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Your Job and Ours

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To make the Record useful, we propose to provide brief reports of current trial court decisions, reports of Denver Bar Association meetings and activities, as well as articles by members of the local bar upon subjects of interest to the profession.

To make it interesting to the readers, we will try to besprinkle the foregoing with a bit of humor, some philosophy, and whatever original and vigorous thought can be attracted to our columns.

Articles on professional subjects

will be solicited by the editors but manuscripts on any subject will be carefully read and considered for publication. Controversial topics will not be unwelcome but must be handled in an original manner, vigorously, and with some degree of tact. No anonymous manuscripts will be considered.

The editors promise to do their utmost to make this publication one to be proud of. It is your job no less than ours and with your active help during the coming year we shall not fail.

A Romance From the Year Books

By HON. JOHN H. DENISON

Associate Justice of the Supreme Court of Colorado.

The yearbooks are rightly regarded as pretty dry reading; in fact, if they had been taught in the public schools, the 18th amendment would have been unnecessary; but even in them romance appears. Indeed, why not? Many a novel and drama centers around a lawsuit and they are records of lawsuits.

Here is a report ⁽¹⁾ of a case in Y. B. 1, Edw. II, p 11 (Selden Ed.), A. D. 1308, Paris v. Page. "Simon of Paris brought writ of trespass against Walter Page, bailiff for Sir Robert Tony, with others and complained that on a certain day they took and imprisoned him wrongfully and against the peace. Passely ⁽²⁾ for all except the bailiff, answered that they had done nothing against the peace; and for the bailiff he avowed the arrest for the reason that Simon is the villein of Robert, whose bailiff Walter is, was found at Hecton in his nest, ⁽³⁾ and Walter tendered to him the office of reeve and he refused and would not submit to justice, etc."

Toudeby ⁽⁴⁾ rehearsed the avowry and said that to this avowry he ought

not to be answered, for that Simon is a free citizen of London and such has been for ten years, and has been the King's sheriff at said city and has rendered account at the Exchequer; and this (said he) we will aver ⁽⁵⁾ by record; and to this very day he is an alderman of the town, and we demand judgment whether they can allege villeinage in his person. And Herle ⁽⁶⁾ "With what they say about his being a citizen of London we have nothing to do; but we tell you that from grandam and grandam's grandam he is the villein of Robert, and he and all his ancestors, grandsire and grand-sire's gransire, and all those who held his lands in the manor of Hecton; and Robert's ancestors were seised of the villein services of Simon's ancestors, such as ransom of flesh and blood, marriage of their daughters, tallaging

⁽¹⁾The proceedings were, of course, oral and in Law French; we have abbreviated the English translation.

⁽²⁾Counsel for defendants.

⁽³⁾This is the technical or colloquial name of the place of residence of the villein, at which he is attached to the land as villein.

⁽⁴⁾Counsel for plaintiff.

⁽⁵⁾i. e. prove.

⁽⁶⁾Another counsel for defendants.