first half of the fourteenth century, show this service described, in connection with the serjeants, as *victus*, *pothiantcais*, *cylchcais*, *pastus pencais*, *potura satellitum*, or, simply, as *potura servientis pacis*.<sup>2</sup> There is probably a connection between the *Firma unius noctis*, and this system; and, as R. Stewart-Brown points out, the custom of providing maintenance for officials probably goes back to Celtic times.<sup>3</sup>

In Cheshire, the burden of providing maintenance often appears as a *forinsec* tenurial service, owed to the chief lord's officials, due from lands or tenements known as *warlands*, *terre puture*, *old ox-gang land*, *tres lande terre* called *warlands*, three selions of *warland* containing an acre, or simply as *stagia*, as the Salemon marriage agreement describes such tenements.<sup>4</sup> Round, Vinogradoff, Bateson, and others, have all defined *wara*, and the general conclusion has been reached that it represents the old English word for "defence".<sup>5</sup> It appears, therefore, that these warlands were the "geldable" lands, which, in Domesday Book, "defended" or exempted other areas from the payment of geld.

<sup>1</sup> Ellis, *Record of Caernarvon* (R.C., 1838), Introduction, pp. x and xv.

<sup>2</sup> Jones, *Flintshire Ministers' Accounts 1301-28* (Flintshire Historical Society Publications, Volume 3, 1913), Introduction, pp. xiii, xxv, xxvi, xxvii; Evans, *Flintshire Ministers' Accounts 1328-53* (Flintshire Historical Society, Record Series, No. 2, 1929), Introduction, pp. xvii-xviii, xxviii.

<sup>3</sup> Stewart-Brown, *op. cit.*, p. 82; Vinogradoff, *Growth of the Manor*, pp. 223, 282; Demarest, "The Firma Unius Noctis", *E.H.R.*, XXXV, pp. 78, 79.

<sup>4</sup> Transcript 17.

<sup>5</sup> Round, *Feudal England*, pp. 115-7; Vinogradoff, *Villeinage*, pp. 241-4; Bateson, *Borough Customs*, ii, p. clix.

The earl of Chester often granted specific exemptions from feeding his serjeants, or foresters, or other officials, when he granted land on which lay this burden of defence. The inquisition taken in 1244-5, regarding Vivian de Davenport's serjeanty, showed that Earl Ranulf and Earl John the Scot had both made extensive exemptions against Vivian's will. Most, if not all, of the Staffordshire area appurtenant to the hundred of Macclesfield had already been exempted, as had the town of Mottram in Longdendale, and the lands of Richard Fitton and Richard de Mottram.<sup>1</sup> Sometimes grants of land were made quit from all secular service "saving entertainment for the serjeants", as in a grant by Robert Pigot to Robert de Worth about 1245-50 of lands and rents in Chelford, Astle and Withington.<sup>2</sup> Again, in an inquisition of 1293-4, Sir Geoffrey de Cheadle was found to owe puture for the serjeants of the peace of the manor of Macclesfield, *de terris forinsecis* of the manor of Cheadle.<sup>3</sup> Puture was also frequently withdrawn or withheld. In 1260 Roger de Davenport sued for his puture in Hattersley; in 1281 there had been a general withholding of puture; and a dispute about puture in Butley, which sprang up in 1280-1 was not settled until 1302.<sup>4</sup>

Disputes about the incidence of puture, the fact that exemptions had been made, and the need for keeping a check on the places they had visited, and where they had exacted their reasonable claim, would suggest to the serjeants the desirability of some record. An interesting series of "puture rolls", the record kept by the serjeants, survives in the Bromley-Davenport muniments. One of these rolls is headed *rotulus kelkis*, or "kelk roll", deriving from the Welsh *Kilgh*. The earliest roll is of late thirteenth or early fourteenth century, and the two latest are of early sixteenth century. These rolls show a growing tendency to commute the service for a money payment, changes in the amounts paid and in the types of persons paying, and a few references to the type of land on which the burden fell.<sup>5</sup>

The only previous "puture roll" to have been printed and discussed is a Blackburnshire one of about 1440 or 1450. The Davenport rolls are considerably different in arrangement, in the information they give, and in the fact that the sheriff never appears, as in the Blackburnshire roll, where puture appears to have been a sort of "sheriff's aid", rather than a service or payment exacted and used by the serjeants themselves.<sup>6</sup>

<sup>1</sup> Transcript 16.

<sup>2</sup> Tait, *Chart. Chester Abbey* (Chet. Soc. N.S. 79, 82), p. 319.

<sup>3</sup> Ormerod (Helsby), iii, p. 621.

<sup>4</sup> *Chester County Court Rolls* (Chet. Soc., N.S. 84), p. 13; *Cal. Pat. R.*, 1272-1281, pp. 471-2; 1281-1292, p. 76; B.D.M., II, 3, Macclesfield.

<sup>5</sup> Transcripts 2 to 8.

<sup>6</sup> Tupling, *op. cit.*, pp. 48-57, especially 52-3; Tupling, *Economic History of Rossendale*, pp. 13-14; Anderton, "A Blackburnshire Puture Roll", *Trans. Hist. Soc. L. & C.*, 64 (N.S. 28), pp. 273-86.

The first roll<sup>1</sup> lists the names of 27 different townships in the hundred of Macclesfield; against most of these townships is entered a sum of money, which may be the amount collected or the assessed value of the amounts of cash, kind, or hospitality received, and a quantity of corn, which is presumably the fodder exacted for the horse of the master-serjeant. Under the name of nearly every township is a list of persons, of whom altogether 213 are named. Of these, 47 were quit, and 29 others paid cash sums, varying from a penny paid by 20, to one payment of two shillings, and one of five shillings. The total sums listed add up to over £9 in cash, and over 30 bushels of corn. This shows that cash payments were the exception rather than the rule. The lists of names had been made out before the sums of money and other notes were added. Some of the places listed had not been visited during the period for which the roll accounted, and some places not listed had been visited, and puture demanded. The roll, therefore, served two purposes; it was a list of those persons holding lands or houses where the serjeants were entitled to demand puture, and it was a record of where they had been, and the amounts they had extracted.

The second roll in the series<sup>2</sup> is the accounts for two years stitched together; the first two membranes are *Rotulus de putura anno xvj<sup>mo</sup>*—16 Edward III (1342-3); and the last two membranes are *anno xxix<sup>o</sup>*—29 Edward III (1355-6). The accounts for these years are again arranged as in the earliest roll, but an important difference is that the persons named nearly all have a sum of money entered against them, and each township pays a *summa*, which is the addition of all the sums listed against the individuals in the township so named. In 16 Edward III of 160 persons named, 136 paid sums of money varying between 2*d.* and 2*s.* 6*d.*, the majority paying between 12*d.* and 19½*d.* No fodder payments are recorded in the 16 Edward III account, but over 20 people are listed as feeding the serjeants. In certain townships the leading member, or a leading member, was becoming solely responsible for the service of puture owed to the serjeants. Puture was becoming the burden of the landed "gentry", rather than an incident of particular tenures. The total amount collected in 16 Edward III was £8 4*s.* 8*d.*; this, plus another 19*s.* 6*d.* collected since July 25th, brought the total issues of the serjeanty for that year to £9 4*s.* 2*d.*, which is surprisingly near the total of the first roll.

In 29 Edward III nobody is said to be feeding the serjeants, and of the 140-odd names listed, over 120 pay sums from 6*d.* to 8*s.* 8*d.*, but again mostly between 1*s.* and 1*s.* 7½*d.* The remaining persons named have nothing listed against them. In this year, however, amounts of fodder again appear against each township. The total amount collected was 56½ bushels of corn, worth 37*s.* 8*d.* at 8*s.* per quarter; and the sum total

<sup>1</sup> Transcript 2.

<sup>2</sup> Transcript 3.

of the roll was £9 4s. 2½d., but of this the cash collection was £7 6s. 6½d. Of the total sum the master-serjeant had received £7 9s. 6d. from Matthew Whitehead, one of his under-serjeants. The latter had also paid 2s. to William *Boner*, and 3s. to the master-serjeant's wife. Afterwards he had paid 13s. 4d. more, bringing the total payments to £8 7s. 10d., and so Matthew still owed 16s. 4½d. Of this he paid 2s. to John de Davenport in his *camera* at Bramhall, 3s. to Elena, wife of Hugh de Foxwist, and another 3s. to the mistress of Bramhall. He also accounted for a payment of 12d. to John de Davenport, another of 2d. to *Hondekyn le Spenser* by his lord's order, and 3s. 4d. to John de Davenport at Stockport, bringing the total amount owed down to 3s. 10½d.

The next roll<sup>1</sup> accounts for the period from Michaelmas, 1356, to Michaelmas, 1357. The form is much the same, but once again a few individuals pay nothing, because "they fed the serjeants". Of over 150 persons, over 130 are listed as making money payments, 5 pay no cash because they fed the serjeants, but 7 others have *nihil* entered against them. Under Staley the word *Gildabil* appears on two occasions, confirming the close connection between geld-lands and puture-lands. The total cash collected was £7 5s. 11½d., and the total amount of fodder was 4 qrs. and 8 hoppers<sup>2</sup> corn, worth £2 8s. 2½d., bringing the total receipts for the year to £9 14s. 1d., of which £8 had been paid to Sir John de Davenport, and 34s. 1d. remained. Later payments *per manus Mathei Whithened* brought the total to £9 7s. 4d. with 6s. 9d. unaccounted for.

Attached to the latter account is an indenture made between John de Davenport of Bramhall, serjeant of the peace of the hundred of Macclesfield, and Matthew Whitehead, concerning the expenses of the latter in the serjeanty of the same hundred from Michaelmas, 1358, to Michaelmas, 1359. This covered such items as buying apples at Stockport, buying fish on the 1st February, the day before the feast of the Purification, buying a loaf of wastel bread for the use of John de Davenport, buying wine at the Macclesfield Eyre, and buying parchment there. Various other purchases and payments had also been made; the total puture for the term ending in 1359 was £7 6s. 6½d.; and the fodder for the year amounted to 40s. 1½d., making a total of £9 6s. 9d.<sup>3</sup> Of this, John paid Thomas de Davenport, the nominal master-serjeant, through Matthew Whitehead, £6 2s. 4½d.; and he paid John de Davenport, probably Thomas's son, 18s. 6½d. John had also paid Thomas de Davenport goods, including arrows, to the value of 5s. 1d., and another sum of £1 11s. 8d.

<sup>1</sup> Transcript 4.

<sup>2</sup> For a discussion of weights and measures in Cheshire at this period see Hewitt, *op. cit.*, pp. 41, 189.

<sup>3</sup> This should be £9 6s. 8d. if the previous figures are correct, but this would not fit what follows.



through Matilda de Davenport, Thomas's wife. The total paid, therefore, was £8 17s. 8d., and that left 9s. 1d. still owing.

The next roll<sup>1</sup> dates from the beginning of the reign of Richard II. In this account nobody feeds the serjeants, and every person, of over 90 listed, has a cash payment against his name, sums varying from 4d. to 9s., but mostly between 1s. and 1s. 6d. In addition, the fodder payments have been commuted into cash rents, and there is a second column of figures against nearly every person, of sums between 2d. and 3½d. The total fodder payments thus collected were 19s. 11½d., and the total puture was £6 7s. 3d. To the first membrane of the 1356-7 roll was attached a scrap of parchment with a few scribbled notes on those whose payments of puture were in arrears. To this account of 1378, or shortly after, is added a list of those *aretro de provendo*, and a special note is made that John *del Ruggeway* was 10s. in arrears at the last account on Friday, 23rd April, 1378. On the dorse of the first membrane are listed those who had not paid, with the sums due; one of them *Nicolas de Ranowe*, has his name erased, presumably because he paid later.

Next is the "kelk roll" <sup>2</sup> for 8 Henry IV (1406-7). In this roll the form of the 1356-7 account is reverted to, and only one column of cash payments appears. Of the 80 or more persons listed, 7 also give a corn contribution; all pay a cash sum, and in over 50 instances this is 2s. Near the end of the dorse of the first membrane is the entry—*Item de molendino de Macclesfeld xxiiiij s.* This must be the annual rent of 24s. out of the park and mill of Macclesfield, which the Davenports received with the serjeanty to provide and repair the robes of their under-serjeants. The appearance of this rent in this account may be accidental, but suggests that the fees of the serjeanty were being consolidated into one comprehensive account by the beginning of the fifteenth century, another mark of change and decline. The total cash payments listed in this account are £9 9s. 8½d., but each membrane is added separately, and there is no account of debts, or expenses.

Finally, the last two rolls,<sup>3</sup> both single membranes, and much shorter than any of the others, but, like them, about three inches wide, record the puture of the serjeanty of the hundred of Macclesfield for two almost consecutive periods in 19 and 20 Henry VII (1503-5). They are both short lists of a dozen or so names of the leading men of the hundred who appear to have become responsible for the puture payments incumbent on all holders of *warlands* in the hundred. The town of Chelford still accounts separately as such, but in general the heads of the leading families, the landed gentry, the squires, are those who appear. Eleven names appear in both lists, and, of these, in ten instances, the payment made is the same. The total amount listed in the 1503-4 account is £3 1s. 6d., and in the 1504-5 account it is £2 11s. 7½d. The amounts

<sup>1</sup> Transcript 5.

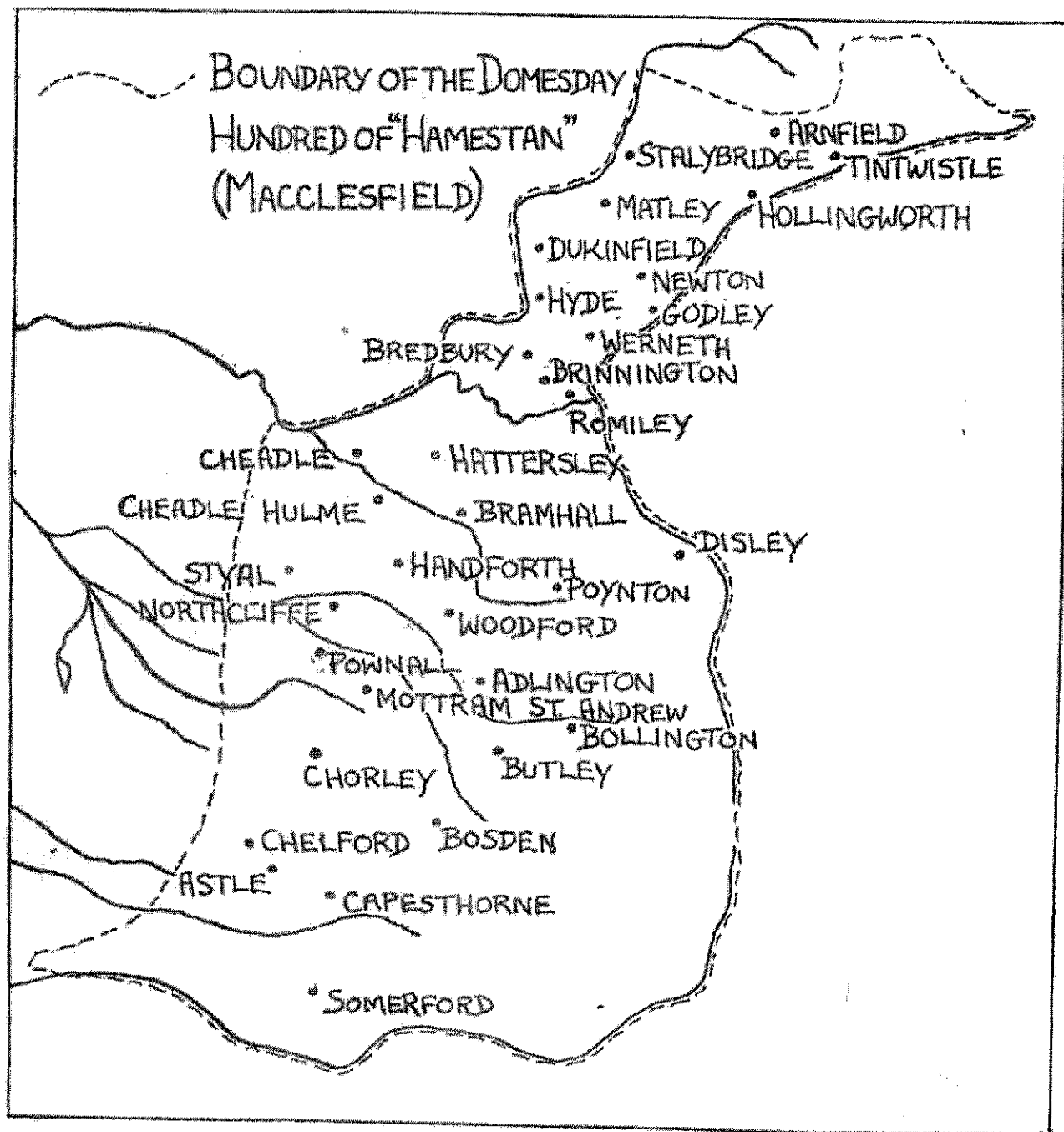
<sup>2</sup> Transcript 6.

<sup>3</sup> Transcripts 7 and 8.



collected had declined with the decline of the office of serjeants of the peace.

In conclusion, it should be noted that the functions of the serjeants were largely extra-judicial, and, therefore, little time has been spent on the normal processes of justice through the courts. The changing relationships of the county of Chester with its "liberty" of Macclesfield, and of both with the rest of England and Wales, probably had important formative and destructive influences on the institution of the serjeants of the peace. I have not attempted to measure this influence. Much material relating to the serjeants in the rest of the county remains to be used; and puture, and the problems of maintenance, might well deserve a much more thorough and general study.



MAP 2.—Showing where the serjeants had maintenance

[illegible]

Extract from "Robber Roll", showing the beginning of the list of criminals executed in the time of Thomas de Davenport, for the heads of whom the customary fees had not been received, namely, two shillings and a salmon for a "master robber" and one shilling for others (lines 6 & 9).  
1333-52. [Frontispiece  
Transcript 1, lines 65-84.]

## TRANSCRIPTS

### 1. *Robber Roll and attachments.*

1333-1352; the attachments are dated 20th June, 1352, and Friday, 22nd June, 1352.

B.D.M., II, 3, Macclesfield.

(a) Main Schedule—2 ft. 3 in. × 3½ in.

Hec sunt nomina latronum decollatorum per antecessores Rogeri de Davenepot, scilicet in tempore Viviani de Davenepot et postea in tempore Rogeri de Davenepot; Pymme de (Wyde)ford<sup>1</sup> fuit decollatus per predictos Vivianum et Rogerum et servientes (eorum)<sup>2</sup> Et officia sua habuerunt que ballivis suis concessit Ranulphus<sup>3</sup> comes scilicet duos solidos et unum salmonem quia magister latronum fuit, et tantum<sup>4</sup> fuit sergencie sue in hundredo de Macclisfeld per dominum Ranulphum comitem sceytum<sup>5</sup> si magister latronum fuit duos solidos et unum salmonem, si alius latronum fuit xij d. et de hoc fuerunt semper in sua tempora feoda scesita. Cum Pymme de (Wy)deford<sup>6</sup> unum alium latronem<sup>7</sup> erat decolatus eo tempore cum illo, et xij d. habuerunt. Heyne de Brereton fuit decolatus et duo sossii<sup>8</sup> cum illo, et iiij solidos habuerunt, et unum salmonem quia primus eorum fuit magister latronum. Johannes le Bray de ( . . . )<sup>9</sup> ham et duo sossi cum illo item fuerunt et habuerunt. Willelmus de Ledissam cum duo soscii idem in eodem in parko de Alneton.<sup>10</sup> Willelmus Proudfof magister latronum fuit et feodum habuerunt sicut<sup>11</sup> prius dictum est; et duo latrones occiderunt apud Lec et postea Penyssefoyl occiderunt apud Lec. Item duo latrones apud Bothyslegh,<sup>12</sup> idem in eodem fuerunt et habuerunt. Radulphus de Chernoc magister fuit et tres socii cum illo item in eodem sicut prius apud Deuelacres. Jordanus Carpentarius de Slidirford item sicut prius. Item tres sindores loculorum<sup>13</sup> qui occiderunt filium Emme Doddil et sergencie sue obviaverunt<sup>14</sup> et illum occiderunt, et item in eodem iure habuerunt; et Ricardus

<sup>1</sup> Illegible, a guess for Wydeford (modern Woodford).

<sup>2</sup> Illegible, this seems the best guess.

<sup>3</sup> Expanded from *Et offic' sua habuerunt q' Ball' s' concess' Ran'*—the order of the words is unusual.

<sup>4</sup> Expanded from *t̄m*, but could be *tanquam*.

<sup>5</sup> Inserted above the line, probably for *seisitum*.

<sup>6</sup> See note 1.

<sup>7</sup> Should be nominative case.

<sup>8</sup> For *socii*, see other variants *passim*.

<sup>9</sup> Illegible.

<sup>10</sup> Probably Oulton Park (near Peover).

<sup>11</sup> *Sic*.

<sup>12</sup> Bosley (near Congleton).

<sup>13</sup> "Cutters of purses."

<sup>14</sup> "They opposed the serjeanty", meaning perhaps that they resisted arrest.

Sparue magister fuit et duos socios cum illo occiderunt et iura habuerunt. Thomas Bray cum uno socio occiderunt apud Baxcomsdene <sup>1</sup> et iura habuerunt. Henricum Mondillisheuid et Willelmum Garlec occiderunt apud Distislech', <sup>2</sup> et duo apud Gite. Willelmum Herinc cum quattuor sociis occiderunt apud Heylmarishurst. <sup>3</sup> Willelmum Trusele cum Boude socio suo occiderunt apud Heppalis. Item Willelmum filium Perss- (. . . ) <sup>4</sup> cum Rogero socio suo occiderunt apud Poninton. Willelmum le Archer cum duobus sociis item apud Poninton occiderunt. Willelmum de le Berne cum uno socio occiderunt apud Adlinton et unum latronem occiderunt apud le Scerd. <sup>5</sup> Pymme le Palmer cum tribus sociis occiderunt apud Buttilech'. <sup>6</sup> Adam de le Ruding de Buttilech' item occiderunt. Adekoc de Bolinton item occiderunt apud Bolinton. <sup>7</sup> Thomam Bouullouc cum duobus sociis apud Huynschaye <sup>8</sup> occiderunt. Thomam Gateles cum uno socio occiderunt apud Moctrisheuid. <sup>9</sup> Pymme Hetewell item occiderunt. Ricardum de Morlechys item occiderunt apud Wilmeslowe. Adam filium Coton item occiderunt apud Scherlech <sup>10</sup> et unum apud Mobbirlechboth' <sup>11</sup> et unum latronem apud [Assale] <sup>12</sup> Haselech' <sup>13</sup> et Ricardum Barciator apud Tymperlech' et Ricardum le Halte et filium suum occiderunt apud Tofte; Ricardum le Bonetable de Twamelowe, Willelmum Houa et Johannem de Forde cum uno socio, item filium domine de Loskisford et Ricardum de Helech' item occiderunt apud Alisdomswalle. <sup>14</sup> Willelmum Aleway occiderunt apud Congulton, Ricardum filium vidue apud Gousworth occiderunt, et duo pro uno iumento apud Peyribaldislowe. <sup>15</sup> Roboratores <sup>16</sup> nonos apud Somerford pro uno iumento. Houde Croude in Longedene, <sup>17</sup> Radulphum fratrem Petri de Moctram, [et Blo] <sup>18</sup> et duo apud Stauelech' <sup>19</sup> et quattuor apud Dokinfelt et Henricum Stoce apud Squeteham, <sup>20</sup> et Simon Godmon apud Scarthorn, <sup>21</sup> et unum apud Horton' et Galfridum de Horton'. Item Ranulphum de Congulton, et roboratorem de Hosprinc, sindores loculorum <sup>22</sup> occiderunt pro panno et roboratorem de Pevere cum Ricardo filio Nicke socio suo et unum latronem providentem Thomam de Herbi, roboratorem Buldur cum uno socio apud Asteburi et unum pro uno iumento apud

<sup>1</sup> Possibly Bosden (in Handforth).

<sup>2</sup> Disley.

<sup>3</sup> Not known.

<sup>4</sup> Illegible.

<sup>5</sup> Probably in Adlington.

<sup>6</sup> Butley (cum Newton).

<sup>7</sup> Bollington (in Prestbury).

<sup>8</sup> Henshaw (in Siddington).

<sup>9</sup> Mottershead (in Mottram St. Andrew).

<sup>10</sup> Possibly Shurlach (by Northwich), or even Chorley (near Macclesfield), but the form is unusual.

<sup>11</sup> Probably in Mobberley.

<sup>12</sup> *Sic*—probably Sale, or Astle (in Chelford).

<sup>13</sup> Possibly Ashley, but the form is unusual.

<sup>14</sup> Not known.

<sup>15</sup> Not known, probably a field-name.

<sup>16</sup> Or *robore*s—*Ducange* finds *roborator* in a charter of Ranulf, Earl of Chester.

<sup>17</sup> Longdendale.

<sup>18</sup> *Sic*.

<sup>19</sup> Staley (modern Stalybridge).

<sup>20</sup> Swettenham.

<sup>21</sup> Not known.

<sup>22</sup> See above, lines 21-2.

Moselech',<sup>1</sup> filium Roboratoris de Hep, apud Finlowe,<sup>2</sup> Ricardum le Dene, Henricum de Pyllaslech' et Willelmum de Carlel cum duobus socios apud Heulech 'Walle in commite de Haulton<sup>3</sup> et Walterum de Couderey et Dike filium Dogge de Mamcestris et Dikun de Prestwych et Ricardum de Picford. De omnibus illis et de pluribus de quibus non recolunt<sup>4</sup> semper in suo tempore omnium aliorum sergentium cum custodientes fuerunt tantum scesitum scilicet si magister latronum erat duos solidos et unum salmonem, si magister non erat xij denarios, et hoc petimus ad huc de iure ut prius prenotatum est.<sup>5</sup>

Item hec sunt nomina latronum decolatorum in tempore Thome de Davenepoort de quibus nichil habuit quod sergencie sue feodis pertinet iure, et sic de tenemento postquam [Regina]<sup>6</sup> Domina mea Regina Anglie scesita fuit in libertate de Macclisfeltde; Ricardus le Bonetable magister latronum fuit et nichil habuit quod sergencie sue pertinet iure ut dictum est feodis scilicet duos solidos et unum salmonem, et ita ceperunt antecessores ut prius intimatum est in rotulo; nec de Ada de Mitton' magistro latronum cum Ada de Cromton' socio suo, et xij d. debuerunt habuisse pro illo quod non fuit magister; nec de Thoma Geyle, nec de Willelmo le Seuter, nec de duobus socios Johannis de Rudale, nec de Waltero le Bocher, nec de Roboratore de Pexul, nec de Willelmo le Salter, nec de Willelmo Rillebon, nec de Willelmo Doudi, nec pro Willelmo Proudiche-wrist, nec pro filio Hugonis Roboc, nec pro Ricardo Houuere, nec pro Johanne Lethyr magistro latronum, nec pro Willelmo le Tournour socio suo, nec pro tribus latronibus quia solebant sindere oculos, quos occiderunt, et unum hominem de Macclisfelt, nec Johanne Coli, magister latronum fuit, nec de [Will]<sup>7</sup> Roberto de Ledis, socio suo, nec de Ricardo de Quitfelt, magister latronum fuit, et Willelmo filio suo cum duobus socios, Ricardo filio Ricardi le Bonetable, Johanne Seniel et Henrico de Meluer, Johanne Hackesalt, Willelmo Thunnewit, Willelmo le Fode; Roboratore le Norreys et quattuor latrones pro domo Ade Walramy, et unum latronem apud Hyde et unum latronem apud Toskele<sup>8</sup> et tres sindores oculorum<sup>9</sup> qui occiderunt filium Emme Doddil,<sup>10</sup> et Willelmum Quirdenewe (quem)<sup>11</sup> occiderunt apud S( . . . )<sup>12</sup> (et occiderunt)<sup>13</sup> Thomam le Turnor (et ceteri)<sup>14</sup> in Cestr' (decollati fuerunt;)<sup>15</sup> et Adam Baldislowe occiderunt cum ( . . . )<sup>16</sup> in Longedene.<sup>17</sup>

<sup>1</sup> Mossley (near Congleton).

<sup>2</sup> Not known, probably a field-name.

<sup>3</sup> Not known, somewhere in the Honor of Halton.

<sup>4</sup> Expanded from *recol'*.

<sup>5</sup> A 2 in. space follows.

<sup>6</sup> *Sic*.

<sup>7</sup> *Sic*.

<sup>8</sup> Possibly Taxal, but the form is unusual.

<sup>9</sup> See above, lines 21-2.

<sup>10</sup> Cf. a similar passage earlier in the roll.

<sup>11</sup> Illegible, this seems the best guess.

<sup>12</sup> Illegible.

<sup>13</sup> Illegible, this seems the best guess.

<sup>14</sup> Illegible, this seems the best guess.

<sup>15</sup> Illegible, this seems the best guess.

<sup>16</sup> Illegible.

<sup>17</sup> Probably not the last line of the original text; one or two lines may be hidden under the stitching of the two attachments.

(b) Attachment—10½ in. × 3 in.

In redditibus resolutis Johanni Davenepot' capitali servienti pacis hundredi de Macclesfeld' pro quodam reddito concessio antecessoribus suis in feodo per Ranulphum comitem Cestrie in escambio pro terra inclusa infra parcum que vocatur Wilwhik de parte xxiiij s. per annum pro terminis Nativitatis Domini et Nativitatis sancti Johannis Baptiste allocatis per compotum precedentem tempore Regine et quia testatum est quod semper soluti fuerunt tanquam pertinentes ballive sue per inquisitionem captam coram Justiciario et auditoribus per sacramentum proborum et legalium hominum xx<sup>o</sup> die Junii anno regni regis E. tertij post conquestum xxvj<sup>to</sup>.

(c) Attachment—10½ in. × 2 in.

Inquisitio capta coram Thoma de Ferrers, Justiciario Cestrie, Nicholo Pynnok et Willelmo de Spridlington' auditoribus domini Principis existentibus apud Macclesfeld' die veneris proximo ante festum Nativitatis sancti Johannis Baptiste anno regni regis E. tertij a conquestu xxvj<sup>to</sup>. per sacramentum Ricardi Fyton', Thome Wybot, Willelmi Pygot, Rogeri filii Rogeri de Vernon', Johannis filii Ricardi Fyton', Thome de Wych, Willelmi de Whystanfeld, Ricardi le Ward' de Somerford, Ricardi Chaumpayne, Johannis de Sutton, Edmundi de Dounes, et Hugonis de Tydrynton', juratorum, qui dicunt super sacramentum suum quod dum Adam de Sutton fuit approuiator<sup>1</sup> dum in sergancia habuit viginti et quattuor solidos pro mantellis reperiendis subservientibus suis, et quod Vivianus de Davenport' et heredes sui a tempore excambij dicte ballive pro terra de Wylwyk annuatim perceperunt predictos xxiiij s. et semper ballivi dicti (et servientes sui lo)cabiles,<sup>2</sup> ceperunt et habuerunt allocationem de eisdem xxiiij s. et dicitur quod molendinum et manerium sunt parcella dicte terre excambite.

*Endorsements*—on (a) fourteenth-century "Robertus Fulwode"; seventeenth-century "Rentale cum inquisicione"; and a later one, probably nineteenth-century "26.E.3".

## 2. *Pature Roll.*

*Early fourteenth century.*

B.D.M., II, 3, Macclesfield.

2 mm. 3 in. wide.

m.i. Somerford. xj s. xj d.<sup>3</sup> Assit' principio sancta Maria mea<sup>4</sup>

<sup>1</sup> For Classical Latin *adprobator*, occurs as *appruator* (c. 1290), meaning "one who draws profits from land", here probably for "holder" or "farmer".

<sup>2</sup> The words in brackets are a guess, based on a few faint letters; but the *locabiles* gives the special definition of "hired" to *servientes*.

<sup>3</sup> The cash figures have been added in a rough hand throughout the roll, as have amounts of corn, and *q't* for *quisto*, *quietum*, or *quietus est*.

<sup>4</sup> May be date of first assessment, but not clear.



De Thoma Le Warde De Willelmo Syberd De Willelmo filio Willelmi  
De Willelmo de Suetyham De Thoma filio Willelmi de Suetyham  
De Rogero Le Korker viij d. De Thoma de Westedy' q't De Johanne  
de Holey De Thoma de Koton De Petro de la Bothe De Ricardo  
filio Walteri De Hugone de le Bothis.

**Kapestorn. viij s. et ij bucell' et dim' avene.** De Petro de le  
Kapestorn q't De Thoma le Baron De Johanne le Baron De Henrico  
le Baron De Ricardo filio Petri de Kapistour' De Johanne fratre suo  
De uxore Willelmi Rooke viij d.

**Astul'. De Ada de Astul' De Willelmo de Wevecroumbe De**  
Ricardo de Astul' De Johanne fratre suo De Willelmo de Aula de  
Chellefort' De Simone de Longefort' q't.

**Cherleg' vij s. viij d.** De Rogero Peytenyn De Henrico de le (Y)  
Yuate<sup>1</sup> De Thoma le Reve q't De Roberto Blagge q't De Henrico  
Cherleg' q't.

**Pounale. xliij s. viij d.** De Ricardo de Pounale q't De Allexandro  
de Morleg' q't De Roberto Broun de Stiale q't De Johanne Broun  
De Rogero filio Emme q't De Alikot de Norytclef' viij d. De Petro  
le Chappitmon viij d. De Henrico Derneloue q't De Ada filio Galfridi  
q't De Rogero de Stanilondis q't De Ricardo filio Rogeri de Fulscaue  
q't De Thoma de Rylondys q't De Johanne de Stanilondys De  
Roberto le Mulward de Honford De Dike Rage'.<sup>2</sup>

**Cheddle. xvij s. j d. iiij buschell' otez** De domino Rogero v s.  
et v bu c. avene<sup>3</sup> De Johanne le Massy q't De Thoma de le Loue q't  
De Willelmo filio Dolbe q't De Petro filio Hamount q't De Petro filio  
Ade de Holm q't De Ricardo le Smet de Holm q't De Ranulpho filio  
Felicie de Holm q't De Willelmo filio Rogeri de Holm q't De Rogero  
filio Felicie q't.

**Bromale. ix s. vj d. et iiij b. avene** De Galfrido filio Willelmi de  
Bromale De Rogero filio Simonis De Ricardo le Quite De Rogero  
Colboy De Thoma de le Heweleg' De Maykyn Colbehewit De Geffe  
Pekoc' De Domina de Bosdon q't.

**Poninton. x s. liij d. et iiij buschel. avene et dim.** De uxore  
Alikot de Picfort' De Henrico de Picford q't De Jacke filio Petri q't  
De Jurdane de Poninton q't De Rogero de Poninton q't De Jacke  
le Herdemon q't De Ricardo de Bradswaue q't De Willelmo Medarad<sup>4</sup>  
q't.

**Addelynton. v s.<sup>5</sup> liij d. et ij b. avene** De Gilberto filio<sup>6</sup> De

<sup>1</sup> The first Y has been erased.

<sup>2</sup> This name is an addition in a rough hand.

<sup>3</sup> This name is an addition, and is mixed up with the cash and corn amounts after  
*Cheddle*.

<sup>4</sup> MS. has *medarad*.

<sup>5</sup> Written over erased *vj s.*

<sup>6</sup> This name is an addition; there is nothing after *filio*.

Willelmo de Scherd De Ada de Haregreve<sup>1</sup> q't De Jurdane de Pedileg' q't De Jurdane filio Magge De Simone filio Walteri q't De Johanne Weloc q't De Dobin filio Sclaris q't De Thoma filio Gilberti q't De Mergret' le Koron De Willelmo le Smale De Johanne le Beker De Matthi' de Adleynton De Mabilia Aldemodir' De Willelmo filio Tille vj d. a.<sup>2</sup> Hugone le Mulward vj d. De Pimme filio Malkyn iiij d. De Domina Lucia le Koron ij s.

m.2. De Gilberto filio Ade de Haregreve.<sup>3</sup>

**Bottileg' ix s. iij busc' avene** De Mabilia de T'ayn De Willelmo de Schaue De Ada le Deyn De Willelmo de Ruleg' q't De Thoma le Frensche q't De Robin Pigot<sup>4</sup> De Ricardo filio Viviani de Foxsewist<sup>5</sup> De Hugone de Bonardishale.

**Wedeford. iij s. vj d.** De magistro Ricardo d'fulschaue q't De Willelmo fratre suo q't De Alikot de le ker De Ricardo de Neuton De Jurdan' le Verdun.<sup>6</sup>

**Mottrum. v s. vj d. ij b. avene** De Ricardo de Heleg' De l'ivian de Mottrischeuit q't De Roberto de Mottrischeuit q't.

**Bruninton. iij s. viij d.** De domina portwode. a.<sup>7</sup> de Cecilia uxore Jurd' de Bredbury De Willelmo filio Stefan' De Ricardo fratre suo De Johanne filio Alexandro de Hyde.

**Hyde.** De Roberto de le Dewysnape De Willelmo Trimisbothum De Ada de le Loue.

**Neuton.** De Roberto de Neuton De Lorot matre sua De Henrico d'Bredbury De Ricardo de Moston.

**Dokynfeld.** De Thoma de le Toun De Thoma de Ormeschaue De Hamone de Le deuysnape.

**Staueleg'** De Dicon de Staueg' De Johanne Le Suon De Willelmo Pigot De Roberto de Arpeleg' De Dolbe de Staueleg' De Roberto de Mosleg' De Dolbe de Lauton j d. De Ada le Suon De Willelmo de Harpeleg'.<sup>8</sup>

**Mattileg' vj s. iij b. avene** De Ricardo de Matileg' De Roberto de Mattileg' De Avis de Mattileg' De Henrico de la Rodforde j'd. De Dike de le Clout' j d. [De Hulle de Godeleg'].<sup>9</sup>

**Holynworthe. viij s. ix d. iij b. et dim. avene** De Nicholao de Holynworthe De Dolbe Traz De Willelmo de Woleg' De Willelmo

<sup>1</sup> MS. has *Har'gve*.

<sup>2</sup> A paragraph mark; what follows is probably an addition.

<sup>3</sup> MS. has *Har'gue*; this line is an addition.

<sup>4</sup> This name is an addition.

<sup>5</sup> This name is an addition.

<sup>6</sup> This name is an addition.

<sup>7</sup> A paragraph mark; what follows is probably an addition.

<sup>8</sup> This name is an addition.

<sup>9</sup> *Sic*, this line is an addition ruled out because the name already appears under *Godeleg'*.

Thortoleg' De Willelmo de le soleris De Radulpho de Woleg' De Dike de Woleg' De Roberto de le soleris j d. De Johanne de le Halle j d. De Dikon de le soler. j d. De Roberto filio fille De Johanne de Holinworthe De Ada de Holinworthe.

**Arnweyfeld.** De Rogero de le bothe De Dike de Arnweyfeld De Johanne de le soler.

**Tyngetuevil.** vij s. iiij d. iij b. et dim. De Willelmo de Tyngetuevil De Magge de Mattileg' viij d. De Thoma Tirry j d. De Roberto Don j d. De Willelmo le Mars' De Emma uxore Ade le Merser' j d. De Dicon Broun De uxore Simonis le smolt' j d. De Dike filio le Stuard j d. De Roberto filio Dogge j d. De Roberto le Merser j d. De Willelmo le Smet j d. De Ada le Smet j d. De Radulpho filio Dogge j d. De Willelmo filio Roberti filii Doke j d. De Halte Machun j d.<sup>1</sup>

**Hattersleg'** De Thomasino Iter Dike le Jaye Dike Gobboc j d.<sup>2</sup> De Thoma filio Hodde De Thoma filio Dolbe De Thoma de le Hole De Hugone de le Bothum De Willelmo filio Rogeri De Willelmo filio Alicie De uxore Dobe de Goyt De Roberto filio (Dobe)<sup>3</sup> de le clef' De Simone de Wode De Maykyn filio Thome Godeleg' De Johanne Pigot de Hattersleg' bothum De Roberto filio Henrico de Godeleg'.

**Wernyt.** vij s. vij d. ob'. De Hugone filio Dolbe De Willelmo filio Steu' De Galfrido de Bredburi q't De Willelmo de Stopeport q't De Roberto Joie.

m. id. **Romileg'** xvj s. De Roberto de le Ruggwey De Maykin Dau' De Willelmo de Bentleg' De Rogero de le Hurroc De Roberto quippin De Ada de le Mulne De Hamelyn clerico De Ricardo Breche-gurdil De Thoma le coppeyoner<sup>4</sup> De Johanne de Mottrum De Rogero filio suo De Thoma de Neuton De Fiviano de foxwist De Johanne de Honford De Ricardo de Bromale De Ada de Bredburi De Hamunt de edisleg' De Johanne de Hyde De Roberto de Dokyfeld De Roberto de Staueleg' De Henrico de Godeleg'.

**Godeleg'** De Maikyn de Godeleg' De Hulle de Godeleg'.<sup>5</sup>

**Chelford** viij s. vj d. **Staley** iiij s. xj d. **Mottrum** Andrew ix s. viij d. **Bosdon** xix d. ob'. **Bredbury** iiij s. vj d.

<sup>1</sup> This name is an addition.

<sup>2</sup> *De Thomasino* is an addition, inserted in front of *Hattersleg'*, and *Iter . . . j d* is added after *Hattersleg'*, the two names bracketed together.

<sup>3</sup> An erasure.

<sup>4</sup> This name is an addition, and is followed by a space about  $\frac{1}{2}$  in. wide.

<sup>5</sup> What follows has all been added after the roll was first written.

3. *Puture Roll.*

16 *Edward III* (1342-3) and 29 *Edward III* (1355-6).

B.D.M., II, 3, Macclesfield.

Two rolls in one, each of 2 mm. 3 in. wide.

m.i. *Rotelus de potura anno xvj<sup>mo</sup>.*

**Somurford.** Hondekyn de Wilbram xvij d. Rogerus filius Thom le Warde de Somurford xvj d. Willelmus filius Petri del Bothe xvij d. Rondulphus Wiger xij d. Rogerus filius Thome de Sweteham xiiij d. Thomas de Sweteham vj d. Henricus filius Ricardi le Warde viij d. Ricardus filius Symonis vj d. Kenwrek de Calveleghe xvij d. Thome clericus xv d. Emmot de Westedis xij d. Rogerus de Mottelow p. . . . . pro Harewodeakres. Rogerus de Davenepord' passet. Summa xj s. xj d.

**Botteleghe** Henricus del Wych xvij d. Ricardus filius Emme vj d. Adam le Taylior xvj d. Angela uxor Willelmi del Schawe x d. Matheu de Adlington' xiiij d. (Summa v s. iij d.)<sup>1</sup> Uxor Maykin de Dene xij d. Summa vjs. iij d.

**Adlington'** Willelmus de Dodisbur' xvj d. Henricus del Wych xv d. Adam filius Hugonis xvj d. Adam filius Willelmi le Smale (ix d.)<sup>2</sup> Ricardus frater eius (ix d.)<sup>2</sup> xvij d. Willelmus del Scherd xvj d. Thomas filius Gilberti xvj d. Johannes filius Maiot xij d. Johannes faber viij d. Elena de Legh passet pro aula et pro terra quam Ricardus filius Pymie tenuit et pro terra Ricardi filii Tille et pro terra Henrici Pratty et pro terra Willelmi le Smale. Robertus de Legh passet pro terra Johannis de Scherd'. Rogerus Dobyn xv(j)d.<sup>3</sup> Summa xj s. (. . . d.)<sup>3</sup>

**Bromale** Dykon filius Ricardi filii Hopkyn xvj d. Hayne xvj d. Geppe filius Hugonis le Crouher xvj d. Terra Galfridi filii Wilke xvj d. Rogerus filius Symonis xvj d. Rogerus del Halle xvj d. Hugo de Walkedene xiiij d. Ricardus de Bromale pro terra quam Rondulfus le Broc' tenet passet (xij d.)<sup>4</sup> Ricardus de Bromale passet pro aula (Summa x s. ij d.)<sup>4</sup> Summa ix s. ij d.<sup>5</sup>

**Poninton** Johannes de Arden passet Willelmus de Bageleghe xvij d. Thomas filius Roberti de Dedisbur' xvj d. Johannes filius Johannis del Wych xv d. Johannes de Pekeford junior x d. Johannes de Pekeford xiiij d. Thomas del Ker xvij d. Johannes filius Gilberti le Fowler xij d. Henricus de Worth xij d. Summa ix s. vj d.

<sup>1</sup> This line has been erased, and the following two lines added.

<sup>2</sup> The two sums of *ix d.* have been erased, and the two names bracketed together as paying *xviiij d.*

<sup>3</sup> The sum of money has been altered from *xvj d.* to *xv d.* by erasing the final *j*; this entailed another erasure in the total, which is followed by a line across the roll.

<sup>4</sup> The *xij d.* has been erased because of what goes before, and entailed an alteration in the *Summa*.

<sup>5</sup> Here there is a line across the roll.

**Mottram** Edmundus de Mottram passet Rogerus filius Johannis de Motturshed xvij d. Symkyn de Mottram passet Thomas de Dane-pord passet Johannes filius Wiviani de Motturshed xvij d. Emma relictā Ricardi de Helegh xj d. Willelmus de Brok Ricardus filius Bate <sup>1</sup> xvj d. Summa iij s. x d.

m.2. **Stial** Edward Fytton' Sir William Both knyght <sup>2</sup> Alikot de Northye xiiij d. Robertus filius Alikot xvj d. Johannes de Pounale xvj d. Uxor Johannis Broun xvj d. Nicholaus le Chapmon xvij d. Johannes Peneale xij d. Wivianus de Stanelondes xiiij d. Ricardus de Rielondes xij d. Ricardus de Bradelegh xiiij d. Johannes de Stanelondes xv d. Avis de eodem xij d. Thomas filius Ricardi fratris Rogeri xvij d. Robertus de Pounale xiiij d. Ricardus Fyton' passet pro terra Alexandri de Morlegh Summa xvj s. xj d.

**Chorlegh** Henricus de Chorlegh xiiij d. Johannes de Rilegh xij d. filius Hugonis lethur xvj d. Emma Lay xij d. Willelmus Doye xij d. Summa v s. vij d.

**Chelleford** Johannes filius Hopkyn xvj d. Rogerus del Schawe xvj d. Gilbertus de Chelleford xvij d. Uxor Jordani de Chelleford xvij d. Ricardus filius Ade filii Dobbe xvij d. Adam del Kyrke xvj d. Johannes frater eius xvij d. Rogerus del Korner xvij d. Dominus de Davenepod vj d. Summa xij s. vij d.

**Tengetysul** Willelmus de Hide passet pro diversis terris quas tenet Thomas Bennesone iij d. Robertus Dokesone vj d. Robertus faber ij d. Summa xj d. Tergo.

m.2d. ( . . . ) <sup>3</sup> Johannes de ( . . . ) <sup>3</sup> xvij d. Symon de (Bothum) <sup>3</sup> xvj d. Robertus de (Dewsnape) <sup>3</sup> vj d. Robertus le (Barker) <sup>3</sup> xix d. ob. Johannes de (serler) <sup>3</sup> xix d. ob. Summa vj s. iij d.

**Holinworth** Dykon Haweson xiiij d. Johannes de Holinworth passet pro terra Roberti fratris sui et pro terra quam Walterus de Holinworth tenuit et pro terra quam Willelmus de Wolegh tenuit. Ricardus del soler' viij d. Willelmus filius Henrici viij d. Thomas de Honford vij d. Dykon de Wolegh xix d. ob. Dominus Henricus capellanus xix d. ob. Gilbertus de Godelegh passet pro terra quam Geppe del Roothē tenuit et pro Holinworth Robertus de Holinworth xiiij d.<sup>4</sup> Summa viij s. ix d.<sup>5</sup>

**Matteleggh** Willelmus de Matteleggh xv d. Geppe de Roothē xij d. Dykon de loselegh vj d. Summa ij s. ix d.

**Stalegh** Thomas de Macclisf' passet pro una acra que fuit Dobbe de Lanton Robertus de Stalegh passet pro terra in qua manet et pro

<sup>1</sup> The two names are bracketed together.

<sup>2</sup> The two names after *Stial* have been inserted and bracketed together.

<sup>3</sup> The headings and surnames have all been erased, but some appear under the ultra-violet lamp.

<sup>4</sup> *Sic.*

<sup>5</sup> Over erasure.

Haysteslegh et le Chaumbur et pro terra quam Ricardus de Stalegh tenuit et pro terra Roberti de Arpurlegh. Dykon de Stalegh xix d. ob. Johannes filius Jordani xix d. ob. Adam Balle xij d. Robertus de Arpurlegh viij d.<sup>1</sup> Summa iiij s. xj d. Arpurlegh in manu parsonis Chedul.

**Dokenfeld** Robertus de Dokenfeld passet pro aula et pro Portewode et pro Breninton' Robertus del Pek xvij d. Dykon filius Hanne xvij d. Galfridus de Worth xij d. Summa iiij s.

m. id. **Neuton** Thomas Alikoc xij d. Sewal manens in Neuton xix d. ob. Summa ij s. vij d. ob.

**Hyde** Johannes de Hyde passet pro Hyde.

**Godelegh** Willelmus de Bagelegh passet pro Godelegh.

**Hatturslegh** Rogerus de Bothum xvj d. Johannes filius Willelmi filii Rogeri xix d. ob. Robertus de Bredbur' xix d. ob. De eodem iiij d. Willelmus de Mattelegh xvij d. Willelmus faber xvij d. Willelmus filius Rogeri xvij d. Summa ix s. iiij d.

**Wernith** Henricus filius Annot xix d. ob. Dykon filius Geppe xvij d. Willelmus filius Rogeri de Stoppord xij d. Summa iiij s. j d. ob.

**Romelegh** Jordanus de Bredbur' xvj d. Johannes de Bentelegh xvij d. Thomas Odam xvij d. Adam filius Alot de Bredbur' xvj d. Johannes de Boturale xvij d. Nicholas de Verdon' xij d. Adam filius Ricardi de Ruggeway xvij d. Johannes del Brugge passet Robertus del Brugge xiiij d. Summa x s. x d.

**Bredbur'** Petrus de Ardenne passet.

**Breninton'** Dykon filius Johannis de Hyde xij d. Terra quam Henricus Holleson tenuit xij d. Summa ij s.

**Bosdon** Domina de Bosdon' passet.

**Edislegh** Emmet de Edislegh passet Ricardus le Massy xiiij d. Summa xiiij d.

**Chedul** Johannes le Molenews ij s. vj d. Ricardus de Bulkelegh ij s. vj d. De eodem xij d. Dominus Henricus capellanus xiiij d. Ricardus del Scholes xvj d. Summa viij s. vj d.

**Hulm** Ricardus filius Rogeri xvj d. Dykon filius Hugonis de Bromihul xvj d. Willelmus le Massy xvj d. Ricardus faber xvj d. Johannes Broun xvj d. Thomas del Yate xvj d. Summa viij s.

**Honford** Johannes de Honford (passet)<sup>2</sup> Robertus Fayrgnel (xvj d).<sup>2</sup> (Summa xvj d).<sup>2</sup>

**Wedeford** Robertus de Golschawe xvj d. Summa xvj d. Summa totalis viij li. iiij s. viij d. Item a festo sancti Jacobi usque nunc xix s. vjd.<sup>3</sup> Summa totalis totius exitus ballivi servientis pacis viij<sup>4</sup> li. iiij s. ij d.

<sup>1</sup> This name has been inserted.

<sup>2</sup> Erased.

<sup>3</sup> Perhaps fodder from 25th July to Michaelmas.

<sup>4</sup> *Sic*, for *ix*.

**m.3. anno xxix<sup>o</sup>. Tyngestwysyll.** Ricardus de (Adlyn)ton <sup>1</sup> xij d. Thomas le Barker vj d. Willelmus Nickeson xiiij d. Johannes Hibberode viij d. Robertus Deuwysnape viij d. Robertus le Smyth viij d. Rogerus del Bothum xix d. ob. Robertus de Bothum xij d. Johannes Godart xv d. Summa viij s. ij d. ob.

**Holynworth** Johannes de Holynworth xij d. Robertus de Holynworth xij d. Robertus Godart xij d. Willelmus filius Gilberti de Godelegh xvj d. Ricardus de Wolegh xix d. ob. Willelmus Perysson xix d. ob. Christiana uxor Thome de Honfford xix d. ob. ij bus. avene <sup>2</sup> Summa ix s. ij d. ob.

**Stavelegh** Robertus de Stavelegh Radulphus de Harpelegh xvj d. [Robertus le Mulner xix d. ob.] <sup>3</sup> Jordanus de Macclesfield Thomas de Coppeler <sup>4</sup> xiiij d. Ricardus Hamme senior de Dokenfeld xvij d. ij bush. avene. Summa ij s. vj d.

**Neuton** Johannes de Hyde, chr. Robertus Neuton Ricardus del Byrches xvij d. Thomas de Neuton xix d. ob. Johannes le Smyth xix d. ob. Henricus de Bolyngrode xvij d. Galfridus del Honfford j b. avene Summa vj s. iij d.

**Hattreslegh** Thomas Huggeson xiiij d. Radulphus de Bosden xix d. ob. Ricardus le Turnour xiiij d. Johannes filius Willelmi xvij d. Johannes Elyot xvj d. ij b. avene Summa vj s. vij d. ob.

**Wernyth cum Romylegh** Jordanus Kyrnell xvij d. Willelmus de Stokport xvj d. Odam del Ruggeway xvij d. Edmundus filius Nichole le Verdon xij d. Johannes filius Thome Odam xvij d. Radulphus de Bredbury xvij d. Robertus de Bredbury xij d. Johannes de Bentelegh xvij d. Willelmus filius Thome Odam xvij d. Thomas Odam xvij d. Petrus de Arden xvij d. iij b. et dim. avene Summa xv s. j d.

**Brunyngton** Johannes de Dokenfeld Johannes del Brygge xvj d. Willelmus Juddeson xvj d. Ricardus de Hyde xij d. j b. et dim. avene Summa iij s. viij d.

**Bosdon** Thomas de Torkynton xij d. Johannes de Torkynton xij d. dim. b. Summa ij s.

**Chedle** Ricardus le Mascy xiiij d. Hamo dominus de Baggelegh Johannes de Mylyneux chivaler ij s. vj d. Egidius del Stokis xij d. Matheus Ellale xvj d. Johannes de Honfford Thomas le Kenell' v b. avene Summa xvj s.

**Brumale** Rogerus le Suon Boton le Gote xvij d. Thomas filius Willelmi Hoggesun xvij d. Johannes del Heghlegh xvij d. Willelmus

<sup>1</sup> Surname partly erased.

<sup>2</sup> The amount of fodder here, and throughout the roll, is in the form of a marginal note.

<sup>3</sup> Sic, the whole line is struck through.

<sup>4</sup> Thomas de Coppeler has been inserted.



Hoggeson' xviiij d. Rogerus le Kyde xviiij d. **Galfridus Huggeson** xviiij d. iij b. et dim. avene Summa ix s.

**Ponyngton** Willelmus del Brock xiiij d. Nicholas de Brockewalehurst xvj d. Ricardus de Pykefford xviiij d. Robertus le Webster xviiij d. Willelmus le Prestesson xviiij d. Geppe Brinyng xviiij d. Thomas de Worth xij d. iij b. avene Summa x s. vij d.<sup>1</sup>

m.4. **Wydefford** Johannes de Stafford xviiij d. Odam de Neuton viij d. Ricardus le Cartewryght xvj d. j b. et dim. avene Summa iij s. vj d.

**Adlynton** Hugo del Scherd xiiij d. Thomas Gybbeson cum socio xviiij d. Ricardus Baggelegh xij d. Willelmus filius Thome de Foxwist xij d. Odam Huggeson xvj d. Robertus Legh Ricardus de Crosselegh xij d. ij b. et dim. Summa vj s. j d.

**Buttelegh** Willelmus Pygot Willelmus le Vynster viij d. Thomas Ruyll viij d. Johannes le Glover viij d. Ricardus Clay xvj d. Johannes le Casker vj d. Hugo de Foxwyst xij d. Ricardus de Neuton xij d. tenementum Willelmi del Schagh xiiij d. Ruylegh in manu Edmundi de Mottrum iij b. Summa iij s. vij d.

**Mottrum Andreu** Edmundus de Mottrum pro le Legh et manerium de Mottrum Ricardus filius Symonis et Hugo frater eius xiiij d. Robertus filius Viviani xij d. Rogerus de Motrisheued xij d. Ricardus filius Viviani xij d. Ricardus Bateson xvj d. ij b. et dim. Summa v s. vj d.

**Northclyff** Hugo Fyton Thomas Hychekokesson xviiij d. Ricardus de Stanilondes xij d. Johannes de Holey xiiij d. Rogerus le Smyth xij d. Ricardus le Rede xvj d. Edmundus le Reveson xvj d. Johannes Penyale xij d. Thomas Fyton Henricus del Breres xiiij d. Rogerus Janny xvj d. Emma Broun xvj d. Ricardus le chapmon ix d. vj b. avene Summa xj s. ix d.

**Chorlegh** Ricardus de Chorlegh xij d. Robertus de Chorlegh xvj d. Willelmus Dobyn xvj d. Rogerus de le ( . . )<sup>2</sup> xiiij d. j b. et dim. Summa vij s. viij d.

**Morlegh** Rogerus le Cartewryght Willelmus de Pounale Rogerus Olkyn Summa.<sup>3</sup>

**Chellefford** Rogerus del Schagh xvj d. Johannes de Chysseworth xij d. Thomas de Snelleston xij d. Ricardus Dobbeson xvj d. Rogerus del Corner xviiij d. Rogerus le Taillour xvj d. Odam de Baskyrvil xij d. iij b. et dim. Summa viij s. vj d.

**Capistorn** Petrus Jackeson xviiij d. Willelmus filius Petri xviiij d. Willelmus de Gosetre xviiij d. Ivo xviiij d. Thomas le Carter xviiij d. ij b. et dim. avene Summa vij s. vj d.

<sup>1</sup> Sic, the cash total has been altered from x s. vj d. to x s. viij d by simply adding ij.

<sup>2</sup> Erased. <sup>3</sup> No cash entries under *Morlegh*, and a blank after *Summa*.

**Somerford** Ranulphus de Radenore xvij d. Rogerus de Morton xij d. Rogerus de Swetenham xij d. Thomas de Swetenham xij d. Odam de Calvylegh xvj d. Robertus Fairchild vj d. Radulphus de Modburlegh Rogerus de Davenport xij d. Vivianus Hysetesson xvj d. ij b. et dim. avene Summa viij s. vj d. Summa totalis Lvj b. et dim. avene—iiij Qrs iiij b. et dim. avene xxxvij s. viij d. prec' Qr' viij s.<sup>1</sup> Summa totalis rotuli ix li. iiij s. ij d. (ob.)<sup>2</sup> unde recepit de Matheo—vij libras et ix s. et vj d. ij s. Willelmo Boner' et uxori meo iij s. Et postea solvit [x s].<sup>3</sup> xij s. iiij d. Summa soluta viij li. vij s. x d. Et sic debet xvj s. iiij d. ob. Unde solvit' Johanni de Davenport in camera apud Bromale ij s. Et solvit Elene uxori Hugonis de Foxwist iij s. Et solvit domine de Bromhull per manus Mathei Whithed iij s. Et comp' liberat' Johanni de Davenport xij d. Et solvit Hondekyn le Spenser precepto domini ij d. Et solvit Johanni de Davenport apud Stokport iij s. iiij d. Summa xij s. vj d. Et sic debet' iij s. x d. ob. Summa totalis vij li. vj s. vj d. ob.<sup>4</sup>

*Endorsements*—mm. 3 and 4 are endorsed with the names of the townships opposite where they occur on the face of the membrane.

#### 4. *Puture Roll.*

*Michaelmas 1356–Michaelmas 1357 (30–31 Edward III), with indenture accounting for Michaelmas 1358–Michaelmas 1359 (32–33 Edward III).*

B.D.M., II, 3, Macclesfield.

4 mm. 3 in. wide.

m.i. **Tyngestwysyll** *Putura seriantie hundredi de Macclesfeld a festo sancti Michaelis anno xxx<sup>mo</sup> usque ad festum sancti Michaelis proximum sequentem anno xxxj<sup>o</sup> simul cum provendo eiusdem anni* De Ricardo de Halghton xij d. De Thoma le Barker vj d. De Henrico le Wylde ix d.<sup>5</sup> De Willelmo de Thorntlegh xiiij d. De Johanne Hobberode viij d. De Roberto del Deuwysnape ix d. De Rogero del Bothum xix d. ob. De Roberto del Bothum [xij d.]<sup>6</sup> xiiij d.<sup>7</sup> De Johanne Godard xij d. De Willelmo del Bothum xiiij d.<sup>5</sup> Summa vij s. [iiij d.]<sup>6</sup> v d. ob. et iij bucell. et dim. avene.

**Holynworth** De Roberto de Holynworth xij d. [De Ricardo del Byrches xvij d.]<sup>6</sup> quia pascebat servientes De Roberto Godard xij d.

<sup>1</sup> *Summa . . . viij s.* written in column down left-hand margin, beneath previous fodder entries.

<sup>2</sup> *Summa . . . ij d. (ob.)* written opposite fodder account, the *ob.* has been erased.

<sup>3</sup> *Sic*, struck through.

<sup>4</sup> The last line of the roll, the total cash received, is written somewhat apart from what goes before.

<sup>5</sup> This name has been inserted. <sup>6</sup> *Sic*, struck through. <sup>7</sup> Over an erasure.

De Willelmo filio Gilberti de Godelegh xvj d. De Ricardo de Wolch xix d. ob. De Willelmo Peryssen xix d. ob. De Christiana uxore Thome de Honfford xix d. ob. Summa [ix s. viij d. ob.]<sup>1</sup> viij s. ij d. ob. et iij bucell. et dim. avene.

**Stauelegh** De Ranulpho de Arpelegh xvj d. De Willelmo le Loue xij d. De Jordano de Macclesfeld nihil quia pascebat De Roberto de Stauelegh nihil De terra apud Arpelegh, simul cum terra apud Hastelegh, Gildabil. De Thoma de Coppelegh xiiij d. De Willelmo Eleytt et Ricardo le Tornour xiiij d. De Ricardo Hammeson' de Dokinsfeld xvij d. Gildabil. De Johanne de Dokenffeld. De eodem pro terra apud le Deuwysnape Summa iij s.<sup>2</sup> et j bucell' et dim. avene.

**Neuton** De Roberto de Neuton. De Johanne de Hyde chivaler'. De Thoma de Neuton xix d. ob. De Johanne le Smyth xiiij d. De Galfrido de Honfford Summa ij s. [ix d. ob. viij d.]<sup>1</sup> vij d. ob. et iij hop' avene.

**Hattreslegh** De Johanne filio Radulphi de Bosden xix d. ob. De Thoma Huggestun xiiij d. De Ricardo le Turnour xiiij d. De Thoma le Drover xiiij d. De Johanne filio Willelmi filii Rogeri xvij d. De Johanne Elyot xvj d. Summa vj s.<sup>3</sup> [ix d.]<sup>1</sup> xj d. ob. et ij bucell' et dim. avene.

**Wernyth cum Romylegh** De terra Henrici Annetesson' nihil quia in' decasu De Jordano Kyrnell xvij d. De Willelmo de Stokport xvj d. De Odamo de Ruggeway xvj d. De Edmundo le Verden' xij d. De Johanne filio Thome Odam' xvij d. De Radulpho de Bredbury xvj d. De Johanne de Bentelegh xvij d. De Willelmo filio Thome Odam' xvij d. De Thoma Odam' xvij d. De Petro Dardene xvij d. De Ricardo de Hyde xij d. Summa [xv s. ij d. xiiij s. viij d.]<sup>1</sup> xiiij s. vj d. et iij bucell' et dim. avene.

**Brunyngton** De Johanne de Dokenffed' De Johanne de Brygges xvj d. De Willelmo Juddeson' xvj d. De Ricardo de Hyde xij d. Summa iij s. viij d. et j bucell' et dim. avene.

**Bosdon'** De Hugone del Holt et Johanne de Torkynton' xix d. ob.

**Chedle** De Ricardo le Mascy xiiij d. De Hamone de Baggelegh nihil quia pascebat De Johanne le Molyneux chivaler' ij s. vj d. De eodem iij s. De Willelmo de Bulkylegh viij s. De Egidio del Stokes xij d. De Matheo de Ewale [xvj d.]<sup>1</sup> xvij d. Johanne de Honfford De Ricardo Raynald' [ix d.]<sup>1</sup> xiiij d. Summa [xviiij s. vj d.]<sup>1</sup> xix s. iij d. et iij buc. et (dim.)<sup>4</sup> avene.

**Bromale** De Willelmo Beton xvij d. nihil. nihil De Thoma filio Willelmi Hoggeson xvij d. De Johanne de Heghelegh xvij d. De Willelmo Hoggeson' xvij d. De Rogero le Kyde xvij d. De Galfrido

<sup>1</sup> *Sic*, struck through.

<sup>2</sup> Over an erasure.

<sup>3</sup> *Sic*, altered from *vj* to *vij* by adding *j*.

<sup>4</sup> Erased, but note that *et* remains.

Hugonson' xvij d. nihil De Ricardo de Sydale xvij d. Summa [ix s.] [vj d.]<sup>1</sup> vij s. vj d. et iij bucell' avene.

**Ponyngton** De Johanne de Torkynton xvj d. De Nicholo de Brockwalehurst xvj d. De Ricardo de Pykefford xvij d. De Roberto le Webster xvij d. De Willelmo le Prestesson' xvij d. De Galfrido Bunyng' xvij d. De Thoma de Werth xx d. Summa x s. iij d. et iij bucell' et dim. avene.

**Wydefford** De Johanne de Davenport xvij d. nihil. De Johanne filio Odami de Neuton viij d. [xvj d.]<sup>1</sup> De Roberto Toft [viij d.]<sup>1</sup> xvj d. nihil De Roberto le Souter vj d. dimidium buscellum avene solvit Summa [iij s. iij d.]<sup>1</sup> ij s. et iij hop' avene.

**Adlynton'** De Hugone del Scherd xvj d. De Hugone de Baggelegh xij d. De Willelmo filio Thome de Foxwyst [vij d.]<sup>1</sup> xiiij d. De Odamo Huggeson' xvj d. De Ricardo de Crosselegh xij d. De Roberto de Leghe nihil Summa v s. [iij d.]<sup>1</sup> x d. et ij buscell' avene a Rylegh in manu Edmundi de Mottrum.

**Buttelegh** De Willelmo Pygot nihil quia pascebat De Ricardo de Neuton' nihil De Hugone Cordes viij d.<sup>2</sup> De Thoma Ruyl' viij d.<sup>2</sup> De Johanne le Glover viij d.<sup>2</sup> j buscell' avene. De Ricardo de Clay xvj d. De Johanne le Tasker vj d. De Hugone de Foxwyst xij d. De Willelmo le Grover xiiij d. Summa vj s. et iij buscell' avene.

**Mottrum Andreu** De Edmundo de Mottrum pro terra in' le Leghe xvj d. De Ricardo filio Symonis et Hugone fratre eius xiiij d. De Roberto filio Viviani xij d. De Ricardo filio Viviani xij d. De Rogero de Mottresheued xij d. Summa v s. vj d. et ij buscell' avene.

**Northclyff** De Hugone Fyton' de Pounale nihil quia pascebat De Thoma Hychecokesson' xvij d. De Ricardo de Stanilondes xij d. De Rogero le Smyth de Ruylondes xij d. De Johanne de Huley xiiij d.<sup>3</sup> De Ricardo le Rede xvj d. De Willelmo le Smyth xvj d. De Henrico del Breres xiiij d. De Rogero Jann' xvj d.

m.2. De Thoma Emmeson xvj d. De Ricardo le Chapman ix d. Summa [ix s.] [ix d.]<sup>1</sup> x s. xj d. et iij buscell' avene.

**Chorlegh** De Roberto de Chorlegh xvj d. De Ricardo folio Henrici de Chorlegh xiiij d. De Rogero de Hole xiiij d. Summa iij s. [vj d.]<sup>1</sup> viij d. et j buscell' et dim' avene.

**Chellefford** De Rogero de Schagh xvj d. nihil De Johanne de Chysseworth xij d. De Thoma de Snelleston xij d. De Ricardo Dolbeson xvj d. De Rogero del Cornell xvij d. De Rogero le Taillour xvj d. De Odamo le Baskyrvyll xij d. Summa viij s. vj d. et iij buscell' et dim' avene.

<sup>1</sup> Sic. struck through.

<sup>2</sup> The three names are bracketed together and, apparently, jointly contribute the bushel of corn.

<sup>3</sup> This name has been inserted.

**Capistorn'** De Petro Jackson' xvj d. De Willelmo Perkynesson' xvij d. De Johanne de Byrcheles de Capistorn xvij d. De Ivo' xvij d. De Ricardo de Henneschagh xvij d. Summa vij s. [vj d.]<sup>1</sup> iij d. et ij buscell' et dim. avene.

**Somerford** De Radulpho de Radenore xij d. De Petro le Warde xij d. De Rogero de Swetenham xij d. De Thoma le Taillour xij d. De Odamo de Calvylegh xvj d. De Roberto Fairchyld vij d. De Rogero de Davenport xij d. nihil De Viviano Lysetesson xiiij d. Summa [viiij s. ijd.]<sup>1</sup> v s. ijd. et ij buscell' avene Summa totalis receptorum vij li. [iiij]<sup>1</sup> v s. xj d. ob. Summa provendi iij Qrs viij hop' avene precii xlvij s. ij d. ob. Summa totalis receptorum cum provendo ix li. xiiij<sup>2</sup> s. j d. unde solvit Johanni de Davenport chivaler' viij li et remanet xxxiiij s. j d.

m.3.<sup>3</sup> Hugo del Smeth ij s. Ricardus Acurlondes ij s. Johannes Leghez ij s. Johannes Tryvyn ij s. Willelmus Gepson ij s. Willelmus Sclater ij s. uxor de Bradbur' ij s. Johannes Honford knyght xix d. ob. Christoforus Davenport' ij s. Hugo Chorley ij s. Ranulphus Rytthin ij s. Johannes Coke ij s. Robertus Faloez ij s. Thomas Snelston' ijs.

m.2d. "Willelmus Warde de Capistorne vij s. iij d.

m.1d.<sup>4</sup> "Edwarde Fyttun of Gauseworth Thomas Fyttun of Panall' <sup>5</sup> Norclyffe xj s. ix d. (et) <sup>6</sup> iij bucell' avene Summa omnium expensorum per manus Mathei Whitheued pro tempore compoti ix li. vij s. iij d. Et remanet vj s. ix d.<sup>7</sup> William Haghton ij s. William Thornele ij s. Thomas Thornele xij d. Alexander Benetson ij s. Janius Benetson ij s. Johan Sydebothem ij s. William Thomkynson xij d. Nicholaus Johanson ij s. William Benetson ij s. Alexander Robothom ij s. Nicollaus Hyde ij s. Ye Howse of Sondersons ij s.<sup>8</sup>

m.4. Hec indentura facta inter Johannem de Davenport de Bromale servientem pacis hundredi de Macclesfeld et Matheum Whitheued testatur de expensis suis per ipsum Matheum factis in seriantia predicti hundredi a festo sancti Michaelis anno xxxij<sup>o</sup> usque in festum eiusdem sancti proximum sequentem anno xxxiiij<sup>o</sup>. In primis in pomis emptis apud Stokport j d. Item liberavit Johanni Alayn die lunis proximo post festum

<sup>1</sup> Sic, struck through.

<sup>2</sup> Sic, altered by adding *j*.

<sup>3</sup> Perhaps a list of debtors, see note 4.

<sup>4</sup> A small slip, 3 in. × 3 in., is attached to the head of m. 1., very crumpled, but the heading appears to be . . . *nomina que debent Johanni de Davenport* . . . ; a few names can be partly distinguished, but much is obliterated.

<sup>5</sup> The two names are bracketed together.

<sup>6</sup> Erased.

<sup>7</sup> *Edwarde Fyttun* . . . *vj s. ix d.*, is confused with a sixteenth-century endorsement.

<sup>8</sup> *William Haghton* . . . *ij s.*, is in a different hand from the rest of the roll.

purificationis beate Marie <sup>1</sup> vj d. Item in piscibus emptis in vigilio purificationis beate Marie <sup>2</sup> xvij d. Item liberavit Thome de Davenport apud Huley die sabbati proximo post festum purificationis beate Marie <sup>3</sup> xxxij s. iiij d. Item liberavit eidem per manus Thome de Sondbache iij s. iiij d. Item liberavit Galfrido de Bromale iij d. Item liberavit Thome de Sondbache ij d. Item liberavit Johanni de Davenport [ij s.]<sup>2</sup> Item liberavit J. eidem Johanni iij s. Item liberavit Thome Byrch' x d. Item liberavit Willelmo de Wetenhale xvij d. Item Nicholo Tolmet ob. Item in j vastello <sup>4</sup> empto ad opus prenominati Johannis de Davenport' ob. Item in pomis emptis Margerie ancille Johannis Geneson' capellani ad opus domini viij d. Item liberavit Thome de Neuton precepto domini xx d. Item liberavit Johanni de Davenport per manus prenominati Johannis apud Teverton ij s. Item in vino empto in itinere apud Macclesfeld v d. Item in vino empto in eodem itinere ij d. ob. Item in parcameno empto ibidem ij d. Item cuidam colligenti provendum cum Matheo Whitheued per iij dies v d. Item in pomis emptis ad opus Nicholi Gartors et Thome de Davenport ix d. Item liberavit Johanni de Davenport die ascensionis Domini <sup>5</sup> vj s. viij d. Item in calciatibus Mathei Whitheued iij s. iiij d. Et solvit Johanni de Okes precepto domini xij d. Summa totalis puture anno xxxij<sup>o</sup> vij li. vj s. vj d. ob. Et de provendo hoc anno xl s. j d. ob. Summa totalis ix li. vj s. ix d. unde solvit Thome de Davenport per manus Mathei Whitheued vj li. ij s. iiij d. ob. et Johanni de Davenport xvij s. vj d. ob. Item solvit dicto Thome per manus eiusdem Mathei in sagittis et (. . .) <sup>6</sup> aliis (. . .) <sup>6</sup> ad opus dicti Thome emptis v. s. j d. Et eidem Thome per manus Matilde de Davenport xxxj s. viij d. Summa soluta viij li. xvij s. viij d. Et debet ix s. j d.

*Endorsements*—on m. 1d. in a sixteenth-century hand—A copy of an order taken by the prince counsaile upon a bill presented to the king by Sir Humfrey Moston on the behalf of Rauf Davenport squier whiche bill was sent to the said counsaill enclosed in the kings honorable letters at London anno xx<sup>o</sup> h. vij<sup>m</sup>l xxij<sup>o</sup> die Octobr' <sup>7</sup> Inesmeche as the partie that presented this bill is not prefyte here of the names of the deffendents whom the kings highness by his most honorable letters hathe demanded the prince counsule his comissioners to call after thaym and to examine them and order the matters in variance betwene thaim and the partie plaintiff according to his lawes and Justice. The said comissioners have therefore ordered that a letter [by] <sup>8</sup> be Dyrected to the Barron of the eschequier of Chestr' recyting the kings said letters and commaundement,

<sup>1</sup> Monday, 4th February, 1359.

<sup>2</sup> Saturday, 7th February, 1359.

<sup>4</sup> From *vastellum*, a loaf of wastel bread.

<sup>5</sup> Thursday, 30th May, 1359.

<sup>7</sup> 22nd October, 1504.

<sup>2</sup> Friday, 1st February, 1359.

<sup>6</sup> Erased.

<sup>8</sup> *Sic*, struck through.

commanding hym to dyrect Wrytte subpenas to the said deffendants to be thanne named to hym by the said plaintiff to appere affor hym in the said eschequier and therupon to see they agree with the said plaintiff for his demands of thaim according to right and conscience or ells put thaim under suerties taken at Lodlowe affore the kinges said comissioners the iiij<sup>th</sup> Day of December 1504. W. Lincoln 4th Dec., A.D. 1504.

5. *Puture Roll.*

*The account after Easter 1378 (1 Richard II).*

B.D.M., II, 3, Macclesfield.

2 mm. 3 in. wide.

m.i. **Tyntwissel** Elot de Hayton xij d. iij d. ob. Robertus Cokesson xij d. ij d. Henricus le Wyld' xij d. iij d. ob. Johannes de Motkylgh xij d. iij d. Johannes Hobrade x d. iij d. Thomas le Barker x d. iij d. Robertus le Smyth et uxor Maria xiiij d. iij d. Heuerlay iij d. ij d. Uxor Roberti Carles xvj d. ij d. Willelmus del Bothus xvj d. ij d. Summa ix s. x d.

**Holynworth** Ricardus le Barker xiiij d. iij d. Thomas Holynworth xvj d. iij d. ob. Willelmus de Godley xvj d. iij d. Johannes Holynworth xij d. Robertus Staueleghe iij s. Summa viij s. x d.

**Hattursleghe** Richardus de Barlowe xiiij d. iij d. Johannes Deusnap xvj d. ij d. Henricus le Turnur xiiij d. iij d. Summa iij s. viij d.

**Wyrinyt** Johannes Elyot xvj d. iij d. Uxor Jurdani Kyrnel xvij d. iij d. Johannes Hayothsun xvj d.

**Romylegh** Sara de Ryggeway xiiij d. iij d. Rogerus Maykyn xvj d. iij d. Willelmus de Broke xvij d. Adam de Benteley xvij d. iij d. Adam de Redyche xiiij d. iij d. Thornylegh xvij d. iij d. Ricardus de Hyde ij s. Robertus Joye xvij d. iij d. ob. Summa xv s. ix d.<sup>1</sup>

**Bredbury** Ricardus de Arderd xvij d. iij d. Johannes de Dokinfeld iij s. Summa iij s. vj d.

**Chedel** Johannes Savage ix s. Willelmus de Bulkylegh viij s. Egrinius de Scholus xiiij d. iij d. Willelmus le Hardemon xvij d. iij d. ob. Robertus le Massy xij d. iij d. Ricardus le Masun xvij d. iij d. Henricus le Marchal xij d. Uxor Willelmi le Fleccher xij d. iij d. Summa xxiiij s. ij d.

**Poynton** Ricardus de Dampord xvj d. Ricardus de Torkynton' xvij d. iij d. Johannes de Harday xvij d. iij d. Robertus de Brokewalhurst xvij d. iij d. Robertus le Webster xvij d. iij d. Johannes le Presesson xvij d. iij d. Uxor Ade de Pykford xij d. ij d. Johanne le Smyth xvij d. iij d. Summa xj s. ij d.<sup>2</sup> (.....) <sup>3</sup> (Terre H. . . .) <sup>3</sup>

<sup>1</sup> This is the total for Werneth and Romiley together.

<sup>2</sup> Should be *iiij d.*

<sup>3</sup> Erased.



Hugo de Byrtles xvj d. iij d. Willelmus Hurle xiiij d. iij d. Summa ij s. vj d.

**Buthle** Hugo Gordys viij d. ij d. Ryle xvj d. Fiviane de Buthle xvj d. iij d. Johannes Holynwode viij d. ij d. Johannes le Wryght vj d. ij d. Thomas de Brok xiiij d. iij d. *Edmundus*<sup>1</sup> Fytun xij d. iij d. Summa vj s. viij d.<sup>1</sup>

**Mottram** Ivo de Holonde xiiij d. iij d. Thomas de Pedle xvj d. iij d. Thomas Nelde xvj d. iij d. Cecilia de Brok xviiij d. iij d. Summa v. s. ij d.<sup>2</sup>

**Wylmuslowe** Margeria de Pounale xiiij d. iij d. Johannes de Stanylondes xij d. iij d. Stanylondes de Rylandes xvj d. iij d. Ricardus de Hall' xvj d. iij d. ob. Willelmus le Smyth xvj d. iij d. ob. Dominus de Bolyn iij s. pro cels' et provendo Rogerus Janne xvj d. iij d. Johannes Thomassun xvj d. iij d. ob. Henricus de Olton ix d.

m.2. **Chorle** Johannes de Chorle ij s. Robertus de Chorle xij d. iij d. Johannes de Husburne xiiij d. iij d. Graunam Dylle xiiij d. iij d. Thomas Pymson' xvj d. iij d.

**Chelford** Thomas Quytyl xv d. iij d. Rogerus Juddesson xviiij d. iij d. Robertus le Koc xviiij d. iij d. Uxor Thome de Klogh xviiij d. iij d. Summa xxvj s. (. . .)d.<sup>3</sup>

**Capistorne** Johannes de Grene xij d. Johannes le Warde xviiij d. iij d. Johannes de Byrtuls xviiij d. iij d. Margeria de Hennecha xviiij d. iij d. Nicolas de Rainow xviiij d. Summa vij s.<sup>1</sup>

**Somerford** Ricardus de Okes xij d. iij d. Ricardus de Fayrchylde xvj d. Petrus le Warde xiiij d. iij d. *Watkin de Hautun*<sup>1</sup> x(.)<sup>4</sup> ij d. Thomas Westedysche xij d. Summa v s. [viij d.]<sup>5</sup> vj d.

**Bromale** Ricardus Dulle xij d. iij d. Summa provendi xix s. xj d. ob. Robertus Neuton xij d. Summa totalis vj li. vij s. iij d. Neuton de Foxwist xij d. Hugo le Walker xij d. Hec nomina subscripta sunt aretro de provendo Johannes del Grene xj d. Ricardus de Davenport ij s. j d. [Johannes de Holynworth,]<sup>5</sup> Ricardus Cok' xjd. [Ricardus Fayrchild vij d.] Willelmus del Brok'. *Nicolas de Ranowe ix d.*<sup>1</sup> Johannes Hayotson vij d. [Henricus le Marshal vij d.]<sup>5</sup> Johannes le Warde vij d. Et sic Johannes del Ruggeway debet in arreragiis x s. ad ultimum compotum videlicet die veneris post festum Pascham anno regni regis Ricardi primo.<sup>6</sup>

m.1d.<sup>7</sup> Ricardus de Neuton xij d. Neuton de Foxwist xij d. Hugo le Walker xij d. Johannes de Grene xj d. Ricardus de Dampord

<sup>1</sup> Over an erasure.

<sup>2</sup> Should be *iiij d.*

<sup>3</sup> This is the total for Wilmslow, Chorley, and Chelford together; the pence figure has been erased but the *d.* remains.

<sup>4</sup> Erased.

<sup>5</sup> *Sic*, struck through.

<sup>6</sup> Friday, 23rd April, 1378.

<sup>7</sup> A fair copy of the list of debtors.

ij s. j d. Ricardus Cok' vj d. (Nicolas de Ranowe jx d.)<sup>1</sup> Johannes Hayothsun vj d. Johannes le Warde vij d. Willelmus Peresson' vj d. Johannes de Harope vj d. Ranulphus de Wilbraham viij d.

6. *Kelk Roll.*

8 *Henry IV* (1406-7).

B.D.M., II, 3, Macclesfield.

2 mm. 3 in. wide.

m.1. *Rotulus del Kelkis anno regni regis Henrici quarti octavo.* **Somerford** Willelmus le Warde ij s. Petrus le Warde xx d. Ranulphus de Swethingham pro placia Alichij de Croxton in Somerford ij s. Robertus de Westeche ij s. Rogerus le Walker junior ij s. Henricus de Clayton ij s. Johannes le Souper ij s. Willelmus le Coke de Chelford xix d. ob. dim. bush. avene Johannes de Chesworth ij s. Rogerus Hudsun xix d. ob. dim. bush. avene Johannes le Tayllioer ij s. Thomas de Creswalschagh ij s. Sarra le Warde pro ij kelyes iiij s. Willelmus del Grene xx d. Summa xxvij s. vij d.

**stiall**<sup>2</sup> **Pounall** Willelmus de Elton ij s. Thomas.<sup>3</sup> Hugo de Curdechesley ij s. Thomas Fittun.<sup>3</sup> Ricardus de Pounall ij s. f.<sup>3</sup> Thomas Burges ij s. f.<sup>3</sup> Ricardus de Astyll Idem Ricardus<sup>4</sup> iiij s. viij d. f.<sup>3</sup> Uxor Rogeri de Stanelondes ij s. Summa xiiij s. viij d.

**Bolyn** Johannes de Stanelondes ij s. Ricardus de Mylynton' ij s. Margeria de Pounall' ij s. Dominus de Bolyn iiij s. Summa x s.

**Chorley** Henricus filius Ricardi de Chorley ij s. Ranulphus de Astebur' ij s. Johannes de Chorley pro placia Roberti de Legh ij s. Idem Johannes pro placia sua propria xx d. Summa vij s. viij d.

**Mottramandrwe** Edmundus de Mottreshed ij s. Thomas de Pedley ij s. Reginaldus del Dounes pro aula de Legh xx d. Item le Hallehouses ij s. Willelmus Alcock ij s. Summa ix s. viij d.

**Butteley** Ricardus de Neuton ij s. Thomas del Broke xx d. Willelmus Halles ij s. Willelmus de Bolewod xx d. Willelmus le Carter xx d. Summa ix s.

**Adlynton** Johannes de Bradley pro le Scherd ij s. Ricardus de Bannchell xx d. Johannes Cause xx d. Placia Ricardi le Bayley xx d. Item de molendino de Macclesfeld xxiiij s. Summa xxxj s. Summa cix s. vij d.

m.1d. **Chorley**

m.2. **Romeley** Thomas Peressun ij s. Johannes Audren ij s. Ricardus Jacsun ij s. Johannes Judson ij s. Robertus Jacsun ij s.

<sup>1</sup> Erased.

<sup>2</sup> In much smaller script than *Pounall*.

<sup>3</sup> Marginal notes which suggest that Thomas Fitton was the chief lord of the persons named.

<sup>4</sup> *Idem Ricardus*, is written beneath, and bracketed with, *Ricardus de Astyll*.

Johannes Ive ij s. Johannes Craven ij s. Rogerus Jeys ij s. (Rogerus Henressun ij s.)<sup>1</sup> Summa *xvj* s.<sup>2</sup>

**Wernyth** Johannes de Heghome xix d. ob. dim. bush. avene Terre Ricardi de Worlesley ijs. Henricus de Brocshagh ij s. *Rogerus Harrison* ij s.<sup>2</sup> Summa *vij* s. *vij* d. ob.<sup>2</sup>

**Bredbur'** Hugo de Ardern ij s. Ricardus de Knaugreue ij s. Summa *iiij* s.

**Ponynton** Willelmus de Hulme xij d. (ob.)<sup>1</sup> dim. bush. avene Johannes de Bromhall ij s. *Johannes le Pyper*<sup>2</sup> ij s. [xix d. ob. dim. bush. avene]<sup>3</sup> Robertus del Halle ij s. *Johannes de Brokeshagh*<sup>2</sup> ij s. Willelmus del Ley ij s. Thomas Wylkynsun ij s. Summa *xij* s. (ob. . . .)<sup>1</sup>

**Chedull** Uxor Petri de Legh ix s. Hondekyn Maynwaryng viij s. Johannes de Scoles ix d. ij hop' avene Uxor Willelmi de Chouall xvij d. dim. bush. avene [Johannes Webster]<sup>3</sup> Johannes le Smythe xij d. Johannes Saunderson ij s. Ricardus de Bolyn de Honford ij s. Summa *xxvj* s. *iiij* d.

**Wedford** Thomas del Halle ij s. Summa ij s.

**Bosdon** Henricus Marschall xix d. ob. Summa xix d. ob.

**Brynynton** Robertus de Dokenfeld xix d. ob. dim. (bush. avene)<sup>4</sup> *Nicholas de Hyde*<sup>2</sup> ij s. *Robertus de Paggeley*<sup>2</sup> ij s. Summa v s. (*vij* d. ob.)<sup>4</sup>

(**Bramall**)<sup>1</sup> (Edwardus Hubart)<sup>1</sup> ij s. (Rogerus Bulloc)<sup>1</sup> ij s. Summa *iiij* s. Summa *iiij* li. *j* d. ob.<sup>5</sup>

*Endorsement*—on m. 2d. in sixteenth- or seventeenth-century hand—Sir John Waren Roger de W. . . .<sup>6</sup>

#### 7. *Puture Roll.*

19 *Henry VII* (1503-4).

B.D.M., II, 3, Macclesfield.

1 m. 3 in. wide.

*Potura seriancie hundredi de Maclisfelde anno xix h. vij in primis.* Item reysived of Sir John Waren knyght viij s. viij d. Item reysiyyvd of Roger Downes xx d. Item reysavyd of Thomas Legh of Adlynton' v s. x d. Item r' <sup>7</sup> of Thomas Davenport of Henbury v s.<sup>8</sup> Item r' <sup>7</sup> of Rauff Ardron' iij s. Item r' <sup>7</sup> of William Warde of Capistorne vj s. Item r' <sup>7</sup> of y<sup>e</sup> towne of Chelford vj s. Item of Nicholas Davenport of Wydford iij s. vj d. Item reisayved of John Davenport of Matteley ij. s. Item r' <sup>7</sup> of Robert Honford of Chorley iij s. viij d. Item r' <sup>7</sup> Thomas

<sup>1</sup> Erased.

<sup>2</sup> Over an erasure.

<sup>3</sup> *Sic*, struck through.

<sup>4</sup> A diagonal slice has been cut off the roll from about this point to the end, and the bracketed sections, though obvious, are now missing.

<sup>5</sup> Much altered, and over several erasures.

<sup>6</sup> Illegible.

<sup>7</sup> Abbreviation for "received".

<sup>8</sup> A space in the text.

Fittun of Pownall xvij d. Item William Warde of Somerforde xx d. Item Edwarde Baudun ij s. Item Thomas Skys ij s. Item Thomas Masse Esquier ij s. Item idem Thomas in a noder part' vj d. Item Galfridus Motterhed iij s. Item Edwarde Mottershed xvij d. Item Thomas Snelson' ij s.

8. *Puture Roll.*

20 Henry VII (24th June, 1505).

B.D.M., II, 3, Macclesfield.

1 m. 3 in. wide.

*Potura seriancie hundredi de Maclisfelde in festo Nativitatis Sancti Johannis anno xx<sup>o</sup> h. vij in primis* Item reysvyed of Sir Thomas Asseton' knight iij s. Item William Honfort Esquier xix d. ob. Item Thomas Fittun of Pownall xvij d. Item Sir John' Warren knyght viij s. viij d. Item Roger Downes xx d. Item Thomas Legh' of Adlyntun Esquier v s. x d. Item Thomas Davenport of Henbere Esquier v s. Item Rauff Ardern Esquier iij s. Item William Warde of Capistorne vj s. Item of y<sup>e</sup> towne of Chelford' vj s. Item Nicholas Davenport of Widfort iij s. viij d. Item John Davenport of Matley ij s. Item Robert Honforde of Chorley iij s. viij d.

9a. *Venables Deed witnessed by Orme de Davenport.*

*Probably before 1154.*

No original—Sampson Erdeswicke de Sonde's copy, made about 1600, in Harleian MS. 338, f. 21r. See also—(a) Sir P. Leycester, Liber H, No. 2; (b) Ormerod (Helsby), iii, p. 61, note (a); (c) Randle Holme III, about 1657, in Harleian MS. 2038, f. 92r (old 86); (d) John Woodnoth, from Bodleian MS. Dodsworth 31, in British Museum Additional MS. 6032, f. 8v.

Sciant omnes tam futuri quam presentes quod ego Gilbertus de Venables, consilio et consensu heredum meorum relaxavi, concessi, *atque liberum et quietum clamavi*,<sup>1</sup> Osmundum filium Gameli de Ecclestone et omnes heredes suos de tac<sup>2</sup> et tol et gersumo, et ab omni actione servili et ab omni vili consuetudine atque me dedisse *et concessisse et hac carta mea confirmasse*,<sup>1</sup> sibi et heredibus suis, duas bovatas terre, scilicet unam in Ecclestone, et aliam in Stretonia, pro tribus solidis annuatim reddendis, scilicet illas quas pater eius ante eum habuit, libere (et quiete),<sup>3</sup> excepto forinseco servitio quod ad regem vel ad comitem pertinet; pro hoc etiam

<sup>1</sup> From (c).

<sup>2</sup> Hewitt, *op. cit.*, pp. 59 and 60, discusses "tack", "tack-free" and "thistle-tack", a term widely used for *pannage* outside the forest.

<sup>3</sup> A guess; MS. has *etc.*

Willelmus et Ricardus de Etona dederunt unam marcam, et predictus Osmundus dimidiam argenti marcam. His testibus, Rogero de Utkintona, Radulfo de Brereton, Willelmo et Ricardo de Etona, Gilberto de Wetinhale, Orm' de Davenport,<sup>1</sup> Matheo clerico et multis aliis.

9b. *Morton Deed witnessed by Orme de Davenport.*

*Mid-twelfth century.*

No original—Randle Holme's seventeenth century copy from Vernon's Liber P, f. 126, deed *i*, in Harleian MS. 2007, f. 81v.

Turberinus de Morton dedit Godwino capellano de Astbury, Alcumlow. Testibus, Kettlebor' de Rode, Alexandro de Morton, Edwin' de Lawton, Orme de Davenport, Siward de Somerford, Gilberto clerico, Osberino de Conkelton.

10. *Grant to Richard de Davenport, by William de Venables, of half Marton, in free marriage with his sister Amabilia, for six barbed arrows yearly at Whitsun.*

*Between 1154, and about 1190.*

No original—Sampson Erdeswicke de Sonde's copy, made about 1600, in Harleian MS. 338, f. 21r. See also—(a) Sir P. Leycester, Liber H, No. 3; (b) Ormerod (Helsby), iii, p. 61, note (c); (c) Harleian MS. 2038, f. 92r (old 86) (d) Additional MS. 6032, f. 9v; (e) Harleian MS. 2008, f. 105v; (f) Harleian MS. 2074, f. 79v, copied from Vernon's Liber C, p. 182; (g) Booth's MSS Liber D, p. 74 (deed *a*); (h) Bodleian MS. Dodsworth 31, f. 36r; (i) B.D.M., MS. Volume 13, deed *l*, copied by Davies Davenport in the seventeenth century.

W. de Venables omnibus hominibus tam presentibus quam futuris salutem: sciatis me dedisse et concessisse Ricardo de Dauneport<sup>2</sup> et Amable sorori mee, dimidium de Merton<sup>3</sup> cum omnibus pertinenciis, illam medietatem que data fuit cum Margeria matre mea filia Walthew filii Wulfric, patri meo Gilberto de Venables in franc mariage ad tenendum de me et heredibus meis, sibi et heredibus suis, qui exient ex dicta domina, libere, quiete, in feodo et hereditate, in silvis, in planis, in pascuis, in pratis, in aquis, in molendinis, annuatim reddendo sex sagittas barbatas ad Pentecostem, pro omnibus serviciis, consuetudinibus, et demandis, adeo libere et quiete, sicut franc mariage dari potest. Testibus, Ricardo de Vernon, Gilberto de Venables, Michele fratre eius, Gilberto filio Nigelli,

<sup>1</sup> (c) has *Ormo*; (d) has *Ormus*.

<sup>2</sup> (d) and (f) have *Davenport*.

<sup>3</sup> (c) has *demidietatem de Marton*; (b), (g), (h), (i), all have *demidietatem*, or *dimidietatem*.

Radulfo de Brereton, Ranulfo de Arclet, Ricardo de Blakenall, Roberto de la Mare, Willelmo Franceis, Radulfo capellano, Galfrido capellano, Willelmo de Offelehe, Augustino de Redenovere, et aliis.

II. *Grant to Richard de Davenport, by Hugh, Earl of Chester, of "a . . .", by the service of forestry in fee, and as supreme forester of the forests of Leek and Macclesfield.*

1153-81, at Leek.

B.D.M., II, 3, Davenports of Davenport (i).

H. Comes Cestrie, constabulario, dapifero, iusticiariis, vicecomitibus, omnibus baronibus suis, omnibus hominibus suis franc' et anglic' tam presentibus quam futuris, salutem: sciatis me dedisse et concessisse et hac carta mea confirmasse Ricardo de Davenport et heredibus suis pro suo homagio et servicio, anhus cum omnibus pertinenciis tenendum de me et de meis heredibus, pro servicio foresterarii in feudo <sup>1</sup> et hereditate, libere et honorifice et quietum ab omnibus serviciis et consuetudinibus mihi pertinentibus vel meis heredibus, excepto predicto servicio foresterarii; preterea dedi predicto Ricardo et heredibus suis foresterarium meum de toto meo foresto et de Lec et de Maclesfeld tenendum de me et de meis heredibus in feudo <sup>1</sup> et hereditate ut sepedictus Ricardus sit meus supremus forestarius de toto meo predicto foresto iure hereditario: pro hac autem hereditate iste idem Ricardus dedit inde unum kazzorium sorbauzan <sup>2</sup> et duas marchas argenti et Ricardo avunculo meo kazzorium ferrant'.<sup>2</sup> Testibus, Ricardo avunculo comitis, Roberto de Stafford, Radulfo filio Warini, Radulfo vicecomite, Hugone de Dutton, Philipo de Dounes, Rogero Malfillastre, Humfredo de Scoville, Frembald', Rogero de Lancel', Willelmo de Ruthelan, Bertram' camerario, Rondulpho del Lec, Ricardo de Lime, Ricardo de Large, Sneyd' de Maclesfeld, Gamel' filio Hardin', Willelmo de Lec, Willelmo clerico apud Lec.

*Seal*—double queue, remains of large seal, broken, bound in cloth; on front fold to right of tag is *primus*.<sup>3</sup>

*Endorsement*—sixteenth-century—Irratulatur ad sessionem Cestrie tentam apud Cestriam in ea aula placitorum comitatus predicti die lune videlicet decimo nono die Aprilis anno regni domine Elizabeth dei gratia Anglie Francie et Hibernie regine fidei defensoris etc., tricesimo octavo <sup>4</sup> coram Ricardo Shuttleworthe milite, Iustic' dicte domine Regine Cestrie et Henrico Towneshend armigero altero Iustic' dicte domine Regine comitatus predicti. Henry Birkhened.

<sup>1</sup> *Sic*, for *feodo*.

<sup>2</sup> Unusual forms, probably derived from *calcar*, *aureus*, and *ferreus*.

<sup>3</sup> Transcript 16 has *secundus*.

<sup>4</sup> 19th April, 1596.

- 12a. *Grant to Richard de Davenport, by Ranulf, Earl of Chester, of acquittances from suit of the county of Chester, the hundred of Northwich, the pleas of Middlewich, and from finding "judgers", and serving on juries, for a pair of gilt spurs, or 6d. annually.*

1208-11, at Leek.

B.D.M., II, 3, Davenports of Davenport (ii).

Ranulphus comes Cestrie constabulario, dapifero, iusticiariis, vicecomitibus et omnibus baronibus suis, ministris et ballivis et omnibus hominibus suis presentem cartam visuris vel audituris, salutem: sciatis me dedisse et concessisse et presenti carta mea confirmasse Ricardo de Daunepord et heredibus suis in perpetuum de me et de heredibus meis quietanciam secte comitatus mei Cestrie et hundredi mei de Norwyko et placitorum meorum de Mediowyko et quietanciam iudicis<sup>1</sup> inveniendi ad predictum comitatum et ad hundredum, et quietanciam de iuratis; reddendo mihi et heredibus meis annuatim ad cameram meam Cestrie quedam calcaria deaurata<sup>2</sup> vel sex denarios in nativitate beati Johannis Baptiste;<sup>3</sup> Hiis testibus, Philipo de Oreby tunc iusticiario meo, Hugone Dispensario, Petro clerico, Warino de Vernon, Willelmo de Venables, Roberto Patrik, Hamone de Masey, Ricardo de Aldeforde, Lidulfo de Twamlawe, Ricardo Phiton, et multis aliis apud Lech.

*Seal*—double queue, remains of broken seal bound in parchment, but practically all missing.

*Endorsement*—fourteenth-century—Irratulatur ad comitatum tentum apud Cestriam die martis proximo post festum Sancte Scolastice virginis anno regni regis E. tertii a conquestu tricesimo octavo.<sup>4</sup>

- 12b. *Inspeximus of the above by Edward, the Black Prince.*  
2nd September, 1353, at Chester.

B.D.M., II, 3, Davenports of Davenport (ii).

Edwardus illustris Regis Anglie et Francie primogenitus, princeps Wallie, dux Cornubie et comes Cestrie omnibus presentes literas inspec-turis salutem. Inspeximus cartam bone memorie Ranulphi quondam comitis Cestrie in hec verba. Ranulphus comes Cestrie (etc., as above, and ending) et multis aliis apud Heth.<sup>5</sup> In cuius rei testimonium quia sigillum dicte carte in presencia dilecti et fidelis nostri Rogeri Hillary iusticiarii nostri Cestrie in pleno comitatu coram quo dicta carta exhibebatur ibidem per unum de clericis dicti iusticiarii ruptum fuerat,

<sup>1</sup> Or *iudicatoris*; both words are used for "judgers".

<sup>2</sup> "gilt spurs".

<sup>3</sup> 24th June.

<sup>4</sup> 13th February, 1364; see "Plea Roll", Chester 29/68, m. 39.

<sup>5</sup> A mistake for *Lech* of original.



casualiter, contra clerici voluntatem, predictam cartam sub sigillo nostro Cestrie duximus exemplificandam volentes quod ipsa carta non ob defectu predicto in posterum suum robur optineat et effectum. Teste me ipso apud Cestriam secundo die Septembris anno regni cari iuni domini nostri patris et Regis Anglie vicesimo septimo et Francie quartodecimo.

*Seal*—double queue, brown wax, about 1½ in. diameter, legend defaced but “. . . Edwardi . . .” can be distinguished.

*Endorsement*—fourteenth-century—Irrotulatur coram Bartholomeo de Burgherssh iusticiario domini comitis Cestrie ad comitatum tentum apud Cestriam die martis proximo post festum Sancte Scolastice virginis anno regni regis Edwardi tertii a conquestu tricesimo octavo.<sup>1</sup>

13. *Grant to Vivian de Davenport, by Ranulf, Earl of Chester, of the master serjeanty of Macclesfield, as Adam de Sutton held it, in exchange for his land of Wilewic.*

1217-26.

B.D.M., II, 3, Davenports of Davenport (iii).

Ranulphus comes Cestrie et Lincolnie universis presentibus et futuris, salutem. Sciatis me concessisse et dedisse et hac carta mea confirmasse Viviano de Davenport magisterialem serjanciam de Maklesfelde, illam scilicet quam Adam de Sutton tenuit, habendam et tenendam illi et heredibus suis in excambium terre sue de Wilewic quam mihi reddidit cum omnibus pertinenciis suis. Ita scilicet quod si idem Vivianus vel aliquis heredum suorum forisfaciat, unde non possit vel nolit pacem<sup>2</sup> Et<sup>3</sup> gardum curie mee,<sup>4</sup> ballivam dictam amittat in perpetuum. Et (. . .)<sup>5</sup> terra sua tota, quam de me tenet in capite, incurrant. Hiis testibus, Domino Hugone Abbate Cestrie, Philippo de Orreby tunc iusticiario, Henrico de Audithel', Rogero de Mannelwear', Aluredo de Sulinur', Thoma de Orreby, Herberto de Orreby, Ricardo de Cagwor' tunc camerario, magistro Hugone et multis aliis.

*Seal*—double queue, remains of large seal bound in parchment, broken and mostly missing.

*Endorsement*—sixteenth-century—Irrotulatur coram Thoma Neale auditore comitatus Cestrie termino Michaelis anno xxiiij<sup>to</sup> domine Regine Elizabeth.<sup>6</sup>

<sup>1</sup> Tuesday, 13th February, 1364.

<sup>2</sup> Expanded from *pac'*.

<sup>3</sup> *Sic*.

<sup>4</sup> Stewart-Brown, *op. cit.*, pp. 117-18, suggests the introduction of *custodire* after *curie mee*, to make better sense; some such word certainly seems to have been omitted.

<sup>5</sup> Erased.

<sup>6</sup> September, 1582.

14. *Release to Vivian de Davenport, by Ranulf, Earl of Chester, of a 3s. rent for "Isobel's Booths".*

1217-29.

B.D.M., II, 3, Davenports of Davenport (iii).

Ranulphus comes Cestrie et Lincolnie omnibus presentibus et futuris presentem cartam inspecturis et audituris salutem Sciatis me relaxasse et quietum clamasse in perpetuum, de me et heredibus meis Viviano de Davenport et heredibus suis tres solidos de redditu quos idem Vivianus reddere solebat mihi pro Hysebelesbothes et pro terra Petri Fabri; in escambium de Ysebelesbothes quam mihi et heredibus de se et suis heredibus quietam clamavit a Bosco de Willewick usque aquam; reddendo annuatim mihi et heredibus meis de se et heredibus suis quatuor sagittas barbatas ad festum omnium sanctorum <sup>1</sup> pro omni servitio et exactione quacumque de terra predicti Petri Fabri, quam eidem et heredibus suis quietam clamavi. Hiis testibus, Philippo de Orrebi iusticiario meo tunc temporis, Willelmo de Vernon, Ricardo Phitton, Johanne filio Philippi, Roberto de Stokeport, Jordano de Bredbury, Johanne Fiton, Henrico de Wych, Thoma de Tetiswych, Ricardo de Wibinbur', et aliis.

*Seal*—double queue, seal missing, tag remains.

There is a nineteenth-century endorsement.

15. *Grant to Richard de Davenport, by his father Vivian de Davenport, of lands in Macclesfield, for a pair of white gloves annually, on 1st November.*

1247—about 1260.

British Museum, Additional Charter 37,242.

Sciant omnes presentes et futuri hanc presentem cartam visuri vel audituri quod ego Phivianus de Dauneport dedi et concessi et hac presenti carta mea confirmavi Ricardo filio meo pro homagio suo et servitio, totam terram meam cum pertinenciis in villa de Maclysfeld, excepto burgagio Rogeri filii mei et redditum cum pertinenciis quem tenui de Eadmundo de Lascy, constabulario Cestrie, salvo quodam redditu quattuor denariorum de quadam acra terre super le Hallelehe quam <sup>2</sup> dedi servitio sancte Marie de Maclisfeld; tenendam <sup>3</sup> et habendam <sup>3</sup> de me et heredibus meis, sibi et heredibus suis in feodo et hereditate adeo libere et quiete sicuti terram predictam tenui de Eadmundo de Lascy, constabulario Cestrie; faciendo servitium et redditum quod illi terre pertinet predicto Eadmundo de Lascy, constabulario Cestrie, et heredibus suis, et mihi et heredibus meis de se et heredibus suis unum par albarum cyrotecharum in festo omnium sanctorum annuatim, libere et quiete ab omnibus aliis servitiis et demandis mihi et heredibus meis pertinentibus. Et ego Phivianus de Dauneport

<sup>1</sup> 1st November.

<sup>2</sup> Or *quem*.

<sup>3</sup> Agreeing with *terram*.

et heredes mei terram predictam cum pertinenciis predictis, Ricardo filio meo et heredibus suis, contra omnes homines et feminas in perpetuum warantizabimus. Ut hec igitur mea donatio et concessio<sup>1</sup> perpetue firmitatis robur optineat presentem cartam sigillo meo coroborari feci. Hiis testibus, Thoma de Horeby, tunc balivo<sup>1</sup> de Maclisfeld,<sup>2</sup> Ricardus de Cowdray, Henrico de Worth, Roberto de Doneys, Henrico de Bynghlis, Johanne, fratre suo, Ricardo de Mottrum, Sewale de Tyderenthon, Adam de Crawnach clerico, et multis aliis.

*Seal*—double queue, seal missing, tag remains.

*Endorsement*—sixteenth- or seventeenth-century—Cart' Wyvianid e Davenport'.

16. *Inquisition on Vivian de Davenport's exchange of the park and vivary of Macclesfield, for the serjeanty of the peace and puture.*

May, 1244–September, 1245.

B.D.M., II, 3, Macclesfield.

Iuratores super inquisitionem faciendam de quo iure quidam Vivianus de Daveneport percipere consuevit pro escambio parci et vivarii de Makelsfeld temporibus Ranulphi et Johannis comitum Cestrie que quidem inquisitio facta est per preceptum domini regis, scilicet per istos subscriptos:—Dominus Galfridus de Dutton, Dominus Robertus de Massy, Thomas de Orreby, Robertus Pigot, Willelmus de Sudindun, Adam de Audredelegh, Adam de Birchles, Robertus de Hida, Thomas de Wich, Willelmus de Edisselegh, Willelmus de Bagilegh, Ricardus de Lautun, Willelmus de Scherd, Johannes de Kapestorn, Adam Les, Ricardus de Sumerford, Rogerus de Toft, Rogerus de Kegwithe, Rogerus de Audredelegh. Qui dicunt per sacramentum quod idem Vivianus se invito escambiavit parcum et vivarium de Maklesfeld cum Ranulpho quondam comite Cestrie pro seriancia sua de Maklesfeld cum potura ad dictam serianciam pertinente quam poturam percipere consuevit per totum hundredum de Maklesfeld et in Longedinedale excepta villa de Mottrum; et in terra Ricardi Phiton excepta villa de Bolin. Sed comes Johannes, nepos dicti comitis Ranulphi, dicto Ricardo Phiton dictam poturam suam per cartam suam invito Viviano quietamclamavit; sic etiam terram Ricardi de Mottrum ubi predictus Vivianus poturam habere consuevit per cartam suam Viviano invito quietamclamavit; similiter etiam in tota terra quondam comitis Ranulphi silicet<sup>1</sup> de Lechernes<sup>2</sup> cum omnibus pertinenciis silicet<sup>1</sup> in medietate ville de Rowcess' et in tota villa de Wicckeshul, et in sex domibus in Denestun de feudo<sup>1</sup> predicti comitis et in feudo<sup>1</sup> comitis in Rossintun, et in tota villa de Waterfal' et in Caltun de feudo<sup>1</sup> comitis, et in feudo<sup>1</sup> comitis in Alstanesfeld et in tota villa de Yppstanes. Item percepit tempore separe predictorum comitum

<sup>1</sup> Sic.

<sup>2</sup> Expanded from *Macl'*.

<sup>3</sup> Leek and district.

Ranulphi et Johannis xxiiij solidos de scaccario domini comitis apud Cestriam ad duos terminos silicet <sup>1</sup> ad Natale domini <sup>2</sup> xij solidos et in festo sancti Johannis Baptiste <sup>3</sup> xij solidos, et totam predictam seriantiam cum tota predicta potura in omnibus locis predictis sicut predictum est comes Ranulphus ei incartavit pro escambio parci et vivarii de Maklesfeld.

*Seal*—double queue, traces of several small seals in white wax, none perfect, 11 tags remain; the parchment has been slit along the top edge of the bottom flap, and then tacked with a stitch at the right hand corner, as if it was originally going to be sealed simple queue. On the flap is *secundus*.<sup>4</sup>

There is a seventeenth-century endorsement by Davies Davenport.

17. *Grant to Roger de Davenport, by Robert Salemon, of half Withington, and other lands, in free marriage with his daughter Mary.*

*Probably before 1249.*

B.D.M., II, 3, Withington.

Sciant omnes tam presentes quam futuri quod ego Robertus Salemon dedi et concessci <sup>1</sup> et hac presenti carta mea confirmavi Rogero de Dauneport filio Phiviani de Dauneport in liberum maritagium cum Maria filia mea totum dimidium totius ville de Wythinton cum omnibus pertinentiis illum scilicet ex australi parte del Snape incipientem ad le Mers' et sic extendentem usque ad Doetum et illam bovatom quam Enok quondam tenuit cum omnibus pertinentiis et servitia et homagia et relevia et warda Johannis de Wythinton et Ricardi filii Laurencii et Rogeri de Tofte in firmis et in omnibus aliis servitiis terris suis pertinentibus et omnium heredum eorum et totum dimidium de Tunstude et de Lundrys et de Wardesahe cum omnibus pertinentiis, cum dimidio totius bosci de Hewode cum miso et pannagio et byko et totum dimidium de Wultrok cum pertinentiis quam Hamon de Weverham tenuit et totum Buterlehe cum omnibus pertinentiis, totum dimidium istarum terrarum infra hec communia assartandi tam extra sepem quam infra sepem; habendum et tenendum illi et heredibus suis de Maria filia mea procreatis libere et quiete, plene et pacifice, honorifice et integre cum omnibus pertinentiis et libertatibus et asiamentis, in bosco, in plano, in pratis, in pascuis, in viis, in semitis, et in aquis, et in omnibus locis et comoditatibus predictis terris pertinentibus, adeo libere et quiete sicut aliqua terra liberius et quietius alicui in liberum maritagium dari potest et recipi, salvo uno servitio quod forinceco <sup>1</sup> pertinet scilicet quando stagia <sup>5</sup> bovatarum terre

<sup>1</sup> *Sic.*

<sup>2</sup> 25th December.

<sup>3</sup> 24th June.

<sup>4</sup> Transcript 11 has *primus*.

<sup>5</sup> Ducange says, "estagium habere dominus dicitur, cum hospitium ei debetur". Here *stagia* refers to the periodic visits of the serjeants, and other officers of the earl, to the lands owing "defence", to demand "hospitality", or "puture".

de Wythinton circumveniunt que munire debent dominum, ut ipse ad curiam de Weverham accedat et ibi dictus Robertus Salemon et heredes sui dictum Rogerum et heredes suos de dicto servitio et de omnibus aliis servitiis contra omnes homines et feminas fideliter warantizabunt. Et ego Robertus Salemon et heredes mei, totas terras predictas cum omnibus pertinenciis dicto Rogero et heredibus suis contra omnes homines et feminas semper warantizabimus. Et ut hec mea donatio rata et stabilis et inconcussa permaneant huic scripto sigillum<sup>1</sup> meum apposui. Hiis testibus, Augustino tunc decano de Maclesfeld, Henrico parsona de Mottrum, Johanne de Birchlis, Thoma de Gosworth, Johanne de Wythinton, Johanne de Motlawe, Ranulfo de Arcleyt, Ricardo de Horebi, et multis aliis.

*Seal*—double queue, green wax, defaced, split and bound with cotton, a cross in a roundell; of the legend “† S . . . MONIS ” remains.

There are short sixteenth- and nineteenth-century endorsements.

18. *Grant to Roger's son, Thomas de Davenport, by Thomas de Macclesfield, of lands in Swettenham and Somerford, in free marriage with his daughter Agnes.*

1287.

No original—Randle Holme's copy, written about 1657, in Harleian MS. 2038, f. 92v (old 86i); there is another copy, (a), also by Randle Holme, in Harleian MS. 2007, f. 76r (old 114k).

Universis Christi fidelibus, etc., Thomas de Macclesfield salutem etc., noveritis me dedisse etc., Thome filio et heredi Rogeri de Davenport, in libero maritagio cum Agnete filia mea, omnes terras et tenementa que habui vel aliquo habere potui in villis de Swetenum et Somerford iuxta Davenport, cum omnibus suis pertinenciis: habendum et tenendum eisdem Thome et Agneti, et heredibus suis predictae Agnetis legitime procreatis etc., *libere, quiete, etc., reddendo mihi et heredibus meis jd. et faciendo capitalibus dominis feodorum redditus et servitia inde debita, (gener'war')*.<sup>2</sup> Testibus, dominis Galfrido de Chedle, Ricardo de Stockport, Edmundo Phiton, militibus, Rogero de Davenport, Thome fratre eius, Ricardo fratre eius, Roberto de Dounes, Johanne de Sutton, Jordano de Tydrington, Johanne de Mottram, Rogero Throsell, Ricardo de Somerford, Ada Byran et aliis.

- 19a. *Thomas de Davenport's lease of the serjeanty to Henry de Cotton.*

1307.

No original—Randle Holme's copy in Harleian MS. 2077, f. 75r (old 135l); there is a briefer version (a), in Harleian MS. 2074, f. 79r.

Anno 1307 inter Thomam dominum de Davenport ex parte una et

<sup>1</sup> Sic.

<sup>2</sup> *libere, . . . debita, (gener'war')* from a.

Henricum de Coton ex altera parte, Thomas tradidit et ad firmam dimisit predicto Henrico et plegiis suis inscriptis, videlicet Rogero de Macclesfeld, Johanne de Coton seniore, Thoma de Cranach, Thoma de Erdsweke,<sup>1</sup> Nicholo de Vernon, Ricardo de Cranach, Henrico filio eius, Gilberto Dodesune, Johanne de Coton iuniore, Johanne de Holey, Rogero de Cranach, Willelmo de Astbury, et Ricardo de Lauton, totam ballivam suam infra hundredum de Macclesfeild que dicitur sergancia pacis simul ac 24<sup>1</sup> puture que solebatur esse in manu sua propria etc., habendam predicto Henrico ad terminum duorum annorum etc., reddendo inde annuatim etc., predicto Thome et heredibus suis decem libras argenti, ad duos anni terminos videlicet ad festum omnium sanctorum<sup>2</sup> et festum sancti Barnabe apostoli<sup>3</sup> per equales porciones.

19b. *Thomas de Davenport's lease of the serjeanty to his younger son Thomas, at 16 marks a year for two years.*

*3rd November, 1309.*

B.D.M., II, 3, Macclesfield.

Die lune proximo post festum omnium sanctorum anno domini m<sup>o</sup> ccc nono, ita convenitur inter Thomam dominum de Davenport ex parte una et Thomam filium eius ex altera, videlicet quod predictus Thomas tradidit et ad firmam dimisit predicto Thome et plegiis suis subscriptis videlicet Rogero de Motlowe, Viviano de Foxwist, Ricardo filio Johannis de Davenport, Johanni de Asthul, Ade fratri eius, Ricardo de Bromale, Johanni de Baskerville, Johanni de Honford, Ade de Snelleston', et Hamoni de Henidbur', Henrico fratri eius, et Petro de Capistorn, totam ballivam suam infra hundredum de Maclisfeld illam scilicet que vocatur sergancia pacis cum suis pertinenciis habendam et tenendam de predicto Thoma et heredibus suis, predicto Thome vel plegiis suis, ad terminum duorum annorum proximorum sequentium et plenarie', complete', libere, quiete, plane, et pacifice cum omnibus pertinenciis et libertatibus atque comoditatibus predictae ballive pertinentibus reddendo inde annuatim de predicto Thoma vel plegiis suis predicto Thome et heredibus suis sexdecim marcas argenti ad duos anni terminos videlicet ad festum omnium sanctorum<sup>4</sup> et ad festum sancti Barnabe apostoli<sup>5</sup> per equales porciones. Item tunc tempore convenitur inter predictos Thomam et Thomam quod idem Thomas et plegii sui prescripti pro omni forisfacto et delicto infra predictum terminum in predicta balliva servientibus regis respondebunt ipsum quia prefatus Thomas et heredes sui contra dominum regem nec non contra quemcunque servabunt indempnes et sine iactam. Et ipse vero predictus Thomas et heredes sui totam predictam ballivam cum suis pertinenciis predicto Thome et plegiis suis usque finem predicti

<sup>1</sup> *Sic.*

<sup>2</sup> 1st November.

<sup>3</sup> 11th June.

<sup>4</sup> 1st November.

<sup>5</sup> 11th June.

termini contra omnes mortales warrantizabunt. In cuius rei testimonium idem Thomas et plegii sui hoc scriptum inprestione suorum equorum assignaverunt.

*Seal*—double queue, one tag only, seal missing.

- 19c. *Receipt and acquittance of four marks rent due for the lease of the serjeanty, from Thomas de Davenport to his eldest son, John*  
*12th June, 1313, at Davenport.*  
 B.D.M., II, 3, Macclesfield.

Pateat universis per presentes quod ego Thomas dominus de Davenport recepi quattuor marcas argenti de Johanne filio meo in partem solutionem octo marcarum in quibus predictus Johannes mihi tenebatur pro sergentia mea de Maclesfeld de termino sancti Barnabe apostoli <sup>1</sup> anno domino m<sup>o</sup> trecentesimo tertio-decimo; in cuius rei testimonium has literas meas acquietancie predictarum marcarum sigillo meo signatas sibi fieri feci patentes. Data <sup>2</sup> apud Davenport in crastino sancti Barnabe apostoli anno Domini supradicto.

*Seal*—simple queue, small green wax seal, damaged, the only part of the legend remaining is “† S.T. . .”

- 20a. *Agreement for marriage of John de Davenport and Margery de Brereton.*  
*1301, at Brereton.*  
 No original—Randle Holme's seventeenth-century copy, in Harleian MS. 2074, f. 36r.

Ego Thomas filius Rogeri de Davenport dedi domino Willelmo de Brereton militi maritagium Johannis filii mei primogeniti, Margerie filie eiusdem pro Lx marcis mihi per manus solutis etc., Testibus dominis Hugone de Mascy, Radulpho de Vernon, Hugone de Venables, militibus, Alexandro Bamville, Willelmo de Toft, Johanne de Coton, dat' apud Brereton anno domini 1301.

- 20b. *Annulment of the above marriage.*  
*1305, at Chester.*  
 No original—Randle Holme's seventeenth-century copy, in Harleian MS. 2074, f. 36r.

Pateat etc., cum causa divorcii sponsalis mota fuisset inter Margeriam filiam domini Willelmi de Brereton militis actricem ex una, et Johannem filium Thome de Davenport revocatorem ex altera, nec non inter predictum Johannem actorem ex una et dictam Margeriam revocatricem ex altera, pro eo quod predicti Johannes et Margeria infra legitimam etatem

<sup>1</sup> 11th June

<sup>2</sup> *Sic.*



ad matrimonium contrahendum existentes sponsalia publice et de facto contaxerunt, quibus ad legitimam etatem pervenientibus tempore congrua contra dicta sponsalia reclamant et quibus eisdem contradixerunt; oblati igitur libellis at quia invenimus partes predictas intencionem eandem legitime probasse, ideo de consilio iuris aperiter nobis assidentium, dicta sponsalia inter partes predictas sic contracta nulla, invallida, et non teneri pronuntiavimus, ipsoque abiuramus seperantes sententialiter et diffinitive. In cuius rei testimonium sigillum officialitatis Cestrie presentibus est datum Cestrie anno domini 1305.

20c. *Remarriage of the above.*

*Monday, 22nd January, 1308, at Chester.*

No original—Roger Dodsworth's copy in Bodleian MS. Dodsworth 31, ff. 41v-42r.

A toutz gents etc., le Luyndy en la Fest' seynt Vincent, le an del Regne le Roy Edward le Fitz Le Roy Edward primier a convent' entre Mounsier Willame de Brereton chevalier de une part' et Thomas segnur' de Davenport de autre part'. Ceo est a saver que le avant dit Thomas adgraunte al dit Mounsier Willame Le mariage de Johan son fitz et son heire a marier a Margerie file le dit Mounsier Willame etc., Et le dit Mounsier Willame donerra al dit Thomas pur le mariage avant dit quatre vint marcs Desesterlings etc., En Tesmoignaunce de quel chose les parties avant ditz ount mis loue seales en la presence Mounsier Raufe de Vernon, Mounsier Hugh de Venables chevallers, Sir Robert de Homington, Raufe le frer' Mounsier Raufe de Vernon, Johan de Wetenhall, Richard de Fuhgelehurst, et plosures bones gentz. Done a Cestre le jour et le an avantditz.

20d. *Grant by Thomas de Davenport, to his son John, in free marriage with Margery de Brereton, the lands in Somerford which Thomas had from Thomas de Macclesfield, with other lands and rents.*

*About 1308.*

B.D.M., II, 3, Somerford.

Sciant presentes et futuri quod ego Thomas, dominus de Davenport dedi, concessi, et hac presenti carta mea confirmavi Johanni filio meo primogenito in libero maritagio cum Margeria filia domini Willelmi de Brereton militis, totam terram meam et tenementa cum edificiis, wastis, rebus, redditibus, possessionibus, approwyamentis, et cum toto dominio meo quod habui vel aliquo modo habere potui in villa de Somerford una cum tota terra quam tenui in dominico apud Hegwallehull' cum omnibus pertinenciis suis, adhuc libere et plene sine aliquo retenemento sicut ego dictus Thomas, dictas terras et tenementa, unquam melius, plenius, sive liberius, tenui et habui de dono et feoffamento Thome quondam ballivi de

Macclesfeld' et de propria perquisicione mea. Dedi etiam eisdem Johanni et Margerie in libero maritagio ut predictum est triginta et novem solidos annui redditus annuatim percipiend' ad duos anni terminos videlicet ad festum Sancti Barnabe apostoli <sup>1</sup> et ad festum omnium sanctorum <sup>2</sup> per equales porciones de molendino meo aquatico in Marton' iuxta Sydyndon' cum pertinenciis. Habendum et tenend' omnes predictas terras et tenementa una cum dictis triginta et novem solidis annui redditus dictis Johanni et Margerie et eorum heredibus de corporibus suis legitime procreatis, libere, quiete, bene, pacifice, integre, iure hereditario inperpetuum cum omnibus libertatibus, comoditatibus, possessionibus, eysiamentis et approwyamentis ut in wastis, moris, mariscis, boscis, pratis, planis, pascuis, pastur', trubar', aquis, stagnis, vinar', ripar', marler', viis, semitis, molendinis, et in omnibus aliis locis, longe et prope et cum omnibus aliis pertinenciis, nominatis et non nominatis, dictis terris et tenementis et ville de Somerford antedecte quocumque modo spectantibus Et si contingat me, dictum Thomam, in solucione predictorum triginta et novem solidorum de molendino meo predicto percipiendorum ad aliquem terminum predictum aliquo tempore in parte vel in toto quod absit de futura tunc licebit dictis Johanni et Margerie et eorum heredibus, in toto molendino meo predicto pro voluntate sua distringere' et districtiones sic factas retinere sine contradictione mei vel meorum donec eiusdem de omnibus arreragiis satisfactum fuerit ad plenum. Set si contingat quod absit quod predicti Johannes et Margeria sine herede de corpore suo legitime procreato obierint, tunc volo quod omnes terras et tenementa predicta res, reddit', et possessiones, michi et heredibus meis plene revertentur. Reddendo inde annuatim mihi et heredibus meis quadraginta denarios, scilicet in festo Sancti Martini Episcopi <sup>3</sup> pro omnibus. Ego vero dictus Thomas et heredes mei omnes terras et tenementa predicta, res, redditus, possessiones, una cum triginta et novem solidis annui reddit' cum omnibus et singulis pertinenciis suis nominatis et non nominatis, dictis Johanni et Margerie et eorum heredibus de corporibus suis legitime procreatis, contra omnes gentes warantizabimus et inperpetuum deffendemus. In cuius rei testimonium sigillum meum huic presenti carte fideliter est appensum. Hiis testibus, Dominis Radulfo de Vernoun, Hugone de Venables, Ricardo de Sondbache, militibus, domino Roberto de Hemington, clerico, Radulfo filio domini Radulfi de Vernoun, Johanne de Wetenhall, Ricardo de Fuhgeleshurst, tunc vicecomite Cestris', Willelmo de Praers, et multi aliis.

*Seal*—double queue, green wax, diameter about  $\frac{3}{4}$  in., full-length figure of knight, standing, full-face, with left hand resting on a shield, and right arm raised, bent at elbow. Legend—"† S. THOME DE DAVENPORT". There are short seventeenth- and nineteenth-century endorsement.

<sup>1</sup> 11th June.

<sup>2</sup> 1st November.

<sup>3</sup> 11th November.

20e. *John de Davenport confirms the above lands and rents to his wife Margery as her "dot".*

*About 1308 or after.*

B.D.M., II, 3, Somerford.

Pateat universis per presentes quod ego Johannes filius Thome de Davenport obligo omnes terras et tenementa de Somerfort cum toto redditu omnium tenementorum nostrorum de Somerfort simul cum triginta novem solidis annui redditus de molendino de Martun tam integre quam Thomas, dominus de Davenport, nos feoffavit iuncte, Margerie filie domini Willelmi de Brereton' militi <sup>1</sup> ad totam vitam suam quasi in nomine dotis; si aliquod obstaculum fuerit inventum contra contractum matrimonii inter nos ex parte mea, ita quod divorcium fiat per me vel per factum meum in alico <sup>1</sup> alio loco, concedo et obligolomnes <sup>1</sup> predictas terras et tenementa cum toto redditu de Somerfort simul cum triginta novem solidis annui redditus de molendino de Martun dicte Margerie ad totam vitam suam remanentes sine diseisit' <sup>2</sup> contra donationem mei vel alicuius nomine meo seu magistro meo. In cuius rei testimonium huic presenti scripto obligatorio sigillum meum est apensum.

*Seal*—double queue, small brown wax, defaced.

There is a short nineteenth-century endorsement.

21a. *Grant to John de Davenport of Wheltrough, by Sir John de Davenport, of an annual rent of 20s.*

*Monday, 4th May, 1355, at Macclesfield.*

B.D.M., II, 3, Davenports of Davenport (iv).

A toux iceux queux cest present lettre verrount ou orrount Johan de Davenport chivaler salutz; sachez moi avoir grauntee a Johan de Davenport Wheltrough a tote la vie mesme cetry Johan un annuele rent de vyntz soldez par an pour son counceil et son eyde a aver en mes besoignes graunt il serra resonnablement garny et sur mes coustages a travailler a paier de an en an a les festes de la Nativite de Seynt Johan le Baptiste <sup>3</sup> et de Seynt Martyn en Yver <sup>4</sup> par oweilles porcionnes la qele rent bien et loialement au dit Johan a tote sa vie a paier ieo oblige moi et mes heyres. En tesmoignaunce de qele chose a cest present lettre ay mys mon seall. Donee a Macclesfeld le Lundy proscheyn apres la fest de la Invencion' de la Seynt Croice Lan de Regne le Roi Edward tiers apres la conquest vyntz et neofime.

*Seal*—simple queue, seal missing, tag remains.

There is a short nineteenth-century endorsement.

<sup>1</sup> *Sic.*

<sup>2</sup> *diseisit'* is inserted above the line; the sense would be reasonable without it.

<sup>3</sup> 24th June.

<sup>4</sup> 11th November.

21b. *Confirmation of the above by Agnes, second wife and widow of Sir John de Davenport, for the term of her life.*

*Thursday, 12th July, 1358, at Swettenham.*

B.D.M., II, 3, Davenports of Davenport (iv).

Pateat universis per presentes me Agnetem que fuit uxor Johanni de Davenport, chivaler, concessisse Johanni de Davenport de Whelton quemdam annualem redditum viginti solidorum annuatim percipiendum dicto Johanni ad terminum vite mee dicte Agnetis ad festum Nativitatis domini <sup>1</sup> sine ulteriori dilatione ad quam quidem solutionem dicti redditus viginti solidorum dicto termino fideliter persolvere obligo me et omnia bona et catalla mea ubicunque fuerint inventa. In cuius rei testimonium huic presenti scripto meo sigillum meum apposui. Dat' apud Swetenham die Jovis proximo post festum Translationis Sancti Thome Martiris Anno regni Regis Edwardi tertii post conquestum Anglie tricesimo secundo.

*Seal*—simple queue, seal missing, part of tag remains.

There is a short nineteenth-century endorsement.

22. *Indenture between the King and Ralph de Davenport touching his service in the wars.*

*1st July, 1379, at Chester.*

B.D.M., II, 3, Davenports of Davenport (v).

Ceste endenture faite parentre le Roi nostre souveraigne sieur dune parte et Rauf de Davenport Esquier dautre part tesmoigne que le dit Rauf est demorez devers nostre dit sieur le Roi pur luy servir ovesque tres archiers bien montez armez et araiez a feere de guerre pour un an entier en un viage que mesme nostre sieur le Roi ferra en sa propre personne se dieu pleist es parties doutre la meere ou aillieurs ou ils serrunt assignez par nostre ditsieur le Roi en manere et par mesme la fourme come autres gentz de son estat et condicion ovesque mesme nostre sieur le Roi pur mesme la viage rotenuz sount obligez de Faire commenceant le dit an le iour que le dit Rauf ferra sa moustre de archiers suisditz al Newcastell souz Lyme, et le dit Rauf serra tenuz de faire la dite moustre au dit Newcastell le quinzisime iour de Juyllet proschein venant <sup>2</sup> preignant pur luy mesme et les ditz archiers antieux gages regarde et agreement et par mesme la fourme come autres gentz de leur estat et condicioun prendront par le temps suisdit des queux gages et regarde come en les parties de France serra le dit Rauf paiee a la fesance de ceste endenture pur un quartier dun an et serra le dit Rauf ovesque les archiers suisditz prist sur soun passage a Southampton' le Samady le xvj iour de Juyllet proschein ensuant <sup>3</sup> et avera nostre ditsieur le Roi antieux prisoners et gaigne du

<sup>1</sup> 25th December.

<sup>2</sup> 15th July, 1379.

<sup>3</sup> Saturday, 16th July, 1379.

guerre du dit Rauf et les archiers suisditz come il avera des autres gentz de leur estat et condicioun en le dit viage. En tesmoignance de quel chose a la partie de ceste endenture devers le dit Rauf demorant nostre ditsieur le Roi ad fait mettre son seal. Donee a Cestre le primer iour de Juyllet lan du regne du Roi nostre ditsieur tierce.

*Seal*—simple queue, half a large brown wax seal remains, much defaced. There are short seventeenth- and nineteenth-century endorsements.

23. *Grant to Sir Ralph de Davenport, by Adam de Haregrefes and Alice his wife, of half a burgage in Flint.*

*5th February, 1375, at Flint.*

B.D.M., II, 26, Wales, co. Flint.

Sciant presentes et futuri quod nos Adam de Haregrefes et Alicia uxor mea dedimus concessimus et hac presenti carta nostra confirmavimus domino Radulpho de Davenport militi medietatem unius burgagii cum pertinenciis in villa de Flynt jacentem inter quoddam burgagium predicti Ade ex una parte et altam viam ducentem usque Cestriam ex altera parte. Habendam et tenendam dictam medietatem burgagii cum omnibus suis pertinenciis et libertatibus quibuscunque predicto domino Radulpho, heredibus et assignatis suis de capitali domino feodi illius per servitia inde debita et de iure consueta, libere, quiete, integre, bene, et in pace imperpetuum. Et nos vero predicti Adam et Alicia uxor mea totam predictam medietatem burgagii cum suis pertinenciis predicto domino Radulpho heredibus et assignatis suis, ut predictum est, contra omnes gentes warantizabimus et ubique imperpetuum defendemus. In cuius rei testimonium huic presenti carte nostre sigilla nostra apposuimus. Hiis testibus, predicto domino Radulpho tunc maiore ville predictae, Ada del Wode, et David del Twysse ballivis ibidem, Johanne de Heley, Thoma de Botras, Willelmo de Hokes, Johanne de Bostok et aliis. Dat' apud Flynt die lune proximo post festum Purificationis beate Marie anno regni Regis Edwardi tertii post conquestum quadragesimo nono.

*Seal*—double queue, there have been two white wax seals, one is missing, and one damaged, but tags remain.

There is a short seventeenth-century endorsement.

24. *Grant of wardship of Ralph de Davenport, to Joyce, his widowed mother, by the King's letters patent.*

*11th December, 1383, at Chester.*

B.D.M., II, 3, Macclesfield.

Ricardus dei gracia Rex Anglie et Francie et Dominus Hibernie omnibus ad quos presentes lettere pervenerint salutem. Sciatis quod per finem quadraginta librarum quem Jacosa que fuit uxor Radulphi de

Davenport militis nobiscum fecit nobis in scaccario nostro Cestrie infra sex annos proximos futuros ad festa Pasche<sup>1</sup> et Sancti Michelis<sup>2</sup> per equales porciones persolvend' prout in quadam recognicione per ipsam Jocosam, Thomam Fyton de Gouseworth, Johannem de Leycestre, Thomam Fyton de Bolyn et Hamonem de Asshelegh in scaccario nostro predicto nobis inde facta plenius continetur concessimus eidem Jacose custodiam corporis Radulphi filii et heredis predicti Radulphi de Davenport defuncti qui de nobis tenuit in capite per servitium militare, infra etatem et in custodia nostra existentis et quarte partis seriantie pacis in hundredo de Macclesfeld. Habend' a tempore mortis predicti Radulphi de Davenport usque ad legitimam etatem ipsius Radulphi filii Radulphi una cum maritagio eiusdem Radulphi filii Radulphi absque disparagacione necnon cum revercionibus quorumcumque terrarum et tenementorum eidem Radulpho filio Radulphi qualitercumque pertinentiis cum acciderint feodis militum, advocacionibus ecclesiarum, et escaetis quibuscumque nobis reservatis. Et si contingat ipsum Radulphum filium Radulphi antequam ad plenam etatem pervenerit obire herede suo infra etatem existente et per predictam Jocosam maritatus non fuerit tunc eadem Jocosa habeat custodiam diete quarte partis seriantie predictae cum pertinentiis una cum reversionibus predictis usque ad legitimam etatem dicti heredis sic infra etatem existentis una cum maritagio eiusdem heredis sic infra etatem existentis una cum maritagio eiusdem heredis absque disparagacione et sic de herede in heredem quousque aliquis heredum predictorum ad plenam etatem suam pervenerit et eadem Jocosa effectum maritagii alicuius heredum eorundem fuerit assecuta. In cuius rei testimonium has litteras nostras fieri fecimus patentes sigillo scaccarii nostri Cestrie signante Dat' apud Cestriam xj die Decembris anno regni nostri septimo.

*Seal*—simple queue, brown wax seal diameter about  $1\frac{1}{2}$  in., the seal of the Chester Exchequer, damaged, and legend defaced.

There is a nineteenth-century endorsement.

25. *Lease from Eva, widow of Thomas, son of Sir John de Davenport, of all her dower in the serjeanty, to William de Legh, and Joyce, his wife, during the minority of Ralph, son of Joyce, and the late Sir Ralph de Davenport.*

*Saturday, 5th October, 1387, at Davenport.*

B.D.M., II, 3, Macclesfield.

Ceste indenture fait par entre monsieur Willame de Legh et Joese sa femme dunepert et Eve qe fuist la femme Thomas fitz Johan de Davenport chivaler dautrepart tesmoygne que lavandite Eve adgraunte lesse et delyvere a lez avantditz monsieur Willame et Joese durant le nonage

<sup>1</sup> Easter.

<sup>2</sup> 29th September.

Rauff fiz monsieur Rauff de Davenport chivaler. Et sil aveygne que mesme cely Rauff fiz monsieur Rauff morge deinz age adonque tanque le heir du dit Rauff fiz monsieur Rauff vient a son pleynage et issi de heir en heir tanque ascune heir' du dit Rauff fiz monsieur Rauff devyent a son pleyn age, tout sa dower qa ele affiert del office du seriancie del hundred' de Macclesfeld' rendant eut par ane a dite Eve ou a son assigne qaront souldes dargent as deaux termes del ane usuelez cest assavoir' alez festez del Natyvyte Saynt Johan le Baptiste <sup>1</sup> et Saynt Martine en Yvere <sup>2</sup> par owels porcions. Et lez avanditz monsieur Willame et Joese grantant du lore partie que en cas que le dit rent soyt a derier en parte ou en tout a lez termes avantnommez ou par quinz iours proschenis apres lez ditz festez qadonque bien lice a dite Eve ou a sez deputez en le manoir de Bageley oue lez appurtenaunces destrayndre et la destresse chaser aveygne et enporter a sa volonte deinz le comitie de Cestr' tanq ele soit pleynement paie du le dit rent oue lez arruragez si ascunz y soient. Et en son dower du dit office du seriantie de dit hundred entrer et tenere con..... <sup>3</sup> devant..... <sup>3</sup> counterdit dezditz Willame ou Joese. En tesmoygnance du quele chose q lez partiez du cestes endentures lez partiez avaunditz eut d'amigeablement ont mys lore sealle. Don' a Davenport le Sabbadi prosechein apres la feste saynt Michel larchangel lane du regne Roi Richard seconde xj<sup>me</sup>.

*Seal*—double queue, there have been two seals, both missing, on one tag, which remains.

26. *The King's order to Robert de Paris, Chamberlain of Chester, to make allowance to Sir William de Legh of part of the sum he had paid for the wardship and marriage of Ralph de Davenport.*

*3rd January, 1398, at Coventry.*

*Writs of Livery, Chester 1/1, Part 5, No. 34.*

Richard par la grace de dieu Roy dengleterre et de France et Seignur dirlande; a nostre ame esquier Robert Paris nostre Chamberlein de Cestre saluz. Come nudgairs pur un fin de quarante livres a estre paiees a nostre oepe eussiens grantez a nostre cher et loial chivaler William de Lye de nostre principaute de Cestre les garde et mariage de Rauf fitz et heir de Rauf Daunport chivaler desqueles quarante livres lavantdit William avoit paieez vint livres a nostre Eschequier illoeqes a ce qest dit et les autres vint livres nous lui eussiens pardonez et combien que sur mesme nostre pardon mesme celui William avoit diverses garantz desouz nostre signet directes au Gardein de me prive seal qi lore estoit. Nientmains pur certain impediment qui survint les ditz garantz ne feuerent mys en execution selon leffect de nostre dite pardon par quele cause le dit William ad paieez a nostre dit Eschequier les dites vint livres forspris trois livres et cynk

<sup>1</sup> 24th June.

<sup>2</sup> 11th November.

<sup>3</sup> Illegible.



souldz que en courgent sur lui en demande a nostre Eschequier susdit a ce que vous sumes enformer si volens de nostre grace especialle et vous mandons que si ensi soit <sup>1</sup> au dit William facez paier vint livres en recompensation des vint livres par nous ensi pardonez parensi que mesme celui William nous paie a nostre dit Eschequier les dites trois livres et cynk souldz courrantz sur lui en demande come avant est dit. Et volons que par cestes vous en eiez due allouance en nostre acounte. Don' souz nostre prive seal a nostre citee de Coventre le tierz iour de Januer lan de nostre regne vint et primer.

*Seal*—mostly gone, stitched under parchment on back of writ; there are three sets of two parallel slits on the writ, probably marks of how it was originally filed.

*Endorsement*—contemporary—L'ra Willelmi de Lye cbivaler de xx li semel t'm sibi solvend'.

27. *Grant to Ralph de Davenport, by King Richard, of an annuity of £20. 12th June, 1398, at Chester.*

B.D.M., II, 3, Davenports of Davenport (vi).

Ricardus dei gratia Rex Anglie et Francie Dominus Hibernie et Princeps Cestrie omnibus ad quos presentes littere pervenerint; sciatis quod de gratia nostra speciali concessimus dilecto ligo nostro Radulpho de Davenport viginti libras percipiendas quolibet anno durante vita ipsius Radulphi ad scaccarium nostrum Cestrie per manus Camerarii nostri ibidem pro tempore existentis ad terminos Sancti Michaelis <sup>2</sup> et Pasche <sup>3</sup> per equales porciones. In cuius rei testimonium has litteras nostras fieri fecimus patentes sigillo principatus nostri Cestrie signatas. Dat apud Cestriam duodecimo die Junii anno regni nostri vicesimo primo. per breve de privato sigillo.<sup>4</sup>

*Seal*—small white wax seal, double queue, damaged, on reverse equestrian figure, on obverse arms of principality, legend defaced.

<sup>1</sup> *si ensi soit*, is inserted above the line.

<sup>2</sup> 29th September.

<sup>3</sup> Easter.

<sup>4</sup> *per . . . sigillo*, is in a smaller hand than the rest.

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