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978-0-521-08283-9 - The Legal Framework of English Feudalism

S. F. C. Milsom

Frontmatter

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CAMBRIDGE STUDIES
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Edited by

D. E. C. YALE

Fellow of Christ's College

and Reader in English Legal History at the University of Cambridge

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THE MAITLAND LECTURES

GIVEN IN 1972

S. F. C. MILSOM



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PREFACE

With some expansion in detail, this book consists of lectures given in Cambridge in 1972 at the invitation of the Managers of the Maitland Memorial Fund; and it is now published with the aid of a generous grant from the Fund. To the Managers, to Mr David Yale, and to those historians and lawyers who so bravely listened, I am deeply grateful. There were power cuts at the time, and the lecturer peered from a wavering patch of candle-light much as his lectures tried to make out what sort of world lies in the darkness behind our earliest legal records. These are lights that cannot come on again; and we may never be sure of the answers to many individual questions. I shall be content if it is agreed that the questions arise, and therefore that the world cannot have been quite as we have supposed.

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ABBREVIATIONS AND MODES OF CITATION

A. Printed Plea Rolls

References are to entry numbers in publications which number entries, and to page numbers in those which do not. In the following list a note at the end of each description shows to which class the publication belongs. When a page reference seems insufficient for ready identification the name of a principal party, is added in parentheses.

When several references to a case have been found, they are listed in an order which is only approximately chronological: strict chronology would cause repetition by separating entries printed in the same volume. Italic type for page or entry numbers in such cases distinguishes the less important and not the more important references: the entries for which the case is particularly cited are thus in roman type like all other page and entry numbers. A series of references separated only by semicolons comprises the entries found of a single case or a series of cases concerning the same dispute: when more than one case is cited, each is prefixed by (*a*), (*b*), etc.

Quotations reproduce the text as printed, and therefore follow differing editorial conventions.

- | | |
|----------------|--|
| <i>Beds.</i> | <i>Rolls of the Justices in Eyre at Bedford, 1202</i> ; ed. G. H. Fowler; Bedfordshire Historical Record Society, vol. I (1913), pp. 133–247. Entry numbers. |
| <i>BNB</i> | <i>Bracton's Note Book</i> ; ed. F. W. Maitland; 3 vols. (1887). Entry numbers. |
| <i>CRR</i> | <i>Curia Regis Rolls</i> (1922–). Page numbers in vols. 1–x, entry numbers thereafter. |
| <i>Gloucs.</i> | <i>Rolls of the Justices in Eyre for Gloucestershire, Warwickshire and [Shropshire], 1221–1222</i> ; ed. |

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ABBREVIATIONS

- D. M. Stenton; Selden Society, vol. 59 (1940). Entry numbers.
- Lincs.* *The Earliest Lincolnshire Assize Rolls, 1202–1209*; ed. D. M. Stenton; Lincoln Record Society, vol. 22 (1926). Entry numbers.
- Lincs.-Worcs.* *Rolls of the Justices in Eyre for Lincolnshire, 1218–1219 and Worcestershire, 1221*; ed. D. M. Stenton; Selden Society, vol. 53 (1934). Entry numbers.
- Northants.* *The Earliest Northamptonshire Assize Rolls, 1202–1203*; ed. D. M. Stenton; Northamptonshire Record Society, vol. v (1930). Entry numbers.
- PKf* *Pleas before the King or his Justices, 1198–1212*; ed. D. M. Stenton; vols. I–IV; Selden Society, vols. 67 (1948), 68 (1949), 83 (1966), 84 (1967). Entry numbers.
- PRS, xiv* *Three Rolls of the King's Court in the Reign of King Richard the First, 1194–1195*; ed. F. W. Maitland; Pipe Roll Society, vol. xiv (1891). Page numbers.
- PRS(NS), xxxi* *Memoranda Roll for the Tenth Year of King John [etc.]*: 'Curia Regis Roll 5 (1196)' and 'Curia Regis Roll 8B (1198)'; ed. R. Allen Brown; Pipe Roll Society, New Series, vol. xxxi (1955), pp. 69–118. Page numbers.
- RCR* *Rotuli Curiae Regis*; ed. F. Palgrave; vols. I–II (1835). Page numbers.
- Staffs.* 'Staffordshire Suits extracted from the Plea Rolls, *temp.* Richard I and King John'; ed. G. Wrottesley; William Salt Archaeological Society, vol. III (1882), pp. 25–163. Page numbers.
- Yorks.* *Rolls of the Justices in Eyre for Yorkshire, 1218–1219*; ed. D. M. Stenton; Selden Society, vol. 56 (1937). Entry numbers.

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B. Other Materials

- Bracton** Henry de Bracton, *De Legibus et Consuetudinibus Angliae*; ed. G. E. Woodbine; 4 vols. (1915–42). Reissued with translation and notes by S. E. Thorne (1968–).
- Brevia Placitata* *Brevia Placitata*; ed. G. J. Turner and T. F. T. Plucknett; Selden Society, vol. 66 (1947).
- Glanvill* *The treatise on the laws and customs of the realm of England commonly called Glanvill*; ed. G. D. G. Hall (1965). To avoid circumlocution, ‘Glanvill’ is used as the name of the author of *Glanvill*.
- Registers* *Early Registers of Writs*; ed. E. de Haas and G. D. G. Hall; Selden Society, vol. 87 (1970).