

Selden Society

We are pleased to announce the publication of Volume 126 for 2009:

Select Ecclesiastical Cases from the King's Courts 1272 – 1307

edited by

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In this volume are collected cases in the Common Bench, King's Bench and eyres for the reign of Edward I in which conflicts of jurisdiction arose between these royal courts and the church courts. The common law's jurisdiction, though secular, and the canon law's, though spiritual, could frequently overlap: thus contract, debt, trespass, defamation, tithes, wills and all manner of criminal conduct could sometimes also have a spiritual aspect, and so be potentially justiciable in either forum.

A party sued in the church court who believed that the claim was beyond that court's jurisdiction could obtain a writ of prohibition from the king's court ordering the proceeding to stop. If the church court continued, the matter would be brought before the king's court where the jurisdictional question would be resolved. The editor has selected 42 such cases, set out in the Society's usual fashion with text and translation on facing pages. These cases illuminate a wide range of substantive and procedural questions, including consultation, wager of law and trial by jury, actions for contempt, and the use of ecclesiastical sanctions against those who resorted to prohibitions. In addition to cases on prohibition, the editor also includes 20 cases at common law that raised jurisdictional questions, including cases on annual rents, ecclesiastical patronage, trespass and tithes, and crime. Finally, the volume publishes a number of cases from the Norfolk eyre of 1286. These provide the basis for an extended reconsideration of the effect of the royal writ *Circumspecte agatis*.

The editor's introduction, 128 pages, provides a thorough explanation of the procedural and substantive law applied in the cases. Departing from previous scholarship the editor argues that the jurisdictional boundaries enforced during the reign of Edward I remained largely consistent with established practice.

The volume has 316 pages. There are separate indexes of statutes, actions and writs, names, and subjects. It is case-bound as Vol. 126 in the Society's main series.

Members of the Society receive the volume as part of their annual subscription entitlement. For non-members the volume costs £60 (\$100), and this will include all dispatch cost if payment is received with order. Please complete the form on the next page as applicable.

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