The expositions of the termes of the lawes of Englannde, with dyuers proper rules and principles of the lawe, as well oute of the Bookes of master Littleton, as of other. Gathered both in French and English, for yong men very necessarie, wherunto are added the olde tenures.


1575

In ædibus Richar-di Tottel.

Cum privilegio.
Prologus Iohannis Rastell.

Ike as the univerall woorde con-
neuer have his contynuance but
only by the orde and lawe of na-
ture, which compelleth every thing
to doe his kind: So ther is no mul-
titude of people in no Realme that
can continue in unitye and peace
wythout theye bee thereto compel-
led by some good orde and lawe, wherfoze a good
law observed: causeth ever good people, and a good
reasonable common lawe make the a good common
peace: a common wealt in a great commun-
ity of people, and one good gouerno which causeth one
lawe to be observed among divers & muche people,
byngeth dyuers & muche people to one good unitye,
but dyuers rulers & gouernoys, & divers orders and
lawes one contrary to an other, and when that every
gouernour will have the lawe after his minde, byng-
gheth one multitude of people to variance & decreas,
for as evere man is variant from other in byplage,
so theye be variable in minde, and condition, there-
foze one lawe & one gouernoure for one realme & for
one people is most necessary. And also lacke of lawe
causeth many wronges to be committed willingly.
And lacke of knowledge of the lawe, causeth divine
wronges to be done by negligence, therfore, sith law
is necessary to be had, & a vertuous & a good the-
ergo to haue knowledge thereof is a necessary
vertuous & good thing, & that, that is verteous
good, is good for every man to be: ergo it follo-
it is a good thinges for everyman to have the
ledge of the lawe. And sith that it is neces.
The prologue.

everye realme to haue a lawe reasonable & 
to gounere the great multitude of the people, ergo it 
is necessarie that the greate multitude of the people 
haue the knowledge of the same lawe, to the whych 
they be bound, ergo it foloweth that the lawe in every 
realme shoule be so published, declared, and written, 
in suche wise that the people so bounde to the same, 
might soone & shortly come to the knowledge thereof, 
or els such a lawe, so kepe secretly in the knowledge 
of a fewe persones, and from the knowledge of the 
great multitude, maye rather bee calld a trap and a 
net to bringe the people to vexation and trouble, then 
a good order to bringe them to peace & quietnes. And 
folowsmuche as the lawe of this Realme of Englande 
is oderayed and dcuisd for the augmentacion of Ju-
stice, & for the quietnes of the people, & for the common 
wealth of the same, ergo it is convenient that evere 
one withinthis realme bound to the same maye haue 
the knowledge thereof, & no reasonable that any such 
wapes shoule be calld had or bled, whereby the people 
shoule be ignorant of the lawe, or shoule be exc 
ted or restrainyd from the knowledge thereof. I ther-
foze consideringe these folowspade causes, haue taken 
yppon me this little labour & study to declare & to exp-
pounde certaine obscure & darke termes concerninge 
the lawes of this Realme & the nature of certaine 
Mistes for the helpe and eduction of them that bee 
yong beginners, which I intende to bee studientes of 
the lawe. For as the Philosopher saith. Ignoratis ter-
nis ignoratur et ars. That is to saye. He that is igno-
rant of the termes of anye science, must needes bee 
zaunte of the science. But yet I have not enter-
this, for that, that I thynke my seile sufficent 
to expounde the as substantially as other dece 
men can doe, but to thentent that some ease 
trace of learninge maye come to yong studien-
tes by
The Prologue.

To be by reading of this same. And also I have compiled and indited this little worke, first in the fренche tongue, as is used in the bookes of oure law, and after translated the same compilation in oure Englyshe tongue, to thentent that such pong studientes maye the sooner atteine to the knowledge of the Fренche tongue, which knowledge so had, shall be a greate helpe & furtherance vnto them, when they shall study other workes of the law of more difficulty, as be the bookes of veres, & termes. & other bookes which be written in the fренche tongue, whereby they shall come to the more knowledge of the lawe, which knowledge of the lawe so had, & the trewe executioun of the same lawe, shall be greatly to the augmentacion of the common wealth of this Realme, which the etternall God increase & preserue to his great honoure and gloype.

A M. E.P. A.159.
The exposition of

Abiuració est lou vne que ad co-mis murder ou felony fue al alcune Esglise ou auter lyeu priuileged pour la sauegard de la vye, & la deuault le Coroner fayt tyel confession que puite fayre sufficient enditement de felonye, donques le Coroner luy ferra de abiure la Realme & assygnera a luy a quel porte il alera & luy iura que il ne va hors del haut chymyn, & que il ne demurra a le porte (sil puit auer bon passage) forsiue vn floode & vn ebbe, & sil ne puitau er passage, que il alera chescune ioure durant xl, iours in la mer a son genus, revel felon que la hors de
termes of the lawe.

hyghe Waye, and fly
t to another place, if
t be taken, he shall
be brought befoore the
judge, etc there shall have
judgement to be changed.
But if he which so prai
e the pruiledge will
not abjure, than he shall ha
ue the pruiledge for pl.
days, etc every man may
gue him meat and drink.
But if any gue him sus
fence after pl. days,
although it be his wyse.
such geving is felony.
Also he that doth abjure,
halbee delievered from
one constable to another
and from one fraunches
to another, till that hee
come to his poorte, and if
the constable will not re
ceive hym, hee shall bee
greuously amerced. Look
the othe in y. treatise de
Abiuracione coronatorum.
The exposition of

Abatement in ter-
re ou tenementes est
quant home murrust
seiie de ascuns terres
ou tenements, & vn
estraunge que nad droit
éttra in le terre deuant
leire, cest appel vn a-
batemét, mes si lheire
entre primes, & lestrá
ge entra sur la posses-
sion leire, donç il est
disseisin al heire.

Abatemént de briefe
ou plaint équat ascú
actió est port par bri-
ef ou plainte, & faute
sufficiet matter, ou le
matter est non certai-
ne allege, donç le de-
fendant priera que le
briefe abateras. que le
pleintife coméecera sa
suite nouelment, &
portera vn auter bri-
fe ou plainte si il voi-
le mes si le defendant

Abatement in landes
and tenementes is when
a man dieth seised of any
landes, or tenements, &
a straunger which hathe
no right entreth into the
land before ye heire, this
is called an abatement,
but if ye heire enter first,
and the straunger enter
upon the possession of
heire, than it is a discl-
kin to the heire.

Abatement of a write
or plainte, is when any
accié is brought by writ
or plainte; there lacketh
sufficient matter, or els
ye matter is not certaine
alleged, the the defend-
ant shall praye that the
writ shall abate, that is
to say, that the plaintife
shall begin his sute a
newe, & shall bringe an
other writ or plaint if
hee will. But if the de-
fen-
fendan't i any actió plede a matter in barre, for to adnul' s actió for ever, hee shall not come after warde to plede in abate met of s writ, but if after it appere in s record, that there is some matter apparat, for which the writte ought to be abated, then the defendât or anye person as a fren de to the courte, maye well plede & shewe' in arrest of judgemët. Also these be thinges whiche shall abate a writ, s is to say, misnamig of s plen tie o2 s defendât, o2 of s place, variaûce betwëe s writ & s specialte o2 Recorde, uncertaintie in s writ o2 declaracioû, death of s plaintif o2 defendant. And many other thingz, which would be to long at this time to wright.

in ascum' actio plede vne matter in Barre, pur a nulle le acciô a touts iours, ilne viendra f apres a pled, in' a batemêt de brief, mes si apres il appiert in le record que est ascum matter aparaunt pour q le briefe doytt eître abatus, donqs le def. ou ascu auter person, vt amicus curiae puyt bien plede & mostrre ceo in arrest de judgemënt. Auxi sôt divers choses q abateria vne briefe.s. misnom del pl. ou def. ou de lyeu variaûce inter le brief & le especialty ou recorde, non certeintie in le briefe ou coutû, mort del pl. ou def. & plusoures auters choses que ferrot pl. longe a cest teps pur escrier.
The exposition of Abbot is the sovereign of a house of religion such a sovereign in any such house shall not be charged by the act of his predecessor, if it be not by common seal, or for such things which come to the use of his house. Also an abbot shall not be charged for his debts of his month before his estate in religion though the creditor have an especialty therof, except it have come to the use of his house, but the executors of his month, shall be charged therewith.

Abstidgemet of plaint or demaude is when any assise is brought or writ of dower, & the plaintye in the Assise makes his plainte, or the demandaunt in a writ of dower maketh her demaude of divers parcels of land, and
and the tenant pledeth not tenure or jointenancy to parcel of the lande in abatement of the wight, than the plaintiff or demandant maye abide his plainte or demand to that parcel, shall praye that the tenant shal answer to the remenant, 
cause is for that, that in such writtes the certaintie is not comprehended in the wight.

Accessorie is he, that apothecarist, assisteth, or comforteth any man, hath done any murder or felony, whereof he hath knowledge, thab such an accessorie shall be punished, and shall have judgement of lyse & member, as well as the felony. But suche an accessorie shall never bee put to aunswere to that
The explication of

till the principal bee attaint or conuiete or bee outlawed there upon, but a woman in such case shall not be accessorie for y helping of her husband, also if one command another to do a felony and he doth it, if the comander be not present he is an accessorie, but if he be present he is principal as well as the other that did the deed, but in treason, as well the commanders as y assisters and receivers after bee always principalles.

Accopt est yn briefe & gift lou bailife ou receiuer dascun Seignour ou auter home q doit render accopt ne voit son accopt redier, doques celuy a q accopt doit estre redier aurea cest brief. Et p
of the lawe. Fol. 4.


termes of the lawe. lestatur de west. ii. ca x. si l'accopiant foyte troue in arreragis les auditors q' souit a luy assignes ount power de agarder luy a prision a la demurrer que il ad fait gree al party, mes si les auditors ne voillont alower reasonable expèses et costage, ou fils chargetront luy one plusours receiptes q' ne duissent, donques son pecheine amye q' voit fuer pur luy, sue ra vn brief de ex pte talis hors del chaunce rye directe alvic. de pendre. iiiij mainpnors de réd. son corps deuaut les barôs del eschekar a certain iour et de garnier le Seignior, dappererla aü le iour.

Accions reals de l'ue tiels acciós ou le desmaundahe
The exposition of maudiat claimeth any landes or tenements, rents, or comen in fee simple, fee taille ou a terme de vie.

Actions personels sont tiels actions ou home claime det ou auters byens & chauteux ou damage pur eux, ou damage, pour tort faire a son person.

Addicion est ceo q est done a vn home oultre foisper nosmi & surnosme. s. a monstre de ql estate ou degree ou mestier que il soyte, & de quel ville, hale, leu, et coute, et tiels addicions fuerunt ordaine plesstatute, an. 1. H. 5. cap. 5. in actions ou peces dutlagarye gist q vn ne ferra greeue per lutlagarye lau-

Addicion is that, that is greeneen to a man ouver his proper name & sur-name, that is to saye, to shew of what estate, degree, or craft that he is, and of what town, hamlet, place, Counte, and such additions were ordained by the statute the first yeere of Henry the 5 cap. 5. in actions where proces of utlarie liethe q one shall not be greene by utlarge of another, and
The writer states that abatements of certain briefs are not allowable if the plaintiff takes exception thereto, but they shall not abate by the office of the court. Also, the Duke, Marquis, Earl, and Knight are not of the same dignities as the others, which should have been grievous before the statute.

Administrator is he who the ordinary committed that administration of his goods of a dead man for default of an executor, and he shall be charged to the value of the goods of the dead man and no further, if it be not by his own false plea, or that he hath wasted goods of the dead, but if that administrator die, his executors be not.
The exposition of Administrators, mes couiuent a l'ordinaire de commit nouel administration, mes si vn estrage q nest administratour ne exec- cutour prist les biens le mort et ministr' de sô tort demesne, il ser ra charge et sue coe executour et nemye administratorin ascû actio'q est port vers lui p ascû creditor. Mes si lordinarie fait vn briefe ad collige- dum bona defuncti, cestuy q ad tiel letter nest administratour, mes laction gis vers lordinari auxibn coe fil prist les byens a sô mayne demesne, ou par le maine dascun fon servant per ascû auter commande- ment.

Admesuremete de dower est vn brief, et dower is a wytte, and it lyeth
Termes of the lawe  

If liet, where a woman is endowed by an infant, or by a gardene, or more than she ought to have, her heire in such case shall have this writ, by which she shall have admeasurement & her restored. But if one abate, it is to save, enter after the death of the husband & endow his wife or more than she ought to have, the heire shall not have this writ, but assise of mortdanceller against woman, if she plead she was endowed by supra, the heire shall have how she was endowed by abatour & that she had more then shee ought to have, and shall praye she may bee restored to the surpluse, & if it be found, she shal be restored.

Admeasurement de pas-
The exposition of

ture is a writ

eth wher many tenants
haue comen appendat in
another ground & one o-
nercharge the comen to
many beasts. Then other comins may have
this writ against him, &
also it maye bee brought
by one comoner onely.

But then it behoueth to
be brought against all the
other cominers, & against
him y surcharged for y
that al the comins shal-
be admesured, & this writ
lieth not against him noz
for him y hath comen ap
purtenant oz comen in
gros, but the which haue
come appendat, oz comen
per cause de visinage.
Se y diversitie of al these
comens afterward. Also,
this writ lieth not for y
lord noz against the lord
but y lord may distrain y
beastes
Termes of the lawe... but if your lord shall haue remedy by the comœ law, but he shall haue remedy by writ of Sub pena in the Chaücery, as it is said.

Age priuer est, quæ actio est port vers le fant de terre, qu'il ad per discent, la il mòtra la mater al court & priera que laction demurra tang a son plein age de xxı. ans, et illint per agard de court la suite surcelesfera, mes en brief do dower et en aßise, & auxy en tiels actions ou lenfaunt vyent eyns de son tort de mesne, il nauera sa age.

Also note well, there be many diversities of ages, for your lord shall haue
The exposition of

son tenant en socage

pour sa fyle marier

quart le file le seigni-

er est del age de viij.

ans. Et auxi aide pur

faire son fils et heire

chivaler quaüt il est

dage de septe ans.

Auxy femme que est

espouse al age de ix.

ans si so barron mur

ruse feifie aufa dower

& nemy deuaut.xix.

ans. Auxi xiiiij.ans est

lage de feme quel ne

ferra en garde si ele

fuit de tiel age al teps

de mort son auncest-

tour, mes si ele fuit

deins age de xiiiij.ans

& en gard so seigni-

our, donques el ferra

en gard tare al age de

xvi.âs, et auxi.xxi.âs

est lage de heir male

destre en gard et aîs

bors de gard, et auxi

il e age de male et fe

aide of his tenant in so-
cage for to marve his

doughter whè h doug-

ther of the lord is of thage

of viij.yeares, & also aide

for to make his sonne &

heire knight, when he is

of the age of seué yeares.

Also a woman which is

marayed at the age of xi.

yeares, if her husband die

feyled, shall have dower

not before nine yeares.

AII. viiiij.yeares is h age

of a womâ that the shall

not bee in warde, if thee

were of luche age at the

time of h death of her aü

celte. But if thee were

win h age of xiij. yeares

& in ward of the lord, thè

the shalbe in ward tyll h

age of rvi.yeares, & also

rvi.yeares is the age of h

heire male to be in ward

after h out of warde &

also it is the age of male

and
termes of the lawe

male de fuer ou dess

fue des terres qu ils out

ou claimont qu disce,

& de faire touts ma-

niers contracts et bar-

gaynes, et nient de-

uaunt. Mes si tiel en-

fant deins age de xxi.

ans dona ses byens a

moy, si ieo les preign

p force del don il aua

vers moy vn brief de

Tresp, mes sil les don

a moy & eux delyuer

a moy auterment est.

Ad quod damnum

est vn brief, et vide de

ceo aps, titulo, Quale

ius.

Adiournement est

quant alcun court est

dissolue & determine

& assigne destre gard

arrere al auter lieu ou

temps.

Amendement est

quat error est en le p

ces, les iustices poiet e

amender aps iudge.

B.iiij. men
The exposition of

At, mes si error soit en
judgement done, ils ne
poient ceo amender,
mes le pry ce est mis al
brief derror, & en plus
fors cases lou le def.
appt en le clerk q es-
crier le record, il fer-
ta amende.

Ayea est quauant te-
naunt a terme de vie,
tenaunt en dower, te-
naunt per la curtesy,
ou tenant en taile, aps
possibilitye dissue ex-
tinct est impede don
que pur ceo q ils nont
q estate pur terme de
vie, ils praiount ayea
de ce stey en le reuerció
& proces ferra faite p
briefe versluy de ve-
ner & pleder oue le
tenant en defense del
terre sil voile, mes il-
couient q ils accorde
en ple, car sils vary le
ple le tent ferra prixe,
& dongs leide pry er

be in judgement, they maye not amend it, but the party is put to his
writ of erroure, & in many cases where ye deuant
appereth in ye clerke that
writeth the record, it shal
be amended.

Ayde is when tenante
for terme of life, tenant
in dower, tenant by cur-
etie, if tenant in ye taile,
after possibilitye of issue
extincte is impelde, then
for that, ye they have noe
estate, but for terme of
lyfe, they shal pray in aid
of him in the reversion,
proces shal be made by
writ against him, to com
pleade with the tenante
in the defence of the land
if he wil, but it behoueth
that they agree in plee,
for if they vary, the plee
of the tenat shalbe taken
and then the ayd prayer

is
termes of the lawe is do be, but if hee come not at the second witten, then the tenant shal alaie the other side. Also tenant for terme of yeares, tenant at will, tenant by Elegit, and tenant by Statute marchaunt, shal haue aye of him in the reversion, & the servaunt & bayllie of there master when they haue done a

ny thing lawfully in the right of their master.

Ayde of the king is in like case as it is saide before of a comon person, & also in many other cases where it king may haue lass, how bee it the tenant be tenant in see simple he shal haue aide, as if a rent be demanded against the kinges tenant which holdeth in chief, he shal haue aide, & so he shal not haue of a comé plon.

Ayde de roye est en semblé case come est dit deuant de comen

son, & auxy en plus

jours auters cases lon le roye puyt au perde coment que le tennante soit tenant en see simple il auera aide. Cœ li vn rent soit demad vers tennant le roye, q tient en chief il auera aide & istynt naurera de auer personne.

Biii.  Auxi
The exposition of

Also where a cite, and rough hath a fee term of the king and any thing bee demanded against the which belongeth to the fee term, they shall have aid for the loss of the king. Also a man shall have aid of the king in the seede of voucheer. Also the kinges bayllife, the collectors and purveyor shall have aid of the kinge as well as the officers of other persons.

Ayle is a writ, and looke therefore after in the title of cosinage.

Arest is whither one is taken and restrained from his libertie. Also a man shall not bee arrested for debt, trespass, detinue, or other cause of action, but if it bee by vertue of precept or commandment out of some court, but
but treason, felony breaking of the kynes peace every manne hath the authority to arrest without warrant or precept, but when a manne shall be arrested for felony, it be hath that some felony be done and also that he bee suspected of the same felony and when any manne shall be arrested for felony he shall be broughte to the Gayle, there to abide til the next sessions for to bee indicted, or for too bee delivered by proclamation. But if one bee arrest by another for suspicious of felony and no felony bee done, then he may have against him a writte of false imprisonment.

Annuity is a certaine
The exposicion of a summe of money which is graunted to a man in fee simple, fee tayle, for term of life, or for term of yeares, to take of the grauntor or his heires, so that no free holde ys charged thereof whereof a man shall never have assyly noz other actyon reall and it ys none assettes to the heire of the grantee to whom it shal descend.

Appeale is where one hath done mordure, robbere, or feleonye, then the wife of him that is slaine shall have an action of appale against the murderer: but if he have noe wife, then his nerte heire, which is male, shall have the appeale at anye tyme with in ye yeare & day after ye deede, & also he that
Termes of the lawe

is to be had, shall have his appeale with in the same time: Also in appeale, if the defendant be acquitted he shall recover damages against the appellant, & thabettoys, and they shall have the punishment of a yer, & shall make fine to the king. Also an appeale of mayhe, is not in manner but an action of trespass, so hee shall not recover but damages, but if he cast a protection it shall not be allowed.

Call is where a tenant in the title, or a man seized of certaine land in the right of his wife alieneth the land with warranty & hath said in fee simple which deseth to his heir which is also heir in the tail or heir to woman is as much in value as the other land.

son appel deins mesme la temps. Auxi en appel si le def. soif ac- quite il recouera dama- mage vers lappellour & labbettours, & ils aueront lenprisonmét dun an & ferront fine al roiy.

Auxy vn appell de mayhem neust en man ner forstque action de trespass quarr il ne reco uera forstque dama- ges : mes il gyft vne protection il ne serra allowe.

Allets est quant to naunt en le tayle ou home seise de cartayn terre en droit sa feme alié la terre oue garr & ad terre en fee sim- ple que descend a son heire q'est auxy heire en tayle ou heyre al feme & q'est tant en value qui lauter terre
The exposition of en tyel cas si alcune tiel heires portount briefe de formedone ou briefe de sur cui in vita pur la terre istint alien dopy il serra bar per reason de cel gar- rauntie. Pur ceo que il ad cest terre istint a luy descendus que est taunt en value, et pur ceo cestterre est dyt vn assetes. Auxi assetes est quauente home est oblige en aucun espe- cialtie et murrust sey- sie de terres en se simple que discend a son heire cest terre est app- pel assetes, pour ceo q son heire serra charge de paier le dyt dette, files executoures son auncestour nontr ryés de paier.

Assète est vn brief et gyft ou aucun home est mis hors de son terre ou tenementes
or tenants, or if any profite to be taken in a certain place so disteyled of his free hold. Free hold to any man when he is lesed of landes & tenements or profit to be taken in fee simple, fee tailie, for term of his own life, or for term of another mannes life. But the tenant by elegt, tenant by statute marshaunt, & statute staple may have allise, howbeit that they have no free hold, this is ordayne by divers statutes.

Also in an allise, it is needfull alwayes that there be one disteyllor & one tenat, or otherwise the wyit shal abate. Also where a man is disteyll & recouereth by allise of nouvel disteyllin, & afterward, is againe disteyll et puis est auterfoits disteyllin.
The exposition of
disseisie par mesme le seised by the same disseis
disseisior il auera vers
luy vn brief de redisseisindirect al vicot
de fais inquisition et
fi troue soit le redisseisin il serra mis en
prison. Auxi si home
recouer a briefe per
assise de mortdacester ou par auter iurr
ou per defalt, ou red
 dici & fil soit auter-
foits disseysie il au-
era donques vn brief
de post disseisin, &
cesti qui est pris & imprison pur redisseisin
ne serra deliuer sauf
especial commande-
ment le roye, vide les
estatsus inde Marto
c. a)i. Marlebridge.c
8. et w.2. ca.26. Auxy
il est vn auter assise
appell assise de fresch
force, & gis lou hobe
est disseyflie de ten-
mentes queux Sount

he shal have against
him a writ of redisseis
in directed to the thirif
to make inquisition, & yf
the redisseisin be found, he
shalbe sent to prison. In
like maner if a ma reco-
uer by assise of mortten
cessier o2 by other Jury,
o2 by deault, o2 by reddi-
cion & be another tame
disseis the he shal have
a writ of post disseisin,
he which is taken & impr-
isoned so2 redisseisinn,
shal not be delivered w-
out special commande-
met of the king. Se the
statutes therof Part on.
ca.3. Harlebridge, capit.
octano, & Westmynster
2. capit.26. There is also
one other assise called as-
side of fresh force, & lieth
where a man is disseised
of tenements which are
bislable
Termes of the lawe.

Diuisable as in the City of London or other boroughs or towns, and frechises, the defendant shall come into court of the said town or enter his plaint, and shall have writ directed to the Maire or bailiffs et al. Upon one jury shall pass in man of Assise of novel difference. But it behooveth he do enter his plaint within ten days as it is said or otherwise he shall be sent to the common law. And if the officers delay the execution, then the plaintiff shall have another writ to have execution, and a Si-cut alias et a pluries et al.

Assise of darrain pleit met leke therof after in the title Quare impedit. Assise of mortdauncester. Looke thereon after in the title Cosinage.
The exposition of
Attournement est, when one is tenant for term of life, and he in the reversion that hath the fee simple grauntest his right and estate to another, then it behoveth the tenant for term of life agree thereto, and this agreement is called an attournement, so if he in the reversion graunte his estate & his righte to another, if the tenant for term of life attorne not nothinge passeth by the graunt. But if it bee graunted by fine in court of recorde, hee shall bee compelled to attorne, and looke thereof after in the tyle Quod juris clamat.

Attaynt is a wyte, ethlieth wher t'alse verdit is gené by tw(el)uc men, & judgemet geuen ther-
terms of the lawe.  

on, by the partye agaynst whom they have pass'd, shall have this writ agaynst the twelve men, & when they bee at issue, it shalbee tryed by, trith jurors, & if the false verdict be founde, the vy. me be attait, & the the judgement shalbee that their medolives shalbee eyzed, their houses broke down, their woods turned vp, & all their lands and tenements forfeited to the king but if it passe agaynst him he brought that attaint, he shalbe imprison'd, & greuously ransomed at the kings will.

Attaint also is when judgement is given in treason or felony.

Auncient demesne bee certain tenures which be holden of suche manours which were in the hands

sur ceo, donc; le partie vers que ils auoyent passa, aura cet briefe vers les douze homes, & quaunt ils fount a issue, il serra trye per vynq quater iurors, et si faux ver dit soit troue, les, xij. iurours font attaynt & donques le judgement serra qui leur prees ferrount arres, leur meslos debrusles leur bois subuertis, et toutes leur terres et tenements forfaits al roye, mes il passa enconter celuyqui port lattaît, il serra impriso & greousement ransom al volunt le roy. Attaint auxi est quat judgement est doein treason ou felony.

Auncient demesne sont certeine tenures que sont tenus de ty-els maners que eux fue  

C.i. ront
The exposition of the residue of Saint Edward the Confessor, and the which hee made to bee written in a booke called Domesday, sub titulo regis and all the landes holden of the same manours be auncien demelne, and the tenaunts shal not be impelled out of the same manour, as if they bee, they may the matter and abate the wrytte, but if they are writen to the wrytte, and judgement geuen, than the lands become franca see for euer. Also the tenaunts in auncien demelne be free of tole for al things cõcernynge their sustenâace & husbandry in auncien demelne, et pur les terres ils ne fer ront mis ne impanell sur ascun engîst. Vide plus de cee apres titulo Monstrauerunt.

Also
Also all the lands in aun
cien demesne in the kings
handes be frank fee and
pleadable at y comye law.
C Audita querela is a writ
and it lieth where one is
bounde in a statute mer-
chant, statute, staple, or re-
cognisance, or judgement
against him, this
body in execution there-
po, than if he have a re-
leas or other matter suffi-
cient to be discharged of
execution, but hath noe
day in court to plead it,
then he shall have this
writ against him y haue
recovered, or against his
executors.

Auermet is wher a ma
pleadeth a plee in abate-
met of y wryt or barre of
y actio which he sayth he
is ready to pue as y court
will award, this offer to
pue his plee is called an
auermet.
The exposition of

Auowrie est, lou vn prist distriquipur ret ou auter chose, & lauter sua Repleuin, doques celui qui auoit prise, justisiera en son plee pour quel cause le prist, et issynt auowale prise et cdeo est appel son auowrie.

Alié est celuy de que le pier est nee, et il m auxineee hors del legeauncse nostre seignour le roy. Mes si vn alien vient et de murre en Angier er q'nest del enemies de roy & icy ad isue, c'est isue ne alié mes Angloys. Auxi si vn Angloys ala ouster le meere oue licence le roy, et la adissues, c'est isue nest alien.

Appropriation est lou vn meason de religion.s. vn abbe ou auter soueraign & le
of any personage & obtaining licence of the Pope of the Ordinary that it shall be from henceforth a Vycarage, and that the vicar shall have certain portion of the benefice, and that the Abbot & the Convent shall have other proates, this is called appropriation, & then the Abbot and Convent shall be persons in persons. But suche appropriation maye not bee made to begin in y lyse of y person without his assent. But if suche aduowson of y personage be recovered by auëcien tytle, then the appropriation is adnulled.

Aduowson is, where any man and his heires hath right to present his clerke to the ordinary to couent ountvne aduowson de aucun personage & obtayne licence del Pape & del Ordinary, que il serra de lors vn vycarage, & que le vycar auera vne certeine porcyon del benefice, et que labbe & la couent ser ront persons & auerront les auters ptites cest appel vn appro priation, & doncques labbe & le couent ser ront persones in persones, mes tyel appro priacion ne puit eftre fait a cömence: en la vie la personne fauns son assent. Mes si tyel aduowson del personage soit recouer per auëcien tytle, doy lap propriation est adnul.

Aduowson est, lou aucun home et ses hey res ad droit de presen ter son clerke al ordi C.j. nary
The exposition of any benefice of holy church when it is void, then he that hath such right, is called patron, but no lay men may have the bowlon of a vicarage.

Barre is when the defendant in any action plea which is a sufficient answer, and destroyeth the action of plaintiff for ever.

Battle is a tryall by fightinge, which shall be between two persons, and this tryall may be in a writ of right, and in appel of murder or felony. But if one be indicted of felony, and after the parte bringeth an appel upon the indictment, than the defendant shall not wage battle.

Bastarde is he that is bozne of any woman not
not married, his father is not known by the order of the law, and therefore he is called the child of his people. But by the law of holy church, if one get a child upon a woman and is borne out of wedlock, after he marry the same woman, then such a child shall be said mulier and not bastard. But by the law of England it is bastard. So when such special bastardy is alleged, it shall be tried by the contreyp not by the bishop. But general bastardy alleged shall be tried by the certificat of the bishop.

C. Also if a woman be great with child to her husband, and her husband dieth and she take another husband, and after the child is borne, than the child shall be layde the child.
The exposition of
le primer baron. Mes si el fuyt pruement insent al temps del mort son primer baron, donques il serra dit lenfant le seconde baron.

Auxy si vn home pret feme que foyst grosse ment insent oue ascu auter que ne fuyt son baron et puis lenfant est née deis les espous sels donques il serra dit lenfaunt le baron mes qu'il fuit née forisque vn iour après les espous sels solempnes.

Burglary est quant vn debruer & entra en le meason vne auter en le nuict a len tent pur embleier bien en quel case que il ne importa ry ens vncore il est felon ny, et pour cee il serra pendu, mes le de bruer de meason en of the first husband. But if she were pruently with childe at the time of the death of her first husband, thâ he thalbe said y child of the second husband.

Also if a manne take a wyse which is grea terre chylde with an other that was not her husbande & after the chylde ys borne win the espousels then he thalbe lade the chylde of the husbande, though if it were borne but one day after the espousels solempnised.

Burglary is when one breake keth & entrethe into another mans house in the night to the entent to stel goods, in which case though hee beare a-way nothing, yet it is se lenye. And so that hee thalbe hanged, but the breakinge of an hous
in the daye, for suche intentes is no felony.

Capias, looke for that after in the tytle proces.

Champertye ys a writ and it lyeth where y. men be impledinge & one gyueth the halfe of parte of the thing in plee to a straungere for to make him agaynst the other, then the partye Gregned shall have thys writ against y. straunger.

Charge is where a man granteth rent golping out of any grounde, & that if the rente bee behinde that yt shall be lawful to him and his heires & assigns to distraine til the rent be paide. Thys is called a rente charge, but if one grant a rent charge out of the land of another & after purchase

le iour pour tyenent neest point felonye.

Capias, vide de ceo apres en la tytle proces.

Champertie est vn briefe, & gist lou i. homes sone impledantes & lun done la moity ou part del chose in plee a vne estrange pour luy maynteiner encounter lauter don ques le partye greue auera ce briefe deuers lestrange.

Charge est lou vne home granteat rent iffant hors del ascu terre & que si le rent soit arere que il lyft a luy & ses heyres ou assigns a distraine tanque le rent foystpaye, cest appel vn rent charge mes si vn grant vne rent charge hors del terre vn auter & puis
The exposicion of purchase in ye terre le grant est voide.

Cessait est vn brief & gist lou mon very tennaunt que tyent de moy certaine terre ou tenements rendante certaine rent per an & le rent est arrere nyet paya per ij.ans & nul sufficient distres puyt estre troue sur le terre doq auroer ce br p que ieo recoyera le terre, mes si le tenant vint in court deuante iegent done & rend le arrerag. & les dam et troue suerty q il ne cesser plus de paimet de dit rent ieo ferra compel de preder les arrerag. & les dam et doq le tenant ne perdra le terre. Auxy le heir ne puit mainteyner cel br pur cesser fait en temps son aun ceffour, auxy ce brief

Lande, the graunte ys-boyde.

Cessait is a wypte & it lieth where my very tenant which holdeth of me certaine landes and tenements yelding certaine rent by the yeare & the rente is behinde not payde by ij. yeares & noe sufficient distres may bee founde oppon the lande, thà I shal recouer þ lad, but if the tenant cœ into þ court before þ iegement giué & tend the arrerages and the damages & finde suertye þ he shal celle no moze in paymet of þ lad rent I shalbe compelled to take the arrerages & the dammages and then the tennaunt shall not lose the lande. Also the heir may not maintaine this wri to the cesser made in the time of his auncellour:
terms of lawe

also this wysh lysethe not but for annuel seruice as rent and suche other and not for homage & fealty.

There is also another wysh called sellauiet de catastia, and it lieth wher a magistrath lad to an house of Religion to find for his soule and his auncelstours and his heires ye rely a lamp in the church or to paye deuyne seruice or some other thing, the if the saide charge be not bone in thy yerres, then y donour or his heires shall haue a wysh against who soever is in that house after such cesture.

Challenge is where Jourour's appeare for to trie any issue, if anye of the partie suppose that they are not indifferet, then theye mawe them Challenge and refuse.
The exposicion of

Mes font divers chal-

lenges, vne est chal-

lenger al array et laus-

ter al le polles. Chal-

lenger al array est quant

la panel est fauoura-

blement fait par le vi-

cont ou auter officer

Challenge par le po-

lis, aiscuns sount prin-

cipal, et aiscun p cause

Principall est come

adire que vn des iur-

rors est le fits, frere

ou coosine al plentif

ou def. ou tennaunt a

luy, ou que il auoit es-
pouse la file le plen-
tife, et pur ceux cau-

ses il serra retrait.

Auxy in plee de mort

de home & en che-
cune action real &
auxi in chescun perso

nel si le dette ou dam-
mages amount a xl.

marke il est bon chal-

lenges que il ne puyt
dispender xl.s. per an

But there be dyuers

challenges, one ys chal-
lenger to the arraye, and

the other to the polles.

Challenge to tharray is

when the panel is fauo-

rably made by the thirife

or other officer. Chal-
lenger by the poles, some

are principall, and some

by cause. Principall is

as to laye that one of the

Jursures is the sonne,

b2other, 02 cofine to the

pleintife, 02 defendant,

02 tenant to him, 02 hee

hath espoused the daugh-
ter of the pleintife, and so

those causes hee shall be

wazaten. Allo in a plee

of y death of a man, and

every other action real,

also in every personell,

if the debt 02 damages a

mount to xl. markes it is

a good challenge that he

cannot dispender xl.s. by

the
termes of the lawe.

Also challenge by cause, is as where the party doth allege a matter which is noe principal challenge, as to say that the sonne of one of the Jurrours hath espoused the daughter of the pleintiff, then he shall conclude & therefore he is so faucorable, then it shalbe tryed by others of their quest if he be faucorable or in different, and if they say that he is faucorable and not indifferent, then he shall bee drawn oute, otherwise hee shall bee loune. Also a felon that is arraigned, maye challenge either irrours preemptory without any cause, and as many as he will with cause, but then it shalbe tryed if for such cause he be indifferent or not.

de franktenement.

Auxi challenge per caufe, est come ou le party allege vn matter que nest principall challenge comme adire que le fites vne des irroures ad espouse la file le pl'doques il cocludera, & pur ceo il est istint faucurable donques il ferra trye per auter del enquest si sofit faucurable ou indifferent, & si ils diont que est faucurable & nemy indifferent donques il ferra tret, autermet il ferra iure. Auxi vn felon que est arraine, puit challenge xxxv. irrours pareemptory fauns aucun cause & taunt que il voit one cause, mes donques il ferra trye si pur tyel cause il sofit indifferent ou nemy.
The exposition of

Cercioraré est vne briefe et gist lou vne est impled'en vn base court que est de Recorde, & il suppose il ne puyt auer egall justice la dóques sur vn bill en la Chauncerye comprissant alcun matter in conscience, il auera cest briefe pour remouer tout le recorde en la Chancery, & la dette determinyne per conscience, mes til ne pua son bill, donques lauter parte auera vn briefe de Procedendo a demannder la recorde en la baffe courte, & la dette determine. Auxi il gyft en plusieurs auters cases pour remouer recordes pour le roy come inditements & auters.

Certificatio Assis
termes of the lawe.

Chymin is the hys

Chimen est le haut
voye ou chescu hée
paus, q est appel vía
Regia, mes le Roye
nad auter chose la,
but the passage
for ym and hy's people,
luy & pur loo people,

noue discipline, est vn
bryeſe et giſt lou le
baylyſſe le tenant
plede nul tort &c. &
parde par lassife, don
ques s il le tenant ad
yne releſſe ou auter
escript a pleder il a-
uera cete briefe & les
prymyres irroures
lerrount garnes dapper
deuant les ſtices & parties auxy,
donques s puit esſe
troue que la releſſe
ou lêsçryptes ſont
voier & bone, celuy
qui recoueroit in lass-
ſife, rendra damages
en double, & perdra
la terre.
Termes of the lawe

services, and then the tenant who was plaintiff, shall become defendant, and shall defend by batayl or great assise.

Continual claim is where a man hath right to enter in certain lands when another is seized in fee simple or fee tail and he dare not enter for fear of bearing, but approaches as nigh as he dare, and make the claim thereto win the peer and day before his death, if he that hath the lands die seized, and he that made the such claim may enter upon the heir, notwithstanding such descent, for that he hath made such continual claim, but it beethoueth that such

Continual claim is where a man hath right to enter in certain lands when another is seized in fee simple or fee tail and he dare not enter for fear of bearing, but approaches as nigh as he dare, and make the claim thereto win the peer and day before his death, if he that hath the lands die seized, and he that made the such claim may enter upon the heir, notwithstanding such descent, for that he hath made such continual claim, but it beethoueth that such
The exposition of
claime allwape bee made
within the peyre and the
daye before the deathe of
the tenant, for if suche a
tenant die seised within
a peyre and a daye after
such claim made and yet
he dare not enter, than it
behoue the him that hath
such ryghte to make an
other claim within the
peyre and daye after the
firste claim, and after such
second claim, to make
the thirde claim within
the peyre and daye, if he
wilbe sure to laue his en-
tre, but if a disseyfors dyes
seised win the peyre & daye
after the disseyfion, and no
claim made, then & entre
of the disseyfis taken a-
way, for ye peyre and daye
shall not bee taken from
the tyme of the tytle of
the entre to him growe,
Termes of the lawe  
lement de temps del
but onely from the tyme primer claime pur lui
of the firste clayme by fait come est auaunt
hym made as is afose-
dit.

Conulsance de
plee est vn privilege
que aunc city ou vil
ad del graunt le roy
de tener plee de tou-
te s contractes, & des
terres deines le pre-
cinct del franches &
quaunt aunc home
est impede pur aescu
riel chos in le court
de roye, que les ma-
res ou bailifes de tyel
fraunches poyent de
maunder conulsance
del plee.s que le plee
& le matt serra pled'
& determine deuant
eux. Auxy conu-
sance ne gist en pref-
scription, mes ilz co-
uyent moutre letters
le roy.

D.i.j. Con-
The exposition of

Conspiracy est vn brief, et gist lou deux ou plusieurs que sen tailerent per seremét couenaunt, ou auter manner alliance que cheuscun aidera auter par inditer ou appel lar aseun home de fe lony, donques celuy qui est per tel maner endite ou appel, aue ra cest brief, mes cest briefe ne gist vers lé ditours.

Collusio est lou vn action est porte vers vne auter per son a greement demesne, si le pleintife recouer, tiel recouerye est dit per collusion.

Comen est le droyt que home ad de mit ter ses beasts a pal ture, ou de vler & oc cupier le terre q nest son proper sole.

Conspiracy is a writ, and it lyeth where two, or more that knytte themselves together by oth, covenant or other ma ner of alliance, that eue ry one shall helpe other fo2 to endyte or to appel any man of selongye, and hee that is by suche ma ner endicted or appelled, shall have this wrypt, but this wrynthe liethe not agains the indictours.

Collusion is, where an action is broughte a gaynde another by his owne agreemente, if the plaintife recouer, than suche recouerye is called by collusion.

Commen is the ryght that a man hath to put his beasts to pasture, or to bse & to occupye the ground that is not hys owne.
Also ther bee divers comens; that is to saye comen in grosse, comen appendaunte, comen appurtenaunt, and comme become of neigbourhood. Commen appendaunte is where a man is lesed of certaine lande too the which he hathe commen in another's grounde all they that shal bee seyed of that land shal have the sayde commen with all manner of Beastes, whiche composteth his land, excepte gesse, goles, and hoggges. Commen in grosse is, where I by my beede graute to another that he shal have comen in my lande. Commen appurtenaunt ys in the same maner as commen appendant, but it is by all manner of beastes.

Auxy ont divers comens, comen in grosse, comen appendante, & comen appurtenaunt, & comme per cause de vysinage Comen appendaunte est lou home est seyse de certeyne terre, a que il ad eomen in auter soyle & toutes ceux que servount seysye del dyt terre auerrount le dyt commen ouesque toutes belles que compost, sa terre excepte oysons, chyuers, & porceaux. Comen in grosse est lou ico per mon sayt granta a vn auter que il auera comen in ma terme. Comen appurtenant est in mesme le maner cœ comen appendent mes est ouer les touts mains des auers.
The explication of

Commun per cause de visinage est lou les tenants de deux seigneurs que sount seysies de deux villes dont laun gist pris l'autre et cheun de eux ouent vse de temps dount memoria ne court de autre comun en autre ville quasi toutes bestes cominable.

Confirmacion est qu'autant qu'yn fait qu'yn fait a vne auter ouesque cestes pols ratificasse, approbasse, & confirmasse et en aascun casq vne fait de confirmation serra bonne & auaylable lou vne releas ne serra auaylable comme si icq fait leffle a vne pour terme de la vye lequel leffa la terre a vnauterpur terme de xllans, & icq confirme
termes of the lawe.  

lestate le tenât a term l

terme of yea, r, s after y
tenant soz terme of lyse,
dieth during the terme of
xl. yeres, this cöfirmaçió
halbee good to hym du-
ring that yeres, but in
suche case yf I release to
the tenaunt soz terme of
yeares my release is boi
de because there is noe
pruïitye bettwene mee
and hym. And y came ma-
ner is if I bec diisseïed,
the diisseïour make the
a leasse foz terme of yea-
res, yf I release to the
termo; thys ys boïde;
but yf I confirme to him
his estate, this is good to
him & effectual. Also if I
be diisseïed & I coûrme y
estate of y diisseïor, bout
other woordes, as to say
to him foz terme of life of
I see &c, yet he hath by my

D.iii.
The exposition of confirmation droitel estate in see simple
pur ceo q le disfessor auoit see simple, al tebps de confirmation, car chescun disfessor ad see simple mesq que il nest droitel. Auxy si ieo lesse terr a vn pur terme de la vie, & ieo confirme son estate a au & tener son estate a luy & ses heires cest confirmation quant a ses heires est voide. Mes si ieo dire a auer & tener mesmes les terres a luy & ses heires cest confirmation donnera a luy vne see simple pur ceo q ces parols va a le terre & nemy a lestate & pur ceo il est bon en chescun fait de confirmation dauer les pols a auer & ten les terres.

confirmation a rightfull estate in see simple, becauser that the disfessor hath see simple at the tye me of the confirmation, for every disfessor hath see simple although it be not rightfull. Also yf I leasfe lande to one sor ter me of hys life, and I confirme his estate to have and holde hys estate to him and his heires, this confirmation as too hys heires is bovde, but if I saye to have and holde y same lande to hym & hys heires, this confirmation thal geeeue to hym a see simple, because that these wordes go to the lande, & not to the state, & thersfor it is good in euerpe deede of confirmation to have those wordes to have and hold the landes.

Conter-
Counterplee is where one bringeth the an action and the tenaunte in hys aunswere and plee bou- cheth the 0z calleth for anye man to warraunt his ti- te 0z prayeth in ayde of an other, whiche hath better estate then he, as of him that is in the re- vERSION, 0z if one that is a Straunger to the action, come and praye to be re- ceued to saue his estate, if the demaundant replie thereto, and shewe cause that hee oughte not such one to bouche, 0z that he oughte not of suche one to haue ayde, 0z that suche one oughte not too bee receuped, this plee is called a counterplee.

Consultacion, looke therefore after in the
The explication of prohibition.

Contributione facienda, est vn briefe & gift lou souent divers parcers & celuy q ad launcyent parte fait tout le suit al seignior les auters doient fayre contribution a luy & fils ne vollen il auver vers eux le dit briefe.

Contract est vn barggen'ou couenant per enter ii. parties ou alt. chese est done pur auter q est appel quid pro quo, car si vn hœe fait promys a moy q ieo auera xx.s. & que il voit este det a moy de cee & puis ieo demaunde le xx.s. & il ne voile a moy delyuer vncore ieo naueur jammis actyon pur recouer cest xx.s. pur title of prohibition.

C contributione facienda is a wittte, and lyethe where there are divers parceners, and he which hath the auncient parte doth make all the suite to the Lord, the other ought to make contribution to hym, and ye these will not, he shall have a gayndte them the layde wittte.

C contract is a bargayn or couenant betwene two parties, where one thing is gueuen fo; another, which is called quid pro quo, fo if a man make promisie to me that I shall hauie rr.s. & that he will bee debtour to mee thereof, and after I ask the rr.s and hee will not deliver it, yet I shall never have no actyon for.
termes of the lawe

for to recover this ex s. cee que cest promys
for that that this promisse ne fuit contracte, mes
was no contracte but a nudes pactus. Et ex
bare promis, tert nudo
pacto non oritur actio;
but if anye thing were mes li asci
gener for the ex s. though chose fuit done pour
it were not but to the ba-
value of a peny, the it was
le xx.s. mesque il ne
a good contracte.

Contra formam Contra formam feoffa
tis a wyt, and feoffamenti est vne
it lythe where a mangle briefe & gist lou vne
before the statute of quia home deuante lesta-
emptores terrarum inf-
tute de quia empo-
teth an other by deed to res terrarum infeoffe

do certaine service, ye auter per fait de faire
cethe seffoure of his heires certeyne servyce si le
disstraine hym to doe o-
feoffour ou ses heires
ther service than is com-
distrainge hym that hee de-
prised in the deede, than
the tenaunte that haue
the switte, commaun-
ths wylt, commaun-
singe hym that hee de-
drine not him to doe o-
ner servyce that is not

fo. 27
The exposition of prif deins le fait, mes prised within the deede, but this writte lyeth not cest briefe ne gist pur for the plaintife whyche le plaintife que claim per pourchase, mes claimeth by purchase, but pour le plaintife, que for the plaintife whyche claime come heire al claymeth as hez fo to the primier sette. first sette.

Contra formâ collationis est vn bryste & gist lou home don terres en perpetuall almoigne a scu mea- mes to any house of son setion de religion come men to any house of ayne abbe & la co- religion aw to an abbot, & vent ou auter soue- to the covent o2 other souerayne, and his couent raigne, & son couent to finde certayne poore de trouver certain po- men, o2 to doe other de- yer homes ou de faire nure service, if they alvy de faire cuyine service, if they alvy the landes, then the de- the landes, then the noure o2 his heires shal have the layde wrighte fox haue the layde wrighte fox
to recenser the lande, but thys wrighte that bee all thys wrighte that bee all
waye broughthe against the waye broughthe against the the abbot o2 hys success- the abbot o2 hys success- four and not against the four and not against the
termes of the lawe. 

aliene, although that hee bee tenaunt, but in all other actions where a ma demaundeth freeholde, yt shalbe broughte a against the tenant of the land.

Cofinage is a wryt, yt lieth where my grante.grandfather, my grandfathers.grandfather or other cointed dieth seyld in any simple, and a straunger abateth, that is to saye, enterethe into the Landes, then I shall have against hym this wryt, or agaynste hym heire or hym aliene, or agaynste whatsoever that cometh after to the laide landes, but if my grandfather dieth seyld, and a straunger abateth, than I shall have a wrytte of Ayle, but if my father, mother,
The exposition of
Frere, sore, vnclle, ou
aunt, deuye, seise, &
vne estrange abata,
döques ie ouera vn
Assise de mortdau-
cester.

Covenaut est agree-
ment fait parent-
er, ij. personnes, lou
chescun deuex est te-
rus al auter de per-
sourner certeine co-
venauntes pour son
parte. Auxy il est vn
briefe de Covenant,
& gist lou covenant
est fayt paréter deuex
per indefinite ensea-
les, et lun deuex ne ti-
ent pas covenat, mes
infreint, donques ce-
luy qui se sert greue, 
aouera le dit brief. Et
nota, que nul brief de
covenant serra main-
tenable sauns espe-
cialtie, sinon in la citie
mother, brother, sister,
vnclle ou aunts, die seises &
a stranger abateth, thà
I haue assise of mort
dauncester.

Covenaunt is agree-
ment made betweene ij.
personnes where every
of them is bounden to
the other to performe cer-
tayne covenant, for
his parte. Also there is a
writ of Covenaunt, and
it lieth where covenant
is made betwene two by
indentures unsealed, &
the one of them holdeth
not his covenat, but brea-
keth it, than he which
thereof seeliseth himselfe
greeued shall haue this
writ. And note well, that
no writ or covenant shall
be mayntenable wyth-
out especialty, but in the
Cytie of London, or in
other
Cui in vita is a wyte and it lieth when a man is seped of Landes in fee simple or fee tayle, or for terme of lyfe in the righte of his wyse, and alieneth the same lande and dyeth, then he shall haue the saide wytte for to recover the Lande. And note well that in this wytte he shall make tylte of the purchase of the woman, or of the heritage of the woman. But if the husband alieneth the righte of his wyse, and the husband and the wyse dyeth, the wyues heire may have a wytte of Sur cui in vita.
The exposition of
Cui ante deuorceum est vn brief & gist en semble maner quant tiel alienacion est fait per le baron, et puys deuorce est eue inter eux donques la femme auera ce brief & le briefe dirra, cui ipsa ante deuorce contradicere non potuit.

Curtesse Dngleterre est, lou hoe pret femme seisse in fée simple, ou en fée tayle general, ou seisse cöe heire de la taille especial, & ad issue per la feme male ou female soit issue apres mort ou en vie, si la feme deuie le baron tyendra la terre durant sa vie per la ley Dngleterre, & est appell tenant per le curtesy den-

Curtesse of Eng- land is, where a man taketh a wyse seised in fee simple, or in fee tayle general, or seised as heire of the tayle especial, and hath issue by the wyse, male or female, be yllu after dead, or in life, of the wife dye, the hubarde shall hold the lande during his life, by the lawe of England, and it is called tenant by the curtesy of
termes of the lawe.  Fo.30

Dengleterre, pur ceo
que noel vle en nul
auter roialm forque
tantsolem en En
gleterre. Et alous dit
q il ne serra tenant
le curtesey, sinon que
lenfant que il ad per
la femme, soyte oye
cry, car per le cry est
le profe que lenfant
fuit nee.

Darrain presen-
tment, vide ceo apres
titulé Quare impe-
dit.

Deuyse est, lou vn
home en son testaunt
don ou graûta les bi-
ens ou les terres a vn
auter aps son decease
Mes si home soit sole
seïs des terres en sô
demeûn come de fee,
& diuïs la terres per
son testament, cest de
uisce est voyde, sinon
The exposition of

that the lands are in a city or borough where lands are divisible by custom, but if any man be seised to the use of another and his heirs, and he to whose use he is seised make devise of his lands, this devise is good though it be not in a town where lands are divisible. Also if any man devise lands in a city, town or borough divisible, and the deviseor dyeth, if his heir or any other abate in the lands the devisee shall have a writ of Sr grant quare rela, but this writ shall never be pleaded before the king's justice but always before the mayor or bailiff in the same town. Also if a man devise goods to another and maketh his
termes of the lawe.

executeurs o sicke, the executeur will not delay the goods to the dever see, your devise hath no remedy by your common law in the kings court, but it be honeth hym to have a citation against the executeurs of your testator, to appere before your ordinary to shew why he percur meth not the will of the testator. Also, ye a man develope all his landes and tenements that he hath, a recreysyon patethe by these woods, tenements also ye landes bee devised to a man to have to hine for evermore, or to have to hi e his assignes, in these, ye cases ye devise that have a mere simple. But if to be gene by leoffent in such mani bee hath but an estate for a term of life.

E. 1 j. De-
The exposition of

Denizin est lou alie-n en deuient le subiect le roy & obtiayne les letters patents le roy pur emoyer tours pri-vileges come yn hoe engleis, mès fi vn soit fait denizin il payera custoës, & divers au-ters choses come aly-ens, come appier per diuers statuts de ceo faites.

Decies tantum est yn briefe, & gift lou- vne immure en aucun enquest pryst argent dun partye ou da-uter, pur don son ver- dit, donques il paye-ra.x.foits a tant que il ad refceuire. Et chef cun que voirle suer a- uera la action & aue-rà lune moytye, & le Roye lauter moytye mes fi le roye en tyel case releas per son

Denizin is where an alyen becommeths the kynges subiccte and ob-teyneth the kynges let-ters patentes for to em-joye all privileges as an Englishe manne, but if one bee made denizin, he shal pay customs & diuers other thynges as alyës, as it appereth by diuers statuts therof made.

Decies tantum is a writte, and lieth where a surroure in anye inquest taketh money of the one part or other for to geve hys verdicte, then he shal paye tenne tymes as muche as he hath re-ceued, and eveye one that will sue maye have the action & shal haue the one half & the kyng the o- ther half. But if the kyng in suche case release by his
perdone a tyel iuror vnõi ne ferra barre vers cestuy que porte laction,mes que il re
couera lauter moïtey, si son action soit com
mencez deuautz le par

don le roy, mes si lo
perdonz soif deuautz ascu action il est barre encoeurer tous gents,

et mesmo le boye est de touts adyyme pop

uliers hors y ne parte est al boye de lauter

al party que fosler

Auxy les infracers qui procurent cyels

quesll sforinenu pu

nye en mesme le ma

ner de ils anceroent

preisonment de yna

mes nul Iuffyce en

queroung duce de

offyce, cy mes sone
tment aldayte del par
ty.

Emi. sco. De
The exposition of

Departter is where a man pleadeth a ple in barre and the plaintiff doth replie aeco il apres en som rejoynt plede ou mostrarester matter contrary a son present matter contrary to his first plea, it is called a depart from his barre.

Debt is a writ and it lieth where any summe of money is due to a man by reason of accompte, bargaine, contract, obligation, or otherwise to be paid at a certaine day, at the which day the payre payeth not, then he shall have this writ, but the same summe of money soe due we to any, any be due to any be due to any by his terme for any terme, for the debt shall never have action of debt. But he bechoothe all ways to disfraine
termes of the lawe.

but for rente maye have a good action of debt, and also for arrerages of rent reserved upon a lease, for termes of yeares, in these cases it is at his election to have an action of debt or for to distraint, but if the lease be determined then he shall not distraint after for that rent. But he be- sthough to have an action of debt for arrerages.

Diem clausit extremum est vne briefe & gill lou-le tenant le roy qui tient en chien morruit donque cest briefe serra direct al et chetour deverer de quel estate il fuyt, sie, que est procheuyne heire, & de la certain- tye del terre, & de al value le terre est.

E.iiiij. Dil.
The exposition of

Disclaimer is where
the Lord doth traine the
his tenant and hee in-
eth, replieyn and the
lord anoweth the taking
by reason that he holdeth
of him, if the tenant lay
that hee disclaimeth to
holde of him, this is cal-
ted a disclaime, and if the
lord thereupon bringe
a writ of righte for dis-
claimer if it bee found a-
against the tenant, he shal
lose the land.

Dyssejour is hee
whyche putteth the anpe
manne oute of his lande
without orde of the law
& disce, is hee that is to
put out.

Discotinueance is whe
a man alieneth to another
lands or tenements and
dyeth and another hath the
righte to the same landes and
and may not enter in them because of thy al
enation, as if an Abbot alyen the landes of hys house to another in fee or in see tyle, or for terme of lyfe, or if a manne alyen the landes that hee hath in the righte of his lyfe, or if tenant in the taile alyen the landes ge
gen to him and to the hei	res of his body, then such alienacions be called dis
continuance, for suche estates passe alwaye by liuery e seifin. In these cases the successeour of the Abbot, or the woman af
ter the deathe of her hul
dande, or the issue in the taile after the deathe of tenant in the taile, may not enter but euer ye of themis put to hys action. Also if tenaunte in the
The exposition of

tate bee diffis and he
by his death afterwaerde releaseth to the diffisour
and to his heires all the
righte that bee hath, it
ys noe discontinuance,
for that that the tenant
in the tait hath no right
but for terme of lyse, and
nothinge of righte paffeth to the diffisour but
for terme of lyse, of the
tenantz in talis, and the
same lawe is ys an Abbot or a man in the right
of his wise bee diffis and they releas after to
diffisour, hy is no discontuance cause qua supra.
Also the same lawe ys
of any suche tenant in
the tait, Abbot, or man in the righte of his wyse
make a lease for terme of
yores after release to
leffe al his right suche
lease
The exposition of a manne by another to that hee hath not sufficiently perfourmed his bargaine or not perfourmed his promise, then hee that is in suche manner disceined shall have this writ.

Also when this written is judicial, it lieth where a scire facias is sued out of any recorde against a man shirte returneth that he is warned where he was not warned, or where a precipe quod red dat of a plee of landes is sued against one and the thirfe returneth that he is sumoned, where he was not sumoned by the which discipit & falle retourne the demadaunte recovereth the land, then is partye greued that have this writ against the hym that recover.
ou vers le vycount, mes fil soyte sue vers
levicont donque le
briefe serra directe al
coroner de mesme la
countie.

Demandaunt est
celuy que sue ou co-
playne en action re-
all pur title de terre,
& il est appel playn-
tife en aflise & en ac-
tion personels come
en action de dette,
tresp,disceit, detinue,
& tyels semblables.

Defendaunt est ce
luy que est sue en ac-
tion personel, et il est
appel tenant en action
real.

Distresse is the thing
which is taken and dis-
trained upon anys lande
for rente behinde, or for
other hurt or duty,
howbeite that the pro-
erty of the thynge be-
The exposition of

The exposition of

longeth to a "traunger,
but if they be beasts that
belong to a "traunger, it
behoveth y they be leue
& couchant upon y same
ground, y is to say, y the
beasts have ben bypon y
ground by certain space
y they have cleselfe wel
rested upon the ground,

If one restrain for, set or other thing with out cause lawfull, then
the party greued shal
have a replewin upon y
certie found to pursue his
action, & the shall haue y di-
stresse to him delievered
against, therefore loke of
the replewin afterwaide
so there bee divers thin-
ges which bee not dyli-
dreynable, that is to say
another mans gowne in

the
termes of the lawe. Fol. 37
taille, ou drap en le
measó vnfuller, shere
man, ou weyuer, pur
ceo que ils sont com-
men artificers, & que
le commen prensu-
tion est que tiels cho-
es ne perteynent al
artificer, mes al aut's
persons que les met-
tont la a ouerer.

Auxi vitel net pas
distreinable ne blees
en garbes, fino q ilz
sount en vn chariot,
pour cee que distres
couiot cé tous foites
dei tel chose douit le
viç puit far repleuin
& redeliu en auxi bô
cale que il fuit al teçs
del prise. Auxi home
puit dystraine pour
hommage de son to-
naunt, pur fealtye 
& escuage, & auters ser
uices, & pur fines 
amerce-
The exposition of amercements which be
assessed in a lease but not
in a court baron, and also for dammage dealing,
that is to sake, when he
syndeth the beasts or
goods of another, doing
hurt or cumbrizing his
ground. Also a man may
not distrain for any rent
or thing due for any land
but upon the same lande
that is charged ther with
but in case when I come
to distraine, as the other
seeing my purpose, chaseth the beasts or beareth
the thinge out to the
intent. I shall not take it
for a distresse upon the
ground, the I may well
pursue, and if I take it
incontinent in the hpe
way or in a other ground
by taking is lawful alive
there as upon the lande
charged
Termes of the lawe

charged to whosoever y propertie of the goodes
bee. Also for fines and a-
merciamentes which be
assembled in a lete, one may
always take the goodes
of hym that is so amer-
ced, in whose ground so
ever they bee within the
jurisdiction of the courte
as it is layde. Also when
one hath taken a distresse
it becometh the hym to
brynge it to the commen
pounde, or els hee may
keepe it in an others
grounde, and then it be-
cometh the hym to geue
notice to the partye, for
that, that the partye (yf
the distresse bee a quicke
beaste) maye geue to it
foode, and than yf the
beaste dye for defaute of
foode, he that was distres-
ned shall bee at the loste,
and then the other maye
charge a quecune: la
propertie des byens
font. Auxi pur fines
et amerciaments que
sount aselles en vne
lete, vne puyt touts
foits prendre les biés
celuy qui est issint a-
mercy in quecunque
foile que ils sount de
ins la jurisdictione del
court vt dicitur, auxi
quant vn ad prise vn
distres, il couiet a luy
de amener a le come
pound, ou autermét
il puit garder in auter
foyle, & donques il
couiet a luy de done
notice al partie, pour
coe que le party (file
distres soif vne vyue
beast) puit don a luy
diande, et donques si
le beast murruet pur
defaut de viand, ce-
luy que fuit distriane
serra a le parde, &
donques lauter puyt
F.j.  di-
The exposition of distraint against for the same rent or duitie. But if hee buyng the distrresse to a holde or oute of the county, that the shirife may not make delieveras upon the repleuyn, than the party upon y retorn of the shirife shall have a wriut of withernam, directe to the shirife, that hee take as manye of his beasts, or as much goodes of the other in his keppinge, till that he hath made delieveraunce of the firste distrresse. Also if thay be in a forselet or castell, the shirife may take with him the power of the county, and abate the castell, as it appeareth by the statute Westminster. Therefore looke the statute.
Termes of the lawe

Deodande is when anye man by misfortune is slayne by an hors, or by a carte, or by anye other thing that moueth, than this thynge that is cause of his deathe, and whiche at the time of the misfortune moueth, shall be forpynce to the kynge, and that is called deodande, and that pertyneceth to the kinges almenere for to dispose in almes and in dedes of charitie.

Dedimus potestatem is a whytte, and it lieth where a man sueth in the kynes courte, or is sued, and maye not well travel, then he shall have this wytte directe to some Justice or other discrete personne in the countreye, to geue to hym power, to admyt some manne for hym.
The exposition of attorney, ou de leuie fyne ou de prender son confession ou fô respons ou auter examination coe le matter require.

Demurrer est quät ascun action est port & le deféd pledé vn plee a q le pleintif dit q il ne voile respon- der, pur ceo q il neest sufficiët plee in le ley & le def. dyt al con- trary que il est suffici ent plee, cest doubte del ley est appell vne demurrer,

Double plee élou le defendaunt ou te- naunt en ascun actió plede vn plee in que ij matters sõnt cópre hendus & chescun per luy in est vn suffi cient barre ou respôs al action ou matter de barre donq tiel doubl'plee ne ferra ad

attorney, 02 to leuie a fine, 02 to take his confession 02 his answer, 02 other examination as the matter requireth.

Demurrer is when any action is broughte the defendant pleadeth a plee to which the plain- tife faith that he will not answer, 02 that that it is not sufficient plee in the lawe, and the defendant faith to the cótrary, that it is a sufficient plee, this doubt of the lawe is called a demurrer,

Double plee is where the defendaunte 02 te- nant in any action plea- deth a plee in the which the matters be compêhe- ded, and everye one by hymselfe is a sufficient barre 02 answer to the action, then suche a dou- ble plee shall not bee ad-
terms of the lawe
mitted for a plea, except
one depende upon another, and in suche case if
he may not have the last plea, without the fylyste
plea, then suche a double plea shall bee well suf-
fered.

Dower is a writte and
it lyeth where a man ps
sole seised duringe the co-
verture between him and
his wife of landes and te-
nementes in fee simple,
or fee taille, where by
possibilytie the issue be-
twene them maye inher-
ite, if suche a man dye,
his wife shal recover the
thirde part of al the lan-
des wherof the husband
was sole seised anye ty-
me during the couverture
by a writ of dower, but
nihil habet, though that
he made alienacion ther-
of in his lyfe, but if a ma

mitte purplee si non
que vne depende sur
lauter & in tyel case,
sil ne peut aûa le dar-
reyne plea sans le pri-
mer plea dong; tyel
double plea serra bi
suffer.

Dower est vn briefe
& gylyt lou home est
sole seise duraunt le
couvertuer per inter-
luy & la feime de ter-
res ou tenementes en
fee simple, ou fee tayl
lou p possibilitye lys-
sue enter eux puissoit
inhere, si tyel home
deuyt la femme reco-
icerca la tyerce part de
touts les terres doute
le baron futit sole sey-
sye aucune temps du-
rant le couvertuer per
briefe de Dower vn-
deni nihil habet mesque
il ne murrust seysy &
mesque ad il fait aly-
enation de cec en la
F.iiij. vye
The explication of
have landes in the which
another man's or other
men were seised to his
ye alwayes during the
couverture, and hee too
whose yse they bee seised
dicthe, his wife shal not
bee endowed. And also
of two men bee seised of
lande to the yse of one of
them, and hee to whole
yse &c. dyethe, his wife
shall not bee endowed.
Also of a woman byinge
a wittye of dower shee
shall recover damnages
foz the proffite runne af-
ter the deathe of her hus-
bande yf hee dyeth ther-
of seysed, but if any a-
lienacion or estate were
made dyringe the cou-
verture, so that the hus-
bande dyed not seysed,
then though shee shall re-
cover the lande yet shee
shall recover no dam.
termes of the lawe. el ne recouera dam-

Also there is another

witte of dower called a

witte of right of dower,

and it lieth where a wo-

man hath recovered part

of her dower in the same
towne, and the other pte

she is to recover. Also in
divers cases a woman

shall not haue dower,

as p& the husbande do se-

lony for the which he is

attainte, then his wyfe

shall haue no dower. Al-

so if she goe awaie from

her husbande with an o-

ther man in aduowtrie, &

if she be not reconciled

by her husbande of hys

owne wil without coher-

sio of the church, she shal

not bee indolwed.

Droit is a witte, and

it lyeth where a manne

claymethe anpe Landes

or tenementes, and aled-

geth no title but onelye

Auxi il est vn au-

ter briefe de dower

appell briefe de droit

de dower & gist lou

femme ad recouere

part de sa dower en

mesme le ville & au-
ter parte el est a reco-

uer. Auxi en diuers

cases femme nauera

dower, sicome le ba-

ron fait felonye per &
il est attaint donques

la femme nauera do-

wer. Auxy si el eloqa

de son baron ouel-

que vne autre home

in auowtrie & si el

ne soit reconcile per

son baron de son bon

volunte sauns coher-

sion del esglise el ne

terra endow.

Droit est vn briefe &
gist lou hoe claim asce

terr' ouentts & alle-

gen nul titl' mes soleunt

E.iiiij. que
The exposition of

that one of his auncel-
tours in olde tym was
riised after the limitati-
on, and this wyte behoyn-
to be brought in the lo-
des court, and it may be
remoued in the Cownes
court, and it hath not but
two trials, that is to say
by graund assise o; by ba-
tel, at the election of the
fenaunte, and for that yt
behoyneth alwaye to the
pleintife for to hawe his
champion redy, o; els he
shall lose his action. Also
the judgemet of this writ
is final, for it is noe plee
for the tenant to say that
he recovered by action
tried. Also there is an-
other wyte of righte de ra-
cionable parte, and it li-
et alwaye beetwene pry-
ueis of bloode, as if a ma-
let Landes for terme of
lyfe, and hath manye co-
heyres,
terms of the lawe

heires & deuyse si vne
des coheires entra in
tout la terre les auters
auerount cest briefe
mes cest briefe ne fer
ra trie per battel, ne
graunde affise.

Also there is another
wynt of right quando do
minus remisit curia suæ
Regi, and it lieth wher &
Lozde holdeth no court,
then he shall remit his
court to the kings court
for the time saunter too
hym an other tyme the
righte of his seignoury.

Doke of wittes of ry-
ght in the titles of Preci-
pe in capite monstraue-
runt, dower, & quare im-
pedit.

Dures is where one is
kept in prizon & restray-
ed from his liberty con-
trarne to the order of the
lawe, and if suche a per-
son

Vide des briefes de
droit en les tytles de
Precip in capite mö-
itrauerunt, dower, &
quare impedit.

Dures est lou vn hœ
ett garde in prizon ou
restreine de son liber-
tyte contrary al order
de leye, & si tiel per-
termes of the lawe

pos mentis est vne briefe & gist lou homme que est hors de son bone memorye alien les terres que ilad in fee simple & deuy donques son heire aprés son deceffe aurea cest briefe, mes il mesme nauera ceste briefe pur ceo. q hom ne ferra resceu a dyla bler luy mesme auxy cest briefe puyt este fait en le per, cui, & post.

Dum fuit infra etatem est vne briefe & gist lou enfaunt deins age alyen sa terre que il ad in fee simple ou pur terme de vie quât il vyent a son pleyne age il aura cest brief ou il puyte entre fil voil, mes il couyent que il soit de pleyne age iour de son briefe purchase.

Auxy
The exposition of
also of an infant alien
his lade and dye, his issue
at his full age shall have
this writte he may enter, but the issue shall
not have this writ with
in his age.

Eictione firme vide de cero en le title quare eicit infra terminum.

Eictionem de gard vide de cero en le title gardes
Entre est lou vn hoo entra en alcune terre ou tenements en son
proper person ou autre son commandement.Auxy fount divers briefes Dentre
qux fort in divers manners, vn est br' dentre sur disesisin, et cest b'
gilt lou home est disseisy & deuy son heir
auera lauauantdyt br'vers mesme le dissey-
sour.

A writ
Brieve dentre en le per, gist lou home est disseyfi de son franktenement, & le disseyfour deuy sejise, & so heire entra, donques le disseyfy ou son heire aüa le dit brieve vers heir le disseyfour, ou vers lalyen le disseyfour, mes viuaunt le disseyfour, il puit auer assise si il voile, & le brief Dentre dirra, in quod A. nó habet in gressum nisi p. B. qui illud ei dimilat, qui inde iniusté disseissiat &c. Mes si le disseyfor alien, & le alien alien ouster a vn auter, ou si le disseyfor deuy, & son heire entra, & celuy heire deuy, & son heire entra donques le disseyfy ou son heire auera brief Dentre sur disseyfin in

dur

termes of the lawe.
The exposition of

in le Per & Cui, & le
briefe dirra in qued'idé
A. non habet ingres-
sum nisi per B cui C.
illud et dimisit qui in
de inuiste &c. Et no-
ta que nul briefe den-
tre in le Per & Cui
serra maintenable vers
nulluy mes lou ilque
est tenaunt soit ten
per purchase ou per
discent, mes si aliena-
tion ou discent font
deuensu hors des de-
grees sur quel nulle
briefe puit este fait in
le Per, ne in le Per &
Cui, donques serra
fait in le Post, & le
briefe dirra, in quod
A. non habet ingres-
sum nisi post dileisii-
nam quam B. inde in-
juste & sine iudicio
seit prefat N. vel în
proauic N. cuius he-

sin in the Per & Cui, and
the writ shall lay, in quod
idem A. non habet ingre-
sum nisi per B. cui C.i-
lud et dimisit qui inde in-
juste &c. And note well,
that no wryt of entre in
the Per and Cui, shalbe
maintenable agaynste
none, but where he that
is tenant bee in by pur-
chase or discent, but if the
alienation or discent bee
come out of the degrees
by which no writ may
be made in the Per, nor
in the Per & Cui, than it
shalbe made in the Post,
and the writ shall lay,
in quod A. non habet in-
gr summ nisi post dileisii-
nam quam B. inde in-
juste & sine iudicio secit pref-
fat N. vel in proauic N. cu-
uius heres ipse est. Al-
so there are fine things
which
termes of the lawe.  

which put the writte of Entre save of the degrees, that is to say, Intrusyon, Eactyon, Dysleyn vppon dysleyn, Judgemente and Eschete. Entrusion is, when the dysleynoure dycythe leyced, and an estraneghe abateth. Disleyn vppon disleyn is, when the disleynor is dysleyned by an other. Eactyon is, where the dysleynoure is a man of Religion, and dycythe, or is deposed, and his succesoure that is elected entred. Judgement is, when one rescuerthe against the dysleynour. Eschete is when the dysleynoure dycythe bythoute heire, or do the felony whereby hee is attaynted, by whiche resiple est. Auxy for v.choes que mettot brief dentre hors des degrees. Entrusion Election, disleyn sur disleyn. Judgement & Eschete. Entrusion est quaut le dysleynour deuie seyfye, & vne estraneghe a bata. Disleynise sur disleynise est, quaut le dysleynour est dysleynye per vn auter. Election est ou le disleynour est vne home de Religion & deuie, ou est depose, & son succesor que est elect entra. Judgement est quaut vne recouer vers le disleynour. Eschete est quaut le dysleynour deuie sauns heire, ou fait felony per que il est attaynt, per que le seyg-
The exposition of

le seignior entra cœ en l'of eschete, in tous ses cases le dissefi ou son heire nauera br' de Entre deins les de greees in le per, mes in le post, pour cee q' in ceux dits cases ils ne sont ens per discent, ne p purchase. Auxy il y ad vn briefe dentre ad communem le gem, & gist lou tenat a term de vie, tenant a terme dauter vie, te nant per le curtesfye, ou tenaunt in dower alien & deuie, donq celuy en la reuersion auera lauant dit brief deuers quecung que soyt eins apres en les dits tenements. Auxi brief Dentre in casu prouiso gift si tenant en dower alié en fee ou a tearme dauter vye viuaut le tenant in dower celuy the Lord entreth as in his Eschete. In all those cases the dissefiye 02 his heir that not have a writ of Entre with y degrees in y Per, but in y post, fo2 y that in those said cases they are not in by dient no2 by purchase. Al so there is a writ of Entre ad communem legi, lieth where tenaunt for terme of life, tenaunt for terme of another's life, tenaunt in dower alieneth the dieth, thà he in the reuer tion that haue the afores layd writ agaynsfe who soever that is in, after in the layde Tenements. Also a writ of Entre in casu prouiso lyethe, y te naunt in dower alien in fee, 02 02 terme of lyfe, 02 02 another's life, liug the tenaunt in dower, he
termes of the lawe.  Fo.46
in the reuersion shal have
the wzyt called a wzytte
of Entre in casu prouiso.
Also a wzyt of Entre i ca
su cõsimili lieth, if tenat
for terme of life, or tenat
by the curtesie alié in see
living them, he in the re-
uerision shal have a wzyt
called a wzyt of Entre in
cõsimili casu. Also a wzyt
of Entre ad terminum
qui preteryt lythe, ys a
man lease land to ano-
ther for terme of yeares
and the tenaunte holde
over hys terme, then the
lessee shall have a wzyt
whiche is called a wzytte
of Entre ad terminum
qui preteryt. And also,
ys landes bee leased to
a man for terme of an o-
thers lyfe, and hee for
whole lyfe the Landes
are leased byethe, and
in la reuersion auera
la briefe, appell brief
dentre in casu prouisco.
Auxi brief dente-
re in casu consimili,
gift, si tenant a terme
dei vie, ou tenat perle
curtesie alié in see vi-
uant eux, celuy en la
reuersion auera brief
appell briefe dentre
in consimili casu.
Auxi brief dente ad
terminum qui prete-
rijt gift, si vnhoçe lesly
terres a vn auter pur
terne das & le tenat
tiet ouster son terme
dop, le lessee auera
briefe que est appell
briefe dètre ad termi-
num qui preterijt. Et
auxi si terres sount
lesses a vn home pur
terne dauter vie, &
cefty pur q vie, les ter-
res sôt lesses, deuie, &
G.j. le
Le lefe tiet outier do gitezalut de cuer, que le lefou alvera the lecalo that haen this
ques le lefou alvera the lecalo that haen this

La exposition
make him selfe priest, or enter in religion, or hym disable, so that hee can not take her according to the laide condicion, then the donour or his heires shall haue y laide writ against him, or agaynst whosoever that is in the layde lande. Also it bechoath, that this condicion bee made by indenture, or otherwise this writ dothe not lye.

**Entruson is a wyte, and lyeth where a tenat for terme of lyfe, dyethe seyle of certayne Landes or tenementes, and a fraunger entereth, hee in the reversion shall have the laide writte agaynst the labator, or agaynst whosoever that is in after their distilin. Also a wyte of Entrusio**

entra en religion, ou luy disable, istint que il ne puit el prendre accordant a la dit coddicion, doques le donour ou ses heires aura le dit brief vers luy ou vers quecunque que est eins en le dit terre. Auxy il coniiient que celt condicion soift fait per indenture, ou auternit celt briefe ne gisit.

**Entrustion est vne briefe, & gist lou tenaunt a terme de vie deuie sefly de certein terres, & tenementes & vne estrange entra, celuy en la reuersion aua le dit briefe vers labator ou vers quecunque que soit eyns apres loure diffeyline. Auxy vne briefe de Entrustion**

G.ij. serra
The exposition of
Serra mantenabl' pur le successeur d'un abbe vers labatour que entra en aucun terres ou tenementes tempore vacationis, que appent a sa esglise. Marlebridge capitul' ultimo.

Elegit est vn briefe judicial, & gist lou home ad recouer det ou dammages en le court le roye, si suppose que les biés lauter ne sont sufficient donques il auera ce\strove to be correct\n briefe al vicont, a deluyer a luy toutes ses byens & chateux excepte que les boeses & affres de fon carue & auxy le moytie de la terre que serra a luy deluyer per reasonable extent que il tiendra tanque le hall bee manteynable by the successeure of an Abbot agaynte the abatour where shall enter in anye Landes or tenementes in the lyne of vacation that belongeth to the Churche, Marlebridge the last chapter.

Elegit is a writ judicial, and it lyeth where a man hath recovered in the kynges court debt or damages, pf hee suppose that the goodes of the other bee not sufficient, than hee shall haue thys writ to the chirife, to deluyer to him al his goods and cattalles, excepte oren and implements of his carte, and also the halfe of his land, which shalbee to hym deluyed by reasonable extent that he shall holde it till the
twill be leueyd of the sayde yllues and profits.

Error is a writte, & yt lysethe wher a fals judg-
ment is given in the cumen place, or before y
justice in assise, of her, & terminer, or before y
Maior, & Shires of London, or in other course of
recorde, for to make y recorde, & proc to come be-
fore y justice of the kings bache, if ther error be
found, yt shalbe reversid, but if a fals judgement
be given in yt kings bache then yt shalbe reversid by
y parliamet. Also if a fals judgement be given in
courte, that is not of Recorde, as in county, hun-
dred or court baron, then the parte shall have a
writ of fals judgement for

Erour est vn brief & gist lou faux judgement don en le co-
men bank, ou devant justice in assise ou devant justice de oyen
& terminer ou devant la mayor ou vycont de Londres, ou en au-
ter courte de recorde pur faire venre le recorde & proces duuat
les iustices de bank le roy, & la si error soit troue, il serra reverser,
mes si faux iudgement soyt done en banke le roy, donq il serra re-
verser p parliamet. Auxi si faux iudgement soyt done en court q nest
de recorde come en countye hundred ou courte baron, donq le party auera briefe
de faux iudgement pur
The exposition of to make the recorde too
faire le recorde ven
come before the justice of
tere deuaunt iustice de
the comen place. Alfo ye
commene bank. Auxy
errore soit troue in
error bee founde in the
leschequer il serra re-
elschequer it shalbee re-
dresse per le chaunce
dezelle by the chauncel-
lour & treasourer, vt
lour and treasourer as it
patet per statutum.
appereth by y statut of
Edw.iiij, Anno xxxi.
cap.xij.

Essoin est lou vn acci
one est porte & le pl'
on is where an
ou defendant ne poit
plaintife or defendaunt
Bien apperer al ioure
maye not well appere at
in court pur vn de v.
the daye in court for one
causes de southe ex-
of the v causes under ex-
presses donque il ser-
pressed, the he shalbe essoi-
ra essoin de sauere son
ned to saue his deaute,
defaut vn de nota que
whereupon note wel that
fot v. mains de essoin s.
s the bee v. maner of essoi-
nes, his is to caye. Essoyne
ned to saue his deaute,
de ouster le mere & est per xl. iours
whereupon note wel that
le iij. essoin de terra
ther bee v. maner of essoi-
facta et ceco serra pur
nes, his is to caye. Essoyne
vn an & vn iour, et
is de terra sancta, & y
ses deux serrount gift
shalbe by a yere & a day,
al commencement de
these twain shalbe layd
ple vt dicitur.
Le tierce essone est de male vener & cee fier ra al comen iours coe laction require & cest appel le come esson, et quant, & cònent cest esson ferra, vide les sta tutes & le liuer de abridgment de statutes, lou il est bien declare. Auxi le iii. esson est d' malo lecti & c'est sole ment en bryef de droite, & sur ceoigne ra brief hors de chaucery e directe al vyl cout que il maunde iii. Chyualers al te nant de voyer le te nant & il sofit malade, de donner a lyer jour apr Dragons an & vn jour. Auxi le v. ess fon est de seruyce le roy & gist en toutes actions forci in aishle
G.iii. de
The exposition of the novel disseisin a writ of dower, darein presentment & in appel of murder, mes in ceste effoin il couyenent al iour de môtstre son garraunt ou autrement il tornera in vn def. fil soit in plee reall ou il perdra xx. pur le iourney ou plther discretion des justice fil soit en plee personel et patet p statut de Gloucester cap. decimo.

CStray is where any beast or cattell is in any lordship and none knoweth the owner thereof, thâ it shalbe seised to the use of the kynge, or of the Lords that hath suche eStray by the kings grâut. or by prescriptioun, and ys the owner come and make claiame thereto with in a yeare and a daye, than
than he shal have it a-
gaine or else after the ye-
re the property thereof
shalbe to the Lorde, so y
the Lorde make procla-
macion thereof according
to the lawe.

Escape is where one y
is arrested cometh to his
libertie before that he be
delivered by the warde
of any justice, or by order
of the lawe. Also ye one
be arrested, and after es-
cape, and is at his liber-
ty, and he in whose ward
hee was take him after-
warde, and bring him to
the prison, yet it is an es-
cape in him.

Also ye a murder bee
made in the daye, and
the murderer bee not ta-
ken, than it ys an es-
cape for the whiche the
towne where the mur-
der

termes of lawe

out mesne and both felo-

ny, for the which he is
hanged or abjured the re-
alm, or be outlawed of
felony, murder, or petty
treason, or if the tenant
dieth without heyre gen-
eral or especiall, then the
Lord may enter by way
of chetate, or by another
enter, the Lord that have
against him this writ.

Escuage is called in
latten Scutagium, that
is service of the shield,
he that holde therby escu-
age holdeth by knight serv-
ice, for he that holde therby
escuage holdeth by ho-
mage and sealtie, and to
that belongethe warde
marriage and relieve, but
ithalbee entended of escu-
age not certaine when
the Escuage runneth to
thoroughge Englannde.
The explication of

And it is ordained by all the counsel of England to maintain the wars between England and those of Scotland, or of Wales, that every lord shall have a certain summe of his tenat to maintain the said warre, but if he tenant which he holde the of anye lord by escuage be with the kinge in his warres in Scotland, & his lorde will disfraine hym for escuage, it shall bee a good iplee, to say hee was with the kinge in Scotland in his warres, and that shalbe tried by the kinges marshal.

Estrepement est vn br & gist lou vne est improde que vne predecyd reddat pour certaine terre si le demandant suppose que le tenaunte
do waste hangyng the plee, he shall have a gayntst hym this wyse which is a Prohibicion, commaundong hym that hee doe noe waste hangyng the plee. And thus wyhte lykethe properly where a man demauneth lands by formedon, oz wyte of right, oz suche wyttes where hee shall not recouer dammages. For in suche wyttes where hee shall recouer dammages, hee shall have his dammages having regard to the wait done.

Etate probada est vn briefe d'office, & gist pour l'heire le tenaunct que tenuit de Roye en chiefe pour prouer que il soit de pleyne age, directe al vicont pur enquierer de son age, & dons il
The exposition of

shall become tenant to the king by these services

his ancestors made to the king, but it is laid, that every one that shall

pass in this inquest, shall be of the age of thirty years at least, so he was

of full age when he was born.

Executor is, when a man maketh his testament and last will, and

therein nameth the person that shall execute his testament, then he

that is so named is his executor, and such an executor shall have an

action against every debtor of his testator, and if the executors have

assets, every one to whom the testator was in debt, shall have an action against

the
termes of the lawe. Fol.53

the executor, if he have an obligation or special tie, but in every case where the testator might wage his lawe, no action lieth against the executor. Looke more thereof befoze in the title Administrators.

Exchange is where a man is seised of certaine lande, and another man is seised of other lande, if they by a deed indented or without deed, if the Landes bee in one selfe countie, exchange their landes, so that every of hem shall have other landes to him so exchanged fee, see taile, or for term of lyfe, that is called in exchange, and it ys good without liuere and eisin. Also, i exchange it ecutours sil ad obliquation ou especialty, mes en chescun case lou le testator puiss fote gager son leye, nul action gift vers executour. Vide plus de ceo deuaunt titulo Administrators.

Exchaunge est lou vne home est feisy de certeine terre. Et vn auter home est feisy de auter terre, si ils per vne fayt indente ou sauns fayt, files terres sount en vne countye, exchaunge leur terres issint que chescun de eux auera aut terre a luy issint exchaunge in fee, fee tail, ou terme de vie, ceo est appel, vn exchage, et est bon sans liuere et feysyne. Auxi in exchaunge il couiét
The exposition of beethoueth that the estates a eux limitte per lex-
change sont egalles, car si vne ad estate in fee in sa terre, & lauer
er ad estate in auter terre forsyp pur term de vie ou en taile, do-
ques si el eschange est voide, mes si les esta-
tes sont egalles, & ses
terres ne sont de egal value, vne. lexchange
est bone. Auxi vne ex-
change de rent pour
terre est bon. Auxi ex-
change inter rent &
comen est bo, et cee
couient este per fait.
Auxi il couient tous
foits que ceux parols
exchaunge, sont in le
fait ou auterment ri-
en passa per le fayt
sinon que il ayet liue
re & seisin.
Excommengemt est


to saue in latine, ercom-
municatio, & it is where
aman by the judgement
in court christia
mét in court christia
est excommenghe, dó-
que il est disable delu-
er alucun action en le
court le roy, & il re-
maine excommenghe
xl.iours, & ne voyle
este justifie p son Or-
dinary, donq; leues;
mandera la letter pa-
tent al Chauncellor,
& sur ceo ferr' maud
al vic.de prendre le
corps lexcommenge
p yn briefe appell de
Excommunica-
to capiendo till hec hath
made agreemente to the
holy churche for the con-
tempt and izonge, and
when hee is justified and
hathe made greemente,
then the bishop shal send
his letters to the kynge.
The exposition of

al viscount de luy de
liuer pvn brief, appel
de Excommunicato
deliberando.

Execution est, lou
judgement est done
en aucun actió que le
plaintife recouera la
terre, le det ou dama
ges come le case est,
& quant aucun briefe
est garde de luy mit-
ter en execution, ceo
est appel brief de Ex
cution, et quaunt il
ad le possession de le
terre, ou est paye de
dette ou dammages;
ou ad le corps le def.
agarde al prison, don
que il ad executió &
si le ple soif en couty
ou court barron ou
hundred & ils alie-
nont le judgement in
sauour del partye, ou
per auter encheason,
Termes of the lawe

Then the demandaunt shall have a writ of executione judicii. Also in a writ of Debt a man shall not have recovery of any lande but of the whiche defendant hath the day of the judgemente yelded. And of chattelles a man shall have execution one lye of the chatels whiche he hath day of execution sued.

Extinguishment is where anye Lord or anye other hathe anye rente goinge oute of anye lande and hee pourchaythe the same lande so that hee hathe suche estate in the lande as hee hathe in the rente then the rente is extinct, for that ye one maye not have ret going out of his

Extinguishment est lust aucun seignyour ou aucu auter ad aucun rente issant dascun terre, & il pourchaisme meme la terre, issint que il ad tiele estate en la terre, come il auoyte en le rente donques le rente est extincte pur ceo que vn ne puyt auer rent issaunte hors de son terre
The exposition of

terre demeune. Auxy
quant aucun rent serra extient, il couient
que le terre & le ret
louent en une maïne,
& auxy il est que
il ad ne soit defesabl',
& auxy qu'il ad audy
bon estat en le terre
come en le rent, car
sil ad estat en le terre
forrique pur terme de
vie ou dans, et ad yn
fee simple en le rente
donqués le rent ne se
extinct, mes le rent est
en suspense pour cel
temps et donc après
le terme le ret est re-
uiue. Auxy si soit seig
niour, mesne & tenat
& le seigniour pour-
chase la tennauncye,
donque le menaltie
est extinct, mes le mes-
ne aua la surplusage
de rent, si aucun soyt
come rent seck. Auxi
termes of the lawe.

have a hye wape appen-
dauute and after pur-
chase the lande where in
the hye wape is, then the
wape is extinete: and so
it is of a commen appen-
daunt.

Existent is a wriit and
it lieth where a man lu-
eth an action personally,
and the defendant may
not be found nor hath no
thing within the countye
whereby he may bee at-
tached nor distrained the
this wriit that goe for the
to the Shyrie to make
proclamation at sue con-
ties every one after ano-
ther that hee appeare or
els that hee shall bee out-
lawed, and if he be out-
lawed, then all hyes goods
and cattel be forset to the
king. Also in an indict-
ment of felony & exigent

Existent est vn briefe
& gyft lou home sue
action personel & le
defendant ne puit ce
troue ne ad ries deins
le countye per que il
puyt estre attache ne
distain donques cest
briefe isera al viscont
de faire proclamation-
onal v. counties chef
cune apres auter que
il appeare ou auter-
ment que il serra ve-
lage & si loit village,
donque toute ces by-
cens & chateaux sount
forfaits al Roy. Auxy
en vn enditement de
felony lexigent isera
H. iij. apres
The expostion of the primer capias & auxy en capias ad computandum ou ad satisfaciendum & en checun capias que ist ant aps le judgment lexigent issera aps le primer capias & auxy en appelle de morte mes neyme en appelle de robbery ou appelle de maimie.

Ex parte talis vide de ceo deuant titulo accompt.

Ex graui querela vide de ceo deuaunt titulo deuise.

Faux imprisonment est vn brief & gist lou home est arrest & ref traine de son libertye per vn auter encoun- ter order de ley, don- ques il auera vers luy cest briefe per que il recouera damages, vi de plus de ceo deuant
terms of the lawe.

Therefore before in the title titulo arrest, arrest.

Faux judgment loke vide de ceo deuaut titulo errour.

Fee simple is when terre ou rent ou auer chose inheritable est done a vn home et a ses heires a toutes iours eeux parols ses heires fount lestat' denheri- tance car si terre soit done a home a toutes iours, vnquore il nad forsque estate pour terme de vye. Auxi si tenant en fee simple dy, his first lone shalbe his heire deuie son primer sites serra son heire mes fil nad fits, donques tou- tes les fils que il ad fer ront son heire et chel cun auera son parte per partition, mes fil nad fits ne file don- ques son procheyn co sincolater' de lét' sák

H.iiiij., serra
The exposition of

serra son heire. Auxy
si soit pier & fits & le
pyer ad vn frere & le
fits purchase terre en
fee & deuy fans issue
donque son vnclle a-
uera le terre & nemy
son pyer pur ceo que
terre puit lineally des-
cende & nemy ascend
mes si lunclle deuyye
fauns issue donques le
pyer aua la terre com
heire al vnclle que est
son frere pur ceo que
il vyent al terre per
collateral dysecent &
nemy p lineal ascéé.
Auxy si le fites porous-
chase terre en fee sim-
ple & deuyye fans issue
ceux de son sanke de
partie son pyer auera
le terre, mes si nad
heir de pt le pier doqs
le terre discende al
heirs de part sa mere,
mes si terre dyseconde
shall bee hys heye. Also
pf there bee father and
son and the father hath
a brother, and the sonne
purchaseth landes in fee,
and dyeth without issue,
then his uncle shall have
the landes and not the fa-
ther, for that the lande
may lineally discende &
not ascende, but if the un-
cle die without issue, then
the father shall have the
lande as heire to the un-
cle which is his brother
for y that he cometh to y
land by collateral dysecent
& not by lineal ascencion.
Also pf the sonne pour-
chase land in fee simple
and dy e withoute issue
they of his bloude on the
fathers side shal have the
lande, but if hee have no
heire on the fathers side,
then the lande shal discede
termes of the lawe

...
The exposition of

ad issue fits et fille per

ven tre s p ven fée

& fits per auter feme

& leisne frere pour-

chase terre en fée &
deuyse sans issue le pu-
isne frere nauera le

terre mes la fore aue-

ra la terre pour ceo

que el est de lentre

sanke al eysne frere.

Auxy en le case auan-
dit sile pier dueic sei-
sye de terre en fée sim-
ples leisne fits entra

& murrult sauns issue

la file auea le terre

et nemye le puisne

frere, mes si leysne

fytes ne entra apres

la mort son pyere,

mes deuyse deuaunte

asun enter pour luy

fayt donques le puyf-

ne frere auera la terre

car possellio fratris in

feodo simplici facit

cent as heire to any man

excepte y he be heire of y

whole bloud, for if a man

haue issue a sone and a

daughter by one béter y

is to saye by one wise, &
a sone by anither wise, y

eldest sone purcausthe

lands in fée & dieth wout

issu, y pöger brother shall

not haue the land, but the

daughter thal haue y lâd

for y y she is of y whole

bloud to y eldest brother.

Also in y case before laid

if the father dye seised of

lades in fée simple y el-
dest sone doth enter & di-
eth wout issue, y daugh-
ter thal haue y lâd & not

y pöger brother, but if y

eldest sone enter not af-
ter y deathe of hy s fathar

but dye before any entre

made by him, then y yon-
ger brother thal haue the

lande,
terms of the lawe

land, for his possession of his brother in the simple ma-
ket he, sister to be heir.

The title is where land is given to a man and his heirs of his body begotten and he

called tenant in the title general, but if land be
given to the husband and the wife and the
heirs of their two bodies, begotten, then the
husband and the wife

bee tenants in the title

especially, and if one of
them die the other that sur-
yveth is tenant in title

after possibility of issue

extinct, and if he make
waste he shall not be im-
peached for such waste,

but if land be given to a man, and to
his heirs, that he en-

rororum esse here-
dem.

Fée taille est lour terre

est done a vn home et

to ces heirs de so corps

engendres, & il est dit

tenant en la title general, mes li terre soit
done al baron & femme & al heirs de leur
deux corps engendres, ore le baron &
la femme sont tenan-
tes en la title especyi-
al. Et si vn de eux de-

uye celty que surnuie

est tenant en la title

apres possibility, dy-

e extint, & si face

waste il ne ferra en

peche de ceul waste,

mes li terre soyte
done a vn home &

a ces heirs que il
The exposicion of

engendere the on the body of his wyse, then the
husband is tenant in the tail especial and the
wyse hath nothinge. Also yf landes be geuen to
the husbande and to his
wife, and to the heires of
the body of the husband.

engendered, then the
husband hath an estate in the
especial tail and wyse

hathe noe estate but for
terme of life, but if landes be geuen to the husband
and his wyse and to the
heires which the husband
engendreth upon the body of the wyse, in this case
both they have estate in

for these words
heires dothe not lymit to
one more the to another
but if landes be geuen to
the husband and his wife and to
the heires of the husband
which hee shall engender

then
of the bodye of hys wyfe thenne ther hath no estate but for term of life. Also there bee dyuers o-
ther estates in the tayle, as if landes bee geuen to a man and to his heires males of his body begot-
ten, in suche case the issue female shall never inhe-
rite, for if the issue male have issue female whiche
hath issue male, yet such
issue male shall not inhe-
ryte by force of the tayle.
For it behooveth alway
to convey his discet all
by the males, and the
same lawe is, if landes
be geuen to the issue
female in luche manner
the issue female shall ne-
ver inheryte. Also, if lan-
des be geuen to a man to
his heires males, or to his heirs females, then shal
honour hath estate in see

el nad forisque estate
pour terme de vye. Auxi sont divers au-
ers estats en le taile
licome terres sont don-
es a vne hõe & a ses
heires males de son
corps engendres, en
tiel case l'issue female
ne vnqs inherytara,
car si lissue male ad il
issue female ã ad issue
male, vncore tel issue
male ne herytara per
force del tail, car il co-
uiét touts foits de có
ueyer son discet tout
per les males. Et en le
ley est, si terres font
sount dones al issue female
en tel mañ , lissu male
ne jamme inheritera
Auxi si terres font
dones a vn home &
a ses heires males ou
ses heires females, do
que le done ad estate
en fe esimple ; pour
ceò
The exposition of

ceo que neesit limit de
que corps issue vien-
dra. Mes si le rol doe
terres a vn home et a
ses heires males, & le
donee deuie sauns is-
sue male, donq le co
sin collateral del don-
eee inheritera, mes le
roye reentra, & issint
fuit aiudge en lesche-
ker chamber. an. 18.
H. 8. en vn Informa-
cion fait vers lheir de
Syr Thomas Louell
chialler. Auxi si ter-
res sount dones a vn
home & vne femme
que est le fille ou le co
sin le donor en frank
marrage donques le
home & la feime sont
tenanentes en especy-
all tayle, car per ceux
parolx, franckmar-
rage, ils aueront le
terre a eux, & les hei-
res parenter eux en-
simpe, for that if it is not
limited of Whose bodye
the issue shall come. But
if the king geue land to
a ma & to his heires ma-
les, and the donee dyeth
without issue male, then
the cousin collateral of the
donee shall not inhereye,
but the king shall reentre
and so it was aiudged in
thescheuer châber the
18. yere of H. the, 8 in an
Informacjon made a-
gaynst the heire of Syr
Thomas Louel knyght.
Also if lands be given to
a man and to a woman
whiche is the daughter
or the cousin of the donor
in franke marriage, then
the man & the woman be
tenanentes in the tayle es-
pacial, for by these woze
des (frâk marriage) they
shall have & land to them
and
and to the heirs between them begotten. Also in every gift in the tayle if the tenant in the tayle bye without issue which is inheritable by force of tayle, and no further mention made in the grant to whom the lande shall goe, then the reversion of see simple shall revert alway to the donour and his heirs. Also the donees in the tayle and their issues shall doe lyke service to the donour and his heirs, as the donour dothe to the lord nexte to him absoue, but the donees in franke mariage shall hold quight from al manner service, excepte fealty, til he suffice the degree be past.

Feoffement is where gêdres. Auxi en chescun done en letayle si le tenaït en le taile deuie sauns issue, que est inheritable p forê del tayle, & nul ouster mension fait en le graunt a que le terre alera, donques le reuersion de see simple reuertera touts foys al donour & ses heires. Auxi les donees en le taile, & lour issues ferrount tiel seruice al donour & ses heirs, come le donor fayt a son seignioure procheyn a luy paramont, mes les donees en frank mariage tyendrount quitement de chescun manner seruice sinon fealtye, tanque le quart degree sofit passe. Feoffement est, lou
a man geeueth landes to another in fee simple, &
when he delivereth liuere and seisin and posse-
sion of the land, that is a feoffement. Also, if one
make a gifte in the taile,
or a leas for term of life,
or of another mans lyfe,
it behoueth also to geeu
liuere & seisin, or els no-
thinge shali passe by the
graunt.

Fee ferme is when a
tenant holdeth of his lord
in fee simple, payinge to
him y value of half, or of
the third, or of y fowerth
part, or of other parte of
the lade, by the perfe. And
he y holdeth by fee ferme
ought to do no other thyn	hen is coteined in y feof-
tement but fealtye, for
y belongeth to al kind of
tenures.
termes of the lawe:  Fo.62

C Franke maryage is, Frankemariage est
when I greeue lande to a quantieo don terres
man, and his wyfe, who a vne home & sa
is,my daughter, or ossiblond in frank mariag.
And by vertue of these
woodes they shall have
the Lande to them, and
to their heires of theire
body, which is an especi-
al taile. And I shall doe
all services durnghe the
same terme to the Lord
of whom ec. And the hus-
band and his wyfe shallbe
accompted in the first de-
gree, and their issues in
the second degree, and so
foorth. But it is saide &
the donees in franke ma-
riage shal doe scalete to s
donoure befoze the iij.
degree is past.

C Franke almoysgne is
wherein auncient tyme

Franke almoysgne
est lou en auncyent
I.j. temps
The exposition of lands were given to an Abbot and his convent, or to a Dean and the Chapter, and to their successors, in pure and perpetual alms, without express service. Any service certain, this is Frank alms, and such are bound before God to make orations and prayers for the soul of the donor and his heirs, and for that they do no fault, that such that have lands in Frank alms do make no prays, nor devise service for the souls of the donors, they shall not be compelled by the donors to do it, but for that they may complain to the ordinary, praying hym that such negligence be no more after and the Dynes or ought to do it.

But
terms of the lawe.  

But if an Abbot &c. holst Lands of his Lord &c. tient terres de l'ô seignoir pour certeyne deuynye service de eltre fait, come de chanté venderdye vn masse, ou de faire auter chose certeyne si tiel deuynye seruyce ne soit fait le feigny-our puit dilltreiner, & en tiel case labbe doit faire a le feignyour, fe alte, et pur ceo il nest pas dit tenure in frák almoyn, mes tenure per deuynye seruyce, car nul puit tener in franke almoynge, si soit expresse aescu certeine service. Auxi si vn abbe &c. tient de l'ô seignior in franke almoignge, alien a vn seculer le terre &c. in ô case le seculer ferra fealtie a le seignior.  

I. ij.  

Auxi
The exposition of

AUXI, A HOME a cel
deur grant terre a vn
abbe in frank almoi
gne, les parols (frank
almoigne) sont voi
des p lestatute. Quia
emptores &c. q null
ne puit graunt terres
in se, a ten de luy m
mes le roye puit do
ner a cel iour terres
in frank almoigne, et
nul ne puit terner ter
res in frank almoign

dauter donour, mes
per title de prescrip,
& le donour que est
son seignyours est te
nus de luy acquit de
cheusc maner seruic.
de alcun seignior pa
ramount, & fil ne ac
quite, mes luy suffer
deste distreine, il aua
vers son seigniour vn
briefe de mesne, & re
coua vers luy ses co
fes & ses damanges.

Also yf a man graunte
laid at this day to an Ab
bot in franke almoigne,
these wordes (franke al
moigne) are spoke by y
statute. Nuta emptores
ec. y no man may graunte
lande in see to holde of
himselse. But the kyng
may geue landes at this
day in frank almoigne, y
none may hold lande in
frank almoigne of anye
other donour but by title
of prescription, & the do
noz which is his Lord, is
bound to acquite him of
every kinde of service of
anye Lord above. And if
hee do not acquite hym,
but; suffer him to be dyl
trained, hee shall have a
writ of Mesne agaynste
his Lord, and recover a
gaynste hym his costes &
damages.
formedone is a wright and it lieth where the tenaunte in the tayle enfeosteth a stranger and dyeth the heire that have a wrighte of formedone to recover the lande, but there be three maner of formedones: One ys in the descender, and that is in the case befoze laide. Also ys one greeue landes in the tayle, and for defaute of issue the remainder to another in the tayle, and that for defaute of suche issue the lande shall return to the donoure, ys the firste tenaunte in tayle dye without issue hee in the remainder that have a for medon in the remainder but if the tenaunte in the tayle dye without issue, and he in the remainder also dye wouth issue,
The exposition of

le donour ou ces heires auaera vn formedo
in le reueter.

Forger de faux fayts

est vne briefe & gilt
lou vne forge vne faux
fait & le face publier
pur trouble la droyte
possession & tytle d'al
cun hom, donques le
parte greue auera vst
bryse & recouera
ses dammages & la
defendant serra fyne
al roy.

Fealtie serra fait in

tyel maner.s. le tenat
tyendra sa mayn dex
ter sur vn liuere et dir
ra a son seigniour, ieo
a vous serra, foial &
loial, & ioy vos por
tera des tenements q'
ieo claime de tener
de vous, & loyall vos
serra les customes &
seryuces que fayre
vous doye ad terme

than the donoure of his
heirs that have a form
done in the reueter.

Fozger of falso deeds
is a writte, and it lyeth
where one fozgeth a fals
deed & maketh it to be pu
blished soz to trouble the
right possession & tytle of
any ma, the ypte greued
that haue this wriate, and
that recover damages, &
the defendant shall make
fine to the king.

Fealtie shal bee done
in such maner, that is to
lay shop tenaunt shal holde
his righthande uppon a
boke, & shal say to his loz
de. I shalbe to you sayth-
ful & true, I shal beare to
you faith for the landes &
tenements, which I claime
to holde of you, & truelye
shal do to you & customes
& services that I ought to

termes of the lawe, assignes si come moye assigned, as to helpe me eyd dieu & ses seintes, and god and all saintes, and shall kys the booke, but shall not kneele as in doing homage, and ther- of looke after in the title homage. Also sealtye ps incident to all maner ten- nures.

Felony is when a man without anye colour of the lawe takeith awaye privily the goodes of an other to the entent that hys deede shoulde not be knowne amountinge to the value of ry.b, or more, but if one come nye to the person of ano- ther, and robbeth the him of his goodes although he theye bee but to the va- lue of a peny it is felony & his called robery, and for that he shalbe hyged.

Felonye est quant home sans ascune co- lush de leye enbloye pryueuent les byens vne auter al entent que son fait ne ferroyt co- nus amountaunte al value de xij.d. ou plus mes si vn approcha a le perfson vn auter & luy robbia de ses biens melque ils ne founte forsque al value de vne denyer il est felo- nye & ceo est appell robberye & pur ceo il serra pendu.

I.iii. auxy
The exposition of rape is felony, and is when one causeth or doyleth any woman against her own will.

Fieri facias est una briefe judicial & gift lou home recoyra det ou dammages in court le roy donques il auera cest briefe al vicont luy commaun dant que il leuye le det & les dammages des byens celuy que ad perdus et gyft toutes foites deins lan et iour, & apres lan luy couyent de fuer vne scire facias, & il soyt garne, et ne vyent al iour &c. ou il vient & ne sauy rien dire, donques celuy que recoyra auera brye de fieri facias directe al vicount que il face rise, that hee make hym haue
haue execution of iudge-ment, but a man reco-
uer agaynst a woman
and shee take a husband
within the yere and the
day, then he that shal re-
couer must haue a Scire
facias against his husband
so it is of a man of re-
ligion recovery and die the
his succesour win ye-
re shal have a Scire facias.
See therof more in the
title Scire facias, and title
execution.

Garde is when any
infant whose auncestour
holdeth of a Lord by
knightes service is in the
warde of the Lord. Also
there bee divers writtes
of warde, one is a writte
of righte of warde that
lyeth where the tenant
dyeth, his heir within
age, and a stranger en-

ley auer executyon
de iudgement, mes
si hõ recouera vers
vu femme & el pryt-
baron deins lan & le
iuor donques il cou-
ient que cestye que
recouera auera scire
facias vers le baron.
Auxy est si home de
religion recouer & de
uye son succesour de
ins lan auera Scire
facias. Vide de cero
plus in la tytle Scire
facias, & tytle execu-
tion.

Garde est quauant al-
cun infaunt que aun-
cestour tyent de son
feignor per service de
chialer é en le garde
son feigniour. Auxy
font duyers briefes de
garde, vne est briefe
de droit de garde &
gist lou le tenaunt de
uye, son heire deyns
age & vne estrangue
entra
The exposition of
entreteth into the lande, &
hapneth to have the war
de of the bodye of the in-
fant, a writ of ejectment
of ward lieth wher a man
is put out of the warde of
the lande without the bo-
dy of the infant, a writte
of rauishment of warde
lyeth wher the body is ta-
keth from him onely and
not the lande, also ye a ten-
ant holde of dyuers londes,
y lord
of whom the land is hol-
den by prizoritye, that is
to say, by moze elder te-
nure, shall have ye warde
of the infant, but ye one
tenure bee as olde as an
other, then he ye first hap-
peth to have ye ward of
body shall have ye warde
therof, but in ye case euy
lord shall have ye ward of
ye land ye is holden of him
but if a tenat holde of ye
king
king in chief, than the king by his prerogativa thall have the ward of his body, and of all the land he is holden of the king, and of every other lord.

A warrant of charters is a writ, and it lieth where any deed is made his copy under a clause of warrant, it is to lay, dedi, or it certeth, or this word warrantabo, if it tenant be pleded by a stranger, if it be in assise, or such action where he may not touch to warrantie, the he shall have this writ againste his seffor,  or his heir, if his land be recoued against him hee, that recouer as much land i value against him he made the warrant but this writ ought to be sued hanging first writ against hym, or els he hath lost his advantage.

son prerogatieve auera le garde de corps et de tout le terr que est tenus de roy & de chescun auter seignour.

Garranty des charters est vne br' et gyft ou aiscun fait q' compend clause de garr's, dedi ou conceofi ou celt parol warrantiza bo et le tenaunte soit implede p' vn estrage si soit in assise ou rycel action ou il ne puyt vouch a garrant, daw il auera celt br' vers son seffor ou s'heir s' terre soit recouer vers luy il recoua tâ del terre in value vers celt ye q' suit le garr. mes celt brief couyet est fue pendaunte le prim briefe vers luye ou autermt il ad pde son avantage.  

Auxy
The exposition of warranty. Allo bpô a warranty in law, as upon homage aucestral or rent refered bpô a lease for term of life or in • taille a man shall have a writ of warranty of charters, but not upon eschange.

Garrantie est in i. maners.s. garranty lineal & garranty collateral. Garranty lineal est lou hom feysie in fee, fait feoffement per son fait avn auter & oblyge luy & ses heires a garrunte & ad issue fyts, & murrust & le garrantie descend a son fits, ceo est lineall garrauntie pour ceo que si nul fait oue garrantye vst este faite donques le droit des terres descenderoyte al fits & il conueyeroyt le discnt de le pyere
but ye the enaunt in the tail discontinue the tail and hath issue and dieth, and the uncle of the issue releaseth to the discontinue wyth warrantie &c. and dyeth without issue, that is a collateral warrantie to the issue in the tail, for y, y, y warranty descendeth bydo y issue the whiche maye not convey him to y tail by meane of his uncle, & in every case wher a man demaundeth landes in fee tayle by writ of Formedone, yf any of the issue in the tayle whiche hathe possession, or whiche hathe not possession make the a warranty, and hee that sueethe the writte of Formedone may by possebilitye by matter that may bee in that deede convey
The exposition of

to him title by force of his gift by hym made the warrantie &c. that is the a lineal warrantie, by such a lineal warrantie, issue in the taille that not be barred, except that he have assets to hi disced in fee simple. But ye he maye not by no possibility ye may be, couye to his title by force of his gift by hi he made the warranty then that is a collateral warrantie, and by suche a collateral warrantie, the issue in the taille halbe barred without any assets. And the cause that such a collateral warranty is a barre to the issue in the tayle, is for that, that all warrantyes before the statut of Glo cestre, whiche descended to them which he hez to
termes of the lawe. Fol.

to them that made the 
sarrantyes, were bar-
res to the same heires, to 
demande anye landes, 
except the warrantye, &

began by dysleynsin, and
for that, that the said 
statute had ye ordeigned, that
the warrantye of the fa-
ther shalbe no barre to 
his sonne for the landes
which come of the heri-
tage of the mother, noz
the warrantye of the mo-
ther shalbe no barre to 
the sonne for the landes
which come of the heri-
tage of the father, & the 
statute had ye not made,
noz ordeyneyd remedye

gaynte the warrantye that is collateral, to
be y病症 in the tape, and
heretofore the warrantye
hat is collateral to the
Due in the tape, is yet

quex foy heires a eux &
fesoyent les garraun-
tytes fuerount barres
a vermeles heires a

demander alycuns
terres forspryfe les
garranties que com-
mente per dysley-

fine, et pour cego que
le dyt estatute ad or-
deyne que le garran-
tyte le pierre ne serra
barre a son fites pour
les terres que veigne
del heritage le mere,
ne garranten le mere
ne serra barre al fites
pour les terres que
veigne del herytage
le pier, et lestatut nad
fayt ne ordeyne re-
medye encounter le
garrantenye que est
collateral al yssue en
le tayle, et pour cego
le garrantenye que est
collateral al yssue en
le tayle, encore est

in,
The exposition of
in his force, a shall bee a
barre to the yllue in the
taille, as it was before y
statute. Also it behoueth
al warraties whereby
any heire shall be barred,
y the warraity descend by
course of the come law
to him which is heire to
him y made y warrenty,
do els if yl barre,
for if y tenant in y tayle
of landes in bosome Eng
lish, where the yongest
sonne shall inherit by y
custome discontinueth y
tayle, and hath the issu.
sonnes, and the uncle re
leaseth to the discontinue
with warrentie & diesth,
and the yonger sonne
bringeth a Formedone,
yet hee shall not bee bar
red by suche warrentie.
causa qua supra. Also of
any man make any dede
with
Termes of the lawe

With warrantie wherby
his heir should bee barred, and after hee y made
the warrantie be atteint
of felonie, than his heir
shall not bee barred by
suche warrantie, for that
such warrantie might not discèd upon him, for
that the bloude is cor-
rupt. Also ys ys done per
chase landes, & after let
the landes to his father
for termes of yeares, & the
father by his deede eke or
ethe a Sträuger, & bindeth
him and his heirs to war-
rantie, & the father dieth
wherby y warrantie descè
deth to y sonne, yet thys
warrantie shal not barre
y sonne, but the sonne may
wel enter notwithstanding
thys warrantie, for that
thys warrantie began
by dillegyn whe y father
oue garrantie, per q1
f10 heire ferriot barre
& puis cestyl que fyllt
le garrat1e soit attait
de felon6, donc1 son
heire ne ferra barre p
tiel garrantie, pur c10
que tel garrault ne
puit discèder sur luy,
pur c10 que le fanke
est corrupt. Auxi si le
fits purchase terre, &
puis lessa le terre a f10
pier pur terme dans,
& le pier per son fait
de c10 enfeoffs vne
extraunge & oblyge
luy & ses heires a gar-
rant', & le pier deuie,
quel le garrant' dis-
cende al fits, vnc. cest
garrant ne barra my
le fits, mes le fits bien
puit entre nient ob-
stat cel garr' pur c10
que cest garraunt1e
commensalt per dys-
leyn1, quaunt le pier
K.j. fyllt
The exposition of
maie y seoffemêt which
fuit vn disleisin all its
& coe est dit le pyer,
illint puit est dit de
cheesci aueter auncestour. Et m le ley est
si tenant p Elegit, ou
p statute marchaunt
fait alcun seoffemêt
oue garrauntie, tyels
garranties ne feront
barres, pour ceo q ils
cômeéont p disleisin.

Gager de deliuence est, lou vn sua
repleuin des biis prise
mes il nad deliüe des
biês, & lauter auowat
& le pleintife monftrè q le deféed' est vn
core leisst et e & pria
que le defendant ga-
gera deliuence, do-
quies il mittera eyns
fuerty ou pledge pur
redeliuerauce, & br'
isstera al vicount pur
Termes of the lawe

redeliever & c. mes si
home claime perty
il ne gagera deluyer-
aunce. Auxil fil dyt
les auers fot mort'en pound, il ne gage-
a & c. Auxi home ne
gagera iammals le de-
liuernce auantque
ils sont a isue ou de-
murer in ley vt dici-
tur.

Garnishment est,
sicome vn action de
detinue des charters
est port vers vn, & le
defendat dit que les
charters fueront de-
liuer a luy p le plein-
tife & p vn auter sur
certeine condicions,
& preye que lauter
foyte garnye de ple-
der oue le pleyntyse
fi les conditions sont
perimplles ou nemye,
et sur ceo vne briefe
de Scire facias islera
K.ij. vers
The exposition of
forth agaynst hym, and
that is called Garnish-
ment.

Graund Cape, vide
de ceo a short title Petit Cape.

Graunde serieanty
est lou vn home tiët
de roy certein terres
le service de porter
son bâner ou launce,
on amesner so hostile,
on deltre son caruer
ou buttelar a son co-
ronemt & tiels fébla-
bles, & ceo est la plu-
is honorable servuyce
& plus digne, q le te-
nant puit fair, & pur
ceo est appel Graûd
serieauntie, mes Petit
serieauntie est, quant
vn tient de roye luy
rendant annuelment
vn arke, vne coteau,
vn launce, et tiels fé-
bables, et c ne forsq;

Graund serieanty is,
where a man holdeth of
the kynge certaine lande
by the service of carping
his banner ou launce, ou
to lead his hostile, ou to be
his caruer, ou butler at
his corsonation, and that
is the moste honorable
service and most worthy
that a tenaunt may doe,
and for that it is called
grauond serieauntie. But
pety serieaunty is when
one holdeth of the kynge,
paying to him pearly a
bowe, a sword, a speare,
and luche like, and that
is but socage in effete,
termes of the lawe

but a man cannot holde in graunde serieautie or by pety serieauty but of the king. Also if a tenant by graund serieautie dieth his heire being of ful age the heyre shall pay to the kinge for relpese the value of the lands over the charges that hee paieth to the kinge by graunde serieautie, but hee that holdeth by escuage shall haue for his relpese but C.s. Also those that bee in the marches of Scotland, that holde the of the king by cornage, that is, to blowe a horn when the Scottes enter into Englande, are tenantes in graund serieautie. Also where a man holde the of the kinge for to fynde a man in his warres with in the realme, that is cal-

locage en effecte, mes home ne puit tener in graund serieauty ne p petit serieautie sinon de roya. Auxi si tenant p grand serieautie mo ruft fo heire desheant de plein age, leur paiera al roya pur reliefe le value des terres ou ster les charges que il pay al roya par graund serieauty, mes celty q tient p escuage paiera pur son relief forsque C.s. Auxi ceux q sont en le marches de Scot land que tient de roya per cornage, s. pur vetiler yn corne queant les Scottes entrounte in Engleterdam sont ten nantes per graund serieauty. Auxi ou vne hom tient de roya pur trouver yn home en la guerre deins le realm.
The expollision of

cest est dit grand se-
geantie, pur çq il est
fait p corps dun hæc,
& si le tenant ne puyt
trouver home de faire
c, donq il est tenus de
faire luy m. Et q tient
p grand serieanty ty-
ent p seruice de chy-
ueler, & le roy auera
gard mariage & reliif,
mes nemy ceux que
tient p petite serieantie,
mes le roy nauera
de eux q tient p grâd
serieantie, escuage si-
non q ils tient p escu-
age,yllit ceux que tiet
p grand serieanty ou
escuage tiet p seruyce
de chiualer, mes vne
puit tener p grâd ser-
ieantye & nemy per
escuage, & p escuage
& nemy p grande ser-
ieantie, mes cest est es-
cuage no certein & le
seruice de chiuale' tou-
tes foites treyte a luy

led graunde serieantye,
foz q that it is done by a
mans body. And if q te-
nat canot find a ma to do
it, the he is bold to doe it
himself. And he q holdeth
by graûde serieanty hol-
dethe by knightes ser-
vice, & the king shal have
warde mariage & reliif,
but not of the q holdethe
by petit serieanty, but q
king shal not have of the
q hold by graûd serieat\nescuage, except that they
hold by escuage. So they
q hold by graûd serieat\n\n2 escuage holde by kny-
ghts service, but one may
holde by grand serieantye & not by escuage, z by
escuage, z not by graund
serieat\tie but q is escuage
not certeine, z q knights
service alwaits drawethe
to him, warde marjage
and relieve.

Habere facias seisinā is a writ judicial, and yet lieth where one hath recovered certain lands in the kings court, then he shall have that writ directed to the sheriff commanding him to seise seisin of the land, if it shall not be returnable.

Homage auncestrel is where a man and his auncestours of time out of minde, did holde their lande of the Lord by homage. And if suche Lord hath receaved homage, he is bounde to acquite the tenaunte against all other Lords above him of every manner service. And if the Tenante hath done homage to his Lord, and bee impled and

gard mariage & reliſ.

Habere facias seyſy-nam, est vn briefiſud- cial, & gift lou vn ad recouer certeine terr- res en court le roy, dō q'il aua cest briefe di- rect al viconte luy com- mandant de donner a luy seisin de terre, & ne ferra retournable.

Homage auncestrel ε lou vn home & ses auncestour de temps dount memorene ne course, ount tenus la terre del seignour p homage, et si tel seig- niour ad receu ho- mage il est tenus de acquiter le tenat vers toutes auters seignors paramōt luy de cheſ- eun manner service. Et si tenaunte ad fait homage a son seygnor & soſt implede & K,iiiij. vou-
The explication of

vouche le seigniour la garanty, le seigniour est tenus de luy garantier, & si le tenant pdes il recouera in valeur vers son seigni tant des terres qu'il auoyt al tempes de la voucher ou vncq puis, mes si le seigni nayoit rescu le hommage de son tenant donq si il vouche le seigni qu'il disclain donq son seignoury ferra extinct & le tenant tiendra de seigni procheyn paramont, mes vn abbe que est trel seigni ne puit disclaiime, mesque que il nad rescu le hommage de son tenant. Auxi si hoe que tient la terre hommage auncetrel alyen le terre en see, donque la alienee ferra hommage a son seignoure, mes il ne

voucheth y lozde to warrantie, the lord is bound to warrant him, & if the tenant losse, he shal recover in value against the lord so muche of y landes as he had at the time ofy bouch, or any time after, but if the lord hath not receuied hommage of his tenant, then if hee vouche the lord that dysclaymethc, then his lordshyp shalbee extint, and the tenant shal holde of the lozde nerte aboue, but an abbot whyche is luche a Lozde cannot dysclaymne, though that hee hath not receuied hommage of his tenant. Also if a ma that holdeth his lad by homage auncetrel alyen the land in see, the y alienee shal doe hommage to his Lozde, but hee shal not holde
termes of the lawe
holde by homage aunce-tyendre per homage
strel, for that the contin-
aunce of the tenauncy in
the blood of the first tenaunt
is discontinued. Also if a
man holdeth by homage
do homage to his lord
after the lord deith, or
grauteth him service to
an other, then the tenant
shal doe no more homage
to the sole of his lord
no2 to the granteer, but
hee oughte to doe sealtpe
for his is incident to every
service. Also if suche a ten-
ant hath the done homage
and the lord is impede
of his seignourye, &
leeseth it, the the tenant
shall bee compelled once
agayne to do homage to
hym that recouereth, for
that that the estate of
hym which receyved the
firste homage is defeted.

Auxi si hom que tient per homage
fait hommage a s0 seign-
or & puis le seignors
deyne-ou grant s0 ser-
uice a une autre d0g;
le tenant ne ferra ho-
mage auterfois a le
fits le seignior ne a le
grantee, mes il couiêt
de faire sealtie car il e
incident a chescun ser
vice. Auxi si tiel tenaî
ad fait hommage & le
seign e impede de s0
seignoury & pdu,d0-
ques le tennaunt ferra
compell de fayre ho-
mage auterfois a cêy
que recouer pur ceo
que lestatte cesty que
refceiuoit le prîm ho-
mage est defete.
The expostion of

Homage serra fait in riell manner, s. le tenant in fee symple, ou fee taile q tyent p homag genulera sur abideux genus, et le seigniour serra & tyendra les mayns son tenant inter ses maines & le tenât dira. Ieo dëmeygï vostrre hom de cë iour in auant, déuye & de member & de terran honor, & a vous sell foial & loial, & soye vous portera des terres q ieo claim tenure de vous, salue le foye q ieo doy a nostre sur le roy, et donques le seigniour islyat seant luy basera, mes comt fealtie serra fayt, vide deuant in fealtie et le feneschal le seignoure puyt prender fealtye mes nemy homage.
terms of the lawe

Tenants be where men come to any land; tenements by one joint title, as if a man give land; to him to their heirs but tenants in common be where he have landes by severall tytles, and none of them know the his severall as that shall be layde after, and note well if there bee two or three jointenants, and one hath the issue & dyeth, than he and those jointenants that overlyue shall have the whole by his survivor, but if he jointenants make partition between them by deed by agreement, then they be severall tenants, but if one jointenant granteth that belongeth to him to a strager, than the other jointenant & the stranger be tenants

Jointenants sount lou deux hoës vient a afe terres ou tenementes per vn joint title, come fi hoë done terre a ij. homes & lour heyres, mes tenants in common sount lou deux homes ont terres per severall title & nul deux fauoye de son severall coe serra dit apres, & nota si sount ii. ou iiij. jointenants et vne ad issue & deuie dony cesty ou ceux jointen que suruelque aua lentierte p le suruiuer, mes si iiij. jointenants sount partition inters eux per fait per agreement, doq ils sot seueral tenants.mes si vne jointenant grant ceo que a lui apyert a vn estranger, donq lau ter ioyntenaut & le Strange sount tenantes en
The exposition of

in comen, and though the

these in comen be se-

led by part & by the whole

none knoweth his se-

veral yet if one dye, the

other shall not have the

whole by the suruiour,

but his heire shall have the

halfe, and so if there be

in jointenantes and one

of them maketh fessement

of his parte to another, & the fessée dyeth, than hys

hepze shal have the third

parte, and the other be

in jointenantes as thepe

wer, because that they be

seised by a joint tyle

Also, if landes bee given

to the baron and to hys

wyse, and the husband

alieneth & dieth, the wyse

shall recover the whole,

but if thepe were in jointen-

antes before the couer-

ture, then in suche case

the
termes of the lawe.  

He shall recover but ½ halfe. Also ye lande bee givven to the husband & to his wife, & a third person, if ½ third graunt that ½ belongeth to him, ½ one halfe passets the by thys graunt, for that, that the baron and his wyfe be bee but one pson in the law, & in this case they have nothing in right but the halfe. Also if two jointenaunes bee of landes in a towne which is borowe english, wher land is deuisable, & one by his testament deuiseth that, that belongeth to him, to a straunger and dieth, this deuis is void, & the other halfe have ½ whole by sur viour, for ½ the deuis may not take effect, til after ½ death of ½ deuisor, & immediate after ½ death

Auxi si terre soit don al baron & sa femme & al tierce, si le tierce graunt ceo que a luy appiert, la moity pas- fa per cel graunt, pur ceo que le baron & sa femme sont forçës vne person en le ley, & en cé case ils nont en droyt forçës le moitie. Auxi si deux jointenauntes sount des terres en vill que est borow englyshe, lou terre est deuisable, & lun per son te- stament deuyse ceo que a luy apiert a vn estraunge, & deuye, cest deuis est voide, & lauter auera lenti- eurie per suruioure, pour ceo que le deuis ne puit préder effect tanque aprés le mort le deuyfoure, & immédiat après le morto
The exposition of deuisor, le droit de uient al auterioynte tenant per le suruiuor le quel ne claime ryens per l' deuisor, mes en son droit demefn per le suruiuor, mes auterment est de parceners seisies des terres deuisables, causa qua supra.

Indicauit est vn br' & gist lou debate est parenter deux clarks in court christien du esglise, ou part de vn esglise per disinesque amount al meins a le value de la quart par tye del esglise, & pur ceo que le patron del clerke defendant perdra son aduowso si le clerke le plentif la recouera, donques il auera brefe direct al clerke le plentyse,
termes of the lawe.

ou al officers d'court
cristiën, eux com-
mandaunt de cesser
de leur plee, iusques
il est discusse in court
le Roye a que lad-
uowson appent, &
ceft briefe serra inter
quatre personnes. ij.
serrount patrones,et
ij. clerkes, mes cest
briefe nest retournab-
ble', mes ils ne cef-
font lourre fuyt, il a-
uera vne Atta-
chement.

Idemptitate nomi-
nis is a wytte, and it li-
eth wher a wytt of debe
couenaunt, or accompte,
or suche other wytte is
brought against a man,
and an other that hath
the same name as the de-
fendaunt hath he is taken
for hym, then hee sha'll

C}

Idemptitate nomi-
nis est vne briefe, &
gist lou briefe de det
Couenaunt, Accordt,
ou tiel semblable br
'est porte vers vne
home, & vne auter
que ad mesme le nos-
me come le defedant
ad, est pris pour luy
donques, il auera
cest
The exposition of

c'est briefe, per quelle
viscount fra inquiere
deuant justice assign-
es in mesme le cou-
tie si soit m le person
ou nemy, et si ne soit
troue culpable don-
quies il aler sans iour
in peace,

Ley, est quant action
est port vers vn sans
especialtie mostrre ou
auter matter de re-
corde, come actio de
dett sur vn contracte
ou detinue, donques
le defendaunt puyt
gage sa ley si sevoler,
de iurer sur vn lyuer
& certaine personnes
ouest taly, que doyt
riens al plaintife in le
maner & forme cdeo
il ad declare, mes en
action de dett sur vn
leasse pur term dans,
ou sur arrerages de

haue thys wyttre, by the
whiche the wisrse shall
make inquiere before the
justice assignned in the
same county, if he be the
same person or not, & if
hee bee not found culp-
pable, then he shal go w-
out day in peace.

Ley, is when an action
is brouht agaynst one
wout especialty shewed,
or other matter of record
as an action of debt upon
contract or detinue, then
she may wage his law
that is to say, to sweare
oppo a booke and certain
persones with him, she
oweth nothig to she plain-
tife in manner & fowrme as
he hath declared, but i an
actio of debt oppo a lease
for terme of yeares, or
oppo the arrerages of

accom-
termes of the lawe.  Fo.78

de accompt deuant
auditours assign, hoe
gagera sale ley. Mes
quaunt vn gagera la
ley, il amesnera ouel-
que luy. vj. viij. ou xij
de ses vicines, cœ le
court lui assignera de
iurer ouel; luy, & si
al iour assigne, il faut
de la ley, dong; il fer-
ra condempne.

Leases bee in dyuers
manners, that is to saye
for tearme of lyfe, for
terme of yerces, for term
of anothers lyfe, and at
wil. Also a lease of lande
is as good without deede
as withe deede but in a
lease for terme of lyfe, it
behough to geue liuerpe
and feisin upon the land,
or els nothing yhal passe
by the graunt, because y

Leases font, en dius
manners, s. pour terme
de vie, pur terme das,
pur terme dauter vie
& a volute. Auxi vn
leas de terre est auxy
bone sauns fait come
per fayt. Mes en leas
pur terme de vie ou
dauter vie, il couient
de doner liuer & lei
fin sur le terre, ou au
terment ryens pase-
ra; p le graut, pur ceo
L.j. que
The exposition of

que ils sount appellees
franktenefts. Auxy
vn les de vn comen
ou rent, ne poiet ester
boue sans fait, mes de
vn pleonage il est bo
sans fait, pur ceo q le
glise q est pryncipall,
puit affets bien passer
sains fait, & islant les
dismes & offerings q
sont accessory al esgl
imes dysmes & offer-
inges per soy, ne poen
t este leffes sas fait
vt dicitur.
Libertate probanda,
Vide de ceo en le ty-
tle de Natiuo haben-
do.

Mainprise est quant
vn home est arrest p
Capias, dong les lud
ges poiet deliuer son
corps a certaine hoes
pur garder et de luy
amessi deuat eux a c-
tain iour, & ceux sot
they be called freeholds.

Also a leas of a commen
or rent, may not be good
without deede, but of a
personage, it is good to
out deede, for that y the
church which is the prin-
cipall, may passe well y-
through without deede, &
to the dysmes and offer-
inges which bee accessory
to the churche, but
dismes & offerings by the
self may not be let wout
dede as it is said.

Libertate pjobanda,
look for that in the title
de Natiuo habendo.

Daynprise is when a
man is arrested by Capi
as, then the Judges may
deliuer his body to cer-
taine menne fo2 to keepe
and to bring hym before
the, at a certain day, and
these
these be called mainper- 

nours, and if the partie 
appeare not, at the daye 
assigned, the maynper-
nours shalbe amerced. 

Maintenaunce, is a 

wilt, and if it lieth where 
anie man geeveth oz de-
liuereth the to another that 
is playnetype oz defen-
daunt in anye action, a-
nye summe of money oz 
other thing for to mayn-
taine his plee, oz els ma-
keth extreme labour for 
him when hee hathe no-
thing therewith to doe, 
then the partye greeued 
shall have agaynste hym 
this wight.

Mesne is a wight, and if 
lieth where there be lord 
mesne & tenant, and the 
lord above distraintethe 
the tenant for service 
of the mesne, whyche 
oughte tacquite him to
The exposition of

Seigniour paramount, donst le tenat auera c'est brief vers le mesne, & si il ne viët pur acquiter le tenat, doque le mesne perdra le service le tennaunt & serra foriudge de son feigniory, et le tennaunt serra tenant immediate al chief seigniour, & fra mesme les service et suits cöe le mesne sif al seigniour.

Monstrauerunt est vn briefe, & gitt pur les tenaunts en ancien demesne direct al seigniour, lui cõmaudant qi il ne distrayne son tenant pur faire auter service que faire ne duissent, & ils poyent auer cest brye briefe direct al viscont que il ne suffer le seynior disir le dits tenats lord above, then the tenant shall have this writ against the mesne, and if hee come not to acquyte the tenat, then the mesni that lose the service of the tenant and shall bee forejudged of his seigniory, and the tennaunt shallbee tenant immediate to the chief lorde, and shall doe the same service & suites as the mesne dyd to the lorde.

Monstrauerunt is a writ, & it lieth for the tenants in auncien demesne directed to the lorde, him commandeing hee distraine not his tenant for to doe other service he ought not to doe, and they may haue this writ direct to the thirift that he suffer not the lord to distraine & saide tenants for to
termes of the lawe.

...to doe other service. Also if the tenants may not bee in quiet they may have an attachment against the lord to appere before the iustice, and all the names of the tenants shal be put in & write though one of them bee greeued onelye. Also if anye landes in auncyen demesne be in variance betweene the tenants, then the tenant so greeued shall have against the other a writ of righte close which is called after the custome of ma-ner, and that shal bee alwaye broughte in the loves court and for that hee shall declare in the nature of what writ hee will as his case lyethe, and this writte shal not bee removed but for a...
The exposition of

sion p graud cæc ou non power de court, Auxi si le seignior en auter court que aun-cien demesni distraire son tenaunt de faire auter service quel ne doyt, il auera, briefe de droyt appel ne in-juste vexes & est vne briefe de droit patent que serra trie per bat-telle ou graunde af-sile.

Morgage est quauant vn fait feoßement a vn auter sur tiel con-dicion que si le seffor paya al feoßee a cer-tayne iour.xl. li. dar-gent que adonques la feoßour puit reen-tre &c.en cee case le feoßee est appel te-naunt en morgage. Et sicome vne home puit fair feoßemét en fee en morgage, illust

greate cause o. noe po-wer of the courte. Also pf the lozde in another courte thenne auncpent demesne distrainge his te-naunt to ose other ser-vice that he oughte not, he shal have a wrrtte of ryghte called ne iniulxt beres, and it is a wrrt of riight patent which shal be tred by batcel oz grad assile.

Morgage is when a man makesth feoßement to another on suche con-dicion that if the seffoure paye to the seoßee at a certaine day foisty pound of money, that then the seoßour maye reenter, &c. In thys case the te-nault is called tenaunt in morgage. And as a man may make a seoßee-mét in fee in morgage, so he
termes of the
lawe. il puit faire done en le
tail ou lese pur term
de vie ou pour terme
dans en morgage.
Also ye a seoffement bee
made in morgage on co-
dicion that if the seoffor
pappe suche a comne at
luche a daye. &c. And the
seoffour dye befose the
daye, thenne if the heyre
of the seoffour pape the
same comne at the same
daye to the seoffee, and
the seoffee refuse the ye,
then the heire of the se-
offour may enter, but in
luche a case if there bee
noe daye of payment ex-
pressed, then luch tender
of the heire is boype, for
that that when the seoff-
oure diethe, the tyme of
tender is past, or oth-
wise the heires of the se-
offour shal have tyme of

Auxi si seoffement doit
fayt en morgage sur
condicion que si le se
offour paya tyel fême
a tiel iour. &c. Et le
seoffour murrult de-
uaunt le iour vncore
si lehvr le seffour paiz
mesme le fôme a mel-
me la iour al seoffee,
& si le seoffee cee re-
fula doques lehvr le fé
offor puyt ente, mes
en tiel case si ne soyte
aucun iour de painet
expresse, donques tyel
tender del heyre est
voyde pour ceo que
quaunt seoffour mur-
rult le temps del ten-
der est pasé, ou auter
ment les heires le sef-
four auerount temps

L.iii. del
The exposition of
of the tender for ever,
which shall be inconvenient, that one shall have a fee simple to him and to his heirs which shall be despicable alivies at the pleasure and will of others, but in the first case the time of tender was not past by the death of the lessee.

Mortdauncestre vide de ceo deuant titulo cosinage.

Mortmaine is where landes bee geuen to a house of religion or to another companye which bee corporate by the kinges grant, then the lande is come into mortmain, and then the kyng or the lord of whom the lande is helden may enter
Puyt enter come appiért en lestatute de religiosis, ideo vidísta tut. Auxy si vn fayte feoffement sur confidence a certayne persones al oeps de vn meason de religió, al oeps de ascune gylde ou fraternitye corpo-rate, donques il serra dyt mortmayne & il encourge same le paine, vt patet per statutum anno.15. Ric-chardi.2.

Moderata misericordia est vn brief & gift lou home est amercie en courte barron ou countie plus que deuer este donques il auera cest briefe direct al vié si soit en countie ou al baylife si soit en court barron, eux com maundaunt que il ne luy amerciount, mes eyent
The explication of
here amerce hym not, but
hauinge regarde to the
quantitie of the trespas,
and if theye do not, thys
writ then shal goe to the
against them, alias &
causam nobis signifi-
ces & apres ceo vn at
rachement.

Natiuo habendo est
vn bryese & gyft lou
le niefe dun seigniour
est ale de lui donques
le seigniour auera cest
briese direct al vicont
que il face le seignior
auer son nyefe ouel-
que touts ces chateux
Auxi e cest brief plu-
soures niefes ne pur-
ront este demaundes
deux,mes auxi plu-
sours niefs voylent
ensemblement poyet
port brief de libertate
probanda.Auxi si vn
niefe port brief de li-
bertate probanda a-
termes of lawe

fo. 83

que le seigneur port
cest briefe donques le
niece serra en peace
ti
iesqyal venue des ius-
tice ou autrement son
briefe ne luy eydera.
Auxy si vn villeygn ad
demurre en auncien
demelene per vn an &
vne iour sans clayme
del seigniour dôques
il ne puyt luy feyser
deynes le dit fraun-
chise.

nisi prior est vn
briefe judicial, & gilt
quant l’enquest est en
panel & retourne de
uaunt les iustices en
banke donques le pl'
ou defend' puyt auer
celt briefe directe al
vicont, luy comnaun
dât que il face venir
la pais devant les iusti-
ces en mesfin le couthie
a lour
The exposition of there comming to be determined, and that for easing of the enquest.

Nonability is, where an action is brought an gayniste one, and the defendaunte layeth that the playntise is not able to sue any action, and there bee sure causes of Nonabilitye, that is to saye, a man outlawed, an alien borne out of the kynges lege, a man condemnded in a premunire, a man of religion, a man accursed and a villein that sueth his lord.

Nusauns is a wyrtyte and it lysethe where any man leuieth any wall ouer stopthe anye water ouer doth anye thing upon hyr owne ground to the owne lawful hurt & nusaunte of his neighbour. Also pylb bes
The terms of the law are: see that no uncle of the land to another be taken this wit that be brought again the as it appeareth by Statute Westminster 2 Ca.23.

Nuper obiit est vn briefe, & gisit lou vne ad plusieurs heires. S. plusieurs fils ou plusieurs fts si soit en gauelkinde en Kent, & deuise seisi & vn heir entra en tout la terr done les auters que fount tenus de hors, auerount cest briefe vers le coheyre que est deyns, mes briefe de Rationable parte gisit en tyel case ou launcestoure fuit vn foits seysi, & ne mur-rust seysi.

The inueste beres, lote therefore beeze in the

Ne inueste vexes, Vide de ceo deuaunt titulo
The exposition of titulo Monstrauerunt

Ne admittas prop-ter libertatem est un brief, et gist loule vic retourne sur briefe a luy direct, que il ad maund al bailif de xiel fraunchise que a uer retourne des bri- fes, & il nad seruie le brief, donq le plaint auera cest brief direct al vic q il ment en le franches & execute le br' le roye. Auxi le vic garnera le bailif que il soit deuant les injustices al iour contenus en le briefe, & fil ne vyent & luy ac- quitte, donques tous les briefes judicia e q passerot hors d'court le roy duraunt mes- me le plee, ferrount briefes de non admit tas &c. & le vycount ferra executio de eux
Oyer & terminer is a writte called in latine de Audiendo & terminando, and it lysethe where anie greate oz todayne insurrection is made, oz anye other todayne trespauste whiche requireth the hastye information, the kinge shal direct a commissioun to certain men & justices to here and to determine the same.

Parceners are according to the course of the common law, and according to y custom. Parceners according to y common law are wher an inheritance hath the value but daughters, & dieth, & y tenants descende to y daughters, the thei be called pecus, & are but as one heir.
The exposition of
but if a manne hath a
one daughter, she is not
called parcer, but she
is called her daughter and
heire. And if there be no
sisters the lande shall
descend to the aunts,
and they be called parcers.
Also when landes
descend to divers parcers,
they may make
partition betwene them
seules by agreement, but
if anye of them wyll not
make partition, then the
other or the others shal
have a writ de partici-
patione facienda
direct al vié que fer-
ra partició enter eux
ple serement de xij.
loyals hôes de sa ba-
liwike. Auxi partició
per agrement puit ee
fait per le ley auxi by
en per parol sans fait
come per fayte. Et si
fount de pleyne age,
Termes of the lawe

age the particion shall remain for ever, and shall not at any time be defeated. But if the landes be to them in the tayle, and though that they are concluded during their lives, yet the value of hym which hath the lesser part in value, maye disagree from the particion, and enter and occupie in comon to the other parte. And also if the husbandes of the parceners make partyction, when the husband dieth, the wife may disagree fro the particio. Also if the parcen which is win age make particion, when the cometh to ful age the maye disagree. But thee must take good hende whe the cometh to her ful age the take not al the profites to her own ble of

le particion tous sions demurrera, & ne ferrer vnquy defete. Mes si les terres sot a eux in le taile, & coment q ils fount concludes durant lour vies, vn c les terres cest qui nade la meinder part in valu puit disagreer a le particion & enter & occupier in coen ouest lauter part. Et auxi si les barons des parceners fount particion quat le baron deuie, la fée puit disagreer a la particion. Auxi si le parcener q est de ins age fait particion quaunt el vient a son plein age, el puit disagreer. Mes il couiêt de byen garder quat el vient a son pleyne age, que el ne preign toutes les profites a son vse deinesne des terres
The exposition of prescribe against he a statute excepte hee have an other statute that serueth for hym.

Presenctment is when anye man whiche hath righte to geue anye benefice spirituall, and nameth the persone to the bishop to whom hee will geue it, and maketh a writing to y bishop for him, that is a presentacion of presentment, but if divers coheires maye not accord in presentment, the presentment of the eldest halbe admitted, but of jountenants et tenants in common, if they accord, not within six moneths, the bishop shall present by laps.

Presenctment is a wyft and it lyeth where anye man lyethhe any other in the
termes of the lawe.

the spirituall course, for any thinge that is determinable in the kinges course, and that is ordained by certaine statuts, & great punishment therefore ordained, as it appeareth by the same statutes, that is to saye, that he shall bee out of the kings protection, and that he be put in prison without bayle or mainteynance, till he have made fine at kings will, and that his landes and goodes shall be forfeited if he come not within two monethes. Also the procurours, procuratours, attournyes, executors, notaries, mayntenours, shall be punished in the same manner, therefore looke the statutes. Also some men saye that ye a clarke
tian pur aucun chose que est determinable en le court le roye, & ceo est ordaine p certain statuts, & grand punishment a ceo ordaine come appyerte per mesme les statuts, s.que il serra hors de protection le roye & que soif mys en primo sauns bayle ou mainprise tanque ils ad fait fine al volunte le roy, & que ses terres & chateaux ferrounte forfaytes fil ne veino deins ij. moys.

Auxy lour prouysours, procuratours, attournyes, executors, notaries, & maiteners ferrount punysh en mesme le maner ideo vide statutum. Auxy ascuns diont que s'un clerke M.iii. sue
The exposicion of

sue auter hòe in court de Rome pour chose spiritual lou il puit a: ner remedy deins cest realme in court fo or dinary que il serra in case del statut.

Precipe in capite est vn br' & gist lou le te nant que tient de roy in chiefe, cóe de la corone & il est deforce doy il aua cest br' & cest briefe serra close & serra plede in le co men bank, Auxi si ac cun tenât q tient dafé seign soi deuorce luy couient suer briefe de droit patent que serv determine in le court le seign, mes si le terre soi tenus de Roye le briefe de droit patent serra port in court de roye & cest brief puit este remoue de la
termes of the lawe. court le seignior en la county p une tole & de la counte in comen bank p une pone.
Ideo vide deuant tulo droit.

Perambulatione facienda est une briefe et gilt loue deux seyours gisont une pres later & aucun encrochemt est fait p longe temps don't p assent de ambideux seigniors le vy cont prendera oues luye les parties & les viceins, & fiera per ambulation, & ferot les mets coe ils fuerot adeuant, mes si une seignior incroche sur later & il ne voile fair pambulation, don ques le seignior est greue aua briefe vers later q est appel de rationabilibus divisis.

M.iii. pe-
The exposition of

Petit cape est vn brief & gist quauent ascu action real s de plee de terre est port et le tenant appere & puis fait defect, don't issera cest briefe de petit cape de seiser les terres en mayne le roye mes sil ne appera mes fait defect al prymar somons, don't issera vn graud cape et pur tel defect le tenant perdra la terre, mes si gage son ley de non somons, il sauera so defecte, & donques il puit plede quelque le demaundant. Et en graund cape le tenant serra sommons pour responder al defecte & ouster al demaundant, mes in petit cap il serra summonis pur responder al defecte
Termes of the lawe

Anniwere to the desaunte, helpe, and not to the demandant, and it is called petite cape, for that there is lette in the writ. Proces are the writs & preceptes that go upon the original, and in actions realz and personnelz there bee divers proces, for in actions realz & proces in grand cape before apparance, therefore see of that in the title petit cape, but in actions personnelz as in deblet, trespas, or detinue, the proces is a distres, and if the shirf retourne nihil habet in balliua &c. then the proces is alias capias & an exigent, and they are called capias ad respondendum. Also the exigente shalbee proclaimed fyue tymes, and if the partyz dothe soulement & nemy al demandant, et est appel petite cape purs ceo que il ad minus en le briefe. Proces font les briefs & preceptes que istzet sur l'original, & in actions realz & plonelz font divers poces, car en actions realz le poces est graud cap adeuant apparance, ideo vide de ceo in tytle petite cape. Mes in actions plonelz come in dett, trespas ou detynue le proces est vne distres, & si le vié retourne nihil habet in balliua &c. donques le proces est alias capias & vn exigent, & ceux sount appels capias ad respondendum. Auxi lexigent ferre v. foytes proclaims & file party na-
The exposition of
napiert il serra vlagge not appeare he
mes in diuers actions
funt diuers maners de
pces que plus longe
est declare in natura
breuium. Aux fount
dyuer auters pces apres apparance quant
les parties sont al isus
pur faire lenqst aperce
coe vn brief de veny-
re fac, & fils ne apper-
ront a liour, adonque
vn br' de hab.cor.Iu-
rr': & apres vn briefe
de distringas Iurr.
Auxy sont diuers au-
ters pces apres iudge-
ment come capias ad
satisfaciendum capias
vlagat', & capias ad
valentiam &c. mes ca-
pias ad satisfaciendum
gist lou vn home est
condépne in aèu det
ou dâmagess, donqg il
serra arrest p cest br'
outlawed, but in diuers
actions there are diuers
maners of proces which
at large is declared in na-
tura breuium. Also there
are diuers other proces
after apparaunce when
the parties bee at issue
to make the enquête ap-
pears as a writte of beni-
re facias, and pf they do
not appeare at the daye,
then a writte of habeas
corporea Iur: and after
a writ distringas Iur
. Also there are dyuers o-
ther pces after judgemet
as capias ad satisfaciend-
dum, capias vlagat, & capi-
ias ad valëtiom &c. but
capias ad satisfaciendum
lieth, where a man is có
emprned in anpe debt of
damages, the he shalbe ar-
rested by this writ, it puf
permes of the lawe

*prolix* without bail &c.
*mayneprie*, till he hath paid the debt and the damage, but capias
*vilagatun*, where one is outlawed, then he shall be taken by this
writ, and put in prison without bail or mainprise, for that he had the lawe in contempt.

Capias ad valentiam lieth when I am implede of certayne landes, and I bouche to warranty another and cannot bar the demaundante, so that the demaundant recover agaynste me, then I shall recover so muche in value against the vouche, and the shall go forth this writ, also there be other process and writtes
*indicia*, as *fieri facias*, *faire facias*, and manye
The exposition of other and therefore looke for them in their titles.

Protection is a wryte and it lieth where that a man wil passe over y sea in the kings service, the bee shall have this wryte, and by this wryte he shall bee quite of all maner of pleas betwene hym and any other person, except pleas of dower, quare impedit, attaint, and attaint, and pleas before justice i eire. But there be, y. wryts of protection, one cum clausula volumus, and another cum clausula volumus, which appeareth in the register. Also a protection shall not be allowed in any plee before the date of the protection, if it bee not in voyage where
where the kyng hymself shall passe, or other vi-
ges roials, or in messa-
ges of the kig for neede
of the Realme. Also a pro-
tection shall not bee al-
loved for viatuel bought
for the viage whereof the
protection maketh men-
cion, noz in plees of trel-
pas oz of contracts made
after the date of the pro-
tection.

Prohibition is a voye, and it lieth where a man
is impled in the spir-
tual courte, of the thyn-
g that toucheth not ma-
tronyme noz testamente,
but that toucheth the
kinges crowne, and thys
writ shall bee directed, as
well to the partie as to offi-
ciall, to prohibite the
that thewe pursue no fur-
ther, but yt yt appeare
after

foyt in vyages ou le
roy mesme passa, ou
auters vyages roials,
ou in message le roy
pur boyson de realm
Auxy protection ne
ferra allow pur vitails
achates pur le viage,
dount le protectyon
fait mencion in plees
de trespas ou de con-
tractes fayt puys le
date de mesme le pro-
tection.

Prohibition est yn
breife, & gift lou hœ
est implede in courte
christien de chose q
ne touch matrimony
ne testamet, mesque
touche le corone no-
ltre seign le roy, & cé
brief ferra direct auxi
bien al partie come al
official, de eux prohibi
t q il ne pursue ou
ster, mes si il appeare
apres
The exposition of

apres a les Judges temporal que le matter est spiritual et nemy temporal, donques le partye aia vn brye fte de Consultation, commandant les Judges spiritual de proceder in la primer plee.

Procedendo est vn brief et gist ou aucun action est fete in vne base court que est remoue avn hautcourt comme al Chauncery, banke le roy, ou comen banke, per brief de privilege, ou Cerciorare, et si le defendant sur le matter monstr e nad cause de privilege, ou si le matter in le bylle ne foyt bien proue, don ques la plaintife auera cest briefe de procedendo pur remau-

afterward to the judges temporal, that the matter is spiritual and not temporal, than the partye shall have a writ of Consultation, commanding the Judges spiritual to proceed in the first plea.

Procedendo is a writ and it lieth where any action is sued in a base court which is removed to a base court, as to the Chauncery, the kings bench, or common place by a writ of privilege or Cerciorare, and if the defendant upon the matter shelved, have no cause of privilege, or if the matter in the bill be not well proued, than the plaintife shall have this writ of Procedendo, for to send again the matter unto
terms of the lawe.

Quare impedit is a

vnit, and it lieth where

I have purchased a man-

nour, to the which there

belongeth an aduowson

and the person dieth, and

an other presenteth his

clerke, or disturbeth me
to present, than I shall
have the said wygt. But
Assise of darrain presen-
tment lyeth, where I or
my auncestours have pe-
lented before. And wher
a man maye have Assise
of darrain presentment,
hee maye have a Quare
impedit, but not cóstrarie
wise. Also if the plee bee
depending betweene two
partes, and be not discus-
led within vi. monthes,
The exposition of

The exposition of

donques leuelles presentera p laps, & cesti que ad droit de predator, recouera sa dama ges cőe apiert per Statute de Westm. iij. ca. viij. Ideo vide Statutum. Auxi si cestye que ad droit de predator aps le mort le person, & ne porta Quare imped', ne dar rein presentmet, mes suffer vn estrange de usurper sur luy, vn de il auera vn briefe de Droit daduows, mes cesti briefe ne gift, til ne clayme dauer la uowson a luy & ses heires in fee simple.

Quare non admisit est vne briefe, & gift lou home ad recouer vne uowson, & il mand son couenable than the byshop may pres lent by laps, and he the hath the right to present, shall recover his damages, as it appeareth by the Statute of Westm. v. ca. viij. therfore see the Statut. Also if he hath righth to present after the death of the person, and bringeth no Doure impedit no; Darreyne presente mente, but suffrethe a Stranunger to slurpe upon him, yet he shall have a wryt of righth of ad uowson, but this wryt lieth not, but if he claime to have the aduowson to hym and his heires in fee simple.

Quare non admisit is a wri, and it lieth whe a manne hath recovered an aduowson, and bee sendeth his couenable clarke.
clerk to the bishop to be admitted, and the bishop will not receive him, that he shall have the said writ against the bishop. But a writ de Ne admissas lieth, wherupon he in plea, if the plaintiff suppose that the bishop will present, the clerk of the def. than he shall have this writ to the bishop, commanding him not to admit him hanging the plea.

Quare incumbava est vna briefe, et gilt lou deux sount in plea pur lauowson, & leuesque present vn de ses clerekes, depuis les vi mois donques il auera cest briefe vers leuesq, mes ceste briefe gilt toutes foits pedat le plea.

N.j. Quale
The exposition of Qualeius est une briefe & gist lou hoe de religion ad iudicament de recoyterre, donques deuant execution cest brief isera al eschetour pur in querer quil droyt il ad a recouer, & si soyt troue quil nad droyt donq le seignior puit enter. Mes briefe de Ad quod damnum gist lou vn voile donner terre al meason de religion, donques cest brief isera al Eschetour, pour inquirer de que value le terre est, & quel preiudice il ferra al roy.

Quarentine est, lou home deuiie seisi dun maner place & auter terres, dount la feme doit este endow, donques la femme tyen-
Quære eiecit infra terminum est un briefe & gist lou vne sayne leale a vne auter pur terme dans, & le lesour infosse vne auter, & le lesosse ousta le termour, donques le termour auera cel briefe vers le lesosse, but if another straunger put out the termour, the heer shall have a wryt de Electione firme against hym, and in these two wryts hee shall recover the terme and his dama- ges.

CQuod iuris clamat

Quid iuris clamat

N.ij. est
The exposition of

is a writ, if it lieth where

I grant the reversion of

my tenant for term of

life by fine in the king's
court, if the tenant will
not attorne, the grantee
shall have this writ
for to compel him to attorne.
But a writ of Quo
reeditum reddid gift,
I grant by fine a
ret charge or another ret
which is not ret service
which my tenant holdeth
of me, if the tenant will
not attorne, then the grantee
shall have this writ,
and a writ of Quo que ser-
uencia lieth in like case for
rente service. Also if I
grant to one man, and the
tenant of the land attor-
neth to the grantee by
pavement of a penny or
Quod permittat vs a
write, and yt lycethe
where a man is dislised
of hys comen of pasture,
The exposition of

and the disseisoure aleyen

ou deuye seisie & son

heire entra donques

si le disseyfye deuye

son heire auera cest

briefe.

Quo iure est une

briefe & gisst lou hoe

ad eue commen de

pasture en auter se-

ueral puis le temps de

non memorye, don-

ques celuy a que ap-

pertient la seuerall a-

uera cest briefe & il

serra charge de respo

der per quel tytle il

claieme.

Quo minus est vn

briefe & gisst lou hoe

ad graunt a vn auter

housbote & heybote

in son boys a prendre

cheschune an & celuy

que ad graunt fait ti-

el waste & distruccion

que le graunte ne
poet auer son reasoneable estouers, donques le graunt auera lauauntdit breve & est in nature de breve de wast. Et nota que housebote est appelle certeine estouers pur amender la meason, & heybote est certein estouers pur amender heis & hedges.

Quod ei deforce-at est vn breve & gist lou tenant en le tayle tenant in dower, ou tenaunt a terme de vie parde p defaut in aucun actyon, donq cestyte que parde auera celt breve vers ce-luy q recoña ou vers son heire.

Quo warranto est vne breve & gist lou hœe vfurpe dauer alcun fraunches sur le N.iiiij. roye
The exposition of

The king, then the king shall have this writte, to make him to come before his justice, for to shewe by what title he claimed the such francheise.

Rationabilibus dividis est vne briefe & gist lou sount deux seigniories in dyuers villes & lun pres lantar & ascun parcel de vn seigniourye ou de waste ad est incroch par petites parcels, & donques celuye seigniour de quel parcel de terre ou le waste ad est incroche aue ra cest briefe enuers le seignour q adissent incroche.

Redisse fin, vide de ceo deuaut in le ty tle Aflife.
Release is when one
maketh a deed to another
by these words remississe
relarasse, omnino pro-
me cherediby meis quie-
tum clamasse A. B. totu

Reflex est quant alicu
tenant tient dasfe feig
nour p service de chi-
ualer, & deuie sfo heire
deplein age donq le
heir a le prim iour de
paymet doublera la
rent al seignior. Auxy
si hoe tient de roy in
chief & des auters lei-
gniors, le roy auera le
gard de touts les ter-
res y le heire payera
reliefe a toutes les sei-
gniors a son plein age
mes les seigniors sue-
ront al roy p petició
& aueront le rent pur
le téps q lenfant fuist
in gard.

Release est quant
vn fait fait a vne au-
ter per ses parols re-
mississe, relaxasse, &
omnino prome & he
redibus meis quietu
clamasse A.B. totum
ius
The exposition of

ius meum quod habui, ius meum quod habui, habeo, seu quouismodo in habere potero in quouismodo in futurum habere potero in quouismodo in vno mesuagio &c., but vno mesuagio, &c. but these words quouismodo habere potero be done, for if the father be disfis, and the sonne released, and the sonne released by his owne deed of release without warantie of all his right, by those words quouismodo &c. and the father dieth, the sonne may lawfully enter in the possession of the disfisour. Also in a release it is needesful to him to whom the release shall bee made, that he have a freechoise oz a possefion in the landes in deed be lawe, oz a reversion at time of that release made, for if he have nothin in the land at the time of the release made, the re
null
The exposition of

de vie le remi a vn au
lyse, the remainder to an
other in taile, the remain
der to another in fee, of
one that hath right, relea
se to any of the in the re
mainder all his righte,
suche release is good, for
that that everye of them
hath a remainder in deed
vailed in him, but in
suche case of the tenant
for terme of lyse bee ys
veloped the possesyon in
the disseply, and bee
which hath the ryghte re
lease to one of them in y
remainder, suche release
is voyde, for that that he
hath not but a remain
der in righte and not in
deed. Also a release made
to him in y remainder in
deed shall ayde hym that
hath the free hold, & a re
lease made to him which
hath the free hold that in
dye, and helpe them in y
revertió
reversion of in remain der if they can believe it. Also if I make a lease to a man for term of yeares and if I release to him all my right before he is boyde, for that he has not possession at the time of release. But if he has entered and has the possession, the release is good to him. But in such case he has not by my release, but estate for term of his life. For if I make lease to a man for term of life, and I release to him al my ryghte, not laying any moze than ye estate by such releas is not enlarged. But if I release al my right to have to his heires, the he hath the same simple, and if I release to him and to his heires of
The exposition of
& si leo relese a luy his body, thei gathe
& a ses heires de son fee taile, and so he oug
corps, done il ad fee taile. Et issint it coui-
taile. Et issint il coui-
tent de specifier en le
ent de specifier en le
fait de relese quil estat
fait de relese quil estat
celuy a qui le relese e
fait auera. Mes si leo
toy dissiest, & aps leo
relese al dissiisor tout
mon droi sans plus
dire dog; pil relese
j dissiisor ad vn droi
turel fee simple purc
quil auoit vn fee sim-
pile adeuant. Et purc
nota bene quant vn
a qui le relese est fayt
ad fee simple il ne be
soigne de parler a au
aluy & ses heirs, mes
quaunt vne home ad
estate pour terme de
vie, il couiet adire in
le relese, a luy & ses
heires, ou a luy & ses
heirs de son corps, ou

But

Pf I bee dissiest, and
after I relese to you dissi-
sour all my righte with-
sute anye more sayninge,
then by suche relese, the
dissiour hath a right-
ful fee simple, for that he
had a fee simple before.
And for that note well
when one to whom the
relese is made, hath fee
simple, yt is neede to say
to haue to hym and his
heires. But when a man
hath the estate for terme of
lyfe, hee oughte to saue
in the relese, to him and
his heires, to to hym
and his heires of his
bodey or other wyse hec
hathe
hathe noe greater estate then hee had before.

Remitter is, when a man hathe two titles to anye lande, and he commeth to the lande by the last tyle, yet hee shalbee judged in by force of hys elder tyle, and that shal be layde to hym a remitter, as if the tenaunt in the tayle discontinue the tayle, and after dyssey leth hys discontinue and dyeth thercof seised, and the landes descendeth to his yeure or cousin collate rall by force of the tayle, in that case hee is in hys remitter, that is to lay seysed by force of the tayle, and the tyle of the discontinue is utterlye annulled and defeated, & the reason and cause of
The exposition of

tiel remitter est, pur qu il tel heire est tenant del terre, et nest ascu son tenat vers que l ploit suer son briefe de Formedon pur recouer lestate tail, car il ne puit auer action vers luy mesin. Auxy si tenant in le taile in seoffa son fits ou heir apparent in le tayle que est deins age, & puis deuie, ceo est vn remitter al heire, mes il fuit de plein age al temps del tiel seoffement, il nest remitter pur ceo qu il fuit so fo lye que il esteaunt de pleine age, voile pre der tiel seoffement. Auxi si le baro alyen terre que il ad en le droit son fée, & puis repriest estate a luy & a son feme pur terme
Termes of the lawe

Of their lives, shall not make the woman to be in her remitter, for y in suche a synne the woman shall be examined by the judge, & suche examinations in fines, shall exclude suche women for ever. Also where the entrance of any man is lawfull, he taketh an estate to himself when he is of age, if it be not by deed, indented, or matter of record, which de their lives, c'est vne remitter al fême, pour ceo que c'est alienatio est lact le baron & nemy le fême, car nul fôl puet e'adiudge en le fême during the vie le baron mes si tel alienatio soit per fine en court de record, tyel reprisell apres al baron et fême pur terme de leur vies, ne ferr' fait la fée deeste en son remitter, pur c'est en tel fine le fême ferra examine per le judge, & tiels examinations en fines, excluderont tiels femmes a toutes iours. Auxi quant en tre dascon home est congeable & il pryst estate a luy quauant il est de pleine age sine foyt per fayt indente ou matter de record, que luy est opera, ceo O.j. serra
The exposition of the a luy bon remitter.

Rents fount en divers maners, certes, faire noir, rent service, ret charge, & rent secke. Rent service est, lou le tenaunt in fee simple tiet sa terre de so seigniour per sealtye & certaine rent, ou pauter service & rent, & dog, si le rent de le tenant soit arrere, le seignior puit distraire pur la rent, mes pur il jammis naurera action de dette. Auxi si ico done terres en le taile a vn home rendant a moy certayne rent, ore tiel rente est ret service, mes en ty el case il couient que le reuersio soit en le donour, car si home fait seffint en fee ou doe shall estopep him, &at shall be to his a good remiter.

Rentes bee in divers maners, that is, rent service, rent charge, & rent secke. Rente servyce is, where the tenant in fee simple holds th his lande of his lord by sealtye and certain rent, oz by other service and rent, and the pf the rent of the tenant be behinde, the lord may distraire for the rent, but for that he thall not have an actio of debt. Allo pf I greeue land in taile to a man paying to mee certayne rent, then such ret is rente servyce. But in such case it ought y y reversion be in the donour, for if a mai make seffent in fee, oz a gift in taile, y remaynder ouer in fee with
Termes of the lawe

wythoue deede, reser-vinge to him a certayne rente, suche reseruacion isboyde, and that is by the statute Qvia emptores terrarum, and then hee shal holde of the lord of whom hys honoure held. But if a manne by deede indente at suche a date make suche gift in tayle, the remainder over in see, or lease for terme of life, the remainder o-ver, or a seoffement, and by the same endeture reserue to hym rente, and if the rent bee behinde that well it is lawfull to hym to disstraine, thenne suche rent is rent charge.

But in suche case, ye there bee not anye suche clause of dystrelle in the deede, then suche rente is called rente secke.
The exposition of
& pur tiel rent seck, he shall never distraine,
il ne iammais distreiner&he shall haue affisse, mes il fuyt vne
feits seiss, il auera Aff
sise, & si il iammays
ne fuit seiss est fauns
remedye. Auxi si vne
grant vn rent issaunt
hors de la terre oue 
clause de distresse, ce
vn rent charge, & si le
rent soif arriere, le gra
tee poit eslier de dys
treyn ou fuer vn brief
dannitie, mes il ne pu
it auer ambideux, car
si port briefe dannu
itie, donques le terre
est discharge. Et si
distreyn & auowa la
prise en courte de re
cord, donques le terre
est charge, & le per
son del grantour dis
charge. Auxy si vne
graunt vn rent charge,
& la granteree pour
chase le moytye de-
and for suche rent secke
but if he were once seised
he shall haue affisse. And
if hee were not seyled, yt
is without remedy. Also
if one graunt a rente go-
yng oute of his lande
with clause of distresse, yt
is rente charge, and yt
the rent bee behinde, the
grantor maie choose to
distraine ox sue a wri of
Annuittie, but hee can
not haue bothe, for if hee
bringe a wri of Annu
tie, then the land is dys-
charged. And if hee dys
traine ox auow yt taking
in the court of record, the
the land is charged, & the
person of the grantour
discharged. Also yt one
graunt a rente charge, &
y graunttee purchase the
half of the lande, then all
the
termes of the lawe.  

The rent is extinct, but in the Lord's purchase parcel of the land, then the rent shall be apportioned but if one hath a rent charge and his father purchase parcel of the land and that parcel descends to the sonne which hath rent charge, then the rent shall be apportioned according to the value of the land as it is laid of rent service, for that the sonne cometh to that not by his owne acte, but by descent. Also if I make a lease for terme of yeres referring to me certaine rent, that is called a rente service, and for that it is at my liberty to distraine for the rent, or to have an action of debt, but if the lease be determined, the rent be

la terr'ore tout le ret est extinct, mes en ret service si le seigniour purchase parcel del terre donques le rent serra aporcion, mes si vn ad vn rent charge & son pyer purchase parcel del terre, & cel pcel descendent a le fits que ad le rent charge ore cel rent serra aporcion solon' le valuc del terre come est dit de rent service, pur ceo que le fits ne vint a ceo p son act demel me mes par discent. Auxi si leo fait vn lese pur terme dans referuant a moy vn cern tains rent, ce appel vn rent service: & pour il est a mon libertye a distraire pur le rent ou auer vn action de det, mes si le lese soit determyne, & le rent O.iii. soit
The explication of
foit arrere, donqis ieo ne puisse distrein, mes serta mye a mon actio de det.

Replication est quant le def en aucun action fayte respons a ceo, cest est appel la replication le plaintife, & reioinder est quante le defendaunt fayte respons al repayment.

Repleuyen est une briefe & gist quante aucun home distraine une auter pour rente ou auter chose, don ques il auera cest brief al vicont pour delayuer a luy la dys tres & trouera suertye de pur fuer son action, & si il ne poursua ou soit troue & judged encounter luy donques cestty que prist la re-
behinde, then I cannot distraine, but shalbe put to my action of debt:

Replication ys when the defendaunt in anye actio maketh an aultwere and the plaintife maketh an aultwere to that,that is called the replication of the plaintife, and a rejoin der is when the defendaat maketh aultwere to the replication.

Repleuyen is a writte it lieth when anye man distraineth the another for rent o other thing, then he shal have this writ to shirif to deliver to him the distres, and shal find suertie to pursue his ac tion, and if hee pursue it not, o if it be founde o judged against him, then he that tooke the distres shal
that have the distresses, and that is called the returne of the beastes, and he shall have in such case, a writ that is called returno hæbendo. Also if it be in any franchises or bayly-wike, the party that have a replevin of the chisise direct to the baylise of the same franchises for to deliver them againe and he shall finde suerttie to pursue his action at the next cout, this replevin may be removed out of the countye onto the comen place by a writte of recordare, lose more of the repleyng in the title distresses. Also a writ de homine replegiando, gift hom home est en prison, & nemy p especial commaundement le roy ne de ces injustices, ne pour mort de home, ne pur le forest le roy, ne pour tyel cause

auera le distresses cest appel retourne des aüs, & il auera en tel case briefe qi est appelld de returno habedo. Auxi si soit en aucun fraunches ou bailiwiike le p ty aua vn repleuin del vic direct al bailise de m le franches pur eux redelyuer & trouera suerty de pursuer son acc al prochein countye, & ce repleuin puit estre remoe hors del countye en le comen bank p brief de record dare, vide plus de repleuyn deuant tytulo distresses. Auxi briefe de homine replegiando, gift hom home est en prison, & nemy p especial commaundement le roy ne de ces injustices, ne pour mort de home, ne pur le forest le roy, ne pour tyel cause

O.iii.
The exposition of cause that is not repleivable, then he shall have this writ directed to the thirife that he cause him to be repleued, this writ is a Justices and not returnable, and if the thirife doe it not, then there shal goe twothe another writte; sicut alias and afterward another writte sicut pluries vel causam nobis significes, which shalbe returnable, and if the thirife yet make no repleun, then there shal goe too the an attache ment against the thirife directed to the cozone's to attache the thirife and to bringe him before the Justice at a certain day, and furthermore y these make execution of y sitt writ.

Rescous sivn brief &
It lieth when any man taketh a distress and another taketh it againe from hym and will not suffer him to bringe the distress with hym, then hee dothe to him rescous and upon that hee maye have this wizit and shall recover damage. Also by one distraine beastes for damage fesaunt in his ground, and drewe then in the way for to impound them, and in going they enter into the house of him whose theye bee, and hee withholdeth them there and will not suffer other to impound them then that withholding is rescous.

The except is when any action ys broughte against the tenaunte for terme of life, or tenaunt
gyfte quant alcu home pret distres et vn auter reprift la distress a luy & ne luy voye suffer amesme le distres oue luy donques il fait a luy relcous, & fur ceo il puyt auer cest briefe & recouera dammages. Auxi si vn distrain bestes pur damage fesaunt en sa terre & les enchafa per le haute chymyn pur eux enparker & en alant ils entrente en le meason celuy a que ils sount, & il eux detient la & ne voile suffer lauter de eux imparker, donques ceo deteyner est relcous.

Resceyt est quant alcun action est port vers tenant pur term de vye, ou tenaunta terme
The exposition of term dans & cely en la reuercion vinte eins pur pria de e rescryue pur defed' la terre & pur plede ouelque le demaund. Auxy quant il vint il couient que il soit toutes foits prist a pleder oue le deman-dant. Scire facias est vn brief judicial plant hors de record et gisst lou vnc ad recoû det ou damages en court le roy, & il ne seue pas dau execution deyns lan & le iour doques apres lan & iour il auera le dit briefe agar ner le partie, & si le pty ne vein ou sil veyn & ne sauoi rien dire encounter execution donques il auera vne briefe de fieri facias di recte al vicount luy commaundant que il leue le det ou les daû

for terme of yeares, and hee in the reuercion com meth in and praye the to be received for to defend the land, and for to plede with the demaundaunt. Alas when hee commeth it behoueth that he be alway redy to plede with the demaundaunt. Scire facias is a wvit judicial goinge out of ye record, & it lyeth the whe ne one hath recovered debt, or damages & y kin-ges court the sueth not to have execution with ye vere & y day, then after ye vere & y day, he shall have y laid wvit to warne y pty if the party come not or if he cometh nothing say against y executio, the he shall have a wvit of fieri facias directed to y shirife him commaunding y he le up y debt or damages of the good
The goods of him hath lost. Also this writ of fieri facias lieth within the pere without any scier facias sued. Also if some of same debt or damages may not be leued of the goods of him hath lost them, he may have a writ of elegit directed to the sheriff he cause him to deliver the one half of his lands & goods except his orien & implementes of his carte. Also when one hath recovered debt or damages in an action personal, when the process is a capias he may have another writ of execution called a capias ad satisfaciendum for to take his body of him is to condempned, which shall be committed to priso there to abide without bail or mainprise till he hath satisfied his partye.

Auxy
The exposicion of

Also whenne one hath the
judgement to recover any
lands or tenements, he
shall have a writte calle
led habere facias leisnā
directe to the thirte hym
commandinge to dely-
uer to hym lespin of the
same lande so recovered.
See more of that in the
title fieri facias, and in the
title executio.

Service de chyual-
er vide de ceo en le
title graunde seriean-
ty, & en le title escu-
age.

Summons ad war-
rantizandum & sequatur sub suo periculbo, vide de ceux apres en le title vou-
cher.

Taille vide de ceo de-
uat en le title fee tail.

Tapele looke therefore
tofoze in the tytle fee
"taule."
Treason is twome aners, y is to say, grand treason & petit treason, as it is ordained by the statutes and therefore looke the statutes.

Treason is which any money, golde or silver, plate or bolleyne, is found in any place, and noe manere knowethe to whom the property is, then the property thereof belongeth to the king, & that is called treasure troue, that is to saue, treasure founde. But ye anye mine of metal be founde in any grounde, that alwaye pertayneth to the lord of the soil, except it bee a mine of gold or silver which shall be alwaye to the kinge in whose ground soever they bee found.

Treason est en deux maners. y is to say, grand treason & petit treason, as it is ordeine by the statutes and therefore looke the statutes.

Waite
The exposition of

Waste is a wyt and it lyeth where tenaunt for terme of yeres, tenaunt for terme of life, or tenaunt by curtelsie, or gardein en chialrly fayt waste ou destruction fur la terr'. s. sil debru fa meason, ou coupe merisme, ou suffer le meason voluntarilye pur eschier dong; ceci en le reueré auera ce brief & recouera le li eu ou le wast fuit fait et. iij. dam. mes si hom coup merisme sans lycence, et ouelsque ceo repaire les auncyens measons, vn ceo ne pas wast. Mes si ouel que le merisme edifia vn nouel meason doques le couper de ty- el merisme est waste. Auxi de coup de sub
termes of the lawe. boys ou wyllous que
underwood o; willows, whiche is no timber shal
which is no timber shall not be said waste, but ye
not be said waste, but ye they growe in the lyght
they growe in the lyght o; shadow of the house.
on que ils cresount
en le vieve del lisle
del meason.

Vievv est, quaunt
ascun action real is brought &
the tenant knoweth not
wel what lande it is that
the demandaunt asketh,
then the tenat shall pray
the tenant prier la vi-
the view, y is to lave, y evv.s. q il puit voyer
he may see y land whiche le terre que il claima-
he claimeth. But if the te-
nant hath had the vieve
eone writ, & after the
wit is abated by myl-
nomber of the towne, o;
by jointenure, & after the
demandaunt byngethe
another wit against the
tenant, then the tennaunt
shall not have the byew
in the second wit.
The exposition of

Villenage est vn tenure, & est quant vn hôte tiet de so sûr per villein services, comme de carier le sim le sûr ou autre ville service, & cest tenure ne frappe home villeine, car vn villeine est celuy que est villein de say & de tenure, & le seigneur puet luy ouster de ses terres et tenements, & puyt prender tout ses bûs, & luy chastiser a son pleasure, salue que il ne puyt luy mahym, car donque il auera vers son seignior vn briefe de mahyme, & aucuns sont villeines per tytle de prescrition, que toute lourre sauf ont este villeins regardaunts a le maner dun seigniour de teâs de nó memorye,
And some be villeins by their confession in a court of record. Also the lord maye make a manumission to his villayne, and make hym free for ever. Also if the villein bring any action agaynst his lord, ye if it be not Appele of mahyme, and the lord make aunsure unto it, thenne by this the blyllyne is made free. Also ye a blyllyne purchase lande, and hath the goods, ye sell the lands and goods befope anye entre or feysin made by the Lord the sale is good. But the kynge whyche is Lord of a blyllyne in suche case maye enter a feys the lande after suche sale made, soz noyteyme runnethe agaynst the kynge.

Et aecu sunt fait villeins p' leur confession en vn court d'record. Auxi le seignior puit fair vn manumission a son villein & luy in fraunchiser a toutes iours. Auxi si le villei port aucun actio vers son seignior, si ne soit Appell de mahim, & le seignior a ·ceo fayt respons, donques per ·ceo le villeine est infraunches. Auxi si un villei purch.terre, & ad biens & vende les terres & biens deuant ·as ent' ou seisin fait ·ple tor. la vend' est bon,mes le roy que ·seignior de villein ini ·tiel case puit enter & seiser le terre aps tiel ·vende fait, quia nullum tempus occurrit ·regi.
The exposition of

Vilaica remouenda est vne briefe, & gist lou debate est penter deux psons ou puy-sours dune esglise, & lun enter en lesglise, oue grand power de lay homes & tié lauter de hors oue force & armes, donq; celui q est tenus de hors, auera le dit briefe dyrect al vicount que il remoua cest power q est deins lesgl et serr commande al vich q sil troue aqcs hoes la contristeants, que le vich prendre ouesq luy la poyar de fon couTy si besoign soyt & fra attache p lour corps tous ceux luy resistants, & les mitera in prizon insint q il eyt lour corps devant le roy a certeyn...
An thes wyet is returnable, and it shall not be granted before that the bishop of the place where such a church is, hath certified in the chancery such resisting & force.

Withernam. Look therefose before in the title Distresse.

Utrum is a wise, and it lyeth when the ryghte of anye church is alie and holden in laye & tenus in laye fee, or translated into the possesityon of an other church, & the alienour death, the his succoror shall have the saide wyet. And note well that none that hath the couente, or common seale maye maye maye tayne this wytte, but a wyet of Enire fine attestu

Vtrum è vn briefe & gift quant le droit dascun esglise est alié & tenus in laye fee ou translate in possef possesyon of an other church, & the alienour death, the his succoror shall have the saide wyet. And note well that none that hath the couente, or common seale maye maye tayne this wytte, but a wyet of Enire fine attestu
The exposition of capituli de alienatyo fait person predecesour.

Volunte est, quant le tenat tient a la volunter del lesfourn ou del seigniour, & c est in ij manners, vn est quant ieo fait lesse a vn home des terres, a tener a ma volunter, dngo ieo puis luy ousta a mopeleasure, mes si il emble le terre, & ieo luy ousta, dngo il auera son imblemment & egysele & regresse iesy ils sont matures pur eux scieret carier hors del terre & tiel tenant a volunter ne pas tenus de susteyn & repayer le meals foicne tenant a terme dans est tenus, mes sif fait voluntary vvait, le lesfourn auera vers capituli of the alienation made by hy spreredeclosure.

Volunte is, when the ternaunt holdethe at the will of the lesfourn, or of the Lorde, and that is in two manners. One is, when I make a lease to a man of landes, to hold at my will, then I may put him out at my pleasure. But if hee lowe the grounde, and I put hym oute, then hee shal have his coyne, and going out and compynge in tylly thay bee rypte to cut and carpe out of the grounde. And suche ternaunt at will is not to bounde to sustyne and repaire the house as a tenant for terme of yeares is bounde. But if hee make wilful walt, the lesfourn shall have agayne his
hym an actio of trespass. Also ther is an other tenant at will of the lord by copy of court rolle, according to the custome of the maner. And such a tenant may surrender his landes into the hands of the lord by custome to vse of another for terme of life, or in fee simple, or in appyle, and then he shall take the land of the lord or his steward by copy, and shall make synne to the lord: but if the lord put oute such a tenant hee haue the no reme dye but to sue by petition and if suche a tenant will implede another of the landes & hee oughte to enter a plainte in the courte, and shall declare in the nature of whathe writte hee will, as the luy vn action de trespas. Auxy est auter tenant a voluntee del seignior per copy de court rol folonque le custome del maner. Et tiel tenant puyt surrender le terre en le mains le seignior par le custome al vse vn auter pur term de vie, ouin fee simple ou fee taile, et done il prendra le terre del seignior ou son seneschal par copy, & ferra fine al seignior, mes si le seignior outa tiel tenant il nad remedye, mes de fuer peticon & si tiel tenant voile implede vne auter des terres &c. il couyent enter vne plaint in le court & countera en le nature de quel breife P.iiij. il
The exposition of cause lieth.

If Eulary is when an exi-
gent goeth forth against
any man, and proclama-
tion made in b. counties,
then at the b. county ye
defendaunt appere not,
the the cozoner shal give
judgement that he shalbe
oute of the protection of
the kinge, and out of the
cyde of the lawe, and by
such an eulary in actes
personels the party out-
lawed shal forsaye all
his goods and cateels to
the king, and by an eul-
ary in felony hee shal fors-
fet aswell al his landes,
and tenementes that he
hath in fee simple, or for
terme of his lyfe, as his
goods and cateels. Also
though a man bee outlaw-
wed, yet if any error or
discontinuance bee in y
luye.
ermes of the lawe.

fo.113

suite of the proces the pte
therof shal have aduauin
tage, and for suche cause
& vtlary shalbe reversed,
& annulled. Also of the p-
te defendant be over the
sea at the time of the vtl-
ary pronounced that is a
good cause of the reuer-
sal of the vtlary. Also of
an erigent bee awarded
against a man in one
county where hee dwel-
leth not, yet an eriget s
proclamation shall goe
forth to the county wher
hee dwellet, or els if he
bee thereupon vtlawed
the vtlary may be reuer-
sed as it appereth by the
Statute made the tij.pere
of king Henry viii. Also
if a man be out lawed in
an action personel at the
suite of an other, and
after hee purchase hys

foit in la fuyte del p-
ces le partie de ceo a-
uera la aduantage &
pur tiel cause lutlagar-
ry serra reuers & ad
nul. Auxy si le party
defendat foit vter la
mere al temps de vtl-
lagarie prouncerceo
est bone cause de re-
uerfal del vtlary.

Auxy si vn exiget foit
agard vers vn hoe in
vn countye lou il ne
demurra pas, vncore
vn exigent oue procla-
macion ilera al couty
lou il demurre ou au-
temt fil foit sur c vtl-
lage vtlagary puit e reuerse coe appyerte
per lestatut fait anno
iiij. Henrici octaui.

Auxy si vn foit vtlage
in action personel al
fuyte dune auter &
puis il pourchasa son

P.iiij. char-
The exposition of charter of pardon of the kynge, such charter shall never be allowed, til he hath sued a writte of scire facias to warne the party plaintiff, and if he appere, then the deft. shal aunswere hym and barre hym of his action, or els to make agreement with him.

A Wrike ys where a shippe is perished on the sea, and no man escapeth a liue sute of the shippe, and the shippe, or parte of the shippe so perished, or the goodes in the shippe come to the lande of a Lorde, the Lorde shal have that as a wrike of the sea, but if a dogge, or cat, escape a lynne, so the party to whom the goodes belong come within a yeare and a daye, he thal
termes of lawe

shall haue hys goodes, & iour, eit fes byens & ne ferra dit wreke lestatute westm.primo.ca.iiiij.

Voucher is when a precipice quod reddat of lande is brought against a man, & another oughte to warrante the lande to the tenante, then the tenaunt shall bouche hym to warranty, and thereupon he shall haue a writ called summomias ad warrantizandum, and if the shirfe retorne, that he hath nothing by the which he maye be summoned, then ther shal go for the a writte called sequantur sub suo periculo, and when he commeth, he shal plede wythe the demaundant, and if he come not, or if hee come and cannot barre the de
The exposicion &c.

donques le demaun- maundant, then the de-
dant recouera la ter- maundant shall recouer
re vers le tenant, & the land agaunse the te-
tenant recouera tant nant, & the tenant shall re-
deterre in value vers cover asmuch land in va-
le vouche, & sur ceo lue against the vouche, &
il auera vn briefe app.
pel capias ad va-
lentiam vers le vouche,

vide plus de vou-
cher deuauant
titulo gar-
ranty.

Finis.
The olde tenures.

Dholde by knigh{tes service, is too holde by homage, fealty, and escua-
ge, and it dazweth to yt warde mariage, and re-
lief, and know thou that knight service is service of landes or tenementes to beare armes in warre in the defence of the realme, and it oweth warde mariage, and reliefe, by reason that none is able noz of power, noz maye not have knowledge to beare armes before that hee bee, of the age of tri.

And for so muche that the Lorde shal not leele that that of righthe ought to haue, and the power of the realme, of nothing halbe made wike. The law wil bec-
cause of his tender age, 

Enir per seruyce de chiualer est a tener per homage fe-
altye, & escuage & treit a luy garde mariage & reliefe. Et no-
taque service de chi-
ualer est seruyce de terre, ou de tenemets pour armes porter en guerre en defence de royalme, & doit gard mariage & reliefe per la reason que nul est able ne de power & ne puite auer conu-
saunce darmes por-
ter auaunt que il soyt dage xxi. ans. Et pur-
taunt que le seigny-
our ne perdra cco, de droit doit auer, & que la powver de la royalme deryen ne soyt enseeble. La ley voet per cause de son tender age que son feig-
The olde
seignioure luy auera en sa garde tanque al pleine age de luy cest assauoir xxi. ans.

Tenir per grand de serieantie est sicome vne home tyent certeine terres ou tene mentes de roy de daler oue luy en son hostie ou de porter son banner oue luye en ses guerres, ou amesner son hostie ou tel sem blable, et a cee appéte garde mariage & reliefe, sicome il appert en la treatise de gar des & reliefe.

Lozde hym shall haue in his warde till the ful age of hym, that is to say, cxi. yeares.

To holde by grand de serieanty is as if a man holde certain lands or te nementes of the king to goe with hym in hys ho stie, o2 to bere his banner withe hym in hys war res, o2 to lede his hostie, o2 such like, and thereto belongeth warde maria ge and reliefe, as it appe reth in the tretise of war des and reliefes.

To holde by petit serieantie is as if a man hol de of the kinge landes or tenementes, yeulinge to him a kniwe, a buckler, a these of arrowes, a bow without string, o2 other like
like service at the wyll of the first seoffoure, and there belogeth not ward marage ne relyse as it appeareth in Magna charta, capitulo xvi. And mark well that a man may not holde by grando petit serieantie, but of the kyng.

To holde by escuage is by knight service, and there belongeth warde, mariage and relief. And mark well that a man maye not holde by escuage, but that he holde by homage, for that escuage of commen ryghte dra-weth to him homage, as it was iudged by xri.pere of Edwarde the thirde. And note wel, that escuage is a certayne somme

auter seruyce sembla bles, a la volunte le primer seoffour. Et la nappent garde mariage ne relief, come appiier Magna carta Capitulo.xvi. Et nota que home ne puyt tener per grand ser- ieantie, ne per pet- tite serieantie, sinon del roy.

Tenir per escuage est a tenir per seruice de chiualer. Et la app- pent garde, mariage, & relief. Et nota que home ne puit tenir a escuage, sinon que il teigne per homage, pur ceo que escuage de commen droythe treyt a luy homage come il fuit adiudge in ano.xxiv. Edward iiij. Et nota que escu- age est vne certeyne somme
The olde

Iomme de argent, & doit estre lene p le sir de son tenant solog le quantite de sone tenure quat le escuage courage p tout Engl. Et ordeyn est p tout le counsel denglet, que eachun tenant done ra a son seigniour, & cee est appreint pour susteiner la guerre p enter Engleterre & ceux de escocé ou de Galeys, & non pas enter auters terres, pur cee que les auat-dits terres serreront de droit appendaunt a la royalme Dngle-terre.

Tenir per homage auncstrel est, lou ieo & mon auncstours ont tenus de vous & de vostre auncstors de temps dount me-

of money, and it oughte to bee leuyed by the lord of hystenaunte after the quantitie of hystenure, when escuage runnethe by all Englaande. And it is ordene by al the counsell of Englaande what every tenaunt shal gene to his Lorde, and that is propely soz to maintein the warres betweene Englaande, and them of Scoctande oz of Wales, and not betweene other lands, soz that, that those foresayne landes should bee of ryghte belonging to the Realme of Englaande.

To holde by homage auncstrel is, wher zo my auncstors have hol den of you and of youre auncstors from & tyme
mory ne courte, p ho-
mage, fealtie, & cer-
tin rent. Et neest pas
a tener per service de
chiual', et la nappent
garde mariage, ne re-
liefe. Et nota que ho-
mage puit este dyt in
deux maners, cest al-
cauoir, homage aun-
cestrel, et hommage de
fait. Homage aun-
cestrel est, la ou vous et
voisre aúcestors ont
tenus de moy & mes
aúcesters puis le téps
de non memory, per
hommage, fealtye, &
certeine rent. Homage
defait est là, ou
mio enfeoûte vous $$
a tenir de moye per
hommage & rent. Et
entant que cest ho-
mage commence per
mon fayt, il est ho-
mage de fayt.

And note well that ho-
mage maye bee sayde in
two maners, that is to
say, hommage auncestrell,
and homage de fayte.
Hommage auncestrell is
there, where you oz your
ancestors have Holden
of me and myne aunces-
tours after the tyme of
no minde by hommage fe-
laltie, and rent. Homage
defait is there, where I
enfeoûte your self to hold
of me by hommage and
rent, and in so much that
thiss hommage beginneth
by my deede, it is called
hommage de fayt.
Et nota que hommage auncestrel treyty a luy vouch. cest alcauoir garrantie del auncestrels, mes non pas homage de fait.

Tenir per la curte fie Dengleterre est, la vn home prent fée enherite, & ont issue fîts ou file, & la feme deuy, soit la issue mort ou en vie, le barone tiendra cest terre a terme de sa vie per la curtesy Dengleterre et per la ley. Et en cê case le fée & le droit remaint in le persone celuy de que il tient. Et pur cê cest tenât ne puit aliene en fée ne a term dauter vie. Et sil face bien lift a celuy en le reuersion dentre.

Tenure in fée sim-
Tenures

ple est a tenir a aucun hôte ou femme, a luy & a ses heires et a ses assignes pour toutes iours.

Tenir in frank tenure est a tenir a termes de sa vie demesne ou a terme de auter vie.

Tenure in dower est, l'homme inherit prent femme & deuié, l'heire entra & endowera la femme de la tierce partie de tout ceo que fuit a son ba-

Q.j.
The olde

ron en sa vie, en fee simple ou fee taile, & elle tiendra cels terres pour terme de sa vye coe son frâkteneimt.

Tenir a terme dans nest forsy chatel en effet, car nul action est mayntenable enuers le termour quat a recouer de frank tenenimt, car nul frank tenement est in luy. Lesse a terme dans chatel real. Et lauter chatel est tout biens q'est mouuable.

Tenir in morgage est a tenir a certain termi sur condition, q si le dessour paia tant de niers a tel jour que il puit enter, & sinon q lauter eyt fee simple ou fee tayle, ou frankteneimt. Et en chescun casse lou terres ou tenemests font lyse in fee simple oz fee tayle, and the shall holde these lands fo2 terme of her life as her free hold.

To holde fo2 terme of yeares is not but chatel in effecte, fo2 no aypon is mayntenable against y termour, as to the recou ring of that free hold, fo2 no free hold is in him. A lease fo2 terme of yeares is chatell real, and other chatell, is all goodes which is removable.

To holde in morgage is, to holde a certaine terme upon condition, y pf y lesseur pay so much money at suche a daye y he may enter, and if not, that the other shall have a fee simple oz fee tayle, oz free holde, and in euer y e case where landes oz tenementes bee greeuen to
Tenures

To a man to a certaine

term, by condition of

part of the lessor so to

make the lessee to have

more log time or termes,

yet the other doe not as

the condiacion is, the lan-
des and tenementes un-
till the daye that the con-
dicion should be done,

be holden in morgage;

as in a deade gage,

And note well that ye

landes be let to a man in

morgage in see simple or

in see tayle upon condi-
cion, that if the first le-
sour, as is before sayde,
paye so muche money at
suche a day by he may en-
ter, s if not, y the lessee
have the same estate in y
landes, that the lesseour
byd hym graunte at the
begynnynge. And yf be-

fore the daye assygned

Q.iij. le
The olde

le lèssée soit disseis, il
aura assise de nouvel
disseisir. Et en cas si
le lèssée prent feme
et deuie sessie deuant
le iour assigne, la fée
sera endow.

Et nota que si le lessour après le mort le
lèssée ne pays les deniers a le iour assigne,
a donques la feme ti-
endra la dower, &
liisue son heritage.

Et en cas si le lessour
a le iour ass, paya les
deniers al heire de le
lèssée, donques il puyt
oustre la feme, et le
heir auxi de tout le
terre premiermet lessée
Et si un home done
terres a un auter en
le taile, rendant a luy
certain rét per an, &
un enter pur faut de
paymint, le done prent

the lèssée be disseis, hee
shall have assise of nouvel
disseisir. And in case that
if the lèssée take a wyfe
dye setled befo; e & daye
assigned, the woman shall
be endowed.

And note well, that ye
lessour after the death of the lèssée paye not the
money at ye day assigned
then ye woman that holde
her dower, and the issue
her heritage. And in case
the lessour at the day al-
signed paye the monye

to the heire of the lèssée,
than hee may put out the
woman and the heire al-
so, of all the lande firsty
let. And ye a man geeue
landes to another in the
taille, yelbig to him a cer-
tain rent by the yeare, &
one entre for defect of
paimet, the donee taketh
a wife
a lose an dyeth leisled femme & deuy seise
la feme ferra endow.

Et en cas que aprés le rent foit aderere le
donour puit entre & ousta le feme & leur
auxi. Et nota que si terres soyent lesses a
vn home en morgag
en fee sur certain co-
dicions, le lessée alié,
le lesfour ferra charg
de payer les denyers
al alyen & non pas
a son seoffee come il
est dit.

Tenir in burgage est
ta tenir si come les bur-
geis teignent de roy
ou de autre sîr terres
ou tenementes ren-
dant a luy vn certen
rent per an, ou auter-
ment la ou vn auter
home que burgeisti-
ent dalcun seigniour
terres ou tenementes

Q.iii.
The olde burgage rendaunt a luy vn certein rent per am:
Tenir en socage est a tenir dascun seigniore terres ou tenemens re-
dant a luy vn certein rent pur am, pur tous maners des servyces.
Etnota que tenir per socage nest pas tenyr p servyce de chivaler
ne la appent gard ma-
ryage ne reliefe, mes
ils doublerot vn soirs
lour rent aps la mort
lour auncetser solon-
que ceo & soleint pa-
yer a lour seignior &
ils ne serrount ousten
mesure greues. Come
il appierte en la trea-
tise de gardes de reliefe.
Et nota que socage puit estre dit en
trois maners cest aflau-
voir socage en franke
tenure. Socage in au-
in burgage yeldinge to
him a certaine rent by yeare.
To holde in socage, is
to hold of any lord, land;
or tenements yeldinge to
him a certaine rent by y
yeare for al maner servyce.
And note well that to
holde by socage is not to
hold by knights service,
not ther logeth not ward
mariage nor reliefe. But
they shall double ones
theire rent after the dea-
th of theire auncetters,
accondinge to that, that
they bee wont to paye to
theyre lorde. And they
shall not be out of measu-
re greued, as it apperceth
in y treatise of swarde
reliefe. And note wel y
socage may bee sayde in
three maners, y is to say.
Socage in free tenure.
tenures.

Socage in anciet tenure, and socage in base tenure. Socage in free tenure is to holde freely by certaine rent for all manner of service as is before said, and of that the nextest bodye that have the warde to whom the heritage maye not descend, till the age of viij. yeares that is to say, if the heritage come by the part of the fader, they of the pte of the mother shal have the warde & contrarype wise.

And note well that if the gard'ne in socage do make waste hee shal not bee peched of waste, but hee shal yelde accompte to the heir when hee shal come to his full age of cri. yeares, and looke the statute of Marlebrige, capitulo xv. for this cient tenure, et socage de base tenure. Socage en frank tenure est a tenyr fraunchement per certein rent pour toutes manners des services come devant est dit, & de ceo le proscchein amye auera le gard a que leheritage ne purra mye descendre, tanque al age lheir de xiii. ans, cestasflauoir si l'heritage veigne par le parle, le pere, ceux de parte la mere aueront le gard & econtra. Et nota si gardeigne en socage face waite il ne serra mye empeche de walt mes rendra accompte al heire quant il viendra a pleyne age de xxi. ans. Et vide le statut de Marlebrige capitulo. xv. pur cest Q. iiiij. matter
The olde.

Socage de auncien tenure est ceo ou gent en auncien demesne tenoir, que ne soient autre brief auoir que le monstraurent pour eux. Discharge quant leur seignior eux distreine pur faire auters services que faire ne doivent. Et ce brief doit estr' port enuers leur seignior, & ceux tenants teignent touts p vn certain service. Et ils sont fraketenats dauncien demesne.

Socage in base tenure est lou home tyente en auncyen demesne que ne puyt auer le monstraure et pur c'il est appel de base tenure.

Tenir in fee ferme est a tener en fee sim-

Socage in auncien tenure is that wher the people in auncien demesne holde, which be no other wzytte to have than the monstraerunt fo; to discharge the when theyze. Lozde distraineth them, fo; to doe other service that they ought not to doe, and this wzytte oughte to be brought agaynste the lozde, and these tenants holde all by one certaine service, and these be free tenantes of auncien demesne.

Socage in base tenure is where a man holdeth in auncyen demesne, that maye not have the monstraerunt, and fo; that it is called ə base tenure.

To holde in fee ferme is to holde in fee simple vel-
tenures.

Pleading to the lord the value, or at the least the fourth part by year, and hee oughte to doe no other thinge, but as it is coteined in the feoffement, and hee that holdeth in fee ferme oughte to doe sealtie and not reliefe.

To holde in frank fee is to holde in see simple landes pledable at the common laur.

To holde in see base is to holde at the will of the lord.

To holde in pure vil- lenage, is to do all that the lord wyl hym commaunde.

The definition of vil- lenage is villein & bloud, and of tenure, and it ys hee of whom the lord take the redemption to

ple rendant a le seign le value ou la moitie ou al meines le quart part p an. Et ne doyt autre chose faire, mes sicome est conteigne en le feoffement. Et q tient en fee ferme doit faire sealtie & nient reliefe.

Teniren frank fee est a tenir en fee simple terres pledable a la kommen ley.

Tenir en fee base est a tenir a la volunte le seignor.

Tenir in pure vil- lenage est afaire tout e que le seignioure lui voit commander.

La definition de vil- lenage est velleine de fank & de tenure. Et il est de que son seig- nior prent redeption de
Theol.

...
tenures.

And note well, that if a villein purchase certaine land, and take a wife, a alien and dieth before the claque or seisin of the lord, the wife shall be endowed. And note well, that in case that the lord bring a precise quod reddat, against the alien, the which voucheth the warrante the villein which is villeine too, the Lord shall have the vouch, and by protestacion, the lord may sape that notwithstanding this villein, yet his villein ne shal not bee enfranchised. And note well, if a bastarde shall never bee judged villeine, but by knowledge in court of record. And note well, if debt be due by a lord to a
for the lawe is such in fa
vour of liberty, and note
wel, if two have a villein
in common, and one of
them make to him a ma-
numission, he shal not be
made free against bothe.
And note well, that in a
loxit de Natio habedo,
it behoveth that the lord
shew how hee commeth
privy of the bloud of the
villeine of whom hee is
Lord &c. And if hee, not
none of his auncestours
were not seyled of none
of his bloud, hee shal not
wynne by his action, ye
villeyn have not know
ledged in court of record
hym selve to bee his byl-
leen. And note well, that
in a loxit of Niesfe may
not bee put more rieses
then y. & this was firste
bought in the hatred of
bon-
bondage. But in a wy ye de Libertate probanda, may bee put as man ye nyfeEs as the playntyfe will.

And note well that ye the blypleyne of a Lozde bee in aunycen demesne of ye king, or other towne privileged, wythin a peare and a bap, the lord may seyle hym, and if he dwel in the same towne or other place fraunchyzed by a peare and a bap, without leysit of the lord he hath no power to seyse hym after, ye hee go not in extraye out of the fose layde fraunches.

To holde in the tayle is thow a man holde th certeain lands ox tenements a luy
The olde
aluy & a ses heires de
son corps engendres.
Et nota qu'il la terre
soit done a vn home
& a ses heires males,
& il ad issue male, il
ad fee simple, & ceo
fuit adjudged in le par-
lyament notre seig-
niour le roy. Mes lou-
teres ou tenements
fount dones avn hoe
& a ses heires males
de son corps engen-
dres, il ad fee tayle,
& lyssue female ne-
serra my enherite, vt
patet Anno.xiiij. Ed-
vvardi tertij en vne
Assise.

Tenir en le taile a-
pres possibilitie diffu-
extinct est, lou terre
est don a home & sa
femme & a ses heires
de lour ij corps engé-
dres, lu d'eux furuite
to hym and to his heires
of hys bodye begettten.
And note well, yf the
land be geuen to a man
and to his heires males,
and hee hath issue male,
he hath fee simple, and y
was adiudged in y parli-
ament of our le lord the
king. But where landes
or tenements be geuen
to a man and to his he-
res males of his body be
gotten, than hee hath fee
tayle, & the yssue female
chal not bee enheritable,
as it appeareth the in y
yeare of Edward y third
in Assise.

To hold in the taile af-
fter possibilitie of issue ex-
tincte is, where lande is
gen to a man & to his wife
to the heires of their y-
bodyes engendred, and
one of them ouerlyuethe
the
the other wythoute issue betweene them goynge oute, hee shall holde the lande for tearme of hys owne life, as tenant in the taile after possibilitie of issue extincte. And not withstanding that he doe waite, he shall never beim peched of that waite. And note wel if he alien he in y reveresio shall not have awypt of entre in consimile casu. But hee maye enter, & his entre is lawfull per Robertu Thorp chief Justice.

To holde in franke mariage is, to hold in the seconde taile limit in the Statut of westm second capit. And the seoffour shall acquyte the seoffe of al maner of service on to the fifth degree be past and the seoffour shall do luter sans issue entre eux issant, il tiendra, sa terre a term de sa vie demesne coe tenant en le taile apres possibility disfluextinct. Et non obstante q il faë waste, il ne serra jam- mays empeche de cel waite. Et nota fil alye celuy en la reunion nauera briefe dentre in cosimile calu. Mes il puyt entrer, & son entre est congeable per Robertu Thorp chief Justice.

Tenir en frank mariage est a tenir en le seconde taile limit en lestatut de Westm 2 capítulo primo. Et si le seoffour quitera le seoffee de touts man- ners des services tan- que le quart degree foit passe, & le seoff- R.j. four
The olde

all the service and suits
during the saide terme,
and after the heires of y
feoffe shall do it, for that
that the prinitie of bloud
is past. And if he be dys-
trained for service hee
shall haue a loizit of Pel-
ve against him, supposig
that he helde the lands of
him, but he shall not have
the sozeiudgement of it
be not in aduantage of
his issues.

And note well, that
after the lowerthe de-
gree bee paste, hee shall
be attendant of as much
service to the donoure,
as the donoure is atten-
daunt to the Loizde para-
mount. And of hee do fel-
ony for, whiche he is at-
taint, the king shall haue
his lords for terme of his
lyse

foure serra toutes les
services & suitses du-
rant la dyt terme. Et
puis les heires le feof-
fee le ferrount, pour
ceto que le prinitie de
sanke est passe. Et si
soit distreine pur ser-
vice, il auera brief de
mefne enuers lui sup
poftant que il tyent
les terres de luy, mes
il nauera pas le fore
iuudgement si ne soit
en auantage de ses
issues.

Et nota que apres le
quart degré soit passe
il serra attendant des
rants des services a le
donour, come le do-
nour est attendant al
seigniour paramount.
Et si face felony pur
quoy il est attaynt, le
roy auer la terre pur
terme de la vie natu-
lyfe naturall. And after hys deathe, his issue shall inhere, as by force of the tayle. And in thys case, none shall have hys landes by waye of eschete, no more theonne in anye other taile. And in case that the tennaunt dye wythout heire of his body begotten, the lande thall reuerce to the donoure as it should in the commen tayle. And ye a manne let his land to another in franke marriage peldynge to hym a certaine rente by yeare, he thall holde this lande in the commen tayl, and not in franke marriage, for by the rent reserved, these wordes (in liberum matrimonii) be al utterly holden so that the tenoure

ral. Et après la mort, son issu ferra inherite come per force de la taile. Et en cest case, nul auera sa terre per voye deschete, nyent plus q en auter taile. Et en case que le tennaunt deuie sans heir de son corps engen-dres, la terre reuertera a le donour, comme ferroit en le commen taile. Et si home lesa sa terre a vn auter en franke mariage, rendaunt a luy vn etain rent per an, il tiendra cest terre en le commen taile, & nient en franke mariage, car per le renter eserue, ceux parolx, (in liberum matrimonii) fôt tout oustremenl voy des, issynt que la tenure ferra enten-

R.j, dús
The olde

dus solonq la tenure
en le cœn taile.
Et nota que le done
en frank mariaghe ad
condicion annexe a
lui non obstante que
il nest pas expressément
declare en le Charter
del done, vt patet.
Statutum wetlin se-
cond, capitulo primo
de donis conditiona-
libus.
Et nota que hom ne
donera pas terres ou
tenements en franke
mariage, forso que lou
la feme est priuye de
fanke a le donoure.
Quar auterment n'a-
neroit home ne feme
me ascun estat per
tiel feoff est forse a
terne de vie.
Tenir en frank al-
moign est a tenir ter-
res ou tenemts pour
dieu servir & saint ef

Thalbe inted et ter ten-
ure in the common tale.
And note wel that the
gif in franke marrage
hath a condicion annexe
to it, notwithstanding
that it be not openly de-
clared in the deeds of the
gift as it appereth by the
Statut of wetlin second,
Cap.primo, de donis co-
dicionalibus.
And note well that a
man shal not geve lan-
des noz tenementes in
franke marrage, but
where the woman is puz-
me of bloud to the donoz
foz els the man noz the
woman shal have no o-
ther estate by feoff est
but foz terme of life.
To holde in franke
almoigne is to hold lan-
des oz tenementes foz to
serve Godde and holye
church
churche to endow wyth-
oute voyage anpe other
manner of service. And
note well that in this
case the donour is mesne
and oughte too acquyte
him freely against the
chiefe lord, and also they
that holde in franke al-
moigne shall do no fealt-
tie, but they that hold in
franke mariage, shal do
fealtie.

To holde by E legit ys
where a manne hath re-
covered debte or dam-
mage by wrytte against
another or by knowled-
ge or in other man-
ner, hee shall have with-
in the yere againste him
a wrytte Judiciall called
E legit to have execution
of the halfe of all his lan-
des and cattels, except or
en, & beasts of the ploive,
glise dower sans faire
nul auter maner de
service. Et nota que
en cest cas le donour
est mesne & luy doit
acquiter franchement
enuers le chyse seigni-
our, & auxy ceux
que teignont en frâk
almoigne ne ferroyte
fealtye, mes ceux que
teygnount en franke
mariage ferrount fe-
altie.

Tenir per E legit est
lou homead recou-
red dett ou dammage
per briefe deuers vn
auter, ou par conu-
sance ou in auter ma-
nner, il auera deuers
luy vn briefe iudici-
al nom E legit, dauer
execution del moy-
tie de toutes les terres
& chateux, exceptes
boef, & affers a la car
ues tanques le det ou
R.iiij. les
The olde.

tyll the debt or dammages bee utterly levied or payed to him, & duringe the terme hee is tenant by Elegit. And note well if hee bee put out within the terme hee shall have assise of novel disleyn, and after a redissleyn if neede be, and this is gumen by the Statut of Westminster. 2. capit. 17. et auxy per lequitye de mesme lestatut celuy que ad fon estate syl soit ouste auera assise & reddyseissione se befoigne soite. Et auxy fil face les executoures & deuy & les executoures entrount & puis foient oustes ils auercnt per lequitye de mesme lestatut action come luy mesme suidit, mes fil soyt ouste & puis face les executoures & deuy
And note well if he do waste in all the lande or parcel, the other shall have against hym main-tenaunt a whittt judicial oute of the firste recorde called a venire facias ad computandum, by which it shalbee inquired if he have leyed al the money or parcel, and if he have not leyed the money, than it shalbe inquired, to how much the waste amounteth, and if the waste amounteth but to parcel, then almuche of money, as the waste amounteth shalbee abridged of.
The olde.

The foresaid money, which was to be levied, but if he have done more waste then the foresaid summe of money which was to be levied amounteth, the other shall bee discharged by and by of all the layde money, and shall recover the lande, and for the superfluity of the waste made above that amounteth the to the layde summe, he shall recover his damages single, and the same law is of his executors, and also of him that hath his estate. And note well that in an Elegit, if the shirif returne that he had nothing the dye of the reconisance made, but that he purchased lands after the tyme then the partie plaintiff shall haue a new wayt to haue
The same law is of a statute marchaunte. And note well that after a fieri facias a man may have the Elegit but not contrary wise, for so muche y the Elegit is of more higher nature then the fieri facias. And note well that if a man recover by a writte of debe and such a fieri facias and the thirse retourne, that the party hath nothing wher of hee maye make gree with the party, then the plaintiff shal have a capias sicut alias, and a pluries, and if the thirse retourne at the capias mit to bobis corpus and hee have nothinge whereof hee may make gree to y party, he shalbee sente to the prison of the Fleet, &
The olde

tanque il ad fait gree
al partye & si le vic
retourne non est in-
mentus adonques isse-
ra lexigent enus luy.
Et nota que en briefe
de dette porte deuers
perso de sauyt esglyse
nad rien lay de fee
& le vicount retourne
que il nad riens p que
il puit estre som adon
ques fuerat le plaintiffe
briefe al euesque que
il face venir son clerk
& leuesque luy ferra
venir per sequestraci-
on del esglise.
Et nota que si home
porte briefe de dette
& re & face ses exe-
cut & denie ils au-
rount execution non
obstante que il soitie
deins lan per vn scire
facias.
Tenir per lestat mer-
there shal abyde till he
hath made agreement to
the party, & if the shirife re-
tourne non est inventus
then there shal go forth
an erigent agaynst hym.
And note wel y in a wriet
of debt brought against a
person of holy churche,
which hath nothig of lay
fee, & the shirife retour-
neth, y he hath nought by
which he may be commo-
ned, then shal y plaintiffe
shew a wriet to the bishop
y hee make his clerk to
coe, & y bishop shal make
him to come by sequestraci-
iof y churche. And note
wel, y if a ma bzig a wriet
of debt & recover, y make
his executors & dieth, thet
shal have execucion non-
standing y it be within y
pere by a fieri facias.

To holde by statute
mar-
tenures.

Marchante, is where a man knowlegeth to pay certaine moneye to another at a certaine day before the maioz, bayliff, or other warde of any town y hathe power to make execution of the same statute if the oblige pay not y debt at y day, & nothig of his goods, lands, or tenements may be found within the warde of the maioz or warden before saide, but in other places without, the the recioise, thal sue the reconisaunce & obligation to a certifica tion to the channecry un der the kings seale, & hee thal have out of the chancery, a capias to the shirif of y county wher he is to take him & to put him in prison, yf hee bee not a clarke, till hee have made grefit of y debt. And one chaunt est lou home conuist a paier certain denyers a vn auter a certayne iour deuant le maire, baylyye, ou auter gardein dascun ville que ad poyar de faire execucyon de nitatur, & si le oblige ne paya le dette a le ioure asles & ryen de ses biens, terre, ou te neints ne purrot estre troures deins la garde le maire ou gardeyne auantdyt, mes en au ters lieux de hors do que le reconise sera le reconisance & ob ligacion oue vn cer tification al channec ry desouth le seale le roye, & il auera hors de la chanec vn capias al vié de quil couity il é de luy appéd & mett é pris, il ne soit clarke tanq; il ad fait gre de la det. Et vn quarter del
The olde

delan apres ceo que il serra pris il auera sa terre linere a luy mel me pour faire gree a la party de dette. Et il puit vender tanque il est enpryson & sa vende serra bone & loyal. Et si ne face gree deins le quarter dun an, ou si soyt returne que il ne trouve & si ne soit clerk a donques le reconysse puyt auer briefe de la chauncery que est appelle Extendi facias, direct al tout vicont lou il ad terres deux teer ses terres & ses byens a luy & luy seiser en les terres, pour les tenir a luy & a ces heires & a ces assignes tanque le dette soyt leue ou pay, & per cel temps il est tenaunte quarter of the yeare after that, that hee shall bee taken, hee shall have his lande deliviered to hym selfe to make gree to the parte of the dehte and he may sel it while he is in prislon, and his sale shall bee good and lawfull. And if hee doe not gree win a quarter of a yeare 02 if it be retourned that he be not found, then the reconise mai have a writ of the chauncery which is called Extendi facias, directe to al thirles, wher hee hath landes & goodes to him and to seyle hym in hys landes to holde them to him and to hys heires and his assignes, til that the dehte be leuid or payed, and by thys time he is tenant by sta-
concerning the tenure. Nota well, that in the Statute merchant the recognition shall have execution of all the lands which the recluse had in the day of the recognition made, and any time after, by force of the same statute. And note well, that when any waste or destruction is made by the recognizor, or by him that has the estate, the recognizor and his executors shall have the same law as is before laid down of the tenant by Statute and that is by the Statute merchant late made at Westminster.

And note well, if the tenant by Statute merchant hold over his term, he may have right may be a gave him a venire facias per lestatut merchant.

Et nota que en lestatute merchant, le reconisnée au era execution de tous les terrres que le reconisfors auoit iour de la reconisfance fait, & vn que puis per force de mesme lestatute, 

Et nota que qui ad tant ascu wast ou destruction est fait per le reconissee ou per celuy qui ad so estate le reconisfors & les executors auront mesm la ley com est suisdyt de le tennaunt per E legit, et cee est p lestat merchant darreine fait a westm.

Et nota si tennaunt per lestatut merchant tient ouster so terme celuy qui ad droit pu it fuer enuers luy venire facias ad compu radum
The olde
ad computandum, or els
enter by and by.

There be three manner
of rentes, that is to say,
rent service, rent charge
and rent secke. Rent ser-
vice ys, where a manne
harceth of another by fe-
alty, and so to do suite
to his court, and yielding
to him a certaine rent by
the yeare for all manner
of services.

And note well, that ye
the Lord bee seised of the
service & rent before layd
they be behind, and he
distraigne, and the tenant
rechue the dysterne, hee
mawe haue asylme, or a
writte of rescoues, but it
is more necessarie for
hyn to haue asylme than
a writte of rescoues, for so
muche that by asylme hee
shall recouer his rente &
his
his dammages, but by a writ of Rescous, he shall not recover but of thynge and the dammages.

And note well that if the loode bee not seyed of the rent and servyce & they bee behynde, and hee distraine for them, & the tennant take againe the distrayne, hee shall not have amisse but a writ of Rescous.

And note well that if the Lord distraine his tennant in socage for knigh tes service which is not with layve of hym, and auow for the same service in course of recorde, hee shall bee charged by the same service by [Fynche termine] Hilarij Annxlvi.

And note well that if the Lord may not mes per cest briefe de Rescous il ne recone rames les reprises & les dom. Et nota que si le seigniour ne soit my seylye del rent & seruice, et ils sont a- derere, & il distreyne pur eux, et le tennant reprent la distresse, il ne puyt nyce auer assisse, mes brief de Res- cous. Et nota que si le seigniour distrein fon tenant en socage pur seruice de chiu- ler quel nest dedit de luy, & auowe pour mens les seruices en courte de recorde, il serra charge per tyels seruices, per Fynche termino Hillarij Annxlvi.

Et nota que si le seigniour ne puit my trouer
The olde synde a dystrèsse by two yare, bee shall haue a-
gainst the tenant a writ of Cessauit per bienniū
as it appeare the bye the statute of Wexfr. 2. cap.
21. Et si le tenant de-
ic en mesme le têps
& son issīue entre, le
feignyour auera vers
lissūe brief dentre sur
Cessauit, ou si le te-
nauant alien le feigni-
our auera vers lalien
lauantdit briefe, Mes
si le feigniour ad issū
& deuīe, et le tenant
foyte en arrerage de
dit rent & seruyces
de le temps le pyer
del issūe & nemy en
temps del issūe, il ne
puyt mye dystreyne
pur arrerage en têps
son pyer, & il naue-
ra aucun auterrecou-
re vers le tenaunt ou

truer dystrèsse per
deux ans, il auer vers
le tenaunt bryese de
Cessauit, Per bienniū,
vt patet per lesta
tut de westm. 2. cap.
21. Et si le tenant de-
ic en mesme le têps
& son issūe entre, le
feignyour auera vers
lissūe brief dentre sur
Cessauit, ou si le te-
nauant alien le feigni-
our auera vers lalien
lauantdit briefe, Mes
si le feigniour ad issū
& deuīe, et le tenant
foyte en arrerage de
dit rent & seruyces
de le temps le pyer
del issūe & nemy en
temps del issūe, il ne
puyt mye dystreyne
pur arrerage en têps
son pyer, & il naue-
ra aucun auterrecou-
re vers le tenaunt ou
any other, so that the rent service is to the which be longeth sealty, but to the charge & rent seck belongeth not sealtie, but it be longeth to the service of comenz right.

Rent charge is where a man graunteith certaine rent going one of his lands or tenemets to another in fee simple, or in fee taile, or for terms of life by deede by po condici on, that at what day that the rent be behinde, it shall be well lawful to the gratee or his heires or assignes to distress in the same lands or tenemets. And note wel, that if the rent be behind, it is well lawful to the gratee by electio

ascout autre pour ceo que tiel adivantage est done pur le leyal tenuant. Et nota que rët service est, a quel appent sealtie, mes a rët charge & rent secke ne appent, pas sealtie mes il appent a rët service de commen droit.

Rent charge est, lou home grant certeyne rent ibant de ses terres ou tenemets a vn auter en fee simpl'ou in fee taile, ou a term de vie p'fait sur condicion, que a qi heure que le rent sofit aderere, byen liiria a le grant ou a ses heirs ou assignes a distrein en m'lateres ou tenements.

Et nota que si le rët sofit aderere, bëliita la grant per election S.i. auer
The olde

auer brief dannuitie, to have a wryt of annuity, or else he may distress, and if the distress be taken againste his will from hym, and he was never seyed before, he hath noe recoverye, but by wrytte of Rescoues, for the distress firste taken, geue the not to him seynd, but if he happe the rente before, for if he were seyed of the rente before, and after the rente bee behinde, and hee distress, and rescou to him bee made, hee shall have astise, or as a wrytte of Rescoues.

Et nota que en chelcuelle astise de rente, & en bryeфе de Annuity, souvent a celuy que port bryeфе de monstre auaunt especialtie; ou autre-
Tenures

ment il ne mayntey-nera as, mes en mort
dauncestour ou For-medon en la descen-
der, & auters briefes
en les queux title est
don ou cópris de rét
charge ou dannuell
rent, nest my beloign
de móstre especialtis.

Et nota sé si hœe grate
rent charge a vn aut-
ter, et le grantee pur-
chase le moytis de la
terre dounz le rent est
issant, tout le rent est
extinct. Et si le grâte-
tee releffe a le grant tout
pcel de la rent, vnç
tout le rent nç extinct
Mes en rent service,
non obstante sé le lit
ad la moitie purchased de la terre, dounz le
rent est issant, vnç le
rent nest pas extincte
forç qu'a la moitie, &
la cause est de diuer-

S.ij.
The olde

sitie,pur ceo que rent seruice puit estre seruere a vn person,mes nemy rent charge.

Et nota si rêt charg soit grant a deux ioitment,& lun release,vncore lauter auera la moitie del rent.Et auxi si lun pourcual le moitie de la terre dont le rent est issant lauter auera le moity del rent de son com-paignion.Et si le dis-seilor charge la terre a vn estrangue , & le disseise port lassiste & recouer le charge est defeate.Mes si celuy qui ad droith,charg la terre,& vne estrange fait vne faux actyon enuers luy que nad droit & recouera per def.le charge demur ra.Et nota que en cas that, that rent* servyce maye bee seuered to one personne, but not rent charge.

And note well that if rent charge bee graunted to two jointlye, and the one release yet the other shall haue the halfe of the rente.And also if one purchase the halfe of the lande whereof the rente is goinge oute, the other shall haue the halfe of the rente of hys companye.

And if y disceilor charge the land to a straunter, and the disceiser being al sife & recouer, the charge is defeated. But if hee y hathe righte, charge the lande, and a straunger fain a false actiō agaynst him & recouer by defaut, the charge abybeth. And note wel, that in case the pur-
que vn purpartie foit parente deux par- ners & puis terre soit allot a lune, que a lau ter, & celuy que ad plus de terre charge fa terre a lauter & el happe le rent, el main ténera assise sans espe cialtie, et si le graunt lauoit en fee simple, ou en fee tayle, & ad issue & deie de lyssue porte vn formedone, ou assise de mortdaunce cester il ne sera jam- mes charge de mòstre especialtie.

Rent secke est lou hée tient de moy per hommage, fealtie, & au ters services rendaunt a moy vn certaine rent per an, & ieo graunt cest rent a vne auter referuant a moye le seruyce.

S.iij.  Et
Et nota que en rente seke si hoe soyt seise del rent, & le rent soit adere il ne puit my diestreine mes il auera Alysse de nouel dyflyseine.

Et nota que si rente seck foit graunt a vn home & a les heirs & le rent foit adere & le grantor deuie lheir ne purra mye diestreiner, nemye recouera le arrerage de temps fon pier, si come est auantdit en rent service.

Et en meisme le man est adire en rente charg ou annuel rent. Mes en toutes les rentes auantdites lheyr purra auer pur arrerage en son temipes demelne tel auantage come auoit son pyer en fa vic.

And note well that if a man be seised of the rent, and the rent bee behind the bee may not distrayne, but he shall have attise of nouel distreisin.

And note well that ye rent seke bee granted to a man and to his heirs, and the rent bee behind, and the greater may not distrayne, nor shall not recover the arrears of the time of his father, as it is before lайд of rent lerpurpe.

And in the same manner it is to lайд of rent charge, or annual rente. But in all these rentes before laid the heire may have for the arrears in his owne tyme suche auantage as hys father had in his life.
And note well that in rent seeke ye a man be not seised of the rent, but bee behind he is without recovery, for that ye it was his owne folly at the beginning when the rent was grantned to him, or released, that bee took not seisin of the rent as a penny or a pence. And note well ye a man may not have a censuit per biennium or another unit of entre sur censuit, for ye rent seeck behind by ye one, but they may all one by rent service as it appeareth in the statute.

And note well that in rent seeck it behoeth him that sueth for ye rent seeck, for to the we a deere to ye tennaunt, or else the tennaunt shall not bee changed of the rente, but where the
The olde.

Le rent lecke fuist rent service adeuante, 
\( \text{c} \)e en celt case, seignior, mesne, 
\( \text{c} \)e tennant & chescun deux tyente 
dauter per hommage & fealtie & x.s. de rent 
le seignior paramont 
purchase les terres ou 
tenementes de le 
tennant, tout le seigno-
ry del mesne, for que 
pris le rent est extinct 
Et pur cest cause cest 
rent de deuenus re t fek 
& le rent service cha-
unge, car il ne puit 
ditr pur cest rent. Et 
en celt case celuy qui 
damaunde le rent ne 
serra ilames charge de 
monstre fait. Auxi en 
brieve de mortdanne 
sfer ayll ne besaile 
de rent leck il ne be-
soigne monstre espe-
cialtie pur que celt 
briefes de possesion 

Rent lecke was rente ser-
vice befor, as in this 
case, lord, mesne, and te-
nant, and evrye of the 
holdethe of other by ho-
mage fealtic, and r. s. of 
rent, the lord paramont 
purchaseth the landes oz 
tenementes of the te-
nant, al the seigniorpe 
of the mesne but the rent 
is extincte. And for this 
cause this rent is be-
come rent lecke, and the 
rent service changed, for 
he may not distraine for 
this rente, & in this case 
he that demaundeth the 
rent that never be charg-
ed to shewe a decede.

Also in a wytte of 
moreauscetteoure, ayple, 
& besaple, of rent lecke 
it needeth not to shewe a 
specialtie for that, that 
these wyttes of poctellio
do comprehend one title within them selfe, that is to say, that your ancestor was lesse of the same rent and continued his possession, by cause of which seizin the law supposes that it is also aurable by the countree yet looke, for some supposeth that it becouneth of necessitie to shewe forthe a deed for that that rent secke is a thing againste comen right as well as rent charge. But in all of nouell disseisine in a writte of entre sur disseisin brought of rente secke, it becouneth of necessitie to shewe forthe a deed for that that rent secke is a thing against a comen right, except in some case before saide where it was rent service before.
The olde tenures.

Et assise de nouvel disseisin, brief dentre sur cessait ne conteygne deins eux nul title, mes supposent vn disseisin estre fait a le pleintife. Et dentendement le ley, la disseisin ne done nul cause dauerment enconter comen droyt, mes de fine force il monstre auuant especialtie.

Suit seurice est a ve nir a la court de iii. se maigines en troyes se maigines p an entier & pour cec ferra hoe distr & nyent amer cye. Suit real est a venir a la court del leete & c nest forsoy deux foits en an, et pur cec home ferra amer cye & non pas distrayne.

Finis.
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