

## INDEX

Legal matters occurring only in Appendixes v, vii and ix are not individually indexed. Year Book and modern cases are listed under 'cases'. Persons who held judicial office in the Irish justiciar's court and common bench are distinguished by the added initials 'J.J.B.', 'C.J.C.P.', 'J.C.P.'; Irish justices itinerant and justices in eyre by 'J.I.'. The names of modern authors are italicized.

- abjuration of the land, 61, 62, 137, 236
- accedas ad curiam*, writ of, 98, 118–19
- account, action of, 81, 97, 142, 157–8, 167, 246
- Ace, Thomas, J.J.B., 46
- acquittals, 62, 63, 110–11; Appendixes v and ix
- actions, *see under names of individual actions and procedure without writ*
- Adare (Limerick), 165 n. 7
- advowson, pleas of, 3, 10, 17, 122, 138, 150, 244–5; *see also assizes: darrein presentment; quare im-pedit; right*
- affray, 144
- Aghmacart (Aithmakart) (Leix), 64 n. 4
- Alexander, William, J.I., J.J.B., deputy justiciar, 33, 44 n. 5, 46, 185
- allocate, writ of, 158
- Alta Ripa, Maurice de, 64 n. 3
- amerements, 63, 71, 109, 124, 127, 129–30, 138, 154, 200
- Amory, Roger, 121
- Annaghdown (Galway), *see of*, 144
- Any(Knockaney)(Limerick), fair of, 134
- appeals, 10, 19, 62, 113, 167, 245
- Appleby, John of, 48
- Aquitaine, 27
- arbitrators, 73, 239
- Arbroath, abbot of, *see Linton Declaration of*, 198
- Ardee (Louth), 34
- Ardfert (Kerry), 34, 53 n. 1, 214, 217 bishop of 203
- Ardmayle (Tipperary), 32, 57, 58 n. 4
- Armagh, archbishop of, 151, 176, 204–5; *see also Mac Maol Iosa Armstrong*, O., 191
- arson, 204; *see also Ireland: liberties: pleas reserved to the crown*
- assault and battery, *see trespass*
- assizes
- of darrein presentment, 97, 245
- the grand, 98, 148, 174, 176
- justices of, *see Ireland: courts of measures*, 134
- of mort d'ancestor, 1, 2, 10, 65, 136, 180 n. 4, 184–5, 200, 224–5, 238, 245
- of novel disseisin, 1, 10, 17, 65–6, 124, 127, 149, 152–6, 166, 169–70, 185, 200, 211, 223, 238, 245
- summons of, to justiciar's court, 54–5
- to be kept as in England, 2
- other references, 32, 57, 65–6, 84, 97, 98, 118, 138, 168, 199–200, 201 n. 1, 246
- Aithmakart, *see Aghmacart*
- Athy (Kildare), 33 n. 2
- attaint of jury, *see jury*
- attorneys, 20 n. 5, 22, 49, 87, 95, 96, 102, 127–9, 137, 142, 153, 170 king's, 48–9
- letters of attorney, 20, 28, 137, 239, 246
- Audley, Hugh (*d.* 1347), 121
- Auney, John del, 87–8
- autrefois acquit*, 144
- avowries, 197, 199
- Bacon, Nicholas, 18 n. 1, 125
- Bacquepuis, William of, J.I., Appendix i
- Bagod, Robert (I), C.J.C.P., 8–9, 92, 96, 148, 158, 224
- Robert (II), J.C.P., J.J.B., 40 n. 2, 45–6, 94, 95
- Thomas, J.C.P., 49 n. 9
- bail and mainprise, 53, 61, 63, 64, 136, 157–8; Appendix v
- mainpernors to blind principals, 31 n. 3, 177–8

Cambridge University Press

978-0-521-08538-0 - English Law in Ireland, 1290-1324

G. J. Hand

Index

[More information](#)

266

## INDEX

- bail and mainprise (*cont.*)  
 persons mainprised summoned before justiciar, 54–5
- Ballygaveran, *see* Gowran
- Ballygorman, William of, 152–6
- Ballylynan (Leix), *see* Clonleynan
- Ballymakelly (Ballynakelly, Dublin), 225
- Bannockburn, battle of, 121
- Bardfield, William of, J.C.P., 93, 95, 99
- Barford (Bereford), Richard of, treasurer and chancellor of Ireland, 27 n. 4, 130, 152, 156, 158
- Barry, John, 101  
 William, J.I., 105
- bastardy, escheat by, 3, 245  
 exception of, 17
- battle, trial by, 134, 174
- Bellofago, Almaric de, 48, 56  
 James de, 48
- Belvoir, Robert of, J.I., Appendix I
- bench, Dublin (Irish common bench), *see* Ireland, courts
- benefit of clergy, 60–3, 174, 236; Appendix IX
- Benet, William, 77 n. 2
- Benger, John, J.C.P., 95
- Berkeley, Arnold of, J.I., Appendix I
- Bermingham, John de, earl of Louth, justiciar, 28–9, 36, 83, 93, 95, 132, 209  
 Peter de, 27, 133
- Berwick, John of, J.I. (England), 136  
 ‘betaghs’, 190–1, 194–8, 206–7, 209–10, 213; *see also* *blatach*; *bothach*; *hibernicus*
- blatach*, 195, 213
- blathad*, 172 n. 4
- Bicknor, Alexander of, archbishop of Dublin, J.I., justiciar, 105, 106, 131
- Bigod, liberty, *see* Carlow  
 Roger, earl of Norfolk (d. 1306) 120, 121
- bills, justiciar’s (warrants), 30, 39, 70  
 modern civil bill, 79  
*procedure by, see procedure without writ*
- Binchy, D. A.*, 193, 195
- Birthorpe, Roger of, J.J.B., J.C.P., 45 n. 2, 46, 94
- Blond (Blound), Adam le, 63 n. 5  
 Master David le, J.J.B., 40 n. 2,
- 44 n. 5, 46, 47, 96, 111, 139
- Richard le, J.I., J.C.P., 49, 95, 128, 129, 131
- Bodenham, John, 202 n. 5  
 Walter of, 143
- Boneville, Robert of, 56
- bothach*, 193–5, 213
- Bother, Richard de, 61 n. 2
- Boun, Joan de, 17 n. 6
- bounds, writ of, 3, 173–4; *see also de divisis faciendis; de rationabilibus divisis*
- Bourne (Burne), William de, 44 n. 5, 47, 77 n. 2; Nicholas, his assistant, 47
- Brabazon, Roger, C.J.K.B. (England), 126, 142
- Bracton, Henry of, 136–7, 178–9
- Brehon law, 172–3, 188, 192–5, 210, 214, 215
- Bretton, Adam le, 111–12
- Brevia placitata*, 3
- Bristol, Robert of, J.C.P., 95
- Brittas (Dublin), 231
- Britton*, 40, 68, 69–70, 137, 199–200
- Brotherton, Thomas of, 121
- Brown, Richard, J.J.B., J.C.P., 46
- Bruce, Edward, invasion of Ireland by, 24, 25, 28, 29, 35–7, 52, 82, 91, 92, 93, 121, 123, 132, 141, 189, 191, 198, 216, 218
- Bruges, merchants of, 15
- Brun, Gilbert, son of John, 71 n. 2  
 Neil le, escheator, 73 n. 7, 152, 153–6
- Reginald, 56 n. 2
- Bunratty (Clare), liberty of, 131–2
- Burgh, Richard de, justiciar (1228–32), 3  
 Richard de, earl of Ulster, lord of Connaught, deputy justiciar (1299–1300), 23, 27, 44 n. 5, 87, 93, 112, 123, 142, 176 n. 2, 227; and the native Irish, 23, 87–8, 197–8
- Walter de, earl of Ulster, 207
- William de, deputy justiciar, 23, 24 n. 1, 227
- burglary, 110, 203, 249
- Burnell, Robert, chancellor of England, 17, 101, 182–3
- Butler family, 85  
 Edmund, justiciar, 24, 26, 27, 28, 32–3, 35, 40, 56, 82, 132,

## INDEX

267

- Butler (*cont.*)  
 141–2, 151, 156, 185, 227–8;  
 Appendix IV  
 Theobald (II?), 141  
 Theobald (V) (*d.* 1299), 23  
 Buttevant (Cork), 34
- Caister, William of, J.I., Appendix I  
*Caithréim Thoirdhealbhaigh*, 36
- Canon, Hugh, J.I., J.C.P., J.J.B., 46,  
 93, 95  
 canon law, 71 n. 4, 174–5; *see also*  
 Church
- Cantok, *see* Quantock  
 cantreds, 64, 107–8, 132, 169 n. 2
- Cardiff, Nicholas of, 49 n. 9
- Carlow, liberty and county of, 11–12,  
 112 n. 1, 113 nn. 4 and 6,  
 116 n. 4, 120, 121  
 cross-lands of, 73  
 steward of, 116 n. 2, 117, 121  
 town of, 33, 57, 58 n. 3, 65 n. 4
- Carreau, Maurice de, 101
- Carrick (Waterford), earldom of, 132
- cases  
 (i) Year Book cases  
     Y.B. 21 & 22 Edw. I (Rolls) 309:  
         136  
     Y.B. 33–5 Edw. I (Rolls) 242:  
         171 n. 2  
     Y.B. 5 Edw. II (S.S.) 152: 142,  
         147  
 (ii) Modern cases  
     Little *v.* Cooper (1937), I.R. 1:  
         2 n. 4  
     Maguire *v.* A.-G. (1943) I.R. 238:  
         218  
     O'Hanlon *v.* Logue (1906) I.R.  
         247: 218  
     Tanistry, Case of (1608) Dav.  
         Rep. 28: 173  
     R. *v.* Bailey (1956) N.I.L.R. 15:  
         218
- Cashel (Tipperary), 8 n. 5, 32, 33,  
 56 n. 2, 57, 65 n. 2, 218, 231–2  
 archbishop of, 138, 201; *see also* fitz  
 John; MacCarwell
- Castledermot (Kildare), 33, 52 n. 5,  
 57, 73, 231
- Castle Kevin (Wicklow), 23
- casus regis*, 3
- cattle-driving, 34–5
- Cauntton, family, 172, 212 n. 2
- célsine*, 194, 197
- dóer-chéle* (*céle giallnat*), 194
- sóer-rath*, 194
- sóer-chéle*, 194
- certiorari*, writ of, 16, 17, 97, 117, 145,  
 147, 148, 150, 239
- Chamberlain, Alexander, 224–5
- champerty, 47, 162
- charities, religious, modern Irish law  
 of, 218
- Charleville (Cork), 34
- Charter, the Great, 2, 76, 78–9, 163–4;  
*see also* Table of Statutes
- charters, interpretation of general  
 words in, 114
- royal, voucher of, etc., 13, 18, 84, 147
- chattels, felons', 109, 133–4; *see also*  
 licences
- Chaumflour, William, 49 n. 9
- Chedworth, Thomas of, J.C.P., 92 n. 1,  
 94–5, 101
- Chester, 20, 197
- Church, the  
 bishops  
     assent of chapter required for  
         legal transactions, 115  
     certificate from bishop as to  
         bastardy, 17  
     royal rights, *sede vacante*, and in  
         elections, 18, 39, 81, 144, 176,  
         179–80, 239
- courts  
 jurisdiction, 11 n. 2, 71, 72, 74,  
 174–5, 205, 239, 250  
 and prohibitions, 28, 162, 239  
*see also* benefit of clergy; wills
- effects of Norman invasion upon,  
 3–4, 174–6, 206
- and of Bruce invasion, 36–7
- tithes, 72, 74–5  
*see also* cross-lands; sanctuary; *and*  
*under names of sees*, etc.
- cin comfocuis* (*kynkonges*), 172, 193, 203
- Clare  
 Gilbert de, earl of Gloucester  
     (*d.* 1307), 145 n. 2  
 Gilbert de, earl of Gloucester  
     (*d.* 1314), 121  
 liberties, *see* Bunratty; Kilkenny  
 Thomas de, 16, 131
- Clonard (Meath), abbey of, 114, 144
- Clonleynan (? Ballylynan, Leix), 33,  
 57, 58 n. 3
- Clonmel (Tipperary), 91, 232
- cóe*, 172 n. 4

18-2

268

## INDEX

- Cogan, John, 35, 139, 224–5  
 Henry, 111–12  
 coinage, *see* false money  
 Colp (Meath), prior of, 72 n. 3  
 compurgation, 134, 201  
 Comyn, John (*d.* 1277), 179–85 *passim*  
 Mabel, 179–85 *passim*  
 Conktilin (? Louth), 224  
 Connaught, 92, 114, 115, 123, 176, 220  
 lord of, *see* Burgh  
 conspiracy, 47, 86, 156, 238, 246  
 consultation, writ of, 28  
 contempt, committal for, 146  
 contract, *see* account; covenant; debt;  
 detinue; trespass  
 Coolock (Dublin), David and John,  
 sons of Emma the nurse of,  
 208 n. 6  
 Cork, city, 28, 33, 34, 52 n. 5, 56 n.  
 2, 57, 73, 134 n. 7, 221, 232,  
 247  
 county, 73, 111, 139  
 eyre of: (1260) 8; (1301) 104,  
 105 n. 2, 109, 248  
 Corner, Richard de la, bishop of  
 Meath, 152  
 William de la, bishop of Salisbury,  
 152–6  
 coroners, 60, 108, 169, 202  
 count (upon a writ), 74  
 covenant, 72, 76, 81, 97, 246  
*Crith Gablach*, 193–4  
 Crombe, Alice of, 224  
 Philip of, 224  
 cross-lands, 12, 17, 108, 113–14, 115,  
 117, 122, 123, 125, 130  
 Crus, Milo de, 18  
 Robert, son of Richard de, 18 n. 1  
 Cumberland, 184  
 courtesy, 2, 163, 177  
*Curtis, Edmund*, 25, 191–2, 212, 216,  
 217  
 Cusack, Walter, J.I., 57 n. 1, 105  
 customs and services, writ of, 101  
 damages assigned to pleaders, 49  
 damages-cleer, 47–8, 96  
 Darcy, John, justiciar, vii, 25, 94, 210,  
 215  
 darrein presentment: *see* assizes  
*Davies, Sir John*, 37, 189–91, 215  
*de bonis asportatis*, *see* trespass  
*de divisis faciendis*, writ, 1, 2, 173–4; *see*  
*also* bounds  
*de fugitivis et nativis*, writ, 1; *see also*  
*de nativo habendo*  
*de libertate probanda*, writ, 196  
*de nativo habendo*, writ, 2 n. 1, 196  
*de rationabilibus divisis*, writ, 2 n. 1,  
 173–4; *see also* bounds  
*de tallagio non concedendo*, 76  
 debt  
 in common bench, 10, 97, 246  
 in exchequer, 101–2, 147  
 in fair court, 134  
 in justiciar's court, 81, 86, 238  
 plaints of, 35, 68–70, 71, 76, 86  
 by statute merchant, 143, 238  
*dedimus potestatem*, writ, 137  
 defamation, 87–8, 144, 146, 188, 239  
*demonstratio*, 71, 74  
 deodands, 110  
 Dermotyhr (? Louth), 224  
 Derry, 123  
 bishop of, *see* Mac Lachlann  
 Desmond, earldom and liberty of, 132,  
 215  
 lord of, *see* fitz Gerald  
 Despenser, Hugh the younger, 121, 131  
 liberty, *see* Kilkenny  
 detinue, 71, 81, 86, 97, 238, 246  
 of charters, 102  
 Deveneis (Deveneys), Grathagh le,  
*see* Uí Tuathail  
 William le, J.I., J.C.P., 94–5  
 Devon, 22  
 Dieppe, 103 n. 1  
*Dies communes in banco* (pseudo-  
 statute), 96, 163  
 Dodingesoles, William, deputy justi-  
 ciar and justiciar, 21, 43, 152,  
 157  
 Doddyng, John, 63 n. 2  
*Donaldson, A. G.*, 161  
 Dorset, 22  
 dower, 10, 122, 163, 164, 204–5, 244  
 Down, bishop and cathedral of, 115  
 Drogheda (Louth and Meath: *all refer-  
 ences are to both or to Drogheda-  
 in-Louth only unless Drogheda-  
 in-Meath is specified*)  
 borough court of, 103 n. 1, 134  
 nn. 7 and 8  
 burgesses of (*-in-Meath*), 104  
 citizens of, 28  
 courts held at, 7 n. 8, 32, 33 n. 7,  
 57, 58 nn. 2 and 3, 65 n. 4, 73,  
 99, 152, 155, 231–2

Cambridge University Press

978-0-521-08538-0 - English Law in Ireland, 1290-1324

G. J. Hand

Index

[More information](#)

## INDEX

269

- Drogheda (*cont.*)  
 mayor and community of, 51  
 steward of (*-in-Meath*), 62  
 other references, 34, 49  
 drunkenness, 61
- Dublin  
 archbishop of, 141–2, 151, 176, 179–80, 196–7  
 liberty of (St Sepulchre), 66, 132  
*see also* Bicknor; Havering; Sandford
- city  
 bench at, *see* Ireland: courts  
 borough court of, 16, 18, 19, 72, 134 nn. 7 and 8, 139, 150  
 capture of (1170), 196  
 castle of, 52; hall of pleas, outside, 52, 82  
 cathedrals: Christ Church, 179–85 *passim*; St Patrick's, 38, 94, 101  
 citizens of, 28, 29  
 common seal of, 144  
 council held in, 2  
 courts held in, 6–9, 32–3, 57, 65, 72–3, 81–3; Appendixes I, IV and VIII  
 mayor and community of, 36, 52 n. 4  
 St John without the New Gate, hospital of, 110  
 St Mary, abbey of, 179  
 St Thomas, abbey of, 114, 122, 125, 130, 144, 148, 151, 224–5
- county  
 customs that justiciar did not take assizes in, 57, 65–6  
 eyre of: (1291–2) 104, 105, 152, 224; (1310–11) 93, 99, 104, 105  
 sheriff of, 57, 65, 136 n. 3; and adjacent liberties, 12, 117, 119, 123, 127, 129, 130  
*see also* fitz John (Rory)
- Dufford, *see* Ufford
- Duleek (Meath), abbot of, 72 n. 3  
 prior of, 61–2, 63
- Dungarvan (Waterford), 138
- Dunquin (Kerry), 214
- Dysert O'Dea (Clare), battle of, 29 n. 2, 132
- East Dean, William of, treasurer of Ireland, 225
- Edward I, king  
 accusation of cowardice against, 146  
 as lord of Ireland before accession to the throne, 14, 15, 16, 17, 20, 207, 219  
 as king, 15, 23, 79, 126, 172 n. 2, 175, 186, 187
- Edward II, king, 130, 131  
 as prince of Wales, 112
- ejectio firme*, *see* trespass
- Eleanor of Provence, queen, 157
- elegit*, writ of, 146, 167, 195
- Ely, bishop of, *see* Hotham
- Emly, bishop of, *see* Quantock
- énech, 194
- England  
 chancellor, chancery, Great Seal of, etc., 10, 17, 19, 20, 26–8, 39, 50, 135–7, 139, 206, 207–8, 209 n. 2, 212, 239; *see also* Burnell; Langton  
 council of the king in, 14, 15, 18–19, 27, 102, 120, 124, 129, 135, 141, 144, 146, 150–1, 157, 161, 182–3, 185, 214  
 courts  
 common bench, 8, 66, 80, 94, 96, 118, 157, 180–3, 214  
 general eyre, 54, 67, 81, 107–8, 136, 214  
 king's bench, 30, 40, 45, 50 n. 3, 66, 67, 74, 80–1, 83, 96, 118, 137, 214; Irish jurisdiction of, 12, 14–19, 22, 81, 83, 84, 119, 131, 139, 140–56, 164, 168–71, 178–85, 214, 215  
 exchequer, 99–100; Irish cases in exchequer of pleas, 157–8; *see also* Ireland: courts: exchequer  
 Irish cases brought to, ch. VII *passim*; 13–19, 22, 83, 87, 125, 128, 168–71, 178–85, 215, 239, 246; *see also* England: courts king's bench  
 liberties, 113, 114, 124  
 parliament, 14, 120, 126, 144  
 individual parliaments: (*June 1258*) 14; (*Hilary 1290*) 42, 137; (*Easter 1290*) 41, 137, 211; (*Easter 1293*) 183; (*Michaelmas 1293*) 138, 144; (*Trinity 1294*) 125; (*Michaelmas 1295*) 208; (*Easter 1302*) 165; (*Michaelmas 1302*) 128, 138; (*Lent 1305*) 129,

- England (*cont.*)  
 130 n. 1, 138, 139; (*Michaelmas 1320*) 93, 138, 140  
 petitions in, 137–40, 144, 147,  
 148, 151, 204–5; *see also under individual parliaments and king: petitions*
- English, death of, 29, 133–4, 201–2,  
 204, 208, 209
- entry, writs of, 140, 150, 244  
*cui in vita, 170–1, 244*  
*dum non fuit compos mentis, 150,*  
*244*  
*in the post, 5*
- equity, references to, *de equitate*, 86  
 exchequer a *placea equitatis*, 99–100
- éraic, 202
- error, writs of, and examination for,  
 16, 83, 84, 96, 97, 102, 113,  
 116–19, 142, 149, 152, 154,  
 155, 183, 184, 239
- esdin, 172 n. 4
- escape, 204, 236, 250
- escheat, 141–2  
 through bastardy, writ of, 3, 245
- essoins, essoiners, 32, 49, 84, 154, 160,  
 231–2, 244
- Estden, *see* East Dean
- excommunication, 2, 74–5
- ex officio* procedure, 18, 154, 184, 200
- Exeter, Richard of (senior), J.I., J.J.B.  
 (?), deputy justiciar, 10, 41–3,  
 46, 139, 182; Appendix 1  
 Richard of (junior), C.J.C.P., 41,  
 92, 93
- false imprisonment, *see* trespass
- false judgment, writs of, 83–4, 113,  
 118–19, 246
- false money, 128, 161
- Faughart (Louth), battle of, 132
- fealty, 153, 178
- fees, for bills and writs, 70, 75–6  
 of justices and clerks, etc., 9, 42–3,  
 45, 96, 106  
 of pleaders, 49
- felons, harbouring of, *see* harbouring
- felons' chattels, *see* chattels
- Ferns (Wexford), bishop of, 12; *see also* St John
- Fersketh (Limerick), 194
- fieri facias*, 71
- fines, final concords, feet of fines, 8,  
 51, 97, 142, 157 n. 1, 219 n. 1,  
 245  
 fines made for offences, 53, 61–3  
*passim*, 65, 110, 133, 204, 208;  
 Appendices V and IX; *see also pardons*
- Fingal (Dublin), coroners of, 169
- fish, fisheries, royal rights in, 87, 177,  
 239
- fitz Alan, Griffin, J.I., 222
- fitz Geoffrey, John, justiciar, 3
- fitz Gerald, Agnes, *see* Valence
- Maurice, baron of Offaly, justiciar  
 (d. 1257), 3, 6
- Maurice, baron of Offaly (d. 1268),  
 141
- Thomas fitz Maurice, lord of Desmond and keeper of Ireland,  
 21, 77, 145 n. 2, 151, 227
- fitz Henry, Meiler, justiciar, 6
- fitz John, Rory, J.C.P., 95  
 Thomas, earl of Kildare, justiciar,  
 28–9, 36, 48, 93, 123, 209  
 William, archbishop of Cashel,  
 chancellor and keeper of Ireland,  
 93, 228, 230
- fitz Maurice, Emelina, 145 nn. 2 and 3  
 Nicholas, 56 n. 2  
 Thomas, *see* fitz Gerald
- fitz Richard, Simon, C.J.C.P., 49 n. 9
- fitz Roger, William, J.I., keeper, 21,  
 105
- fitz Thomas, John, baron of Naas, etc.,  
 earl of Kildare, 21, 23, 27, 35,  
 50 n. 1, 60 n. 5, 123, 133, 141,  
 146, 151, 157
- fitz Warin, Robert, J.I., 221  
 'five bloods', 205–6
- Flanders, countess of, 16
- Fleta*, 69
- Florence, merchant of, 157
- folog*, 173
- forestalling, 11, 61, 113, 236; *see also Ireland: liberties: pleas reserved to the crown*
- Forester, Henry, 49 n. 9
- Franceys, Adam, 71 n. 2
- franchises, *see* Ireland: liberties and Franchises
- frankalmoin, 175–6
- frankmarriage, 177
- fraud, 47, 71, 155
- Fressingfield, John of, J.J.B., 45, 46–7,  
 96, 156

## INDEX

271

- fuidir*, 194–5  
 Fulbourn, Stephen of, bishop of Waterford, justiciar, 26, 42, 82 n. 3, 182  
 Fwelewyght, Thomas son of William, 61 n. 3
- Gaius, *Institutes* of, 71 n. 4  
*gallóglach*, 216–17  
 Gaveston, Piers, king's lieutenant of Ireland, 23–4, 26, 40, 93, 209  
 Gervas, John, 49 n. 9  
 Geynvill, *see* Joinville  
 Gilbarry (family name), 201  
 Gloucester, earl of, *see* Clare  
 Goules, Adam de, 77 n. 2  
 Gowran (Ballygaveran) (Kilkenny), 32, 57, 58 n. 1, 231  
 Granson, Otto of, 91, 151  
*Gwynn*, A., 192
- hanging, 60, 63, 204, 236, 249  
 harbouring of felons, 51, 62, 63, 236, 250  
 Hastings, John, 11  
 Hatch, John of, J.C.P., 94  
 Havering, Richard of, archbishop-elect of Dublin, 142  
 Haye, Walter de la, J.J.B., escheator, deputy justiciar and keeper, 21, 44, 45–6, 146  
 Hengham, Ralph, C.J.K.B. (England), 180, 181  
 Henry II, king, 1, 210–11, 212  
 Henry III, king, 2, 14, 131  
 Hereford, 22  
     Eva of, *see* Rochfort  
*hibernicus*, 86, 88 n. 1, 190, 194–6, 206 n. 7, 238; *see also* Ireland: native Irish  
 highways and passes, obstruction of, 109–10  
 Hill, William de la, J.C.P., 95  
 Hilletoun, Peter of, 96 n. 5  
 Hollywood (Wicklow), 141  
 homage, 3, 178–86 *passim*, 240, 245  
 homicide, 60–1, 63, 109, 160, 236, 249; *see also* English, death of; Ireland: native Irish  
 ‘horses at arms’ (*form of military service?*), 110  
 hospitality, obligations of, 172  
 hostages, 35
- Hotham, John of, bishop of Ely, 28, 48 n. 1, 52 n. 4  
 Houghton, John of, J.I., J.J.B., 10 n. 4, 45, 46  
 housebreaking, 108  
 hue and cry, 133, 250  
 Hughelot (*personal name*), 61 n. 4  
 Huscarl, Roger, 6 n. 7  
 Hynteberg, Philip de, J.I., 221
- Idefucoboll (*family name*), 201  
 ‘idlemen’, 160, 172  
 indictments, 51, 60, 64, 65, 136, 167, 203, 204  
 Innocent III, pope, 175  
 inquisitions, 168  
     *ad quod damnum*, 30, 165  
 Ireland  
     chancellor, chancery, great seal, etc., 3 n. 6, 10, 26–30, 32, 39, 42, 51, 52, 56, 70, 73–4, 76, 78, 87, 92, 93, 116–17, 126–8, 135, 141, 144, 149, 157, 165, 177, 188, 209, 211, 212; *see also* Barford; Quantock; Thornbury  
     chief governors, *see* Ireland: justiciar; king's lieutenant; keeper; steward  
     council (justiciar's council), 25, 28, 30, 32, 36, 42, 49, 50–1, 125, 142, 146, 147, 148, 149, 162, 177, 182–3, 237  
 courts: common (Dublin) bench, ch. IV  
     early history of, 7–10, 41  
     jurisdiction of, 11, 57, 65–6, 81, 96–103, 118–19; Appendix VII  
     justices, clerks and other personnel of, 7–9, 39, 41–2, 51, 62, 63, 81 n. 5, 82, 87, 91–6, 116, 128, 130, 144, 148, 149, 163, 164, 168, 169, 185, 224; *see also* Bagod; Bardfield; Benger; le Blond; Bristol; Chedworth; Deveneis; Exeter; fitz John; Fressingfield; Hatch; Hill; Kenley; Littlebury; Ludgate; Ponz; Snitterby; Taff; Thrapston; Wellesley; Willoughby  
     rolls of, vii, 9–10, 34, 35 n. 5, 50, 89–91, 101–2, 234, 239; Appendix VI  
     transfer and review of cases from, 14, 16–19 *passim*, 83, 97, 124,

Ireland (*cont.*)

139, 141-2, 144-5, 149 n. 1,  
150, 151, 163-4, 169, 171, 239  
other references, 35, 45, 52, 80,  
84, 127, 148, 153, 155, 167, 200,  
214, 223

courts: county courts, 11-12, 73,  
83-4, 97-8, 116, 118, 160, 211,  
239, 245, 246; *see also under individual counties*

courts: the general eyre, 104-11  
articles of the eyre, 107-8  
jurisdiction of, 65, 81, 98-9,  
100-1, 106-11; Appendix IX

justices, clerks and other personnel, 10, 38, 50, 92, 95, 105-6,  
116, 149; *see also* Barry; Bicknor; Canon; Cusack; Deveneis;  
Exeter; fitz Roger; Houghton;  
Lenfant; Littlebury; Pinxton;  
Ponz; Power; St Leger; Wogan  
(William); Yardley

rolls of, vii, 10, 82, 104-5, 108-10;  
Appendix VIII

summons to, 106-7

transfer and review of cases from,  
16, 83, 97, 139, 144-51 *passim*,  
171, 239, 246

other references, 8 n.2, 60

*for individual eyres see under names of counties*

courts: justices of assize, 47, 56 n.2,  
65, 83, 84, 92, 97, 98, 111-12,  
147, 151, 152, 168, 170, 239,  
246, 247

courts: justices of gaol delivery, 10,  
56 n.2, 111; *see also* general eyre

courts: justices itinerant (i.e. *prior to full differentiation of common bench and eyre*), 7-9, 14,  
181-2

rolls of, Appendix VIII; *see also common bench; eyre; for individual justices see Bacquepuis; Belvoir; Berkeley; Caister; Exeter; fitz Alan; fitz Warin; Hynteburg; Nottingham; Repentigny; St Albans; St John; Shardlow; Taghmon; Wellesley; Weyland*

courts: justices with other special commissions, 10, 25, 36, 56-7,  
73, 111-12, 144, 145

courts: the justiciar's bench or court, ch. III

early history and development of, vii, 6-7, 9, 40-5

itineration by, 31-4, 40, 64-6

jurisdiction of, 19, 50-88, 96, 97,  
113, 118-19, 214; Appendix V

justices of, 40-7, 56, 92, 94, 96,  
105-6; *see also* Alexander; Birthorpe; le Blond; Brown; Canon; Exeter; Fressingfield; Haye; Houghton; Lenfant; Malton; Wogan (Walter)

lesser personnel, 47-8, 56, 70;  
*see also* Appleby; Bellofago; Bourne; Patrick's Church, and under attorneys; pleaders; sergeant pleaders

procedure without writ in, 67-81,  
102, 167, 238-9

rolls of, 29-33, 41, 44, 52-3, 57-8,  
80, 82, 89; Appendix III

sessions of, 23-4, 51-9, Appendix IV

summons to, writ of, 53-7, 60 n.1,  
64

transfer and review of cases from,  
14, 143-56 *passim*, 164

other references, 94, 98, 163, 168,  
169, 170, 177, 185, 204, 246;  
*see also* Ireland: justiciar

courts: king's bench (*later form of justiciar's court*), 6, 173

courts: local, borough and seigniorial, 1, 13, 84, 98, 118, 133, 134, 204, 246

courts, *see also* Ireland: exchequer, liberties and franchises; and Church: courts

customs of, ch. IX; also 99, 110, 113,  
142, 156, 162, 202, 214; *see also* bail and mainprise; bounds; Brehon law; succession; wardship; wreck

escheator of, 10, 39, 93, 101, 164,  
166, 179-80, 184; *see also* le Brun; de la Haye

exchequer of

barons, chamberlains, chancellors, clerks, and marshal of, 17,  
51, 147, 158; *see also* Brown; Kenley; Montpellier; Thrapston; Uffington

equity of, 99-100, 103

## INDEX

273

Ireland (*cont.*)

jurisdiction of, 11, 28, 76, 97, 99–103, 143, 195; *see also* Ireland: courts: common bench transfer and review of cases from, 16, 127–9, 142, 146, 147, 149, 151, 162  
 treasurer of Ireland, 26–7, 32, 42, 51, 92, 93, 137, 145, 149, 158; *see also* Barford; East Dean; Islip  
 treasurer and barons of, 81 n. 5, 135–6, 146, 147, 149, 162  
 treasurer's deputy, *see* Chedworth  
 treasury, 41, 81–2, 89  
 other references, 5, 23, 41, 44, 50, 51, 52, 139, 158  
 justiciar of, chs II and III *passim*  
*commissioned to review judgments of justiciar's court, 72, 83*  
 deputies of, 20, 23, 33, 40, 43–4; *see also* Alexander; Burgh (Richard, William); Dodingeses; Exeter; de la Haye; Lenfant; Malton; Ross; Thornbury  
 powers conferred upon, 1–2, 26, 27, 29, 136, 196, 209  
 present in common bench and in exchequer, 91, 100, 127–8, 147  
 seal of, 70  
 other references, 138, 157, 174, 177, 180–2, 185, 208  
*see also* Ireland: council and courts: justiciar's court  
*see also* Bermingham; Bicknor; Burgh; Butler; Darcy; Dodingeses; fitz Geoffrey; fitz Gerald; fitz Henry; fitz John; Fulbourn; Marsh; Mortimer; Rochelle; Sandford; Ufford; de Verdun; de Vescy; Wogan  
 keeper (*custos*) of, 44; *see also* fitz Gerald; fitz Roger; de la Haye; Sandford  
 king's lieutenant of, 23, 40; *see also* Gaveston; Mortimer  
 liberties and franchises in, ch. vi  
 administration of, 86–7, 115–16  
 claims to, 109; *see also* *quo warranto*  
 county courts in, 11–12, 116, 118  
 fish royal, franchise of, 177

hanging Irishmen, franchise of, 204  
 jurisdiction of, 12, 17, 55, 57, 71, 113–14, 133–4  
 jurors from, 64  
 pleas reserved to the crown from, 11, 60, 113, 124, 132  
 transfer and review of cases from, 83–4, 97–9, 113, 116–19, 147  
 writs, execution and return of, within liberties, 116–17, 130, 132; *see also* Bunratty; Carlow; Carrick; cross-lands; Desmond; Down; Dublin (archbishop of); Kildare; Kilkenny; Leinster; Louth; Meath; Ormonde; Tuam; Ulster; Wexford  
 marshalsea, 48; *see also* Marshal; and under individual courts  
 native Irish  
 and English law, ch. x; death of, no felony, 134, 190, 201–3, 212; dower refused to Irish widows, 204–5; grants of English law to, 2, 192, 200, 205–10, 213, 215; incapacity as litigants of, 108–201; testamentary incapacity of, 205  
 other references, 23, 33–5, 62, 73, 110, 115, 133, 159, 236, 237  
*see also* betaghs; *hibernicus*; Ostmen; villeins; war  
 parliament  
*individual parliaments: (1278) 4, 172, 193, 203; (1297) 25–6, 117; (1299) 161; (Hilary 1310) 161*  
 other references, 30, 123  
 Public Record Office of, 9, 89–90  
 Record Commission, Irish, 31, 89–90, 100, 105, 229, 241, 244, 247  
 steward of, *see* Rochelle  
 Islip, Walter of, treasurer, 36, 93  
 James, Brother, son of John, 61 n. 1  
 John, king, 1–3, 13, 176, 201, 214, 216  
 John XXII, pope, *see* Remonstrance  
 Joinville (Geynvill), Geoffrey de, lord of Trim, 13, 18, 27, 83, 102, 124–31 *passim*, 133, 138 n. 4, 151, 157, 202–3  
 Jean de, 124  
 Joan de, 130

- Joinville (*cont.*)  
 Matilda de (de Lacy), 13, 124–31  
     *passim*  
 liberty, *see* east Meath  
 juries, 32, 73, 74, 85, 91, 126, 169,  
     188, 200  
     attaint of, 19, 97, 246  
     coroner's, 202  
     of presentment, 51, 54–5, 60, 63–4,  
     108–9  
     petty, 61–4, 110, 236
- Kegworth, William de, 77 n. 2
- Kells (Meath), 73
- Kenilworth, siege of, 146
- Kenley, Walter of, J.C.P., 95
- Kent, Emma of, 139 n. 5
- Kerry, county of, 53 n. 1, 66 n. 4,  
     211 n. 3, 214  
     sheriff of, 65 n. 3, 167
- Kilculliheen (Waterford), 32, 57
- Kildare  
     bishop of, 34 n. 5  
     city of, 73  
         friars minor of, 110  
     county and liberty of, 11, 12, 25, 65  
         nn. 2 and 4, 66 n. 4, 72, 117 n. 2,  
         119, 120, 121–3, 126, 132, 215  
     administration, 115  
     co-parceners of, 122–3, 144  
     coroners of, 108, 109  
     court of liberty of, 113 n. 3, 122,  
         148  
     cross-lands of, 108, 114, 144  
     earl of, *see* fitz John; fitz Thomas  
     eyre of (1297), 104, 105, 108–11,  
         133, 165, 168, 248; Appendix IX  
     lord of, *see* de Vescy  
     sheriff of, 122; *see also* Sutton  
     steward of, 122; *see also* le  
         Brun (Neil); Lenfant (Walter,  
         senior); Malton
- Sir William of (bastard of William  
     de Vescy, *q.v.*), 122
- Kilkenny  
     city of, 33 n. 7  
     county and liberty of, 11, 12, 113  
         n. 6, 120–1  
     court of liberty of, 14, 118–19, 121,  
         150  
     justice in, *see* Sutton  
     steward of, 116 nn. 3 and 6, 117,  
         118, 121; *see also* Power (Arnold)  
     *see also* de Clare; Despenser
- Kilmallock) (Kilmehallok) (Limerick),  
     56, 66 n. 4, 232
- king, the (*general aspects of monarchy*)  
     lord of Ireland, 135; *see also*  
         Edward I; John  
     matters specially touching, 18–19,  
         81, 125, 145, 147; *see also*  
         charters  
     pardons not to be granted without  
         consulting, 28  
     peace, the king's, 54–5, 64, 119–20  
     petitions to, 137–40, 144, 146, 165,  
         185; *see also* England: council  
         and parliament  
     proprietary rights of, 109
- Kingsbury, *see* St Albans
- Kinsale (Cork), 211 n. 3
- Kinsaley (Dublin), 179, 183
- knight service, 128, 176, 178–81 *passim*
- Knockaney, *see* Any
- kynkonges, *see* *cin comfocuis*
- Kyteler, Alice, 121
- Lacy, Hugh de, earl of Meath, 133
- liberty, *see* Meath
- Matilda de, *see* Joinville
- Walter de, earl of Meath (*d.* 1241),  
     13, 130–1, 133
- Walter de, of Rathwire (*f.l.* 1286),  
     151
- Walter de (*f.l.* 1315), 92
- Laghles (? Lawless), family, 35–6
- Landre, Richard, 77 n. 2
- Langton, John, chancellor of England,  
     126
- Lanthony (-by-Gloucester), prior of,  
     152, 164
- larceny, 61–3, 110, 146, 147, 204, 236,  
     249
- law merchant, 18, 238
- Ledred, Richard, bishop of Ossory,  
     121
- legal memory, limit of, 115, 176
- Leinster, cross-lands of, 112  
     liberty of, 11, 15, 18, 117, 120–1;  
         *see also* Carlow; Kildare; Kil-  
         kenny; Wexford
- mountains of, 88
- royal family of, *see* Mac Murchada
- Lenfant, Walter (senior), J.J.B., de-  
     puty justiciar, steward of  
     Kildare, 42–6 *passim*
- Walter (junior), J.I., J.J.B., 45–7,  
     57 n. 1, 105, 128, 157

Cambridge University Press

978-0-521-08538-0 - English Law in Ireland, 1290-1324

G. J. Hand

Index

[More information](#)

## INDEX

275

- Leonn, Geoffrey de, 124 n. 4  
 Joan de, 124 n. 4  
 Thomas de, 124 n. 4
- Lessayn, William, 49 n. 9
- Lesse, Roger de, 77 n. 2
- Leynz, Adam de, 77 n. 2
- Leys (cantred of, Kildare), 108
- liberate*, writs of, 30, 240
- liberum maritagium*, *see* frankmarriage licences, 240
- in mortmain, 165
  - to deal in ‘pollards’, 127
  - to heads of family to do justice on those of their name, 35–6
  - to treat with felons, 34
  - to recover chattels taken by felons, 63, 237
  - to proceed without writ, *see* procedure without writ
- Limerick, bishop of, 34 n. 5
- city of, 8, 32, 34, 57, 65 n. 2, 134 n. 7, 211; Appendices I, IV and VIII
  - county of, 111, 211 n. 3
  - eyre of (1290), 10, 104, 145, 170–1, 247
  - sheriff of, 129
  - limitation, on assizes, 2; on writ of naifity, 196
- Linton, Bernard of, abbot of Arbroath, 198
- Lisbon, William, 62 n. 4
- Littlebury, Robert of, J.I., J.C.P., 92, 94, 96, 105 n. 2, 248
- Louth, county of, 73, 111
- disturbances in (*riota Urgalie*), 24
  - earl of, *see* Birmingham
  - eyre of (1301), 82 n. 4, 104, 139, 165, 248
  - liberty of, 132
- Loxeudy (Lough Sewdy), *see* Meath; de Verdun
- Lucca, merchants of, 101, 158
- Ludgate, Simon of, C.J.C.P., 92, 152, 154
- Lydon, J. F.*, 217
- Lyt, Richard de, 63 n. 1
- Lyuet, Richard de, 61 n. 8
- McArny (*family name*), 196
- McBren (*family name*), 201 n. 5
- MacCarwell, David, archbishop of Cashel, 164 n. 2, 192, 207, 215
- McCody (*family name*), 201
- McCotyr, Macotere (Cotter), Reginald, 201, n. 5; Maurice, 211
- McCurryn, Gilbert, 202 n. 5
- McGildowry (*family name*), 201
- MacGillemory family, 211
- John, 212
  - Reginald, 212
- McGothmund, Philip, 211
- Mac Lachlainn, Geoffrey, bishop of Derry, 174
- McMahons, 63
- Mac Maoil Íosa, Nicholas, archbishop of Armagh, 115
- MacMurchada, family of, 206
- Muirchertach (Maurice Macmurrough), 32
- MacNeill, Eoin*, 190, 193, 216–17
- Maigue (An Máig, de Magio, Monasternenagh) (Limerick), 31 n. 3
- mainour, 134, 203
- mainprise, *see* bail
- maintenance, 86, 238
- Maitland, F. W.*, 187
- Mallow (Cork), 34
- Malmesbury, abbey of, 179–83 *passim*
- Malton, John of, J.J.B., deputy justiciar, steward of Kildare, 44, 45 n. 1, 46, 122
- mandamus*, writ of, 17
- Manning, Richard, 49
- marches, marchers, 29, 34, 36, 43, 62, 204, 209, 237
- Marreys, Herbert de, 62 n. 8
- marriage (feudal incident), 81, 113, 178–86 *passim*
- Marsh, Christina, 157
- Geoffrey, justiciar, 2, 3, 141
- Marshal (Mareschal), estates, co-parceners of, 11, 15, 18
- John (nephew of Earl William) (I), 48
  - John (d. 1316), 48
  - Robert, 63 n. 3
  - William, Earl (I), 11, 48, 206
  - William (d. 1314), 48
- mayhem, 69, 134
- Maynooth (Kildare), 38
- Meath, bishop of, *see* de la Corner; St Leger; Taghmon
- earl of, *see* de Lacy
  - east, liberty of, 11, 18 n. 1, 113, 117, 120, 124–31 *passim*, 148, 149, 151, 202–3

- Meath (cont.)**  
 court, 83, 133  
 sheriff, 129, 133  
 steward, 83, 117, 124–30 *passim*  
*see also* Joinville  
 liberty of (undivided), 12, 133  
 marches of, 43  
 royal county of, 72, 73, 172  
 eyre of: (1301–2), 104, 130, 131; (1321–4) 104–7, 130–1  
 sheriff of, 65, 95, 117, 126  
 royal family, Irish, of, *see* Ua Mail Shechnaill  
 west, liberty of, 13, 117, 123–4; *see also* de Verdun
- Mellifont (Louth), abbot of, 143, 152,  
 merchants, 100, 103 n. 1; *see also* Bruges; Florence; Lucca
- Merton, council at (1236), 218
- Middlesex, 66, 136
- Mills, James**, 189–90
- misadventure, 109
- Monasterenagh, *see* Maigue
- Montpellier, Thomas de, 48 n. 1
- mort d'ancestor, *see* assizes
- Mortimer, Joan (de Joinville), *see* Joinville  
 liberty, *see* Louth; Meath
- Roger (d. 1282), 16
- Roger (d. 1330), king's lieutenant and justiciar, 24, 25, 28, 39, 40, 45 nn. 3 and 5, 83, 92, 93, 95, 130–1, 208–9, 228; Appendix IV
- mortmain, 164–6
- Morton, Geoffrey of, 112, 144, 146, 151  
 Philip of, 61 n. 6
- Munster, 9, 111, 207
- Murthy (*family name*), 201 n. 1
- Muscegros, Robert de, 131
- Naas (Kildare), 60 n. 5  
 baron of, *see* fitz Thomas
- nafty, writ of, 196
- nativus*, 194, 196
- Netterville, family of, 73  
 Nicholas, 67 n. 1
- Newcastle McKynegan (Wicklow), 35
- New Ross (Wexford), 231
- nisi prius*, 99
- Norfolk, earl of, *see* Bigod; Brotherton
- Normandy, 61
- Nottingham, Alexander of, J.I., 8 n. 5; Appendix I
- Hugh of, 87
- Notton, Robert de, 77 n. 2
- novel disseisin, *see* assizes
- O'Brien, Obryn, *see* Ua Briain
- Ocarran, John, 201 n. 5
- Oconyl (*personal name*), 62 n. 6
- O'Driscoll (*family name*), 212 n. 2
- Offaly, baron of, *see* fitz Gerald; fitz Thomas  
 cantred of (Kildare), 108, 109
- Offelan, cantred of (Kildare), 109
- Offyn (*family name*), 194
- Ohalwy (*family name*), 201
- Oharill (*family name*), 201
- Okethy (Ikeathy) (Kildare), 173
- Omurethy, cantred of (Kildare), 108
- Onethe (*family name*), 201
- Orrailly (O'Reilly), Malys (Myles), 88
- ordinances made in England for Ireland, 26–8, 101, 116, 161, 162, 185–6
- Ormonde, earldom and liberty of, 132, 215
- Orpen, G. H., 25, 190–1, 192, 212, 216
- Ossory, bishop of, *see* Ledred
- Ostmen, 191, 193, 207 n. 5, 210–12
- Otoheles, *see* Uí Tuathail
- othrus, 173
- Otway-Ruthven, J., 192, 213
- outlawry, 61, 113, 149, 204, 236, 249
- Owen, Roger, 49
- Oxfordshire, 22
- Palmerston, Palmerstown, *see* Villa Palmeri
- pardons, 12, 28–29, 30, 61–2, 63, 65, 166, 209, 236; Appendix IX
- Paris, Adam of, 78–9
- Patrick's Church, John of, 47
- Pax Normannica*, 37
- peace, keepers of the (*custodes pacis*), 56 n. 2
- Pembroke, 20, 22, 38; *see also* de Valence
- Petit, Peter le, 77 n. 2, 88
- Pevensey, Richard of, 119
- Picot, William, 139
- Picton (Pembroke), 21  
 Joan, heiress of, 37
- Pinxton, Thomas of, 47–8
- plaints, *see* procedure without writ
- pleaders (narratores), 49, 139  
 king's, 48–9

## INDEX

277

- pleaders (*cont.*)  
*see also* serjeant pleaders; Fressingfield; McCotyr (Reginald)
- pleas of the crown, 11, 54–5, 57–8, 60–5, 109, 113, Appendices v and ix
- pledge, blinds principal, 31 n. 3  
 principal fails to acquit, 86  
*see also* bail and mainprise
- Plunket, John, 49 n. 9  
 ‘pollards’ (coins), 127
- Ponz, John de, J.I., J.C.P., 49, 92, 94, 95, 110, 111, 112, 115, 155
- Power, Arnold, J.I., 36, 106, 131  
 Eustace, J.I., 27, 105
- precipe in capite*, 91
- prerogative, royal, 109, 135
- prescription, 176
- presentment, *see* juries
- prisons, prisoners, 36, 48, 54–5, 138  
 wrongful imprisonment, 36, 250  
*see also* trespass
- privilegium fori*, *see* benefit of clergy
- procedendo ad judicium*, writ of, 17, 18, 83, 84, 97, 145–50 *passim*, 154, 170, 171, 239  
 examples of, Appendix II
- procedure without writ (bills, plaints), 32, 50, 54–5, 57–8, 67–79, 84–8 *passim*, 97, 107, 113, 143–4, 149, 156, 159, 160 n. 7, 167, 188, 199, 200, 203, 218 Appendices iv and v
- licence to employ, 67–70, 77–8
- oral plaints, 67  
*see also* debt; detinue; trespass, and Ireland: courts: general eyre and justiciar’s bench
- prohibition, writ of, 28, 101, 122, 148, 162, 239, 246
- proofs of age, 27, 30, 240
- protections, 17, 28, 91, 93, 122, 137, 238, 240, 245
- purveyance, 160
- Quantock (Cantok), Thomas, bishop of Emly and chancellor, 27, 112, 152, 165, 225
- quare impedire*, 148, 245
- quasi-felonia*, 147
- Quintyn, William, 62 n. 2
- quo warranto*, 81, 102, 107 n. 3, 109, 114–15, 128, 130–1, 132
- rape, 11, 60–1, 113, 236, 238, 249  
 plaint (?) of, 86
- Rathwire, *see* Lacy
- receiving stolen chattels, 110, 249
- recognizances, 87, 239, 246
- record, courts of, 81, 83–4, 97–8, 117–19
- recordari facias loquelas*, writ of, 97–8, 118
- records, amendment of, 50
- Remonstrance of the Irish to John XXII*, 189, 193, 198, 201–6 *passim*, 213
- Repentigny, Peter de, J.I., Appendix I
- replevin, 133, 160, 161, 211–12, 245
- Richard II, king, 6
- Richard, son of Robert, son of John, 152–6, 168 n. 7
- Richardson, H. G., 192, 202, 212–13  
 and Sayles, G. O., 14, 48–9, 67, 193, 217
- Richey, A. G., 189, 192, 216, 217
- right, writs of, 1, 10, 148, 174, 200, 224, 244
- robbery, 51, 61, 63, 108, 110, 113, 136, 159, 160, 203, 236, 245, 249
- Roche, Stephen, 57 n. 1
- Rochelle, Richard de la, steward and justiciar, 14
- Rochfort family, 173  
 Eva de (of Hereford), 173  
 Henry, son of Henry de, 173  
 Henry, son of Simon de, 173  
 Maurice de, deputy justiciar, 227  
 Walter de, 173
- Roscommon, castle of, 38  
 county of, 73  
 town of, 34, 217
- Ross (Wexford), 32, 231  
 William of, deputy justiciar, 82
- Ryvere, Master William de la, 34 n. 5, 67 n. 1, 73 n. 7, 148 n. 1, 150 n. 1, 151, 152–6, 168 n. 7
- Sadelhackere, Christina la, 61 n. 10
- St Albans, Hugh of, J.I., Appendix I
- St David’s (Pembroke), 22
- St John, Geoffrey of, bishop of Ferns, J.I., Appendix I
- St Leger, Thomas, bishop of Meath, J.I., 105
- St Sepulchre, liberty of, *see* Dublin, archbishop of
- Salisbury, bishop of and canon of, *see* de la Corner

- Sampford, Nicholas of, 77 n. 2  
sanctuary, 63, 236, 250  
Sandford, John of, keeper and justiciar, archbishop of Dublin, 10, 21, 43  
Sayles, G. O., see Richardson, H. G.  
Scotland, 19, 23, 26, 34, 86, 112, 135, 154, 240; *see also* Bruce  
scutage, 101  
seisin, livery of, 154  
Selioc (Dublin: *possibly* Silliothill, in parish of Moone, Kildare), 224  
*sen-cléithe*, 193–5  
serjeants (local officials), 84, 86, 87, 112, 114, 121, 123, 130, 160, 250  
serjeant pleaders, king's serjeant, 48–9, 50–1  
*see also* Bardfield; le Blond (Richard); Owen; Ponz  
Serle, William, 64 n. 4  
Shandon (Cork), 136  
Shardlow, Robert of, J.I., Appendix i  
sheriffs  
appointment of, 135–6  
‘book’, 60  
misconduct of, 51, 86, 101, 112, 169, 196, 199  
record pleas in courts not of record, 97–8, 118  
summons to, for sessions of justiciar's court, 54–5 and for general eyre, 107  
tourn, 13, 64, 134  
*see also under individual counties and liberties*  
*si difficultas clause*, *see procedendo*  
‘Slefblame’ (? Slieve Bloom, Offaly), 62  
Snitterby, Thomas of, J.C.P., 93 n. 1, 94  
socage, 178–86 *passim*  
*sóer-chéle*, *sóer-rath*, *see célsine*  
Somerset, 22  
sorcery, 121  
Spyne, John de la, 61 n. 1  
Staghlogh (*personal name*), 62 n. 5  
standard, the king's, 51  
Staple, Ordinances of the, 161  
statutes, ch. viii  
English  
application in Ireland, 4–5, 96, 159, 161–71, 215  
interpretation, 98, 145, 151  
Irish, 159–61, 215  
*see also* Table of Statutes  
stocks, 236  
subsidy, 78, 200 n. 9  
succession, to chattels, custom of, 177  
to chieftaincies, Irish law of, 173  
Sugagh, Reymund, 63 n. 5  
*supersedeas*, writ of, 91, 155, 239  
Sutton, Gilbert of, 110  
Taff, Nicholas, J.C.P., 41  
Taghmon, Hugh of, bishop of Meath, J.I., Appendix i  
Taloun, Richard, 62 n. 3  
Tel, John (*a fictitious name?*), 87  
Telyng, William, 61 n. 9  
tenants-in-chief, 18  
Thomastown (Kilkenny), Appendix iv  
Thomond, 132  
king of, *see* Ua Briain  
Thornbury, Walter of, chancellor and deputy justiciar, 33, 44 n. 5, 185  
Thrapston, Henry of, 47, 96  
Tipperary, county, 8 n. 1, 57, 111, 132, 181  
eyre of: (1289) 10; (1305–7) 104, 105, 248  
town, 144, Appendix i (*references may be to county*)  
toll, quit of, *see* trespass  
Tralee (Kerry), 34, 53 n. 1, 71  
treasure-trove, pleas of, reserved to the crown from greater liberties, 11, 113  
trespass  
(i) in general  
in common bench, 10, 97, Appendix vii  
in justiciar's court, Appendix v;  
by writ, 81, 86; by plaint, 68–73, 76, 81, 85–6, 156  
wrts of, to be purchased in Ireland, 27, 51, 141  
(ii) subject-matter, 234–5, 238, 245–6  
abduction of wife and chattels, 86, 238  
assault and battery, 68–73 *passim*, 85, 86, 113, 200, 238, 245  
*de bonis asportatis*, 68–71 *passim*, 85, 86, 238, 245  
contracts, obligations and agreements, 86, 238

Cambridge University Press

978-0-521-08538-0 - English Law in Ireland, 1290-1324

G. J. Hand

Index

[More information](#)

## INDEX

279

- trespass (*cont.*)  
*ejectio firme*, 85–6, 238  
 false imprisonment, 69, 84, 149,  
 167, 238, 245  
 quit of toll, 86, 238  
 rape, 86, 238  
 wrongs to plaintiff's Irishman,  
 86, 199, 238  
 other forms, 86, 238, 239, 245–6
- Trim, 125  
 liberty of, *see* east Meath  
 lord of, *see* Joinville
- Tuam, archbishop of, 115, 144, 151,  
 176, 200, 205
- Tullow (Carlow), 33
- Turner, G. J.*, 3
- Ua Briain, family of, 206  
 Conchobar, king of Thomond, 20  
 Muirchertach mac Tairdelbaigh,  
 29 n. 2
- Ua Broin, family of, 29 n. 2
- Ua Conchobuir, family of, 206
- Ua Maill Shechnaill, family of, 206
- Ua Néill, family of, 206  
 Domnall, 189, 198
- Uffington, David of, 111
- Ufford (Dofford), Robert of, justiciar,  
 6, 19
- Ui Tuathail (Ototheles, O'Toole), 61  
 Grathagh le Deveneys, one of the,  
 34
- Ulster, 114, 115, 206  
 earl of, *see* Burgh  
 liberty of, 12, 33, 84 n. 7, 115–16,  
 117, 118, 123
- Urgalia (Oriel; Louth) *see* Louth
- Valence, Agnes de, 141, 146, 151,  
 157–8  
 Aylmer de, 38, 95, 120  
 house of, 25  
 Joan de, 119, 120  
 liberty, *see* Wexford  
 William de, 12, 16, 20, 22, 120
- Valle, John de, 157–8  
 Robert de, 37
- venire facias omnes assisas* (writ of  
 summons to justiciar's court),  
 53–7, 60 n. 1, 64, 65, 67, 68, 79
- Verdun family, 63, 130–1  
 John de, 13  
 junior branches, 24, 51  
 Nicholas de, 87–8
- Theobald (I) de, 139  
 Theobald (II) de, justiciar, 24, 123,  
 151, 228
- Vescy, Agnes de, 120, 122–3
- William de, lord of Kildare,  
 justiciar, vii, 21, 26, 44 n. 2,  
 108, 120, 121–3, 138, 144, 146,  
 148, 151; widow of, 122
- vetitum namium*, *see* replevin
- Vienne, Council of, 205 n. 4
- Villa Palmeri (Palmerston or Palmers-  
 town, Dublin), 224
- villeins, villeinage, 188, 190, 193, 194,  
 210  
 exception of villeinage and excep-  
 tion of Irishry, 199–200, 205,  
 206, 207, 211  
*see also* betaghs; *hibernicus*
- voucher of rolls, 170; *see also* warranty
- wager of law, *see* compurgation
- waifs, *see* chattels
- Wales, 19, 22, 45, 113, 125, 130, 187–8,  
 195 n. 4, 197, 205
- war, within Ireland, 23, 24, 26, 30, 35,  
 43, 51, 52, 62, 236; land of, 34  
 elsewhere, 23, 26, 125, 216, 217, 240  
*see also* Bruce; Scotland
- wards, wardship, 163, 167, 245, 246  
 Irish customs of wardship, 18 n. 3,  
 178–86, 214–15  
 prerogative wardship, 113  
 ravishment of ward, 62, 63, 236  
 royal wards, 16, 17, 18, 87, 238
- warranty, voucher to, 14, 16, 17, 84,  
 98, 99, 119, 136–7, 145, 150,  
 170–1, 199, 225
- Warwickshire, 180 n. 4, 183
- waste, 150, 163–4, 245
- Waterford, bishop of, *see* Fulbourn  
 city of, 32, 33 n. 7, 57, 220, 231;  
 priory of St Catharine at, 110  
 county of, 65 n. 2, 111; eyre of  
 (1228) 7; (1290) 104
- Ostmen of, 210–12
- Wellesley, Walrand of, J.I., J.C.P.,  
 8 n. 1, 14, 41; Appendix 1
- Wendover, Roger of, chronicler, 2
- Wentworth, Thomas, earl of Strafford,  
 165 n. 8
- wergild, 190, 202
- Westminster, bench at: *see* England:  
 courts: common bench
- Westmorland, 184

- Wexford, county and liberty of, 11, 12, 17, 22, 34, 113 nn. 4 and 6, 119, 120  
 steward of, 22, 32, 117 n. 2, 120  
*see also* Pevensey; Wogan (John I, Walter II); Sutton
- Weyland, William of, J.I., Appendix 1
- Wicklow, county of (*not a separate shire in medieval period*), 23, 24, 29 n. 2, 32, 33, 34, 52  
 town of, 35
- Willoughby, Richard of, C.J.C.P., 92  
 Robert of, 52 n. 4
- wills, testamentary matters, etc., 74, 174, 177, 205; *see also* succession
- Wiltshire, 180, 183
- Winchester, bishopric of (*or barony of the bishop of*), 179, 184
- Wiston (Pembroke), 38
- Wodeloc, Robert, 64 n. 5
- Wogan, Amicia or Avicia, 37–8  
 Isabella, 37–8  
 John (I), justiciar  
   career of, 21–6  
   family of, 37–8  
   historical significance of, 25–6, 27  
   and application of English statutes, 96, 163  
   and English jurisdiction in Irish cases, 141, 145  
   and form of justiciary rolls, 30, 53  
   and liberties, 114–15, 117, 126–30 *passim*  
   and native Irish, 208, 215  
   and procedure without writ, 75–9  
   other references to, 34, 36, 40, 44 n. 5, 46, 49, 56, 64, 72, 82, 91, 92, 93, 99, 104, 105, 110, 112, 147, 149, 153, 185, 186, 214, 218, 227–8
- John (II), son of John (I) (?), 37–8
- John, J.J.B. (*person created by the historical imagination*), 25 n. 4
- Margaret, 37
- Thomas, son of John (II) (?), 38
- Walter (I), brother of John (I), 38
- Walter (II), son of John (I) (?),  
 J.J.B., steward of Wexford,  
 25 n. 4, 38, 40 n. 2, 45–6
- Walter (? III), 38
- William, 38
- wreck of the sea, 177
- writs
- English, as warrants to the Irish chancery, 39
- English, not to be pleaded in Ireland, 27, 51, 141
- judicial, 50, 70 n. 3
- necessity for, if more than forty shillings, or freehold, at issue, 68–72, 76–8
- original, justiciar authorized to issue, 1
- procedure by, enjoined, 75
- registers of, sent to Ireland, 2–3, 174
- sine and pro dono*, 68
- to be the same in Ireland as in England, 3–4
- see also* *accedas ad curiam*; *advowson*; *allocate*; *assizes*; *bounds*; *certiorari*; *consultation*; *customs and services*; *de divisis faciendis*; *de fugitivis et nativis*; *de libertate probanda*; *de nativo habendo*; *de rationabilibus divisis*; *dedimus potestatem*; *elegit*; entry; error; escheat; false judgment; *fieri facias*; *liberate*; *mandamus*; naifly; *precipe in capite*; *procedendo ad judicium*; protection; *quo warranto*; *recordari facias loquelas*; right; *supersedeas*; trespass; *venire facias omnes assisas*
- see also* England: chancellor and Ireland: chancellor
- ‘World’s End’ (*place-name*) (Cork), 211 n. 3
- Yardley, Master Philip of, J.I., 106
- York, 22