A
LAW-DICTIONARY
AND
GLOSSARY,
Interpreting such Difficult and Obscure
Words and Terms,
As are found either in
Our Common or Statute, Ancient or Modern,

L A W S.

With References to the several Statutes, Records, Registers,
Charters, Ancient Deeds, Manuscripts and Law-Books,
wherein the Words and Terms are used.

By THO. BLOUNT, of the Inner-Temple, Esq;

The Third Edition.

Near Three thousand Words, Collected from
all the Laws of the Saxon, Danish and Norman Kings:
And from all the Ancient Books of the Common Law,
from the Monasticon Anglicanum, Du Fresne’s Glossary,
Chronicon Saxonicum, and the Volumes lately published
by Dr. Gale.

ALSO
An Explanation of all the Ancient Names of the Inhabitants, Cities,
Towns, Villages and Rivers of GREAT BRITAIN.
Collected formerly by Mr. Camden and others, and necessary for Understanding
the History and Laws of this Realm.

By W. NELSON, of the Middle Temple, Esq;

In the SAVOT:
Printed by Eliz. Nutt, and R. Gosling, Affignees of Edw. Sayer Esq; for D. Browne,
J. Washoe, J. Nicholjon, B. Tooke, D. Midwinter, B. Cowle, M. Wellington,
TO THE
READER.

IT was the Opinion of the greatest Lawyers of the last Age, (particularly of Sir Edward Coke) That a Dictionary explaining the Terms of the Law, would be very useful to the Students of the Common Law, and others; to the End, that the Explanation of the ancient Words, and the true Sense of them, might be understood per verba notionis. Coke on Litt. fol. 106. b. & 325. a.

THERE was but one Book of that Nature then extant, Entitled, The Terms of the Law, which, according to my Lord Verulam's Opinion in his Proposition touching the Compiling and Amendment of the Laws of England, was at that Time but indifferent (though since in later Editions very much augmented and improv'd) and that made him wish for a better; whereupon should be comprized, not only the Exposition of the Terms of the Law, but of the Words of all antient Records and Precedents. Such an Intimation from a Man of so great Judgment and Learning, might probably incite Dr. Cowell, to compile and publish his Book called The Interpreter; which at first was in so much Esteem, that my Lord Keeper Littleton used it for a Common-Place-Book: And yet Mr. Blount tells us 'tis very defective; for he, by the Assistance of some Books which were published since the Doctor wrote, and by a constant Application to this Study, hath compiled a Law-Dictionary, with an Addition of above Fifteen hundred Words.

TIS true, he hath so far complied with my Lord Verulam's Wifh, as to explain some antient Words; but he hath omitted more than he hath explained; for, wanting the help of several Books which have been lately published, I may say of him as he did of Dr. Cowell, that his Book is useful pro tanto.

HE who carefully peruseth all the Saxon, Danish, and Norman Laws published by Brompton, Lambard, and others; and all the antient Books treat-
To the Reader.

resting of the Common-Law, as Bracton, Fleta, Glanvill, &c. will find them very difficult to be understood without the help of this Dictionary; for the \( \text{Jus Anglorum} \) of the Saxons, the \( \text{Danelage} \) of the Danes, and our Common Law, which from thence was collected by the Normans; are all delivered in very abstruse and uncommon Words; as for Instance, in Leg. H. r. we read, \text{De quibus inquis, implicatior aliquis, Furch &... Ero} \) baleat; that is, \text{Let him have Time to advise; which we now call an} Impe
darlance; and where the Latin is plain, the Sense is obscure; as in the same Law; \text{In aliis querat accusatus consilium, i.e. diem consilii, or a Day} to be advised what to plead.

THIS made a Third Edition of a Law-Dictionary necessary; and for that purpose I have perused all the Books mentioned both here and in the Title-Page, and many more; and particularly Ingulphus, Eadmerus, Matt. Paris, Matt. Westm. the Decem Scriptores and others, and confined myself chiefly to explain such Words and Terms as may conduce to the understanding the History and Laws of this Realm.

AND because we have the Opinion of another great Lawyer, Sir John Dodridge, in his English Lawyer, fol. 75. that Etymologies, if they be rightly used, and drawn from the Final Cause, or from the Effect, do not only yield an Argument of good Consequence, but also afford Illustration and Delight; and knowing that many of our Laws and Customs proceed from a Saxon Original, I have carefully examined every Word which is derived from thence, either by Mr. Somner's Lexicon, or by Mr. Benson's Thesaurus Saxoni-
sus lately published, and have corrected those Mistakes which are in the former Editions; so that according to the Opinion of that Lawyer, I have made this Edition not only necessary but delightful.

Adver-
Advertisement.

To the end the Reader may readily know the Series of our Kings from the Conquest, and, for the most part, in what King's Reign a Charter without Date is made, by its Title; and again, in what Year of our Lord every King reigned, and how long, I have prefixed a necessary Table to that purpose.

I have also given such of the Saxon Characters, as are different from the Common English; since, through the want of some knowledge in that Language, Authors have committed many Errors; the Word Grefume being by some mis-written Grellume, by others Carflume, by others Groflome, and by some Greffume. Gretchbre, which occurs in some, Gethbreche, Grichbrick, Greatbreach, Grichbreach and Greachbreach; So for pren and pitc (Were & Wite) we meet with Penc and Pitc, and the like of divers other Words.

BEFORE the Conquest, Charters were usually dated; sometimes by Olympiads and Indictions; sometimes by Calends, Nones, and Ides; but most frequently by the Year of our Lord. After the Conquest, Dates were commonly omitted, especially in the Deeds of Subjects, till the latter end of King Edward the Second's Days; and thenceforth the Year of the King's Reign, or that of our Lord, was constantly inserted: So that Deeds, made since the Conquest, and found without Date, may be presumed to be in Time before that King's Reign.

WITNESSES Names were added in the Body of the Deed, and with the same Hand that wrote it, till King Henry the Eighth's
ADVERTISEMENT.

Eighth's Time; but now changed into Indorsements, where the Witnesses subscribe their own Names. Yet I have seen an Indenture, dated 32 Hen. 8, which neither had any Subscription of the Parties Names, or any Witnesses within, or Indorsement without, it being only Sealed by the Parties to it.

ADDITIONS to Persons Names in publick Writings and Pleadings, and the Places of their Residence were very rarely inserted, till the Statute of 1 Hen. 5.

IN my Progress, where any ancient Charters or Records were judged to be extraordinary, either for Matter or Form, I have transcribed them as large, but the generality are abridged, to avoid Prolixity.

I need not apologize for the Latin, where it occurs, since both in ancient, as well as modern Times, our Law-Pleadings, Charters and Records were always expressed through Latin, which is acknowledged not to be of the purer sort; And the Diphthong Æ, of old-frequently used, I have now supplied.

TO some Words I have added the various lectiones I met with, as Churchester, Hennethynche, Latvite, Stavage, Pannage, Ualce, &c. To others, the Etymons, which sometimes proved more difficult, in that divers of our Law-Terms, or Words; since the Conquest, are voces hybridae, mungrel Words; Saxon, or French Latiniz'd, as Carecta from the Sax. ceca, a Cart; Bracheta, from the Fr Brachet, a Brache, or Birch-bound; Marectum from the Fr Mareç, Marsh-ground; not without a Mixture sometimes of British and other Languages.

THE Records and Charters, I cite, were for the most part copied from the Originals; some from printed Books of unquestionable Authority; and others, from the Collections and Manuscripts of faithful and industrious Lovers of Antiquity.

The Saxon Characters which differ from the Vulgar:

- G L D S F T D O R T F T Y S T F
- E G T h d f H m r t w w y th th and that
# A Titular and Chronological Table of our Kings and Queens from the Conquest, to the Year 1717.

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<td>8 Henricus, Dei gratia, Rex Anglie &amp; Francie, &amp; Dominus Hiberniae.</td>
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**Carmen Technicum**

Regnum Reginarumque Anglia.

A Law Dictionary: Interpreting

Such difficult WORDS and obscene TERMS,

As are found, either in our Common or Statute,
Ancient or Modern,

LAWS.

AB A B

A.

13. In the beginning of any place coming from the word Abbey, and signifies, that either the place belonged to some Abbey, or that an Abbey was founded there.

Abadon (Abolition) were rentlers of Cattle or Beasts, by Herds or great numbers; and were distingalued from Forstis. Nam qui venam amam foreprop. at loco sectorem, quas gentem, at abadon. M. S. Tis derived, of abadinis for when Cattle are sold, they are certainly driven away:


Abatia, i.e. Ablution. It properly signifies a Table on which Durt was shewed, where the Ancients made their Characters, Liberatam actione peritus, duceo puncto et lentes textum curam peritus. Knighton lib. 1 cap. 3.

Abastare. To discover to a Magistrate an offence committed secretly. Sax. Abatian, manifestare: Si homo facit in dicto, dictum abastare, et secit auctum abastare, St. Leges Antonii, cap. 104.

Abatissae, inabliss. in abliss. in abliss. who has to large a Belly, that tho' in full it will not burst. Abate (from the French abater or obster, i.e. To fell, break down or defeat utterly) signifies properly, to diminish or take away; and in our Law writers it has a like Signification: For to abate a Case or Forfeit (Old Nat. Br. sec. 45) in Woffin 1 cap. 37 is interpreted to beat it down. And to abate a Writ, is to defeat or overthrow it by some error or exception. Britton, cap. 48. As he that puts out the Pollstar is said to abbreviate, so he that steps in between the former Pollstar and his Heir, is said to abate. And in the Stat. De canonibus Peisec. 24. O. The Writ shall be abated, that is, shall be disabled or overthrown. So in Stannusford's plea of the Crown, fo. 145. The Appeal abated by Cotin, i.e. The Accident is defeated by Decret. Ann. 11 Hen. 6. cap. 2. The Saffrins shall come to be abated and qualified the said Writ. See Integutan.

Abatement (Fr.) sometimes used for the Act of the Abhorer, as the Abatement of the Heir into the Land, before he has agreed with the Lord. Old Nat. Br. fo. 91. Sometimes for the Affection or passing the Thing abased, as Abatement of the Writ. Kitchin, fo. 214. And in this Signification it is as much as Exceptio dilatoria, with the Cistinas, Brit. cap. 91., or rather an effect of it: For the Exception alleged and made good, works the Abatement. And this Exception may be taken, either to the Insufficiency of the Matter, or Insufficiency of the Allegation, by miming the Plaintiff, Defendant, or Place; to the Variance between the Writ, and the Specialty or Record; to the Inscrutability of the Writ, Count, or Declaration, or to the Death of either of the Parties, before Judgment had, and for divers other cases: Upon which defaults, the Defendant may pray, That the Writ or Plaint may abate; that is, the Plaintiff's Suit against him may cease for that Time: To prevent the Abatement of Writs of Error, see the Statute of 16 Car. 2 cap. 2. Sir Edward Coke says, Absentatum is a word of Act, and signifies an Entry by Interposition. On Lit. fo. 277, where he shows the Difference between Absentatum, Diffezn, Intrumen, Defection, Equitazione, and Paraprote.

Abatissar, i.e. diminished, moneta abata. Is Money chipp'd or diminished in value: So tempus jubianum fuerit abatada for deterioriori, charta Simons, comitis Lancastria, Ann. 1099. De Cutis in serbo.

Abated. Ang. terrified, from the Fr. Ehaber, attention redire.

Abay to Abey, Ye shall sole Abey it, i.e. you shall
shall suffer great pain, or you shall pay dear for it:
From the word boy, the initial Letter A being said.

Abbath (abbais) is the same to an Abbay, as Bishopprick to a Bishopp: We may call it his Paternity.


Abbath or Abbay (Abbas Sax. Abbatu) A Spiritual Lord, that has the Rule and Preeminence over a religious House. He is by Julianum tertium Arch- manarius, by others Consistoria vel Archimanochion. Of these, none in England were minted, some not. The minted were exempt from the Jurisdiction of the Diocesan, having Episcopal Authority within their Precincts, and being also Lords of Parliament, which were called Abbay Sovereigns (Ann 9 Ric. 2, cap. 4, and others generally) to which fact were sub- jected to the Diocesan in all Spiritual Government. And as Abbay, so were there Lord Priors also, who both had exempt Jurisdiction, and were Lords of Parliament, as appears by Sir Edw. Coke, de Trea Rict, fol. 33. Of which Lord, abbay and Prior that sat in Parliament, some authors reckon but Twenty- six; Sir Edw. Coke says they were Twenty-seven Abbay, and two Priors (On Edw. Salk., f. 37.) In the Par- liament to Ric. 2. there were but Twenty-five Abbay and two Priors. But in the Summons to the Parliament at Winton, Ann. 3 Edw. 3, (in Devo- laf, ejusdem Ann. Mentem, f. 1) I find more named, to which I have added the Founders out of the Angli- fonh Megaliston.

Abbath and Priory. Founders Names.


5. Abbay of Evelham. Egwern Egwern, Wiger. 756. To which were afterwards added


Abdul: See Abdon. Abdito, a Town in Westminster.

Abdith (Ann 31 Hen. 8, cap. 13.) See Aboab. Abdumament (Abdumamentum) the buying up whole Wares, before they are brought to Market, or out of the Pair or Market, and selling the fame by Retail. M. de Elpham, teram Ricta Ed. 3, penu 5th. 1267.

Abduallah. Appley, a Town in Winitersland.

Abdath (Ann 31 Hen. 8, cap. 13.) See Aboab. Abdumament (Abdumamentum) the buying up whole Wares, before they are brought to Market, or out of the Pair or Market, and selling the fame by Retail. M. de Elpham, teram Ricta Ed. 3, penu 5th. 1267.

Abduth. See Abdon. Abdur, a Town in Yorkshire.

Abduttats (from the Fr. abduttat or abuttat, i.e. terminare) are the Buttins or Boundings of any land, East, West, North, or South, declaring on what other Lands, Highways, or other Places it does about: As in Goffe's Reports, 2 Parts, fol. 184. The Plotters hath fall'd in his Abuttats, that is, in setting forth how the Land is abuted and bounded. Latera autem nonnumquam abuttatur; sed terrarum praesum- min adiuvante—These (Esus Candida) that have written of Limitus, say, That certaine Hills or Piles of Earth, which they termed Bontatines, were set in Limits. Hence pradocument our Butterings and Boundings.

Abdriminator, A Chief in which Religions were kept; is mentioned in the Magna Charta, reg. 173. liam cum Goff. & non ponit Deo ut nota eum ar- gento decorata, sive cruce Abdittari. &c.

Abdreh is an old Word, and it signifies to be furnished, from the Fr. abhérer, to feed.

Abderamurin. See Abdonurham.

Abel; i.e. Humble, from the Fr. Abferrer, to deprive, hence we derive the English words Abof and Bof.
youth may read in De officiis Ciceronianum, and in Horae's Mirror of Fancies, lib. 1. cap. Del Digit de Corone. Quando alius abjuravit regnum, Cruz el librator fuit in manu sum potens in hisseri lac piemina regis, & postulato carthum, & abjurationem regnum, sed etiam 2 Ed. 5. But this grew at last to be but a perpul
tual conning the Offender to some Sanctuary, wherein, upon abjuration of his Liberty and free Habitation, he would choose to spend his Life, as it appears Ann. 21 & 2 Ed. 28. That hereafter no Sanctuary, or Privilege of Sanctuary, shall be allowed; and consequently Abjuration is taken away. 2 inst. lib. 625. See Sanctu
cy. Robertus de Taillefer de Despoti, qui in effe
sus fuit ab abdyngdon, refereb pro mortuo ibidem curas, ferret & fugit ad Exclusum de abdyngdon, & subdum cognovit in eum tempore; & abjurationem Regnum coram Cor
gentibus. & Anno 14 Ed. 1. Abjuration, Curs mowed or raped.

Abhorritus, 'tis mentioned in Petrus Blisicinius Serm. 18 & 42, & signifies one who is Blind.

Abjachment (Anno 25 Ed. 8. cap. 21.) A discom
ing or putting out of Memory; inhuman abuse of per
tớ. The Leave given by the King or Judge to a criminal Accuser to defect from further Prosecution,
A bridge (from the Fr. Abrier) to make shorter in words, holding full the whole Substance; but in Law it seems to signify, for very short, or for maiming, or for
ing a Declaration or Count shorter, by subtraducing, or a Fewing some of its Substance. For example, A Man is laid to abridge his Plaint in the Court of a Woman her Demand in an Action of Debt, that hath
put into the Plaint or Demand any land, not in the Tenure of the Tenant or Defendant; and if the Tenant pleads Non-tenua, or such like Plea to par
cel of the Land demanded, in Abatement of the Writ; the Demandant may abridge his Plaint or Demand to that parcel, that is, he may leave out that part, and pray the Tenant may answer the Writ, to which he has not yet pleaded any Thing: The cause, is, for that in such Writs the certainty is not fixed down, but they run in general. And the
Demandant hath abridged his Plaint or Demand in Part, yet the Writ remains good full for the rest.

Absetzamentum, The buying Goods by Whole
sale before they are brought to the Market, and selling them again in Parcels. See Absetzamentum.

Abjouget (Abouge) to disseale, take away, or rep
peal, as to abrogate a Law, &c. To lay aside or repele it, Ann. 5 Ed. 6. cap. 3. See Prerogue.

Abjurantes or Dts Abjurate, was a Parlia
ment so called, held at Dublin, 1 May, 1698. And mentioned in Letter to Pepys, Dal. 29 H. 5. See Coke's 4 Inf. fol. 274.

Abjurate, a Word used by the English Saxons in the Oath of Fealty, and signified to man or avoid, viz. Veio ef Domino meo B. fidei & credibilitis, & endorsement quasi susto & Abjurate quasi afo
niet per Deo robun. De Gene. Abjurate. See Abjurate.

Ab, some Words which begin with Ab, are de
rived from the Sax. Aeb, which signifies an Oak.

Abjuration (Abjuration), a Forebearing or renon
cing by Oath; a sworn Banishment, or an Oath taken to forake the Realm for ever. For as Stan
dford (Pl. Or. lib. 2. cap. 40.) faith, the Devotion to
wards the Church of Edward the Confessor, Time, and afterward till 22 Ed. 8.) was so zealous, That, if a Man, having commited Felony, could recover a Church or Church-yard, before he were apprehended, he might not be then drawn to flee from it to save his Life; nor might any of the judges, at their coming, or to the Coroner, and before them or him, give his oath finally to forake the Realm: The Form and effect

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tem, i.e. emendato, excusato) signifies to encourage,
icite or fet on. The Substantive Abatement is used for
an encouraging or infigration. Steadfast. Pl. Or.
ged. 105. And Abteror or Abtror for an Infigator or
aker on. See Steadfast, Pl. Or. ed. 105. But both Verb
and Noun are always used in the evil Part: As
abterors of Murder are those that command, council,
or maintain others to murder: And in some Cales
such Abterors shall be taken as Principals, in other,
but as Accessaries, and their Preced or Abtror at
the Deed-doing makes a difference in the Cafe.

Abterator, an Abtror. See Abter.

Abtrant or Abtrants, (from the Fr. Boyers,
. To gape after, or expect; as those are said, Boyer a Vargant, qui se voit en arrêter incamor rena
e Litt. tom. 2. cap. Afirmamenc, Sena. 75. It is thus used. The Right of the humble pie in Abeyance, that is, as limit
ism interprets it, only in the Remembrance, In
tendment and Consideration of the Law. Sir Edw.
Coke calls it in remus Legis: The Frank-tenement of
the Glebe of a Parsonage is in no Man, during the
Time the Parsonage is void, but in it is Abeyance.
And it is a Principle in the Law, That of every Land
which is in the Abeyance, the right of the same is
the King. Considering this with the Signification of the French
word, it is probable our ancient Law-Books signify
by here a kind of hope or longing expectation; be
cause the holders of the things that are in Abeyance, though
for the present they have no Man, yet are they in hope
and expectation belonging to him who is next to enjoy them.
For I find also in the French, that Bayard is A Man that
gapes or gazes earnestly at a Thing. And this Abeyance may be compared to that which the

Abjurate, for Abjurent, signifies a Chief who
hath from many Cattle, viz. Si quis fuerit put for
cries, &c. Se qmmm Alagineus erit. Bras. l. 5. c. 6.

Abjuration, another Abjuration, a Town in Berk
shire, so called from after Crys, King of the Weft
Saxons, built an Abbey there: for before that
Time it was called Clegisara, alias Clegisara, where
the famous Council was held: The old Book of that
Abby tells us, Hi sedet Regia; hi cum de Reg.
pretiorum et armis ubatur. Utterum negat excusa fetus
putus, &c.

Abjuration (According to Ruffa's Expedition)
it be of quiet of Amercements before whomsoever, for
Transumption proved. The word originally signifies a Forleure, or an Amercement, and is
most transform'd in the Writing, since more pro
bably it should be Mysterfiring, Mysteruring or Mysker
ring, according to the learned Spennon. It signifies by
some Authors to signify a Freedom or Liberty; because
that has this word in any Charter or Grant, has not only the Forleures and Amercements
of all others for transgressions within his Fec.
burato is himself free from all fisch Tont, by
any within that compass.

Abjuration (abjurate) a Forbearing or renoun
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forake the Realm: The Form and effect

you may read in De officiis Ciceronianum, and in Hora's
Mirror of Fancies, lib. 1. cap. Del Digit de Corone. Quando alius abjuravit regnum, Cruz el librator fuit in manu sum potens in hisseri lac piemina regis, & postulato carthum, & abjurationem regnum, sed etiam 2 Ed. 5. But this grew at last to be but a perpul
tual conning the Offender to some Sanctuary, wherein, upon abjuration of his Liberty and free Habitation, he would choose to spend his Life, as it appears Ann. 22 & 7 Ed. 28. That hereafter no Sanctuary, or Privilege of Sanctuary, shall be allowed; and consequently Abjuration is taken away. 2 inst. lib. 625. See Sanctuary. Robertus de Taillefer de Despoti, qui in effe

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and refuseth. And by the Statute of Wills 2.
sec. 1. if the Acceptance be found to be arrear, the
Auditors that are signified to him, have Power
to award him to Prinon, to remain till he makes
Agreement with the Party. But if the Auditors
will not give to him, to bear a reasonable Expenditure
and Cost, or if they charge him with more Receipts than
they ought, his next Friend may sue a Writ Ex parte
sine out of the Chancery, directed to the Sheriff,
to take four Penitentiaries, to bring his Body before
the Barons of the Exchequers, and to warn the
Lord to appear there at a certain Day. See Eisdem.
Acquiesce (French) Agreement, Concordance, Con-
tent. Particularly it is an Agreement between two
or more, where any Person is injured by a Treas-
pal, Offence, or Contract, to satisfy and content
him with some Remompence, which, if executed,
and performed, shall be a good Bar in Law, if the
other Party (after the Acquiesced performed) bring any
Ainion for the same.
Acquiesced, His Confidence accepted him therefor:
from the Lat. actuare. Peter Praedica, f. 77.
par. 1.
Acquiesce (fr. accorder) to hook, clap, or grasp
unio. It is used (Anno 25 Edw. 3. Statut. 3.
sec. 2. in the same Year) in Poem, even in this Day
Acquiesce a Procos, signifies to fray a Suit, or to de-
lay the proceeding of it for a Time. See Enco-
trarum.
Acrannus, a storfer, Actum enim cognitum.
Sec. 18. Acropolitana, those who acknowledge neither King,
Church, or superior Lord, but are so poor, that they
had not a Tenement by which they might acknowledge
any Superior. Do Cange, vida Lexis
H. 1. cap. 21.
Achat (French Achat, i.e. A Bargain or Pur-
chase) is used for a Contract or bargain. Brok. tit.
Contrat. Parevves were by Parliament 56 Ed. 3.
ordained, and then after called Achatus.
Acrimonomium-merceria is a Sum of Money
paid by some Tenants, at the Death of their Land-
lord, in Acknowledgement of their new one. — Sect.
xxi. 4, 15 of the Roman Law, 1. 2. 1. 5 of
the Lex Cornelia, in loc. ibid. and called in
Latin, Laudarium vel landarium, a laudandum Domini.
Aclis, A Place or Field where Oaks grow, from
the Sax. Ac, aum & Leag, thus, we find it in
several Authors, and, in Asse, in the Life of Alfred,
in Florence of Wencefor spi. and in Edibard. 4th. 3.
Hist. Angl. cap. 3. Do Cange.
Acquitandus plegius is a Writ laying for a
Surety against the Creditor that refuseth to acquit
him, after the Debt is paid. Reg. of Writs, f. 478.
Where it appears, that this is a Justice.
Acquitantia ex Britiris & Monetizibus, i.e.
Quod prior non debo deesse silent ad Contraetus Nervi-
cent vel in Hundredos per Mercator de Rationem cum primin. Ex Reg.R. Priorat. de Cokesfor.
Acquittal (from the French acquitter, to free, ac-
quit, or discharge) most commonly signifies a Deli-
verance, Discharge, and letting free from the fac-
pion or guilt of an Offence; and is twofold, ac-
quittal in Law, and Acquittal in Fact.
Acquittal in Law is when Two are appealed or
indicted of Felony, one as Principal, the other as
Accesser, the Principal being discharged, the Ac-
quittal is by consequence also freed. And in this
case, as the Accusatory is acquitted by Law, fo is the
Principal in Fact. Stowes: Pl. Cr. fol. 169. Acquittal
is also where there is a Lord, Mede, and
and the Tenant holds Lands of the Meine, and the Meine holds over of the Lord Paramount. Now the Meine ought to acquire the Tenant of all services claimed by any other for the same Lands; for the Tenant must do to his Service the Meine only, and not to divers Lords for one parcel of Land. See Coke on Littleton, fol. 100.

Acquitrate, i. e. To pay: Tenatur heredes influentes patronum & absum profligatum forsuro de debito eum acquitare. Magnaeton, f. Tom. 159.

Acquittance (acquitamente) is a Release or Discharge of a Debt formerly due. But the Verb acquire, the Participle acquitted, and the Noun acquired, signify also a Discharge or clearing from an Object offended: as acquitted by Proclamation.


Aire (from the Germ. Acker, i. e. ager) is a parcel of Land, containing in length forty Erudes, and in four in breadth, or to that quantity, be the length more or less. And if a Man erect any new Cottages, he must lay four Acres of Land to it, after this Measure: Ann. 31 Eliz. cap. 7. With this Measure agrees Grompii. in his Juris de Courtis, fol. 222. Though he says, according to the Custom of divers Counties, the Perch differs, being in some places, and most ordinarily, but sixteen foot and a half; but, with all these things, he is adjudged in the Cafe before Sir Edward Allen, and Sir John Be in the Exchequer. In the Statute concerning flowing Flax, (24 Hen. 6. cap. 4.) eightcords Perchies make an Aire, which is forty multiplied by four. Also the Ordinance of measuring Land, 33 Edw. 1. agrees with this Account.

Acrifilia. i. e. Blindness: The right Word is Acrofia, we read it in the Magnaeton, p. 694. Nur merdi linia bina quas Syphilis retardant. Proscrofus ad inflar Elsiae transtans. Da Pyrre.


Alicia (alio) is thus defined by Bradton, lib. 3. cap. 2 & 3. Allo nihil ulum et quam se presque de judicis seu solis debores, et divisio into personal, realis, et mixt. See also Lib. 4. cap. 46. Allon personal is that which one Man hath against another, by reason of any Contract for Money or Goods, or for Offence done by him, or some other Person, for whose Fait he is by Law answerable.

Alicia real is that whereby the Demandant claims Title to any Lands or Tenements, Rents, or Commoners, in Fee simple, Fee tail, or for Life. And every Aliciae real is either Pallegy, that is, of his own Possession or Selion; or Aintegel, of the Selion or Possession of his Ancestor. Coke, lib. 6. fol. 99.

Real Aliciae, as Writs of Right, Writs of Entry, &c. and their Several Appendices, as Grand Caps, Petits Caps, Receipt, Writ, Ad Prism, Voucher, Counter-plate of Voucher, Counter-plate of Warranty. Recovery of Value, were several great Titles in our Year-Bocks, but now more commonly under the Title of Rolls's Abridgments.

Aliciae mixtis is that which lies indifferently for the Thing detained, or against the Peron of the Detainer; and is so called, because it hath a mixte Real, and a personal, to the Thing and the Peron. Or (as others define it) is Suit given by the Law to recover the Thing, demanded, and Damages for Wrong done: As in Atilize of Novel Diffinves, which Writ (if the Diffinve make a Feofment to another)

the Diffinve shall have against the Diffinver, and the Feofee, or other Ter-tenant to recover not only the Land, but Damages also. And so in an Action of Weight and Squares Impedn. Aliciae are also divided from Civil, Penal, and Mort. Cases, Vol. 6. fol. 61. s. Action Civil is that which tends only to the Recovery of that which by reason of any Contract, or other like cause, is due to him. As is a Man by Action seek to recover a Sum of Money formerly lent. Or.

Aliciae Penal aims at some Penalty or Punishment in the Party sued, it be corporeal or pecuniary: As in the Action Legis Atilize in the Civil Law: and with us, the next Friends oh Man feloniously slain or wounded, shall pursue the Law against the Offender, and bring him to condign Punishment.

Bratton, lib. 3. cap. 4. Aliciae mixt is, that which seeks both the Thing whereby we are deprived, and Damages, or a Penal for the unjust detaining of it: As in an Action for Tithe upon the Statute 2 & 3 Edw. 5. cap. 13. Item ex utra Aliciae mixt, que dicitur Aliciae Atilize, & locum habet inter eos qui controversam hortent hordidotatem. Coke, See Coke on Littleton, fol. 261. s.

Action is also (according to the Form of the Writ) divided into such as are conceived to recover, either the simple Value of the Thing challenged, or the double, treble, or the quadruple Value, Deince tenuam lies against Embrasures, Sir. Nat. Br. fol. 171. And against Jurors that take Money for their Verdict of either or both Parties: And to be done, any other Action upon a Statute, that purifies any Offence by Reformation or Fine, proportionable to the Tranquillity.

Aliciae is Prejudicial (otherwise termed Preparatory) or else Principal. Prejudicial is that which grows from some question, or doubt in the Principal: As if a Man sue his younger Brother for Land defended from his Father, and it is objected, he is a bastard. Bratton, lib. 3. cap. 4. num. 6. This Point of Baffarding must be tried, before the Cause can further proceed; and therefore is termed Prejudicialis, quia prima iudicanda.

Aliciae is either Auncfile or Personale. Stannul. Pl. Cr. 59. Auncfile seems to be that which we have by some Right descending from our Auncf: and Personal, which has beginning in and from our Selves. There is also Aliciae Ancifelii Dircritel, and Aliciae Ancifelii Perfectel, which see in Coke's 2. book, fol. 291.

Aliciae upon the Cafe (alio after Columbia) is a general Action given for wrongs done to any Man without force, and by Law not especially provided for, and is now most in use. For, where you have any occasion of Suit, that neither has a fist Name, or certain Form already prescribed; there the Clerks of the Chaneyry, in ancient Time, conceived a fit Form of Action for the Thing in question, which the Crowners call Aliciae in Fallam, and we, Aliciae upon the Café.

Aliciae upon the Statute (alio after Statute) is an Action brought against a Man, upon an Offence against a Statute, whereby an Alize is given, and which never lay before, and from which no other remedy to the prejudice of another, he, who is damaged, shall have a Writ upon the Statute, and his Cause. And the Difference between an Aliciae upon the Statute, and an Aliciae upon the Cafie, is that the Suit or Action to the Party gravied, or otherwise to one Person certain, that is called Aliciae upon the Statute. But where Authority is given by the C-
Statute to every one that will thus, that is Actum Fisci.

Actum is Perpetual or Temporal, (Rex perpetuo vel Tempore), and that is called Perpetual, whose force is by no Time determined. Of which sort were all Civil Actions among the ancient Romans, &c. Such a Civil Action was the House of the Senate, or Constitution of the Emperors; whereas Actions granted by the Pretor, died within the Year. So we have in English, Perpetual and Temporal actions, and I think all may be called Perpetual, that are not expressly limited. As divers Statutes give Actions, so they be purg’d within the Time prescribed; namely, the Statute of 1 Edw. 6. cap. 1, gives Action for three Years after the Offences committed, and no longer; and the Statute of 7 Hen. 3. cap. 1, doth the like for four Years; and that of 3 Eliz. cap. 7, for one Year, and no more. But as by the Civil Law, no Actions were to perpetual, but that by Time they might be prescribed against: So in our Law, though Actions may be called Perpetual, in comparison of those that are expressly limited by Statute, yet there is a Means to prevent the right against Real Actions after five Years, by a Suit in Favour of the Owner: As you may see in the words, 4 Edw. 4, Recovery, and Limitation of 1469.

Action of a Writ is a Term used, when one person by an Action thus pleads the Plaintiff had no cause to have the Writ he brought, yet it may be, he might have another Writ or Action for the same Matter. Such a Plea is called to a Writ to the Action of the Writ. Whereas, if by the Plea it should appear, That the Plaintiff has no cause to have an Action for the Thing demanded, then it is called to a Plea in the Action.

A writ, i.e., in our Custom, or to prosecute one at Law, Thirio Eloget De Contro.

A Ten, see Burton, &c. Sugas, minor write, qui quamvis, de aliquo aliquo aliis, alibi quantum manet, rogaverit, ita quod Tertium. Burrit, A Statute so called, found 13 Edw. 1, anno 1335, ordaining the Statute-Merchants for Recovery of Debts, and was so termed, because made at Tertium Burrit, a Castle, anciently called Burrit, afterwards the Common, in Hampshire.

A Law of Parliament are petty Laws, which consist of two Parts, viz. Of the Words of the All, and the Sense of it; both, which joined together make the Law.

A writ (alluam) is the Scribe that registers the Acts and Constitutions of the Convocation. Also an Officer in the Court Chancellor, who is in nature of a Register.

Abolvillars, To purge himself of an Offence by Oath: E.g. in College Fiscus, sub judice秋季 cr, ad-credulit sub exoniis, ut est et exoniis, Leges loco cap. 32. epulis Brompton.

Abdiction (addito) signifies a Title given to a Man over and above his Christian and Surname, showing his Estate, Degree, Mystery, Trade, Place of Dwelling, &c. Additions of Estate are these, Tenement, Gentlemen, Esquire, with such like. Additions of Degree are those we call Names of Dignity, as Knight, Lord, Earl, Marquis, and Duke. Additions of Mystery are, Servant, Painter, Master, &c. Addition of Town is, as Dale, Thirty, and such like. Thus, before a man hath肿瘤 in two Places, he shall be laid to dwell in both, to that his Addition in either may suffice. That Kneel was ac- cidently an Addition, See Additio.

By the Statute of 1 H. 5. cap. 5, it was ordain-
ed, That in Suits or Actions where Proceeds of Our-

lawry lies, such Addition should be to the Name of the Plaintiff, to shew his Estate and Place where he dwells, and that the Writ, not having such Addition, shall fail, if the Defen-
dant take exception thereto, but not by the Office of the Court. And this was ordain’d in the intent that one Man might not be troubled by the Ourlawry of another, but by reason of the certain Addition, every Person may bear his own burden. See 2 Parti Indemn. fol. 396. & 396. And the Statute 27 Eliz. cap. 7. See Indemnities.

Adulteries. See Adulterers.

Adulterers, or Ectilings, (From the Sept. إِخْبَرُ -لر دلا, i.e., office) was a Title of Honours among the Angels, properly appertaining to the Shepherd of the Crown. Yet, King Edward the Confessor being himself without title, and intending to make a King (to whom he was great Uncle by the Mother’s Side) his Heir to the Kingdom, called him Adulterer, or Ectilings for the sake of a Title of Edward, &c. so that Adulterer maintained the Son of a King.

Adjudicator, Adjudicator, to promise or oblige himself before a Magistrate to do a Thing.

Adjudication, Aor. 3. i.e., to an Inquisition, commanding enquiry to be made of any Thing touching a Cause depending in the King’s Court, for the better Execution of Justice, as of Boile, &c., and such like. Witness of the great Diversity in the Table of the Register, Judicial, Writs, Adjudications.

Adjudication (form the pr. adjudicament) is when any Court is dissolved for the present, or put off, and adjourned to be kept again at another Day or Place. Adjudication in Eyre (Anno 35 Edw. 2. Statute of Venables, cap. 18), is an Appointment of a Day, when, if the Judicature in Eyre meet to sit again. And in 2 Edw. 3. cap. 11. Adjudication has the like significations. See Fereinge.

Adjudication, i.e. a Price or Value set upon Things, both or all, as a Compensation to the Owner, sive, posteriori, contra quem, in adversarium, per titulum principalium bonorum, Radul. lib. 2. cap. 2. sect. 10. ‘So in Fals. lib. 1. cap. 39. Partem in postem quinque anni de Adjudicanti, &c.

Adjudication, a quidem, (quidem audi) a giving by a Judgment, a Sentence, or Decree, Anno 16 & 17 Jud. cap. 12. sect. 10.

As such Regius is a Writ that lies for the King’s Crown, against him that ought to eject him to the Prejudice of the King’s Title in right of his Crown. Of which see Regius of Writs, fol. 61. &c.

Adulterers, otherwise Alice in F. is to purge himself of a Crime by Oath. In the Laws of King Alfred, in his Charter, cap. 3, &c. it is called Alice in the Law. sect. 13. &c. it is called Alice in the Law. sect. 13. &c. See also, judice aliquem, et pecuniam regi

Adjudicament (adjudicatum) is a Writ which lies for bringing the whole to Reason. As a Merchant, that thumb more than their Share. And this in two Cases, the one termed Adjudicament of Debt, (adjudicaturi doli) where the Wofl does the de- cided judge, from the Heir, or Governor of the Name of his Power, than of Right belongs to her. Regius of Writs, fol. 173, &c. Fereinge.
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Nat. Br. fol. 148, in which case the Heir shall be referred to the Overplus. The other, Admonitamentum of Balrus, (Admonitamentum Balrus) which lies between those, who have Common of Pursue appettant to their Freedom, or Common by Violence, in case any of them forcharge the same with more Cattle than they ought, Regist. fol. 115. 6. Bizz. Nat. Br. 125.

Admonitile (administratur) Aid, help, support. 

Admonitement (Lat.) is he that hath the Goods of a Man dying intertestate, committed to his Charge by the Ordinance, and is accountable for the same whenever it be plesse the Ordinance to call him thereto. An Action lies against him, and for him, as an Executor, and he shall be charged to the Value of the Goods of the Intersterale, and no further, if it be made by his own failure, or by awaiting the Goods of the Dead. If the Administrator dies, his Executors are not Administrators, but it behoves the Court to grant a new Administrator. If a Stranger, who is neither Administrator nor Executor, takes the Goods of the dead, and administers of his own Wrag, he shall be charged and discharged as an Administrator. See the Statutes of Wofin. 5. cap. 15. and 31 Edw. 3. cap. 11.

Admonitricht (Lat.) She that hath such Goods committed to her care.

Admonitria (administratrix, Administratrix, Administratrix, Ca- prisatrix or Catalyst Maris, from the Germ. Amt, i.e. Masters or officers, more Meer, and all such, the Sparrow, call himAlgorotie or Amtler. Amt, is an Hight Officer, or Magistrate, that hath the Charge of the King's Government. See the Statutes 13 & 15 Rich. 2. cap. 5. and 3 & 4 H. 8. cap. 11. 45 Hen. 6. cap. 15. and 27 Edw. 3. cap. 11. This Officer is in all kingdoms of Europe that border on the Sea. He hath cognizance of the Death, or Main of a Man, committed in any great Ship, rising in great Rivers, beneath the Bridges thereof, next the Sea; also to arrest Ships in great Streams, for the Service of the King or Commonwealth, and hath Jurisdiction in such Streams, during the same Voyages. And it appears, that anciently the Admirals of England had Jurisdiction of all the British Merchants and Mariners, happening not only upon the main Sea, but in all foreign Parts within the King's Dominions, and without them; and were to judge them in a summary Way, according to the Laws of War, and other Sea-Laws. See Pryme's Admiralty on 4. Leg. pag. 75. & c. He was in our ancient Records titled Capitane Marinarum.

Admonition (admonition) is when the Bishop, upon examination admits a Clerk to be able and lay, Admitted to holyen. Cite in Little, fol. 115. Bizz. Nat. Br. 42. 6. Regist. of Wits. fol. 13. a.

Admonitendo Clerico is a Writ granted to him, who hath recovered his Right of Presentation against the Bishop in the Common-Bens. The Form wherein, read in Nat. Br. fol. 58. 6. and Regist. of Wits. fol. 13. a.


Admonitio (Lat.) is a Writ for the Association of certain Persons to Justices of Assize formerly appointed. See Regist. fol. 115. 6. and Regist. of Wits. fol. 13. a.

Admonitio (Lat.) is a Writ that lies to the Sheriff to enquire what hurt it may be for the King to grant a Fair or Market in any Town or Place, or for the King, or any other Person, to grant any Lands in free Sale to any of His Heale of Religion, or other Body Politick. It is (in such case) to the Land to given, is laid to fall into a Decrest, that is, such an Estate and Condition, that the chief Lordes lose all hope of Heriots, Service of Court and Eclesiates, upon any traitorose or celerose Offence committed by the Tenant. For a Body Politick dies not, our can perform perfect service to the King, or their Mehe Lordes, as single Persones may doe. And therefore it is reasonale, that before any such Grant be made, it should be known what prejudice it is like to work to the Grantor. Of this read more in Edw. Nat. Br. fol. 231. And see Martime.

An extremum qui praetertit is a Writ of Espiry, that lies where a Man, having legal Lands or Estates for Term of Life or Years, and after the Term expired, is held from them by the Tenant or other Stranger that eneys the same, and seizes the Lessor. Which Writ lies for the Lessor's Heir also. See Regist. Br. fol. 301. A Writ of endowment 

Admonitio (administer) is in the four Writs preceding the Birth of Christ: Porro Series tells us, it was instituted by S. Peter. The first Week in Advent is that which is farthest from the Feast of the Nativity, and that is the last, as you may see by this Difficult.

Andrea felix victor, ordine postes. 

Adventum Domini fera prima victus.

Tis the Time from the Sunday that falls either upon St. Andrew's Day, or next to it, till the Feast of Christ's Nativity. (See Edward Colk's 2d Part, Feb. 265. days. Advent ends eight Days after the Epiphany, but it is a Mysterie, wherein our Ancestors repoted much Reverence and Devotion, in reference to the approaching solemn Feast. For, in Advent Domini missa Ab alta die accepit, habebat olim ceremonia sacra, quae praebet a sancto Chri, quae operatur, et in omnibus Temporibus, according to the Laws of the Church, and other Sea-Laws. See Pryme's Admiralty on 4. Leg. pag. 75. & c. He was in our ancient Records titled Capitane Marinarum.

Ceremonies Adventus prohbit, Hilarique relaxat. 

See Regist. Writ, and Septuagesima. 

Ad adventum praefata in fide Boorini is a Feminine Writ, mentioned in the Statute of Lamps, Ann. 13 Edw. 2. See Novit. in specie infra.

A ducry (Lat.) is a Writ to the Assizes, and is a term signifying, or used in the Law, to put the Assizes in this Term. And this Term is so much a term of art, that the whole Business of it is made it Death. Edw. Now. Adulterium effe 

Ad quod damnum is a Writ that lies to the
Advocates of the King. Advocates of ad quem pertinent iur us 
Avocatum ad lex Ecclesiae, ad eamque, norma pres 
bach. Rex et suffr. Nov. Br. fol. 359. ut eis in the same Signi 
ification. See Avoae.

Advouary, (advocatus) A right to prefer to a Benefice, as 
such as for Patronus in the Canon Law. The Reason why it is so termed, is, because they that originally obtained the Right of pre 
ferment to any Church, were Upholders of, or great Beneficiaries to that Church, either by building or increasing it, and are therefore sometimes termed 
Patrons, sometimes Advocatissimi, sometimes Deputi 
catur, c. 4. & 23. De iure Patronatus in Decretals. And 
Advouary being a Bafardi-French word) is used for 
the Right of preferment, as appears by the 
Statute of Westminster, Manor 13 Ed. 1. c. 5. And 
Advouary is used in thesame Sense in the Statute of 
Provisions, 27 Ed. 3.

Advouary in one or two Sorts, Advocatus in Graeco, 
which is, Sole, nor adhering to any Manor, as par 
cel of its Rights, and Advocatus Appendant, which 
edepend upon a Manor, as appertainent to it, 
becoming by virtue of a Charter, or a 
patent, which is the same as said the Words, Dictor Advocatus Ecclesiae, 
vel quis Patroni animo Ecclesiæ rationes iuris anc 
advocavit se ad eamdem Ecclesiam, & offerit ei se iuri 
habeat patronem, et non habeat eum se ipse clientem 
vel possit omnium allega (sine Patrono) advocatus 
jure faci ad Ecclesiam vacuum, etno esse alterius (cor 
habitui de) prophetiis, & propheti habebatur.

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Oath you may see in Kitchen, fol. 46. The Reason of this Appellation seems to be, because those that are appointed to this Office do affirm upon their Oaths, what they are to perform in Court, if the Offender hath defrauded. We find this Word used in Ret. Parl. 14 Ed. 2. & Ann. 25 Edw. 3. Stat. 7. (vz.) The same faulties before their rising in every county, shall cure the Amendments to be afforded. And to the same Effect, Ann. 26 Hen. 6. cap. 6 Kitchen, fol. 79 join the three Words, as Synonymes, Affidavit, Externalis, Affidavit, &c. hath Affidavit maker, to be betrothed to a Woman. Litt. 2. cap. 12. But I find in the Calendar of Novum, cap. 40 this Word (affurate) which is the Latin Interpreter expresseth by ( TESTOS,) that is to see the Price of a Thing, as Edictus, indicare, &c. it etymology seems to be false. Arc. See Arcus.


Affrictus signifies a Tenant by Fealty, also a Retainer. — Excipitque de laudibus, &c. Will. Watten, pro fac totius universi actum & partium

et per &c. Pro boc domini & conscius debent

facere Will. Affrictius tenat, &c. Affrictus non propedeuticae

facere testificat, &c. hanc antiquorum & eorum amicitias: &c, &c. In the same Year, Lantreni Amalthea. Affrictus asceptit pro mutuo salutis

litigationis, &c. Item inter Dominorum & Servorum. Prodes de affrictio & omnibus, &c. 

At 2 Penes Arch. Prorsus, Arm. See Affrictus, the same with Affricto.

Affrige, Refining of Metal, (Fr. affriger,) Purification metalis, inde Finis & Rheni.

Affrage (Affrage) signifies to ratify or confirm a Former Law of Judgment. So is the Substantative Affrageus used, Ann. 8 Edw. 5. cap. 12. And fo is the Verb Is Ralli by Wett, Porta. fecundum Symbol. rit. Finis. 5. fol. 172. If the Judgement be allowed, Or. As also by Campion in his Table, fol. 16 Edw. 15 Hen. 7. cap. 29.

Affrurate, the same with Firmaur, (lt. 1.) is to shew that nescio de multa & quae et fuit sors inedituliter ad numerum, sed eae certe abstrictum, Matte. Parl. Anno 1443.

Affrurate, to set a Value or Price on a Thing; Et adnume significatione adnotatione affirmatur, &c, per annos septempopum, Charr. Anno 1366. And thereon, Du Cange.

Affrurate (Affrurate) pro se praepositione numerum & annum Affruratem, in de se

cuius, Pruni. Animad. on Cose, fol 125. Here it signifies Verification, Etc. secundum usum factum, &c.

Affruratementum de Christo de Deum in Molit. Corra Vele Will. de Tabley, temp Ed. 1. genre. See Affrurate.

Affrurate signifies to add, encroach, or make stranger, (as.) Canonum in innumeros duodecim, pro furitate de conflito ad affirmatur diu nunc applanatur eae nunc annorum, &c. affrurate, Beatt. Lib. 4. cap. 19. that is, let the Writework be done.

Affrurate, a thin Chasit, used for Caps; how Caps Roberto de Moya de affrurate, &c. Du Cange.


Affrute (of the Fr. Affrute. I. e. A Frigate) signifies a Skirmish or Fightng between two or more, Lamb. in his Exercises Lib. 2. cap. 3. faith, It is

of times confounded with Affrute: But they differ in this: That an Affrute is only a Wrong to the Party; an Affrute is a common Wrong: And therefore for a ship or castle to be Affruted, it is the same with Affrute. An Affrute may also be without Word or Blow given; as, if a Man slew himself furnished with Armes or Weapons, not usually worn, it may strike a Fear into others unarmed. And so it is used, Ann. 2 Edw. 3. cap. 5.

Affrumentum, the Freight of a Ship, from the French. Fret, which signifies the fame, Statit, &c. and in quibus, in quadam seputis, &c. in quadam seputis. Statit, &c. in quibus be affrumentum mediates etiam cæsarae, &c. in quadam seputis. &c. See affrumentum.

Affrases, a Shield borne by a Ship, &c. Statit, &c. in mon. Angl. 2. par. fol. 291. a. And in Novamland, to this Day, they call a dowl or Dolls a Ship in thepreceding. &c see affrases.

Affrurate, the Image or Impression of a Seal: Ego Dominus, beque liberissimius contra aegitatem configno, Charta. Edictus Regis pro Welf in Chartera, Ancil. 2 Edw. 1. fol. 2. fr. 1. See, A 1. fol. 2.

Affrurate, a Sign of that Part of a Man's Life, which is from his Birth to his last Day. But in Law it is particularly used for those special Times which enable Men or Women to do what before, they were unable, or the consequences of Judgment, they might not do. These in 2 Men are two; at fourteen Years he is at the Age of Discretion; twenty One Years is his Full Age. Edictus, Lib. 2. cap. 4. If a Woman there were fix Ages before: First, at seven Years of Age, her Father might, of old, disclaim the Tenants of his Manor, or Aid to marry her; for at those Years she was capable of Marriage, Bramton, Lib. 2. cap. 26. man. 9. Secondly, at nine Years old is a dowable; for then, or within half a Year after, she is able Primera ejet. &c. See, ius. Lib. 5. cap. 5. Lib. 1. cap. 5. which Edictus does notwithstanding limit to twelve Years. Thirdly, at twenty and three this is able finally to ratify and confirm her former Convent to Marriage. Fourthly, at fourteen, is enabled to receive her Lands into her own Hands, and should be out of Ward, if the was at this Age at her A ncessor's Death Fifthly, at sixteen Years she should be out of Ward, though at the Death of her Ancestor she was under tutenture. The Reason is, because that might he take a Husband and perform Knight's Service. Sixthly, at twenty and one were is able to alienate lands and tenements. Also, at the Age of fourteen, is enabled to chuse his own Guardian, and to claim his land in Soane, Dynes, fol. 165, which Affairs (A 1. 2.) limits at fifteen Years, with whom Glac lanee also agrees. And at fourteen a Man may consent to Marriage, as a Woman at twelve. At the Age of fifteen Years a Man ought to be from the Peace, Ann. 3. fol. 156. The Age of twenty one did compel a Man to be a Knight, that bad twenty Pounds Land, ann. Ann. 1. fol. 2. or for Term of Life, Ann. 1. fol. 2. Stat. 1. which Statute is repealed, 1725, fol. 666. The Age of twelve Years was granted to Appareance before
the Sheriff and Coroner, for Inquiries after Robberies, anno 52 Hen. 3, cap. 11. The Age of twenty- four Years enables to enter an Order of Religion, without Consent of Parents, anno 4 Hen. 4, cap. 17. See Gage on Litig. Sess. 78. 2.

Age of Priests (Sedem pruni, or astis prios). is a Petition or Motion made in Court by one in his Minority, (having an Alltion brought against him for Lands coming to him by Defect,) that the Alltion may rest till he come to full Age; which the Court, in most Cases, ought to grant. This is otherwise in the Civil Law, which enforcest Children in their Minority to answer by their Tutors or Curators.

Agitation. Liverpool upon Trent.

Agricultrix, i.e. the true Lord or Owner or any Thing; (voc.) Si peras non tauris, nisi sequas quanam semel, det agentem tuae sum fidem, Leg. imm. cap. 50. apud Brompton, cap. 45.

Agitator. See Hostilities.

Agent and Patritius, is when one is the Doer of a Thing, and the Party to whom it is done. As where a Woman endows her self of the half of her Husband's Inheritance for the benefit of the Children.

Agger Terra, is the fame with an Acre of Land; (voc.) Rex Williamus mifi effigies per omnem ang. The Comtisri & inquirere facta quos agri vel jurata venire.

Agile, i.e. a Person to vile, that whoever killed him was to pay no Mutil for his Death: From the Sex, A Priveative, and Gilian, solvere.

Agilere, an Observer or Informer: From the Sex, A Priveative, and Gilere, capa.

Agilus (from the fem. Gilis, i.e. A Bed or Refting-place, or from Gilere, i.e. Stable) signifies to take in, and feed the Cattle of Strangers in the King's Forest, and to gather the Money due for the same, chartae definjic, cap. 9. The Officers that do this are called Agilieri, in English Gafrt, or Gilcaker, Caw. juris. fol. 146. These are made by the King's Letters Patent, and be hath four of them in every fore, where he hath any Panage. In what their Office consists, see Memorials, Part I. of Privy Law, p. 336. Their Function is termed Agiliment, & Agiletage; as, Agiliment upon the Sea-Banks, Anno 6 Hen. 6, cap. 4. This Word Agilus is also used for the taking in of other Men's Cattle into any Man's Ground at a certain Rate per Week. See 4 Part, litig. fol. 293.

The Word Agilus is also metaphorically taken for a Chaff at a Thing; (voc.) terre ad cogitationem mar agilatores, (Selk. Mar. Claud pag. 191.) i.e. Charged with a Tribute to keep out the Sea. So Feria are Apparatus are Lands where Owners are bound to keep up the Sea-Banks, Spem. in Romandy Maris.

Agistium animalium in forestis, the Drift of Beasts in the Forest. L. 4. For. 4.

Agistus, i.e. Holy; (voc.) Ergo triumphale tis

thomae or Cruis in morte, Monach. 15, 17, 172.

Agreement, (Agreement, Placament, fol. 15.) is a Joining or Putting together of two or more Minds in any Thing done, or to be done: And this is in three Manners, 1. An Agreement executed at the Time, 2. An Agreement after an Act done by an another, and is executed also, 3. An Agreement executory, or to be done. The first is such, whereof mention is made in the Statute of Frauds, which faith, That the Gods bath by Persuaders, bring thereof attained, shall be resolv'd to the King, if the Bearer thereof has made Gage with the Seller. Where the Word Gage, which is otherwise called Agreement executed, signifies Payment for the Things, or Satisfaction. The second is, where one does an Act, and another agrees or affents thereunto afterwards. The third, is where both Parties at one Time are agreed, that such a Thing shall be done in Time to come; which is executory, in regard the Thing is to be done afterwards. This (suiwentia) is all one in Signification with the French Aigle, and differ, only in pronunciation, if we take it as it is used in our vulgar Language. But in our Laws it hath divers Significations, as sometimes it signifies a Subsidy, Anno 14 Edw. 3. Stat. 2. cap. 1, sometimes a Red Diffusion due from Tenants to their Lords, as toward the Relief due to the Lord Paramount, Glosters, Lib. 9. cap. 8. This the King, or other Lord, or might, of old, by lay on their Tenants, for Knighthood his eldest Son at the Age of fifteen Years, or Marrying his Daughter at seven, Register of Wills, fol. 87. 4. And that at what Rate themselves likened. But the Statute of Wills, Anno 1 Edw. I ordained a Reaftain herein upon common Practice, being Lords, and tied them to a constant Rate. And 26 Edw. 3. Stat. 5. cap. 11. provides, That the Rate set down by the former Statute should hold in the King, as well as in other Lords, as long as it shall be true. I find Mention in the Statute of 27 Hen. 8. cap. 10. This Imposition seems to have descended to us from Normandy, (or rather from a more ancient Original, viz. the Feudal Laws) for in the Grand Coliemur, cap. 32., you see the Mayor of the Town, Sun esse mare, Sun esse maris, to marry the eldest Daughter, &c. And thus the several Charges incident therunto, are taken away and discharged by Statute, 19 Car. 2. cap. 24. But the Word Aigle did differ from the Signification: For Taxes were formerly levied at the Will of the Lord upon any Occasion whatsoever; but Aids could not be levied, but where it was necessary, to make the eldest Son a Knight, to marry the eldest Daughter, &c. And thus all these, and all Charges incident therunto, are taken away and discharged by Statute, 19 Car. 2. cap. 24.

The Word Aigle is also particularly used in Matter of Pleading, for a Petition made in Court for the calling in of Help from another, that hath an Interest in the Cause in Question, and is likely to give Strength both to the Party that prays in Aid of him, and also to avoid a Prejudice growing toward his own Right, if not prevented. But this Course of Proceeding is of late difused. Fitz-Herbert mentions both Prior in Aids, and Prior Aide de Patron, G. Annuum petere & patrem, Not. Sr. fol. 50. 4, and the New Book of Entries, serbo, Aide de parancor, fol. 425. The Word is also found in 13 Rich. 2. cap. 17.

This Aid-prize, or Ald-prayer, is sometimes also used in the King's Behalf, that there be no Proceeding against him till he Counsel be called, and heard what they can say, for avoiding the King's Prejudice or Loss in the Cause in Hand, Also a City of Boroughs, that hath the Privilege of the King may pray in Aid of him, if any Thing be demanded of them relating thereto. Of this you may read the Statute De Bigamia, Anno 4 Edw. 1, cap. 1, 2, 3, 4. Aide de Patron, Stat. 2. cap. 1, 14, and 15 Car. 2, cap. 3. Vide Reflexus.

Is as, and Agile, the fame with 8.

311.
Alfata, for Alota.

Alf (of the Fr. Acoul, i. Anu) signifies a Weit that lies, where the Grandfather, or Great Grand father, called us Bolsite, is true French Bif ayed, was feit of any Land or Tenement in Fee- simple the Day he died, and a Stranger abateth or cometh the same Day, and dippeth down the Heed. Fiz. Nat. Br. fol. 222. See Flamin. fol. 449 b, — with the Salum of Aile and Appearances in Dor- set. Rot. Parl. 4 Edw. 3.

Aile of Powkes. See Aile. 

Aileton. See Halfton.

Aile. Words which begin with A or Aile in the Names of Places, signify Antiquity, as Al- bourgh, Aileworth, &c. From the Sax. Cælo, i. e. Vetalion.

Ailamus Fluvius, the River Ate in Wil- loughby.

Ailamus Ailus, the River Ate in Nor- thumberland.

Ailea. See Caminish.

A ilea Firma. Confus annuls qui Bentabst in vari. Dominus Hundredensi peninsular. Idea iba dilla, quod non ex more prisi semi in amanta que tanoble Black Maill munipia set boc of, conven vel firmum nigro fed ar- genta, cum iba dilla, quod non ex orbe in varia tenra in Corin. Perilornis, fol. on per Ailea firmam & iba dilla per Cornaquian, &c. 2 Part, Infr. fol. 10.

Ailberblument, the fame with Halbergna: Osmus home, &c. sobre aletham, (i. e. A Defence for his Neck,) & capenon terrains, lenan & gudamn. Hoveden, pag. 611.

Albough. See Eathum.

Albium, used for white Rent, or Rent paid in Silver, Com. Par. 6 Edw. 3. Rot. 1. Deft.

Alber, i. e. the first. Ailer bid, i. e. the first of all. Aileb lefeb, (i. e.) the most dear.

Aileman. This was one of the three Degrees of Nobility amongst the Saxons. Exebeling was the first, and Thame the lowest; but the most dear was the name of our Earl. The Word was diluted in the later Ages of the Saxons, and in its Place the Word Earl was introduced. "To confirm that it was used in King Alfred's Reign. "Tis true, it literally imports no more than Elder; but among the Saxons it signified a Duke, an Earl, a Nobleman, and sometimes a General; but then he was called Herethan, (viz.) Merca Heretha, Alleman of Mercia's, which Title he had in relation to his Military Power: But the Title Alleman shewed his Civil Jurisdiction; which Title afterwards was applied to a Judge, as in the Reign of King Edgar, Ailew, the Son of Elhe- bane, is called Allemanus titus Anglie, i. e. as Spelman tells us, Justiciar Anglie. There was likewise Allemanus Handschel, which Dignity was first introduced in the Reign of H. 1. Among his Laws, cap. 8, we read, Proit aetum esse galis hominei novem decenni, & iis juxta hunc annus de melius, & voverur Allemanus, qui Dies legis & honorem era ingentis fluentis afferiundem prov. Du Cange. See Brand.

At this Day we call them Allermen who are Af- fociates to the Civil Magistracy of a City or Town Corporation. 24 H. 8 cap. 19. See Spelman's Obser- vations at large on his Word.

Allemanum, a Sort of Hook called a Lamon. See Pasto.

AIlêt, the Cauldon in which Boiling Water was poured over the Criminal to dip his Hand up to the Elbow, and there hold it for some Time. Du Cange.


Allier in aultr. (Fr.) is verbatim. To go without Day. The Meaning whereof is, To be finally dismissed the Court, because there is no Day of far- ther Appearance assigned.

Allitah, a May-Pole, and called Allitah be- cause the Country People drew much Aile there: But some will have it to be not like our May- Poles, but rather to be like a Staff, with a Sign on it, that Aile was told there.

Allisfluer, A Rent or Tribute yearly paid to the Lord Mayor of London by those that fell Aile within the City. Anclt. Par agraria, fol. 185.

Allostaffer is an Officer appointed in every Court-Court, and sworn to love the Allist and Goodness of Bread and Aile, or Beer, within the Precincts of that Lordship, Riches, fol. 46, where you may see the Form of his Oath.

Aln. Vide Gildas. 

All (Allewence) signifies to transfer the Prop- erty of any Thing to another Person. To Allew in Mercian is to make over Lands or Tenements to a Religious-House, or other Body Politic. See Mercian. To all is to be felt the Se- fimples of any Land or Tenements, or of any in corporeal Right. Westl. 2. cap. 25. Anno 13 Edw. 1.

Allten, (Altenum) one born in a strange Coun- try. It is usually taken for the contrary to De- tachment or a natural Subject. Yet a Stranger ne- ver enchained, Broth, Deisen 4, &c. Yet a Man born out of the Land, it be within the li- mit of the King's Obedience beyond the Seas, or of English Parents out of the King's Obedience, to the Parents, at the Time of the Birth, be of such Obedience, is no Alien, but a Subject to the King, Stat. 2. 25 Edw. 3, commonly called the Statute De natu alienius. Aile, if one born out of the King's Allegiance came and dwell in England, and chil- dren begotten here are not Alien, but Deisen. See Deisen.

Allthire, an old Word, signifying Alle. From the Sax. Allipuc, i.e. Formwoss, which is derived from the Sax. Allipun, to permute. From whence we say in English, Such a one hath Leave, &c.

Allmon, (Allmonis) Nourishment, Maintenance. But in a legal Sense it signifies that Provision or Al- lowance which a married Woman fies for upon any occasional Separation from her Husband, wherein she is not charged with Education or Adul- tery. This Allmon was anciently expressed by Rationalis Effigiesvr, Reableable Maintenance. Nunc Vos Bacchi Salvem. Proscriptus tibi paulo de Mer- catum Emma de Pictegno usuauet Lunterit Penta, qui excommunicat oo, eis paulo prædestinum Emmen offensae mortalis non trahat, eadem Emma rationabile effove- rium solum incentus, donem idem Lucernum et non eam collupiam usum, quem fallaheris claram et nos inde penetrat. T. 25 Aug. Anno Regni noviti 7. Rot. Claui. 7 Hen. 3. p. 1. m. 3.

Allmote. See Halime.

Allnits, Hare-bounds, &c. Alain's, Scotia gentis, as Melthus from Melhus, a People of Ephra.

Allap, (Fr.) is used for the Temper or Mixture of other Metals with Silver or Gold, Anno Hen. 5, Stat. 2.
The Reasoun of which Alloy is, with a Baser Metal to augment the Weight of the Silver or Gold, so much as may countervail the Prince's Charge in the Coining, and to make it the more fittful. See also, Dr. Nunn's detriment philosophicus, cap. 1. See also, 4 Ren. 7, ad 2.

Allegiance, the Faith which we owe to the King, formerly called Legiune from the Latin Allega & Ligata, i.e. Ligament Edes.

Alleg, i.e. Juris Legis fer a crimen, quam ineditos, liberares, Spelmans.

Allain. See Guin. The Word Aller is used to make the Explication signify iterativerly: So aller God is the Greatest God. Sometimes Aller.

Allation (Albatiss), a Placing or Adding unto: Alio Allowance made upon an Account. Used in the Exchequer.

Alliance praseth a writ directed to the Lord Treasurer and Barons of the Exchequer, upon a Complaint of some Accomplice, commanding them to allow him such Sums, as he hath by virtue of his Office, and it is reasonably expected.

Regist of Writ, fol. 256 b.

Allodial. This is where an Inheritance is held without paying to any Lord or Superior: And therefore is of another Natur in from that which is Populous, or a Feud. And the Feudative takes Place.

Allodium, or rather LEAD, Dimm'd, i.e. Held without any Burthen or Vassallage, or without a Superior.

Allodium, i.e. a Refin'd.

Allumin, from the Fr. Alumier, to lighten or kindle, is used for one by whose Trade co-louche or paints upon Paper or Parchment. And the Reason is, because he gives Light and Ornament by his Colours to the Letters, or other Figures, coloured.

The Word is used in Adam 1, cap. 9.

Now we call him a Limner.

Almaria, for Artimia, i.e. the Archives of a Church, a Library. Cupis etiam Enclit Almaria confecta, chartas & privilegia gradum signans emans. G. Vell. Dorob in R. 2.

Ampyr. See Alder.

Almata, i.e. Hollinche. Hic huius modelli or retinendi de almaturibus, hujus civitatis, &c.

Limner, or Almumonier (Ecclesiasticus) is an Officer of a King or Prince's House, whose Function is carefully to collect the Fragments of Meat and Drink, which are brought from every Day to the Poor; charitably to visit the Sick and Leperous, Priuators, Poor Widows, needy Persons, and those who have no Confect Almoe; his wife to receive and distribute Cash Horces, Robes, Money, and other Things given in Almons: He ought also to excite the King with often Ammonitions, especially on Festival Days, to be bountifully in giving Alms; and to observe that his rich Robes may not be given to Parities, Maidens, Stag-Players, or the like, but may go towards the in crease of his Alms. Hets, Lib. 2, cap. 22.

Ams, the same with Alims.

Amscors, or Amscor, (Sec also, Amscor Money) that is, Peter-Pence, anther paid in England on the First of Amsjour, and given by King (as) Called also Remiseh, Remiseh, and Heathen peace. See also, Gelden's History of Tiber, p. 217. See also, Peter-Pence.

Ammurac, This was a Garment which covered the Head and Shoulders of the Priest: 


Alms, (Fr. Almager) All-measure, the Measuring with an El. Alms, Edw. 4, cap. 5. See also, Almager.

Almager, or Jnager, (Fr. Almager, a Measurer by the El) signifies a sworn Publick Officer, who by himself or Deputy looks to the Almoe of Wood- en Cloth made through the Land, and to the behold for that Purpose ordained. See also, 26 Edw. 5, cap. 1, and 3 Rich. 2, cap. 2, who is accountable to the King for every Cloth so sealed in a Fee or Custum thereunto belonging. 17 Rich. 2, cap. 2, East of this, 22 Edw. 3, cap. 15. — 7 Edw. 3, cap. 10. — 11 Edw. 5, cap. 6. — 11 Edw. 6, cap. 5. — 9 Edw. 4, cap. 1. — 5 Edw. 1, cap. 1. and 1 Rich. 2, cap. 3. There are now three Officers relating to the Regulation of Cloth, all which were anciently comprised in one Person. These bear the different Names of Schedurer, Measurer, and Almager, which, though it be a Politico

Geographical Explication, (Aldothe and Measurer being the same Thing denoted in two Languages) yet long Ulage and Custum have brought them to two distinct Offices, and that which anciently was called Measurer is now accounted Almager, whom was no more but Measurer in Signification, is now become Collector of the Subsidy granted to the King by the before recited Statutes, still holding the Name Almager, because the Collection of that Subsidy was by Edward the Third committed to the Charge of the Almager, and he neither abridges of his measuring and searching till by his own wilful Seeks they became separated, and that by distinct Laws: infirmly as there is now a peculiar Measurer, who ought now allow the Almsg of Length and Breadth to every particular Cloth made in England and Wales, and not the whole Subsidy of the Land should not be abused, an Office of searching is established by Act of Parliament, which Office ought by his Seeks, judiciously and diligently anfey, to depute the Defaults and casual Almes which each particular Cloth contains. All these Offices were anciently under the Cognizance of the Almager, as you may read at large in a Treatise entitled, The Golden Heels, printed Anno 1676. See also, fol. 22.

Jnl. A River in Northumberland.

Jntrum, a Place where Alders grow, or a Grove of Alders. — Summ Pomarium, & alnum Annum, & annum Sylvaninum, & annum libumin t. t. t. Pat. 16 H. 3, cap. 1. See also, 9. It often occurs in Don's Day.


Jntrum, in Don's Day signifies a Free Mansor, Coke on Little, fol. 1.

Jntrum, Whitley in Northumberland.

Jntrum, i.e. a Purse. Tis mentioned in Hets, Lib. 2, cap. 2, par. 5. (v.9) Tetrapothreae, et cantones neque quam blandissimum in fact habet, immodestum, aloriosum, bello, pomptuet in bello faciendum. See also, Amtaregar, comprehended not only the Offerings made upon the Act, but also all the Profit which accrues to the Priest by reason of the Act, Oboe Ambarla.
Northampton, &c. Inter ordines fructe de
crecta de Terminis Santi Mich. An-
no 21 Eliz. in Scaccario reman-
mentes, & in confusiis Reminiscen-
tis Regis inter alias conventur et.

Jovis. 12 Die Nov.

Un fer hearing the Master herewit. Ralp Tur
ner, Vicar of Welford, and Edward An-
drews, is said, that the said Vicar shall have, by rea-
son of the works (Altaragium cum manfo competens) con-
tained in the Composition of the Trufes apportioned for the
Vicar's Maintenance, all such Things as he ought to have
by thefe Words, according to the Deputation thereof made
by the Reverend Father in God, John, Bishop of Lon-
don, upon Conference with the Civilians, viz. David
Heamper, woollman, Dean of the Arches, John Gibbon, Henry Jones,
Laurence Hewes, and Edward Stanhope, of all Di-
fairs of the Civil Law; that is to fay, by Altaragium,
Tithe, Wood, Copyhold, Lay, Earl's, Chefs, Hemp, Fairs, Fruits,
Hith, and such other small Tithe, with Offeings, that
would be due within the Parish of Welford.

Vicarum de Tikhill, locutum unus Altaragium, ita
quod nullum Altaragium concurrens, omnium obseruant,
decum & preventum, in clericis Ecclesie de Tikhill, excepta
decem decem legum, Legumnum & ffuri, &c. Ordinis

Obstatibus five numerum, fuerunt: tres vel toti Altar,
vel ex decem titi ex confecutione, ad Patri-
archium, ad ex practicat in Altaragim, in nume con-
feccionem; in Gieff, in Mag. Paris.

Viceria in Ecclesia Sancti Martini de Stamford confitit
in loco altari de Eclesiae, Monachitate, 2 Tom. pag. 85 et. 3 Tom. pag. 152.

Hic Leo Basso, quid Leo a Basso. Pa-
leno mandatis pro pluribus quod Wilhelmus Syurge
Totten, & Thomas Gower de adimine ponsatit se in
Alto e Basso in arsallis egresso hominius, viz. de
quodam quos eis pendente inter eis in Casa de Wygg-
more ad pulcro eundem Williamse etiam prae-
Tobam, & praetulit illum, et illum dedit ipsum,
edominum & ordinatum ejusdem
--- Dat. Anno 2. Hen. 5. --- Ipse
Prior vosse & Bogo uinter & posset se in graum
ministerium & voluntatem Regis de Alto e Basso,
ad quod mandatur, Tavis London. Vr. 2. 3. Script.
--- Plea. coram Regis, Hl. 34. Edw. 1. --- By
this is meant the absolute Subdivision of all Differences,
small and great, high and low. No & terreau
other, and both before Domini Regis spectantes con-
veniant, De Canong. 2. 3. 4. 5.

Altus Jutnificatus. See Jutnificatos.

Hubertus de Aquinam. Hubert aquinam infa
minorum, Matth. Wehn. 169. PAGE 105.

Ambatus, (Bx.) Protritum viri-

ginatus Domini folium, L. L. Eccl. Hoel Dha. Re-
gis Wallia. Puella dicat eur deferum Regis. & ob
rei Regis de eis Antuphe beorte. The Culfam
was in all Time as Henry
Earl of Arundel by his Deal, dated alt. Aug. 3,
& 4 Phil. & Mar., in Consideration of 60l. released it
all to his Tenants there by the Name of the Culfam
of Ambatus & Churfte. See Churfage.

Ambedester. (Lx.) He that used his Left
Hand as well as his Right; that plays on both
Sides. But in the legal Acceptation it signifies, that

Juror or Embeater, who takes Money on both
Sides for giving his Verdict; for which he forfeits
ten Times as much as he takes. 3 Edw. 3. cap. 12.
Cr. Stat. of P. Jul. 156. 6.

Ambaz, (Sax. ambaz, Lat. Ambaga,) a Veil
among our Saxons, the Quantity now not known;
but I have seen in one Old Deed mention of Amba
Sedici. Lex. Adelathum.

Artbuph, the Place where the Arms, Plate,
Veilts, and every Thing which belonged to House-
keeping were kept, and probably the Ambaz at
Welford is so called, because formerly it appears
for that Die; or rather the Aunmun, Lat. Elenenforis,
An house adjoining to an Abbey, in which the
Charities were laid up and distributed to the Poor.

Arm (King's Proclamation, 1663.) See Arm.

Amnum (from the Fr. armes, i.e. To bring
or lead unto,) Others write it unamnum, from the
Fr. main, a Hand; tradable; that may be led by
the Hand, or governed; that may be brought or
fetched in. It is applied in us Law-books to a
Woman that is supposed governable by her Hub-
band.

Amnentamentum, (Abominatio,) signifies the Cor-
ruption of an Error committed in a Proces,
and eipied before or after Judgment; and sometimes
after the Party Seeking Advantage by the Error,
Brook, 1. 84. Error and Amendment.

Amendment (from the Fr. Mertic, i.e. Apfiri-
erdes,) signifies the pecuniary Punishment of an
Offender against the King, or other Lord in his
Court, that is found to be in Abominatio, i.e. to
have offended, and to stand to the Mercy of the
Lord. There is a Difference between Amendments
and Fees, as, These, as they are taken for Punish-
ments, are Punishments certain, which grow ex-
promly from some Statute; but Amendments are ar-
bitrarily imposed by the Judge. See Kitchen, fol. 76
& 214. Manwood (in his First Part of Fors-Laws,
pag. 165,) makes another Difference, as if an
Amendment were a more easy and merciful Penalty,
and a Fine more sharp and grievous. Take his
Words: If the Pledges for two a Treffy appear by
common Statutes, and not the Defendant himself,
then the Pledges shall be impriorn for the Defendant's De-
fault: but otherwise it is, if the Defendant himself ap-
pears and he ready in Court, then he shall be libit in Eye
to receive his Judgments, and to pay his Fine. But if
such Pledges make Default, they shall be Amened, be-
not Fined. So that an Amendment is for a small
Fines, and a Fine for a great Fault. This is the义
of the True Law of Wales. That Amendment is
most properly a Penalty afforded by the Peers or
States of the Party壑reated for an Offence done;
for which he puts himself upon the Mercy of the
Lord: Who also mentions an Amendment Royal,
and defines it to be a pecuniary Punishment laid
upon a Sheriff, Coroner, or such like Officer for
the King, by Judgments, for some Offence. Rates,
Taxes, from the Exchequer, 2 Hen. 7. fol. 7; See Ab-
ominatio.

Amnes, Prievly Garment. From the Lat.
Amnus.

Amity, (the same with Amnus,) a Cap made
with Goats or Lamb's Skins: That part of it
which covered the Head was fquare; and one
part of it hung behind, and covered the Neck.
It is mentioned in the Monarchia, 3 Tom. pag. 36.
Penalum System have Ehabilis curatum in folium vel
againas.

Amnisus was the uppermost of the six Gar-
ments worn by Priests; it was tied round the
AN

AN

Neck, as ind. adiugum transat manducandum, and it is covered by the Breast and Heart, or sometimes cognate. Annat. Alias, Ginglym, Stiles, Manipula, & Planet

Ammetere legem terrae, To lose the Liberty of Swearing in any Court, as (as Sir Edward Coke says) to become infamous, is punished by Glanvill (Lil. 2. cap. 3.) for the Punishment of the Champion overcome or yielding in Battel, upon a Write of Right; and it shall be found guilty in a Write of Antient Soldiers' Trials of Honour.

Ammatæate, to Enamelled, 'Tis often mentioned in the Magnificæ, 3 Tom. pag. 170, 332.

Ammobagium, — Qua quidem terra de nobis remanet, sed serva avrurara, &c, per Ammobagium, quid ad causas fidibus extenderit, nec occasio. Pet. 7 Ed. 2. m. 7. intus. Q. If not the same with Ambrat.

Ammunitu Fundus, Iles upon the Weal Coasts of Britain.

Ammutatuë, (Ammutatio, Fr. Ammoutement.) Est precisio transacto in manum mortem, quod tenet in se velini Principis non finit. J6, 'Strat' mac. 1. It was an association of privilégium for the privilege and in manum mortem. In the Statutes De libertatis perque armis, Anno 27 Edw. 1. the Word Ammutatio is used. See Mortain.

Ammuttin (from the Fr. Amusart) is to alienate Lands or Tenements to any Corporation, Guild or Fraternity, and their Successors, which cannot be done without Licence of the King, and the Lord of the Manor. Anno 15 Rich. 2. cap. 5. See Mortain, and the Statutes of Ammutting Lands made tempore Edw. 1.

Ammusus manum. See Ofer us Main.

Amputus, the Garment with which the Priests, in Sactificatio, covered his Head and Shoulders. From the Lat. Amnthus.

Am, Jour, & Waifer (Amus, Dias, Et Usforsam.) Look Tier, Day, and Water.

Ampery, See Pruneus.

Amnes, i. e. Mendacius.

Amny, i. e. A King.

Amnitrus, the Hundred of Hersey.

Amnis, See Crucialis.

Amnitus (Amnitis) is well known. But we make this Difference betwixt that and Prudescens. The first is applied to a natural Person, as I. & E. &c., the second to a Body Politick or Corporate, Episcopus, Usurah. & Prudescens, Coke on Litt. Lib. 2. cap. 4. Sess. 103.

Amnituë, As Homage Amnitus, i. e. Homage that hath been done of performed by one Amnitus. See Homage.

Amnivoage, (Amnivago,) a Duty taken of Ships for the Port of the Haven where they call. Adam. M. 39. Treacht, Mr. For no Man can lay any Anchor on the King's Ground in any Port, without our paying therefore to the King's Officers appointed by Patent.

Amnitut, (Fr. Amnitz.) In Grey's Ian the Society consists of Ancients, Bastardes, and Students under the Bar; where the Ancients are of the more Antient Barraisters. In the Inns of Chancery there are only Ancients and Students, or Grey's 3. and among the Ancients, one is yearly the Principal, or Proctor. In the Middle Temple, Ancients are held as are past their Reading, and never read.

Ancient Domini (Vetus Parvissimum Dominus) is a Tenure, whereby all the Manors belonging to the Days of Saint Edward, or William the Conqueror, were held. The Number and Names of which Manors, as of all other belonging to common Persons, after a Survey of them, he caused to be written in a Book, now remaining in the Exchequer, called Domey. And those by which that Book appears to have at that Time belonged to the Crown, and are contained under the name Terra Regis, are called as Ancient Tenures, quid ad causas transacto in manum mortem. Of these Tenures there are two Sorts: One that held their Land frankly by Charter; the other by Copy of Court-Role, or by Verge at the Will of the Lord, according to the Custom of the Manor. Britten, cap. 66. num. 8. The Benefits of this Tenure consist in these Points: 1. The Tenants holding by Charter cannot be implicated out of their Manor, or if they be, they may abate the Write, by pleading their Tenure before or after Assuerer made. 2. They are free of Toll for all Things concerning their Suffrenance and Husbandry. 3. They may not be enmeshed upon any Inquest. See more of it Briten, Nat. Soc. fol. 14. d. & 152. &c. By whom it appears, these Tenants held originally by paying the King's Land, pelting his Hedges, or such like, towards the Maintenance of his Household. In which regard they had such Liberties given them, wherein, to avoid Disobedience, they have a Right to such as the Duties of Toll, as, likewise Immunity of Portage, or such like. No Land ought to be appointed Ancient Domainum, but such as are held in Secreto. See Monstruerant and Ternumis.

Ancient, (Fr. Ancienne, Antiquitate,) in the Statutes of Ireland, 19, Hen. 3, is used for Elderly or Seniorly. As, The Elder Sisur can demand more than his other Sisurs, but the chief Meas, by reason of his Antiquity.

Ancratis Lulius, (Anicratis.) Mr. Canot was of Opinion, that Nonnenham in Kent, situated near the Wood called Anfort, was the Place where a famous Castle was built by the Roman's, to defend the Sea-Coasts from the Saxon Pirates; which Town was called by the Ancratis by the Sisurs. And after decayed, but rebuilt, soon after a Monastery was built by the Carmelit Friers, in the Reign of Edw. 1. It was called Nonnenham. But Mr. Sonner was of another Opinion. He rather thinks it was Beaulie, because that is near the Sea-Coast; but the other is more remote.

Ancratis a Swath in Mowing. See Delt. It is an signifies, As much Ground as a Man could Ride over at once.

Anclatus, a hort Knife or Dagger. Tho' menioned in Mat. Parvi. vis. lirod est nonatos, possuit Ancraticum ad Emburse, pag. 127.

Ancratis, 9 h. Anteriorly with, in corpore manus post lapidem, vel examen ipsis ad ulterius. Leg. Addiscam, cap. 19, opud Brompton. Mr. Sonner tells us it should be superstitiously, i.e. a Simple Accusation: For the Sisur had two Sisur, viz. Sisuris & Triplex, which was called a Simple Accusation, because that was the Close of the Criminal and two more were sufficient to discharge him; but his own Oath, and the Oaths of hire more, were required to free him a triplex Accusation.

Ancratis, Terra librum omnibus Angarica & Etruscas, nec. M. S. priscus Elyon affinis, Arm, from the Pr. Scopii, <B. Personal Service;> which the Manors had been enjoyed in his Perthon Prebationes Angaricae & Etruscas, &c. &c. Impresting of Ships

Anglica Grilina was a Month Grilina, which was a great privilege, before their Death, that they might have the Benefit of the Prayers of the Monks. It was from them called Angelicae, be-
caulc they were called _Angels_, who by those Prayers animating souls succurrante. And therefore where we read the Word _Ad sanctos_ in our old Books, it must be understood of one who had put on the Habit, and was near Death. So, _si quis ad sanctos désiderato_ dedicat Noster piae receptator, Monasticon, 1 Tom. pag. 623. So likewise De fidelegis in morte, i.e. Thole Dying Men who had put on the Habit.

_Angel_ is a Compendium, according to the single Value of a Criminal. From the _An_ was, & _Gilo_ felix, St villanus furutus suarum, &c. &c. habebat plegiun, admetut num de Angildo.

_Inhorts_ (from the _An_ unde, & _Hoc_ per percip) a Stipple or the Tribune of Tax. _L. L. Will. 1. cap. 1. See sect. and ets.

_Invent_ (announced in Stat. 1 R. 3. c. 2, from the Fr. Anncrinc., i.e. To make void,) signifies abrogated, annullated, or brought to nothing. _Litt. de cap. Warrant, and 3 inq. fol. 490._ Animula oren has such which are notoried for to play, as Sheep, Hogs, &c. _Ets. cap. 16. Par. 15. Stet fret difeirente per eves & belluis cabriola, canat, but also animula oren, &c.

_Animat_ (announced) are all one with Firth-fruits. _Reg. de cap. 20._ The Reason is, because the Rate of Firth fruits paid of Spiritual Living is after one's Profit. _Anncarites mere se affidat prime fritucum utui non fieri detti vocabulis, et simulacra verborum, sub Priepe Priepe de doux._ &c. &c. _Litt. cap. 2._ Nots. Ammens, primatives, and Firth fruits, are all one. _Cod. 12 Rep. fol. 45._ See Firth fruits.

_Annualizing of the Isle (Act 17 Ed. 4. in princi- pio.) signifies the burning or hardening of the Isle, and comes from the _Son_ allan, ascendere.

_Bini multibus_ (Lat.) when a Woman is laid to be infra annos nubeles, that is, under the Age of twelve Years, unmarried. _Cod. 2. inq. fol. 147._

_Anniversary Days (die summissi fari) were, of old, those Days wherein the Martyrologies of Deaths of Saints were celebrated yearly in the Church, or the Days wherein at every Year's End, the Laurels were worn by the Sons of these decaled Friends, according to the Culum of Roman Catholicks, mentioned in the Statute, _Ed. 6. cap. 14._ and _22_ &c. _Rep. 14._ This was in use among the Romans, and you may see in _Lii. Romes, Sell. 134._ _Anniversary die dies iterum repetitum de- feclusi, quem nemius quaerere esse camus esse habetur in alta signant. This was the Reason given my Antibuce in his Divine Office._ It is sometimes taken _pr An- neliness_ which is an Office celebrated every Day in the Year for the Dead.

_Anno Domini_ is the Computation of Time from the Incarnation of our Lord _JESUS_ 5, and is used in publick Writings, sometimes with, and sometimes without, the Year of the King's Reign. As the _Romans_ made their Computation from the Building of the City of Rome, and the Greeks by Olympus, so Christians, in Remembrance of the happy Incarnation of our Saviour, reckon their Time from thence. The Day of the Month, the Year of our Lord and Saviour Christ, and the Year of the King's Reign, are the usual Data of our Computation. _Cod. 2. inq. fol. 42._

_Annunciation, alias Annunciarionis, (Fr. Naiances, i.e. Hour or Offence,) hath a double Signification, being used as well for any Hour done either to a publick Place, as Highway, Bridge, or Common River, or to a private, by laying any Thing that may breed Infection, by increasing, or such like Means: As also for the Write that is brought upon this Trinosophen, whereof see more in _Naiances._

_The Word Annunciation (see Ann. 22 Hen. 8. cap. 5._) Annual Privilege is a Write (now) in use, whereby the King having an Annual Pension due to him from an Abbot or Prior, for any of his Chaplains, (whom he should think good to nominate, being as yet unprovided of sufficient Living,) demands the same of the said Abbot or Prior; and also wills him, for his Chaplain's better Affurance, to give him his Letters Patent for the same. _Registrar of Wirts, fol. 625, 327._

_Annual Rent (see Annuity, yearly Rent or Income of a Pre- bendary.)

_Annuity_ (see Annuity, yearly Rent to be paid for Term of Life, or Years, or in Fee; and is also used for the Write that lies against a Man for Recovery of such a Rent. _Reg. of Wirts, fol. 159._ For Nature, or any Person's, or any other, a Wife defined to be a certain Sum of Money granted to another in Fee Simple, Fee tail, for Life or Years, to receive of the Grantor or his Heirs, so long as he or she shall live; which, if a Man shall never have Alive, or other Action, but a Write of Annuity, _Deactor and Student_, (Diath. cap. 3.) thaws several Differences between a Rent and an Annuity. Whereof the first is, That every Rent, he is Rent-charged, Rent-service, or Rent-act, is filling out of Land; but an Annuity chargeth the Person only, viz. the Grantor or his Heirs that have Annuity by Defeint. The second is, That for the Recovery of an Annuity no Action lies; but only the Write of Annuity against the Grantor, his Heirs, or Successors; but of a Rent, the same Actions He do as do of Land, as the Case requires. The third Difference is, That an Annuity is never taken for Alive, because it is not Freehold in Law; nor shall it be put in Execution upon a Statute-Merchant, Statute-Stamp, or Elegy, as a Rent may. _Dyes, fol. 345. numh. 2._ _Cod. on little fol. 144._

_Annual_ or _Naians_, near _Loggiehall_ in _Effra._

_Annicate_ the same with _Annuli._ (L. _Will. 1. cap. 60._) See _Scot and Law._

_Annal Weight._

_Annual_ or _Naians_, (Fr. Naians, i.e. 'tis said, _police, cu- bite, & point, de Antil balanciens & moniares._) _Thorn, Chron._

_Annual Rent_ of _Barnertainment_, which by our _Ancaters_ was called _summissi felicium._ In which they were so first, that both the _Ancater_ and _Accuser_ were obliged to make this Oath before any Trial or Purgation, viz. The Accuser was to swear that he would prosecute the Criminal, and the Accuser was to make Oath on the very Day that he was to undertake the Ordeal, that he was innocent of the Fact of which he was charged. _Leg. Athelstan, cap. Lambard 23._ If the Accuser failed, the Criminal was discharged; if the Accused, he was intended to be guilty, and was not to be admitted to purge himself by the Or- deal. _Leg. 1. cap. 65._

_Anniversary_ is a Word used in the old Histories, and signifies a Monastery.

_Anniversary._ 'Tis mentioned in the Title of a Chapeler in the _Laws of Canute_ (see _Canute 47._) but not in the Chapter it self. The Meaning
Meaning of the Word is, Where a Man endeavours
to discharge himself of the Fault of which he is
accused, by recriminating, i.e. by charging the Ac-
cuser with the same Fault.

Appurtenance, the Cape of Cornwall.

Apparatus is an Agreeable or Compeft made
with another. 'Tis mentioned in Utopia, Lib. 2,
cap. 12. De offita militari, utri, Ceremonias per pra-
fentes hominum & saevum conditum, ad saevum gaudium
secintem Audiat. Apollon, i.e. for certain: 'tis verum non direc-
rit ut alta sit, for Apollon. Leg. Aedeliana, cap. 6.

Apparitor, i.e. To be reduced to Poverty, viz.
Permit furs, liquet, parvum, Apoortite unige. Wal-
ingham in R. 2. Sometimes it signifies To them,
or Avoid, viz. In visitate datige, in visitate pos-
pustias, levis, quae suadimus, fuit melancholiam
aportantem.

Appasir, i.e. To violate, viz. Qui leges apop-
flata esse suae, tuus ea spectat. Leg. Edw. Con-
teforii 35.

Appolata capitana is a Writ (now out of use)
that by agreement, one, being entered and pro-
ceeded some Order of Religion, broke out again,
and wandered the Country, contrary to the Rules of
his Order. The Form wherein, with other Circumstances,
you shall find in the Register of Writs, fol. 127, &c. &c. &c.

Apparato, (Ann. 21 Hen. 3. cap. 59) a Medien-
ger that cites Offenders to appear in the Spiritual
Court, and serves the Process thereof.

Apparatus (of the Er Prelacement, i.e. like-
wife, or in like Manner) signifies a Refeandise,
or Likehood; as Apparans of War, mentioned
in our Statutes.

Apparito, (Et visus Carrosum, sum in tua Apa-
rata. Plat. In Itin. apud Ceftrian, 14, 7, 7) seems
to signify the Furniture or Apparel of the Poet;
as we read, the Tackle, Apparel, and Furniture
of a Ship, 2a & 33 Cap. 2. Stat. to prevent the
Delivery up of Ships.

Appeal (Er Appelt) is as much as Actuatio
with the Civilians: For, as in the Civil Law, Cognizance
of Criminal Causes is taken either upon Insinuation,
Denunciation, or Accusation; so in ours, upon In-
sinuation or Appeal, Indictment comprehending both
Inquisition and Denunciation: And accusation or ap-
peal is a lawful Declaration of another Man's Crime,
(which by Bletet must be Felony at least,) before a
competent Judge, by one that sets his Name to the
Declaration, and undertakes to prove it, upon
the Penalty that may ensue of the contrary. For
the whole Course of an Appeal I must refer you
unto Bletet, Lib. 3. trat. 2. cap. 18. Smith de Repub.
Angl. Lib. 3. cap. 3. Britton, cap. 22, 25, and to
is commenced two Ways; either by Writ or Bill
Appeal by Writ, is, when a Writ is purchased out of the
Cloister by one to another; to this end, that
he appeal a third of some Felony committed by him,
finding Pledges that he shall do it, and deliv-
er this Writ to the Sheriff to be recorded. Appeal
by Bill is, when a Man of himself gives up his
Assent in Writing to the Sheriff or Coroner,
offering to undergo the Burden of appealing the
Particular therein named.

This Point of our Law, among others, is drawn
from the Norman, which appears plainly by the
Grand Convent, cap. 68. where there is set down a
solemn Deforius both of the Effects of this Appeal,
and how if it shall in effect, or in fact, be
of the Trial or Inquest; which, by our Law, is in the Choice of
the Defendant. See New Book of Entries, serbo
Appeal. Book of Abuses, fol. 78. and 3 parts. Inf., fol.
131.

Appeal of Mahab is an Accusing of one that hath
been another. But that being no Felony, the
Appeal of Mahab is but in a manner an Affirm
of Trifles; because there is nothing discovered but
Damages. Bletet calls this Missa de plagis &
abstinentia, and writes a whole Chapter of it, Lib. 3,
Tract. 2. cap. 24. in his Table Vol. 4. fol. 56. in
the reign of King John's time there is recorded an Appeal against
a Free, or free convict, quantam nomen sumpsit, free,
Appeal of wrong Implication is used by Bletet for
an Action of wrong or false Implication. Lib. 3.
Tract. 2. cap. 24.

Appeal (from Appel, To call, because Apel-
lans vocat quem judicium. Cohn on Litt. Lib. 2.
cap. 11,) is divers times used in our Common Law,
as in the Civil, which is for a Removing a Cause
from an inferior Judge to a Superior, as an Appeal
So St. Paul appealed from Felix to Caesar. But more
commonly for the private Accusation of a Murderer,
by a Person who had Interests in the Party murder-
ed, or of any Fellow by one of his Complices in the
Fate. See Appuror, and see Cohn on Litt. fol. 26.

Appello, or Appellan, is he who hath com-
mited some Felony, or some Crime, which he
confesses, and now appeals, that is, accuses others
who were Complices with him. And though they
that are so appealed are called Appellators. Ann. 28. Edw.
& 22 Car. 2. cap. 1. See Approver.

Appellant (Appendant) is an Inheritance belong-
ing to another, which is more worthy; as is prin-
icipal with the Civilians, or Appellantibus subajet
with the Legiones. An Hospital may be appellant
Filling appellant to a Freehold. Wilm. 2. cap. 55.
Appendants are ever by Prescription. See Cohn on Litt.
fol. 123.

Appunage, or Appunage, (Er) the Portion of
the King’s younger Children in France, a Child’s
Part. They have in France a Fundament Law,
which they call the Law of Appunages, whereby the
King’s younger Sons have Dutchies, Counties, or
Baronies, granted to them and their Heirs, or
Heirs Male of their Bodies; the Revenue rever-
red to the Crown, and all Matters of Royality, as
Consigne, Levying Taxes, and the like. It is de-
erved of Appunlids, or from the German Wör
Appunage, which signifies a Portion. See Gerard du
Heugn. D. Spel. cliaiser, in our Appunages.

Appuniances, (Portenises) are Things both cor-
porate, belonging to another Thing, as to the more
principal, as Hamlets to a chief Manor, Common
of Fatture, Turber, Pilary, and such like; and
incorporal, as Liberties, and Services of Tenants,
Bras. cap. 50. Where it may be obverted, that he
accounts Common of Fatture, Turbery, and Pil-
ary, to be Things Corporate. See Common.

Appupbati in Nederland. See Appublti.

Appupbation is the incorporating several Me-
als together. See Bral. Lib. 2. cap. 2. Hete, Lib. 3.
cap. 2. parag. 12.

Appurior is a Word used in our old Historians;
and it signifies, To lean on any Thing, To prop-
up a Thing. Gr. Woltingham, Ann. 1721. Mat.

Appuror is a Logician To pledge or pawn: Accipiet
a franchise judens, simul non mediocrem Normaniam illi appo-

4. Appa...
Appointment (Appersonarum) is a Dividing of a Rent into two Parts, according as the Land (whence the whole Rent issue) is divided among two or more. As if a Man have a Rent-issue issue out of Land, and he purchase Part of the Land, the Kent shall be appointed, according to the value of the Land, as if a Man let Land for Years, reserving Rent, the Rent shall be appointed. But a Rent-charge cannot be appointed, nor Things that are entire: As if one hold Land by Service, to pay to his Lord yearly at such a Feast a Horse or a Rod, there, if the Lord purchase Part of the Land, the Service is totally extinct, because such Things cannot be divided without Hurt to the whole. Yet in some Cases a Rent-charge shall be appointed. As if a Man hath a Rent-charge issuing out of Land, and his Father purchase Part of the Land charged in Fee, and dies, and this Parcel defends to his Son, who hath the Rent-charge; here that Charge shall be part of the Land, in Latin Apparitio juris in terma, because such Portion of the Land, purchased by the Father, comes not to the Son by his Act, but by Defect and Connie of Law. Common Appen dung (Apparitio), is when such Parcell shall be, and though the Commons, in such Case, purchase Parcel of the Land wherein the Common is Appendant, yet the Common shall be appointed. But in this Case, Common Appurtenant, and not Appendant, by such Parcel is erected. Coke, lib. 3, fol. 972.

Appogium, — In quod profusa Majoris praelitlium Annos Apporri, quibus anno profusis A. in solutum non sequi vel solutum, &c. De Anno 22 Ed. 3. n. 72. Lib. It seems to be deduced from the Fr. Apport, which, besides the Common, signifies the Revenue, Gain, or Profit, which a Thing brings to its Owner. And in the Place cited it is used for an Augmentation given to an Abbot, for his better Support, out of the Profits of a Manor.

Appoint of Sterling is the Charging them with Money received upon their Account in the Exchequer, 22 & 23 Car. 2. d. for better Recovery of Fines due to his Majesty.

Appor, See Foreign Apparitions.

Apprenis (Fr. Apprent, and that from Apprendre), To learn, whence the Fr. Apprentice, and our Apprenticeship) is one that is bound by Covenant, to serve a Trademan or Artisan a certain Time, (for the most Part seven Years,) upon Condition that the Master shall, during that Time, instruct him in his Art or Mystery. Sir Tho. Smith, in his Rep. Angl. Lib. 3. cap. 84, says, They are a kind of Bondmen, differing only in that they are Servants by Covenant, and for a Time. Antiently Bishops in the Inns of Court were called Apprentees of the Commons, and of the Commons, as appears by Mr. Selwood's Notes upon Mr. Fortescue, p. 3. So the Learned Plowden styles himself. Sir Henry Finch in his Novelacta writes himself Apprentice of the Lord and Baronet Chief. In his Part Infir. fol. 164, says, Apprentici Legis in Pleading are called Homines congruini, & in Lege periti. And in another Place, — Apprentici and other Counsellors of Law. See Orig. Jurid. Lib. 143. 6. and the State of chaplains, 22 Ed. 3.

Appropriation (Appropriation) is from the Fr. Apprifer, i.e. Aperire, accumulate) signifies the Revering a Benefice Ecclesiastical (which originally, though in a certain Land in the Diocese of Ely in Patrimonium) to the proper and perpetual Use of some Religious House, Bishopric, College, &c. So called, because Parishes, not being ordinarily accounted Domini, but usufructuarii, having no Right of Fee-simple, are, by a Division of theirTemporalities accounted Owners of the Fee-fimple, and therefore called Proprietarii. Before the Time of Richard the Second it was lawful (as it seems) to appropriate the whole Fruits of a Benefice to an Abbey or Priory, they finding one to serve the Cure. But that King ordained, That in every Licence of Appropriation made in Chester, it should expressly be contained, that the Diocesan of the Place should provide a convenient Sum of Money to be yearly paid out of the Fruits towards the Sustenance of the Poor in that Parish, and that the Vicar should be well and sufficiently endowed, Ath. 16 Rich. 2. cap. 6. See the Poor Vicar's Idea. To make an Appropriation, (after Licence obtained of the King in Conveyance) the Convent of the Diocesan, Patron, and Incumbent, is necessary, if the Church be full; if it be void, the Diocesan and the Patron, upon the Occasion of the Licence, must vend the Benefice, which the Bishop's Cane, fol. 450. To dissolve an Appropriation, it is enough to persuade a Clerk to the Bishop, and he to inform: and indite him: for that once done, the benefit returns to the former Nature. Coke, Nat. I. 35. 3. 464. lib. 7. fol. 12. and Camp. Brit. 161.

Approprio, (Approprio) To augment, or, (as it were,) to examine to the utmost. For Example; To approv Land is to make the best benefit of it, by increasing the Rent, &c. Ann. 9 Hen. 6. cap. 10. Bailiffs of Lords in their Branches are called their Approvers. And by what follows, you may see what Kind of Approvers or Improvers were formerly in the Marches of Wales, authorized by the Prince thereof. Richard de Largomymp Empowerd sūr Commission, to his Hons desigant, the Court of Churb, & the Marches adjacent, a man who of all others best knew what was to be done. Le Roy, & a se servir, de rendre & abuser best & herbes des lants de la Comtesse de Hereford, et le Marche approyant, sans empêchement de vendre de nature comas loyal & liger herbes, & dispersed, &c. un recent de & c. Lu et autres, &c. reformes des Rebelins del Real, &c. Et estoit sa Lettre Verba, & se servir. Un tempoignage de qui choit en un lappe mon rô. Don a Lament de l't. jour de Juyle le an de Regne le Roy Henric le quaext après le Compafl, qu'&c. — See a Part Infir. fol. 472. — Quand nous libere tenir en false Barnamian ilam it appriusse foite de veste jus, &c. — Approvers also occurs in old Records, as, approys, and vassals approys. 


Apprentice (Ann. 1 Edim. cap. 11,) is the same with Improvement; but it is more particularly used for the concluding Part of a Common by the Lord of the Manor, leaving sufficient nevertheless for the Common. See the Common.

The Word Apprentice properly signifies the Profits of a Farm: Pecuniaque cultiudine qui medi teneat extra & approveniam terrae ad opus illorum subjicit, Walling. pag. 57.

Apprentis (Fr. Apprentice) is one who confesseth Felony committed by himself, and appeals or accuses others to be guilty of the same; and is so called,
called, because he must prove that which he hath alleged in his Appeal. This Proof is by Battel, or by the Country, at his Election that appealed. The Form of this Affirmation you may in Part gather by Gram. 4th of Peace, fol. 250, & 351. That this is done before the Coroner, either attainted to the Felon by the Court, and take and record what he faith, or else called by the Felon himself, and required for the Good of the Common wealth to do so. The Apprizer's Oath, when he begins the Combat, you may see in the last Page of Trump in, as also the Proclamation by the Herald. Of the Antiquity of this Law read at large in Brattach. lib. 3. Traff. 2. cap. 21. & 33. Stanniff. Pl. Cor. lib. 21. cap. 50 sec. 40 & 3 Patt. Infinit. fol. 129. See Procter. Com proctor perfercit quid præmius criminis quod convenerit, solutum ut qui loco ibat et membrum, sed in regio renoveri non detiner, eum esse qui tute invicem, faith Brattach. See Nesta. lib. 2. cap. 52. sec. 42. and Stanniff. Pl. of the Crown, cap. 2.

Apprizers of the King (Apprizers of Regics) are those that have the Letting of the King's De- means in small Manors, to his best Advantage. Act. 15 H. 8. Stat. 5. And in the Statute of 1 Edw. 3 cap. 29. the Sheriffs did call themselves the King's Apprizers.

Appraiser is to take, to his own Use or Profit, viz. Dominii vacatam & Inherentar. Et appraiser sf est parta. invention or the bishop of London. Aquanagiam figiit, the same as aquanagium. Eadem modo fuit & observatar in annulis aquanagios infra praecordium deli maritici.

Aquinagium (Aquinagium. 9. Aque Agium. i.e. Aquanagi- Aeqanagium,) - since it is a salt of lether facere duas vos sed quod ad aliquas impediments in aliquis ludus, materiagium, si quidem nisi aquagios communio in marito prædest. Ordinatio Mariti de Romana Tar. and tempor. Hem. 5. & Edw. 1. pag. 72. See Watergang.

Aqua litoris, Bath in Sussexfri. Stare. (Angl.) to rate, from the Fr. Arracher, Socleur.

Stadium. See Marit. Stare. (Angl.) to rate, from the Fr. Arracher, Socleur.

Irish, or drach, in Daniel Anne Acad. (i.e.) interpreted from the Sex. Apevan, to expound; and Ang. Read.

Arab. In arabo conosco, i.e. To make Oath in the Church, or in some other Holy Place; for, according to the Ripinarius Laws, all Oaths were made in the Church upon the Relics of Saints.

Arab. Lands proper for Tillage. In Domfard. Tit. Eser Tit. 20 pore, to 40 pore 2 Roemel, 4 Arabis, etc.

Ararat Terræ: As much as can be told with one Thought. I. historiam 30 araratum. Horn. Acta 616. See Carmina terræ.

Aratra Terræ is the Service which the Tenant is to do for his Lord in plowing his Land.

Arbitrariae. (Lat.) is an extraordinary Judge of Commissioper in one or more Causes, between Party and Party, chosen by their mutual Content. The Arbitrator is either general, that is, including all Actions, Quarrels, and Demands; or special, which is of one or more Matters, Facts, or Things, specified. The Arbitrator made a Difference between Arbitrator and Arbitrativa, for though they both ground their Power upon the Compromise of the Parties, yet their Liberty is divers, for Arbitrator is tied to produce and judge according to the Law, and equity intermingled; Arbitrator is permitted wholly to his own Discretion, without Solemnity of Process, or Court of Judgment, to hear or determine the Controversy committed to him; so it be Just Ar- bitratum bonum. See Actes & Bajus.

Arretium, or Cypriothum, or Corynthianum Judga- zium, was a common Chief with three Locks and Keys, kept by certain Christians and Jews, specially designed for that Purpose, wherein all the Contracts, Mortgages, and Obligations, belonging to the Jews were kept, to prevent Fraud; and this by Order of King Richard the First. Record's wards, Parte folio. pag. 743.

Archry was a Service of keeping a Bow for the Ule of the Lord, to defend his Castle. Johannes de archerii qui textu de Domino Regis in capite per Serenma Archeri. Co. Litt. Sect. 157.

Arecourt Court (Cosa de Arctobus) in the Chief and Anglois Confoiy which belongs to the Arch- bishop of Canterbury, for debating Spiritual Causes; and is so called from Bis Church in London, (dedicated to the Blessed Virgin) where it was kept. And the Church is so called from the Foundation of the Temple or Cloister thereof, whose Top is raised on Stone- Pillars, built Arch wife, like so many East Boys.

The Judge of this Court is termed The Dean of the archer. Dean of the Arch, because with this Officility is commonly joined a peculiar Jurisdiction of thirteen Parishes in London, termed a Deanery, being exempted from the Authority of the Bishop of London, and belonging to the Archbishop of Canterbury, of which the Parli of Bis is one, and the chief, because the Court was there kept.

The Jurisdiction of this Judge is ordinary, and extends it forth through the whole province of Can- terbury. So that upon any Appeal made, he forth- with, and without any further Examination of the Cause, sends out his Citation to the Appeal, and his Inhibition to the Judge from whom the Appeal was made. Of this Read more in Historia de Anu, Effes Brittan. and 2 Part. Infinit. fol. 357.

ARCHY, (Achterhillum, fromアー, a Place wherein Ancient Records, Charters, and Evidences, (that belong to the Crown and Kingdom) are kept. Also the Chan- cery or Exchequer Office.

Archeus is a Sort of Tiles of a blue Colour, like our Combe Slate.

Archt is an Old Word, signifying To divulge; from whence we derive the Word Revise.

Archbishops. To the great Archbishops and Bishops of the Common Law. Rec. Part. 4, Ed. 3.

Arcomium, or Rambury near Hereford.

Aterian is the Earl of the King, commanding all his Tenants to come into the Army; if they refuse, then to be deprived of their Estates. From the Sax. Depe Exercitii, and Ban Edilem.

Arctarius Miles is mentioned in Sec. Til- bur: Et dictus su ac inferioris fautor ac superioris before brevis eximandus avtorius, ad sideris miles qui pro græcis nolumus.

Argentarius, or Silver Money; so Silver coined, according to the Consul, in order that the Judge from women to another in Payment. Sumtur pro 150 mi his merito pensius, non signator. Specie.

Argentarius, or Money given in Grant of a Bargain. In L. Rambur. or Actes. Ett. 1516. pro re- deto. Hériss tres a varis de Argentio Dei pro mani bis. Celtcr. 3 Etwt. 3. See Conversation.

Argus
Arratia Britum, the Arraying of Foot Soldiers. Pat. 4 Ed. 1, p. 11, note 11.

Arraon, or Arrege, (from the French Arrenager, i.e., To set a Thing in Order, or, in his Place,) hath the same Signification in Law: For he is said to arrange a Write of the Royal Deed, who prepares and fixes it in the Trial before the Justices of the Circuit. Old Nat. Br. fol. 109. Littorum (pag. 78.) uteth the Word in the same Sense, viz., The Judge arranges an Affidavit of the Royal Deed.

To arrange the Affidavit is to cause the Tenant to be called, to make the Plaintiff, and to set the Causer in such Order, as the Tenant may be forced to answer thereunto. Cate on Littor. fol. 263. b. Also a Prisoner is said to be arraigned, when he is indicted and brought forth to his Trial, Arraigned within the Verge upon Murder. Statut. 11. P. Cur. fol. 150. The Manner of this Arraignment you may read in Sir Thomas Smith de Reg. Angl. 14. 1. cap. 23. — The Learned Opinius is of Opinion, it should be written in Arraignment, from that old French Armain, i.e., Arranger, a Person, a Planner, a Preparer, but this must be a Mistake: For in the Register we find no such Word as arrainer, but only Arraignment of a Person i.e., as an Accused: And so it is in the Year-Books, and in Pits. Nat. Br. The true Derivation is from the Fr. Armainier, i.e., Ad rationem ponere, viz., To call a Man to answer in Form of Law. And this comes from the Barbarous Lax, abrarnaier, i.e., Plannor: So that when a Criminal is arraigned, 'tis power cum ad rationem.

Arrip. Arrayed in Barbary Latin is Arraiatus, i.e., Well appointed or provided: and that comes from the old French Word Arrié, or Arrays. Thus we read in Thoyn's Chron. Grant Sufficere munera et arratares: And in Kindred, Lib. 3. Reditur tamen virris, etc., defetere & honis arrate. So that it signifies, in a particular Meaning, Military Order; but now a Ranking or Setting Forth a Jury of Men empannelled upon a Cause. 16 H. 6. c. 14. Hence the Verb to Array a Panel, shd. 3 H. 5. cap. 5. and Old Nat. Br. fol. 117. That is, To set forth the Men empanelled one by another. The Array shall be qualified. Ridd. By the Statute every Array in Affair ought to be made four Days before. 15 H. 6. c. 10. Panel. mash. 10. To challenge the Array, Riddon. fol. 92. See Chal- lenger. To lead and conduct Persons armed and arrayed. 14 Car. 6. cap. 3.


Arrauntus, (from the Fr. Armoury) the Remain of an Accompt, or a Sum of Money remaining.
Maining in the hands of an Accomplice. It is

Ararat. — (Hist. Script. f. 5.)


AS

plucking up those Woods by the Roots which are
Thicker and Cover for the Deer, and by making
them plain as Arable Land; which is the greatest
Offence or Trespa that can be done in the For-
rest, to Vert or Venison, containing as much or
more harm than any other. The future Trial is
but the telling and Cutting down the Coverers,
which may grow again; affray is a Plucking them
up, and Destorying them; which is confirmed out
of the Red Book of the Exchequer, in their Words,
Affray was deteruer quo quid perficere accidere
incorporarum, quando Faciles semina se Dennunt, pact
nus & cantilina ferarum oppussum, suscitandum: quos
bus faciit & radiatus unius, terra sortivit & ex-
culturavit. And again out of the fol. 257. in the
Writs at quod Dennunt, in case where a Man
fines for a Licence to affray his Grounds in the
Forest, and to make it severer for Tillage. So
that it is no Offence if done with Licence. To
this Bradton may be added, (c.b. 4. cap. 38.) who birth,
that these Words, before effritur Affrallam, signify
as much as Rezallam ad culturam. Of which this
may read more in Camp. Juris. fol. 203. and in
Charta de Forbea, Ann. 9 Hen. 3. cap. 4. where it is
in Chancery (ad. 1574.) cap. 1. which we
affray, is elsewhere termed Difobustas. Guerri de affrallam we find in a Charter of
Privileges, granted by Henry the First to the
Abbess of Remy. 1293. And in Part 3 Ed. 3.
4. cap. 1. as we quoddam Sartus, quod Sart
sartum bominum inbus Bachelis, &c. And
affray occurs. Besides the Derivation before men-
tioned, schuman was of Opinion that it is derived
from the Lat. Excrarum, which is To pull up the
Roots: For sometimes idam wrote Effra. Others
derive it from Excavarium, which signifies To plow
or cut up; and by Contraction Excavum.
Affray was also aliquant the use for a Parcel of
Land affait, as appears by this Charter of
Rog. Earl of Mortimer's Seign, qual et Regens
de Mortuo marci Didi Alii Pelater pr privatis
usu acacia terem super Mug honour inter pratum
quam fuit Petri Radul. or quam vos habet per
medium Mughonden Didi etiam idam Didi Alii Arras
en la Hora, quo apernon Unrichterhund & Al
richendiger, in quibus Affrillis contineorquem unum
sum ad usum terrarum in usum super Mugonden.
Hoc His riu. Ad. Sisfrat. Wagt. de
Affray-Rents were Rents paid to the Crown
for Forest Land affrighted, Stat. 22 Car. 2. cap. 6.
3. Martinus. 2. 1 Ed. 3. 11. 3. seems to be
used in the same Sense.
Affruit (Affruit) is a violent Injury offered
to a Man's Person, of a higher Nature than Bate-
tery; for it may be committed by offering a Blow
or by a terrifying Speech. (Lamb. Eiren. lib. 1.
cap. 3.) As to rebuke a Collector with foul Words,
so that he departed for fear without doing his
Office, was taken for an Affruit: To strike a Man,
though he was not fierce with the Blow, was ad-
judged the like. 22 Lib. 40. for Affruit
does not always necessarily imply a HITting, or
Blow; because in Trespass for Affruit and Bat-
tery a Man may be found guilty of the Affruit,
and excused of the Battery. 25 Ed. 3. cap. 24.
The Feudius define it thus: Affruit est impinum in
prassum ac iconem, fuit his populi fas, vel quos
in misibilitate offerentur ali re affiliern. Zulius
de Fend. pag. 10. num. 99.
A grip of Mights and Measurers (from the
the Fr. effe, i.e. a Proof or Trial) is the Exa-
nimation used by the Clerk of the Market. Regis-
fer of Wister, fol. 279. As Affrallam & Affrallam
Marrow.
Aipart of the King (Affarum Regis, Pr. Aff.
Fr. Aff.) is an Officer of the Court who has
the duty of distancing the Merchants, or silvers, indifferently appointed between the Ma-
flers of the Mint, and the Merchants that bring
cap. 10. and 18 Car. 2. cap. 1. Mandatum eff. Will.
Hardel, clearer, quod conveniant in praxtina sua
ipsis monetissarum, Affrallaribus, suddalibus, operibus
& alius ministris at Cambriae Regis Domus. & Can-
taurum de suscipatione & suscipationum praxs pradis,
qui & tales operas praxs in pratiptio Cambriae, qui lefi-
siren ad operationum praxs securitas, ne feces a de-
elsus bauynolai ministrorum damnum iniuriam. t. apud
Woodhull, 10 Janii. Cial. Hen. 3. m. 6.
Aicarces, i.e. to give Security, from the
Fr. Affaricer. Affariceria in manus Dement Regis, Ec.
Airdonung, the Setting the King's Rents. Odi
Ridiculae Regis pulli felle miserae praxis Regis mi-
neras quibus adhibe.
Aimt, using the Meeting of three or more
Persons to do an unlawful Act, though they
do it not. Lamb. Eiren. lib. 1. cap. 19. See Du
Lawful Assembly.
Aileel, (Sista, lib. cap. 15. with id, quas
Ordinator, Collectiar, Disposition.) We now use it
for him for that afflicted Publick Taxes: As, two In-
habitants in every Parish were Affutters for the Royal
Duty, which, rated every Person according to the
Proportion of his Estate. Ann. 16 & 17 Car. 2.
cap. 1. Also an Officer in the Presbyterian Assem-
bly.
Affrall (Fr. effe, i.e. Sista) signifies Good
enough to discharge that Burden, which is cast upon
the Executive or Heir, in satisfying the Tefator's
or Antecessor's Debts or Legacies. In Book, if
Affrall per defendas, you shall find, that whoever
charges another with Affrall, charges him with hav-
ing enough defecent, or come to his Hands, to
discharge that which is in Demand. Of this there
are two Sorts, Affrall per defendas, and Affrall in-
stead of recidivus.
The first is, where a Man enters into Bond, and
dies feald of Lands in exec simple, which descends
to his Heirs, and are therefore chargeable as Affrall
in his Hands: But if the Heir alies the Lands before
the Bond be put in Suit, he is discharged. Affrall
enter mains, is when a Man dies indebted, leaving
to his Executors sufficient to discharge his Debts
and Legacies, that is Affrall in his Hands.
Aircraft, to drain Water from Marsh
Grounds. - Biduif stars marium praddhiam Affrallare,
& saeclum legam Monowi, Walde ingulnare & in cul-
tum ridigerse. - Et saeculam illam in Affrallame,
inculsum & in culsum rustichum tenere. Mon. Ang.
2 Vol. fol. 334.
Affrall, or Affrallar. To tax equally. Persifum
aff generaliter quod pr amenities quasdam hos medo
Sometimes in Families for affrallar to be paid out of a particular Farm, as Manus
Rex Stephanus dedit & affrallar eis pro communi merito.
Affrall (Affrallar) hath two significations: One
general, as to appoint a Depury, or to set over a
right to another, in which Briton (fol. 132.) Gild.
This Word was first brought into use in Favour
of Baffards, who, because they cannot pass under
the
the Name of Heirs, were therefore comprised gener-
der that of Affign.,
and the last torque, etc. To Affign Error is to fly to in
what Part of the Process Error is committed.
To Affign falsely Judgment is to declare how and
where judgment is unjust. To Affign a false Verdict
of &c. is to declare, etc. To Affign a Wafe it is to shew
therein especially the Wafe is committed. Register of
Wits, fol. 7. Affign in the general Signification is used, Ann. in Edw. 1. and
H. 6. cap. 2. in these Words; Affign is al-
figured to take Affign. And the Substantive Affign-
ment hath the same Signification; as, the Affig-
ment of a Lease is the Setting over or Transfor-
ming the Leases Interest to another.
Affign is he that is deputied or appointed by
another to do any Act, or perform any Business, or
enjoy any Commodity; and he may be fo either by
Deed, or by Law. Affign by Deed is when a Leaseee
of a Term sells and affigns the same to another, that
other is his Affignee by Deed. Affign by Law is he
whom the Law makes, without any Appointment of
the Person; as an Executor is the Affignee in Law
to the Testator, who dies poisseld of a Lease made
to him and his Affignee at the time of his death.
An Affignee is he that poissels or enjoys a Thing in
his own Right; and Deputy is he that does it in the
Right of another.
Affignment of Deverer. See Establishment of
Deverer.
Affinaly, i.e. To put together. 'Tis men-
Terra nova deo est, et usque usque corvi, fac fiiis po-
visi et babule de longa, hunci solus pojus Affinaly
are, etc.
Affilla, Capit in odium Affillis, i.e. When
the Defendant pleads to the Affillie without taking
any Exception to the Count, Declaration, or Verit.
Affilla cabal, i.e. when there is such a plain
and legal Inefficiency, that the Complainant can
proceed no farther on it. Lib. 4. cap. 15. 1
Affilla cabal in pratum is where the Thing in
Controversy is so doubtful, that it must necessarily
be tried by a Jury. Lib. 4. cap. 15. Braden.
Lib. 2. cap. 75.
Affilla Contumacia is a Write directed to
the Justices affigned to take an Affilla for the Contu-
manity of the Caufc, in cafe where certain Records
alleged cannot in Time be procured by the Party
that would use them. Reg. of Wits, fol. 206. &c.
Affilla is derived from the French Affilis, i.e.
Affillium, Locatum, Defuntum, and is diversly used.
Littitton (Chac. Rent.) says it is Locussum, and lets
down three Significations of it: One, as it is taken
for a Write, another, as it is used for a Jury; the
third, for an Ordinance; i.e. Affilla is a Write
directed to the Sheriff for the Recovery of Posses-
sion of Things immovable, whereof your self or
Anceffors have been defiliated: And this is as well
of Things corporeal as incorporeal Rights, being
of four Sorts; viz.
Affilla of Monet Defulfit (Affilla versus De-
silfam) lies where a Tenant in Fee simple, or
the Life, is entirely defiliated by your lands or
Tenements, Rent service, Rent-tek, or Rent-
charge, Common of Paffure, Common Way, &c. and divers other like of which you may read
Glanville, libr. 10. cap. 2. Braden,
 librarian. Brit. cap. 70. Reg. of Wits,
all this is due to the point made.
And to this may aptly be added the Bill of Erth
Forfe, which is directed to the Officers or Magis-
trates of Cities or Towns Corporate, being a kind of Affilla, for Recovery of Possession in such
Places. As ina Bill of Forefe, the ordinary Affilla
is in the County. Eiz. Nat. Br. fol. 7.
A tout ce le feft estant eu en vostre Raynande
de Giniges falut. Cum Hauile de Veere vous em-
ples a devens dafiers en le yer de Chelmford par un
Briefe au Novel dafier en un chemin ke vous effy affe-
pee en un lay & ses tenants en les maer de Dunblane
feynt & desayant aler, hoarer & chaffier seint en
Marches de Rayveci, jom nel disaffiene en un chemin
ke af sepple Martineke le sef en de le menag cle
Marin dekes en chemin ke af sepple Guninhurte.
To par moy & mes heurs vele & gauve a laurant
Hauile & a se fer heures & se fer a vostre tenants en
Dunblane ke sef en le vostre chemin fame mult disaf-
faience de moy ne de mes hris a turs jours a son chaffier
& se fer tenants en vostre chemin fame mult disaffiene.
En fauissance de ce que jom en mes lettres poisifs en
sens a mon synapticc sef a Daure William de Langborne, Nicolas de
Barenton, et a donne a Chelmord soer meunder po-
bien en ai Feit. Simon & Simon et jude, le au tre-
fois en deure au roy Edward. Deus Will. Andrew
Darnett. Dom. Meunond de Dunblane, alias Dun-
barn.
A title of Erton Almefer (Affilla moris At-
toffam) lies where my Father, Mother, Brother,
Sister, Deede, Aunt, &c. died titled of Land, Tenements,
Rents, &c. that he had in Fee simple,
and after his Death a Stranger abates: And it is
good as well against the Abar or any other in
Possession. How likewise this is extended, see
Bredin, libr. 4. cap. 7. per tenum. Brit. cap. 70.
A title of Derren Patronat (Affilla ultra
profectionis) lies where l or my Ancestor have
possessed a Clerk to a Church, and after (the Church
being sold by his Death, or otherwise) a Stranger
presents his Clerk to the same Church, in my Di-
furbance. And how otherwise this Write is used,
see Bredin, libr. 4. cap. 7. per tenum. Brit. cap. 70.
These Affilla of Novel Diffuffum, Mordansse, Der-
ren Patronat, De Communis Paffure, were institu-
ted by H. 2. in the Place of Dues: And therefore
Glanville tells us, that Magnus Affilla est Regale bene-
factum, item est principis de missis prosum proprium
indulgentia, i.e. quod eiusmodem & statum integritati
lucis falsiforme confolat, ut in jurisdictonibus in libero
fac tum possessionem, inducenda, inculu eam hunc ine
clinare possit ambiguum, Et.
Lib. cap. 2.
A title of Cernum (Affilla Uenum) lies for a Par-
ton against a Layman, or a Layman against a Par-
ton, for Land or Tenement, doublet whether it be
Layman or Free Alms. And of this see Bredin,
lib. 4. cap. 7. fol. 1. & fig. Brit. cap. 95. The
Reason why these Writs are called Affilla may be
divers. First, because they touch the Possession and
Right in him that obtains by them. Secondly,
they were originally executed at a certain Time
and Place appointed: For by the Norman Law the
Time and Place must be known forty Days before
the Suit, for the Certain Law provided by Lord
8, must be like wise fifteen Days of Preparation, except
they be tried in the Standing Courts at Westminster,
as appears by Bredin. Fitz. Br. fol. 177, &c. Lastly,
they may be called Affilla, because they are tried
most
most commonly by especial Courts, set and ap-
pointed for the Purposes, as may be well proved,
only not out of the Cenonymy of Normandy, but our Books allow: Which fhew, that in ancient Times
Judges were appointed by Special Commission, to
different persons, and places, more in this or that ony County, as occasion fell out, or
Diflent is were offered, and that as well in
Term-time, as of Term: Whereas of later Days, we see that all their Commissions of Affes,
of Eys, of Eyre and Termination, of Great Delivery, and of Nifi prior, are dispatched all at one Time,
by two several Courts in the Year, out of Term, and by fuch as have the greatest Sway of Justice, being
all of them the King's Judges of either Bench,
Barons of the Exchequer, or Serjeants at Law.

Affs, in the second Signification, according to
Littleton, is used for a Jury. For (to use his own
expressions) it is fett down in the beginning of the
Record of an Affe of Newel Difficence, Affes veniunt
recongiteri, which is as much as to fay, jurates ce-
num teneri recogniteri. He gives this reason why the Jury
is called an Affe: because, by Writ of Affe, the
Shrieval incumbrance, is a newes of legitimate
legalis hominis de vocato, &c. utere terrae quem
libus, & numero eorum immutari, & quod summum est
per bonas summationes, quod justorum judicarum, ut
parum est, ut fuerit prorsus alterius. and he that
should have (spoken short) Metempsycosis effe.
For they are called the Affes, because they are
fummoned by vertue of the Writ to termet. And yet
the Jury summoned upon a Writ of Right, is like-
wise called the Affe, as himself there confesseth.
Which Writ of Right is not an Affe; but this may
be faid to be eouo-pno(uo, or abuifiou to termed.
Affe in this Signification is divided, in magnam &
parsum, Gloriosa, Lib. 2. cap. 64. et 77. &c. and
Bra-
zen, cap. 12. Where it appears, wherein the Great
Affe differs from the Petit Affe. The former four
kinds of Affes used in Actions only Poibliory, are
called Petit Affes, in respect of the Grand Affe.
For the Law of GE is grounded upon two Rights:
One of Possifion, the other of Property. And as
the Grand Affe serves for the Right of Property;
so the Petit Affe serves for the Right of Possifion.
Here's Matter of Juris, lib. 5. cap. De Novel Diffi-
cence.

Affe in the third Signification, according to Lit-
etton, is an Ordinance or Statute of Affes; as the
State is called the State of the Affe, which is
termed the Affe of Bread and Ale (Affa panis et
viini) Reg. of Writs, fol. 279. b.

Affes of the Foot (Affe de Forez) is a Stat-
ute or Condition, touching Orders to be observed in
the Forez. Thefe and others, because they
are not fett down and appointed certain Meafures, Rates, or
Orders in the Things they concern. Of Affes, in this
Signification. Gloriosa also fpeaketh, Lib. 9. c. 10.
in paece, generaliter namque ex qua de quaetite placia
quod in comitum dedicant & terminant, mirificientia,
qui inde proponerit, obsequenties debent: una quanti, per
numetum 0.0. generali determinantem de. Thus Little-
ton's Declaration.

But in other Law Writers we find this word (Affe)
more diversly used, than this Author hath no-
ted. For it is sometimes used for the Meafure or
Quantity it fell, (and that per Metempsycosi) be-
cause it is the very corner-stone or com-
mended by the Ordinance. For examples we fay,
when Wheats, &c. is of this Price, then the Bread,
&c. shall be of this Affe. This word is further ta-
ekem, for the whole Proceeds in Court upon the Writ
of Affe, or for some Part thereof, as the ille of
Verdict of the Jury. The Law of this Court of
Newel Difficence, &c. shall be taken, but in their own,
and by this manner, &c. Mag. Char. cap. 12. And fo
it fignifies to fay, Wib. 2. c. 25. in these words:
Let the Diifier dare no false Exceptions, whereby the
taking of the Affes may be defeated, &c. And Anno
1. Hen. 6. cap. 2. Affes awarded by default of the Tri-
nants, &c. Laffly, by Morton, cap. 6. 28. Non fecuris
convenerit by the Affes, quit de nullius Affe, &c. And in
this Signification Gloriosa calleth Magna Affe, de-
mus Roya, &c. ex duodecim et minus legum homini
summandi confinentia. L. 2. c. 7. Brallon uede it in
like fort, as, affa uale in transmisionem, & Affa
vale in praebitationem. Lib. 4. cap. 37. 31. Here
defines an Affe. In this Signification, that, Affe in
jure pecuniae, ejus quantum recognite duodecim homini
summandi, &c. per quam judicisvis consensum de articulis
de servo contenturi. And Affe also, this Signifying,
is fay sometime in medium time, in manner of an
Affe, when only the Difficence in question, is put to
the Trial of the Twelve; in manner of a Jury,
when any exception is objected to disable the Inte-
rument, and in manner of the Difficence, and is put to be tried by the
Twelve, before the Affe can pafs.

Affe is further taken for the Court, Place, or
Time, when and where the Writs and Proceeds of
the Affes are handed or taken: And in this Signi-
Fication Affe is general, as when the Jurifiques go
their several Courts, with their Commission,
to take all Affes twice in the Year, that is called The
General Affe. It may likewise, in this Signification,
be peculiar, as if an especial Commission be granted
to certain Persons (as was often done in ancient
Time, Brallon, Lib. 3. cap. 12.) for taking an Affe
upon one Difficience or two; this would be called a
Special Affe. And in this very Signification Glor-
iosa uale it, Lib. 5. cap. 12. Sec. Cap. x. fol. 175.
Concerning the General Affes, in the most usual
Signification, thus the Learned Sir F. Bacon,
A L. the Counfey of this Realm (Say they) are di-
vided into four Circuits, and two Learned Men are
configned by the King's Commission to every Circuit, who
ride twice a Year through thofe Shires allotted to that
Great a Journey, if there we call them, and Acquire all the Affes, who have five several Commissions by which they fign.

The Jelf is of Eyre and Termination, directed to them,
and many others of the feet Arrant in their Circuits. But
in this Commissions the Judges of Affes are of the Que-
ftions, and none without them can be at proceeding. The
Commission gives them Power to deal with Treafon, Mur-
ders, and all manner of Felonies and Misdemeanors, and
at their large Circuits.

The fecond is of Great-Delivery, and that only in the
Judges themselves, and the Clerk of the Affes Associate;
by this Commission they are to deal and deal every Prifoner in
God, for what Offence bever he be there.

The third Com. is directed to themselves only, and
the Clerk of Affes, to take Affes, by which they are
called Judges of Affes: And the Office of this Judges,
is to take Right upon Writs called Affes, brought before them by moft, or a young Man called an Affe, the
Fourth is to take Nifi Prises, directed to none but
the Judges themselves, and their Clerk of Affes, by
which they are called Judges of Nii Prises.

The fifth is a Commission in Peace in every County
of their Circuit. And all the Judges of Peace, having
Admission, i.e. The Day of the Death of a Saint, so called, Quam eun anima in sanctam abhurit.
Du Cange.
Tandum data dies, Regis adsumptio unius, Regi parentis adoec.
Ad Passage. See Traition.
Auctoris haren (from Auctoris, the Hearth of a Chimney) dictus ille cui antegressor in tota sua (per
clamabat) hereditatem restituit. 1 Inth. fol. 9, 9.
Atrributio or Atrribuith. (Arthr.) Hic qui paenem
insecit, vel loquax, vel superbia laminatur, vel ad disce
insecit, quod adulterius, E. L. Dici Edward,
cap. 30. See Heveden, pag. 6, 6.
Astrum signifies a Fire-place, but afterwards
taken for the whole House: Volibus aetum in veter
ibus aetatis, quia communibus suis concupiscentibus rem
medianum. Etcia Lib. 4, cap. 2. parag. 8. de Na
tivis.
Astor was a Saxo Dart, or rather a Crois-bow, from
the Saxo Axton, natter, & c. et al., telum; in modis et
a fershe a cipian cum unamhus aurum & elum deci
pitas, in deserta locis navem qua lingua anglorum
Haturae nuncupatur.
Aulita, Aetn, an Oath.
Auraham, an Hoggard, or one who looks after
hogs.
Arit, See Odia & Astra.
Atlan. i.e. Menilis or Country-Implements: Remanum domus equi carcrerii canerelai & emigres
in ebor oxo aquaeriu carnis & astilis.
At large. See Verdid at large, Littl. fol. 63. To
vouch at large, Old. Nat. Br. fol. 167. To make it
title at large. Kitchin, fol. 69. See Bar.
Attributi. Berkshire.
Atrium signifies a Court before the House, and
sometimes a Church-Yard.
Attrahit (auctores) From the Fr. attrahir, i.e.
figura, mulieres, aliquae) signifies to take or appeare
by Commandement or Write. Lamb (in his Ec
lib. 1. cap. 16) makes this difference between
an attrahit and an Attachment, that an Attrahit
proceeds out of an inferior Court by Precept, and
an Attachment out of higher Courts, by Precept or
Write, and that a Precept to Arrest, hath their
formal Words, Datation, &. And a Write of At
traction thales, &c. receives the good attachments taken & babes etsm seman, &c. Whereby it appears,
that he who Arrests, carries the Party arrested to another higher Place to be disposed of fortwith:
he that attrahit, keeps the Party arrested, and
prevents him in Court at the Day aforesaid in the
Attachment. Yet an Attachment sometimes lies out of
a Court-Baron, which is an inferior Court, Kitch
lib. 99. There is another difference, in that an
Arrest lies upon the Body of a Man, and an At
traction sometimes on his Goods; which makes it
in that particular differ from a Captio, in being
more general: For a Man may be attached by an
hundred Sheep (Kitchin. fol. 267) but the Captio
takes hold of the Body only. See Signe, Verbo, at
attachment.
Attachment by Write differs from a Difrees or Di
stricture, in this. That an Attachment reaches not
Lands, as a Difrees doth, and that a Difrees
toucheth not the Body (if it be properly taken) as
an Attachment doth, yet are they divers Times con
founded, as may appear by Glanvill. lib. 10. cap. 3,
and
There is likewise an Attache of the Forest, which is one of the three Courts there held; the lowest is called the Attache; the mean, Sware; the highest, the Justice in Eyre's Seat. This Court of Attaches seems to be so called, because the Verderers of the Forest have therein so great Authority, but to receive the Attaches of Offenders against Vert and Venison, taken by the rent of the Officers, and to enjoin them, that they may be permitted or punished at the next Justice in Eyre's Seat. And this attache is by three means, by Goods and Chattels; by Body, pledges, and mainprize; or by the Body only. The Court is kept every forty Days throughout the Year. See above in the Court of the Verderer. The Diversity of Attaches you may see in Register of Writs, under the word Attachement, in Index. 

Attachees (attaches) as it is a Subdivision, is used for a Writ that lies after Judgment, against a Jury, that hath given a false Verdict in any Court of Record (be the Action Real or Personal) if the Debt or Damages amount to the Sum of 40s. What the Form of the Writ is, and how in use, is expressed in Prior, Mat. Br., fol. 105, and New Book of Entries, fol. 94. The Reason why it is so called, it became the Party that obtains it, endeavours thereby to touch or plaus the Jury with Perjury, by whose Verdict the Party accused is acquitted who, if he be found guilty, then the Judgment of a Party was, that the Jurors Meadows should be ploughed up, their Hounes broke down, their Woods grabbed up, and all their Lands and Tenements forsook on the King's Day. In the time of King Henry the third brought the Attache, he shall be imprisoned and grievously ransomed at the King's Will. See Glanville, lib. 2, cap. 13. Smith de Repub. Angli. lib. 3, cap. 8, 11 Hen. 7, cap. 21, and 23 H. 9, cap. 3.

In what diversity of Cases this Writ is brought, and the Reg. of Writs, in Ind. It was also called de Verbo Consensus. See Gely on Lit. fol. 659. See Attachees (attaches) as they are variously called in different Actions of the Plaintiff. A Diuregion, without a Writ, is the taking of a Man's Goods for some real Cause, as a Rent-Service, or the like, whereby to force him to Repley, and so to be Plaintiff in an Action of Trespass, against him that dispossessed him. See Diuregion.

Attachment out of the Chancery had of cotises, upon an affidavit made. That the Defendant was arrested with a subpoea, and appears not; or, it is heard upon not performing some Order or Decree. After the Return of this Attachment by the Sheriff, Quod sum usus in Bilious facit, another Attachment with a Proclamation follows out against him; and if he appears not thereafter, then a Writ of Rebellion. High. Par. 2, Symbol, lit. Proceedings in Chancery.

Attachment of Privilege is, by vertue of a Man's Privilege, to call another to that Court, where he is privileged, to answer some Action. New Book of Entries. Verbo Privilege, fol. 431.

Foreign Attachment is an Attachment of Goods or Money found within a Liberty or City, to satisfy some Action of one of his within such City or Liberty. And by the Custom of some Places, in London, if a Man may attach Money or Goods in the Hands of a Stranger, which is within their Liberty. As if a owes B. 100l, and C owes A. 100l. It may attach this 200l. in the Hands of C. to satisfy himself for the Debt due from A. See Callebros Report, pag. 62.

Remarks
Attendant (Attendment) signifies one that owes a Duty or Service to another, or depends on him: For thus a Man is called an Attendant in a Court, and Tenant or the Tenant holds of the Myer by a Penny, the Myer holds over by two Pence: The Myer releases to the Tenant all the Right he hath in the Land, and the Tenant dies, his Wife shall be endowed of the Land, and the shall be Attendant to the Heir of the third Part of the Penny, and not of the third Part of the two Pence: For the shall be endowed of the half Possession of her Husband. And where the Wife is endowed by the Guardian, the shall be Attendant to the Guardian, and to the Heir at his full Age. - Kitchin, 259, with whom Perton in Dever 479, agrees.

Attenuating, - Also they as well purchase Attenuating of their Estates, shall be lost into the Exchequer. Ordinam de quibusdam perquisitum, anno 27 Edw. 1. It comes from the Fr. Attenuer, i.e. He that hath a Term or Time granted for the Payment of a Debt. In this Statute it seems to signify the Purchasing or Gaining a longer Time for the Payment of a Debt. Attenuation accretetur quoque in proximis Parliamentis. 

Attentuamentum. Furniture or Tackle. To be mentioned in Hests, lib. 5, cap. 25, par. 9. Batell: is e. (the Bear,) cannot stand or Attentuament. So in Let. 2, cap. 83. writing of a Carter, one. Addit, cum locis habet, Attentuamenta, e. Carret, appendenda.

Attorney (Attornatus) is he that is appointed by another Man to do any Thing in his stead as much as Procurator or Synonym in the Civil Law. Well defines them then. Attorney are such Persons as by the Consent, Commandment, or Request of others, are to and take upon them the Charge of their Business, Part. 3, Symbol. lib. 4, cap. 18. 199. In ancient Time Chief of Authority in Courts had it in their Power, whether to suffer Men to appear or sue by another than themselves, as is evident by Fsc. Nat. Br. fals. 25, in the Writ Deinde passatur de Attornatus facundus, where it is showed, That Men were driven to procure the King's Writs or Letters Patent to appoint Attorney for them: But it is since provided by Statutes, that it should be lawful to do without any such Circuit, as appears by a 20 Hen. 3, cap. 15, bis. 2. 3. 153. 154. Stat. 2, - 1 Edw. 2, cap. 1. - 15 - 155. 156. cap. annis. - 7 Rich. 2. cap. 14. - 7 Hen. 4. cap. 13. - 3 Henrii. 3, cap. 15. in 15 Hen. 6. cap. 7. and 17 Hen. 7, a Writ to Prove the Divinity of a Writ in the Table of the Register, wherein the King by his Writ commands the Judges to admit of Attorney; where they grew at last to many unprofitable Attorneys, and to many Michelle by them, that by Allowing them was created (a Hen. 3, cap. 18.) That the Judges should examine them, and place the Unprofitable. And again, (34 Hen. 6. cap. 7.) That there should be but a certain Number of them in Norfolk and Suffolk. In what Cases a Man at this Day may have an Attorney, and in what not, see Fst. lib. 4, 5. 6. 7.

Attorney is either General or Special: Attorney General is he by general Authority is appointed to manage all our Affairs or Suits, as the Attorney General of the King, which is as much as Procurator Caesarii. Was in the Roman Empire, Attorney General of the Dike. Cron. Juris. Fili. 105. Attorney General is a Person particularly employed in one or more Causes particularly specified, or whom you may read more at large in Glossari, lib. 4, cap. 7, and Britis, cap. 146. There are also, in respect of the divers Courts, Attorneys at law, and Attorneys at common law, as also Procurator Publicus. This Office is called Attorney, as near an English Word as possible, by the Scyphus. cap. 65. Our Old Latin Word for it seems to be Salliarius: Sallius, lib. 2, cap. 31.

Attorney of the Court of the Dyke of Lancaster (Attornatus Curiae Ducis Lancastrii) is the Attorney appointed by the Lord Justice to act as an Officer in that Court: and, for his Still in Law, to be there placed as Agent to the Chancellor of that Court, being for the most Part some Honourable Person, and chosen rather for some special Trust reposed in him, to deal between the King and his Tenants, than for any great Learning; as was usual with the Emperors of Rome in the Choice of their Magistrates.

Attornment (from the Fr. Tourner, 6. Ven.) is an Acknowledgement of the Tenant to a new Lord: As when one is Tenant for Life, and he in her Concert grants him another master, it is necessary the Tenant for Life agree thereto, which is called Attornment, without which nothing passes by the Grant. But if the Grant be by Yoke in Court of Record, he shall be compelled to attornament, as it is called in the Words of the Statute. The Words in the Statute are these: I agree me to the Grant made to you: or, (more commonly,) Sir, I assure you, &c. by Force of the same Grant or, I deliver you: or, deliver to the Grantee a Penny by way of Amorture, Little, lib. 35, cap. Attornment, &c. in which you may find divers other Cases where Attornment appertains; and it is the Transposing of those Duties which the Tenant ceased his former Lord to another, as his Lord. Attornment is either by Word or by Ad, voluntary or compulsory, by the Writ Per quae scivone, (Old Nat. Br. fals. 155.) or sometimes by Dictest. Fisc. Nat. Br. fals. 147. It may be made to the Lord himself, or to his Steward in Court. Kitchin, 70. There is Attornment in Deed and Attornment in Law. Cel. lib. 6, cap. 113. 4. Attornment in Law is an Act, which thoug this may not expect Attornament, yet in Attennament of Law it is of equal Force. Gads. in Little, fals. 109.


Attorney faciendo nulli recipiendo is a Wry, which a Man owning Suit to a Country, Hundred, or other Courts, and desiring to make an Attorney to appear him there, (whom he doubts the Sheriff or Steward will not otherwise admit) pur- chases a Writ for an Attorney for himself to be attornament, for his Attorney, and admit his Appearance by him. The Form and other Circumstances whereof, see in Fisc. Nat. Br. fals. 175.

Aurage, or Subage, is a Rent or Payment which every Tenant of the Manor of Brisket in Suffolk, upon St. Leonard's Day, 6 November, pays to the Lord, viz. for every Pig under a Year old, 4d. for every Yareling Pig 1d. and for every Hog above a Year old 2d. for the Privilege of Plawage in the Lord's Woods.

Autax, is a Geoeye. See. Similar pointes Acuca- rum, Maris, pag. 145.

Autonomy (Latae linguae Autonomia) is a Court belonging to the Archdiocese of Canterbury, of equal Authority with the Privy, though inferior both in Dignity and Antiquity; and is held in the Archbishop's Palace. Of which you may read more at large in the Ecclesiastical History, and in the 2. Lib. 377.

Averbado & terminando is a Wry, or rather a Com-
A Commission directed to certain Persons, when any Infraction or great Misbehavior is committed in any Place, for the Appealing and Punishment thereof, of which you may read at large in Laws, vol. 2, p. 110. See Over and Termine.

After the Return from the Missions, when the Bishop, having taken a Statute and Abridgement, or Recognition in the Nature of a Statute, Simple, or a Judgment or a Recognition of another Person, and either having obtained Execution of his own, from the Mayor and Burgesses, before whom it was entered, at the Commissary of the Party who entered the same, upon Suggestion of some late Cause, for why Execution should not be granted; a Petitioner or other Exception to the same, was determined by the Lord Chancellor of England, (by Order of the Exchequer, together) to the Judges of the Common Bench, willing them to grant Summons to the Sheriff of the County where the Creator of the same appears, at a certain Place, before a Marshal, in the name of the said King, to be served as before.

A Commission for the King, and some other great Persons, who yearly, to examine the Accounts of the Officers who have managed any General Fund, which they see the Difference between their Receipts or Charges, and their Allowances, commonly called Accounts. As, namely, the Author of the Exchequer take the Account of the Exchequer, and the Account of the Church, and the Names of the Ministers, of the Augmentation, as also of the Sheriffs, the Bishops, the Colleges, and the Customers. Of which, see the Statute 17 Eliz. 2, cap. 8, and 37 Eliz. cap. 17.

A Commission of the Privy Seal, to authorize Officers in the Exchequer, who take and make the great Accounts of the Exchequer, the King, and of the Mayor and Burgesses, to give no Account to any Person, in his Affairs. See Treasury of the Exchequer, p. 5.

A Commission of the Privy Seal is an Officer of the Exchequer, who gives the Letters and Bills, and makes an Entry of them, and gives an exact Word to the Lord Treasurer, to Certifie the Office of the Money to him, making also Declaration to every Tenant before they pay any Money, and makes their Accounts. See 3 part. 1, fol. 127.

On the 31st of February, the Caretakers, or those who were newly admitted in the Mysteries of the Christian Religion, before they were admitted to Baptism, this is also the Day that the People, who were never admitted to Baptism, and who were admitted to Baptism, in that Place in the Church, where they were to hear and be instituted, in that which we now call Novus Ordo. And in the primitive Times the Church was so strict in keeping the People together in that Place, that the People who went from thence in Saxon Time was excommunicated. It was so declared by the Fourth Council of Carthage, cap. 24, No. 4. Sacerdotum ordine sancto in Eucharistiis, qui exsolvit de Auditorius curis communis nominationem. Or the Archbishop, etc. Mentioned in 39. Pref. page 516. and it signifies Love Germany, Or set off contents later. Flamencos qui dignant de Aurelius Cum France in the passage, etc.

49. Pref. 365. 49. Pref. 365. Tournements, or Military Exercises, as in the Battle of Leith, Mar. 1540. And with concurrent for this occasion, they had a very great number of people, and after the news, the Arms and Marched as several Companies. After which was the Death of the King, without rebellion, as when he is suddenly drowned or burnt by any bill;
A man's right qua right, qua Aum:...
ment was not only for Theft, but for many other Crimes. vol. de Militari Officiis, p. 130.

Artuentidide, A Secretary: quem fii amicula-


Autistate. Because the reading Prayers with a

graceful tone or Accents made some Impos-

ition on the Hearers, there was a Person appointed in the

Monasteries to hear the Monks read, who di-

rected them how, and in what manner they should do it before they were admitted to read publicly in the Church, or before the People, and this was

called Autistate, viz. to read or recite a Lection:

Quicunque lectorus vel contexto afficiat in Monasteriis,

fi neeque habet ab eo (san. Citerre) prorsum tuncipat,

debet autistare. Lanfrancus in decreto pro ordi-

nario Benedicti, cap. 7.

Autistus et Inquisitor, a Gohawk; whence we usually call a 

Piculop, who keeps that kind of 

Hawks, an Offringer. Some ancient Deeds have re-

corded the Name Autistus, as a Receipt from

Autumn. Some computed the Years by Au-

turnns, but the English Saxons by Winters: Tacitus

de maribus German. tells us, that the ancient Ger-

mans divided the Year, but did not know what was meant by Autumnus, and Lin-

wood tells us, when the several Seasons of the Year

begin.

Dit Clemens Hellen, dit Peterus vet Cathedras,

Dilet Urbana, Autumnum Barbarizancum.

Autumnalia are those Fruits of the Earth which

are ripe in Autumn or Harvest; see mentioned in Ingulham Majo, cap. 7. Hic sunt quos horti

ad salvandum autumnalitiam aut redditationem

offerat.

Aurium ad flum mitimus facindum 4 fl-

iam maritandam was a Withe directed to the

Shire of every Country, where the King or other

Lord had any Tenants, to levy of them reasonable

Aids, towards the Knighting his Son, and the

Marriage of his eldest Daughter. See Aids. Fis. Nat.

Br. fol. 52, and Ams 12 22 9. cap. 24. taken

away by that Statute.

Aurium Viceromini, a Payment or Aid an-

ciently due out of some Masters to the Sheriff: for

the office of Streton in Warks 1540, a sum of money

was called from this Payment by Chater, 14 H. 3. p. 3.

Auricinnarii--Dixit cieno quid in dominius isp ad

Shakes, non manentes Pilores & Brostatter, Auxio-

narii & Auxnaticeris Pans & Gerstew & aburan

rerum. Et. Plia. Par. 18 Ed. 1. Properly Brotherters,

but here it seems to be used for Retailers of Bread

and Ale.

Audi (13 Rich. 2. cap. 1). It is Di dam

That no Charter of Pardon from thenceforth

shall be allowed before any Justice for Murder

02 for the Death of a Man, Lien by Await,

Aula, or Maister perpetra, Eratok, 2

Rape of a Woman, unless the same be specified in

the Charter, &c.) seems to be a case that we now

call Stay laying, or lying in wait.

Award (from the Fr. a거다: the Proprie of judi-

cium suum, qui me a lige et mea Turdes, dares, et dis-

minationem suah). Fed ubi aequi iudicium (esquire) is the

judgment of him who is chosen by two or more

Parties at variance, to determine the Controversy

between them. Disjum quod ad coiindoeum in

offendensam partim impunis. Spei.

Adon, (Tract. Diwm, l.c. ccvin. vel mensura)
these four Degrees, Sudder-bany, Dig-branch, Back-beer, and Back-lane. On which the House of Commons.

Dodge (from the Fr. Bagageri, i.e. a Carrier of Luggages) signifies with no one that buys Corn or Viuuals in one Place, and carries to another, to make profit by it. See Gnomium's Jot's of Facts, col. 29.

Bais, Baisciffer, See Bais.

Bagatell, Edin. 1. by his Charter granted to the Citizens of Exeter, a Collection of a certain Tribute upon all manner of Wares brought to that City to be sold, towards the paving the Streets, repairing the Walls, and Maintenance of the City, commonly called in old English, Bagatell, Berlingabel, and Chipping-gabel. Aneg. of Exeter.

Baliburn is mentioned in Elken, lib. 2. v. 31. and signifies a Cheek or Offic.

Bail (from the Fr. Noi Bail, i.e. a Guardian or Goulet) is properly used for the freeing or letting at Liberty one acquitted or imprisoned upon Action, either Civil or Criminal, under Surety for his Appearance at a Day and Place certain. Bailsam, lib. 3. tr. 3. cap. 8. n. 8. &g.; The Reason why it is called bail, is, because by this Method of Surety it is delivered into the Hands of those that bind themselves for his Recovery. There is both Common and Special Bail, Common Bail is in Actions of Small Pretence or Concernment. Common, because any Sureties in that case are taken, whereas in Causes of greater Weight, as Actions upon Bond or Specialty, Special Bail or Surety must be taken, as Subsidy or Lien, at least, and they according to the Value. Measind, in his first Part of Forre-Field, p. 167. says, there is a great Diversity between Bail and Sureties: For he that is unsecured, is always liable to be, at large, and to go to his Bond and Comeffy for the Time: And they may, if they will, keep him in Ward or Prison; So that he who is so bailed, shall not be bailed by the Law to be at large, or at his own Liberty. See Lang, Exon, lib. 3. cap. 2. p. 330. Bail is also for a certain Limit within the Forest, as it is divided into the Charges of several Foresters. Clowes's in the Orth of Bowler-berry, vol. 2021. See Measind, and a Catholic, fol. 173.

Bailiff (Bailoun) As the Name, so to the Office it fell in ancient Time was answerable to that of Squire, where there are eight Parliaments, which are High Courts, whence lies no Appoint, and within the Frencis of several Parts of that Kingdom, which belong to each Parliament, there are several Provinces to which Justice is ministered by certain Officers called Bailiffs. So in England we see several Counties, in which Justice hath been ministered to the Inhabitants by the Officer, whom we now call sheriff or constable: The one descending from the Saxon, the other from the Normans. And though I cannot expressly prove, That the Sheriff was ever called a Bailiff, yet it is probable that was one of his Names also; because in the Country it is often called Baliburn, a Bailewick. As namely, in the Return of a Writ, Nom in inventum in Baliea mea, &c. Kitchen in Restivo Brevium, fol. 285. And in the Sheriff's Oath, the County is called his Bailwe. I think the word Bailiff used in Magna Carta, cap. 25, and 14 Edm. 3. Stat. 1. cap. 9, comprehends as well Sheriff as Bailiff of Hundreds, who were anciently called Strayment.

But as the Realm is divided into Counties; so every County is again divided into Hundred; within which it is manifest, that in ancient Time the King's Subjects had Justice ministered to them by the several Officers of every Hundred, which were called Bailiffs, as those Officers do in France and Normandy, being chief Officers of Justice within every Province. Grand Cynonyme of Norm. cap. 4. And it appears in Balsam, lib. 3. tr. 9. cap. 24. n. 5, that Bailiffs of Hundreds might hold Plea of Appeal and Approvers. But since that Time these Hundred-Courts (certain Branchiers excepted) are by the said Statute of 14 Edm. 3. (swallowed-in the County-Courts, as you may read in Caws and Hundred. And now the Bailiff's Name and Office is grown into such Contemp, at least these Bailiffs of Hundreds, that they are now but bare Middleagers and Mandicators within the Liberty, to serve Writs, and such vilen Offices, for which see Comps. Jud. of Facts, fol. 492. Yet is the Name otherwise still in good esteem, for the Bailiff is still the Chief Officer of the Corporate bodies, which are called Bailiffs, as of Lestum, Lemoniers &c. And again, there are some Persons to whom the King's Caless are committed, who are called Bailiff of other Caless.

The ordinary Bailiffs are of two sorts, Bailiffs Errant, and Bailiffs of Branchiers. Bailiffs Errant (Bailiff in arms) are those whom the Sheriff appoints to go up and down the County to serve Writs, summon the County, Sejourns, and such like. Bailiffs of Branchiers (Bailiff Branchiorem ant Libertatem) are those who are appointed by every Lord within his Liberty, to do such Offices therein, as the Bailiff Errant does at large in the County. Of these read Sir Thos. Smith de Regulis, Angil. i. 2. cap. 45. There are also Bailiffs of the Forest (Manorial, p. 1. p. 112.) and Bailiffs of Indentures, belonging to private Men of good Estates, whose Function is well known. See Cawdrey.

The Office or Duty of a Bailiff of a Manor, or Houhold (which in ancient Time forms to have burnt Middleagers and Mandicators, Atha. privata, &c.) &c. &c. The word Bailum is derived from Balum, i.e. Domus, quia Balivi dominium sit subditi, quae ex magistratus D Michaels. &c.

Bailiff of a Commote (in Wales Balieu Commoti) seems to have some Power of Judicature within the Precedent of the Commote. For thus we read in Stat. Wallis, Bailieu sunt Comotorum de eatis rebusCommoti sunt, & jurijs faciunt & exercunt inter litigantes. See Measind, fol. 178.

Bailiff of the Moor. See Moat.

Banbury, an iron Armour which covered the Legs in Time of War.

Bailamurter for Balibamurter, i.e. a Standard-bearer; as mentioned in Matt. Par. Ann. 1427, viz. de Baliamurter, qui aux ailes, qui exceedant, in religiis baliamurter, &c. &c.


Bale (fr.) A Pack, or a certain Quantity of Merchandize; as a Bale of Spicery, of Burlinage, &c.
Thread. I find the Word in the Statute 16 Ric. ii. cap. 1. and Hill in use. And Balb/it (for) a little Pace.

Balanger seems to have been a kind of Barge, or Water-vessel, by the Statute 16 Ric. ii. cap. 5.


Baluria, A Territory or Precinct. — Cum talis libertas, quae prius habuit Balueam sigill capere suadem fuit, Charta Hen. 2. Recorded in the Dut- chy-Office. See Bonum & Bonorum.


Baltrarins. A Balist or Cross-bow Man. Ger- der de la Water is recorded to have been Baltrarins in the Statute. Sc. 25 of 39 Hen. 3. n. 25.

Baltris. Statute of Maltrials, 52 Hen. 3. cap. 2. — The Rail in a Wii utilitarii. Here Bala- ris is well expounded by the Statute if it self; for in this Place it signifies Jurisdiction. Coke's 2 lea. fol. 109.

Balulo ammunition in. We, to remove a Balfl out of his Office, for want of sufficient income within his Ulitsel적. Reg. of Writs. fol. 75.


Baltris. The mentiond in Riga, lib. 2o. cap. 87. and it signifies Secus expirare.


Ban or Bants (Bannum, from the British Ban, i.e. Clamor) is a Proclamation or public Notice given of any Thing; any publick Summons or Sounds. This word appears in printing matrimonial Contracts in the Church before Marriage, to the end, if any Man can speak against the intention of the Parties, either in respect of Kindred, Pre-contrat, or otherwise: they may take their Exception in Time. And in the Canon Law, Summam fait Praesentatione sunt & hospes in Eisdem fidi solito. Yet our word Banning seems to come thence, being an Exclamation or Cursing. Braden mentions Bannum Regis, for a Proclamation, or Silence made by the Court, before the Congress of the Champions in a Combat. Lib. 3o. tr. 2. cap. 22. — In eurn sum ditum Banum, i.e. Interd. to render unclean a chance of probability as suit for cert. latera eft. 5e. Hift. Norn. edit. Anno 1619. fol. 85 b.


Bane. (from the saxon Bane, A Killer or Mur- derer) signifies the Destruction or overthrow of any Thing; as I will be the Bane of him, is a common saying. And he who was the Cattle of another Man's Drowning is, is said to be Lehurch, i.e. Man- lepsus. Bradon. l. 2o. tral. 8. cap. 1.

Banister. (Banesteri, Bane vestrariarum, or Blades westerwillon) is a Knight that was in the Field, with the Ceremony of cutting off the Point of his Standard, and making it a Baner, according to Sir Tho. Smith in his Rebus, angl. Others add, that Blood must be first drawn in the Field. They are added to bulk their Arms in a Banner in the King's Army, as Bannum, i.e. Command in his Brit. fol. 109. hath these words, Banisteri, sum Velamiiom nemum jam desperat, & Banesus faciendi erant. qualis indicium nomen est, Fisch. aut Banehardus utriusque sexu maxima (prinse de Banert) nisi

Bandes & Liberties Vexillarii a nominis taciturn, &c. Some maintain a Banereto ought not be made not in a Civil War, but I find in Sir Richard Baker's Coten, fol. 255. That Henry the Seventh made Banne- ters upon the Cornhill Confomation, in the Year 1495. Of creating these Knights, read Seager-Norrey his Book, Lib. 2o. cap. 10. and Selden's Table of Banne, fol. 799. That they are next to Baron in Dignity, appears by the Statute 14 Ric. ii. c. 11. and 5 Ric. 2. Stat. 2 cap. 4. They were an- ciently called by Summons to Parliament. And we find a Banereto for praying a Pardon for a Mur- derer, contrary to the Statute, is subjected to the same punishment with a Baron. 13 Ric. ii. Stat. 2. cap. i. Will. de la Pole was created Banereto by Ed- ward the Third, by Letters Patent, Anno Regni sui 13. Monds 13. Those Banereters who are created under the Regns. to execute Regns. in opera bello, & in pacti Regis praestare present, explicit, take Place of Barons; as appears by the Letters Pa- tent for Creation of Baronets. See Coke's 4 lea. fol. 6.

Banum. See Beatum.

Banishment (Fr. Banishment) hath a known Signification; but there are two Kinds of it, one voluntary and upon Oath, whereof you may read all about in the other Volume. The other is an Offence or Crime; as if a Lay-Man succour him, who, having taken Sanctuary for an Offence, ob- hinitely refuses to abjure the Realm, he shall lose his Life: if a Clerk do so, he shall be Smynded. Gluten. Pl. Cr. fol. 117.

Bank (late Banum, Fr. Banque) hath two Sig- nifications: the first, (and that most noble) is a Seat or Bench of Judgement, as Bank de Roy, the King's Bench, Bank de Comyn Placia, the Bench of Common Pleas, or the Common Bench, called also in Latin, Banca Regni & Banca Communi Plejatis. The second is a Bank, where a great Sum of Mo- ney is let out to use, returned by Exchange, or otherwise disposed to Profit. see Ban. or, the Privilege of the Bank. was anciently allowed only to the King's Judges, qui fanno administrationem habuerint; for Internal Courts, such as Court-Ba- rons, and Hundred Courts, were not allowed that Privilege; hence, at this Day, the Hundred Court at Freibridge in Norfolk, is held under an Oak at Seapham, and the Court for the Hundred of Wold in Herefordshire, is held under an Oak near Ash- ton in that County, which is called, The Hundred- oak. See Per-Banc.

Banther (Fr. Banther) is best interpreted by the Words of a late Act of Parliament, Whereas several Perfons, being desirous of Credit, by lending or borrowing Great Sums of Money, and lending out the James again, for extraordinary hire and perks, have gain- ed and acquired to themselves the Reputation and Name of Banker. Anno 13 Ric. ii. Car. 2.

Bankrupt, (sp. Bannus rapax) because when the Bank or Stock is broken or exhausted, the Own- er is said to be a Bankrupt. Anno 94 Hen. 8. cap. 4. and 1 Jac. 1. he is thus described.

A L L and every such Proven and Perfin uising, or that shall use the Trade of Merchandise, by way of Borganing, Exchange, Barrow, Comerciion, or any other, or thethemen in craft, or the commerce of Living by Buying and Selling, and being a Subject born of this Realm, or any the King's Dominions, or Debaron, who at any Time since the first Day of this present Parliament, or since his Time brevirius, shall depart the Realm, or begin in keep his other Heir or Hoth.
or otherwise to oblige him or herself, or take Sanctuary, or suffer him or herself willingly to be arrested for any Offence, or grant a man or woman a Deed of Freedom, Writs false, or any other Jett or lawful Cause, or good Consideration or Parfoues, or hath or will suffer him or herself to be outlawed, or yield him or herself to Prison, or willingly, or fraudulently hath, or shall procure him or herself to be arrested, or his or her Goods, Money, or Chattels to be attached, or sequestred, or depart from his or her Dwelling-house, or make, or cause to be made, any fraudulent Grant, or Conveyance of his, her, or their Land, Tenements, Goods, or Chattels, to the intent, or whereby his, her, or their Credits, being Sub- jefts born, or afterbirth, shall, or may be deposed or delayed for the Recovery of their just and true Debts; or being arrested for Debt, shall, after his or her Arrest, lie in Prison for Month, or more, upon that Arrest, or any other Arrest or Detention in Prison for Debt, and lie in Prison for Months upon such Arrest or Detention, shall be accounted and adjudged a Bankrupt to all Intents and Purposes.

But by Act 14 Car. 2. cap. 23. it is provided, that no Peron whatsoever, that shall adventure in the East India, or Guinea Company, or in the Royal Navigation, shall be declared a Bankrupt by any Act or Statute for Bankruptcy, or liable to the Same.

Bannite, An outlaw, or banished Man, ——Acce,. 13. 4. sed aliter Consulare ad infec- quend. arrestand. &c. per ordin. de bancr. & Ban- nites, &c. Pat. 15 Ed. 3. part. 3. d. 8.

Bannum & Bantiga, A Territory, Precinct, or the Continent within the utmost Bound of a Manor or Town; so it is used 47 Hen. 3. Rot. 34. Carta Conui Regis Cenobii Thorneim.—Notum fa- cito, me eleemosynam wolfram Christi sancte& consu- bus Sestus facito—vic. primo teneo dose a Partwilla algie &c. et alii Bankam volam effe. Bannum & Bantiga ut it used for all comprehended within the Limits or Land adjoining to, and belonging to the Caflie or Town. Seal. Hft. of Trin. p. 175.

Bannorium. See Bincle. Fleta, Lib. 2. cap. 6. Debet dippone, & camer a tepitis & Banque- rius orientes, &c.


Barbarism, (Barbicanum) Money given to the Maintenance of a Barbican, or Watch-Tower. Carta 17 Edw. 3. m. 6. n. 14. "Tis a Tribute to wards the repairing or building a Bulwark." "Tis mentioned in the Magna Chart, 1 Tom. pag. 576. De bar- caggio, maragi, paegie, barbicagio, &c. de opere- bus cumburrum, &c.


Bartorara or Bartorarium, (from the Fr. Bur- gerie) A Sheep coat, and sometimes a Sheep walk: M. de. Pless. Ed. 3. See Bartz or Burtay.


Bar-Fee is a Fee of xxd., which every Pri- soner, acquitted of Felony, pays to the Gaoler. Triumph. Soet. of Poets, fol. 157.

Bargain and Sale, is properly a Contract made of Mansions, Lands, and other Things, trans- ferre the Property therein to the Buyer, from the Seller, who ought to be in Consideration of Money: It is a good Contract for Land, &c. and the Fee paffeth, tho' it be not paid in the Deed, To have and to hold to him and his Heirs, and though there be no Livery and Seffion given by the Vendor, so it be by Deed indent- ed, sealed, and enrolled, either in the County where the Land lies, or in one of the King's Courts of Record at Westminster, within six Months after the Date of the Deed. Such Bargains and Sales may also be made by Lease and Release, without Livery or Enrolment. Bargaret is an obsolete Word, signifying a Shepherd, from the Fr. Berger. Baroque. See Berguitive.


Bar and Pinch are the Instruments of Intoxication. First it is a Degree of Nobility next a Vizcount. Brin- cen, (Lib. 1. cap. 8. num. 4) says, Sunt Omni Ali Po- tentes sub Reges, qui diminuir barones, puhit, turbat, si hinc liber videt. In which Signification it agrees with some of the Nations, where Barons are as much as Province. So as Barons are such as have the Government of Provinces, as their Fee holden of the King, some having greater, some lesser Authority within their Territories. Yet it is probable, that of old time in England, all those were called Barons that had such Seignories or Lordships, as we now call Gentry. Barons are due to the Crown, as such, in England, and this was published in France. And not long after the Conquest, all such came to the Parliament, and late as Peres in the Lords House. But when by Experience it appeared, that the Parliament was too much thronged with such Multitudes, it was in the Reign of King John ordained, That none but the Barons Maiors should for their extraordinary Wifdom, Interest, or Quality, be summoned to Parliament. After that again, Men forming this Elate of Nobility to be but casual, and depend merely upon the Prince's Pleasure, they obtained of the King Letters Patent of this Dignity to them, and their Heirs Male, who were called Barons by Letters Patent, or, by Creation, whose—baronies are now by Inherit- ance called Baronies that are called Lords of the Parliament, of which kind the King may create at his Pleasure.

Yet thefe, there are yet Barons by Writ, as well as Barons by Letters Patent. Thofe Barons who were first by Writ, may now july also be called Barons by Porteption, for that they and their Ances- tors have continued Barons beyond the Memory of Man. The Original of Barons by Writ, Comes (in his Britan. pag. 109.) refers to Henry the Third. Barons by Letters Patent, or Creation, commenced 1 Rich. 2. For their John Braucham was created Baron of Kedermirer. The manner of this great Creation read in Stedman's Titls & Honors, fol. 689. Ferris's History of Generosities, pag. 125, 126. To thee Steger (Lib. 4. cap. 13. of Honor, Civil and Military) adds a third kind of Baron, calling them Barons by Towns, which are fome of our ancient Barons, and likewise the Bishopps, who, by vertue of Barones annexed to their Bilhoppicks, always had Place in the Lords House.
Houfe of Parliament, and are termed Lords Spiritual.

But in former Days all Men were called Baronets: "Tis certain the King's Tenants were so called, cie. I St qui Baronom vocarent, sicdem, nostros adhibere qui de Domino tenebant ac servire, fuo honore et iudicii ante annum 1520: "Et dicti nominari per sicdem Anglesae ut Baro quipuqu vero tenent de Regis capite, cie. Mat. Wezm. pag. 317.

Afterwards is signified only Noblemen; Nam f. 160 Baronum post mortem Regis et sau consilis excursum et non inter priores Regis et inter Regi Primores, ac papalis efferat. Where its plain that Barons and Primores have the fame Signification. De Canone.

Baron, in the next Signification, is an Officer, as Barons of the Exchequer, of whom the Principal is called Lord Chief Baron, (Capitale Barum) and the three other are his Adjutants in Causes of Ju
dice between the King and his Subjects, touching Matters appertaining to the Exchequer and the King's Revenue. The Lord Chief Baron is the Chief Judge of the Court; and in Matters of Law, answers the Bar, and gives Order for Judg
dgment. The three other Barons, answer them upon their prius, that come out of the King's Re
commendation, or from the Office of the Clerk of the Pleas, which cannot be dispaftished in his presence. He takes the Oath of Recognizances for the King's Deeds, for Appearance, and observing Orders. He takes the Pre
gle of all the Officers in Court under himself, and of the Lord Mayor of London, and fees the Royal Presence, or presents them to the Mayor of London, as far as they lie in his Ability while he holds his Office.

The Second Baron, in the Abundance of the Lord Chief Baron, answers the Bar, and takes Recogni
zances as aforesaid. He gives yearly the Oath to the late Mayor of London, for the true Account of the Profits of his Office. He takes certain Receivers Accom
counts, and examines the Letters and Sum of

The Third Baron, in the Abundance of the other two, answers the Bar, and takes Recogni
zances as aforesaid. He gives yearly the Oath to the late Mayor and Gauger of London, for their true Ac
counting. He also takes certain Receivers Ac
counts, and examines the Letters and Sum of

The Fourth Baron is always a Curator of the Court. At the Days prefixed, he takes the Oath of all High Sheriffs, and their Under-Sheriffs, Bail
diffs, and other Accomplices, for their true Ac
counting. He takes the Oaths of all Collectors, Comptrollers, Surveyors, and Searchers of the Cu
dom-House, that they have not made true Entries in their Books. He appaatches all Sheriffs upon their Summons of the Pipe in open Court, and informs the rest of the Baron of the Course of the Court, in any Matter that concerns the King's Preroga
tive. He likewise examines such Accounts as are brought to him.

These Baronetts of the Exchequer are ancient Of
ciars: For I find them named in Wezm. 2. cap. 11. Ann. 13 Ed. 1. And they are called Barons, because

Barons of the Realm, were wont to be employed in that Office. Titus, 2. cap. 24. Their Office is to look to the Accompl of the King, and to that End they have Auditors: under them as also to de
cide all Causes appertaining to the King's Revenue, coming into the Exchequer, and whereof the Act of 1572 is proved by the Statute of 20 Edw. 3. cap. 1, and 27 Edw. 3. Stat. 2. cap. 18. 3 Ric. 2. Stat. 2. cap. 9, and 12 & 13 Edw. 4. cap. 11, Where

upon they have been of late Persons learned in the Laws; whereas in ancient Time they were Mipers and Disenteres in Regno, esse ne Cive effect, fuis de Garcia.

There are also Baronetts of the Cinque Ports, Acts 21 Edw. 3. Stat. 2. cap. 2 and 3 Hen. 8. cap. 10, which are in every of these Towns, Hastings, Winchelsea, Rye, Romney, Rible, Dymchurch, and Sandwich, who have Places in the Common House of Parliament. See Selden's Title of Honour at large, fol. 687. 

Baron, in the third Signification, is used for the Husband in relation to his Wife.

The Chief Magistrates of London were also called Lord barons, and before them was a Lord Mayor, as appears by the City- Seal, as also by their ancient Charters. — Henricus 3. Sex. 20, reg. 73. 

His present Charta solemn, promulgate Barons in the major, or principla baron, qui tenebant in Lond in loco, et in praesente lae, quod et olim se est publicum, et non baron. Mayor de fofti fugando anno, etc. See Seldan's gloss. at large, on this Word.

Baronnet is either of the King's Family, or those who held their Lands immediately of him.

Baronet (Baronnetus) is a Dignity or Degree of Honour which hath Precedency before all Barons, Knights of the Bath, and Knights Bachelor, except such Baronets as are made for special Regard, in exercise Regali, in aetate bella & ipsa Regis praemio

This Order of Baronetts King James created in the Year 1611, with such Precedency as aforesaid, and other Privileges, &c. as may appear in Rot. Pat. 10 Jac. part. 10. m. 8. & 14 Jac. pat. 2. m. 24. with in Hakemium ini & Hereditum majestas, &c. See Baronetts. Where Baronetts are mentioned in our old Statutes and ancient Authors, it is mistaken for Baronetti. 2 leg. fol. 667. and Selden's Title of Honour, fol. 736.

Barony (Baronis) is the Dignity, Territory, and Fee of a Baron, and are sometimes called Ar

Rent. Baronies are conceded not only the Fees and Lands of baron

But of Bilhops also, who have two Estates: One they are Spiritual Persons, by re
cision of their Spiritual Revenues and Promotion, as was the Tribe of Levi among the Israelites. The other grew from the Bounty of our English Kings, whereby they have Baronies, and Lands to called, and are thereby Baron or Lords of Parliament. In ancient Time thirteen Knights for a Quarter

They made up a Tenure per Baronum, which amount
to 400 Marks per Annum.

This Barony (as Bradels says, Lib. 2. cap. 340) is a Right in life time. And therefore, if an Inheritance be to be divided among Co-parteners, though some capital Missions may be divided, yet the capital Missions sit caput Comitatus, qui caput Bar
onia, they may not be parcellled. The Reason is, that the caput per partem, & non baron
cum Comitatus & Baroniarum, &que hanc, per quod scilicet regnum, quod ex Comitatu & Baroni dicebit scilicet confipuit. The Manor of Bur
court, in the County of Suffolk, was found by Inquisition.
BART (from the Span. Barato, i.e. To sell cheap, or deceptive in Bargaining) signifies with us to exchange one commodity for another, to trick Wares for Wares. *Ann. i. Rich. i. cap. 51.* And to keep the Subtainer, *ibid.* 46. The reason may be, because they that chop and change in this Manner do endeavour, for the most part, one to out-trick or deceive the other. See Baratro.

Baratro, in Deuentur, and the Weel of Eng- land, is used for the Demeni Lands of a Manor, for the Manor-Houle itself, and, in some Places, for Out-houses and Fold-Yards. In the Statutes of 29 Eliz. 6. cap. 12, Baraton Lands and Demene Lands are used as Synonymous. See Briton.

Bale Court (fr. Casse Bate) is any Court not of Record, as the Court Baron. Of this read Kitchin, fol. 97, 98, 99.

Bale Effats (fr. Bale Effats) signifies that Bale Tenants have in their Lands. Bale Ten- ants are those (according to Lamb. _veris Paganus_) who perform inferior Villain Service to their Lords. Kitchin, fol. 64, makes Bale-tenure and Frank tenure to be Contraries, and puts Copy- holders in the Number of Bale Tenants; where it may be gathered, that every Bale Tenant holds at the Will of the Lord, yet, that there is a Dis- ference between a Bale Estates and Villainage; which Elizabeth, in his Nat. Br. fol. 14, seems to confound. To hold in pure Villainage is to do all that the Lord will command him. So that a Cop- yholder have but a Bale Estates, he, not holding by the Performance of every Commandment of his Lord, cannot be said to hold in Villainage. But Copyholders are by Custom and Contumence of Time grown out of that Exemempt Service, where- in they were first created.

Bale Free. See Bale Effats.

Bailes (bailey) a Sort of Coin abolished by Eliz. See above. The King allowed his Coin, evaucrating certain Pieces called Bales. Hallo- way, p. 67.


Balfourn, a Bailiot. By Jno. 22 Edw. 1. after the Death of Lawrence de Ho- land, Earl of Pembroke, thus: "Sunt guidus man- torment (f a de Alm Cantore) per se tenens de Dominia Regis in Capite, per servitium intentionem hominum pecuniarum regii, ac armis suis, cum vero Cassa, per al. alii, insignis futur pro- prii quiusque patria in Wallia." Balfour, a skin with which the Soldiers covered them selves. The See, Balf 15, Cluny.

Baltard, (Barardus, from the Brit. Barado, i.e. a Man without a Wife,) signifies that he or the thing that is born of a Woman not married, so that the Child's Father is not known by the Order of Law; and therefore is called Filio Populi.
Such Baffard cannot inherit Land as Heir to his Husband, who can any Person inherit Land, as Heir to him, but one that is Heir of his Body. 

Littell. Sect. 401.

If the Child be begotten by him who doth marry her after the Child's Birth, yet it is in judgment of Law a Baffard, though the Church holds it legitimate. Stat. 20 Hen. 3. 9. and 1 Hen. 6. 3.

Coke on Littell. 544.

If a Man take a Wife, who is great with Child by another, who was not her Husband, it shall be as the Child, and may be the Heir of the Husband, though it were born but one Day after the Infantsalemizd.

If one marry a Woman, and die before Night, and never be her, and the have a Child after, it seems it shall be accounted his Child, and Legitimate. See the English Lawyer, 117.

If a Man or Woman marry a second Wife or Husband, and the first be living, it shall be as if there were two Wives or Husbands, such issue is a Baffard. 39 Edw. 3. 13. 7 Hen. 4. 49. 18 Edw. 4. 16.

If a Woman elope with a stranger, and hath a Child by him, her Husband being inosp iteratione sancta, this is legitimate, and shall inherit the Husband's Lands. 44 Edw. 3. 10. 7 Hen. 4. 40.

The Punishment of the Mother and reputed Father of a Baffard. Ann. 1 & 2 Eliz. cap. 35.

He that gets a Baffard in the Hundred of Middleton, in Com. Kent, forfeits all his Goods and Chattels to the King. M. S. de temp. Edw. 3.


Baffard (Fr. Baffardage) signifies a Defect of Birth, objected to one born out of Wedlock. Bradf. lib. 5. cap. 19. How Baffard is proved, or to be enquired into, if it be pleaded, see Bradf. lib. 5. writ 8. Baffard is a bastard. The Baffard is not a Bastard, not Baffard, not bastard. Bajard. and Baffard is General. The Difference whereby is. That Baffard General is a Certificate from the Bishop of the Diocese to the King's Justices, after Evidence to the Party Divorced, that the Affair is a Baffard, or not a Baffard, upon some Question of Inheritance. Baffard Special is a Suit commenced in the King's Court against him that calls another Baffard. So termed, because Baffard is the principal Case in Trial, and no Inheritance contended for. Whereby it appears, that in both their Significations, Baffard is rather taken for an Examination or Trial, whether a Man's Birth be defective or illegitimate, than for Baffard itself. See Baffard. Baffard, and Dr. Black's Book,页 203, 204.

Balfour, (Fr.) A Staff, Club, or Cudgell. But in our Statutes it signifies one of the Warden of the King's Orphans, or Officer, who attends the King's Courts with a Red Staff, for taking Fie into Ward, as are committed by the Court. Ann. 1 Eliz. 2 cap. 12. 5 Eliz. cap. 23. See Tiffyf.

Baffard (Fr. Baffard) was the Land lying between England and Scotland, heretofore in Qualification as Heir, when they were distinct Kingdoms, to which it belonged.

Ann. 36 Hen. 8. cap. 6. and 51 H. 6. cap. 6. As if we should say, Religious or Debatable Ground 3 for by that Name skene calls Ground that is in Debatre or Controversy between two. Cam. Brif. tis. Cumberland.

Baffardis. See Baffar.

Bath, called by the Britains Bath, and Aqua Sulis; by the Saxons Eof, or Eofan, &c.; by the Britains, Bathun, Lat. Aquamana Citerum, i.e. The City of Sic Men, which reforih thicker, now called Bath, in Sommersetshire.

Battisteria, i.e. a Fulling-Mill. Tho mentioned in the Maccihouch, 2 Hen. 8. 12. Upon it flagrum malendium adpense Wilichorum cum Bittorius (for Battorius) & agridentus suo ubique, etc.

Battianum, (from the Sax. Bat, a Boat and Swain, a Servant,) a Mariner or Boatman, Dowscoff.


Battion (from the Fr. Baret; i.e. To Strike; or Sax. Barre, i.e. Toth) is a Violent Striking or Beating a Man; who, in (guard it tends to the Breach of the Peace) may therefore either indit the other Party, (whereby he is finable to the King) or have his Action of Treplain, or Suit and Battery against him, (for every Battery implies an Assault,) and recover to much in Costs and Damages as the Jury will give him, which Action will lie as well before as after the Indictment. But if the Plaintiff made the first Assault, then the Defendant shall be quit, and the Plaintiff shall be amerced to the King for his false Suit. In some Cases a Man may justify the beating another in a moderate Manner, as the Parent his Child, the Master his Servant or Apprentice, &c. This the Gratians call injuriam perfunctam.


Bataille, as mentioned in Hovenden, in R. 3. and signifies precious Stones or Jewels, or Treasuries. To be sold with et nomine Bataille sua divinit. 

Baudelain, or Cloth of Baudelain, (Balduscin & Baldekrins), Ann. 4 Hen. 8. cap. 6. is most usually reputed, remarkable in its cost and quality, yet some others account it Cloth of Silk only. See Bauldine.

Bay, or Ben, is a Pond head made up of great Height to keep in Water, so that the Wheels of the Furnace or Hammer belonging to an Iron Mill may be driven by the Water coming thence through a Pillage or Flood-gate, called the Penstock. Also a Harbour where Ships ride at Sea near some Port. The word is mentioned Simus 27 Eliz. cap. 19. Buckan in his Hist. Scot. fol. 7. writes Bel, and expounds it by Simus maris. 

Beacon, (from the Sax. Beacon, i.e. light.) ann. 8 Eliz. cap. 13. It is well known, Hence Baw'den, Money paid towards the Maintenance of a Beacon, and we shall use the Word to brickon, from the Saxon Beathan, To nod onto, or Signify. See the Statute 5 H. 4. and Durs. 28 Hen. 6. cap. 2. m. 21. Pro signis, Anglic Beacon, &c.
And Pro's Animal, on a Infinit. fol. 114, & 135. See Firebear.

Brad, or Bebe, (Sax. Beb, Oratus.) So that to say Our Head, is to say Our Prayer. They were most in use before Printing, when poor People could not go to the Charge of a Manuscript Prayer-Book. These are mentioned in 27 Hen. 8, cap. 26, and 7 Jac. cap. 5.

Beam is that Part of the Head of a Stag, where the Horns grow; from the Sax. Beain, i. e. Antler, because they grow out of the Head, as Branches out of a Tree.

Bearding, alias Barbing, of Woold. See Clark.

Beartog, i. e. Justice or Affair shallquiries, next, and determine of Barmestrice, Bearer, and Conflatog, and of those that commit Champartey. See 4 Hen. 8, cap. 11. Such as bear down or oppress others; Maintainers.

Beasts of the Forrest: (Sax. Sylvestri) are five: The Buck, the Doe, the Fox, the Marten, and the Wolf. 1 Part. pag. 322, and 2 Part. cap. 18, num. 8.

Beasts of the Forrest (Sax. Sylvicon) are the Hart, the Hind, the Horse, the Wolf, and the Mulow. 2 Part. cap. 4, num. 11.

Beasts and Fowls of the Warren are the Harro, Coney, Pheasant, and Partridge. Mun. Part. 2, cap. 2, num. 3.

Beasts and Fowls. See Bovines.

Breadlester (Fr. Bœuf-pleider, i. e. To plead fairly) is a Writ upon the Statute of Mordelbridge, 32 Hen. 3, cap. 11, whereby it is provided. That neither in the Circuit of Jurisdictions, nor in Counties, Hundreds, nor Courts-Baron, any Times shall be taken of any Man for Fair Pleading, that is, for not pleading fairly or aptly to the Purpose; upon which Statute, this Writ was ordained against those that violate the Law herein. See Sir. Nat. Br. fol. 270. whole Definition is to this Effect: The Writ upon the Statute of Mordelbridge, for not Fair Pleading lies where the Sheriff, or other Bailiff in his Court, takes Fine of the Party, Plaintiff, or Defendant, for that he pleads not fairly, &c. And it was as well in respect of the Vicious Pleading, as of the Fair Pleading, by Way of Amendment, in 2 Part. Infinit. fol. 132.

Breb, (Bedelus, Sax. Bybel,) a Crier or Messenger of a Court, the Keeper of a Prison or House of Correction, and Under-Bailiff of a Ma- ron. 1 Part. cap. 820. A Beadle is an Officer or Servant of the Forester, who makes all Manner of Garnishments of the Courts of the For- est, and all Proclamation, as well within the Courts as without, and executes all the Preceptes of the Forest: He is like a Bailiff-Errant of a Sherif in a County. Edgarum interdicet omnibus ministriis, id est, Pictorius, Bedellus, & Baratini in Patria Gregoria, — No servant fine & humble diff Marian, Ingelphus Hifi, Croly.

Brefgarp (Bedelaris) is the same to a Beld, as Balfour to a Balfour. Lit. His. 3, cap. 5. Will. filius Ada estem Bedelareiam Hundredi de Marcelafield, &c. &c. Sax. Rot. Anno.

Bredere, (Sax. Breiper, Sax. Breip) is a Service, which some Tenants were anciently bound to perform, viz. To reap their Landlord's Corn at Har- vest, as some yet are tied to give them one, two, or three Days Work, called some Place. Dayes.

Bredere, &c. (Sax. Breiper, &c.) is mentioned in Mat. Paris. Ann. 1258, where it is called Bredere, &c. Pas differre preventum quas Bederevac express.

Bretanum, the same with Aurelianum.

Brixton, i. e. the Inhabitants of Somersby, Witham, and Hemphire.

Buitus, i. e. Buitus, in a. an Americana for Bodling Blood. Leg. N. 8, cap. 86. Ms. valium alium fiascat, in comparibus, in mando, pra singulari mimoi meus ad dominum, & remissam de custodiis libris & beneficis, & utra domino decedat, si fangior dissidian.

Buenof (Buenovius) is generally taken for any Ecclesiastical Living or Promotion, be it Dignity, or other; or Ann. 17 Rich. 2. Stat. 2. cap. 2, whereby Benefices are divided into Eclelatic and Domestical. So it is used in the Canon Law. Decem- nius de Beu factus, lib. 2, cap. 3.

Buenof primo Ecclesiastic habitus is a Writ directed from the King to the Chancellor, to leafe the Chancery. He shall first fill in the King's Gilt, above or under such a Value, upon this or that Man. Reg. of Wills, fol. 507. b.

Brefrumpia was an Act in Land at first granted for Life, and it was called Beneficium, which was held as more Benefices of the Donor. These Tenants were bound to swear fealty to the Donor, and to serve him in the Wars: They were only Unfructuaries at first, and no more; and most commonly such Benefices were given to Military Men, that they might be more firmly bound to perform Military Services. At length, by the Consent of the Donor or his Heirs, these Estates were continued to the Perpetuity of the Donor, subject to the same Services as before. And those which were given by Kings, were called Regalia Benefida. But sometimes such Benefices were given to Bishops and Abbeys, subject alfo to the like Services, viz. to provide Men to serve in the Wars; and when they, as well as the Fide, had obtained a Property in these Lands, they were called Regalia, upon the Death of a Bishop returned to the King if not already disposed of. Thus we read in Brem- audus de Dicta, Ann. 1093. w. That W. a. Conmanded that the City of Canterbury, as Arch- bishop Langhast held of him in Benefice, and that the Abbey of St. Albans, which was enjoyed by him and his Predecessors, should for the future be held by Archbishop Aenemus in Aedubem Ecclesie Canterbury perpetuo pace. And thus began Feudatory Estates, which we now call Fixed.

Brefrumpia was a Service which the Tenant render'd to his Lord with his Plough and Cart. Laws. Tom. pag. 122. and Coler in Litt. fol. 36. a. Sometimes called Bescignam and Bescignam.

Brefrumpia (Benedicam, Favor, Good-will) is used both in the Chronicles and Statutes of this Realm, for a voluntary Gratuity given by the Subjects to the King. Struma Annals, pag. 707. By the Statute of 34 Rich. 2. cap. 9, it is called A Nomen in Impoisione Servorum, pag. 791. faith, That the Invention grew from Edward the Fourth's Days. You may find it also (Ann. 11 Hen. 7, cap. 10.) to be yielded to that worthy Prince in regard of his great and excommunicate in Our Days. Cap. 12 Rep. fol. 119, 120. It is in other Nations called Subsidia, Cessiones, or, given some-
times to Lords of the Fee by their Tenants, sometimes to Bishops by their Clergy. Coffee de confiteior.

By Act of Parliament, 15 Car. 2. cap. 4, it was given to His Majesty K. Charles the Second.

Benzonius, High Crook.

Benzonius.—Tenures de Beneficiis in Com. Herf. dem, purum pro quadam confecunditate, quae vocatur Benton, vis-

More quaeque operatium in termino Bishop Michæli, 9 d. Liber nego Herf. See Bedfords.

Bertrum, (Bertrum) Rawt ian tenens Manorii de Carolina reddant per Acto de cura reddita vocat, Ber-

ing, ad ejusdem xix. MS. Survey of the Duchy of Cornwall.

Burhchris, A Sheep-Down, or Ground to feed Sheep. Leg. offrid, cap. 3. ius patriae desirabilis, cap. 6. Sometimes "it was Burcheris, Non. 1 Tem. p. 350.

Burhchris, (the first B. Berriest) A Sheepcote or Sheepfold. In Devonf. 3. in the City, Berrieston, Coke's Inq. Part 2, fri. 476. Mandatum illi Rob-

erii de Lexinton, quod Albitri de Mervel saiit nam Berrieston in pascua de Ferfield ad dues sus capellian-

ibus. Chil. 9 Hen 3 m. 12. Dedi speciosi aten terræ, ad ejusdem Berrieston felicem. Non. 1 Tem. 2, fol. 599, 4, where it seems to signify a Sheep-walk or Paphra.

Berrieston, i.e. Bernestati: There were seven Church Men to called, anciently belonging to the Church of St. John of Beverley. —See quo earn torpe minet Berriestoniam, ut transcriptus, dictis septem de cetero non Berriestonariis, sed Personis vobis non noscipi, Pat. 2. Ric. 2. part. 3, m. 10, per index.

Berriede, Berriede, i. e. a great wooden Tower: Videus antem Rest is non at different progr.

cere, lignum surricum quam Berrieston scintat eratis. Sin-

men Dulcm,... Anno 1112.

Bergafo, i. e. A Tribute of Barley, from the Sexam Bepe, hordum et Carpel, Tribunum.

Berrivich, Dom-day, i.e. the Barrechich of the Manor: Villages or Hamlets belonging to a Manor. See Berrieston.

Berrieston, See Berrieston.

Bergmann, vulgarly Burnermar and Barm-

mer (from the S.E. Berg. Moz, quos, Master of the Mountain) Prefeue for Curari fidem. A

Bullfin or Chief Officer among our Yorkshire Men, who among other Parts of his Office, does

also execute that of Curator among them: —fara-

teres dictam, quod in principio quando Ministrum se-

u litteram in campum mineris quartam, inventa mineris, ve-

nant ad hancum qui dictor Bergmannus, et ge-

runt ab eis eas Mineri, si fit in uero campo, et libidinis

unam, feit pro inventione, et dictam de arte Minas

rum, et unam praebet cunctum: quitem Parisiam, et

ad ferme, et ab eas rem remit de, et unam Praecipit.

erat de 24 pedibus. W. Eic. de An. 16 Edw. 1. num. 34. See Berg琈, and Sir J. Petitm his Relation. The Germans call a Mountaineer, or Min.

er Bergvrom, or Bergvram, vulgarly Bar-


et sopra. This Bergvrom or Bergvrome, comes from the Saxenberg, i. e. Mins, and more or

germore, conventus. Quiest, the Court held upon a Hill, for deciding Pleas and Controversies among the Derbyshire Miners; of which, thus Man-

tes, in his legenous Tretale of their Cullens.

"—And Sive for Oar must be in Bergmann Court,

3 Edw. 6. Thirte for Tyffeke Miners must refer:

Art. 52. if they such Sues in other Courts contemne,

3 Oct. 4 Phill. &c. They here due Oar-debit, for such offense,

Ma. Art. 15. And must pay Costs, because they did proceed

Agains their Cullens: Miners all take heed.

3 Edw. 6. No Man may sell his Grove, that's in court,

3 Edw. 6. Till he be ended, after the year.

2 & 4 Phill. &c. The Seller's Grove is last by such Offers.


16 Edw. 1. And two great Courts of Bergvrom ought to be

3 Edw. 6. Art. In every year upon the Miner,

To punish Miners, that transgress the Law,

2 & 4 Phill. &c. To curb Offenders, and to keep in an

Ma. Art. 19. Such as he Carves, or do rob Men Cost;

42 & 33. Such in the Fields, or do steal Men Stows;

To order Groves, make them pay their part,

To join with their Fellows, or their Groves defeat;

To fine such Miners as Men Groves above;

And such as Orders to inferno refrain.

4 & 4 Phill. &c. Or work their Meaneth beyond their land and Stake.

Ma. Art. 31. Or otherwise the Mine and Rake;

Or set their Stows upon their Neighbors Ground,

2 & 4 Phill. &c. Against the Cullens, or exceed their Bound;

Or Purchasers, that from them way.

To their Wath troughs do either flop or flay;

Or dig or delve in any Men Bing-place.

26 Edw. 1. Or do his Stows throw off, break, or deface;

2 & 4 Phill. &c. To fine Offenders, that do break the Fens;

Ma. Art. 28. Or yield Man Blood, or any Tolllite raffe

Or that Possession forcibly to take;

And that diddeth the Court, the Court may set

For their Concerns (by CALLU of the Mine)
Be

And bequest such as disposafed ben,
And yet let Stowu against Authority;
To shew the Lawes, or shew their Shales,
Or Grains, or Holes,
By which men left their Cattle, Sheep, or Swine,
And to lay Fines, that grievance be redres,
To ease the burdens of Poor-men oppressed.
To swear Verbum perissent, thus they falsely
Perform their Duties on the Minory.
And make Aresaf, and eqs impartially
Impeal Jurors, and assess to $25,
And fee that Right be done from time to time,
Both to the Lord, and farmers on the Minory.

Berks., A large open Field: And those Cities
and Towns in England which end with that Word,
are built in plain and open Places, and do not
derive their Names from Boroughs, as See Henry
Spelman imagines. Da Cange.

Berksire. See Bereshi.

Beresford. See Bereshi.

Bermut. (Incendium from the Saxon byppyan,
to burn), is one of those Crimes, which, by Henry
the First Laws, cap. 13. mendatur no pecunia: It
signifies Duas commotiae, according to MS. Bibl.
any capital Offence, Legis apud Bramp. cap. 50.
Leg. Hist. cap. 12. 47.

Bessie, in Donaford is used for Berkshire.

Berquia. See Berwick and Beraria.

Berquini & Bertrani, Shepherds. Domesday.

See Bertrani.

Besses. (Pet. in Parl. 18 Ed. 1.)

Berrighthach in the Court-Rolls of the Manor of
Chisholm in Cm. Somerfet, is used for Litter for
Horses.

Berwik. See Berwick. Bebe Rex Edwards
unum matriorem Derbic nominatum ex seu Berwik.


Perman cementum Taurum per isam Berfia in Fe-
reco noftra de Chippenham, Sec. Mon. Ang. 2 par. fol.

Bessiere (from the Grem. Berfrin, to shoot)
—Before in Forfia mea ad tres arcas: (Charta Ra-
nelli Comitis Ceffria. Anno 1213.) that is, to hunt or
shoot with three Arrows in my Forest.

Bessiere were properly those that hunted the
Wolf, from the Saxon Befli, Lupus,

Berfrick (from the fr. Berrier, to rock) a
Rockes. See—Stones, and see also f Scotland, and
fale nova Matilda de Plentres, Berfricki Edwardsi
Comitis Cefri, filiis nobis carmini, eadem filiis nobis
impostari, Comenstium eadem Matilda deone marioni persever-
pendunt, faleae natum et Scaccarium munerum, E. Pat.
10 Eliz. 3 p. 1. m. 30.

Bersheet (Berfrick) A Hound. — Ad Befendam
in Forfia cum nove arcis et fexe Berfrickis. Char-
ta Reg. de Quincy.

Berton (Bertis, from the Sax. Bepis, berdum,
& tois. Ei juris in eorafa parte eundem turm
primam curiam, in quib Bertis, subitus & volutis
officis deturres, et in quo eorum domituli
animis & negociatione iniquas proponentur. — Rex
Theofarci et Harrem an suit de Senecio salutem.
Quae volvuntur quod Curtiam munerum Gileoscher, nec non Time
& Bertonis Gift, corpori delli Comitatius noftri Gile
autentium, Claus. 32 Edw. 1. m. 17. It comes from the
Saxon Bepe, which signifies Berthie, and from
thence comes Beppin, a Barn, i.e. Bepe

site, a Place for Barley; and Bepelen, a
Barn-floor; and fo Bapton, which signifies a
Farm, and is always distinctly from a Manor.

Bertonarii. — Cum Bertonis terris & tenementis,
eae. Bertisarii, non recte ad voluntatem, Charta Jo-
Doublet these were first as we now call Farmers,
or Tenants of Bertram, Husbandmen, that held at
the Will of the Lord. In consequence they call a
great Farm or Mansion, a Berton; a small Farm, a
Living.

Berwick, A Hamlet, or Village appurtenant
to some Town or Manor; often found in Domesday;
in the Sax. Bepegene, a Core-Farm; Montec-
num minus ad majoris pertinent, min in grno Maneri-
se, sed vel in confinio se distinguitur inter domum sti. spe.
man. So in the Donation of Edward the Confessor,
Tobill is called, The Berwick of Winchester. Cam.
Briet. fol. 516.

Berwick upon Tweed. See Berwick and Tyno.

Bery or Bepp, The Vill or Seat of a Noble-
man, a Dwelling-House, a Mansion-House,
or Court, a chief Farm. From the Sax. Beppy,
which signifies an Hill or Castle; for heretofore
their Seats were called Houses or Halls, of which
we have but some Remains. The chief
House of a Manor, or the Lord's Seat, is still so
called in some Parts of England; as in Heresthorpe
there are the Berties of Stockton, Leys. Her, G.
anciently used all so for a Sanctuary.

Bertis (fr. Bepes, Berthie; the Father of the
Grand-father) signifies a Write that lies where the
Great Grand-father was seated of any Lands or
Tenements in Fee-simple the Day he died of and
after his Death a Stranger enters the same
Day upon him, and keeps out his Heir, etc.
The Form and further Use of this Write, read in

Berw, A Spade or Shovel: (From the fr. Jo-
cher, to dig, or delve) — In common pugna rurico,
cum una fidis spada, sed tenis & viribus diutum.
Prior. L. Cuthram. de Hechham. pag. 17. Hence par-
chial, One becata terra inclusa, (Mon. Angi. Parac. Ed.
1. m. 8.) May signify as much as Land or one
man can dig with a Spade in a Day.

Bertisalis (fr. Bepianis) i.e. Beaves or Cattle of
any fort: Annal. 4 Edw. 3. cap. 3. It is written Be-
ten, and is generally and properly used for all
those Beaus, as Cattle. Mentioned also in 12 Car. 2. cap. 4.
E. Cattle used when the King is in his Progress.

Beratichi. — Be Hibernici; eadmodum ad legend
practicum more anglicorum pertinere; manum, pare
num, ad eum dono donum, in quem non-Catholi
naturam, qui vulgius in illo. pro salute Beratichi nominari,
& i.e. Laymen uing Gibe Lands. Pat.
14 Ed. 2. p. 2. m. 21. root.

Berfrigatii. See Befrige.
king Notice of the Duke's Refusal, advised him to comply with the King's Desire, who answered them No so Bigot, whereupon he was in decision called Bigot, and the Normans are full so called.

Bilige (Sat.) See Bilbuis.

Bilantine Fraternity is a Wit directed to a Corporation, for the carrying of Weights to such a Haven, there to weigh the Wool that such a Man is licensed to transport. Reg. of Wits, fol. 270. 6.

Bilitius or Bilitius (Bilgian from the Gothic bilg, bolog, and ialtis; long, or from the Sax. Bilocy, i.e. Leges obiter & pra re nata annida) are particular Orders made in Court-Leets or Court-Baronies by common assent of the Refiants, for the good of those that make them, for some particular Cases, whereunto the public Law does not extend. Coke, Vol. 6. fol. 636. Kitchin, fol. 45. & 79. In Scotland they are called Laws of Burial or burial, which are made and determined by the Consent of Neighbours, elected by common Consent in the Birken-Courts, wherein Knowledge is taken of Complaints between Neighbour and Neighbour, which Men, if chosen, are Judges and Arbitrators to the End aforesaid, and are called Burial-men. For And such persons as are justices of the Peace, or otherwise of good fame, or even of whatsoever sort or quality, or of whatever Degree and Acquaintance, are empowered to make by Law, &c. Ante 30 Car. 2. fol. 6.

Bilinguus signifies in the Generality a double-tongued Man, or one that can speak two Languages; yet it is used for that Jury, which publish in any Case between an Englishman and an Alien, whereof part must be Englishmen, and part Strangers. Ann. 28 Edw. 3. cap. 13.

Bill (Bill.) is diversely used: First, as a Security for Money under the Hand and Seal of the Debtor, and is without condition or forfeiture for Non-payment. 2. Bill is a Declaration in Writing, express ing either the Wrong the Complainant hath suftered by the Party complained of, or else some Fault committed against some Law or Statute of the Realm. This Bill is most commonly addressed to the Lord Chancellor of England, especially for uncompensable Wounds, done; sometimes to others having Jurisdiction, according as the Law wherein they are grounded does direct: it contains the Fact complained of, the Damages thereby sustained, and Motion of Preston against the Defendant for Redress. See more in Wiltf. 2. Sym. tit. Supplication.

Bill for (Lat.) the Bill is true. The Grand Enquête, empanelled and sworn before the Judges of Paris, 27. endorsing a Bill (whereby any Crime punishable in that Court is presented to them), with these two Words, signifyeth thereby that the Preten dent hath fulfilled his Presentment with probable Evidence, and worthy further Consideration. Whereupon the Party preferred is laid to hand indited of the Crime, and tied to make answer to it, either by confessing or traversing the Indictment: And if the Crimain touch his Life, it is yet referred to another Court, called the Ex- aet of Life and Death, by whom, if he be found guilty, then he hands convinct of the Crime, and is by the Judge to be condemned to Death. See Me- reaum and Indictments.

Billets of Gold, (Fr. billet) Wedges or Ingots of Gold, mentioned 27 Edw. 3. Stat. 2 cap. 15.

Bill of Estate, is a kind of Licence granted at the
the Custom-house to Merchants, or others, to carry over such Ships or Provisions as are necessary for their Voyage, Custom-free.

Bill of Shuttlerane is a Licence granted at the Custom-house, to offer him to trade from one English Port to another, without paying Custom. Ann. 14 Car. 2. cap. 11.

Bilbors, A Stick or Staff, which in former Times was the only Weapon for Servants. Leg. fl. 1. cap. 78. St. I liberorum occidet, reddit peram thali us quattuor & non alium mutuum dominus servorum pro moneta: And in cap. 78. St. ius in servum transfert, in seipsum habet transfervi billem vel armam, vel decem at, ab hoc modo servavit arma servitis, &c. in manum Dominum mitit. A Band of Cells. See Stick of Cells.

Biliolum. Bambooefor.

Bilanifiant, one who defers to come to an untimely end: Ordinarii Vitalis, writing of the Death of Will. Rye, who was shot by Walter Tyrell, tells us, that the Bishops considering his wicked Life and bad end, thought him Excidit olim urbis usque in hanc remissionem, justusque ambulare indulgentiam. Lib. 5 cap. 792.

Bispicarium. See see fum portus.

Birlad. See Bilbor and Bilgeon.

Birtirratum. A thin linen Cap made close to the Shape of the Head.

Bissatunum, An iron Weapon cutting on both Sides: FECIT ADAM non plaga mortale de quadam bidentum Flora. Lib. 1. cap. 33.

Bismanifestum, A Billet or Infant, an ancient Cohn, so called, because fights coined at Consument pile. I have seen an old Leafe of Land reserving num Bissantum, vel duos fridos; yet some think it was of greater Value.

Bisnet. E. l. 2. At a Seffion of Sewers held at Wiseghate in Nofolk, it was decreas, That if any one in thate Persons of Marchland, shoule not repair his Proportion of the Banks, Ditched and Canals, by a Day assignd, cried, for ever Perch unrepaired (which is called a Bilbow) shoule be leviued upon him. And if he should not by a second Day given an accomplisment, the same, then he shoule pay for every perch 3d., which is called Bisfor. Hjpp. of Improvement and Drying, fol. 5454.-

Bista (a Gd. Bilbo). Carve major, a Hind.


Bissettine (Bissettine) Leap-Year, so called because the sixth Calendes of March are in that Year twice leap'd, viz. on the 23rd & 24th of February. So that Leap-Year hath one Day more than other Years, and is observed every fourth Year, being first devised by Julius Caesar, to accommodate the Year with the Course of the Sun. And to prevent all doubt and ambiguity that might arise thereupon, it is provided by the Statutes de Anno Bissettini, 21 Hen. 3. That the Day increasing in the Leap-Year, and the Day next before, shall be accounted for one Day. Ste. Histo. fol. 229, and Dyst. 17 Eliz. cap. 145.

Black mail (Fr. Mailles, i. A Link of Mail, or small piece of Metal or Money) signifies in the Commonwealth, Cameronian, and other Presbyterian Societies, a certain Rent of Money, Corn, Cattle, or other Consideration, paid to some inhabiting upon, or near the Border, being Parrons of Name and Place, allied with certain Merchants or known Persons within the said Counties, to be thereby held and protected from the danger of those Spott-makers. Ann. 43 Eliz. cap. 73.

See Mail. Bissettine also, mentioned 9 Eliz. cap. 49.

Black mail also signifies the Rents formerly paid in Provisions of Corn and Beefe.

Bleak, or Black Red. That is the same with Black Red, is chief Gentleman of the King. He is called in the Black Book, fol. 255. Librum nigrae, & Hebraicum, and elsewhere Jurgul-sans. His Duty is to port兰ind Virgininae, Dominus Regis, ed Octavio Quelou. et Calvum de Massyfer.

He hath also the keeping of the Chapter-house Door, when a chapter of the Order of the Garter is sitting, and in the Time of Parliament, attends on the House of peers.

He hath a like Habit with the Regius of the Sacre, and Garter King of Arms; which he wears at the Feast of St. George, and all Chapters. He bears his Rod on the Top whereof is a Lion, Gold; which Rod is instead of a Mace, and hath the same Power and Authority. His Fee is now 30s. per Annnum. This Officer hath been ancienly confirmed by Letters Patent under the Great Seal.


Blanuus. A Sky-colour, Min. 3 Tom. pag. 172.

Blanqueta. See Lunda.

Blancheporum. i. e. A Little Bell, or rather Thimium, viz. Percois ticimium, & canis epis & blan- horamum horum trium fusacium eff nani juliaume val- len: From the Saxon Blane, episcopus, & Doppis, cornu. Leg. Aedif. cap. 9.

Blank Bar is the name of that which we call a Common Bar, and is the Name of a Pea in Bar, which in an Action of Trespass is put in to compel the Plaintiff to aign the certain Place where the Trespass was committed: It is most used by the Prayers in the Common Bench, for in the King's Bench the Place is commonly aternated in the Declaration. Quib. 2 Part. fol. 934.

Blanc Farm, a white Farm; that is, where the Rent was paid in Silver and not in Cattle.

Blanks (Fr. Blank, i. e. Lead.) A kind of Money, coined by King Henry the Fifth, in the Parch of France which were then subject to England, the Value whereof was S'd. Stow's Annals, pag. 556. These were forbidden to be current in this Realm, 2 Hen. 6, cap. 9. The Reason why they were called Blanky was, because the Time these were coined in France, there was also a lead of Gold
Gold, coin'd, called a Salus; from which, this of Silver was in Name distinguished by the Colour.

Buckhuns, an Incendiary.

Blattum. Bubbius in Cumberland.

At, with a single a, signifies Sight,-colored; b with a double a, it signifies Corn. At Buckton under the River, in Northumberland.

To hold Land in Blench, is by Payment of a Penny, a Roa, a Pair of Gore Spurs, or such like Thing, if it be demanded in Name of Blench, i. e. Remainder after form. See Acta formae.

To Blawm. Old Sp. for Bare-field.

Boughs, Boughs broken from Trees, and cut in a Way where Deer are likely to pass.

Blumun. This is when a Ram goes to the Sow:
From the Stem. Sow, the Sow; and a Blumen from Sow, To accomodate. This is corruptly called Blumen to this Day.

Blumen, or Bellring (Anna 18. Car. 2. cap. 2.) are those which are half dried; perhaps from the Sax. Blumen, To kill, and offer in Sacrifices.

Blodag. See Logwood.

Blud, a Sky Colour. Min. 3 Dom. pag. 170.

Blumst, (Anna 27. Eliz. cap. 19) the Bell for the Iron Mill; through which the Iron passeth before it comes to the Forney.

Blowindus. See Bludowindus.

Blood, or Bloodwod, (from the compounded of the Sax. Blod, i.e. sanguis, and wo, woof, woody) is a Woman's letter. The ancient Charters of Liberties, and other ancient Instruments, signifies an Agreement for Sheding of Blood, so that whoever had it given him in his Charter, had the Penalty due for Bloodshed. Some Writs are to Blowindus, and says Vex, in English, is Torsion, and that Blowindus is an Agreement of Undem (as the Scotch call it) for Wrong or Injury, as Bloodshed is: For he hath Blowindus granted him, hath free Liberty to take all Agreements of Courts for Executions of Blood. Some say, Significat Quintam mortis unius, & effusion sanguinis. Lib. 1. cap. 47. Bude, i.e. st aliqui pag. nantes ad Torsiones in Rodicam & extraordini sanguinis. Prior bulbus inde amercamenta in Lorcha in. Ex Regis. Priorat. de Cokesford. See Wrodan. Juxta per W. I. M. B. B. Blood Lin is one of the four Kinds of Offices in the King's Forch, by which the Queen's is supposed to have killed a Deer. See Backbones. In Scotland, in such a Name, they say, Taken in the Bois, or with the Red Hand.

Blomom, the same with Bloon.

Blubber, (Anna 13. Car. 2. cap. 18.) A Kind of Whales-Oil, so called because it is thoroughly boil'd, and brought to Perfection.

Blonom, one with yellow Hair, Sicut pater tunc semum caput Regis Wulfric Lundig Lundii. Meaning William Rufus. Do Cange.

Bock, a Place where Books, Evidences, Writing, or other like Muniments, are kept, as the Rolls; from the Sax. Bock, i.e. libris, and Book, Dons, etc.

Bokland (Sax.) Terra Hertedariana vetis factionibus, quibus Bookland. A Policie, an Inheritance, a Territory, Farm, or Houle with Land belonging to it, held by Evidences in Writing. Backland vero a polliciis transferenda que leges coram regno, e loco gentium, et heredarum relinquenda erat, in ferris alteri permittuntur; Terra inde Hereditaria munificat. L. L. Alured, cap. 36. See Charterland, and Landher. See Chiffrum in descem Scripturis. See Charter.

This was one of the Titles which the English gave to their Lands, and was always in Writing. There was but one more, and that was Folkland, i.e. Terra popularris, which paffed from one to another without any Writing.

Bodice Politicks. See Corporation.

Bodaptr. See Paris.

Bolvar or Bulvar of Salt, (salina) a Salt-House, or Salt-pit, where Salt is boiled and made. Coke or Linit. fol. 4. 4. From the Fr. Brudon, a Boiling or Bubbling.

Bolvarum. See Saltwater.

Bolvarugra. See Bolvar-gua.

Bolvarugra. See Bulgaria.

Bolvarugra, a little House or Cottage: From the Sax. Bow, Bubbius.

Bona, a bowl: Unum balconem procul sufficit alio contusum, cum bollin argento pra magni civis impendit. Mon. Tom. 2. pag. 666.

Bolting, Melling Corn or Bread. From the Sax. Bote, a Village, and Don, to mop; because Countrymen eat this Bread.

Bolting, at Greys Inn. The Manner is thus: An Ancient and two Barristers sit as Judges, three Students bring each a Cafe, and the Judges choose which of them shall be argued. Which is done, the Students first argue it, then the Barristers. It is inferior to Meeting, and may be derived from the Saxon Bote, a Houle; because done privily in the Houle for Instruction. In Lovaine-in-B. in Va. 14. 14. of the 16 Days, the Boule Days, Tuesday and Thursday the Most Days: But in Term time, 4. days.

Bona fide. We say that is done Bona fide, which is done really, with a good Faith, without Diffimilation or Fraud.


Bona magnatia, or Bona magnanima, was an Exclusion in Ireland, imposed on the Subjects at the Will of the Lord, for Relief of the King; made by the Queen's Order, supposed to have killed a Deer. See Backbones. In Scotland, in such a Name, they say, Taken in the Bois, or with the Red Hand.

Bona, the same with Blon.

Boppy, (Anna 13. Car. 2. cap. 18.) A Kind of Whales-Oil, so called before it is thoroughly boil'd, and brought to Perfection.

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 Bod, Bonhage, and Bondmen. See Natives. Bondmen in Domesday are called Serui, and differed from Villani._Ex de tuto tempore, quod in homine tenet in Dominio suo, tam in terris quam in hereditate sua pertinet. Mon. Angl. 2 par. fol. 669.

Bonda, a Master of a Family. 

Bonis Annuis is a Scribe, which fee in Arrendandi Bonis. 

Bonis non annuis is a Scribe to the Sheriff of London, to charge them that owe, against whom a judgment is obtained in an Action, and who proctors a Writ of Error, he be not suffered to remove his Goods, till the Error be tried. Rep. of Writs, fol. 131 a. 

Bonunum, Banus in Planebro. 

Boxing or Boting Corn, certain Rent-Corn anciently so called. The Tenants of the Manor of Hadhamen, in Com. Bucks, heretofore paid Boting-Corn to the Sheriff of the County. Antiquity of Purveyance, fol. 448. Perhaps it was so called, as being paid by the Tenants by way of Rote (host we still call it) or Compensation to the Lord, for his making them Levees, &c. See Ham. 

Boxworth, a Market in Northumbeland. 

Bob, a Left. From the Fr. Burde, fabula. 


Boedagham, The Tenure of Burdlands, which see. Item ordinamento est, quod quando terre & tenementa tenant per Bordagham, habuissent super singul. bordagham, quae per praediam sollicitum remanuerit, cap. talis super sollicitum & remanuerit, in laud & loco confessus, &c. Ordinat. Jurec. In the Indument of De Jerto. This was a Sort of Tenure which subjected a Man to the means of Service: He could not sell his House without the Leave of the Lord. 

Boxnor, or Baxnigman, often occur in Domesday; by some esteemed to be Bours, Hubandmen, or Cottagers; which are there always put after Villani. Destruct Boxnor vel quod in tugriem que est; cest un locas, hoc est unurum limitatum, quod 200. dictur. Spelum. Tenentes per familia plus foretium quam vidum, & qui tenesst pauca acer M. S. But loc bordlandis. 

Bob-halfofpepp (Sax. Bope, Toda, and Dal- peny, (Glurom) is Stoney paid in Fains and Markets for letting up Tables, Boards, and Stalls, for sale of Wares. In antiquo Clavus multi immuni sunt ac si fassa solutum, says Spelman. It is corruptly written Bardalpeny and Bobhalpeyn in some Authors. 

Bordlands, the Lands which Lords keep in their Hands for the Maintenance of their Board or Table. Ex Dominico quem habebat ad multam suam & proper, sic sunt bordlands Anglici. 1. Dominico ad multam. Ibid. 4. trait. 3. cap. 97. 

Which Tolleflon was anciently termed Burdage. Sax. D. Ist. corba Burd. And the Bordarii (often mentioned in Domesday) were such as held those Lands which we now call Deman Lands, See Antiquity of Purveyance, fol. 45.

Bord Service was a Service required of the Tenant to carry Timber out of the Woods of the Lord to his House. 

Bord-service is a Tenure of Burdlands, by which some Lands in the Manor of Fullham, in Com. Middlesex, and elsewhere, are held of the Bishop of London, and the Tenants do now pay for Pence per Atre in lieu of finding Provision anciently for their Lord's Board or Table. 

Borg-thorp, (Sax.) a Violation of Suretyship, Pledge-break. 

Bours, or Borough, (Sax. Bophoe, Fr. Burg) signifies in Corporate Town, which is a City. Spec. Edw. 3, Edw. 3, cap. 43. As also such a Town or Place as sends Burgesses to Parliament, the Number whereof you may see in Crown Juris, fol. 214. Probably Borough was anciently taken for those Companies consisting of ten Families, which were combined to be one another's Pledge. See Drayton, lib. 3, trait. 2, cap. 10. and Lambard's Duty of Con- fessors, pag. 8. Vergil says, That Burg of Burg, whence we say Borough, signifies a Town having a Wall or some Kind of Enclosure about it, and that those Places which in Old Time had among our Ancients the Name of Burg or Borough, were one Way or other fenced or fortified: Yet sometimes it is used for Villa, Infring, or Country Town of more than Ordinary Note, not walled. 

Bourne-tribe, alias Urbandon, (from the Sax. Bophoe and Head) signifies (according to Lambard, in his Commentaries of England,) the Heads or Chief Pledge of the Decay of Bourne, choicest by the right to speak and sit in their Name in those Things that concerned them. 

Bursolders, alias Burhculders, (Sax. Burhullid) are the same with Barrowelders. Br. Hen calls them Burgh-olders, Lib. 3, trait. 2, cap. 10. 

Bourne-English (Sax. Bophoe Engle) is a customary Dower of Lands whereby in all Places, where this Custome holds, Lands and Tenements descend to the youngest Son, or, if the Owner have no Boin, to his youngest Brother, as in Edmund or Denish, fol. 102. And the Rea- son of this Custome (according to Listerian,) is, that the youngest is presumed in Law to be leas able to fight for himself. 

Bourne Goods debitable. These Words are found in the Stature of Atonal Bounel, 11 Edw. 1, As before the Statutes of 32 & 34 Hen. 8, no Lands were deivable at the Common Law but in ancient Baroines, fo perhaps, at the making of the new Statute, it was thought proper to deliver, and to charge whether Goods were deivable but in ancient Borough. For it is by do the Writ Du ratiamblis partes honorum, anciently the Goods of a Man were partible between his Wife and Children.

Boutle-fall, i.e., a great Faller of People from the Fr. Bure, c. Elucm: Because they covered their Heads with such Stuff. Chron. Fbrb. of the Appar- ator, fol. 43.

Boutterbolde, the name with Heathborough, from the Sax. Burbor,-eben, i.e., Plagiofer primarius. 20th. 

Boutpemp. See Burphalpeyn. 

Boutage (Bosrugium) is used for that Fond which Wood and Trees yield to Castle, Malt: From the Ital. Bef, Sylbus. Howbeit Mr. Stow says, To be not de Bunis, is to be dischargd or paying any Duty of Wind-fall-Wood in the Forest. 

Boukarias, Ut si fpe pollut donas & Bohacria fa- tis comprensiva antiquis, Mon. Angl. 5, p. fol. 303. 

Bouken signifies Wood-Houses, from Bojue, or Ox-Houses, from Bo. 

Bokium is an ancient Word used in the Law of England, for all Manner of Wood. The Italians use Bokium in the same Sense, and the French, Bois, where a Branch is divided into High-wood, or Timber, (Bois de bauz,) and Coppice or Under-wood, (Sou-bauz,) High-wood
wood is properly called Salsola, and in Flora Macne-
rosum. — Cana una Carelia de matrus Bocco. Pat. 10.
H. 6 par. 1. m. 4 per leprous.
Meador, i. e. an Ox-fall. "It is mentioned in
Mat. Paral. Aux. 13:34., and in Jnaluphe, Faci tram
torres, Boffaria, Ooilla, etc.
Boors, [Six] Compensation, Retcompence, Sa-
satisfaction, or Amendes. Hence Mon-bote, alias
Monbo, Compensation or Amendes for a Man slain,
who was bound to another. In King Ina's Laws,
fact out by Lombard, cap. 96. you may see what
Rate was ordained for Expiation of this Offence.
Hence also our common Phrase, To boors, i. e. Com-
parationes fratris. See Hedge-bote, Plow-bote, Hoof-bote:
And see Item, word Bote.
Bottref. In the Charter of Hen. 11. to Tho.
Archbishop of York, it is said, That no Judgment or
Sum of Money shall acquit him that committs Sacrilege,
but he is in English called Bottref, i.e. without Emendation.
Lib. alius prorsus Cap. de
Sanctitatis, Int. folio. Trin. 14 Edw. 2. 238. We
will render the Word Full in common Speech. See
Bottref.
Booth, a Booth, Stell, or Standing, made in
Fields or Markets. — Et dixi minus liberas ad
Bothus in faciendum. Mon. Angl. 2 par. fol. 132.
Booths in faciendum Panormi Regis (Regius, folio, 43
Edw. 3. cap. 5.) is an Officer that provides the
King's Wines, who, (According to Fleta, Lib. 2,
cap. 21.) may by virtue of his Office, out of every
Ship laden with Salt-Wines, and Damask-Algarum,
draw a pravo natural ad opus Regis, & elaud in populo, &
pro qualibet loca repaerant antiquo sol debit. Mercatorum.
Si autem paro inde, bauerum omnium, bene tachiis, duc.
tarum pessimorum fide dignorum judiciis pro Rata opponi-
meri.
Bottromp, or Bottromarp, (Fam. nautonicum.
Ann. 16 Gar. 2. cap. 6.) is when the Master of
a Ship borrows Money upon the Keel or Bottom
of his Ship, and binds the Ship itself. That if the
Money be not paid by the Day assigned, the Cred-
tor shall have the Ship. See Bottromape, & quand
argent or de bourse for Xel del Neis, & le Neis oblige al
payment de cie. F. I. Si ne fait pas al temps, que
Booty, or Booty, an Ox-hoele or Ox-
fall. — ad faciendum ibi Boveria suai & aliis da-
batis usus necessario, &c. Mon. Angl. 2 par.
fol. 210. 2. Lhsa libi Shaelonov, Bovetans, according
to Giffl. in S. Scripture.
Boverty in Glamorganshire. See Bovetum.
Bovetum, Antiquus, now Bovetum.
Bovina (Bunda.) — Scindum matris, maris,
bundas, of Marchian Fore, 13 Edw. 3. Hns. Plac.
from the Saxen Bunnra; but the Saxen Dictionay
affords no such Word.
Boo-whyer is an Under-Officer of the Forest,
whole Oath will inform you the Nature of his Of-
thee Words:
I will true Man be to the Master of this Forest, and
to his Lieutenant; and of these Affairs I shall
true over-get, and true Impulsion make, as well
sworn Men as unsworn in every Basishill, both in the
North East and South East of this Forest, and of all
members of Treputia done, either to Port or Penniin, I shall
truely endeavor to attach, and cause them to be attached,
in the next Court of Attachement, there to be presented,
without any Concealment had to my Knowledge. Do
help me God. Cope Jurid. fol. 201.
Bovemarius, (Fr. Boemari,) a Huntman.
Rex mandate Bovemari quem aliquando Reg. de Chade-
worth Fec. Lib. in. 8. vii. d. qua per præceptum Regis
liberavit Joh. de Bovemari pro pueris Septem
Esparianis & reperam Palatium & reperam Cesarii
ufj, ad Pigit. Sandi libri, prox. sequi. ut
items usque. pro pueris esparianos &
Palatium i. d. ob. & pro Padii: præbendi Bracarini
in Doro.


Barita, a Brew-house M. S. penes Will. Dugdale, Mol.

Barium, a Brewing: The whole Quantity of Ale brewed at one Time, for which Toftolf was paid to the Lord in some Manor. See Goodw.

Barge, Broughton in Hampshire.

Barn, See Barnumum.

Barn, A Kind of Spirit, or Strong-water, made chiefly in France, and extracted from the Lacs of Wine or Cyder, mentioned in the Act, 16 Car. 1. cap. 1. Upon an Argument in the House of Commons, anno 1668, whether Brandy was a Strong-water or Spirit, it was resolved to be a Spirit. But 23 Nov. 1669, by a Grand Committee of the whole House, it was voted to be a strong-water, perfectly made. See the Stat. in Parliament thereof, 25 Car. 2. cap. 10. 26 Barnumum, Barnsford.

Barneumum, *Wine-fer*.


Bath, Malt. In the ancient Statutes Bracatere is taken for a Brewer, from the Fr. *Braffe*, and at this Day also for a Maltier or Malt-maker. It was adjudged 1 Ed. 2. *De moderatis Bracatere* svstente Violontiae, ubi ducit quantum scint etor Cinus, Pinti, Vini & Cervisiae in huiusmodi contrar terren Stato.

Breach Carnum. For Brech Carnum Thomas Crow, (Magistro Hostilis Sanitus Johannes Baptista scilicet in paroquis beraulis Cypriae) clamatur, quod omnem tenantem sed, infra coram liberate residente, sit qui de commissione Carnum. Plt. in Inup, cap. Cypriae 14 Hen. 4.

Bread of Trest or Tiff, (Banshastree) Bread mentioned in the Statute of *Affyle* of Bread and Ale, 55 Car. 2. cap. 1. where we read of *titre* of Bread, Cocks Bread, and Bread of Trest, which I think do generally correspond with what we now call White, Wheatman, and Boarded or Coarse Bread. Herefore in Religious Houses they distinguished the Bread by these several Names. Pans, Damerecamum, Pans Conventualia, Pans Brevitatis, et Pans familiarum.


Bretcher, (perhaphs from the Fr. Breche, a Breach in a Walk) I have seen a Deed with Covenant for Repairing stors & Brecces, postas & Julias a Castello. Sirs Dar. — De Brece aqua inter Wilcwich & Greenwicw superabundant. Pat. 16 Ric 2. Dorio. *Bred* is used by Bradwin, lib. 3. tradit. 2. cap. 15. for Bread. *Brede* is used by Bradwin, Lib. 3. tradit. 2. cap. 15. for Bread. *Brede* is a Sawm Word, and signifies Decipit. *Bredburnium* cfr. cfr. cognitio quod Bepoce Er. Leges Cantii, cap. 44.

Bridgena, which we now call a Bridg grown. *De bridge* the Judges and bulk Brophes, and therupon the Erle Law was anciently called the Brach Law. See 4. *Inf. *vol. 358.


Broughton, Brompton in Northumberland.

Browntunacton, Brompton in Cumberland.

Brundley, the Lyceum in Brac, which the Tenant was to make to feed the Lord's hounds.

Burnwood. See Cawthornagut.

Burnford, or Byford: — Scilicet quod *Hovis de Pomarage*. — *Omnibus liberis hominibus muti fugit und de Pomarage omnes libentes & licibus etc. *Sequelliae* secundum legem de Brestoye undum & fuorum appositis, secundum usum *Chesno Dominicus Regina quam habet. Hocnum, Ce. Sin. Dat. Secundum legem de Brestoye, mutt certainely signify Legem Marchiorum, or, The Law of the Britanni or Wollium: For Pomarage (now Pomarage) is a Town in Herefordshire, bordering upon Wales.

Buttemn. See Coburnswain.

Butlus & Rotulus liberandus is a Writ or Mandate to a Sheriff, to deliver unto the new Sheriff, chosen in his Room, the County, and the Appearances, with the Rolls, Bills, Documents, and all other Things belonging to that Office. *Reg. of Wills*, fol. 119, a.

Butly (from the Fr. *Bruyere*, To devour, or eat greedily in a great Manner, when any Man in judicial Place takes any Fee, Patent, Gift, Reward, or Bocage, for doing his Office, but of the King only. *Profease*, cap. 51. and 3 *Inf. *fol. 145.

Butmer (Fr. *Bruder*, a, a Beggar) seems to signify in some of our old Statutes, one that trolls other Mans Goods; as Obaths out of a Windows, or the like.


Buitilus, an Engine, by which they beat down Wails.

Bult (Brew) signifies a Writ, whereby a Man is summoned or attached to suifer any Action; or (more largely) any Writ in Writing, issuing out of any of the King's Courts of Record at Westminster, whereby any Thing is commanded to be done in order to Jusfice, or the King's Command, and is called a *Brew*, or *Brew*: *Silva Brever* & parvis virtutibus praesertim cognita & explanatio, sic regulis partis regnis sunt, *Bressow*, *Lepest*, *Hastrum* et *Hastum*, *Bresslau*, lib. 5. tradit. 2. cap. 17. num. 2. *Allo Letters Patent*, or a Licence from the King or Privy Council, granted to any Subject to make a Collection for any publick or private Loss, is commonly called a *Brew*. See *Writ. Breve*. *Inf. *vol. 3. edw. 3. Rot. 25.

Buggbart (Fr.) a Cost of Mail, or a Fashion of ancient Armour, consisting of many jointed and plate-like Plates, very pliant unto and early for the Body, and so strong that a Man of 3 or 4 Phis. & 200. *Inf. *vol. 21. Some confound it with Haveriina, and some with Buggairie, (in writing which there is only the t turned into t) which signifies a low, long, and swite Sea-Volf, having some twelve or thirteen Oares on a Side.

Bungate, Yorkshires, Lancashire, Bishouprick of Durham, Wimbourl, and Cumberland.
Procuration 30 Martii, 64th of his Reign, preprefit all the Stews to Brereth-hunters, which had long had continued on the Bank-side in Southwark, for that they were hereby inhibited by the Law of God and Law of this Land. 3 infra. fol. 209. And Rite. Parl. 14 R. 2. nun. 32.

Buxton, i. e. Dried Cloth. Viz. victims tuas de bono bracneto: 'Tis sometimes wrote Buxnet, viz. differentia intern brunum colorum & burnetam; burnset of the same color that red wine or red rum is named. Buxnet is burnnetum vulgare. Burnnetum vulgare reperitur in Africam & in Africae extremo sertum domino nato de Rivetana. Mon. de Buxnet. 1 Tom. 1. pag. 773. Sometimes it signifies a Wood.

Buxnetum, See Buxnet.

Buxnet, i.e. Burnnetum. Chresta nostra percussa hominem eum quem ad culturam domini nato de Rivetana. Mon. de Buxnet. 1 Tom. 1. pag. 773.

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Burgerv. (Burg.) See Barch and Borough.

Burgage (Burgagym, fr. Burgage) is a Tenure or property of Gainsborough, whereby the Inhabitants by ancient Custom, hold their Lands or Tenements of the King, or other Lord of the Borough, at a certain yearly Rent. It is a kind of Souage, saye Souage, pag. 2. 2d. 3. num. 6. Ad militiam non pore, being done into later Regalia. It was renewed 37 Hen. 8. cap. 20. Item non utramque facere fidelitatem vel Servitium proprium Demons feedum pro terris & tenementis subfinit, nisi tantummodo redditum subfinit efto ad eftimam terris cunctor. Quia tenor terrar & tenementum nifis pro Servitium Burgage, in quod non habeant Medium inter nos & Dominum Regem. MS. Codex de L. Statutas & Constituta. Burgi-ville Mountemper, a temp. Hen. 2. Burgage was also annually used for a Dwelling-house in a Borough Town.


Burgagem librum was when the Tenants had paid their yearly Rent to the superior Lords, they were free from all other Services.

Burghboat (sex. Burch, Burch, and Boc, bocomnenses) A Tribute or Contribution, towards the building or repairing of Coffles or Walls of Defence; or towards the building of a Borough or City, from which divers had exemption by the ancient Charters of the Saxon Kings; whence it is ordinarily taken for the Liberty or Exemption it did. Redat. Significat (bysa Praeta) antiquitatem reparations murorum civitatis vel Burgi. Lib. 1. cap. 47.

Burgheri (sex) Curia vel conciatum Buri vel Civitatis; the Borough Court. — Et in honorem in annis tur Burghenoses, & Subsidius bis, nisi sepium for, & interest Edibles & Aldermenos, & decent 1st Dec. 1703 & 1741. LL. Canet. MS. cap. 45.

Burgerrus (Burgicr & Burgifici) are properly Men of Trade, or the Inhabitants of a Borough or walled Town; yet we usually apply this Name to the Magistrates of such a Town, as the Bailiff and Burgesses of Ledforfes. But we do now usually call those Burgesses who serve in Parliament for such Borough or Corporation. Filium were Burghers aten babei non intellegent, in dejecta haec Deificum & ceterorum. & omnes eorum qui postea nobis succedent. Glenville, lib. 7. cap. 0. in Germany, and other Countries, they confound Burgis & Citizens, but we distinguish them, as appears by the Stat. 5 Rich. 2. cap. 4, where the Bills of this Commonwealth are thus enumera
ted. Count, Baron, Vannert, Chisler, de Counter, Ceifin de Citer, Burgis de Burgh. See the Statute of Burghs, cap. 7, and Col. 1. f. fol. 80.

Burgh, Barth, or Borough, are derived from the Saxon Burch, i.e. ooppidan, Calram, or rather from the Goth. Bort, Rupas, Saxons. For in ancient Times, Towns were built on hills, and afterwards removed into Vale for the safety of Water on Hills.

Burgherys, alio Burghere (sex. Baph

bpyce, i.e. Edificiogenes frae, vel plegi vis locutio) Angli omnes decreebant olm pisidieae pacem regionen hiugiuntur quam autem in hinc comitum est.
Burgtary (from the Ital. Burgh, Domus or Ars, and Lapse, fr. Col. lib. 4. fol. 147.) is a Felon's entering into another Man's Dwelling-house, wherein some Person usually inhabits, or to commit some Felony therein, as to kill some Man, which somewhat theses, or to some other felonious Act, though he execute it not. The like Offence by Day, we call House-robbing or House-breaking, by a particular Name. How many ways Burglary may be committed, see Common Law of Pram, fol. 23. 29. 30. and 5 Part. Ind. fol. 553. It shall not have Benefit of Clergy. Ann. 16 Eliz. cap. 7.

Burt, i. e. Husbandmen: It is mentioned in the Monarchs, 6 Tom. p. 223. viz. In Icopum juxta Burcarii ex Buri et predicti. Burrittum. See Stucking.

Burnett, i. e. Cloth made of dyed Wool: Brown Color may be made with Wool without dyeing, as we call Medleys or Puffers; but a burnt Colour must be dyed.

Burrough, A Burrow, or Small Wear, where Weeds are laid in a River for the taking of fish.


Bur, See Barry.


Burford, See Bower-Burden.

Bullamor: 'Tis mentioned in Breal. Lib. cap. 1. viz. Property vox est ad se 4. vel 5. pelibii de majorum Comitiut qui dicuntur Bullones Comitum & ad quem natum dependet serioliam, etc.

Buffa, i. e. A Great Ship.


But (Batticam) Every But of Malmsey to contain at the least 26 Gallons, Annal. 2 Ric. 3. cap. 13. There is also a Measure called a Salomon, which contains 54 Gallons. Lib. A'ls. & Stat. 2. H. 6. 11.

Buttef Collegis (Cath. Chiroon) as Buchair, a Chronicon, Sex. p. 172.

Burgtary of Wines signifies that Impostion upon Sale-Wine brought into the Land, which the King's Butler, by virtue of his Office, may take of every Ship that is, two Stillages of every Ten of Wine imported by Strangers. Rot. Parl. 14 Hen. 1. Anno 1. 8. cap. 6. See more in Battle of the King, and Prisca. The Stat. 12 Car. 2. cap. 29. for taking away of Provouage. Does not extend to procure the ancient Botars of Butler, or Botary, and Puchage of Milkes, but they are to continue as before the making this Act. See Cal- thorpe's Reports of Special Cates, p. 22. and 4 Ind. fol. 30.

Bутьхана (a. burgi vir) A Citizen or Bur- guls, William. Rex Johanni Williamum Eplagum & Cleremundum postmari & omnem Burghlaria infa. Londr. Charia Williemi lic. Londoninibus cons. foli. 4. Burglary (from the Sex. Bught, Domus or Ars, and Lapse, fr. Col. lib. 4. fol. 147.) is a Felon's entering into another Man's Dwelling-house, wherein some Person usually inhabits, or to commit some Felony therein, as to kill some Man, which somewhat theses, or to some other felonious Act, though he execute it not. The like Offence by Day, we call House-robbing or House-breaking, by a particular Name. How many ways Burglary may be committed, see Common Law of Pram, fol. 23. 29. 30. and 5 Part. Ind. fol. 553. It shall not have Benefit of Clergy. Ann. 16 Eliz. cap. 7.

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Carmarthen. See Marisianam.
Carnarvon. See Conwen in Ryse.
Calangam & Calangam, Challenge, Claim, or Dispute. Scient — quod ego Caledonia de Pedderdon, cum afferim Anmie moris solo, desti — Des & Beatie Maro & Duncanius, Prior & Canonanus Wergina, in partes & partitas clericalia non aune acun termes yau aliqui reclamationes fe calangam, sc. fine dat. peces Thomam Chyld Arm. Kulum, qui ful in Calangam inter fitum & Walterum, Mon. Angli. 2 par. fol. 236. c. 11.
Charles, T偶然e in Tynturte.
Calspfr. The Place where a Council was held, supposed to be Redeth in Lancashire.
Callefagnum. A Right to take fuel yearly: Confrancum pontium, berbogium & Callelagium in Jeas night & night.
Caelum in Molted-Nucks (mentioned 5 Hen. 8. cap. 4. and 25 Wm. 1. cap. 3) fighteth to smooth, trim, and give them a Gods; it is a Trade both in London & Norwich.
Caledons (cathedra) properly the first Day of every Month, being spoken by it, or the very Day of the New Moon, which commonly fall out together; if Pride be placed before it, then it signifies the 1st Day of the foregoing Month, as Pride Calend. March. is the last Day of April. Any number be placed with it; it signifies that Day in the former Month, which comes so much before the Month named; as the tenth Calend of October, is the twentieth Day of September, because, if one begin at October, and reckon backwards, that twentieth Day of September is the tenth Day before October. In March, May, July, and October, the Caledons begin at the sixteenth Day; in other Montes at the fourteenth, which Calends must be heard the Name of the Month following, and be numbered backward from the first Day of the said following Month. See more in Duppa's Calendar, pag. 69. And see Idee. Dilum de Renegowres is dated the Day before the Calends of November, anno 1365. In the Dates of Decem, the Day of the Month, by Nunus Idee, or Calends, is sufficient, as by fol. 575.
Calibithus. The Famous Sword of King Arthur: Houden & Bumpet. In wild R.
Caliber. A great Gun.
Calle. A kids. & also calculated.
Calfena. See Galerne.
Canalidumiun, Ruins near Aldenbury in Yorks.
Camboitiiun. Camborne.
Cambrayton. Bardeston in Suffolk.
Cambridge. A Town in Cambridgeshire. It is a Writ judicial touching Pleas of Lands or Tenements; so termed (as most Writs are) of that word, which carries the chief Inten-
tions, or end of it. And this Writ is divided by Cape Magnum and Cape Parum; both which (as is before laid in Attachments) take hold of Things immoveable, and seem to differ in these Points. First, Because Cape Parum lies before Appearance, and Cape Parum afterward. Second-

The Cape Magnum summons the Tenant to answer the Default, and over to the Demandant. Cape Parum summons the Tenant to answer to the Default only; and therefore is called Cape Parum or Petit Cape. Old Nat. Br. fil. 161, 162. Yet Ingram hath it called Petit Cape, not because it is of small Force, but that it consists of few Words.

Cape Medium in the Old Nat. Br. is thus defined: Where a Man hath brought a Pressing quest Redress of a Thing that touches Piece of Land, and the Tenant makes Default at the Day to him given in the Original Writ, then this Writ shall go for the King to take the Land into his Hand; and if the Tenant come not at the Day given him thereby, he loseth his Land, &c. A Form of this Writ you may see in the Reg. Judicial. fil. 1 & 2. Of this Writ, and the Explication of its true Force and Effect, see Bradlyn, lib. 3, sect. 2, cap. 1, num. 93, & 6.

Cape Parum, or Petit Cape. (in Old Nat. Br. fil. 163.) Is for Carrie in Writs. Reg. of Writs, fil. 53 & 54. See Writs.

Cape Medium is a Species of Cape Magnum, so called of the End, whereof it tends, and (in Old Nat. Br. fil. 163.) thus described: Where I am implicated of Lands, and I touch to warrant another, again where the Summons de Warrantiandum has been awarded, and the Sheriff comes not at the Day given; then, if the Defendant recover against me, I shall have this Writ against the King, &c. The Difference between the Grand Cape and Petit Cape (which in effect or Consequence are alike) is, that the Grand Cape is awarded upon the Defendant or Tenant’s not appearing or demanding the View in such real Actions, where the Original Writ does not mention the Particulars or Particulars demanded; and the Petit Cape after Appearance or View granted. Its Form is in Reg. Jud. fil. 3. and Hert. lib. 6, 44.

Cape ad Valisation is a Species of Cape Magnum, so called of the End whereo it tend, and (in Old Nat. Br. fil. 162.) thus described: Where I am implicated of Lands, and I touch to warrant another, again where the Summons de Warrantiandum has been awarded, and the Sheriff comes not at the Day given; then, if the Defendant recover against me, I shall have this Writ against the Voucher, and shall recover so much in Value of the Lands of the Voucher, if he hath so much; if not, then I shall have Execution of such Lands and Tenements as defend to him in fee; or, if he purchase afterward, I shall have against him a Re-


Cape of Gore Cape (Cape de Dir Sperance) is a Promontory of the Continent of Africa, which extends it self into the South, at 36 Degrees, and was named Cape de Dir Sperance by John II King of Portugal, under whom it was discovered by Barth. Diaz, about the Year 1445, and is mentioned in the Stat. 14 Car. 5, cap. 13.

Copia is a Writ of two Sorts: One before

Judgment, called Copias ad Refusandum, where the Sheriff upon Original, or other Writ in a Personal Action, returns Nulli habeas in Balivo negot., &c. The other is a Writ of Execution after Judgment, being also of three Sorts: 1st, Copias ad Satia-

Copia in Writs, fil. 53 & 54. See Writs.

Copia ad Satisfacendum is a Writ of Execution after Judgment, lying, where a Man recovers in Action Personal, as for Debt, Damage, Distin-

the King’s Court. In which Case this Writ inures to the Sheriff, commanding him to take the Body of him against whom the Debt is recovered, who shall be put in Prison till he make Satisfaction.

Copias ad Satisfacendum is an Original Writ, which lies by the Common Law against any Soldier that hath comitted to serve the King in his Wars, and appears not at the Time and Place appointed, directed to two of the King’s Serjeants at Arms, to arrest and take him wherever he may be found, and to bring him Corpus delicti suffos, with a Clause de Custode, &c. (12 & 13 Car. 2.) for Copias ad Satisfacendum infinite, (12 & 13 Car. 2.) Act (for Relief of Soldiers).

Copias in Wiltewarmum de Aestris is a Writ lying in Writs. Reg. of Writs, fil. 53 & 54. See Writs.

Copias in Wiltewarmum de Heem is a Writ that lies for a Servant in Wiltewarm. Reg. fil. 79, & 80. See Writs.

Copias in two Plie is where one, being by Judgment fined to the King upon some Offence commited against a Statute, does not discharge it according to the Judgment. By this therefore his Body is to be taken, and committed to Prison until he pay the Fine. Cite. lib. 3, sect. 12. Or where, upon a Non est latum pleaded, his Plea is by Evidence, or his own After-acknowledgement, not made out or verified, and the like.

Copias Ulteriorem is a Writ which lies against him who is outlawed upon any Action Personal or Criminal, by which the Sheriff apprehends the Party outlawed, for not appearing upon the Ex-

the Common Pleas, and keeps him in Custody till the Day of Return, and then presents him to the Court, there farther to be ordered for his Contemn, who (if in the Common Pleas) was in former Times to be committed to the Place where he remains till he had paid out the King’s Charter of Pardon, and appeared to the Affton. At present, in the King’s Bench, the Outlawry cannot be revered, unless the Defendant appear in Person, and by a Present of Gloe to the Judge, obtain their Favour to re-

In the Common Pleas the Defendant (not being an Executor or Administrator) is now to give good Bail (which he is allowed to do by At-

the Place of the Contempt to the King, and the Plaintiff may (after an Inquisition taken thereupon, and returned into the Exchequer) obtain a Writ of the Lands of the Contemner, and a Contempting a Court to compel the Defendant to appear, which, when he shall so do, and-recover the Outlawry, are to be re-

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CA

Capita Baroniium, the chief Seats of Barons. See Barmes.

Capitagon. See Chicago.

Capitaine, i.e. The Thing which is fuddled, or the Value of it. *Tis mentioned in Leg. H. 1, cap. 59. viz. Si futurum vendeatique Capitale vendatique com- pletum, i.e. i.e. If the Theft be redeemed, let the Thing be fuddled, or the Value of it be returned.

Capitale blimus, i.e. Live Cattle. In Leg. Achdonians. Redman de me propria decimus denaro, tam in Vivena Capitale, quam in nautico furibus terror.

Capite (from Capitale, i.e. Rex, und tensur in Capitale, i.e. Rex de rege, annuis terrarum Capite) was a Tenure which held of the King immediately, as of his Crown, were it by Knights Service or Saccage. Broke, 2. 29, 34; New, 2. 123. num. 38. But by Stat. 26 Car. 2, cap. 24, all Tenures by Knights Service of the King, or of any other Person, Knights Service in Capitale, or Soc- 

Capite in Capite of the King, and the Fruits and Con- finctions thereof, are taken away and discharged. And all the Tenures of all Manor, Lands, &c., held either of the King, or of any other Person, to be construed and taken for ever to the turned in to free and common Saccage. And all Tenures hereafter to be continued to the King, upon any Gifts or Grants of Manors, Lands, &c., are by Stat- 

Capitellum. See Church. *Tis what we now call Pole-Money.

Impropria Romana present a Regis tributum, Capitale ad architnnum duodecim annos Tributum, &c. Capitalium suum apponere communitatis Di Caniga.

Capitellum, a Covering for the Head. Sometimes it signifies a Collar of a Cost. *Tis mention- 

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Caput. *Tis mentioned in Leg. H. 1, cap. 42. quod Brunomus, and it signifies Cattle; nunc. Rufius 

Caput Capitale duodecim annis, et portum, si 

Caput Capitale ille decimus annis, et portum, si 

Caput, (Caput.) When a Commission is execu- 

Caput, (Caput.) When a Commission is execu- 

Caput Baronioum is the Cattle or Chief Seat of a Noblesman, which is not to be divided among Daughters, (if there be no Son,) but must descend to the eldest Daughter, Capite filiarius aliquo fa-

Caput Jesuiti is in our Records used for scholas- 

Caputa (from Caput, the Head) is used for the Head, or Hade, of any Land; — Caput Capitale, &c. proritis. See Bonorum terrae.

Car. ou Capitale. In cujus fallus maximum situm quatuor decennia de Capitano meo, non sint nex- 

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Carthaginian was a tribute imposed on every Plough for the public Service. 
Regi miserae ejf per castra angustiam Carthaginem de quilibet currum duas solis argenti. As Hidge was a Taxation by 
Hides of Land, so Carthaginian was by Carcates of Land, which is the same, and therefore is charged in every Plough. 
De bondino S. Edmund de quilibet Carcatae terre in tcto Montefortis quatuor Denares annuus, quod si quaque 
mece, de caele, Carthaginian eff appellation. Mon. Angl. 4. par. 240 a. 
Carballae, or Carde of Land, (Carcatae terre, of the Fr. Chartae, i. e. Austrum) Quantam 
terra esse Caro & Austra feri e coll post. A Plow-land, which in a Deed of the de Arado, 
19 Edw. 3. is declared to be one hundred Acres, by which the Subjects have sometimes been taxed; 
whereupon the Tribute so levied was called 
Carthaginian, or Carcatae. Britain, lib. 2. cap. 26. num. 10.

Carcatae boun, a Town of Oxen. - Et 
um. 33.

Carcatae terra, a Plow-land, may contain Houlis, 
Mills, Paffure, Masochus, Wood, Ore, & Coke in Littis. 
Sel. 19 Carcatae is sometimes also used for a 
Cart-load, Una Carcatae signi in Fora sub horto, qua 
Leg. 6. cap. 5. Tunere Successo, faith, that some idea of 
quod Carcatae, a Selle, or Ploughland are all one.
Sian, in his donam, pag. 271. says, King Henry 
the Third, in Carvage; that is, two Marks of Silver 
for every Engage. For, as is said in his Statute, 
for label to the Emperor. Raffall, in his Expedition 
of Words, says, Carvage is to be quit, if the 
King shall tax all the Land by Carcatae; that is, 
a Privilege whereby a Man is exempted from Carvage. 
Some says it contains as great a Porition 
of Land as may be tillt in a Year and a Day by 
one Plough, which also is called Hildi or Hida terra, 
3 Word wied in the old British Laws. The Word 
Carcatae is mentioned in the Statute of Wandes 
Relief; make 18 Edw. 1. and in Magna Charta, cap. 5. 
Anne 1215. Falls a Fiat inter Johannem Regem Angl. 
& P. Reginam Francia, Gt. Et matutin Roy 
Francie 50 milia Mercatum, pr quisqo nummum 
Carcaginiae in Anglia, fol. 11. & pr quisqo aratn. 
Ex Registro Priorat, de Dunstable in Bibl. Cotton. 
See Cax in Littil, fol. 69. a. The fame with Ploughland. 
See Hilda.

Cagurrium and Caffata, (from the Ital. Cafio, i. e. 
Domest.) Habitatium cum terris ad monum itam 
monem almam; aliis Callatamentum: Sexenium ra- 
siris Dite; Reda, Familia.

Ego Fornitore, familiae familiarum Dei, pr redim- 
itionem animarum mear, concedo Caffarum et alii 
habitati, que sunt et iuxta fluminem Elic, ad partem que 
dictum Bidentum ad inhumam passum, & ad Edel- 
frim boasts Martini Caffarissi, in propriis substantiis, 
habitationem, Divinamque securitatem suam. Qui 
habet hanc territorium infringens tempora aut, siat ejusdam 
Communione Sanctorum separatis & ab munificentis 
Die. & Ego Fornitore eminus & fatir sit. Alio 
autem omnem habere datum Habe DE GEM. Indemnum prima. 
Arm. 
Cassata is the same with Hida. Rex Angl. Ethel- 
red de 310 Caffatis munem terrae, & Hedo, 
Add. 128, D. 7. 2. 32, mentionning the same 
thing, instead of Caffata writes Hides. De 
Cange.

Caffar is a Saxon Word, and signifies a Mulch. 
Sic autem pS Eciamcumminnon, Ev. quemitar serje-
according to the Authority given them by the Stat.
Walf. 2. cap. 19. Which (as often as there hap-
pens a new Cafe in Christianity, something like a
former, but not specially fitted by any Writ) autho-
rizes them to frame a new Form answerable to the
new Cafe, and as like some former as they may.
And this Writ is granted to him in Reversion against
the Party to whom the said Tenant is
aliens to his Prejudice, and in the Tenant's Life-
time. The Form and Effect whereof read at large
Cafu, a certain Garment belonging to the
Priests, quasi maro cafe, because it covered him
over. Sometimes it is taken for Cafua; for both
have the same Signification: Cafuam nos effe
difficilique non minus a Cafuam omnino. And from
here we call it a Caufcack.
— Cafuamque caepus a jacturiforma
Dal longa habitant plus effe ad caepas minus
Calu Du Nolio is a Writ of Entry, given by the
Statute of Clauses, cap. 7. in Cafe where a
Tenant in Dower or Freehold, or for Term of
Life, or in Tail, and lies for him in Reversion against

Cafu. See Caf adul.
Cafullis, a certain Garment called a Cafullis
which lies within a Skirt, or within a Bedgown, for
Rent, going out of the same, and warrants a
Man to take the Doors, Windows, or Gates, by
Cafuando is a Writ which lies where
Getting of a Cafe, or any Man to keep till a
certain Day, are not upon Demand delivered at
the Day. It may be otherwise called a Writ of
Delivery. See more of it in the Reg. of Writs,
fol. 194, and in old Nat. Br. fol. 264. This is
answerable to Acta Difformi in the Civil Law.
Cafusill, the same with Catusiu, Captain.

Portuariem Adventu Gallorum terrae habitar
Carpo, or near Carpo Catusianus ab influent.

Cafusilis, a Warlike Engine to float Darts;
A Sling Edomundo Wilbington tenes sumum Mensum
et secum Brunvise terrae in Civitatem in meo Meunio de
Chofford per forcalio multa Catusilis per annos
Cafusauf signum an Archimadon: Adult
Hereoferundi Kosta Cafusaf Du Cange.

Cafusillo, (Cafusillo and Castuillo, quasi, one
that eats by the Bak) though now taken as a
Word of Command, yet in ancient Times it was
used, without Reproach, for such as we now call
Siersuenui of the Mass, Balfins, or any other that
use to arrest Men upon any Admon. Hen. 3d. 4th.
Stat. 4. cap. 2. — Hospitalarius tenens in Heres,
sumum Mensum quod Philippus filius Odovis tenuis per
Siersuennum Cachepelle, quasi ess legavm in tuum
ehdamnum. Rot. de Siersuenuis in Heref. temp.
Hen. 3.

Cafeba marriue. See Lapis Marmoreus.

Cathiast. See Church.

Cathastatic (Cathastaticum) is a Sum of 2
paid to the Bishop by the inferior Clergy, in de-
gumentum subtilissimii & de honore Cathast. See
Hyst. of Preparations and Synodals, p. 82. See
Synodul.

Cathastatic, were the Inhabitants of Her-
fordshire, Bedfordshire, and Buckinghamshire.

Catharins. — Wh, Hiz. Anon dat Regi duxa
nou Catharins pro habeantibus duxa Periti, & Rot.

Catharins. See Catharins, the inhabitants
of Herefordshire, Bedfordshire, and Buckinghamshire.

Catharins. — Wh. Hiz. Anon dat Regi dux
nou Catharins pro habeantibus duxa Periti, & Rot.

Fin. 6. Joh. M. 13. 20. If not miswritten for Clu-
tris; which fee.

Catusianus, from the 6th Hen. 6. cap. 1 (Catusia,
1 Edw. 4. c. 1.) It should probably be written
Castuionus, from the old Frencb Word Cates, now
Cates in a Flint, and is well known to signify
Ways pitched with Flint, or other Stones; for the
Patricia Cates is a Company, made of Black
pag. 22, H. 22. I have seen it written Caluys,
Calus, and Catesium, in old Records. Perhaps from the
Col. Catius.

Cafu- (Castu-) Ronnitsi is a Writ which
lies in cases where a Writ denies Lands to a Man
in Fee, to the Intent he shall marry her, and he
refuseth to do it in any reasonable Time, being
thereunto required. The Form and further
Use of it, found in Reg. of Writs, pag. 66. and Proc.

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thereunto required. The Form and further
Use of it, found in Reg. of Writs, pag. 66. and Proc.
Certam magni. See Capt.

Cenn, The River near Tregynon in Carnarvon. Cennings, This Notice given by the Buyer to the Seller, that the Thing sold is claimed by another, that he might appear and justify the Sale; from the Saxon Leman team, i.e. an
termon adversae: 'Tis mentioned in the Laws of
Albion apud Brampion, cap. 49, c. 14. Damnum de se-
terminato nisi ut in mens habetur sive efficaciam humanam habu-
di, et, et et loco bene credere, & nigisterrum habet, columna ei permittere Cenningham aliquum.

Cenntrian - Et debeat habeere morum locus, in
Cenntria de la seruin in Forde de Serrave, Cenn, Est. Par.
Parr. temp. Ed. 3. A Farm, from the Fr. Genie,
which to signifies.


Cennmonithilus, i.e. A Dead Rent, like which
we call Mortage: 'Tis mentioned in the
Monecum, i.e. unum libera Cotta Videlakum cum redditiis & servitutis, debitis & Cennmonithilus.

Cenniture, or Cauna vacua Cennitura, (from the
Lat. Genus, which Hesychas expounds to be a kind of
Cenniture) paid for several years divers Manors in Carnawon and Denin, the calling of all Rentes therein above the Age of sixteen, to swear fealty to the Lord, to pay 6d. per poll, and 1d. per 100 above, as Cennmy or Cunnona.

Cennuria, or Cauna vacua Cennitura, proven.
Den. 1 is qui moneum in isgre de Loffrethiel. Sur-
rounds Carnawon.

Cennuria, See Hund.

Cestra, A great Ship: 'Tis mentioned in Meleben-
bury, Lib. 1, c. 2, 2. Placatae quinque sesterci, viribus longius navigantes, suas multas Colias alias Ceolua vi-
atura, Britanicae accipientes.

Cotil, i.e. Churl. See Chöiri. Rhüsd y Ceor-
ll & faminio poes habent.

Capi Corpus, is a Return made by the Sheriff,
upon a Ceplin or other, Proves for the like purpose,
that he hath taken the Body of the Party, P. C. 

Cepaggium, The Stumps or Roots of Trees which stand in the Ground after the Trees are fell.
In Flata, Lib. 2, cap. 41, par. 24, Qui for-
flari separato coaptatione, cepaggia & obsecus se-
quentium quin quattuor aliam adornam, &c.

Ceragium, Cercis, i.e. a Taxation of a Payment
in kind, or Cash Candles in the Church. See Vatage:
'Tis mentioned in Mottis, Paris. vin. &t Essele feet Ceragium vul habiatur, &c.

Certificato or recognizance, Stipule, is a
Writ directed to the Mayor of the Scape, &c.,
commanding him to certify the Lord Chancellor of a
Statute Staple taken before him, in which the Party himself desires it, and refuse to bring it in, P. C. 175a, fol. 175. The like may be un-
derstood of Certificates of Statutes Marciales, fol. 13.
De Certificatis in Cancellariis de quaestionibus & Identi-
itate nominis, fol. 105. Certificatis quando Recogni,
&c., Certificando quod alium de pre vehiculi Dominum & cohaerentiam, fol. 171. And Certificatis in sepositis Mar-
cilibus, fol. 13.

Certificato (Lat.) is used for a Writing made in
any Court to give Notice to another Court of any
The Tenor and Effect of every Indictment, Outlaw-
ry, or Conviction, or Clerk attainted, made or
pronounced in any other Court. Act 23 Eliz. 8.
Reg. 134, Books, fol. 175.

Certification of Affile of Moral Disposition, (Certificate of Affile not Disputa, etc.) is a Writ
granted for the re-examining or review of a Matter
palled by Affile before any Judges. Of which
the Reg. of Writs, fol. 280., and the New Book of Estates, verbs, Certificates of Affile. This is used when a Man appearing by his Bailiff to an Affile brought by another, had left the Days, and having some-
thing more to plead for himself, as a Deed of Le-
lease, &c. which the Affile did not, or might not be
plead for him) makes a further Examination of the
Case, either before the same Judges, or before
and obtains Letters Patent to them to that Effect;
(The Form which of which Letters, see in P. C. Nat. Br.
fol. 131.) and that done, brings a Writ to the Sher-
iffs, to call, both the Party, for whom the Affile
palled, and the Jury that was examined on the
same, before the said Judges at a certain Day and
Place. And it is called a Certificato, because there-
fore mention is made to the Sheriff, that upon the
Party's Complaint the Case shall be examined, or
Doubs yet remaining upon the Affile palled, the King hath directed his Letters Patent to the
Judges, for the better certifying themselves, wheth-
er all Points of the said Affile were duly exa-
mined. Of this read Bradon, lib. 4, cap. 12, mm. 4,
and Here's Mirror, lib. 3.

Certifiqari is a Writ filing out of the Chancery
to an Inferior Court, to call up the Records of a
Case there depending, that Justice may be done
thing therein, upon complaint made by Bill, that
the Party who seeks the said Affile, hath received hard
dealing in the said Court. See the Forms and Rules of in Iews. in Brev. Nat. Br. fol. 52, as also the Register,
both Original and Judicial in the Tables, verbs, Cer-
tiarii. Creighton, in his Justice of Pleas, fol. 117,
first, This Writ is either returnable in the King's
Bench, and then hath a Return to the King's
Bench, or in the Chancery, and then hath in a
Chancery or in the Common Bench, and then, with
certification, in escheats de Banco.

Certiorari, (pug. Certain Money) Real-money or
common Time, paid yearly by the Realties of
General Manors to the Lords thereof, Certiorari Leta,
for the certain keeping of the Lords, and to some-
et the Hundred. At the Manor of York, in Descrip-
ture, pays Certiorari to the Hundred of Egedon.
This in ancient Records is called Certiorarii. See
Common Fine.

Certificari. The Saxons had a Duty called
Epincheal or Drinkheal, i.e. Drink potis
hesti, pulaer fil. pulae Dominum & cohaerentiam ser has-
septim. When those Tenants were in
Dinmugle, called Ceruieriis; from Cerniria, Ale,
their chief Drink; though Ceruieriis vulgarly sig-
nifies a Beer or Ale Brewed.

Certulose is a Writ that lies in divers Cases, as
appears by P. C. Nat. Br. fol. 250, upon this ge-
neral Ground, i.e. That he against whom it is brought, hath for two Years neglected to perform
such Service, or to pay such Rent, as he is tied to by
his Tenure, and hath not upon his Lands or Ten-
ements sufficient Goods or Cattle to be distrained.
See P. C., lib. 5. cap. 35. P. C, in viva, &c.
See Certificatio de Connecticut. Certificates in
Seismus, in Reg. of Writs, fol. 227, 228. and New
Book of Entrees, verbs, Certificatis. It lies not, but
for
for annual Service, Rent, and such like, not for Ho-
mage or Fealty.

1. (Anno 11 Hen. 8. cap. 2.) Cattle (Anno 11 Hen. 8. cap. 2.) is to fig-
ure in the Statement of the Crown, or of the
land, as an Excision of Provision of Vegetales, at a
hundred, or in the name of the Deputy, and the

2. Cattle (Contra) is Sealing, Yielding up, or Giv-
ing over, to an Order or a Deed of a Magistrate or
a Commission, in Ireland, as the Senate of the
Eglise made per Cessyon. Laud’s Rep. fol. 234. — Ra-
tiones vacationis Prioratus predicti, per Cessyon,
Priorat Regis de Wvington, ultimo Priorit, &c.
Ch. 13 Edw. 2. pag. 1. n. 38.

3. Cefidz. (Lat.) or Loiterer or Idle Fellow: But we use it for him who straggles, or neglects to go
on a performance or duty, as he thereby incurs the Danger
of a Gage, and is liable to have the Writ Cefidz brought against him. Old Nat. Br. fol. 156.

And note, where it is said The Tame cattle without
any more Words, it is to be understood, that the
Tenant cattle is to do that is customary, or is shown to be done, by the Tenure of his lands or Tenements.

Cire (Lat.), or Citer, is also used for cattle, giving
up, or departing, Woffyn. 2. cap. 1.

4. Cattill qui est Tenor in the Tenure, and est de qui
sunt in the whole life of all Land or Tenement is granted.
Perkyns. 6. Grant, 97.

5. Cattill qui est, (as a Barraud of the Fr.) qui est de qui
sunt, who has a Right in all Lands of Tenements, is called a
whole life any other. Man is entitled in any
Lands or Tenements. See the New Book of Ent-
trees, verbo, Utis, and in Reprobus, fol. 526. col. 3.

lib. 1. fol. 134. Anno 12 Car. 2. cap. 36.

7. Cattill qui est, is he who hath a Right in all Lands
or Tenements committed to him for the Benefit of another,
Ann. 12 Car. 2. cap. 30.

8. Chace, the Way through which Cattle are
drove to Paffurce, commonly called in some Places a
Drea Way, Ut est qui est au nom du flecheur ven
chacun par son integre faite pafzure. Bradton, lib. 4. cap. 1. 4.

9. Charitius (from the Fr. Charitie, a Hunter)
Hound or Dog for the Chace, a Courtier. See
Distrain. It is mentioned also in Ros. Pin. 7. J18.

10. Chaffeur is an Officer in Chancery, that fits
the Wax for the sealing Writs, and such other In-
struments as are made to be sealed out. So in France, Calfebrure or a fur, qui regis licitem
in Cavalleria seim integram. Corpus.

Chaffers (Ann. 3. Edw. 4. cap. 4.) seem to sig-
nify Wares or Merchandize; for Chaffering is yet
used for Buying and Selling.

Chaldon, or Chalder, or Chalder, of Coal contains thirty
fix Bushels heaped up, and according to the bushel
sealed for that Purpoe at Guild-hall in London.
Ann. 16 & 19. Soc. 3. cap. 2. 2. It is written Chal-
don, Ann. 7. Hen. 5. cap. 10. (perhaps from the
Fr. Chalde droit, i.e. Hot.) and in Pat. 10 Rich. 2.
21. n. 13. Chalder. It should weigh 2000 Pound
Weight.

11. Chalder. The Merchants of the Staple require,
to be called of this new Impostion, as
Chalder, Tonnage, Wharfage, &c. Ret. Part. 30
Edw. 3.

12. Challenges (from the Fr. Charleger, 1. cap.
1. fol. 274. law. 10, cap. 1.) are taken either against
Persons or Things; Periur, &c. in Affid, to the
Jurers, any one, or more of them; or in case of
Felony, by the Prisoner at the Bar. Bradton, lib. 2.
trafl. 2. cap. 22. against Thing, as a Declaration.
Old Nat, Br. fol. 76.

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1. fol. 274. law. 10, cap. 1.) are taken either against
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14. Chalmers (Anno 33 Hen. 8. cap. 22.)
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den and Cheffer do belong the receiving of all Rents and Revenues appertaining to those Cities, and to the Chamberlain of Cheffer, (when there is no Person necessary) a Charter under the Seal of the Receiv-
ing and Return of all Writs coming theribter out of any of the King's Courts.

There are two Officers of this Name in the Exchequer, who keep a Controllment of the Pili of Receipts and Exquisites, and certain Keys of the Treas-
ure and Records, and the Keys of the Treasury, where the Leagues of the King's Predecessors, and divers ancient Books, as Denegatory, and the Black Book of the Exchequer, remain. This Office is mentioned in the Statute 34 & 35 Hen. 8. cap. 16. There are also Under-Chamberlains of the Exchequer, which fee in Under-Chamberlain. The Latin Word seems to express the Function of this Officer: For Camerarius distitu a Camera, i.e. To frame for usurps qui subducit, qui in Camera princi-
ips referuntur.

Chambers of the King, (Regis Camera) are the Houses or Chambres, so called in our Records. V. Mare Claustrum, fol. 242.

Chamber keys, anciently St. Edward's Chamber, now called The Painted Chamber, often men-
cioned by our Parry Rolls.

Champan, (from the Fr. Champ, a Field, and parti, divided; because the Field or Land in que-
tion is commonly divided between the Champanier, who maintains the Suit, and the Peron in whose Name and Right he acts signifies a Maintenance of any Man in his Suit, upon Condition to have Part of the Thing (be it Land or Goods) when it is recovered. This seems to have been an ancient custom in our Nation; for notwithstanding the several Statutes of 1 Edw. 1. cap. 25. — 2 Edw. 1. & 2 & 3 Edw. 1. stat. 2. & 3. & 4. Rich. 2. cap. 4. and a Form of Writ framed to them, yet Edw. 3. cap. 11. it was again en-
acted, That whereas a former Statute provided Redress for this in the King's Bench only, (which in those days followed the Court,) from thenceforth it should be lawful for Justices of the Common-Pleas, and Justices of Assize, in their Sessions, to sequester, seize, and determine this, and such like Cases, as well as Suit of the King, as of the Party. How far this Writ extended, and the divers Forms of it applied to common Cases, is not Edw. Nat. Br. fol. 171. Reg. of Writs, fol. 181. and New Book of Entries, wor-
s. Champan, Every Champan implies a Main-
tenance. Capita. Jurid. fol. 99. See also 3 Parl. Styl. fol. 203. Nadus Minisor Deni Rigi main-

Champan or (in the Words of the Statute) are, to be held, and taken in Chambres, to cause them to be imbued, either by their own Im-
bursement, or by others, and further them at their proper Costs, to have Part of the Land in Tenures, or Part of the Goods. Ann. 33 Edw. 3. Edw. 4. statute, &c. in fine.

Champion (Campior) is taken not only for him that fights the Combat in his own Cause, but for him also that does it in the Place of Quarrell of another. See Trench. 14. who also seems to use this Word for such as held of another by some Service; as, Complior fiduciarii Humageum Dominio suo. Edw. 2. cap. 35. Namrorn, &c. being the Law of Court of Chancery. Compius 14. Cen-
tenter pro alio datur in dictum, a Compo ollus, qui circums sit determinatione fuisse. And therefore it is called Campeor. See Compius, and Sir Edward Rydes Notes upon Ulpian, where fol. 36. you will find, that Humbll de Fernibury, for thirty Marks Fee, did by Champion, a Charter under the Seal of the Exchequer, recived the Return of all Writs coming thither out of any of the King's Courts.

And here It may not be improper to mention a few Things concerning Champions, which lie not in our Law-books and Histories. they were usualliy hirde, and therefore they were accompted infamous Perfons. Bridgn. Lib. 3. cap. 18.

Some laws in Numerous volumes of famous authors. Mocks, Engelfield, and generally any Person might hire them, except Parchicikes, and those who were acuited of very great Offences, but Church-

men were first to have Leave of the Bishop.

Before the Champion came into the Field, he was to have his Head, and make Oath that he believe the Person who hired him was in the Right, and that he would defend the Cause to the utmost of his Power; which was always done on Foot, and with no other Weapon but with a Stick or Club, and a Shield. And before he engaged with his Adverary he always made an Offering to the Church, that God might help him in the Battel.

The Punishment of a Champion overcome in Battel, and likewise of the Person for whom he fought, was various: If it was the Champion of a Woman, she was burned, and the Champion hang-
ed: If it was of a Man, and not for a capital Crime, he not only made Satisfaction, but had his Right hand cut off; and the Man was to be close confined, in Prison till the Battel was over.

Champion of the King, (Campior Regis,) whose Office is at the Coronation of our Kings to ride in to Westminster-hall, armed Cap-a-pie, when the King is at Dinner there; and throw down his Gauntlet by Way of Challenge, pronounced by a herald. That if any Man shall deny or gain-fay the King's Title to the Crown, he is there ready to defend it in Single Combat, &c. Which being done, the King adds to him, and lends him a gift Cup, with a Cover, full of Wine, which the Champion drinks, and hath the Cup for his Fee.

This Office (ever since the Coronation of King Richard the Second, when Robert de Parec exhibited his Petition for it) was adjourned from him to Sir John Dynocks, his Compitector, (both claiming from Marmion) as producing better Records and Evi-
dences; and hath continued ever since in the worthy family of Dynocks, who hold the Manor of Sceby, by a Linnythorpe, hereditary from the Morins, by Grand Serjeantcy, &c. That the Lord thereof shall be the King's Champion, as aboved. Cam. in paro. Fin. 11. 5 Hen. 6. Accordingly Sir Ed-
ward Dynocks performed the Office at the Co-
ronation of his Majestie King Charles the Second, 23 April, 1661.

Councellor (Conciliarius) was at first only a Na-
tory or Scrive under the Emperor, and was called Conciliarius, because he was in concilia, to advise the Crowed of the People. But this Officer in late Times is greatly advanced, not only in our, but in other Kingdoms; for he is the chief Admi-
istrator of Justice in these Kingdoms, the pa-
other Jutices in this Kingdom are tied to the Law, but the Conciliator hath the King's absolute Power to moderate the written Law, governing his judg-
ment by the Law of Nature and Co-ncile, and ordering all Things juxta aquam & bonum. Where-
fore Stanfiford (in his Praxeg. cap. 20. fol. 52.) says, The
The Chancellor hath two Powers; one absolute, the other ordinary, meaning, that though by his ordinary Power, in some Cases, he must observe the Form of Proceeding as other inferior Judges, yet in his absolute Power he is not limited by the written Law, but has a certain discretive Power and Jurisdiction, according to the Circumstances of Matter. And though Novais Virgin, an Alien, undertaking to write the History of England, supposed he did not misquote when he makes our William the Conqueror the Founder of our Chancellors; yet, our inofficious Antiquary, Mr. Dugdale, can shew us his Error in the many Chancellors of England long before that Time, which are mentioned in his Origines Juridiciales, and Catalogue of Chancellors, whose great Authority under their Kings were, in all Probabilities, drawn from the reasonable Customs of Neighbour Nations, and the Civil Law.

He that bears this Magistracy is called the Lord Chancellor of England, (which is the highest Honour of the Long Robe,) being made so by the Statutes of England, and by taking his Oath. And by the Statute 5 Eliz. 38. the Chancery Officers have one of the same Power; and therefore since that Statute, there can be a Lord Chancellor and Lord Keeper at one and the same Time; but before there might, and hath been. See for Keeper. See Plato, b. 6. cap. 17, 18. and 19. Id. cap. 78, 79. Divers Interior Officers are also called Chancellors.

Chancellor in a Cathedral Church. His Office is thus described in the Historian, 7 Tom. pag. 214. in the Statutes of Litchfield, in which whether he be Resident, or not, his Duty is Etenim leges in Ecclesia per se et per suum quaeamvis annuatilis, male legis ett centurias, scholar confers, fit at sedere confers, literis capitum trecce et confugione, libris in Burse, quattuor, vel octo, et eiusdem praelectionibus in Ecclesia vel extra Ecclesiast praebet, & cui obsequitur praebenda officia officiis. Ibid. pag. 399.

Chancellor of the Duchy of Lancaster, (Aen. 3 Ed. 6. cap. 1. and Aen. 5 ejusdem. cap. 26.) whose Office is principal in that Court, to judge and determine all Controversies between the King and his Tenants of the Duchy-Land, and to direct all the King’s Affairs belonging to that Court. Chancellor of the Exchequer, (Aen. 5 Hen. 8. c. 16.) whose Office hath been thought by many to have been created for the qualifying Extremities in the Exchequer: He fits in the Court, and in the Exchequer-Chamber; and, with the rest of the Court, orders Things to the King’s best Benefit. He is always in Commission with the Lord Treasurer for letting the Lands that came to the Crown by the Dissolution of Abbeys, or other wise; and hath, by the Statute of 33 Hen. 8. cap. 39. Power with others to compose for the Fortresses upon Penal Statutes, Bonds, and Recognizances, entered in to the King; he hath also a great Authority and jurisdiction in the Management and Direction of the Royal Revenue, and concerning the Exchequer-Prizes, as appears by the Acts for uniting them to the Crown. Chancellor of the Order of the Garter. (S. Coll. of Chancellors, 9 Hen. 5. cap. 8. and Aen. 5 Hen. 6. cap. 8. Chancellor of the Court of Augmentations, 27 Hen. 8. c. 57. —Stat. Aud. Cap. 75. —Stat. 1 Edw. 4. cap. 150. Chancellor of the Exchequer, 32 Hen. 8. cap. 36. —Chancellor of the Duchy, 32 Hen. 8. cap. 25. —Chancellor of the Diocese, 32 Hen. 8. cap. 15. —O. Scantly called Bishop of Rochester.)

Chancellor (from the Fr. Chefet, i.e. Leifer, and Mifer, i.e. Miferere,) signifies the counsel of a Man, not altogether without the Fault of the Slayer. Stannif. Pl. Cor, lib. i. cap. 8. calls it Homicide by Maladventure. With it calls it Criminal Homicide, (P. C. J. 1.) and defines it thus: Homicide mad is, when the Killer’s Ignorance or Negligence is joined with the Crimes: As if a Man hop Trees by the Highway-Side, by which many usually travel, and calls down a Bough, not giving warning to beware of it, by which Bough one falling by it is by Chancery slain. In this Case he offendeth, because he gave no Warning, that the Party might have taken better heed. See Stans, scire, Miseretio, who says this is called Convallaria in Scotland.

Chattel (Canvallerie) is the Grand Court of Equity and Confidence, moderating the Risque of other Courts, most highly tied to the Letter of the Law, whereas the Lord Chancellor of England is the Chief Judge, Cuncta juris. Art. 41. or else the Lord Keeper of the Great Seal, since the Statute of 5 Eliz. cap. 18. The Officers belonging to this and the next, called Lords, are the Exchequer, the Lord Keeper, and the Great Seal, who is judge here; the Mover of the Rolls, (anciently called Gardien des Rolls,) who in the Lord Chancellor’s Absence hears Cauties, and gives Orders, 4 Edw. 4. cap. 1. Twelve of the Officers, who are Affianters, and sit by Turn on the Bench: the Six Clerks, who have each of them about fifteen Clerks under them, in Nature of Attorneys in the Court; two Chief Examiners, who have five or six Clerks a-piece; one Chief Register, who hath usually four or five Deputies; the Clerk of the Crown; the Warden of the Fleet, the Ulter, Sergeant at Arms, and Crier of the Court; the Auditors and their Clerks; the Clerks of the Petty-Bag; the Clerk of the Hanper; the Comptroller of the Hanper; the Clerk of Appeals; the Clerk of the Faculties; the Sealer, the Chancery-Way; the Clerk of the Owners, Clerk of Presentations, Clerk of Dismissions, Clerk of Licenies to alienate, Clerks of the Enrolments, Clerks of the Protections, Clerks of the Submissions, Clerk of the Affidavits, &c. Which see defended in their General Place; see also Coke’s 4 ill. Art. 82.

Changer is an Officer belonging to the King’s Mint, whose Function chiefly consists in exchanging Coins for Bullion brought in by Merchants, or others. Aen. 3 Hen. 6. cap. 12, where it is written (after the old Way) Chasungere.

Chantry. See Chantry.

Chapel (Capella, Fr. Chapelle, i.e. Edifice) is of two Sorts; either adjoining to a Church, as Parcel of it, which Persons of Quality build; i.e. Villa familiae aquaria sedes hospitii; or else separate from the Mother Church, where the Parish is wide, and is commonly called a Chapel of ease, because it is built for the Ease of one or more Parishes that dwell far from the Church, and is letted by some inferior Curate, provided at the Charge of the Rector, or of him that hath benefit by it, as the Proprietor or Owner. Ad Capellam non pertinemus Baptismum quasi stipendium, Salern. of Tithe, p. 265. There is also a Free Chapel, which seems to be such as hath perpetual Maintenance towards the Building, &c. in the Chancellor-Ship, by some Lands or Rents charitably bestowed on it, without the Charge of the Rector or Parish. Aen. 37 Hen. 8. cap. 4. Aen. 1 Edw. 6. cap. 149.
Chap. 1. (Capellania) is the same Thing to a Chap. 1, as a Parish to a Church, i.e. the Precinct and Limits of it. Mentioned in the Stat. 34 Car. 2. cap. 9. — Capellania Sancti Ovuladi, Sted. 33 Edin. 1. Cerani Reg. Glouc. 

Chap. 2. (Capellanus) is a person (Pecuniary and Capitulum) mentioned in the Stat. 1 Rich. 2. is the House anciently worn by the Knights of the Garter, being Part of the Haberd of that Noble Order. Also the little table-church fixed in the Forehead of the Horses that drew the Herse at a Funeral.

Chapter (Lat. Capitulum, Fr. Chapitres, i.e. the Chapters of a Book) signifies a Summary or Content of such Matters as are to be enquired of, or presented before Judges in Eyre, Judges of Affrizes, or of Peace in their Sessions. Thus it is used, Ann. 3 Ed. 1, cap. 27. — And that no Clerk of any Judges, Ecclesiastics, or Commissioner in Eyre, shall take any thing in delivering Chapters, but only Clerks of Judges in their Circuits. And again, Ann. 13 Edin. cap. 10. — The Sheriff shall certify the Chapters before the Judges in Eyre, how many Chapters (spent or not) there be under the Word in the same Signification. Chapters are now most usually called Articles, and are delivered by the Mouth of the Justice in his Charge to the Inquest, whereas in ancient Time (as appears by Brutian and Breton) they were, after an Exhortation given by the Judges for the good Observation of the Laws, and the King's Peace, first read distinctly in open Court, and then delivered in Writing to the Grand Inquest; which the Grand Jury or Inquest were likewise to answer upon their Oaths affirmatively and negatively, and not as they do now, put the Judges to make long and learned Charges to little or no Purpose, who not remembering the Transgressors, against the Design of those Articles, do think their Oaths and Duty to God and the King, and their Country, well enough performed, if they only repeat those few of many more, Misdemeanors, which are brought unto them by way of Indictment. The same Order of Articles, Lambard wishes might still be observed. Eyre, lib. 4, cap. 4. p. 393. Horn (in his books on Judges) deliver those Articles, and excepts what they were wont to contain. Lib. 3. cap. 11. Articles in Eyre.

Chaplain, or Chapellain, (Capellanus) is now most commonly taken for him, who is depending on the King, or other Noble Person, to instruct him and his Family in Spirituals, and lay Divine Service in his House, where commonly they have a private Chapel for that Purpose. The Statute at Hengest, 15 Edw. 2. ordaining what Persons may privilege one or more Chaplains to discontinue from their Benefices, in respect of their particular Service. 

Chapter (Capitulum) signifies Congregationem Collegiatarum in Ecclesia Cathedrali, Consuetudinum Regularum et Collegiatum. And in another Senec, Legum in quo host communes tractatus Collegiatarum. It hath other Significations, not worth mentioning here, which you may read in Gentilium Person, Civil, Juris, Capitulum. This Collegiate Corporation is metaphorically termed Capitulation (signifying originally a little Head,) it being a Kind of Head, not only to rule and govern the Decrets in the Vicariate, but also in many Things to advise the Bishop when the See is full. See Prom. 11, cap. Capitulum extra de refractis. — Ad Dedicationes, ad Symonies, ad Capitulum omni iis summa part. L. Edward Confœlli cap. 3.

Charge. See Chapter.

Charmac, i.e. To dance. Gens quampluri- nos vitus & mulieres Anglicos mixtum Charolaer natio & palliares ante i. See Mac. Whyn. Ann. 1305. 

Chateau de Lie. La Charte de plumo canfat in 30 foetimiis Curia appel. (Curtis, exceptus auditus liberis, & qualiter Petra canfat in 3 libris. Affilia de ponderibus Rob. J. R. Scott. cap. 22. sect. 2. 

Charter, (Charters, Paper, Parchment, or any Thing to write on: Alfo a Card, mentioned 14 Car. 2. cap. 31. See Charter.

Charta Magna contains several Privileges and Liberties which were granted to the Church and State by Edward the Confessor, and some which were granted by Henry I. but those were only relating to the feudal Laws which were imposed on the People by William I. so that nothing new was added by him. 

King Stephen and King Henry II. confirmed the Magna Charta of Henry I. and Richard I. took an oath at his Coronation to abolish all Evil Customs, and to observe all Just Laws; which was an immediate Confirmation of the Charter it self. 

King John took the like Oath: But a Difference arising between him and Pope Innocent III. concerning the Election of an Archbishop of Canter- bury, he was for the most Part of his Reign en- brollel in Wars both at home and abroad; till at length at Remingtone (a Place between Winchester and St. Mary) he confirmed the Charter, and soon after broke it; and thereupon the Barons took up Arms again; so that his Reign ended in Wars, and Henry III. an Infant, succeeded; in whose Reign it was several Times confirmed, and as often abrogated, even after the most solemn Engagement to observe it. As for Influence. In the 7th Year of his Reign he came to Westminster-Hall, and there, in the Presence of the Nobility, and of the Archbishop and Bishops in their Pontifical Habits, with Lighted Candles in their Hands, the Charter was read, the King all the while laying his Hand on his Breast; and when it was read, the Bishops ex- tinguished the Candles, and threw them on the Ground, and every one bowed; Thus losk ibi exci- guatus, and link lo Ha, who neglect this Charter. Then the Bells rung, as a Sign that every one rejoiced, and approved what was done. And the King himself said, I know me God, I will faithfully and solemnly observe all this Things, as I am a Man, a Christian, a Subject, and a King. And yet the next Year he invaded the Rights of the People. And as length the Barons took up Arms, and beat his Army at the battle of Lewes in Sussex, and took him and his Son, Edward I. Prisoners. But the Prince escaping, he beat the Barons in a Bat- tle at Lewes, and restored his Father to his Royal Dignity. And then the King, though Conqueror, confirmed this Charter, and the Char- 

ter of the Foreord, in the Parliament of Marlborough, in the 53rd Year of his Reign, and died five Years afterwards in Peace. And his Son Edward I. not only confirmed these Charters, but in the 25th Year of his Reign he made an Explanation of the Liberties and Privileges therein granted to the People; and added some which were new, which are called Articles poës Charters. And thus Magna Charta was then confirmed, and more than thirty Times since. See Magna Charta.

Chartel. (Fr. Ceral.) A Letter of Deedance, or a Challenge to a single Combat; in use when those Combats were in Practice, to decide difficult
and not otherwise to be determined Controversies in Law.

Charter (Charta, Fr. Chartier, 1.0. Inffrmation) is usually taken, for Writing Evidence of Title for Goods done between Man and Man: Whereof Braditon, lib. 2. cap. 16. num. 1. says thus, Event aliquando Donationes in scriptis, iunct in chartis, ad perpetuum notarium, proprii proprietatem, totius totum. — And (Num. 12.) Et fidem nat. Chartrum aliis regis, aliis privatis, & regiarum, aliis privatis, aliis communautatis, & aliis municipalitis. Item, privatarum alia de purissimo Factum & simplici, alia de Fessissimo delitnecessi, facta certioris, & factum omnia genera Fessissimae facta patris. Item, privatarum alia de recognitione parenta aliis consentia, Item alia de quiete elistantia, & de confirmatione, & Briton like wise, in his 39th Chapter, divides Charters into, Charte of the King, and Charte of private Perons.

Charters of the King are those whereby the King paffeth any Grant to any one Peron, or more, or to any Body Politick, & Charters of Exemption, or that a Man Ball shall not be empanced upon any Jury, Kitchen, fol. 314, and 177.

Charter of Pardon, whereby a Man is forgiven a Pelly, or other Offence committit against the King’s Crown and Dignity. Break, ii. Charter of Pardon.

Charters of the Forfeitt, wherein the Laws of the Forfeitt are comprised. Anna 9 Hen. 3. Conn. 4. 

Charterers, as in Civill they call a Freeholder.

S. Pe. 4. Ant. fol. 316. 

Charterers/Land (Terra per Chartam) is such as a Man holds by Charter, that is, by Evidence in Writing, otherwise called Freehold. Anna 10 Hen. 7. cap. 12, and 33. fol. 16. This in the Saxons Time was called Buckland, which was held (according to Lambard, in his Explanation of those Words, verbis, Tura in scriptis) with more commumious and cally Conditions than Foulke about, that in Lande held without Writing a sure, because that was Hereditarian, libera a prono de finis, whereas, Foulke in scriptis confirmavit etiam annoro, armoe efficiuriam quodem feroreto et ob gavis. Prone vero plurimum non multa, atque egregiis perulatorum rotis se feri, suae praeemium digito, et cum publico usu, et per Chartam. Libera ad voluntatem Domini appellationem. Thus Landmark.

Charterer/Party (Lat. Chartera partitione, Fr. Chartere joint, i.e. a Deed or Writing divided) is that among Merchants and Sea-faring Men, which we commonly call a Part of Indentures, containing the Covenants and Agreements made between them, touching their Merchandise and Maritime Affairs. Anna 12. Hen. 8. cap. 16, and in Cap. 2. cap. 18. lib. 3. cap. 14. Allard’s Rep. fol. 223. Bold’s Case, 2 Hilt. fol. 679.

Chartis Reconditis is a Writ which lies against him who hath Charters of Exonmination confirmted by his Keeping, and toftuff to deliver them. Old Nat. Br. fol. 66. Reg. of Writs, fol. 159.

Chartis (Fr. Charte) signifie two Things: First, a Driving of Charge out of any Price. Secondous, It is a Place of Receipt for Deer and Wild Beasts, of a Middle Nature, between a Forest and a Park, being commonly less than a Forest, and not enclaced with so many Liberties, as the Courts of Forest or Parks. Attachment, Commissary, and the like, of a larger Compart, and flourished with greater Diversity both of Keepers, and Wild Beasts or Game, than a Park. Commissary, in his Jurisd. fol. 149, says, A Forest cannot be in the Hands of a Subject, but it forketh forth with its Name, and becomes a Chaffe. And yet, fol. 197, he says, A Subject may be Lord and Owner of a Forest: which, though it seems a Contradiction, yet both Sayings are in some Sort true. For the King may give or alienate a Forest to a Subject, yet fo, as when it is once in the Subject it looth the true Property of a Forest, because the Courts called the J ustices, Staunmers, and Attaches, do forthwith vanish, none being able to make a Lord Chief Justice in Foy of the Forest but the King; as Masons, Well obierves, Part 2. cap. 3, & 4. Yet it may be granted in to large a Manner, as there may be Attachment, Staunmers, and a Court equivalent to a Justice, as appears by him in the same Chapter, numm. 3. So that a Chaffe differs from a Forest in this, because it may be in the Hands of a Subject, which a Forest, in his true and true Nature, cannot, but in a Park, in that it is not enclosed, and hath not only a larger Compart, and more Variety of Game, but of Keepers also, and Officers. See Forest.

Chastellaine, a Noblewoman: Stau Charrelli Dovina.

Chattels, or Catalis, (Catallis,) comprehend all Goods moveable and immovable, except such as are in Nature of Freehold, or Parcel of It, as may be settled out of Standoff, Pragoff, cap. 16, and Anna 1. Educt. cap. 2. Chattels are either Personal or Real. Personal may be so called in two Respects: One, because they belong immediately to the Person of a Man, as a Bow, Horse, &c. The other, for that being any. Way injuriously withheld from us, we have no Means to recover them but Personal Actions. Chattels Real are such as either appertain not immediately to the Person, but to something Else, by way of Dependency, as a Box with Charters of Land, Apples upon a Tree, or a Tree it self growing on the Ground, Gomp. of Goods, fol. 33. Or such as are aliened out of some immovable Thing to a Person, as a Lease or Rent for Term of Years. See Brandon, lib. 1. cap. 3. num. 3, & 4. Chattels are bona quaesumque mobilia & immobilia; proprii ramos in humani part, que in alienabili consueit, a quarum capitis, res ipsa aliis capita aliae Capitiae aliis finis, Spelmman.


Chapeaux. — See Cappellae.

Chapuden. — Et e Corbellum patium brasos, et. amicis debo Chauderum & Drafte, quam in collationem Bellicens, MS. de LL. liberii Burgi.

Vida de Montgomery, fol. 12.

Chatter (Fr. Casteur) signifies two Things: First, a Driving of Charge out of any Price. Secondous, It is a Place of Receipt for Deer and Wild Beasts,
pro anima funerarii & processiolum pace. These were the little Churches, or, particular Altars, in some Cathedral or Parish Church, and endowed with, Lands, or other Revenues, for the Maintenance of one or more Priests, to officiate as abortive. Mentioned 37 H. 8. cap. 4. — Ed. 6. cap. 4. 3. of these Chantryes, there were forty seven belonging to St. Paul's Church in London, for which see Mr. Dugdale's History of that Church.

The most remarkable of these Chantryes was that of William Crowne Cutch flexGrow born at Tiptoe in Worcestershire, and made deo,' et purgatores, 500 Saints and Bishops, 8 Hen. 7. 5. 6. of these Chantryes are rents paid to the Crown by the Servants or Purchasers of Chantry-Lands.

Chatham of the East-Indies, Anno 9 Hen. 3. cap. 15. See Carrier.

Chert-Bell is a Roll or Book containing the Names of such as are Attendants and in Pay to the King, or other great Persons, as their Household Servants. Anno 19 Car. 3. cap. 6. It is otherwise called the Chaperon-Saule. 24 Hen. 8. cap. 13. Anno 3 Hen. 8. cap. 13. and seems to be a Word abstracted or derived from the Exchequer, which fee. Cherey of the Clerk, see Cherey in Clerk.


Chertrera, (Anno 27 H. 8. cap. 7.) such as paid a Tribute to the Chiefe Priest, Quitt-Rent, or Chief-Rent; for to the Fr. Gurie signifies.

Chertruery, the Cartlage of a Countrymen or Clowm. Chertruery, a Sort of a Bridge. Chertruery. See Диас.

Chertruery. See Angus.

Chertruery. See Carb."
(such as pay not to Church and Poets,) shall be chargeable with two Shillings per Annnum, payable at Michaelmas and Lady-Day, to the King and his Liege, &c. Which Payment is vulgarly called Church-Money. See Small-Silver and Tons.

Chipp. Cheap, Chipping, signifies the Place to be a Market-Town; from the Sax. *Leapen*, Lyppan, *Lepper*; as Chippendale, Chipfield, &c.

Chippingham, rebus Chipping-ham, Till for Buying and Selling. See Bagwell.


Chirograph (Chirographum, or fecurum Chirographum.) Anciently, when they made a Chirograph, or Deed, which required a Counter-part, as we call it, they engrossed it twice upon one Piece of Parchment contrary-wise, leaving a Space between, in which they wrote in great Letters the Word CHIROGRAPH, &c., and then cut the Particles in two, sometimes even, sometimes with Intercanue, through the Midst of the Word, concluding the Deed with, — in ipso rei Testamentum testantur futura quaedam; futura quaedam facta miranda; futura quaedam, &c. This was afterwards called dividendum, because the Parchment was so divided or cut. And the first Use of these Chirographs was in the Thirds' Time. See Iudicature. Choreograph was also of old used for a Fine.

Promissum petitione fide media sub juramento praevi; quod in adventu Divi iuncturum prae inventurum locum, vocavit Solvam Chirographum de reddito Reuocationis.

Charter, see Charter, line due in Regesta de Wormley. And the Manner of Engrossing the Fines, and Cutting the Parchment in two Pieces, is still observed in that Office, which is called the Chirographer's Office. But as to Deeds, that was anciently called a Chirograph, which was subscribed by the proper Hand-writing of the Vendor or Devisor, and delivered to the Buyer or Creditor; and it differed from Syntagma or Manuscript, which was a Manuscript Copy of both Parties, as well the Creditor as Devisor, wrote their Names, and the Names of the Witnesses, and the Sum of Money borrowed, either in Paper, or on a Piece of Wood, and the Word Syntagma in Capital Letters in the Middle, which Letters were cut in the Middle, and one Part delivered to each Party, that upon comparing them (if any Dispute should arise) they might tally, and to put an End to the Difference.

The Chirograph was called Charter divisum, Scritta divisarum, Chirographum divisarum, or Alphabeta divisarum, as the Chirographs of all Fines are at this Day.

Scriptor of Fines, (Chirograph plus traditionisorum, or Concordanoram, of the Greek xeryiGer, &c. i.e. a Writing of a Man's own Hand, whereby he acknowledges a Deed to another,) signifies that Officer in the Common Registrars or Engrossers' Times in that Court acknowledged into a perpetual Record, (after they are examined, and fully pulled by other Officers, and that writes and delivers the Indentures of the Party, Law 2 Hen. 1. cap. 8. & 3. Hen. 1. & 4. Inst. do. fol. 342. & 4. Inst. do. This Officer makes two Indentures, one for the Buyer, another for the Seller, and makes one other Indented Piece, containing also the Effect of the Fine, which he delivers to the Gofle or Deviser, which is called the Son of the First. The Chirographer, or his Deputy, proclaims all the Fines in the Court every Term, according to the Statute, and endorses the Precautions upon the Backside of the Foot thereof; and always keeps the Writ of Consent, and the Note of the Fine. See Saying of Fines. Addn 23 Eliz. cap. 3. and 2 Parts. Inst. fol. 468.

Churagh. See Churagh.

Churbury, (Scribendum Militarum,) comes from the Fr. Churbourc, i.e. Symprepid, and signifies a Tenure of Land by Knights' Service, whereby the Tenant was bound to perform a Service in War unto the King or the Mean Lord, of whom he held by that Tenure. The further Explication of which Tenure, and the several Branches of it, may be omitted, since by Stat. 12 Car. 2. cap. 24, all Tenures by Knights' Service of the King, or of any other Person, Knight's Service in Capite, or Service in Capite of the King, and the Fines and Consequences thereof, happened, or which shall or may happen to arise thereafter, or thenceforth, are taken away and disfranchised; and all Tenures of the King, or the Fines, &c. shall be construed and sustained for ever to be turned into free and common Storage, &c.

Churghame, the name with Chirographum. In Pleadings they are called Chirograph, and with us Churgham, and Churgh. &c.

Churghal (Churghalis) may relate to any Person, that by virtue of any of the Orders of the Clergy, was in ancient Time admitted to fit and serve God in the Choice; in Latin Clermon. Accordingly Mr. Dugdale (in his History of St. Paul's Church, pag. 172.) says, There were an anciently Six Places Choral belonging to that Church.

Chif, (Fr.) Thing: It is used with divers Epithets; as Chif Local is such a Thing, as is annexed to a Place. For Example: A Mill is Chif Local. Chif Transitory seems to be that Thing which is in motion, and that moves, and are taken away from Place to Place. Kitchin, fold. 18. Chif in Action is a Thing incorporeal, and only a Right; as an Annuity, Obligation for Debit, a Covenant, Vouchsafed, and accordingly it is said to be a Suit for any Debt or Duty, Trepsait or Wrong, are to be accounted Chif in Action. And it seems Chif in Action may be also called Chif in Subpoena because it hath no real Existence or Being, nor can properly be said to be in our Possession, Deed, &c. in Chif in Action.

Chopchirk (Loculum fragmentorum) is a Word used 9 Hen. 6. & 61. a. By the Senec of which Book it was in those Days a Kind of Trade, for the Judges say it was a lawful Occupation, and a good Convenience, yet 'tis out of his Wright. It is not an Occupation, but a Thing permissible by Law. It was (without Doubt) a Nickname given to those that used to change Benefices, for to buy and change is an usual expression to this Day. I have also read Church Chopper, for him that used to make such Changes. — *At vero eos et quodam abhinc, feam socios fragmentorum, etiam socios fragmentorum* in tantum, at nisi libri sive Chopper- Churches, communitati appati, mediocris dolcissim, excelsior ad rem aedificiTor, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio, quandoque mandato beneficio. Litera mina omnibus Epistolis, supragraphis, Domini contra Chopper Churches. An. 1591. Spelun de Conc. vol. 2. fol. 543.
CIRCUNITY PETRAE AQUITANIAE ET TITULIS

Circumspexit Aquitania is the Title of a Statute made in the Thirteenth of Edward the First, Anno
Dominii 1285, prescribing certain Cases to the judges, wherein the King's Court shall preside. C. 3, fol. 7
f. 44. Lib. 5. fol. 67. and 2 Part Inf. fol. 487.

Circumstances (i. e. By-standers) signifies the Supply or Making up the Number of Jurors, (If any impanel'd appear not, or appearing be challenged by either Party,) by adding to them so many of those that are present or standing by as will serve the Turn. 35 H. 8. c. 6. and 5 Eliz.
cap. 25.

Circucracter. See Cerium.

Circucrater (Sex. Lyric-verse, Politicall Ecclesiasticall, Humanitie tribunals) Chronicle, a cer-
tain Portion, Tribute, or Payment, made to the Church, of Cents, Fruit, or any other Thing. Also
calls it Circia, pass. Saxon Eccles. dictum. Thib. Suchum ad Rishum. S. Martini in Tome debet 1 Galli-
nato de reddito & 5 Gallinas de Circucrater. Cakmon. benef. de Balzo. fol. 85. n. This Tribute was at-
tempted to be heavily payable at the 1st of May, but appears by Domingues, and called by Sir Edward Coke Church-fest. Cakes in Litt. fol. 88 b. See Chronicle.

Cirrhitus fermo, a Churl, or Countryman.

Cirrhus, a Tart whole skin was used to make tarts.

Climax of respect & relish potester Muraris, & spelus non licet movere Bovero.

Citation ad infinitum part, (22 & 23 Car. 3.)
Citation for laying Impostions on Proceedings at Law.

City (Lat. Civitas, Fr. Cité) is a Word which
has obtained since the Conquest. For in the Time
of the Saxons there were no Cities, but all great
Towns were called Burghs; and even London was
then called London Burgh, i.e. London Borough. And long after the Conquest the Word City is used
proeminently with Burgh, as in the Charter of Leu-
estershire 'he called both Cities and Burghs,' which
shows that my Lord Coke was mistaken, when he
tells us that every City was or is a Bishop's See;
Nor had Gloucester then any Bishop, though it is
called a City in Domesday. And he himself ob-
erves in another Place that Cambridge was a City
by ancient Record, viz. Meotis, 7 R. 1. Rot. 1. tho'
myself a Bishop and a Cathedral Church, Anno
35 Eliz. cap. 6. Wellminster is called a City; and it
appears by the Statute 36 Hen. 8. cap. 10, that then
there was a Bishop of Wellminster. Burby Letters
Patent dated 25 May, 1. Eliz. (purporting to an
Act of Parliament) that Service of the Monastery of
Stadholl) the Revenues of that late Monastery were vested in the
Dean and Chapter of the Collegiate Church of Wellmin-
ster, which hath called Error in the Pleadings of late Cases, by Professors at the same.

Circuit de Tenent (Cornuallis Affinitions) the longer
Course of procedure to recover the Thing sued
for than is needful. As, if a Man grant a Rent
charge of 10l. of his Manor of Dale, and after
the Grantee rides the Grantor, of the same Manor, who brings an Action for 10l. of his Rent
during the Time of the Dilemma, it he must have had it if Dilemma had been. This
is called Circuit de Tenent, because, whereas the Grantor
was to receive 10l. Damages, and pay 1l. Rent, he might have received but 1l. only for
Damages, and the Grantee might have kept the other 9l. in his Pocket, by way of Circuit for his
Rent, and so he has his Action. Term Leys.
Cl.  

off the upper and hairy part of it. To hard or 
beard it, is to cut the Head and Neck from the 
cell and, at the same time, to cut off the 
conspicuous & conspicuous 65 faces longe de calvato mons- 
fiulli superius clarck & Luk Gard & Gard nigra  
tingi in tyni, &c. fine pede. De Canae. 

Clistae. See Clarla. 

Clistra. See Clarla. 

Clistae (Claraeum) is a Challenge of Intenst in 
my thing that is in the Possession of another, or, 
at least, out of his own; as Clistae by Charter, 
Claim by Defect, &c. Old Nat. Sec. fol. 56. St 
Dominus infra annum Clarlas quamqucompetant ap- 
portavit. Brasen, lib. 2. cap. 10. See the Definition 
and divers Sorts of Clarla in Pleunon, Gaun Stowel, 
fol. 59. 

Clamor Administrum in intueri per Aturana 
rum is a Werk by which the King commands the 
Judices in Bry to admit one's Claim by Attorney, 
who is employed in the King's Service, and 
comes Clame in his own Person. Reg. of Writs, 
vol. 4, p. 9. 

Clypseb (Adesse 35 Eliz. cap. 1.1) is Board 
cut in order to make Cask or Vellies. 

Clistra. See Clarla. 

Clistrae Borriston, in Heral, 

Clariarius Armaget, an Herald. 

Clario, a Trumpet. Sinistrum clarat: Clari- 

Clariartus, a Scam, or Soldier armed at 
Sea. — Omnibus eis Captivatis, Militis & Clari- 
arios. — Clistra Caroli 5. Imperatoris Thomae 
Comititi Sur. dat. in urbe Loudinensi, 8. Junii, 
1245. 

Clarliccum, a Ring of Bells. Propriis officia 
consuetudinum instituere, juxta mons, Compa- 
nit per tristis civitatem ad Claudecum paulatim. Da 
Canay. 

Clario, (Urish.) a Pitch. — Pers vide aduersi 
uum ad quosdam Clarlae posta Cottonia. Claria 
Lewinii Principis Waret, ut anno 1158. 

Clamor Juris, i.e. the Keys of the Island. 
In the Is. & Mam all ambiguous and weighty Cases 
are referred to Twelve, whom they call Clistae 
Indici. 

Clargofirnus, i.e. a Treasurer of a Church. 
After Williamus Wathmett Chivigerian, Monno. 

Claua Rullis (Claua Clape) contain all the 
Matter of Record as was contained in Case Writs. 

Clustantum, Southampton. 

Clavell, an Indulge, or, of which there is 
these in, in Clistante, in communico. 2 Mon. 
Angl. fol. 402. 3. 30. 

Clavirin Strept, Mr. Sohmer, in his Saxo 
Diary, conceiveth the Original of these much used 
Words in our Law-Reading might come from the 
Saxen Cherv-beetcce, which signifies Help-Beleav- 
ing, the Bonds which close the Top of the Hinge 
being usually called Elliter. 

Clavirin Patchen. Star of Wils. 1. Testamentis 
De Clistrae de Wiltshires. In Clistrae Libro Pat- 
cher 67, in Gramaia intestatis Clape, which is all one; 
1st. The Morrow of the Usus of Easfer. 2 Part. 
Ingl. fol. 177. — Ad Curtai cunno upho Formi Plag. 
In Glagelis actual assu prap. prap.此种 Clemente 
Clape, anno 17 Edw. 3. Telaorum fact opal, &c. 
Clavirin Clape, i.e. in Domina in Alfor. fit dixitnum, 
quid. Pela Claudi. 

Clavirina Eye. 

Toliverin Endy, de Chri- 

 Ciudadum de Mankeld, fol. Clavirema winita Reda terra}
but contribute towards the Charge. One they
must do, as appears by the Petition to the King
against the Mayor of London, for the Pay-\nment of sundry Laiems, per securitas armis praecedent
contra Regni adventuris, et tantum Subsidium
in expediendis Regis instruente, quantum necessitatem
concipane versus ut relinquatur. Their Answer was,
That they could not so fight with the Militia, but with
the Spiritual Sword, that is, with Prayers and
Tears; that they ought to maintain Peace, and
not War; and that their Business were founded
in Charity, for which Reason they ought not
to perform any military Service.

Clearing Tomlinson is a Clerk directed to the
Bishop for the admitting a Clerk to a Benefice, up
on a No Admissa tried and found for the Party
that procures the Write. Reg. of Writs, fol. 71.

Cleric capro pro Statuam Befratagem, &c., is a
Write for the Delivery of a Clerk out of Prison, who is imprisoned upon the Breath of a
Statute Merchant. Reg. of Writs, fol. 147.

Cleric contuitio commissio Caede in delictu
Daudani deliberatio is a Write for the Dele-
vory of a Clerk to his Ordinary, that was im-
mediately seized by the Court of the King's Bench
and their Ordinary, but did not challenge them according to the Privileges of
Clerks. Reg. of Writs, fol. 69. a

Cleric mitra lares omnes constituisse, non
fingerum in Befratagem, is a Write directed to the
Bishop, &c., that have thrown a Billicock or Be-
rudilly upon one in Holy Orders, charging them to
release him. Reg. of Writs, fol. 153. a

Clerk. (Clerici.) Hath two significations: one, it is the title of him that belongs to the Holy
Ministry of the Church; under which, where the
Canon-Law hath full Power, are not only com-
prehended Sacerdotes & Dianae, but also Subdiaconis,
Confreres, Angellae, Esquire, &c. And in this
Signification, a Clerk is either Religious (otherwise
called Regular), or Secular. Ann. 4 Hen. 3, cap. 12.

The other denotes those, who by their function or
course of Life, practice their Pen in any Court, or
otherwise; as, the Clerk of the Rolls of Parliament.
Clerk of the Chamber, &c., whose peculiar Office
shall be let down in order.

This word Cleric comprehends all of such as,
Particulars, and others in Holy Orders, either
Secular or Regular; but more properly a Mi-
nister or Priest, as one who more peculiarly

Sect. 1100. Clerk. Clericos Dianicos Regis, (fol. 161.)
was appointed to signify Secretary, or Clerk of his

The Clerk of the Acts is an Officer of good account
in the Navy-Office, who receives and records all
Orders, Contracts, Bills, Warranties, and other Nu-
merations, translated by the Lord Admiral and Com-
mmissioners of the Navy; and is mentioned in the
Sect. 16, 1692, cap. 29, and 24. 25, cap. 1.

Sect. 8 of Bills (Clericis Aditionis), is in that
Respect all Things industriously done by the Justices of

Sect. 7 of Bills (22 23, cap. 5, cap. of
importance, on Proceeding at Law) is an Officer be-
coming to the Clerk of the Acts to bring the
File of Bills, the Queen, or Prince; either giving
some, or allowing their Absence or Defects in
Attendance, or diminishing their Wages for the
same. He also nightly by himself, or Deputy,
takes the view of Tidings that are to watch in the
Court, and have the Book. The Clerk of the Acts
is mentioned Ann. 33 Hen. 8, cap. 12. Also
there is an Officer of the same Name in the King's
Navy, and mentioned Ann. 19 Car, 2, cap. 1.

Sect. of the Clerk (Ann. 19 Car, 2, cap. 5) keeps
an account of the Monies collected, and keeps in
a Cheff, for the use of sick and maimed Seamen and
Mariners.

Clerk of the Crown (Glorias Coronas) is a
Clerk, or Officer in the King's Bench, whose func-
tion is to frame, read, and record all Indictments
against Traitors, Felons, and other Offenders,
there arraigned or indicted upon any public
Office. He is otherwise termed Clerk of the Crown.
Reg. of Writs, fol. 158. a

Clerk of the Crown in Chancery (Clerici
Corun in Canclaria) is an Officer there, who, by
himself or Deputy, is continually to attend the
Lord Chancellor, or Lord Keeper, and writes and
prepares, for the Great Seal of England, special
Matters of State by Commission, or the like, ei-
erally or immediately, or by the Command of
His Council, as well ordinary as extraordinary.
Commisions of Lieutenancy, of Juries Im-
perial, and of Afflues of City and Town, of
Logis Deliveries, and of the Peace, with their
Scriti of Association, and the like. Also, all General Per-
sons upon Grants of them, at the King's Coronation,
or at a Parliament, where he sits in the
Lords House in Parliament-time; into whole Off-
ices of the Writs of Parliament, made by the Clerk
of the Pettibag, with the Names of Knights and
Burgesses elected thereupon, and to be returned
and filed. He hath also the making of all special
Pardons, and Writs of Execution upon Bonds of
Statuse-Staple forfeited, which was annexed to his
Office in the Reign of Queen Mary, in considera-
tion of his continual and chargeable Attendance;
both before being common for every Carry theatre
and Clerk of the Court of Chancery to make.

Clerk of the Deliveries is an Officer in the
Tower, who takes Indemnities for all Stores issued
thence.

Clerk of the Crown, (Clerici Coronae) in the
Court of Common Pleas, does transcribe and certify
into the King's Bench, the Tenour of the Records of
the Caule or Action upon which, the Ver, of
Asser (made by the Corilבי) is brought, there to be
judged and determined. The Clerk of the Errors in
the King's Bench, does likewise transcribe and cer-
tify the Records of such Cases in that Court into
the Exchequer, if the Caule or Action were by Edict
or by Originals, the Lord Chief Justice certifies the
Record into the hands of peers in Parliament, by tak-
ing the Transcript from the Clerk of the Errors,
and delivering it to the Lord Keeper, there to be
determined, according to the Statutes 25. 26, cap.
and 31. 32, cap. 1. The Clerk of the Errors in the Ex-
chequer does transcribe the Records, certified thence
out of the King's Bench, and prepares them for
Judgment in the Court of Exchequer, to be given
to the Justices of the Common Pleas, and Barronets
there. See 16 Car, 2, cap. 2, and 20. 22. cap. 4.

Clerk of the Exchequer (Clerici Exchequer) is an
Officer belonging to the Court of Common Pleas,
who keeps the Exchequer, and keeps an account to bar the Exchequer, in case where
the hath omitted his Time, fix Pence. He hath also
the providing of Parchment, and cutting out
into
into Rolls, and marking the Numbers upon them, and the Delivery out of all the Rolls to every Officer, the receiving them again when they are written, and the binding and making up the whole Bundles of every Term, and this he doth as Servant to the Chief Justice. For the Chief Justice is charged upon the Stewardship of all the Rolls, for which he is allowed, as the Chief Justice of the King's Bench, besides the Penny for the Seal of every Write of Privilege and Outlawry, the seventh Penny taken for the Seal of every Write under the Green Wax, or Petit Seal, in the Court of King's Bench and Common Pleas respectively, the said Lord Chief Justices having annexed to their several Offices or Places, the Custody of the said Seals belonging to each Court.

Clerk of the Effretts (Clericus Excerptorum) is a Clerk belonging to the Exchequer, who termly receives the Effretts out of the Lord Treasurer's Remembrancer's Office, and writes them out to be levied for the King. He also makes Schedules of such Sums extinguished, as are to be discharged. See the Praxis of the Exchequer, pag. 82.

Clerk of the Hamper, or Hamperer, (Clericus Hamperatus) is an Officer belonging to the Chamber, (anno 1 Edw. 4. cap. 1) otherwise called Warden of the Hamper, in the same Statute, whose Function is to receive all the Money due to the King for the Seals of Charters, Patents, Commissions, and Writs, as also Fees due to the Officers for enrolling and examining the same, with such like. He is tied to attendance on the Lord Chancellor, or Lord Keeper daily in the Term-time, and at all Terms of Seal, having with him leather Bags, wherein are put all Charters, &c. After they are sealed, these Bags, being sealed up with the Lord Chancellor's private Seal, are delivered to the Comptroller of the Hamper, who upon Receipt of them, doth, as you shall read in his Office. This Hamperer represents a shadow of that which the Roman termed Aedes, which contained the Emperor's Treasure.

The Bookkeeper was anciently so called, because in to redactuar Hanapi & suare cedera, una quae in secatum & tributum perficat, solenchrn; thus we read in the Manasses 1 Temp. pag. 943. Res. Cler. Com de garrulit, & praesidium, &c. after St. H. in Hanaprior servos conforiunm: Or it may be so called, because the yearly Tribute which Princes received, was in Hanapori: or large Vessels full of Money.

Clerk of the Juices, or Sarata Writers, (Clericus Jusitoterum) is an Officer belonging to the Court of Common Pleas, who makes out the Writs called Habbas Corpus and Distractions, for Appearance of Juries, either in Courts, or at the Assizes, after the Jury or Panel is returned upon the Venire facias. He enters all into the Rolls the Awarding of these Writs, and makes all the Continuance from the going out of the Habban Corpus, until the Verdict be given.

Clerk Comptroller of the King's Purse, whereof there are two, is an Officer in the Court that hath Authority to allow or disallow the charges and demands of Parliaments, Necessaries of the Green-Cloth, or other like. He hath also the over-sight and controlling of all Duties and Miscellaneous of any the inferior Officers, and to fit in the Common-House with the Superior Officers, &c.

The Lord Steward, Mr. Treasurer, Comptroller, and Coffreter, either for correcting, or bettering Things out of Order. This Officer is mentioned anno 33 Hen. 8. cap. 12.
In Henry the Sixth's time, he was called Inscriptor Magni Rotuli.

**Cl erk of the Pleas (Clerio Pleborum) is an Officer in the Exchequer, in whose Office all the Officers of the Court (upon special Privilege belonging unto them) ought to use, or be fed upon any Adultery, extrinsic to the Office of the Privy Seal, pag. 96, and 4 fol. fol. 107.

**Cl erk of the Privy Seal (Clerus Privati Sigillum) there are four of these Officers that attend the Lord Privy Seal, or of some such the Principal Secretary, writing and making out all Things that are sent by Warrant from the Signet to the Privy Seal, and are to be passed to the Great Seal; as also to make out (as they are termed) Privy Seals upon any special Occasion of His Majesty's Affairs; as for Loan of Money, and such like. Of this Officer and his Function, you may read the Statute 27 H. 8. c. 11. He that now is called the Lord Privy Seal, seems in ancient Time to have been called Clerk of the Privy Seal, and to have been reckoned, notwithstanding, in the Number of the great Officers of the Realm. Read the Statute 12 Rich. 2. c. 11.

**Cl erk of the Rolls, mentioned 22 & 23 Car. 2. is an Officer in the Court of King's Bench.

**Cl erk of the Exchequer (Clerus Officium equivalent to the Commissioners of Sewers, writing all Things that they do by virtue of their Commission, for which see Sewers: And see the Statute of 13 Ric. c. 9.

**Cl erk of the Signet (Clerus Signet) is an Officer attendant continually on His Majesty's Principal Secretary, who always hath the Custody of the Privy Seal, as well for sealing His Majesty's private Letters, as also such Grants as pass His Majesty's Hand by Bill signed. Of these there are four that attend in their Courts, and have their Diet at the Secretary's Table. More largely you may read of their Office in the Statute made Anno 27 Hen. 8. c. 11.

**Cl erk of the grandchildren is an Officer belonging to the Court of Common Pleas, who makes out the Writ of Superfeces, (upon the Defendant's appearing to the Papers,) whereby the Sheriff is forbidden to return the Paper.

**Cl erk of the Treasury (Clerus Thesaurarii) is an Officer belonging to the Common Pleas, who hath the Charge of keeping the Records of the Court, and makes out all the Records of His own, both the Fees due for all which, and for certifying all Records into the King's Bench, when a Writ of Error is brought. Also he makes all Exemplifications of Records being in the Treasury. He is taken to be the Servant of the Chief Justice, and removable at his Pleasure, whereas all other Officers are for Term of Life. There is also a Secondary or Under Clerk of the Treasury for Affairs, who hath some Allowances. And likewise an Under Keeper, who always keeps one Key of the Treasurers-door, and the chief Clerk of the Secondary another; so as the one cannot come in without the other.

**Cl erk of the Warrants (Clerus Warrantium) is an Officer belonging to the Court of Common Pleas, who enthrall all Warrants of Attorney for Plantiff and Defendant, and brings all Deeds of Indentures of land and things, which are transacted in the Court, or before any Judges out of the Court. And hehattes the Exchequer all Wills, Bills, and Amercements, which any way grow due to the King in that Court, and hath a
Standing Fee of ten Pounds of the King, for making the same Breasts. See Rich. Nat. Br. fol. 76.

Cheromyns, i.e. An Heri: in the Magnificam, 3 Tom. pag. 142, we read, That King Edw. gave and confirmed a Grant of Liberty, that all the people should come to him, and that all the Cheromyns impone desinquent.

Chirn, Dr. (Cleof.) Hurdles to fold or keep Sheep in. Tonemus de Hapton dedit quasrere fac jumenta vingaram apud Bifdom de Ratu justa Hertf. ad clerus nobilissimn. Inscend. Lib. Niger. Heref. fol. 61.

Clue, Gleefer, Clute.

Clyton, Not only the eldest, but all the Sons of King, we meet with it often in old Authors, viz. In the Charter of King Ethelred, in Matt. Paris. pag. 153, Edulphus Eadfrith, Eadwm. clam Clintoni. Epistola jubilament. So in Mr. Seller's Notes up on Edward's, Ego Edgew, C. E. Edw. Edmund. Chao Legumdam praten Regm. C. 11.

Clin, Cliff, The Names of Places beginning or ending with Clin or Clef, signifies a Rock, from the Sax. Elif, Roger.

Cleef was an unlawful Game, forbidden by the Statute of 17 Edw. 4. cap. 4. and 3. to have been the same with ourNine-Pins, elsewhere called Clin-balls. Ann. 31 Hen. 8. cap. 9.

Clin is the two and thirtieth Part of a Weight of Cheese, viz. eight Pounds. Ann. 9 Hen. 6. cap. 8. See Tonnage.

Cluwell. See Abingdon.

Cluwe, See Cowm.


Clupitis, See Cumpsilus.

Curtunum, Rischetz in Lancashire.

Curtighes, An Exaction or Tribute in Er- l~nd, now reduced to chief Rents. See Bynghe.

Coxer or Choker, Cocketer, is a Seal belonging to the King's Customs House. Reg. of Writs, fol. 1522. A Scroll of Parchment sealed and delivered by the Officers of the Customs House to Merchants, as a Warrant that their Merchandises were customed. Ann. 11 Hen. 6. cap. 16. Which Parchment is otherwise called Letter de Cokete, or Letter testamento de Cokete. Reg. fol. 1572. So is the Writ, which Ann. 4 Edw. 3. stat. 1. cap. 21. One that makes Coctts be Cocketed, but in the Shape of him to whom the Writs are. Ann. 13 Rich. 2. cap. 9. Capes & Plutei sunt quosque quid facies an Coketerias comitantes esse regnum damnem. Inter Recorda de Rec. Scacc. Mich. 26 bars. 3. El Bal- lace faciunt ad Coctts partis de Brabewr amnis de- munus communes tan Limis, tamen sed belli non menditibus non ligero sed spargit Coctis. Pla. Parl. 24 Edw. 3. lit. 1.

Cocks is also used for a sort of Measure, as we may see in Here, Lib. 2. cap. 59. Paris were in this quarter quasrandae frequenter pandere usus Coctis & dimin- dum: It is also used for a Direction of Bread in the Statute of Bread and Ale, made 53 Edw. 3. The words are, Within a quarter of what is sold for xld. the Waffel-bread of a Partling shall be eight, and xvii., but bread-Cocket or a Cocket of a Partling, shall be less than eight, but Waffel by it. And Cocket-Bread made of Coxt of fourer Piss, shall be more than Waffel by xvi. xlii. and may be made to a Some, but shall be less than Waffel.
but the King, except he can have Charles for it.

Mimwood, Part. 1, fig. 63. For such Convenience lies not in the Reprisal:

Coggs (Gogges) seems to be a kind of Vessel or Boat, upon the River Ouse and Hum, mentioned in the Statute 23 H. 8, cap. 13. Also a small Ship; for I find in Math. Walde, Anno Dom. 1668.—

\[\text{Text continues...}\]

Coggonias abdulat. About the Coggonais they have still a sort of small Vessels, which they call Cogges, or little Cogs.

Coggs are to be a sort of coast-clauchas made in rivers Parts of England, mentioned in the Stat. 13 Rich. 2, cap. 10. Where there is mention also of Cogna, those in Bowers, Makers, or Dealers in such Coggs.

Cogne in a promiscuous Multitude of Men in a Market or Fair, and Cognaum in a Tribute paid by those who meet there: Quiets, ab omn. Thalum, capus, Fonticas, Couchagum, polagias, etc.

 Dwight: Coggs, Cuff, & Cuff. "Our Seamen at Law are otherwise called Serjeants of the Cog: from the Law Cog they wear on their Heads, under their Cap, when they are actuated, and always after See Serjeant and Master," in Anno 1559 and 1629, "The Custom of All Anglers," p. 28.

The use of it was to cover nonferre Claritatem; otherwise called Corsa Claritas, because the Crown of the Head was close fitted, and a barrier of black cloth round the lower part, which made it to look like a Crown. See Tun.

Coll, (Collin, etc. Angles, which probably verifies the Opinion of such as hold the ancientest sort of Coll to be cornered, and not round) any sort of Money coined. Comp. Jux, 2 Pol. 220.

Coffage, (Cognagio) besides the general Signification, relating to Money, it is by Law provided, that all the Tna in Corn, after it is cut and brought, shall be weighed and marked by the King’s Officers, with a Lion Rampant, which is called Coffage. Bovon, 168, and Anno 1 Hen. 7, cap. 4. Some Authors write it Coage.

Coffiers are (Carriers made of Silk or fine Linen; Milia omne volutis & ample voluisti foriste e vulgatius paginas Coitances in munitis e parte Restaurationis. Matt. Par. 1525.

Colls. Seeyork.

Collthir, See Collins.

Colla, See Collins.

Collbar, See Collins.

Collbars, (Collbeir) Gentlemen of Nodes, Socieas, or thomas additiorum. MS. Of such as of Villains were made Freemen. Butty. But they had not an absolute Freedom, they were better than Servants, but yet they had superior Lords to whom they paid certain Duties, and in that respect they might be called Servants, tho’ they were of a middle Condition between Freemen and Servants.

Libertate causae Collbarius dicitur eft. Dwight:

It seems to be the same with Colours, which see.

Collitiery, (Collaterally) Sideways, or which hangs by the Side, or comes in Sidewards, not direct. As Collateral Affiance is that which is made out of Sight, while the Deal is in Sight; and if a Dish convenant with another, and enter Bond for performance of his Covenant, the Bond is termed Collateral Affiance, because it is external, and without the Nature and Effect of the Covenant; And Collitori (Collaterali) Faith, is the Subject to the feeding of the King’s Deer is Collateral to the
Lifters, in Warwickshire called Coffies to this Day.

Salop, A Crurf, or rather a small Wax-Candle, & Copo de Cerre; Bedden tells us, that when the King of Sicily came to the Engafl Court, as long as he was there, he lad every morning a tripigna Sel, & dardemis Vefpizes Dominies, & qua dreginta gradus lugu Colpes de domine Candele Regis, & oligatai Colpes de diea Candeie. Anno 1195.

Comtatius, i.e. cutting of the Hair: Si quae De minun saum occida, si capiatur, nullus modo se redint; sed de eum Comitatio, & damnation. Leg. H. I.

Combat (Fr.) signifies as much as Carnem, pagna: But with us it is taken for a formal Trial between two Champions, of a doubtful Caufe or Quarrel, by the Sword or Baffoon; of which you may read at large in Glareanus, I. 94, cap. 1. Bas de France, lib. 3, cap. 21. Briton, cap. 22. Here's Mirror of Suffolk, lib. 3, cap. 3. Des Eyre's in proemine, & cap. 1. juramentum Doreli. Del. fil. 501 no. 41. 42. The Lafl Trial by combat was admitted & car. t. between Donald Lord Rey or Rees, Appellant, and Roger Ey, Defendant, Scotchmen, in the Painted Chamber at 6 pm in the morning, before Robert Earl of Lindfay, Lord High Constable, Thomas Earl of Arundel, Earl-Marshall, with other Lords there; after the Court had met several Times, and Bill, Anfwer, and Replication put in by the Parties, and Council heard, with other Formalities, it was at last determined, that the Matter should be referred to the King's Will and Pleasure, whose Favour excelled to Ramfay. See Coke on Little, fol. 294 b, Origins Jurisdictionis, fol. 65 b, and Spelman's Hist. at large, verbo, Caput.

Comitatus, a County. Roper tells us that England was first divided into Counties by King Alfred, and Counties into Hundred, and those again into Tithings; and Foster writes that Regnum dom. is per Comitatus et regionum Prima, et Baldricus d'ingentia. Sometimes it's taken for the County-Court, as in Magna Charta, cap. 35, and S. a. cap. 52. Nunc Comitatus summos nisi de minis in me fess. Sometimes it's taken for a Territory or a Jurisdiction of a particular Place, as in Mat. Paris, anno 1210. Infrac metas illos continentur quaedam praeda &iam Guisetae & Cafla, quam Comitatit sus afferre praeeminunt. So in Chart. H. 21, apud Ueuxon: Galliæ in Latium anno Comitatus, &c. De forma miti d'abita de quibus non est foss, fat inas Rosula, & instrumentum Comitatius, & legator singulis annis: fop Comprimam Viscomtium. Clauf. 13 Edw. 1. M. 7. Dorio.

Comitatus Cymrado is a Writ, or Commission, whereby the Sheriff is authorized to take upon him the Charge of the County. Reg. of Writs, fol. 395. Coke's Rep. lib. 3. fol. 72 a.

Comitatus & Cadro Comitato is a Writ, whereby the Charge of a County, with the keeping of a Caffe, is committed to the Sheriff. Reg. of Writs, fol. 395.

Comitatus, i.e. a Companion or Fellow Traveller. Tis mentioned in Scriptum in H. 2. a. 2, Files for mandatus at forum saum & Comitavam ejus renovatur fufpex. Sometimes it signifies a Troop or Company of Robbers, as in Walfingham, Anno 1266. Integrementum auxilia Reginae Angliae contra magnas Comitatias, &c.

Commandant (Parentis) was a Manor or chief Meffage, with Lands and Tenements appertaining thereto, belonging to the Priory of St. John of Jerusalem in England; and he who had the Government of any such Manor or Houfe was called the Commandeur, who could not dispose of it but to the Ufe of the Priory, only taking thence his own SufFerance, according to his Degree, who was usually a Brother of the Time Priory. New English in the 14th cent. De Leyse, &c. a man called the Commandery of Eagle, and did anciently belong to the sad Priory. So were St. lech in Pembroke, & Shangay in Cambridge, &c. Commandarii in the Time of the Knights-Temporal, says Camden. Thee in many Places of England are termed Temples; as Temple Bruere in Lincs Shore, Temple Newnau in Toftigh, &c. because they formerly belonged to the said Temples. Of these read Ann. 76 H. 8. cap. 3. & 3a ejfemal, cap. 24, Sec. Precepts.

Commandment (Preceptum) hath a divers Ufe; as the Commandment of the King, when upon his mere Motion, and from his own Mouth, he calls any Man into Plenit. Summafi. Pl. Cor. 156. Jul. 31. Commandment of the Judges is either afligere or ordinary. Afligere, as when upon their own Authority, in their Wisdom and Discretion, they commit a Man to Plenit for a Punishment. Ordinary is then they commit one rather for Safe-custody. Then a Man committed upon his own Ordinary commandem est replevibile. Pl. Cor. 157. Commandement is again used for the Offence of him that will not another Man to transgress the Law, or to do any Thing contrary to the Law; as Murder, Theft, or such like. Bradon, lib. 3, trafl. 21, cap. 19, which the Civilians call Mandatum.

Commarchio, the Confits of the Land. Inprimis de vitiis Landierum, Commarchionibus. Da Gale.

Commendam (Ecclesa Comendaria vulustia Ecclesie aliis commissio) is a Benefice or Church-Living, which being void is committed to the Charge and Cure of some sufficient Clerk, to be supplied until it may be conveniently provided of a Paron. And that this was the true Original of this Practice, you may read at large in Durandus. De sacri Ecclesie Min. & Beneficati, lib. 5, cap. 7. He to whom the Church is committed hath the Fruits and Profits thereof only for a certain Time; and the Nature of the Church is not changed thereby, nor does a Thing deposited in his Hands in Truth, who hath nothing but the Curacy of it, is allowed to be revoked. When a Parson is made BishoT, there is a Cenna of his Benefice by the Promotion: but if the King gives himself Power to retain his Benefice, he shall continue Parson, and is said to hold it in Commendam, Bap. Rep. fol. 149. Locke's Rep. fil. 236, 237. See Ecclesiis commendatoris, in Gloss. 10, Scripior.

Commentarius (Commentarius) is the same as the Church-Living in Commentarii which See.

Commentator Letters are such which are writ by one Bishop to another, in Behal of any of his Clergy, or other of his Diocets, travelling either, that they may be received among the Faithful, or that the Clerk made be promoted, or that the Necessaries may be administered to both, and several Forms of these Letters may be seen in our Historians, as in Bell. Lib. 1, cap. 18, Simon of Durham, Ann. 1125. &c.

Commentarii in Sapid Filum sunt Aliis Com- mendatoribus Antiquis (Eadest) Go decretum ten Manius Donneday, Suffolk. One that lives under the Protection of a great Man. Bispeve videntur Val- fallus, Affidius, & Comentarii; Hic terrae Parsoni serviens, & alia, autem servitutem autem, terrene;
tenors; 1) file & jurament, 2) submitting five tenors; 3) Waffials antew his omnium, 4) 5) Solomon.

Communions, Communion, those who live in the Confines or within Limits of a Place, so are not the Communicants legal suffic extension facti. Du Cange.

Community (Fr. Communauté) includes all the King's Subjects. So in Art. 1) Saires Châtrian, 2) Edin. 1, cap. 1. That the Communauté d'Engleterre signifies all the People of England. 3) Inst. fee. 219.

Communauté (Communauté) is a Title of Episcopal Jurisdiction, appertaining to such a one as exercises Spiritual Jurisdiction in Places of the Dioces or for dissent from the chief City, as the Chancellor cannot call the Subject to the Bishop's Principal Conistory, without their too great Melo-

Communauté is by the Canons' called led Communité, or Officer for them. Lyndward's Pravm. cap. 1. And it is ordained to this special End. That he supply the Bishop's Jurisdiction and Office in the Out-places of the Dioces, or else insuch Parishes as are peculiar to the Bishop, and exempted from the Jurisdiction of the Archdeacon. For where either by Prebension or Composition Archdeacons have Jurisdiction within their Arch-

deaconries, as in most Places they have, this Communauté is the common to all those vicar-

cious to the People. Therefore the Bishop, taking Prebension-Money of his Archdeacons yearly pro exterioris Jurisdictionis, as it is ordinarily called, does, by super-energising their Circuit with a Communauté, not only wrong Archdeacons, but the poorer Part of Subjects much more. Cowle. And see 4 Inst. fol. 258.

Communion (Communion) is with us as much as Delegation with the Gauss, and is taken for the Warrant or Letters Patent which all Men (exercising Jurisdiction, either ordinary or extraordin-
dinary) have to authorize them to hear or de-
tern any Cause or Action. Of these See di-
vers in the Table of the Reg. of Writs, and see f. 152. 1st. Common. Yet this Word is sometimes extended further than to Matters of Judgment, as the Communion of Purveyors or Takers, Allow 11 Ed. 4, cap. 29, which seems to be null by the Statute for taking away Purveyance. Allow 11 Ed. 2, cap. 29.

The High Communion-Court, which was founded upon the Statute 1 Eliz. cap. 1, is also abolished by Act 5 Will. 3, cap. 17, and that again explained by another Act, 15 Car. 2, cap. 29.

Communion of Association (mentioned 18 Eliz. cap. 9.) is a Common under the Great Seal to advise two or more learned Persons with the Fe-

eral Judges in the several Circuits and Counties in Wales.

Communion of Anticipation was a Common under the Great Seal to collect a Subsidy before the Day. Allow 18 Hen. 8, Cap. 1, fol. 49, 24.

Communion of Rebellion (Communion Rebellion) is otherwise called a Writ of Rebellion, and issues when a Man after Proclamation issued out of the Common or Exchequer, or even by the Sheriff, to present himself under Pain of his Allegiance (to the Court by a certain Day) appears not. And this Common is directed by Way of Command to cer-
tain Persons, three, two, of one of them, to ap-
pear and come to be apprehended. Party as a Rebel, or Contemner of the King's Laws, whereby or ever they find him within the Kingdom, and bring, or cause him to be brought, to the Common. And in the Form of it you have in Wiss, Tract, Procedings in Chancery, Salt. 24.

Communion (Communia) is that he hath Commission, as Letters Patent, or other lawful Warrant, to execute any public Office; as Commissioners of the Office of Licences, of Alteration, of 22 Edw. Par. 2, 2d. See 2d. Comm. 20. Among many others in 2d. Comm. 20. 2d. See 2d. Comm. 20.

Committee is he or they to whom the Com-
mission or Ordering of any Matter is referred, either by some Court or Content of Parties to whom it belongs: As in Parliament, a Bill being read, is either contented to and passed, or denied, or either, but referred to the Consideration of some Certain Person, appointed by the House further to examine it, who thereupon are called a Committee.

Committee of the King. Weis. par. 2, Synh. tit. Habitation, cap. 144. This Word seems to be strangely used in Kitchen, fol. 160, where the Wi-
dow of a King's Tenant being dead; is called the Committee of the King, that is, one committed by the ancient Law of the Land to the King's Care and Provision.

Communion, (Fr.) a Fellow-Monk, that lives in the same Convent. 3 Part Inst. fol. 215.

Common (Common, 1. i.e. Quod ad omnes per-
tines) signifies that Soil or Water whereof the Life and Bread is common to this or that Town or Lordship; as Common of Pashure, (Common Pashure,) Bravam, lib. 4. cap. 19, 32. Common of Fishing, (Common Fishery,) Almen, lib. 2, cap. 34. Common of Tumbrary, (Common Tumbrary, i.e. of digging Turves,) Jaem, lib. 3, cap. 31. Common of Evertum, (Common Evertum,) Kitchen, fol. 54. &c. Common is divided into Common in Gras, Common Ap-

pendant, Common Apparant, and Common for Cause de Pleasage.

Common in Gras is a Liberty to have Common ground, that is, without any Land or Tenement, in another Man's Land, to himself for Life, or to him and his Heirs; and it is commonly pulv
ded by Deed of Grant or Speciality. Old Nat. Br. fol. 31, 237.

Common Appendant and Common Apparant are in a manner confounded, as appears by Frye. Nat. Br. fol. 180, and are defined to be a Liberty of Com-
mon appropriating to, or depending on, such and such a Freehold; which Common must be taken with Beasts commensal, as Horses, Oxen, Kine, and Sheep, being accounted for the Ploughman, and of course of Goats, Geese, and Hogs. But some make this Difference, That Common Apparant may be levied from the Land whereby it is pertaining, but not Common Appendant; and it was according to the direction of Sir Edward Coke, lib. 4, cap. 372.) had this Beginning: —

When a Lord enforced another in arable Lands, to hold of him in Service, the Feoffee, to maintain the Service of his Plough, had at first, by the Courtery or Permission of his Lord, Common in his Wafts for necessary Beasts, to ear and compost his Land; and that for two Caules: One, for that it was fairly implied in the Feoffment, by reason the Feoffee could not till or work his Land without Cattle, and Cattle could not be tilled without Pashure; 20 by Consequence the Feoffee had, as a Thing necessary and incident, Common in the Wafts and Land of the Lord. And this appears by the ancient Books, Temp. Ed. 1, tit. Comm. 24, and 17 Edw. 2, tit. Comm. 33, and 20 Edw. 3, tit. Ad-

ommun 8, and by the Statute of Merton, cap. 4.

The second Reason was, for Maintenance and Ad-

Common was the Dispensation of Tillage, which is much regarded and favoured by the Law.

Commun
Common

Common per se in Freestone, i.e., Common by reason of Neighbourhood, is a liberty that the Tenants of one Lord in one Town have to common with the Tenants of another Lord in another Town. That challenge this Kind of Common, (which is usually called Free Common,) may be Aliquot, or a disguised, may not Law in the 12th, when they are fiddable, but turning them into their own Fields, if they stray into the Neighbour Common, they must be suffered. Common of pasture the Commoners call the Commoners.

Common Right, (Beinga Common, from the Saxons, i.e., a Bank or Hillep, and metaphorically a Bench, High, Seat, or Tribunaal.) The Court of Common Pleas was anciently so called, which is Saxon, 5th of the 11th, because (as Camden in his Britannia, pag. 43, 1557) Commona Planta ante habita ad res nullo, quod common venet, in die jubilatarum, quod is, The Plea of Controversies between common Persons are there tried. And the Judgments of that Court in Legal Records are termed Judiciares de Banco. Cooke on Libel. fol. 40. See Common Pleas.

Common Day in Plea of Land (23 Geo. 3. Star. 1. cap. 18.) signifies an ordinary Day in Court, as Olahbili Hiberti, Quam dicas Baiet, et, which you may see in the Statute of 51 Eliz, c. 3, concerning the general Day in the Bench.

Common Fine, which is a certain Sum of Money which the Refainers, within the View of some Leets, pay to the Lord thereof, called in divers Places Head-Silver, in others Gesser, or Common Loan, and Head-Pen, and was first granted to the Lord towards the Charge of his Purchase of the Court-Lect, whereby the Refainers had now the East to do their Suit-Royal nearer home, and not be compelled to go to the Star's Turn: As in the Manor of Shergate, in Cornw, every Refainer pays 1 d. for Bell to the Lord at the Court held after Michaelmas, which is there called Common Fine. There is also Common Fine of the County, for which see Fine, 1 Geo. 4, cap. 48, and the Statute of 5 Edw, 1. cap. 18. But the Clerk of the Market shall take no Common Fine. Amo. 13 Rich. 2. cap. 4. For Common Fine the Lord cannot demand without a Precedency. Godfrey's Case, Coke's 11, 18, 19, 10, 10. See Common Fine.

Common Lien of Parliament is so called, because the Commons of the Realm, that is, Knights, Citizens, and Burgesses, representing them, do it there. Common Lien in General is Common Understanding, or Meaning, according to the Subject Matter, not Brain'd to an express Meas. But to Common Intendment is an Ordinary or General Law, which commonly doubles the Declaration of the Plaintiff. Of Common Intendment, a Will shall not be supposed to be made by Collision. Cooke on Libel, fol. 78, b. See Intendment.

Common Law, After the Decay of the Roman Empire, three Sorts of the German People invaded the Britons, viz., the Saxons, the Angles, who were a Neighbouring People, and the Jutes: For all which three, and the Inhabitants of the Isle of Wight, from the Saxons came the People called East, South, and West Saxons, and from the Angles came the East Angles, Mercians, and Northumbrians. As these People had different Customs, and by reason of the different Laws by which their Ancestors were governed, but the Customs of the West Saxons and Mercians, which dwell in the Midland Counties, being preferred before the rest, were for that Reason called Wessexian, but the particular Names were Wille Saexenwage, and Mercian-Age, and by these Laws those People were governed for many Ages. But the East Saxons being afterwards subdued by the Danes, their Customs, which were also called Common Law, waslige, which was called Common Law. The Dues being overcome by the Norman, Henry Bishop of Winchester, who was nearly related to the Conqueror, told our Historian Cassel of this: That upon the Foundation of all those Laws and Customs the Conqueror abrogated some, and established others, to which he added some of his County Laws, which he judged most to conduce to the Invention of the Peace, and the quiet, and Ease of the People. And this is what we now call the Common Law.

Not that this was the Original of the Common Law; for Bishop, the first Christian King of this Nation, who lived in the Sixth Century, made the first Saxon Laws, which were published in English by the Advice of some Writers, whom he called to his Assistance, which continue to this Day. Thomas, after 300 Years, who lived 200 Years after the Affair, called Magna Charta, is called Magna Charta Anglican; not because he first made that Law, but because, being the first Real Monarch after the Heptarchy, he collected all the Saxon Laws, which were in that State, in the Space of 300 Years into one Book, that is, he collected the best, and rejected the rest, and commanding them to be observed through the whole Kingdom, which before affected only several Parts thereof, it was therefore properly called the Common Law, because it was common to the whole Nation; and soon after it was called the Saxon Law, i.e., the People's Right. The Word Common Law hath three Significations: First, It is taken for the Laws of the Realm simply, without any other Law joined to it; as when it is dipposed what ought of Right to be determined by the Common Law, and what by the Spiritual Law, or the King's Court, or the Common Law. Secondly, For the King's Court, in the King's Bench or Common Place, only to shew a Difference between them and the Baie Courts, as Common Place, Courts-Barons, County-Courts, Quarter-Courts, and such like, when a Plea of Land is removed out of Ancient Demene, because the Land is East fee, and payable at the Common Law, that is, in the King's Court, and not in Ancient Demene, or any other Baie Court. Thirdly, For the National, the Commonwealth, the Common Law, the fixed Laws, which were generally taken and helden for Law, before any Statute was made to alter the same; as, neither Tenant for Life, nor for Years, were punishable by the Common Law for doing, till the Statute of Glou. cap. 5. was made, which gives Affion of Waifs against them: But Tenant by Courteny, and Tenant in Docum, were punishable for it before the said Statute. See Law, and Marshall.

Common Pleas (Commona Placentia, or Bona Commissa) is one of the King's Courts, now constantly held in Westminster-Hall, but in ancient Time movedable, as also by Magna Charta, cap. 11, 2. Edw. 3. cap. 11, and Popella scil. pag. 5. cap. 22. Guin. in the Preface to his Readings, faith, That till Henry the Third granted the Great Charters there were but two Courts, called the King's Council, or the King's Bench, (for these were then called Curia Regis, and Ada Regis, because it followed the Court of the King, and that upon the Grant of that Charter the Court
of Common Places was ered, and settled in one Place certain, on Wincinmerfield; and therefore all Acts and Cases concerning the same, are 
ret in such Writs, whereas before the Party was 
commanded by them to appear, Common not sufficiently 
made, fully, without Addition of Places, as he 
well observes out of Glanvill and Bradshaw, the 
only book in History in the Second Time, before 
this Court was ered, the other at the last of 
Henry the Third’s Time, who ered it, All Clai 
med Causes, both Real and Personal, are, or were 
in former Time, tried in this Court, according to 
the old Law of the Realm, and by Fortescue, cap. 59, it seems to have been the only Court for 
Real Causes. The Chief Jurisdiction thereof is 
called the Lord Chief Justice of the Common Places, accomp 
panied with three or four Judges, Affiants, or 
Associates, who are created by Letters Patent, 
and, as it were, enthralled or placed on the Common 
Bench by the Lord Chancellor and Lord Chief 
Justice of the Court, as appears by Fortescue, cap. 59, 
who, in effect, is called the Lord Chief Justice. The 
rest of the Officers belonging to this Court, are 
the Chief Herald, Chief Sculptor, another 
called Proctor, Cameraer, Grooms of the Chancery, 
Wardens of the Chancery, Clerk of the Charters, 
Juvac Writs, Clerk of the Treasury, Clerk of the King’s 
Seal, Clerk of the Effigies, Clerk of the Ordnance, 
Clerk of the Convicts. Who, like secret functions read in 
their Places. See Common Bench, and 4 Jon. fol. 99.

Commote, (br. Cummub, 1. 1, Provincia, in 
Wales, is half a County or Hundred, containing 
fifty Villages, State, Wales, 12 Ed. 1, and 2 H. 8, 
Cap. 74, Wales was anciently divided into three 
Counties, North Wales, South Wales, and Mid Wales, 
otherwise called Powysland; and each of these were 
again subdivided into Commotes, and every Commote 
into Commotes. Sir J. Seebridge’s History of Wales, 
fol. 2. So Brooches was found to have three Coun 
trees, and eight Commotes, History of Wales. It 
ignifies also a great Seigniori, and may include one 
or divers Manors. Coke in Little, fol. 5. ‘Tis Sir 
Henry Spelmans Opinion, that a Commote is half an 
Hundred; but Symonds Gilead, in his History of Wales, 
tells us ‘tis but a quarter of an Hundred, 
12 Gileads fili Regni unter Commoti juno, id est, 
quarta pars commoti, Ed. 1. 3. 2. Commotes.

Commote Council Regio Anglica. See 
Parliament.

Commote Custody is a Writ that did lie for 
the Lord with the Tents, holding by Knights’ Ser 
vice, died, and left his eldest Son under Age, 
against a Stranger that enter’d the Land, and ob 
tained the Ward of the Body. Old Nat. Br. fol. 89.
But this Writ is become obsolete since Warships were 
taken away by the Stat. 11 Car. 2, cap. 24.
Communication, (Communitate,) a Talking, 
Consultation, or Confederating. Where there 
is only a Party betwixt two, and no perfect Agree 
ment, it is a Contract, and so is called a 
Communi 
Commu of a common fernna in Scarreior 
is a Writ directed to the Treasurer and Baron of 
the Scarcery, to describe them, holding by 
common service in such Courts, where 
neither of them belonged thereto. R.g. of Writs, 
fol. 187. 1.

Commot, (Commot, from the Brithish Cum 
mouth, committum, a Commitment;) a Commitment a 
pluribus collaturn. Ann. 2. Hen. 4. cap. 57. And 
26 Hen. 8. cap. 6, prohibits the levying any such in 
Wales, or the Marches, &c. It seems this Writ was 
gathered at Marriages, and when young Braves 
said or sung, their first Maides, and sometimes for 
Redemption of Murders or Felonies.

Companion, (Fr.) all Kind of Food, except 
Bread and Drink. Some Tenants of the Manor of 
Fethersun in Com. Notes, when they performed their 
Boons or Work-Days to their Lord, had three 
Boons Leaves with Companion allowed them. Reg. 
De Usu, exhibited in the authority of Nottingham 
drake. Yet the learned Sidwells interprets it to 
be equivalent to the same N.B. 

Compromise of the Carrier is one of the Knights of 

Compellation, an Adversary or Accuser. 
Among the Laws of King Athelstan we read that 
the Bishop should in Compellation allegitatem 
done quod alterum posse non esse jurisprudente non in 
credita.

Compromissi Sunturium is the Title of an 
ancient Ordinance for Measures, not printed, and is 
mentioned in the Statute of 13 Ed. 1, cap. 4.

Compromise of Controversies is a mutual 
Agreement or Submission to the Faculty 
or Power of pronouncing Sentence between 
Parties at Controversy, given to Arbitrators by 
the Parties mutual private Content, without public 

Compeller. See Complirer.

Compurgato, one that by Oath justifies 
another’s Innocence. See Law and Oath.

Computation (Compilamentum) is the true Account 
and Computation of Times, to the End that 
Party do Wrong to the other, nor that the Deter 
mination of Time be so left at large, as to be ta 
ton otherwise than according to the just Judgment 
of the Law: As if Indentures of Demise are en 
graved, bearing Date 1 May 1797, to have and 
hold the Land in 2, for three Years from hence 
forth, and the Indentures are delivered the fourth 
Day of June following; in this Case, from Inter 
course shall be accounted from the Day of the Deliv 
er, and not from the Date; and if the Inden 
ture be delivered at four of the Clock in the Af 
ternoon of the last fourth Day of June, the Lease 
shall be accounts from the third Day of June, in the 
Third Year; For the Law, in this Computation, 3d 4th 
Fractions or Divisions of the Day, for the Incertainty, which is 
always the Mother of Contention. So where the 
is, That Writings shall be instilled within 30 
Months after the Date thereof; if such Writings 
have Date, the fix Months shall be accounted from 
the Date, and not from the Delivery; but if they 
wanted Date, then it shall be accounted from the 
Delivery, Coke, 12. 5. fol. 1.

If any Deed be showed to a Court at W. Sinistus, 
it shall remain in Court (by Judgment of the Law) 
all the Term in which it is showed; for all the 
Term is but one Day, according to the Stat. 11 Car. 
fol. 74. If a Church be void, and the Patron does 
not present within six Months, then the Bishop of 
the Diocese may collate his Chaplains, but their 
see humo shall not be computed according to twenty 
eight Days, in the Month, according to the Kalender. 
See Kalendar-Months. Con
Computo (Lat.) is a Writ so called, of the effect, which compels a Bailiff, Chamberlain, or Receiver, to yield his Account. Old Nat. Br. 6. 58. It is founded on the Statute of Wills, 2. cap. 2. And it lies also for Executors of Executors, 15 Edw. 3. Stat. de provis. 22 Edw. 1. cap. 5. Thirdly, against the Guardian in decease, made in the minority of the Heir, Marh. cap. 17. And see further in what other Cases it lies, Reg. of Writs, fol. 135. Inst. Br. fol. 116.

Computo, of sixpence in the Exchequer. (Comptable, i.e. Convenient or Fixing.) —Theobald that there be made a Waste of Commoner liberties, replete with Plague of Lice, to lose the entry of your Pursuivant, that no person profiteer may enter with certain Charters, abusive be you, and be your testament to such persons, as you and your tenants and Computo, Artic Decan. et Cap. of Paul Priorat. S. Helena. Dat. 21 June, 1449.

Concangiaggi, the Barony of Condensed (Concentrations) are such as find on uncondensed Lands, that is, such Lands as are privy kept from the King by common Perforce, having nothing to do for their Title or Erection thereof. Admon. 25. cap. 4. They are so called from Concentrandi, as Mons from Montis, or Montis in the Syl. 3. Part. Inst. fol. 188. Where the Author calls them Terrae hominum genos.

Concert (A Word much used in Convoyers.) In Law to create a Interest, as Distinct a Security, Coke on Litt. 3. 394.

Concord (Concordia, Agreement) is, by a peculiar Signification, defined to be the very Agreement between Parties, which intend the assigning a Fine of Lands one to the other, how and in what Manner the Lands shall pass. But in the Form of it, many Things are to be considered. Wyst. par. 2. Synp. tit. Fines and Concord, Selv. 30. Whom read at large.

Concord is also an Agreement made upon any Trepass committed betwixt two or more; and is divided into Concord Excusatory and Concord Exeunt. See Plowden, in Remiger and Fagotto's Case, fol. 5, 6, & 8. Where it appears that the one binds not, as being imperfect; the other absolute, and ties the Party; Yet by some other Opinion, in the same Case, it is affirmed, that Agreements Exeunt are perfect, and bind no less than Agreements Executed.

Constitution (Fr.) signifies properly the keeping of Whore for one's own filthy Life. But it is used as an Exception against her who lives for Dower, alleging thereby that the was not Wife lawfully married to the Party, in whom Lands the title to be endorsed, but his Case in the Exeunt, cap. 107. Braden. lib. 4. trall. 6. cap. 8. who tell us, That a Constitution may be lawful, Saved harden. & harbi- tritus Sufferemus; but not Signa de-ac. Lib. 3. cap. 28. By which it must not be intended such a Constitution which tends to Perjury; but such as was allowed in Scripture to the Patriarchs, viz. Secondum legem Matrimonii, infra dignitatem tamam suae datur. See Coelar. Case of Coelar. Comprom. in Chipher. Condemned, Closer upon the Streets, in the Bishoiprick of Durham. Condemns (from the Fr. Condemn, i.e. To condemn) are such as stand upon high Places, near the Sea-coast, at the Time of Herring-fishing, or make Signs with Boughs, &c. to the Fishers which Way the Shole of Herrings palfich, which may bet...

ccep to such as stand upon some high Cliff, on the Shore, by a Knife of little Cobetter they call in the Water, than to those that are in the Ships. These are otherwise called Heirs, (e.g. the Fr. Heure, i.e. Exclusion.) And Ballare, Differer, and Condemn, as appears by the Statue 11. 23. cap. 23. Thirdly, a Kingdom, or a Possession in hereditary of some King, or Prince, is a Condemnation. Comprom. Condemnation, Condemn justus; Condemn injusti. De Cange.

Condition (Conditionis) is a Manner, Law, Quality, or Restriction, annexed to Men's Acts, qualifying or accompanying the same; and making them uncertain whether they shall take effect, or no. Wyst. par. 2. Synp. tit. fo. 157. In a Leaf there may be two Sorts of Conditions, Condition collateral, of Condition annexed to the Rent, Coke, lib. 3. Conditioni, and a Condition in Law, which in any Case may be termed Condition expressed, and Condition implied. Perkins, tit. Conditions.

Condition in Deed is that which is knit and annexed by express Words to the Infeudation, Lease, or Grant; either in Writing, or without Writing; As, if I covenant a Man in Lands, reserving a Rent to be paid at such a Feall, upon Condition, if the Feeholder fail of Payment at the Day, then it shall be lawful for me to re-enter. Condition implied, which is called a Condition in Law, is when a Man grants to another the Office of Keeper of a Park, Steward, Bailiff, or the like, for Life, though there be no Condition at all expressed in the Grant; yet the Law makes one covertly, as it is, if the Grantee does not fairly execute all Things pertaining to his Office by himself, or his sufficient Deputy, it shall be lawful for the Grandor to enter and discharge him of his Office. See Littleton, tit. 3. cap. 5.

Con and Key. Brading. lib. 2. cap. 37. mon. 3. Timarum Cal. fol. 65. Conditions of the Condition, that is, determinate Donum fidei & habere Cum & Key. Long. in the Saxon, signifies Caleldus, Computer, and Key, Clavis. So that a Woman was then held to be of compeent Years, when she was able to keep the Accounts and Key of the House: And Glen. lib. 7. cap. 9. hath Somewhat to the same Purpose.

Consort (Confusor) is when two or more confederate or combine themselves to do any Damage to another, or to commit any unlawful Act. And the Writer of Conflict does not say, the Party be not indicted, and in lawful Manner acquit, for fo are the Words of the Writ; yet false Confederacy between divers Persons shall be punished, though nothing be put in Execution; which appears by the Book of 37. fol. 32. Whence two were indicted of Confusor, each to maintain other, whether their Matter were true or false; and though nothing were supplicated to be put in Practice, the Parties were enjoined to answer, for the Thing is forbidden by Law. So in the next Article, in the same Book, Enquiry shall be made of Conspirators and Confederators, which bind somebody for some high Punishment by Law before it be executed, ought to have four Incidents: First, It must be declared by some Matter of Procuration, as by making of Bonds or Promises to the one to the other. Secondly, Male- cion (Lat.) and Doctrina, &c. are said to be false against an Innocent. Lastly, To be out of Court, voluntary. Terms de la Ley.
Confirmation (Confirmationis) is a strengthening or confirming an Estate to one, who hath the Pofsession of the said Vote, in the Voluntary Form, one of the Proprietary void; as a Bishop grants his Chancellorship by Patent for Term of the Patente's Life; This is no void Grant, but voidable by the Bishop's Death, except it be strengthened by the Dean and Chapter's Confirmation. See more of this in Wolp, p. 1. Symb. lib. 2, fol. 500. Fins. Nat. Br. fol. 169, b, and Littom. lib. 3, cap. 9.

Conscript, from the Lat. Conscript, and that from Sipus, which originally signifies a Hamper, Pannier, or Sack; but Metonymically the Emperor's Treasure, which was anciently kept in such Hamper; And though our King keeps not his Treasure in such Things, yet (as the Romans said) such Goods as are for the Emperor's Treasure for any Offence, were Bona conscripta; so as we were of th' oaths that are forfeit to our King's Exchequer. And the Title to have thee Goods is given to the King by the Law, when they are not claimed by some other; as If a Man be indicted for feloniously stealing the Goods of another, where in Truth they are the proper Goods of him indicted, and they are brought in Court against him, who, being before the said Goods, he made some are to the said Goods, he declares them; by this Disclaimer he shall lose the Goods, though he be afterwards acquit of the Felony, and the King shall have them as Conscripta; but otherwise, if he had not disclaimed them.


Confratres, (Fr. Confrereis) Brethren in a Religious House; Fellows of one and the same House or Society; as, the Confrarie of Saint George, or de les Cevaliers de la bleu Jartie. Selden.

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Conseilable (from the Fr. Conseil, &c. leave, Leave, Licence, or Permission,) signifies as much as lawfully or lawfully done, or done with Leave or Permission; as, The Entry of the Difficult is conseilable. Little. fols. 420, and 2 part. Ores, fol. 51.

Conseil d'Accorder, (Fr. i.e. Leave to accord or agree.) I find it in the Statute of Fines, Anno 18 Eliz. p. 1 in these Words: — Whereas the Right Original is delivered in Presence of the Parties before Justices, a Pleader shall say thus, Sir Justice, Conseil d'Accorder, and the Justice shall say to him, What faith Sir, and shall name one of the Parties. Soe.

Conseil d'Exire (Fr. i.e. Leave to choose) signifies the King's Permission Royal to a Dean and Chapter, in Time of Vacation, to choose a Bishop. Nat. Br. fol. 169, 170. — Gower, in the Preface to his Reading. lays, The King of England, as Sovereign Patron of all Archbishops, Bishops, and other Ecclesiastical Benefices, had of ancient Time free Appointment of all Ecclesiastical Dignities, whenever they became void, investing them first per Bacculum & Annuum, and afterwards by his Letters Patent; and that in Process of Time he made the Election over to others under certain Forms and Conditions; as That they should at every Vacation, before they chose, demand of the King Conseil d'Exire, that is, Leave to proceed to Election, and then, after the Election, to crave his Royal Assent thereto, before they should take the Right that granted this, which was afterward confirmed by Wifum. 1. cap. 1. and again by Articuli Cleri. cap. 2.

Cogiden. 'Tis mentioned in Leg. Ine. c. 33. and signifies joint-purchase, or one who is a Commoner with another in such a Purchase or Tribute.

Coignus, an ancient Measure of six Scutarii; which is about a Gallon and a Pint. Er redde quinque Coignes latae & amae Tartunicis, &c. &c. a punctum pericentum palmae, in Charta Edmundi Regis de Anno 416. See Scutarius.

Conigton. See Condate.


Coningria, a Cony-borough, or Warren of Conies. Item dicitur. quod idem Dominus pesti capere in disibus Coningerio, quam habet infra Insulam de Fella, etc. Conicores per annum, &c. velit quidem Con- ingiius 2. d. Ing. de Anno 47 H. 3. n. 32.

Conisance. See Coniscance.

Conis, alias Consigio, (Reigniter,) is used in the passing of Fines for him that acknowledges the Fine; and the Conisance is he to whose the Fine is acknowledged. Anno 32 H. 8. cap. 5. Wifl. p. 1. Symb. fols. 49. and par. 2. tit. Fines. fol. 114.

Conjuratur is where several confirm a Thing by Oath.

Conjuratio (From) is a Plot or Confederacy, made by Persons combining themselves together, by Oath or Promise, to do some publick Harm. But it is more especially used for the having personal Confusion with the Devil, or some Evil Spirit, to know any Secret, or to effect any Purpose. Anno 5 Eliz. cap. 16. The Difference between Conjuratio and Witchcraft seems to be, Because the one endeavours by Prayers and Invocation of God's powerful Name to compel the Devil to say or do what he commands him; the other deals rather by friendly and voluntary Conference or Agreement with the Devil or Familiar, to have her or his Deities served, in Lieu of Blood, or other Gift offered her, especially of his or her Soul. And both these differ from Conjuratio, because those are personal Confusions with the Devil, as is already said; and these are but Medicines and ceremonial Forms of Words, (called commonly Charms,) without Apparition. Geweld.

Conjurum Uteris, Concurri upon Conury in Cornwallshire.

Conuibus Minibus, Conuity in Wales.

Conuitt, the Name with Cordy; which see.

Cupra & Menashi quis hie per tatem nostram possidetiam from tatem Conredium (i.e. in queso [a non peregrino] Have decent good alius indigeni pro animo judicat eruditur. Mon 1 Tar. pag. 149.

Conuunguino is a Writ, which in the Reg. of Writs, de Anu, Deoano, & Conuunguino. Fol. 226.

Conuertatas of the True and Safe Conuertatas, (Conjuratores industrius & laboriosus legit) Conulatum, ) was an Officer appointed in every Sea Port under the King's Letters Patent, and had 40 l. for his yearly Stipend at the Left. His Charge was to ensue of all Offences committed against the King's True and Safe Conduits upon the main Sea out of the Franchises of the Cinque Ports, as the Admirals were wont to do, and such other Things as are declared Anno 2 Hen. 5, cap. 6. Toach.
Conspirator in the Peace (Conspirator vel Cun- 
stanza) is he that hath an especial Charge, by 
which he is a Patriarch, to keep the King's Peace, 
Before the Time of King Edward the Third, who 
first erecled Justities of Peace, there were sundry 
Persons who, by the Common Law, had Interest 

to keep the Peace: Of those, some had that 
Charge, as incident to the Offices they bore, and 
so included in the same, that they were called by 
the Name of their Office only; others had it sim- 
ply, as of if, and were thereof named Conspirators 
Poets, Wardens, or Conspirators of the Peace. See 

Lamb. Enter. Lib. 1. cap. 3. The Corporation of 
the large 

Level of the Fens does confine of one 
Governor, an Bailiff, twenty Conspirators, and 

Commonalty; as by the Act 13 Car. 2. cap. 17, appears. The Chamberlain of Chester is a Conspirator of the Peace in that County, by Virtue of his Office. 

4 Ann. 5. cap. 21. And Petty Conspirators are by the Common Law Conspirators of the Peace, &c. Con- 
spiration of the Officers of the Peace, 

Haplers and Templers, &c. 4 Wilt. 2. cap. 42. See 4 Ann. 

5. cap. 21. 

Conspiratio Curiae. As often mentioned in 

Wright's Pleas: it is a Conspirator of the Curia, 

i. e. that is adjured by the Court. Conspiratio 

Curiae is the Judgment of the Court, viz. as in 


et Conspiratores quosdam, and in the 

2 Man. pag. 231. Oportet quosdam terram per Con-

spiratores jure legem. &c. 

Conspiratio (Conspirato) is the material 

Caue, the quid pro quo of any Contraet, without 

which no Contraet binds. This Conspiratio is ei-

ther expressed, as if a Man bargain to give five 

Pounds for a Horse; or implied, when the Law it 

self infers a Conspiratio; as if a Man come into 

a Common Inn, and there stay some Time, taking 

Meat and Lodging, or either, for himself and his 

Horse, the Law presumes he intends to pay for 

both, though there be no express Contract between 

him and his Host; and therefore if he discharge 

not his Host, the Horse may fall his Host. Part. 

Paral. tracts. Contr. lib. 5. 

Confinium (Dicta Confinium) was a Time allowed 

for the Accused to make his Defence, and answer 

the Charge of the Accuser. In all cases occupa-

 tus Confinium, & hebaed ab omnibus et paribus suis; 

quod nulx juris dixt defendi, &c. Leges H. 1. c. 46. 

And in the next Chapter, Si quis a jure Regis 

implancturus est Confinium exristit. 

Confinium, a Magnificat to called; as, Ysbada, 

Rogers de Gunt, William Confitor Fortis, &c. 

Confitor (Confinium) signifies as much as 

Priest, or Tribunal. It is commonly used for a 

Council-House of Ecclesiastical Persons, or the Place 

of Justice in the Court-Church; a Secon or As-

sembly of Prelates. Every Archibishop and Bishop 
of every Diocese, hath a Confinium Court held before 

his Chancellor or Curathius in his Cathedral 

Church, or other convenient Place of his Diocese, 

for Ecclesiastical Causes. See 4 Ann. 5. cap. 33. 

Scat- 

avis in caussa & euribus in ea desitu, qui in aegle in na- 

ment, quod episcopatis Legit, qui non bene jurem aconturn 

Sancritur, contra perspect, ut rex ad minas tempora, in 

Regno Anglomer fertur, eurnium Cambria archi- 

bishops pro monasteriis Episcoporum & Abba- 

turn et omnium Principum Regni nisi fuerit, sumendis se in 

dictum. Propria mandos & Regius autoritatis prae- 

clari, si velip ex jure de libris, de con- 

fini.
was Confessable thereof, and Banner-bearer of that City by Inheritance. But these are Confessables properly, as Lombard notes, though confounded in Name with the other. See the Statute Ann. 32 Hen. 8. cap. 38. — Maxwell, par. 1, cap. 13, mentions a Confessable of the Forest. And Hen. Lord Beaumont was Confessable of the King's Army, to Ed. 3. Hargrave of England, a Part. fol. 41. 6.

Confess (Lat.) is the Name of a Certificate, which the Clerk of the Pipes, and Auditors of the Exchequer, make at the Request of any Person who intends to plead or move in that Court, for Discharge of any Thing. Ann. 7 & 8. Edw. 6, cap. 4, and 13. Edw. cap. 6. The Effect of a Confess is the certifying what does confess upon Record, touching the Matter in Question; and the Auditor's Fee for it is 13s. 4d.

A Confess is held to be superior to a Certificate; because this may err or fail in its Contents, that cannot; as certifying nothing but what is evident upon Record. Allo the Exemplification under the Great Seal of the Inns of Court Letters Patent is called a Confess. Coke on Little, fol. 175. 5. The Difference between a Confess, Inquisition, and Vidimus, you may read at large in Page's Case, 5 Report, 686. Bouchinainarius, i.e. a Ritual or Book, containing the Rites and Forms of Divine Offices, or the Customs of Abbeys and Monasteries. Tis mentioned in Brunonian, who writing of Officium, Bishop of Salisbury, tells us, that Confessota ordinam Ecclesiasticae effectus quum Confiudentiarium venit. Confidentiarium & Serbicos is a Write of Right Cloze, which lies against the Tenant that discharges his Lord of the Rent or Service due to him. Of this fee more in Old Nat. Br. fol. 77. Fitz. Nat. Br. fol. 151. and Reg. of Writs, fol. 159.

Confess, in our Law-Books, signifies an Earl. For Braden, Edw. 4, cap. 8, tells us, that a Game is derived from Consinita, from a Sistierato, so Confess is derived from Confusio: Reges enim tara fati affectionis et confundendum & regendum populum Del. So in the Laws of Edward the Confessor, cap. 2. Bred mad vocatur Consinita alii quid Briuris; consus renunian vocatur Confusilatu, & qui non recepserit laden teneat vicissim vocatur confessat. Confusiatum, a Write whereby a Person is declared to be disqualified from the Ecclesiastical Court, or Court-Christian, to the King's Court, is returned thither again. For if the Judges of the King's Court, upon comparing the Label with the Suggestion of the Party, find the Suggestion false, or not proved, and therefore the Cause to be wrongfully called from the Court-Christian, then upon this Confusiation or Deliberation they decree it to be returned again, whereupon the Writ in this Case obtained is called a Confusiation. Of this you may read Reg. of Writs, fol. 44, 45, n. page 38. Old Nat. Br. fol. 32. Fitz. Nat. Br. fol. 70. The Statute of the Writ of Confusation, Ann. 24. Edw. 1. and Part. cap. fol. 194.

Countenance (Contemnament) is — Salut obser- vementum sui signifies his Countenance. Credit, or Reputation, which he hath, together with his reason of his Freedom. And in this Sense does the Code of the Statute of 1 Edw. 3, Edw. 4, cap. 4, 7, and Old Nat. Br. use it, where Countenance is used for Contemnament. The Armour of a Soldier is his Countenance; the Books of a Scholar; his Countenance, and the like. Case, a Part. Inst. fol. 28, Braden. fol. 4. Tract. 2. cap. 8. num. 3. See Sir Henry
Heny Speelman says, Contenementum est affinatis & conditions formar qui quit in Repbus Judicis.

But I rather think that Contenentum signifies that which is necessary for the Support and Maintenance of Men according to their several Qualities. Conditions or State of Life; as in Magna Charta, viz. is enstated, that a Freeman shall not be amerced, but feodum magnitudinem delectari, falsas fœn Contenementum suo, & necor as contento modo falsa morum- dla, & vidualis falsas Wainage; that is, as Glani- nicle tells us. He should be amerced feodum quanti- tatem delecta formam & feodum facialis, no minus gravamin indi vidualis vel hume Contenent- mentum amittere. Lib. 9. cap. 8.

Contingent Use is a Use limited in a Convey- ance of Land, which may or may not happen to vest, according to the Contingency expressed in the Limitation of such Use. See Chicheley's Cafe in Coke's Rep.

Continual Claim is a Claim made from Time to Time, within every Year and Day, to Land, or other Thing, which in some respect we cannot attain without Danger: As, if I be difficulted of Land, into which, though I have a Right, I dare not go at the best, it obliges me to hold on my Right of Entry at my best Opportunity, by approaching as near it as I can once every Year, as long as I live; and so I have the Right of Entry to my Heirs. See more in Littleton, supra, Contingent Claim. Nov. Busk of Entries, Husband, and Fleta, lib. 6. cap. 55.

Continuance is as Proregatio in the Civil Law: Example; Continuance until the next Adijc. Fina. Nat. Br. fol. 152. F. and 244. D. in both which Places it is said, If a Record in the Treasury be alleged by the one Party, and denied by the other, a Continuance shall be sued to the Treasurers, and the Chamberlain of the Exchequer; who, if they cert- ify not in the Chamber that such a Record is there, or that it is likely to be in the Tower, the King shall send to the Justices, repeating the Certificate, and will them to continue the Adijc. In this Signi- fication it is likewise used by Kithin, fol. 202, and 199, and Ame 1 Hen. 6. cap. 4. And Continuance of a Writ or Affirm is from one Term to an- other, in Cave where the sheriff hath not recouered or executed a former Writ, illib out in the said Action.

Continuo is a Word used in a special De- clamation of Trefpas, when the Plaintiff would re- cover Damages for several Trefpas in the same Action: For, to avoid Multiplicity of Suits, a Man may in one Action of Trefpas recover Damages for forty or more Trefpas; laying the first to be done with a Continuo to the whole Time in which the rest of the Trefpas were done; and is in this Form, Continuo transgressimem praedilem, &c. a praedile dit, &c. after such another Day, including the last Trefpas.

Continuing. See Counter; Contingent Goods (from Cointra, and the Itall Band, an Edicil or Proclamation) are those which are prohibited by Act of Parliament, or the King's Proclamation, to be imported into, or ex- ported out of this or other Nations.

Contracustata, i.e. a Criminal, or one pro- fected for a Crime. 'Tis mentioned in Leg. H. 1. cap. 61.

Contrast (Contrat) is a Covenant or Agree- ment between two, with a lawful Consideration or Caufe, Wex. p. 8. Symb. lib. 1. sect. 10. As, if I sell my Horse for Money, or covenant, in Con-

Controller of the Hamper is an Officer in the Chancery, attending the Lord Chancellor daily in the Term-time, and upon Seal-days. His Office is to keep all Things sealed from the Clerk of the Hamper, inclosed in Bags of Leather, and to note the last Number and Effect of all Things so received, and enter the same in a Book, with all the Duties appertaining to his Majesties, and other Officers for the same, and so charges the Clerk of the Hamper with it.

The Pipe is an Officer of the Exchequer, who writes out Summons twice every Year to the Sheriffs to levy the Farms and Debts of the Pipe, and keep a Controlment of the Pipe, and was anciently called Duplin Ingraffator. The Controller General was an Officer of the Exchequer; of which Sort there are two, viz. the two Chamberlains Clerks, that do or should keep a Controlment of the Pelt of Receipts and Goings-out. This Officer was originally one who took Notes of any other Officer’s Accounts or Receipts, to be Intended to discover him, if he dealt amiss, and was ordained for the Prince’s better Security: For thus much, read Elia, lib. 2. cap. 18. and the Stat. 1 Edw. 1. cap. 3.

Controller, (Fr. Contrôleur) He that has of his own Head devises or invents falle or feigned News, 2 Edw. fol. 137.


Communicate, (Communicatio) A little private Affembly or Meeting for the Exercise of Religion; first attirbuted in Dignitate to the Schools of Wickeh in this Nation, above 300 Years since, and now applied to the Illegal Meetings of the non-conformists, and is mentioned in the Stat. 2 Hen. 4. c. 15. 1 Hen. 6. c. 16. Cap. 2. cap. 4. & 25 ejusdem, cap. 4.

Complaint is a Word much used both in ancient and modern Law-pleadings for an Agreement or Covenant. For Example take this pleasurable Record:

Ex libris Bertulani Curiae Monastici de Hastyfeld. (justa Insularum de Analectis) in Com. Ebor.

Curia tanta apud Hastyfeld die Mercuri Prox. post Foust. — Ann. 1 Edw. 3.

Obertus de Rodermis qui pecunia se servit Johanne de lichten de se quod non tenat Conventicem inter eos faltam, et unde quern, quid certa die & anno apud Thorne convenit inter praedictum Robertum & Johannem, quod praedictus Johannes venditati praedicto Roberto Dailolum ligatos in quod tam ligatos pro iiis ob & ipso praedicto Roberti traditio traditio Johannis casimunde obolum-caries (i.e. casem-money) pro quod prigicratis dili Dailui commoratorum in perten dili Roberti ad habendum dictorum datu dili Dailui, infra quamvis dicta praef. Agent. Ad quem dixit idem Robertus venit ad praef.

Galetum Johanno, & peii eliceruoc referendum dili Dailuli, sequuntur Conventicen inter eas faltam, idem Johannes praedictum Dailolum delibarum nullis, nec adiunctulos, &c. ad quos densum ipsum iubuit Roberti in fin. &c. et ipse praebuit iustam &c. praedictis Johannes servit ad Conventicem praedictum. Et quia videtur Curia quod tale placitum non jacte inter Christianos, ideo partes praebunt adiunctur ory in infernus, ad onusdem juris, & utrique partem in miserieris, &c. Per Williambm de Scargill Sententiaum.

Conventicen is a Writ that lies for the Breach of any Covenant in Writing. Reg. of Writs, fol. 155. Old Nat. Br. fol. 102. Fitzherbert (Nat. Br. fol. 1427) calls it a Writ of Covenant, who divides Covenants into personal and real, making a Difference of both; as also how this Writ lies for both.

Controversial Church. See Parishes.

Convict. The Jews here in England were formerly called Convicts, because they were converted to the Christian Religion. Henry III. built an House for them in London, and allowed them a competent Provision or Subsidy for their Lives; and his House was called Denuo Convictum. It is mentioned by our Historians Matt. Paris, and Matt. Wiest. Ann. 1344. But by reason of the vast Expenditures of the Wars, and the Increase of theSubjects, they were Converfed, a Nurtion to the Crown; and therefore they were placed in Abbeys and Monasteries for their Support and Maintenance.

But the Jews being afterwards banished, Edward III. in the fifty first Year of his Reign, gave this House for the Keeping of the Rolls, and it is the same which is at this Time enjoyed by the Master of the Rolls.

Convincitur, i.e. one of the same Street or Parish. Populous etiam fuit notitia ad eendam Episcopii, quod et ceteri ejus Convican et verum.

Convict (Convictus) is he that is found guilty of an Offence by Verdict of a Jury. Stannard Pl. Com. fol. 186. Yet Convempt, out of Jupe’ Dyer’s Commentaries, 275, Butt, That Convictus is either when a Man is outlawed, or appears and confesseth, or else is found guilty by the Inquest. Compl. Juf. of Peace, fol. 3. Convictum et Actorum are often confused. See Actorum et stratum.

A Convictus Reclaimant is he that has been legally present, indisposed, and convicted, for refusing to come to Church to hear the Common-Prey, according to the Statutes, 8 Eliz. 2. — 23 Eliz. 1. and 3 Stat. 4. And this is commonly understood to be a Pausa Reclaimans, though any others that refuse to come to Church for the Purposes aforesaid, may as properly be called Reclaimant. See Jury and Jurat.

Consistibus signifies the same Thing as the Layity, as praeventius doth amongst the Clergy; i.e. when the Tenant, by reason of his Tenure, is bound to provide Meat and Drink for his Lord once or oftener in the Year. Potius tunc quod non causas convicundis soli pro Monasteriis utilitatis quotidian expeditos obviam inveniant intra infragris monasteriorum licentiam habent. Selden in Eadmer, pag. 159.

Congregation (Convocatio) is the Assembly of all the Clergy to consult of Ecclesiastical Matters in Time of Parliament: And as there are two Houses of Parliament, so are there two Houses of Convocation; the one called the Higher Convocation.
Comunit. See Cong. 
Comit. (Fr. Conflant.) Knowing, Understanding, Approaching. — If the Son be Conflant, and agree to the Frequent, &c. Coke on Littl. fol. 155 b.
Community. See Cong.
Compar. See Comit. 
Comparison, the Head or Branches of a Tree cut down. Impugnatur qui expinet Compariones, copia
& stetat que... 
Compari. i. e. Culmen. Contr. eisacta 
sequent... &... communis... 
Comm. Tom. 2. pag. 853.
Comparitres. (Participant) of her wife called Par- cers. are such as have equal Part in the Inheri- tance of their Ancestor. Libr. 4. Lib. 3. page. 
Parcerres are either by Law or by Custom: Parce- res by Law are the Issue Female, which (in De- fault of Male Male) come in Equality to the Lands of their Ancestor. Bradam. lib. 3. cap. 30. Parce- res by Custom are theirs who, by the Custom of the Country challenge equal Part in such Lands, as in King by Commonkind. Of these you may read more at large in Litt. lib. 3. cap. 1. & 2. and Briton, cap. 37. The Crown of England is not subject to Comparitres. Anno 25 Hen. 8. cap. 25. 
Cop (from Copia, Plenty) is a Custom or Tri- bute due to the King, or Lord of the Soil, of the Lead Mines in the Wymantakes of Wiltshire, in Gom. Derby, of which, thus Mr. Monlins, in his Treat- ise of those Liberties and Customs, printed 1653.
— Rogu. and Rogez. to the King’s Highways. The Minors have, and the Land they pay. 
The Thirteenth Lift of one within their Mines. 
To the Lord, for 30s. 8d. they pay at Magnifying Time. Some pay a Land for 10s. to the Lord demands. And that is paid to the Wightsmustarde hendris, &c.
See also Sir John Pettit’s Folline Reg. 4.
Copia libelli defunturis is a Writ that lies in 
Cafe, where a Man cannot get the Copy of a Li- bel as the Hands of the Judge Ecclesiastical. Reg. 
of Wills. 471.
Cop, a Cutting, Paesi sunt homines de la- timus fruges, sua mens Copasae exacte & discep- & fig per Copasae numnes decimas, suas tsps & hardes for, &c. legis. same. Thorn. in Chiton.
Copasae (Charter per Copasae Retail Charter) is a 
Tenure for which the Tenant hath nothing to show 
but the Copy of the Roll, made by the 
Steward of his Lord’s Court. For as the Steward makes Retail Charters, and does other Things done in the Lord’s Court; to be done only of such Tenants as are admitted in the Court to any Par- cel of Land or Tenement belonging to the Manor, 
and the Transcript of this is called the Court-Red. the Copy whereof the Tenant keeps as his only e- vidence. Coke on Littl. fol. 35 b. 
Copyhold, for the Wills of the Lord. 
1st, 2d, 3d. fol. 11. &c. Coke on Littl. fol. 155 b.
Copyholders, See Cong. 
Copyholders are, those who are in the Custom 
of the Manor, held therefor for a Time, in 
which the Lord’s Service belongs. Coke on Littl. fol. 155 b.
Copyholders are, those who are in the Custom 
of the Manor, held therefor for a Time, in 
The Lord’s Service belongs. Coke on Littl. fol. 155 b.
COZBOWAN, i.e., Corduba Leather, or Leather made with Cork-Heels. Malaga Coriotes, &c., of cork de Cordowan. Hoveid in vita R., pag. 215. Calce
scommota quae de velo corda, quod vulgariter Bascan dicitur, in student, id est, Cordewah, civiliter communit.
Coriis, i.e. Cordiswar. See 2 Coriis; Cordewah, civiliter communit. from the Fr. Cordewanier, a Shoe-maker, and is so used in
various Scotch, as 3 Hen. 8. cap. 10. — 5 uisnum, cap. 7, and others.
Coriis, i.e. Catarida. Et cum corporibus suis et pulvibus sium in idemgenam, & cum suis specibus & Corethum angulolarm & cum suis territio
ducit. Fr. Linn.
Corum, Greccefuer in Greccefhirke. Linn. for Codius, a Little Book.
Cortisiani, Northampton, Leicester, Rutland, Lincoln,
Nottingham, and Derbyshire.
Corum graffisfricti, i.e. Condemned to be whipp'd; which was the Punishment of a Servant.
Et quod Corium fum Porticularis & ad Endesum in
soror, sit ex sororibus ad soror. Fustis, the same. Cirucis, the same. Cirum redimiri,
more to compound for a Whipping. Corum compos
Corragium, a Kind of Grand Serjeant: The Service of which Tenure was to blow a Horn when any Invasion of the
realm was perceived. And by this many Men held their Land Northward, about the Fixing and
Corragium (a fiery Renta), vocat Monogyn, g. Neotgtd. But by Stat. 12 Car. 2. cap. 24, all Tenures are turned into free and common Soc
rage. Sir Edward Coke on Lives, 1, 261, its Corragium is also called in old Books Herengyl: But,
Hengyl, and a 1st. 9, See Wordworth.
Cornate, To blow in the Horn. Fausis Cor
Cozmai, Warwick, Worcesters, Staffordshire, and
Cheshire.
Cozmai, a Drinking-horn. Et Corrino mena
et fons monognyebis in eis Sanitario. Du
Cange. Sometimes it signifies an Ink-horn. Jp
Domini Radutis reacti qui tenet Corinus dans le fcriptor
Comath, the Cape. See Anticavolium.
Comitat, or Comity. (Corrogium, from Corros, also Comition and Comedon) Signifies a Sum of Money, or Abundance of Meat, Drink, and Chordi
tion, which a Tenant receiving from an Abbey, or other House of Religion, whereof the Founder, towards the reasonable Sustenance of such a one of his Servants, or Vadebots, as he thinks good to be
bestowed. The Difference between a Corovy and a Penfim seems to be. That a Corovy is allowed to
wards the Maintenance of any of the King's Serv
ants in an Abbey: A Penfim is given to one of the
King's Chaplains, for he is more strict and matt.
be they provided of a Benefice. Of both these, read Fisco. Nat. Br. fol. 350, who sets down all the Corned and Penfins certain that any Abbey, when they were bound, must perform to the hon.

SCLAVOIN, quod non Rudolphus Abbas Munsteri
St. Johannis de Hagnlowne et Eadeldom
conventus, ad influentiam & sociale reigiam excellumenti
& reverendissimi Domini nuper Thomae Comitis Arundel
& Sericis. Dedimus. Robertus Lee a
Corrodium pro termino viete est, aedibus cum A-bas
Monasterii pradielli Amiegernem, cum novis Gargano
& dubius uisum, caputo idem obisnum & populos
sufficientia pro ipsis, fuerit Armigeri Albani, qui pro
tempore furini, capitis & procipient; & pro Gar
viones, si fuerit, sancit Armigeri Albani et Armigerum
sancti & procipient; capito etiam pro suis
suis famos & probandam. — Et quod idem Ro
bertus habet culturam Armigeram, &c. Dati.

Corono Barlemo is a Writ, whereby to ex
act a Corned of an Abbey, or Religious Hous. See
Reg. of Writs, fol. 264.
Corona raua, or Mala corona. The Clergy
were formerly so called, who abused their Chara
acters. Rudolphus expungit. Coronas qui copias liter
atora sui, & Mala Corona qui militarius ext, ca
venit inforveter. Wiffus Gemel. lib. 7. cap. 10.
Corona Cerebris, the Corned of the
Cornate Filium. To make one's Son a Priest.
Anciently Lords of Mansions, whole Tenants held by
Placentia, did prohibit them Cornure Filium, lest he
should be a Villain by their entering into Holy
Orders. See Reg. of Writs, fol. 284, Brayan.
Coronae Eligendum is a Writ, which, after
tthe Death or Discharge of any, he is di
rected to the Sheriff out of the Chancery to call to
gether the Freeholders of the County, for the
Choice of a new Cornure; to certify into Chancery
both the Election, and the Name of the Person
ected, and to give him his Oath. See Wifm. 2.
Coronae (Coronae, &c.) is an ancient Of
ficer of this Land, (for Mention is made of his Office in King's Abbots's Charter to Brwyleri,
down 1293,) and is so called, because he deals whol
ly for the King and Crown. There are four of them commonly in every County, in some fewer,
and in some Counties but one: They are chosen by
the Freeholders of the County, for the King's Writ;
sol. 136. This Officer, by the Statute of Wifm. 3.
cap. 10. ought to be a sufficient Person, that is,
the most wise and discreet Knight that belt would
attend upon him for the Office. There is but the
Writ in the Registr., Nifber Miles, fol. 177, 6. where
by it appears it was sufficient Cause to remove a
Corne chosen, if he were not a Knight, and had
or an hundred Shillings Rest of Firehold. The
Lord Chief Justice of the King's Bench is the Se
vereing Corone of the whole Realm in Person, i.e.
whereover he is. Lib. Afinorum. fol. 90 Goks, lib. 4.
Call of Wifm. Of. of the Seater, sol. 57, 4. The
Office of a Cornure ekently concerns the Pleas of
the Crown: But what anciently belonged to him,
read at large in Drayton. lib. 3. cap. 5, 6, 7.
Compest. Of. fol. 158, lib. 1. cap. 18, and
Hen. IV. lib. 1. lib. 15, 16, 17. without the Writ, and
more apply for the present Times, Stanislas. Pl.
Cor. lib. 1, cap. 51.
There are also certain Special Cornures within
di\r
ers Liberties, as the City, Borough Corporations in
every County; as the Cornure of the Forge,
which is a certain Compsal about the King's Court,
whom Compest, in his Jurid. fol. 102, calls the Co
ruins of the king’s House; of whole Authority, see Cole’s "id. lib. 4.", for a coronal Charter belonging to the College and Corporations, they are licent to appoint their Attorney within their own Precincts. This Office, see also 4 Inst. fol. 271. Smith de Rep. Angl. lib. 2, cap. 21, and Lamb. Eyns cap. 3, p. 185. And of the Attorney’s Office in Scotland, see Skene, corsa Hors.

Corporal Power. See Oar.

Corporation (Corporatism) a Body Politic, or a Body Incorporate; so called, because the Persons are made into a Body, and of Capacity to take and grant, &c. And this Body Politic or Incorporate may be subdivided three Manner of Ways, viz. by Privilege, by Letters Patent, or by Act of Parliament. Every Body Politic or Corporate is either Ecclesiastical or Lay. Ecclesiastical is either Regular, as Abbeys, Priories, &c. or Secular, as Bishops, Deans, Archdeacons, Parishes, Vicars, &c. Lay, as Mayor, Commonalty, Bailiff, and Burgesses, &c. All every Body Politic or Corporate is either Elective, Descriptive, Collative, or Donative. And again, it is either Sole or Aggregate of many, which is the case of the Great Colleges and Universities. See Col. in Litt. fol. 250. and 3 Inst. fol. 203.

Corpus Christi Day (being always on the next Thursday after Trinity-Sunday) is a Feast instituted in the Year 1544, in Honour of the Blessed Sacrament: To which also a College in Oxford is dedicated. It is mentioned in 3 Hen. 8, cap. 21. By which Statute Trinity-Term is appointed for ever to begin the Morrow after this Feast.

Corpus juris Civilis is a Work issuing out of the Chancery, to remove both the Body and Record, touching the Cause of any Man lying in Execution upon a Judgment for Debt, into the King’s Bench, &c. There to lie till he have satisfied the Judgment. Firz. Nat. Br. fol. 257. E.

Corredor of the Staple is an Officer or Clerk belonging to the Staple, who makes and records the Bargain of Merchants there made. Ann. 27 Edw. 3 Stat. 2 cap. 22, & 23. The Romans called them Mercurii.

Cronynum & Cronicum, the same with Correnum. See Cronynum. -- de diebus recentior Cronemeli. Mon. Angl. 1 Vol. fol. 587. a.

Corrody. See Corody.

Corruption of Blood (Corrupszio Sanguinis) is an Infection growing to the State of a Man, (attained of Feholy or Treacon,) and to his Life; For as he lefteth all to the Prince, or other Lord of the Fee, as his Cafe is, to his Life cannot be Heirs to him, or to any other Ancestor by him. And if he be Noble or a Gentleman before, he and his Children are thereby ignoted and ungenited. But if the King pardon the Offender, it will cleanse the Corruption of Blood in those Children which are born after the Pardon, and they may inherit the Land of their Ancestor, purchas'd at the Time of the Pardon, or afterw iar; but to cannot they, who were born before the Pardon. Yet note, there are divers Offences made Treacon by Act of Parliament, whereof though a Man be attained, yet his Blood by Privileges therein is not corrupt, nor shall he forfeit any Thing but what he hath for his own Life; for which (see the several Statuts from the Year 1580 to the Year 1590.) See 5 Eliz. cap. 1. — 7 Eliz. cap. 4. and 1 Jac. 2 cap. 12.

Corset (or) signifies a little Body, in Latin Corporatum. It is used with us for an Armour to cover the whole Body or Trunk of a Man, (Ann. 3

4 & 5 Phil. & Mar. cap. 2,) wherewith the Pleas, commonly placed in the Front and Flanks of the Body, are armed, for the better Retention of the Enemy’s Affusal, and surer Guard of the Gunners placed behind or within them. See Searle’s Descrip. of War. Lib. 3. Dial. 2.

Counsel Bread (from the Sax. Lopy, Extraur in and Nebos, uncompli) was a Kind of Superstition, Trial used by our Saints, by a Piece of Barley Bread, first executed by the Priest, and then offered to the suspected guilty Person, to be swallowed in Way of Purgation: For they believed a Person, if guilty, could not possibly swallow a Moriel so accursed; or if he did, it would chock him. The Form was thus: We beseech thee, O Lord, that he who is guilty of this Theft, when the cursed Bread is offered to him in order to deliver the Truth, that his Tongue may be fast, his Throat so narrow that he may not swallow, and that he may cast it out of his Mouth, and we eat it. Da Cange.

Corporalliment (from the L. Corpes postitus, i.e. the Body prefated) signifies a Sculpture. Ann. 21 Hen. 8, cap. 6. And the Reason why it was thus termed seems to be, that where a Mortuary after any Man’s Death became due, the Body of the best of both Sexes was, according to the Custom, was presented to the Priest, and carried along with the Corpse.


Corporitum, Merpicht in Northumbeland. Corris. (Corris,) A Court or Yard before the House.

Corruitatis, i.e. Coccid. Qui esseritter attent, viz. Prohibe quisque sacer moritates nec inficet mic permutantur nec confariarum, etc. quibus omne suscere non componi,nec nondum sequi.

Corus, a certain Corn-Measure heaped up, from the Latin Corus, which signifies a Hill: For eight Bulbs of Wheat, in a Heap, are of the Shape of a little Hill; and probably a Corus of Wheat was eight Bulbs. Deum Curis tertius post decem quartos. Brithon lib. 2, cap. 16, parag. 7.

Corus, and Corus, the same with Corusum or Coccus in Curtus, ciro de Feile habere follet quinque folletis Coccus in Annos. Mon. 1 Tom. pag. 562.

Coffinage (Fr. Coiffage, i.e. Kindled, Cowdfight) is a Way that lies where the Trefall (that is, Treason, the Father of the Brefal or Great Grandfather) being sealed in Fee at his Death of certain Lands or Tenements, and dies, a Stranger enters, and abates; then shall his Heir have this Write of Cofinage. The Form whereof, see in Firz. Nat. Br. fol. 121. Of this also read Beare at large, cap. 80. Nor is there any Affinity or Coffinage between them Stat. 4 Hen. 3, cap. 8.

Coffinage is an Offence, whereby any Thing is done for the Injury of another, by declaring him not to be fully termed by any especial Name, Whof., as. 2. symb. tit. Indemptii, Stat. 69. It is called Sectionarius in the Civil Law.

Coffins, i.e. Clean.

Coffin.
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Privy: or, at least, without his Allowance and Confirmation. 

Brake, hoc titula. Omnia que sunt nearest, sunt infra dicti. Iter est quod malus est. 

Cuius reiperdendus est posito. Brasilia, lib. 2, cap. 15. 

Cap. 25. 

It shall be lead before an Heire, a Wife's Land, during the Gouvenure, the cannot gain- 

Puis. Com. fol. 546. Dr. Skinner takes it to be a Corruption from the Lat. Convener, and therefore writes it Goven. 

Count (fr. Comt.) signifies the original Declaration in a Real Action, as Declaration is in a 

Fisc. Nat. br. fol. 56. Likewise with the 

Lat. Comtensis comprehends both. Yet Count and 

Declaracion are sometimes confounded, as Count in Def. 

Ritchey, fol. 281. Count or Declaration in Appeal. 

Pl. Cor. fol. 78. Count in Trefpass Briton. cap. 25. 

Dis Declaration. 

Count(e) (fr. Comtis, & Comtisanae, because they 

accompany the King) was next to the Duke, the 

most in the Court. It signifies, as well as 

as, since, the Consque: And those who in ancient 

Time were created Counters, were Men of great 

Estate and Dignity; For which Cause the Law 

gives them great Privileges: as, their Permits may 

not be arrested for Debt, Trefpass, &c. Because 

the Law intends that they assist the King with their 

Council for the Publick Good, and preserve the 

Realm by their Prudens and Valour: they may not 

be put upon Juries. If Ille be taken, whether 

the Plaintiff or Defendant be a Count(e), or not, 

this shall not be tried by the Count(e)ry, but by the 

King's Writ. Also the Defendant shall not have 

a Day of Grace against a Lord of the Parliament, 

because It is intended he attends the Publick. And 

of old the Count(e) was Preceptus, or Prepositus Co- 

mitas, and had the Charge and Cuffeoly of the 

Country, whole Authority the Sheriff now hath. 

Cohn, lib. 9. fol. 469. and is therefore called Pict 

count. See Earl. 

Countenance seems to be used for Credit or 

Estimation. Old Nat. br. fol. 111. And likewise 

Western, Cap. 3. (or 4.) in the same Words. 

Sherriffs shall charge the King's Debtors with 

as much as they may levy with their Marshs, 

without abating the Debtor's Countenance. See 

Consentment. 

Count(e) (from the Lat. Comtis) is the Name 

of two Prifons in London, the Poultry Counter, 

and Wood-street Counter; wherein if any enter, he is like 
to account ere he get thence. 

Contraire is a thing which formerly executed, 
is afterward by some Act or Ceremony made 
void by the Party that first did it; as, If a Man 
makes his last Will, and devils his Land to I. 

S. and afterward endoweth another of the same Land, 
here this Testament is a Contravention to the Will, 
and the Will void as to the Disposition of the Land. 

Count-plat signifies a Replication to Aide 

Prison when a Tenant by County, in Dower, 

or other Real Action, prays the View or Aid of 

the King, or him in the Reverion, for his better 

Defence; or else, if a Stranger to the Action be 
given a Right to the Land, to say what he can 

for the Safe-guard of his Estate, that which the 

Demandant alleged against this Request, why 
it should not be admitted, is called a Counter-plat. 
In which Sense it is used 25 Edw. 7, stat. 5, cap. 7. 

Counter-plats. — That Sheriffs shall late 

Counters be taken for the Country, or an Heire, a 

Wife's Land, during the Gouvenure, cannot gain-

{Appellate as of Countisne, &c. Ann. 3 Edw. 1, 

cap. 10.} 

Countes (fr. Conture, fr. Conture, have been taken for 

such Seigneurs as Law, as a Man retains to de-

fend his Count(e), or speak for him in any Court for 

their Fee. Horn's Mirror, lib. 2, cap. 24, of Lovers. 

And of whom thus Gouver. 

— A Sheriff he had he been, and a Contour, 

That no where such a worthy Tauteur. 

They were anciently called Sheriffs—Countures. Cate 

eon Litt. cap. 33. 

Count(eys), Comitatus, &c. — Sed modo vacare 

Comitatus alm opus Britonis usque tempus Romanorum 

vacare Consulatus; & quod medio vacatioe vicissitudo 

tum tempus sociorum sociabilis. Leg. 9. Con. 

cap. 2. And the Count(e) in the Confessor's Time, 

as a Country was called Consulatus, &e. Vide sunnno-

narii per universios Angl(i) Consulatus multos Japantes 

et sua leges erudiri. Leg. 9. Con. cap. 1. 

They came from foreign, the other from the Saxon; both 

containing a Circuit or Portion of the Realm, 
in which the whole Land is divided, for the 

better Government of it, and more easy Adminis-

tration of Justice: So that there is no Part of this 

Nation that lies not within some Country, and 

every Country is governed by a yearly Officer, 

whom we call a Sheriff. Fortescue, cap. 24. Of 

these Country there are four of Special Mark, 

which therefore are termed Countries Palatines, as 

Lancaster, Chester, Durham, and Ely. Ann. 9 Edw. 

cap. 23. We read also anciently of the Countries 

Palatines of Mercia and Salomon, Ann. 3 Edw. 8, 

cap. 10, (which last did belong to the Archbishop 

of York.) — This Act st. 2 any thing therein 

contains, shall not extend to the Country 

Palatine of Hexam, within the Country of Nor-

chamberlend, nor to the Country Palatine of Ely, 

within the Country of Cambridge, &c. But by the 

Stat. 14 Edw. cap. 15, this Country Palatine of 

Hexam was Stripped of its Privileges, and re-

duced to the Right of the Northumberland. The Chief 

Governors of these Countries Palatines, by special Charter from the King, did heretofore send 

out all Writs in their own Names, and did all 

Things touching Justice as absolutely as the Prince 

himself in other Countries, only acknowledging him 

their Superior and Sovereign. But by the Statute 

27 H. 8, cap. 12, this Power is much abridged; 

to which I refer the Reader, as also to Cramp. 

Jural, fol. 137, and 4 in. (or) fol. 204, and 331. 

Besides these Countries of both Sorts, there 

are likewise unto some Cities some Territory, 

Land, or Jurisdiction annexed, as the Country of 

Middlesex, by King Henry the Sixth, to the City of 


Chesterbury, Lanes Ewen lib. 1. cap. 9. Northwick, 

Wolverhampton, Coventry, Exeter, &c. The Country 

of the City of Norwich, in this, 22 Edw. 3, cap. 13 

Newcastle upon Tyne, &c. The Country of the Town of 

Haverford Weth, 35 Hen. 8, cap. 16.

In, is, in another Signification, used for the 

County Courts, which the Sheriff keeps every Monday, 

either by himself or his Deputy. Ann. 2 Edw. 7, cap.
Court of the Admiralty (Caria Admimirallis) was created (as foregone) by Edward the Third, for deciding maritime Causes; and the Titles of its Judge is Supreme Curte Admirallitis Anglie. Lactowns, Judges five Presidens. For the extent of its jurisdiction, see Pryn's Animadversion, on the 4th Inf. Court-M blanka, (Cairn Baronis) is a Court which every Lord of a Manor, (who in ancient Times were called Baronis) hath within his own Precedent. Baron, in other Nations, have great Territories and Jurisdiction from their Sovereigns; but here in England, what they are and have been heretofore, see in Baron. Of this Court, and Court- Leet, read Kitchin, Sir Edward Coke, lib. 4. among his Copyhold Cales, fol. 26. b. says, That this Court is twofold after a fort; and therefore, if a man, having no interest in the Copyholds in the hands of the Copyholders to another, the Granee may keep a Court for the customary Tenants, and accept Surrenders to the use of others, and make both Admissions and Grants; the other Court is of Freetholders, which is properly called the Court of Baron, wherein the Suiters, that is, the Freetholders, are Judges; whereas of the other, the Lord or his Steward is Judge. This therefore is more properly called Caris Germanum, & the Court of Freetholders, (for to Baron does also signify) over whom the Lord of the Manor presides. See Halli- norte and Place.

Court of Chivalry, (Caria Militaris) otherwise called the Marshal-Court; the Judges of it are the Lord Constable of England, and the Earl Marshal of England: This Court is the fountain of the Marshal- Law, and the Earl Marshal is both one of the Judges, and the execution of these. See Constableb, and 4 Part. fol. 123.

Ehun, filio, sire, & uncle au Rees, Dux de Bed- ford, & d'Anjou, Conte Richemond & de Kerv- dal, & Constable d'Angleterre, a autre tremblee Confo Jean Duc de Norfolke, Marchal d'Angle- terre sault. Nous vous mandons & chargez qui vous venons avroir & smith devenir nos au nvoire Littenzour & de Wittending a la Question de la Marche le par- chain vant William Clepnon de Confo de Suff- felk Euyer, pour aubidez respondez devenir nos au nvoire Littenzour, en la Court de Chivalric, a Robert Elam Euyer de la Marche de Norfolke en ce que le dit Re- bert aubidez las for mettre par voie de arms, ad Gp- appel le Seel de ces arms a un faict & serce fait, as demage du dit Robert de G. & E. Donne judex le seel du nvoire office & E.

Court Christlana, (Caria Christllanensis) so called, because, as in fecllor Courts, the King's Law dole, and diside Causes; so in Ecclesiasti- cal Courts, the Law of Christ is the Rule: and of the reft; for which Cause, the Judges in those Courts are Divine, as Archbishops, Bishops, Archdea- cons, Etc. Lyndon's words are these: to cura Christllanata, i.e., Ecclesie, in qua fervantur Leges Christi, sunt tamen in foro regio fervantur Leges mundi. 2 Part Infol. 438. See before in Court.

But under the special Pretence of judging ac- cording to the Laws of Chief, there was a Com- pance made against the Bishops long before the Reformation, That they had extended their Juris- diction to far, that they had left very little Business for the secular Judges; for they assumed the Juris- diction over the Clergy, and every one who had
Tonfare; and for that purpose they would cause a great number of Boys to be flaved: And tho' they had no legal Jurisdiction, in criminal Cases, of the Clergy, but only in the Execution of the Sentence, which was Depredation; yet they judged likewise in thole Cases, and in all spiritual Causes whatsoever, in cases of Tithes and other profits arising to the Church; in Cases relating to the Faith and Sacraments; in Cases of Heresies; of any Violence done to the Church or to the Clergy; of Forfeiture and Adultery; of the Privileges of those who had taken upon themselves the Sign of the Cross; of all matrimonial Causes; of Bastardy and Legitimation; of Left Wills and Testaments, and of Lands and Tenements which were given in Alms of Utility, &c. Da Cange.

Court of Prileges is the highest Court for Civil Affairs that concern the Church; the Jurisdiction whereof was established by 25 Hen. 8. cap. 19. From the highest Court of the Archdeaconry, there lies an Appeal to this Court; and from this to no other Court of Sovereignty.

Court of the Laygate was a Court obtained by Cardinal Wolsey, of Pope Leo the Tenth, in the ninth Year of Henry the Eighth, wherein he had Power to prove Wills, and dispense with Objections against the Spiritual Laws, &c. And was but of short Continuance.

Court of Prudentials (Cursus Facialisum) is a Spiritual Court, held in each Parish as is ex.
cuted by the Incumbion of the Bishops, and are peculiarly belonging to the Archdeaconry of Canterbury, in whole Province there are fifty-seven such Facialis.

Court of Pie-Powders. See Pie-Powders.

Court of Requeris (Cursus Requeritis) was a Court in England of the same Nature with the Chancery, but interior to it; principally instituted for the relief of such Petitioners, as in connoisance of Cases addressed themselves by Supplication to His Majesty. Of this Court the Lord Privy Seal was chief Judge, assisted by the Masters of Requeris, and had beginning about the 9 Hen. 7, according to Sir Thomas Hoby's Trastate on this subject. &c. Mich. 2. &c. In the Court of Common Pleas, it was adjudged upon solemn Argument, that this Court of Requeris, or the Whitehall, was not that Court that had Power of Judicature, &c. See 4 Part 2. fol. 97.

Courtage. See Cartilage
courtage. See Coiffeage.

Courtierum, or Courtarternum; the fame with Courtarius. It signifies Coifs.

Courtthug (from the Sax. Leuth, fish, &c. Uelargh, cæles) is he that willingly receives a Man outlawed, and cherishes or conceals him. In which Case he was, in ancient Time, subject to the fame Punishment that the Outlaw himself was. Bradfied, lib. 3. trafl. 2. cap. 13. num. 2.

Cralls, or rather Crails, An Engine to catch Fish.

Cranage (Cranajium) is a Liberty to use a Scene for drawing up Waters from the Veledas, at any Creek of the Sea, or Wharf, unto the Land, and to make profit of it. It signifies also the Money paid and taken for the same. New Book of Entries, fol. 3. Anno 22 Car. 2. cap. 11.

Crappa. The Seeds of a Weed in Corn, objecitive were bindis and Crappa hoy bindis, one in Anno remouerit, recogintur in potis trimuris. Ficta, lib. 2 cap. 82.

Crapiscus, i.e. Piliferus, A Whale.

Cratingo Sancti Uncincti (i.e. the Morrow after the Feast of St. Vincent the Martyr, which is 22 Jan. and the Morrow of the Martyrs made at Martin,) Anno 20 Henr. 3.

Crabale, i.e. To impeach, viz. Si hominidae dis- volgendi hic es Gravetta, st ultima; Leq. Leg. H. 1. cap. 30.

Crabent or Crabem. In a Trial by Estrel, upon a Writ of Right, the ancient Law was, that the Victory should be proclaimed, and the Vanquished acknowledge his Fault in the Audience of the People, or pronounce the horrid word Crave, in the Name of Relevante, &c. and presently Judgment was to be given, and after this, the Re-ceiver should anastere liberum legem, that is, he should become innocent, &c. See 2 Iust. Rigt. 247, 248. If the Appeallant join Bottel, and cry Crave, he shall lose liberum legem; but if the Ap- pellee cry Crave, he shall be hang'd. 3 Inst. fol. 221.

Creper seems to be a kind of small Sea-Veget or Ship, mentioned in the Stat. 4 Car. 2. cap. 27. Et hancam Creptarum & Burtonum var. adseriendum & Alis notaribus, &c. Pat. 6 Ric. 2. Part. 2. p. 13.

Cremer, A foreign Merchant, a Polfar, one who hath a Strait in a Fair or Market.

Crepe, head of the Order of the Fr. Crepains, proficte- fes signifies him that truths another with any Debt, be it in Money or Wares. Old. Nat. Br. fol. 67. anno 35 Edw. 3. cap. 5.

Crepe-flie. See Reep-flie.

Crepte-mone. (cest. 2 Car. 2. cap. 1.)

Crepis. A drinking Cup. "Tis mentioned in the Kingsmen, 1 Tom. p. 104. Via vero quod Crepe浚 nepos purum potius continet, viz. ad pasti- licandum & fumiens suum office de praefumum lateris aliter.

Crephe. (Craze, Sar. Epocca) is a Part of a Haven, where any Thing is landed from the Sea. So that you when you are out of the main Sea within the Haven, look how many Landing Places you have, so many Creps may be said to belong to that Haven. See Crespe, Jurid. fol. 110. a. This word is mentioned in the Stat. 4 Hen. 4. cap. 20. (where 'tis said, — not in the Peck of the Sea, and not in Cresent or small Articles) 5 Eliz. cap. 3. and 14 Car. 2. c. 28. and in Plut. Cys. Rennger & Esigca.

Cremif, The same with Crepe-men.

Crepent aurum. To put out an Eye. Si quis ali crepant aurum fubant et fregisant. Leq. H. 1. cap. 93.

Cre, Crop, signifies marth Land: Et quia pol- limina lowon Croyland at synum enim indicum, nos causa- dam terrarum & conosum significat. Inglishus, p. 837.

Crearous, A fort of Money, very rare. See palms.

Crecce Cowellett, i.e. Olla fowll bullol, from the Saxon Epocca, i.e. Olla, and fellum, bullum. Si placet aliquis femina hominidiam quedam Crescæ Cowellet, vel ob talia voluntatem. Leg. H. 1. cap. 78.

Crocium, i.e. A Mulch or Composition for a Fault: Pretium hominis victh. In a Grant of H. 2, we read, excepta fregisant, in sous yacunt, Crescon Da Cange.

Crecck-Saltan, Aquilin in Lincolniere.

Cylus expedit. 5.

Cylus is either general or particular: General is that which is current through England, whereas you shall read divers in Deed and Student, lib. 3, cap. 4. Particular, in that which belongs to this or that Lordship, City or Town.
Cylus differs from Prescription, that being common to more; Prescription, for the most part, particular to this or that Man. Again, Prescription may be for a shorter Time than Cylus, etc., for five Years or less. Out of our Statutes you may have greater Diversity, which see collected in Seward's Institutes, tit. de usucap., longi temp. praerip. Cylus is also used for the Tribute or Toll (called Tenage and Pendage) which Merchants pay to the King for carrying out and bringing in Merchandize, Ann. 13 Edw. 3, Stat. 3, cap. 21, and 13 Car. 2, cap. 4. In which signalization it is named, Cylum, Reg. of Wills, fol. 138, 4, and 4 lib. fol. 29. And lately, for such services as Tenants of a Manor owe to their Lord.
Cylum-jus is a House in London, where the King's Cylums are received, and the whole Business relating thereto, transacted. Ann. 15 Edw. 2, cap. 4.
Cylum-Burgh is an Officer belonging to the Court of Common pleas, and made by the King's Letters Patent, whose Office is to receive and keep all the Writs returnable in that Court, and put upon Files, every Return by it, and to receive of the Prothonotaries all the Records of New Prises, called the Pylaæ. For they are first brought in by the Clerk of the Aulice of every Circuit to the Prothonotary, who entered the Title in that matter, to enter the Judgment. And four Days after it is entered, which is allowed to speak in Arrest of Judgment the Prothonotary enters the Verdict and Judgment thereupon, into the Rolls of the Court, and afterwards delivers them to a Bailiff, who delivers them to a Master in a Bundle. He makes Entry all of the Writs of Convemint, and the Concord upon every Fine, and makes forth Exemptions, and Copies of all Writs and Records in his Office, and of all fines levied. The times after they are engrossed, are thus divided between the Cylum-Burgh, and the Cylum-Chirographer; this always keeps the Writ of Covenant, and the Note; the other keeps the Cord, and the Foot of the Fine, upon which Foot, the Cylum-Chirographer cautions the Prothonotary to be endorsed, when they are proclaimed. In the Court of King's Bench there is likewise a Cylus-Burgh & Reinbarn, who files such Writs as are there used to be filed, and all Warrants of Attorneys, and transcribe or make out the Records of New Prise, &c.
Cylus Eignem Regis. See King's Smaller.
Cylus placentium Caunse (Brabot, lib. 2, cap. 5) seems to be all one with him, whom we now call Cylus Reinbarn. Of which I find mention in the Writ of Deeds & extents. Reg. of Wills, fol. 135, 4.
Cylus Portulagem is he who hath the Cynody of the Rolls or Records of the Session of the Peace, and of the Commission of the Peace if it fell. He is always a Justice of Peace and Surveyor, in the County where he hath his Office, and, by his Office, he is either termed an Officer or Minister, than a Judge; because the Commission of the Peace, by express words, lays this Special Charge upon him, and of all such in the Province, Proceed, Proceeds, &c. and Instrument proceeds comme a vellis et defini decis in suo circuito. Lamb. Enm. lib. 4 cap. 3 p. 373. where you may read more touching this Office. Who shall appoint the Cylus Portulagem in every County, &c. Reg. 5 Hen. 8, cap. 1, and 3 & 4 &c. lib. cap. 1, 2 &c. fol. 574.
Cylus of the Spiritualities (Cylus spiritualitatis) is he that exerciteth the Spiritual or Ecclesiastical Jurisdiction of any Diocese, during the Vacancy of the See; the Appointment of whom, by the Canon Law, appertaineth to the Dean and Chapter. But with us in England, to the Archbishop of the Province, by Proclamation. Howbeit, direct Drains and Chapteris (if Owen lay true in his Preface to his Readings) challenge this by ancient Charters from the Kings of this Land.
Cylus treugariam, Keeper of the Truce. Edward the third confirmed the Commission two. Keepers of the Truce between him and the King of Scots, with Nos volentes Treugam for infeudation prudicitium quod in posse dominium, &c. Rot. Scotia 10 Edw. 3, m. 9, intus.
Cylus, The receipt both caps, a Cup.
Cypas, A long Garment, clothe upwards, and open or large below. Matth. Par. Speaking of the Citizens of London, tells us, they were Stiis vestimenta oratis, cyclasibus auris tecta circumcussiti. Anno 1265.
Cynbole, the same with Cynogolda.
Cyppeus. Et debut hibere aenigmatici de expeditione omnium, vel in munibus & Cyppon per totum Britanniam. — Ryley's Pls. Parl, fol. 923: Du Espe, in his new Glossarium, says it signifies rent, a Net; but sheere.
Cy traff, i. e. Juynjandem eceliam, viz. Good price camer also constitution a majorium ororum frumenti: We read it amongst the Laws of King Athelstan, cap. 15, viz. Et in tertiam quod illud jaceat interrobatum, (i.e. possessed) in peculis suorum of, in regno; in Ecelia, &c. Cytral, i. e. Juynjandem eceliam super 20 Den.
Cyprianism (Sax.) Rupertio in Ecclesiæ Li, Ecc. Cannti Regis.
Dian. See Den.

Dianus, Diana, Dalus. A certain Measure of Land, viz. Et dianum Dianum auris tamen de right quam de pean, &c. Mountebeco, 8 Tom. p. 281. In some places it is taken for a Dutch or Vale, but if Anglis, a Vale is called a Dian. De Cange.

Dian. See Den.

Diana, According to the Stat. 51 Hen. 7. De Cassivilliensium jurodam & Mandatum, A Lat. of Hides contains of twenty Dianas, and every Dian of ten Hides, but by v. spec. 33. one Lat. of Hides or Shires is twelve Dianes. See Dianus.

Dalmatica, A Garment with large open Sleeves, often at first only by Bilbys, so called, because it first came from Dalmatia: Candida ut extensis mactis Dalmaticis riges, Vindiciae ut erret but sic legi lenis.

Dalus. See Dalm.

Damage (Lat. Damnum, Fr. Dommage) signifies generally any hurt or destruction that a man receives in his Estate, but particularly, a Part of that the Jurors are to enquire of, when the Action (be it real or personal) paffeth for the Plaintiff. For after Vertic foven of the principal Cause, they are asked their Conclufions touching Cotis (which are the Charges of Suit, called by the Cotians REQUENS linea) and Damage, which comprehend a Remuneration for what the Plaintiff or Defendant hath suffered, by means of the Wrong done him by the Defendant or Tenant. See on Little. feb 257.

Damage Feint, (Fr. Dommage Feint) is doing Hurt or Damage as when a Stranger’s Beasts are hurt, or spoiling the Grass, Corn, Woods, &c. or another Man, without his Leave or Licence. In which Case the Party whom they damage, may take, disfrain, and imprison them as well as the Night of Day. But in other cases, as for Rent, Services, and such like, none may disstrain in the Night. Stat. De Difficultatis Socceri, Ant. 51 Hen. 7.

Dian. The better sort of Men had the Title of Dian, as the Spaniards Dem, from the Latin Deum.

Dargilt, o Dargilth, (Gelt in Dutch signifies Money) was a Tribute laid upon our Acce-

Dentin, See Mercia.

Dannemara, Cornwall and Devonshire.

Dannemorium prummoium, The Eierard, in Cornwall.

Dannun, Dommor in Earlsbree.

Darda, i.e. a Dart. In Wales an Oak is called Dart, and Dart is a Feam.

Societatem, domique volunt.

Dare ad remanmentum (Cromwell 24. cap. 1.) To give away in lieu, or for ever. See Hancard.

Derricr is a Corporation from the French Derrctors, i.e. Collectors, and we use it in the same Sense, as
e

Derricr Continuorum. See Continuance.

Derricr Profiterium, Collecta Profiterius. See Office of Derricr in Provident.

Dart, the Ancient Deeds had no Dates, but only the Month and the Year, to signify that they were not made in hours or in the space of a Day, but upon longer and more mature Deliberations, and the King’s Graces began with these words, Prohibentis et silentis, &c. but the Grants of common Perform began with Omnes presente litteras in

Dart, or Darbe, (Dartrows) That may be given or dispensed. Whether a Prince shall be Darbe and removable or perpetuai, shall be tried by the Ordinary, ann. 9 Rich. 2. cap. 4. Si Prior Darbe et recreabile, suil idem relinquat superior. 45 Ed. 3. 9. 10.

Dartbar titer, A Portion of Land in Scotland, so called, Apat profers own, o Dalmatia, is Land, and ancient customs Arx in terra, quorum communi fit orandi et sueto. Scenic.

David. St. David’s Head. See Officium principium.

Day (Dier) is sometimes used for the Day of Appearance in Court, either originally, or upon Affirmation; and sometimes for the Returns of Writs. For example, Days in Bank are Days set down by Statute, or Order of the Court, when Writs shall be returned, or when the Party shall appear upon the Writ, &c., for which you may read the Statutes 51 Hen. 7. cap. 1 & 2., Marb. cap. 12., and the Statute of Attains Bill, 21 Hen. 3. and lastly 32 Hen. 5. cap. 21. To be dismissed without Day, is to be finally discharged the Court. He had a Day by the Roll, that is, he had a Day of Appearance assigned him. Kitchen, fol. 152 & 157. Day, Test, and Waite. See Test, Day, and Waite. And see Dis.

Days of Parliation, in the Exchequer. See Remanentor.

Deadly Sin (Sünd & Redux) is a Profession of an irreconcilable Enemy, till we are reengaged even by the Death of our Enemy. It is deduced from the German word Gethen which, as Horstman, (in verbis Pedalianus) faith, Meda bellum, nemo script. innuicium significat. It is used Ann. 45 Ellis.

And such Enemy and Revenge was allowed by our ancient Laws in the Time of the Saxons, and lastly, where any Man was killed, if a pecuniary Satisfaction was not made to the Kindred, it was lawful for them to make up Arms and revenge themselves on the Murderer, and this is called Deadly Sin, Feed, and probably this was the Original of an Appeal.

Deadly Proud, (mortum vadam) See Papage.

Deadly Proud, That is, discharged from being Forest.