The Six Carpenters Case [1572] EngR 452

Refusal to pay for services as an incidence of trespassing.

Evidence

The accused paid for dinner at a local tavern and had their meals served. When they asked for another serving but refused to pay for it, the plaintiff who was the owner of the tavern brought up the issue of trespassing against his clients.

Problematics

It was important to define whether one's inability to pay for dinner could be viewed as trespassing on the plaintiff's property.

Resolution

The action was not considered to be an incident of trespassing as it did not involve abuse of authority, license, or permit. The law has changed significantly since then, but at that time, there was no chance to treat the behavior of the accused as an incident of trespassing or theft.

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