DA

Dissent, See Den.

Datum, Datum, Datum, A certain Measure of Land, viz. Et Datum Dammum minus tam de right quam de poena, &c. Monasticon, 2 Tom. p. 281. In some places 'tis taken for a Ditch or Vale, but in Angles, a Vale is called a Datum, Di Cruce.

Dias. See Den.

Dias according to the Stat. 51 Hen. 3, De Capitaneis judorum & Mancipiorum. A Leaf of Hides consists of twenty Dockers, and every dozen of ten Hides, but by v. legis cap. 33, one Leaf of Hides or Skins in twelve Dozins. See Dices.

Dalmatica, A Garment with large open Sleeves, died at first only by Bishops, so called, because it first came from Dalmatia: Candida aut extremitate Dalmaticae ruris, Vide H. v. error hic sine legant Leoni.

Dalmatia, See Denon.

Damage (Lat. Damsula, Eng. Damage) signifies generally any hurt or hindrance that a Man receives in his Estate, but particularly, a Part of the Estate the Jurors are to enquire of, when the Action (be it real or personal) pallets for the Plaintiff. For after Verdict given of the principal Cause, they are asked their Consideration touching Costs (which are the Charges of Suit, called by the Italians Somme line) and Damage, which comprehend a Reprisal for what the Plaintiff or Defendant hath suffered, by means of the Wrong done him by the Defendant or Tenant. See on Little, 1297.

Damage Perpetual, (Fr. Damage Perpetuel, i.e. doing Hurt or Damage) As when a Stranger's Beasts are being hurt, or feeding the Grain, Corn, Woods, &c. of another Man, without his Leave or Licence. In which case the Party whom they damage, may take, disfrain, and imprison them as well in the Night as Day. But in other cases, as for Rent, Services, and such like, none may disfrain in the Night. Stat. De Diffrinio Serviti, Auth. 51 Hen. 3.

Den, The better sort of Men had the Title of Den, the Spaniards Den, from the Latin Dominus.

Dangent, or Danzig, (Gelft in Dutch signifies Money) was a tribute laid upon our Ances- tors of 1/2, 1/6 of a Share, for every Hille of Land, throughout the Realm, for clearing the Seas of Dryngh Pirates, which heretofore greatly annoyed our Courts. C. and B. Briton 142. King Ethelred being much distressed by the continual invasion of the Enemies, to procure his Peace, was compelled to charge his People with heavy Payments, called also Dangent. As he was, he paid 1000 L. in 1600 L. sat. 2400 L. after the 2200 L. and lately abscist, 2400 L. to the Danish or Norwegian, and the Den. or Dangast was retired by St. Edward, the Confessor, but levied again by William the First and S. cond: Relieved by Henry the Fifth, and finally by King Stephen. See frentice, the Dagenst, or the Thomas's Giglare, and Selden's More clas. Let. 1496. — Et fut quasi de Leut, Dangnig et Guaytirme & de essuus aussi enjuxtaposition, & Charte Hen. 7, Ballyvia & Bur- lent. Montgomery.

DE

Dammage. See Merchandize.

Dammum Cornum, and Demum. See Damnum.

Damnum et Damno, The Issue in Cornwall.

Damn, Damug, De Tughare.

Darns, t. e. A Darn. In Welles an Oak in called Dar, and Darn is Telum.

Scars tanarum, dardique violat.

Date ad emancipationem (German leg. f. cap. 1.) To give away in Leases, or for ever. See Testament.

Derrit is a Currency from the French Ducres, i.e. Dukres; and we use it in the same Sense, as

Derrit Continuiter. See Continuiter.

Derrit Proportion, (Brit. Proportion.) See Ofte of Derrit Proportion.

Dast, The ancient Deeds had no Dates, but only the Month and the Year, to signify that they were not made in haste, nor in the Space of a Day, but upon longer and more mature Deliberations, and the Kings Grants began with these words, Privatis et tutius, &c. but the Grants of common Perform began with Omnium presentie litteram incipiendo.

Datif, or Daftr, (Datis) That may be given or distributed. Whether a Prize shall be Davst, and remonstrable or perpetually, shall be tried by the Ordinary, Ex parte 2. cap. 1. Si Prior Davst & remonstrable fuisse effeque, respondeat superior. 45 Ed. 3. 9. 10.

Davst, or Davst, A Portion of Land in Scotland, &c. called Aypad prises, &c. Dalmatia, of Land, and ancient customs, &c. to the Crown, or common causabili de fare etu, leone.

David. St. David's Head. See Officium primum.

Day (Diel) 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 served, to which you may read the Statutes 1 Hen. 3. cap. 1 & 2. — Martin, cap. 12. and the Statute du Mens Bidegis, 21 Hen. 3. and lastly 32 Hen. 3. 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 affirmed him. Kitchen, fol. 152 & 157. Day, Test, and Writs. See Test, Day, and Writ. And see Dies.

Days of Partition, in the Escheat. See Re- mendation.

Deadly Feith (Feeds & Feu) is a Profession of an irreconcilable Enemy, till we are reconciled even by the Death of our Enemy. It is derived from the German word (Feith) which, as Herteman, (in versis Pedalius) faith, God bellum, nosse capitale irrationis signification. It is used Acts 45 Eliz. 143. And such Enemy and Revenge was allowable in the ancient Laws of the Time in Saxon, and afterwards, where any Man was killed, if a pecuniary Satisfaction was not made to the Kindred, it was lawful for them to take up Arms and revenge themselves on the Murderer, and this is called Deadly Feith, and probably this was the Original of an Appeal.

Dead Horse, (mortal venom) See Bogal.
Forrest; or, that is freed and exempted from the
Forell-Lawns. Anno 17 Car. 1. cap. 16.
&c. Situtus in omnino Defordalle Foreyll in
Berkshire, de unde se habuit nonnulla praesentia,
Quaerunt olim de praecepto que praesentia
Deferreby & homines in homenentes & in homines
sum est Deferale foreyll a princeps.
&c. Dat, anno
Beg. 13 Martii Anno regni octo, 15.
From (C. Soc. 
&c. alien, &c. a deem) is an Eclec-
Magistrate or Magnitary, so called, be-
cause he presides over ten Canons or Prebendaries
at the school. We call him a Dean that is under the
Bishop, and chief of the Chapter, ordinarily in a
Cathedral Church; and the rest of the Society or
Corporation we call Capituln, the Chapter.
But how diversely this word is used, read Lyndwood,
Tit. de Confinis, cap. 1. serm. Decem harles,
where Rural Deans are said to be certain Persons
that have Jurisdiction Ecclesiastical over other Mi-
nisters and Parishes near adjoining, assigned them
by the Bishop and Archdeacon, being placed and
displaced by them. Such are the Dean of Grafton
in Surry, Dean of Batten in Suffolk, &c.
As there are two foundations of Cathedral
Churches in England, the old and the new, (the new
are those which are lately made up on the suppression
of Abbeys transformed from Abbey, or Prior and
Convent, to Dean and Chapter,) there are two
Means of creating their Deans: For those of the
old foundation were excited to their dignity much
like Bishops; the King first sending out his Cange
d’Eglise to the Chapter, the Chapter then chusing,
the King yielding His Royal Assent; and the Bi-
shop confirming and giving his Mandate to enuntial
him. To these new Foundation are not a
Shorter Course entailed, by virtue of the King’s
Letters Patent, without either Election or Con-
firmation. This word is also applied, so divers
that are the Chief of several particular Churches or
Chapels, as the Dean of the King’s Chapel, the Dean
of the Arches, the Dean of St. George’s Chapel in
Windsor, &c. No College ablu prelection, nor jurif-
diction aulo donatus, where names exist bimus grat
ingenios, fays Spinae.
We brie feit are common Latin words, their
Signification conceiv’d to be thus: To take or do
any Thing de bene esse, is to accept or allow it as
well done for the present; but, when it comes to
be more fully examin’d or tried, to stand or fall, to
be allowed or disallowed, according to the Merit
or Well-being of the Thing in its own Nature, or
(as we say) Valut quantum valore est: So in Chan-
cery, upon Motion to have one of the leis principal
Defendants in a Cafe examin’d as a Witness, the
Court (not then thoroughly examining the Justice
of it, or not hearing what may be objected on
the other Side) often orders such a Defendant to be
examind de bene esse, i.e. That his Depositi-
ons shall be allowed or disallowed at the hear-
ing of the Court, upon the full Debate of the
Matter, as the Court shall think fit; but for
the Present they have a Welbeing, or conditional
allowance. It is used in Longham’s Case, Croke, 3 Par.
fol. 104.
Dehuritan was by a Rump-All in 1649, ordi-
ained to be in the Nature of a Bond or Bill, to charge
the Commonwealth (forsooth) to pay the Soldier,
Creditor, or his Assigns, the Sum due upon Au-
thority of the Parliament, and from the
which Debureus, as then used, you may see in Smit
Dehuritan’s, Anno 1649, cap. 63.
The word is
also mentioned in the Act of Obligation, 12 Car. 2.
cap. 3. Sess. 7, and is used in the Exchequer. See
Adder of the Receipts.
Debret & follet are Latin words, often used
in our Law-Books. In Old. Nat. Br. fol. 50, it
is said, The Write De seita motendi, being in the
debt & follet, is a Writt of Right, &c. And again,
fol. 65. A Writ of quod permittas may be pleaded
in the County before the Sheriff, and it may be
in the debt & follet, or in the debt without the
follet, according as the Demandant claims. Where-
fore note, that thote Writs which in this
forebought have, these Words in them in format
Words, not to be omitted. And according to the
Diversity of the Caffe, both debt and follets are
used, or debt alone; That is, if a Man sue to
recover any Right, whereas his Ancestor was dis-
abled by the Tenant or his Ancestor, then he
must only the word debt in His Writ; because
follet is not fit, by reason his Ancestor was disabled
and the Custum discontinued: But if he sue for
any Thing that is now first of all denied him, then
he ought both these Words: because his An-
cestors before him, and he himself usually enjoyed
the Thing sued for, as Suit to a Mill, or Common
of Nature, until this present Return of the Te-
ment. The like may be said of debts & deft, as appears by the Reg. in the Writt De debitis,
fol. 140 a.
Debret, or De debitis, is a Writt which lies
where a Man owes another a Sum of Money by
Obligation, or Bargain for any Thing told him,
Fen. Nat. Br. fol. 119. This Writ is made some-
times in the deft, and not in the debt, which
properly falls out, where a Man owes an Annuity,
or a certain Quantity of Wheat, Barley, or like,
75. See Debt & deft.
Decret (Decretus, decret) is a Subtle, wile Shift,
or Trick; whereas it may be drawn all manner on
Craif, Subility, Guile, Fraud, Slight, Cunnings,
Covin, Collusion and Practise used to deceiv
other Man by any means; which hath no other
more proper or particular Name than Decret, or
Sess. 63. See Coating, and New Book of Entries, verb.
Decret.
Decret tales, See Tales.
Decret, and Decrement, See Decretes.
Decremar (Decemartia) The Limits or Com-
pass of ten Furlongs. See Dimens.
Definitum (Definitura) See Domains.
Definitions, See Dehuritan.
Definitions is a Writt that lies properly for
one that receives Harm or Damage by him, that
does no Thing deceitfully in the Name of another,
(Feiti, Nat. Br. fol. 95,) and is either Original, or
Judicial, as appears by Old. Nat. Br. fol. 50, where
you may read the ufe of both. See Reg. of Writs,
fol. 112. and Reg. Judicial in the Table, verb. De-
cepeion.
Debret tantum is a Writt that lies against a
Juror, who hath taken Money for giving his Ver-
dict; called to of the eject, because it is to reco-
very ten-times as much as he took. It lies also against
Ejectment that procure such an ejectment. Anno
ies tantum.
Dehurtna, Tibith. "To well known what is
meant by Tibith in the Old Testament, but it is
to plain to see in the New Law, when Tibith were
first given to the Priests; some are of Opinion that
A a
it was not long before the Time of Charles the Great: and particularly Father Paul, in his Acton Treatise De materie et rei natal. But this must be a Miferation of Fact, and that the Second Council of Mayence, Anno 585. cap. 5. it was long before that Time, vide. Legis de uniuere confessiue similitudine Eccleston pro pacificat partibus sanam populum pacem perpetuam, Decretals probatum, &c. Unde Sacrosanctum, ut non sunt in actu falsitatem, ornare Decretalibus sanctissimis ceremoniae sanam pravet, &c.

Dedication (Dedicatio), the Punning every Tenth Soldier by Lot was termed Dedicatio in litteris: Alfo a Tithe, or Paying the Tenth Part. What Dedicatio was in the Ulpian's Time, (1555) will not easily be forgotten. See Teiti.

Dedicatio fidei vulgo eadem aliis utrumque adfinitionis in a Writ, or Letters Patent, yet carried in the Register, which lay against those that had formed the Prior's Alien Lands of the King, for the Restor of the Parishes, to recover his Tithes of them. Acts of Writs, ft. 1. 2. 3. were compiled.

Decretals, alias Dicenians, alias Dei Sermones, (Dedications, Decretals) signify, in the ancient Monument of our Law, such as were wont to be kept in the Register of Duchies, as a general Inspiration of the Maintenance of the King's Peace; and the Limits or Comps of their Jurisdiction was called Deinaria, Breallis, lib. 3. Tract. 2. cap. 15. Of whom you may also read in the Canons of St. Can. 27. and Aeg. of Writs, cap. 9. These seemed to have the power of Authority in the Same Time, taking Knowledge of Causes within their Circuit, and refraining Wrongs by way of Judgment, and compelling Men therein, as you may read in the Laws of King Edward the Confessor, published by Lombard, N. 32. In later Times I find Mention of them, as in Brit. cap. 12. who lays in the King's Person, (for he writes his whole Book) We will that all those who are fourteen Years old shall make Oath, That they shall be sufficient and loyal to us; and neither by Reason nor joining to others: And we will, That all persons themselves to be of good, and to do their Office, without any favourable to those that Dedicaries: Except Religious Persons, Clerks, Knights, Emancipat, &c. and Women. Yet the same Author, in his 29th Chapter, says, all of twelve Years old, and upwards, are punishable for not coming to the Sheriff's Torn, except Baris, Prebates, Barons, Religious Persons, and Women.

A Dein or Dein, seems now to extend fo far, as in every Letter extending, because in Lewis only this Oath is ministered by the Steward, and taken by such as are twelve Years old, and upwards, dwelling within the Precinct of the City, where they are born, Brit. N. 36. cap. fol. 61. 9. The Parishes of this City you may read in Brit. lib. 3. Tract. 2. c. 19. man. 1. who sets down fifteen Years for the Age of those that are to be sworn to the King's Peace, but afterwards names twelve Years. See Islag.

We may note, out of the Premises, a Divinity between the ancient and these modern Times in this Point of Law and Government, as well in the Age of those that are to be sworn, as also that Dedicatio is not now used for the chief Man of a Dein, but only in that is born to the Sheriff's Peace; And thereby, That now there are no other Dein, but Lett; that no Man ordinarily gives other Security for keeping the King's Peace, but his own good name; and that no Man answers for another's Transgression, but every Man for himself. See Frank Plow, and a Par. Jusfol. fol. 73. See Guild Hall.
Deo, (as if it be said in a Fœdingment, i. e. hath Gven, granted, &c.) It is a Warrant in Law to the Feudice, and his Heirs. Coke on Litt. fol. 399. a.

Deed, (Deed) the Feath of Dedication of Churches, or rather the Feast-Day of the Saint and Patron of a Church; which was celebrated not only by the Inhabitants of the Place, but by those of all the neighbouring Villages, who usually came thither; and such Assemblies were allowed by the King, ad Dedicationis, ad Synodum, &c. omittens sit jussu paæ. It was usual for the People to feast and drink on these Days; and in many Parts of England they still meet every Year in Villages for this Purpose, which Days are called Feste.

Deodamus Potestatem is a Whet, whereby the Commission is given to one or more private Persons, for the speeding some Act appertaining to a Judge. The Cecilium call it Delegatum. And it is granted most commonly upon Suggestion that there is no Judge, or a Judge, in a Court, is so weak, he cannot travel. It is used in divers Cases; as, to take a Personal Answer to a Bill in Chancery; to examine Witnesses in a Cause depending in that Court; to levy a Fine, &c.

Deoe, (Deo, &c.) A Whet, with 3., Symbol, &c., finis, &c., 71., and divers others; as you may see in Byn, No. 80, and in the Table of the Regist. of Writs, Notes, Deodamus Potestatem.

Deo Rerum. See Deus et Sestia.

Deo Salutis. A Whet (sulium) is an Infrument written in Parchment or Paper, consisting of three Things, name, Writing, Sealing, and Delivery, and comprehending a Contrâl or Bargain between Party and Party. Of which there are two sorts, Deed Indanted and Deeds, Pals; which Names arise from the form or Fashion of them, the one being cut in and out in the Top or Side, which we call Indated, the other being plain. A Deed Indated is a Deed consisting of two Parts, or more, (for there are Trivaria, Quadrivaria, and Septemvaria Deeds;) at that of Henry the Seventh, concerning his Royal Chapel at Westminster, in which it is expresst.

That the Parties thereto have to every Part thereof interchangeably feft their several Seals. The Cause of their Indating is, that it may appear they belong to one Business or Contract. A Deed Pals, or Polled, (anciently called Charsa de une partes, or Charsa simplex,) is a plain Deed without Indating; and is used, when the Vendors for Example only Seal, and there is no Need of the Vendors’s Sealing a Counterpart, by reason the Nature of the Contrâl is such, as it requires no Covenant from the Vendors; unless in such Case the Vendor will, out of Caution or Curiosity, have a Counterpart, to be upon any Occasion, what Covenants himself hath given. See Coke on Litt. fol. 35, c. &c. Deo.

Demurres, or Demurrers, (from the Saxon Denna, i. e. a Judge or Umpire.) All Contraverted (in the Law of Mens) are called High Treating, Writings, or any Charges, by certain Judges, when they chance from among themselves, and call Demurrers.


Deurilio (Sex. Deos, Paro, and Palpo, hast given, granted, &c.) It is a Writ, in the Latin, of some Corrupta, or some segmentum quod includatur done. A Park.

Dei fermo quinquen de Elofino is a Whet that lies for those who are by Privilege freed from the Payment of 2d, which read at large in Nat. Br. fol. 226.

De expensis militium is a Whet commanding the Sheriff to levy four Shillings per Day, for the Expenses of a Knight of the Shire. And a like Whet, De expensis Curiae & Burgomyn, to levy two Shillings per Day for every Citizen and Burgess of Parliament, 4 h. &c. fol. 46.

De facto. (Acts 11. Car. 2. cap. 20.) which is actually done, done indeed.

Defiant (Fr. Defias) is an Offence in common law which we ought to do. Of this

Defend, hath a whole Trad, l. 2. cap. 14. and Coke on Litt. fol. 395. b.

Defenstrators, or Defenstrators, (of the Fr. Defias, i. e. To undo, or defeat) signifies a Condition relating to a Deed, as to it, to recognize or Statute, which being perjured. or false, if a Judge, is disbelieved and made void, as it never had been done. The Difference between a Defias or Condition in a Deed and a Defias, is, that those are inserted in a Deed or Grant, this is finally in a Deed by it self. Of which you may read Wrot at large, parv. 1. Synth. l. 2. fol. 146.

Defini, — Rot. Part. 21. Edw. 3. Grier and Defence was made throughout England, — i. e. Proclamation and Prohibition, — Salomon passant in a defence. Wrot. 2. cap. 47. 1. Salomon absolutely be taken at certain Times there mentioned. l. 2. Edw. 475.

To this Day, in divers Parts of England, we lay, God defend, instead of God forbid. And the Free Monthly is more truly called the Defense Month, i. e. the Forbidden Month. See Free Month.

Defensio (Fr. Defenders) signifies in our ancient Laws and Statutes, to prohibit or forbid. — Ufquearius, uosque Rous Eudos et ut ex remanenter in Regno. L. Edw. Cons. cap. 37. & Sichick. 2. cap. 7. Of which Word thus Chances.

Where can you fall in any manner Age, That ever God defended Marriage.

In 3 Ed. 7. we have a Statute, entitled, Statuam de detenterne partem arm. &c. Anitl is defended by Law to disfain in the bigamy. Coke on Litt. fol. 161.

Defendant (Defends) is he that is sued in an Action Parfital, as当你 is who is sued in an Action Real. See Propsen. P

Defenianus is a Word used in Fœdingments and Donations; and hath this Force, that it binds the Donor and his Heirs to defend the Donee, if any Man go about to lay any Servitude on the Thing given, other than is contained in the Donation. Brad. 3. 2. cap. 16. numb. 10. See Warranty.

Defender of the Faith (Defensor Fidelis) is a peculiar Title given to the King of England by the Pope, as Catholic to the King of Spain, Catholici nuncio to the King of France, and Adelnionis Ateflato to the Emperor; Which Title was given by Pope Leo the Tenth to King Henry the Eighth, for writing against the Papal deist in behalf of the Church of Rome, and the Bull for it bears Date Sainto Johns Office. 1511, which may be seen at length in the Lord Herbert’s History of Henry the Eighth, fol. 105.
Defendere unica manu. To waged Law, by
defendere the Action and ane Cause. Ex. if for
forfeit anie ile summ unargent, & for perunus
for sumte felt, the declar shall Defendere unica manu ad
unicum ipsum rationalis die data in Curia Absoluta,
& ipsum ipsum, sol plures habentur declarad debo de
defendere per unum manu. Gr. Charta flata int W.
de Bray Mil. & Abb. & Convent de Offeney just.
Dat. See Munr.

Definitio, (Definition) a Vittor.

Definimentum, (Determination), Matt. Parv.
fal. 422. Guinoneus deforciaverit sic donec, & de
ipsis deforciamento enutri fuerit, it ceb, per quam
abstineat. A withholding Land or Tenements by
Force from the right Owner. See Deforse, and
Cave om Litt. fal. 334. b.

Deforciunt, Cawm 33 Eliz. cap. 3.) the fame
with Deforcit. See Differicare.

Deforcit, (Deforciter, of the Fr. Force, i.e.
Expropriator) is one that overcomes and, calls out
by Force; and differs from Deforciter, ifr, in this
because a Man may diffolk another without Force,
which is called Simple Defflift. Briton, cap. 33.
Next, because Man may overtake another that
out of his own or in Possession. See Example; if more
have Right to Land as Common Heirs, and one
entering, keeps out the Heir, the Law lays he de
forcit, not discusses them. Old Nat. br. fal. 118.
and Littleton, (cap. Difforciamentum, fal. 247.) lays
He who is enclosed by the Tenant in Tail, and
put in Possession, by keeping out the Heir of him in
Vefseron, being dead, doth only force him becau
because he entered when the Tenant in Tail was living
and the Heir had no present Right. A Deforcit
differs from an Infruder; because a Man is made
an Infruder by a wrongful Entry only into Land,
viod of a Deforciter; and a Deforcit is he that calls
out the Right Heir, as abovefald. Bredon, lib. 4.
cap. 1.

Degradation. See Disgracing.

Deguttar. To pour in by Drops. Nic minir
formoso accommodar qui sumbris transt es ad ignum af
fatis deputabantur, ite. (e.g. guttum inebdutatur,) a
Dominium ex mundi liquifitat. Mat. Paril. 1173.

Defraudatum, i.e. Tork, Laxadeffer, Weft
woodland, Camberwell, Sherebrookland, and the Bi
thorpe of Durham. From the Sax, Deep, first,
because of the Multitude of Wild Beasts.

Deis, or Dagus, the Chief Table in a Monar
tery. Salas in Refolutor proculit Supremus habens
vagalam, Priores prandente ad magnam manum quam
Deis anterius appalamarum. From 2 Cloth called Dais,
with which the Tables of Kings were covered.
Mat. Paril. in vita Abat, Samuli Ab. pag. 92.

Delatate, i.e. an Accusation. In quidssum
est juromento qui antorumumento multa es diligent,
finis in Delatate, & pluvios elis. Leges H. l.
cap. 62. Sometimes its taken for the Reward of
an Informer. Legis the 20. apud Brampton. It
differs from Freyda. viz. Rui regeas esse cum vere
cumo effe, in triplum praevaricat & Delatate, fal. 7.
& in freo ratam. If Change.

Delated (Anno 15 Eliz. 8. cap. 1g.) are Com-
mittors so called, because dedicated or appointed by
the King's Commission under the Great Seal, to
sit upon an Appeal to the King in the Court of
Chancery in three Cales:
First, When a Sentence is given in any Eccle-
siastical Cause by the Archbishop, or his Official.
Secondly, When any Sentence is given in any
Ecclesiastical Cause in Places exempt.

Thirdly, When a Sentence is given in the Ad-
miral-Court in St John Lade, by Order of the
Civil Law. 4 Pars. infl. fal. 139. Anno
8 Eliz. cap. 5.

Deft (from the Sax. Delfian, to dig, or delve,) is
a Quarry or Mine, where Stone or Coal is dug.
(See Eliz. cap. 4.) And in a Charter of Edward
the Fourth there is Mention of a Mine or Delf of
Copper. Gand.

Delgiositam. Gnetummadum in Yorkshire.

Deliberare. See Refugiaire.

Demant, (Dominicum, Callis Dominium, Italia
Dominium,) Accipitrum multipliciter, (lays, Brackets)
A tenor Dominicum, quod quis habet ad munifam
sun & proprie, finitque sumbolis Anglica, i.e.
Dominicum ad munifam. Item dictum Dominarius,
Fingamis quod traditur cuilibet, quis quis temporal
& incomplectus reformati poenae pro voluntatis sua
& vacuae. Lib. 4. et 7. cap. 33. Ex. Deman,
Man (according to common Speechs) are the Lord's
chief Manor, Place, with the Lands thereto belong-
ing, which he and his Antecessors have from Time
to Time, in their own Manual Occupacy; howbeit,
(according to Law) all the Parts of a Manor (except what is in the Hands of Freeb
holders) are said to be Demans. And the Reason why Coephold is accounted Domain, is becau
because all others are adjudged in Law to have no other
Estate, but at the Will of the Lord; so that it is
still reputed to be in a Manner in the Lord's
Hands.

But the Word is not for that Reason derived
de Man, which seems to be a Jingle, but from the
Saxon Word Domains, which signifies an Inbe
ricance, and that comes from Dominium, because a
Man has a more absolute Dominion over that which
he keeps in his Hands, than of that which is let to
his Tenants.

Demes is sometimes used in a more special Sig
nification, as opposite to Frank fee. For Example:
Thats Lands which were in the Possession of King
Edward the Contellof are called Ancient Domains,
and all others Frank fee; and the Tenants which
hold any of such Lands are called Tenants in Frank fee,
and the others in Domains; and the others Tenants in Frank fee, Kiching,
fas. 98. See Spelman, words, dominium, where he
do not allow this Word to be written Deme or
Demans, but Domain only.

Demans (Fr. Demands, i.e. Population) signifies a
Calling upon a Man for any Thing due. It
hath also a proper Signification, distinguished from
Plains: For all Civil Aduances are pared either by
Demands or Plans, and the Pursuer is called De
mandant or Plaintiff, etc. Demandant in Aduances
Real, and Plaintiff in Personal. And where the
Party pursuing is called Demandant, the Party pur
suing is called Tenant; where Plaintiff, there De
mandent. If a Man releaves to another all Demands,
this is the best Release the Releafee can have, and
shall enure motto to his Advantage. Little, fal. 117.
There are two manner of Demands; the one in
Deeds, the other in Law. To Exec, as in every
Practise, there is express Demand: In Law, as eve
ry Entry in Land, Differences for Rent, taking or
feeling of Goods, and such like Acts, which may
be done without any Words, are Demands in Law.
As a Rainyds to the other Acts of Quarrels or Aduances: to a Release of Demands is
more large and Beneficial than either of them.
By Release of all Demands, all Executions and all Free
holds and Inheritances executory are releaved by
Release.
Release of all Demandants to the Difficult, the Right of Entry in the Land, and all that is contained therein, is released. And he that releaseth all Demandants, excludes himself from all Actions, Entries, and Securities, but a Release of all Actions, but no Bar in a Writ of Error to render an Outlawry.

Coke, lib. 2. fol. 153, 154.

Demurrant-Cart of an Abbot, seems to be that Cart which the Abbot said upon his own Demurrant, done &c. 3 Hen. 3. cap. 24.

Demurrant (Petition) is he who is Actor or Plaintiff in a Real Action, because he is demanded Land, etc. Coke in C. Litt. fol. 347. b. See Demandant.

Demurrer, See Hogg and Hapgood.

Demurrer (Demurrer) is applied to an Estate either in Fee-simple, Fee-crum, or for Term of Life, and so it is commonly taken in many Writs. A Part. Inf. fol. 483. The King's Death is in Law termed the Death of the King.

Demurrer, See Demurrer.

Demurrer (From the Fr. Demouer, i.e. Mover in aliquam locum, sed movatur) is a Kind of Pains or Stop put to the Proceedings of any Action upon a Point of Difficulty, which must be determined by the Court, before any further Proceedings can be had therein: For in every Action the Controversy confides either in Fact or in Law, if in Fact, that is true which the Judge finds is true and the Judge is plain to the Judge, or to hard and rare, as it be seizes, just Double. We call that plain to the Judge wherein he is assured of the Law, though perhaps the Party and his Counsel yield not to it. And in each Case, the Judge with his Associate proceeds to Judgment without more ado: but when it is doubtful, then Stay is made, and a Time taken, either for the Court to consider further of it, and agree if they can, or else for the Judges to meet together in the Exchequer Chamber, and upon hearing what Counsel can say on both Sides to determine what is the Law. And whatever they conclude stands for Judgment, without any further Appeal. Smith of L. 1st. 72, cap. 13. This Demurrer is in our Records expressed in Latin by Moratur in Lege. At the Common Law, the Defendant sometimes demurred to to the Plaintiff's Count or Declaration; and sometimes to the Plaintiff's Answer, or to the Defendant's Plea, by averring that it is not a sufficient Plea in Law, etc. In Chancery, the Defendant demurs to the Plaintiff's Bill, averring it is defective in fact or law, to break the Judgment of the Court theretofore, whether he shall be compelled to make any further or other Answer thereon, etc. See Moratur in Lege.

Dent, the Names of Places ending in Da signify the Situation to be in a Valley, near Woods, as Tourdun, Bouldean: from the Sax. Dom, Vall. lit. L. Sax. Spelvif.

Denn, Territo, a Little Portion of Wood, Ground, commonly called a Cooper, Da Silva, alc. parcev, in another Place, was pascua donei, a Dome, Day, apud Spelm. And Thern. Ann. 392, tells us, that Denton Abbot Abbatum terravo 20 acrae terras 13 Dennes g'nder portances, etc.

Dennartia terre. See Ardiningde of Land.

Dennartitus, prioriuis unip. Denantius ille of the Morris, redriedus, terre. Stains — quad ex Villarum magis situs Philippis de Colerul Dei — Edita in de Bera de Hesford pro quinuam summa pontae — Denuitii Denantius annui reddita, etc. Sine dat.

Dennartia terre signifies as much Land as is worth a Penny by the Year. Stiglity Deneartium

Dennitius Dei, Ewart-Money, — fica quaudes merces or. ab iis contendit nulli difficilem vel refugit, psalmodiam Dei in alienas persona vestris et receptas. Charta 2 Ed. 1. m. 4. See Argutius Dei.

Dentale, or Danegafe, (from the Sax. Dom and Lae), etc., is the Law the Dane made here in England. See Mercatores.

Dentist (Fr. Dentifem, i. e. Dentiste) signifies an Alien that is enfranchised here in England by the King's Charter and Donation, and enabled in many Respects to do as the King's Native Subjects do, namely, to purchase and possess Lands, to be capable of any Office or Denization. Yet it is short of Naturalization, because a Stranger naturalized may inherit Lands by Deed, which a Dentist cannot. And again, in the Charter whereby a Man is made Dentist, there is nothing in it to the Same time one Claude or other that abridges him of that full Benefit which Natural Subjects enjoy. And when a Man is thus enfranchised, he is held to be under the King's Protection, or 24 & 26 Edin. Riggs, 25, before which Time he can enjoy nothing in England. Bracton lib. 3, tit. 5, cap. 25. sum. 3, faith, That he and his Goods might be feigned to the King's Use. See Hume's Moris, lib. 6, cap. De la Venia de P anque plegni, and a Part. Inf. fol. 741.

De non Residuita Clerici Regis is an ancient Writ, the Form whereof see in a Part. Inf. fol. 624.

Dentis, a Fish with many Teeth, Et sic quiete de quibusque prorsus caputum, columbarum, Demertonium, angulaturum & omnium avium in se. Charta 115. pro Monaster. Rameley.

Dedan (Dedantum) is a Thing given or forfeited, as it were, to God for the Peculation of his Wrath, in a Cave of Midadventure, whereby a Christian Soul comes to a violent End, without the Fault of any reasonable Creature: As, if a Horrie brake his Keeper, and kill him; if a Man, in driving a Cart, fell a the Cart-wheel runs over him, and prehend him to Death; if one be selling a Tree, and gives Warning to the Standers-by to look to themselves, yet a Man killed by the fall of a Tree, in the sight of those Certain Horses, in the second the Cart-wheel, Cart, and Horses, and in the third the Tree, is to be given to God, that is, to be sold and distributed to the Poor by the King's Almoner, for Expiation of this dreadful Event, though offered by unreasonale, yes, feasts, and dead Creatures. Suetonius, Pl. Caur. lib. 1, cap. 2, Bracton, lib. 5, tit. 2, cap. 5.

Omnesque mensuras ad Mortem sunt Dedanzata.

What moves to Death, or kill him dead, is Dedantum, and forfeited.

First says, this Dedantum is to be sold, and the Price distributed to the Poor, for the Soul of the King, his Ancesters, and all faithful People departed this Life, Lib. 1, cap. 25. De Saburofis. Which Law B B feems
De Deponentia inde rata potestas is a Write that lies where one is disfavored for a Rent that ought to be paid by others proportionably with him. For Example; A Man holds ten Organis of Lands by Fealty, and ten Shillings Rent of the King, and alien one Organ to one, and another to another in Fee: Afterward the Sheriff, or other Officer, disfavors only one of them for the Rent, he that is so disfavored may have this Write for his Relief. *Pit. Nat. Br.* *2*, fol. 234.

Diphilatar. See Dumnicari.

Departur, or Departure, is a Word properly applied to him who first pleads one Thing in Bar of another, and being repelled unto, does in his Rejoinder wave that, and then another Matter contrary to, or not purifying his first Plea. *Pit. Nat. Br.* *1*, fol. 7. Or it may be applied to a Plaintiff, who in his Rejoinder pleads another Matter from his Declaration. As in Coke, *2*, *Part*, Bagham's *Cafe*, fol. 147. The Defendant hereupon demanded, because it was a Departure from the Prosecution, so if a Man pleads a General Agreement in Bar, and in his Rejoinder alledge a special one, this shall be adjudged a Departure in Pleading.

Departures of Gold and Silver. See Pintur.

Departure in Dispute of the Court is when the Tenant or Defendant appears to the Action brought against him, and hath a Day over in the same Term, or it called after, though he had no Day given him, or it be in the same Term, if he do not appear, but make Default, it is a Departure in Dispute of the Court, and therefore he shall be condemned, which Departure is always of the Act of the Tenant or Defendant, and the Entry of the same; and if he first renounce, he shall not be adjudged a Departure.

Deposition. (Depositionem). A Waiving, Pleading, or Defending; a Declaration, or Respecting any Place. Coke, *2*, *Part*, fol. 304.

Depositiones agrorum. It appears by the Stat. 4*, *H. 8.*, *cap. 2*, that they were great Offenders by the ancient Law, and that the Appeal or Indulgence of them would not be in general, but in special Manner. As they are called *Depositiones agrorum*, for that by protesting or decaying the Houles or Habitation of the King's People, they *depopuli*, that is, depeopled the Towns. *3*, *Part*, *Inf.* *inf.*, *fol. 604.

Deposition (Depositionem) is the Testimony of a Witness, otherwise called a Deponat, put down in Writing by way of Answer to Interrogatories exhibited to that Person in *Chancery*, *Extr.* And when such Witness is examined in open Court, he is laid to be examined *Prae voce.* Deposition is also used for Death; *as* in *Brown* *Dej.* *lib. 2.*, *tit.* *Destrito, Ordinat.,* quod *Teofano* *Depositionis* *Sammii Johannis de Beneplacit.* *4*, *H. 4.*, *tit.* *Protestationem* *nullam videmus* *praepat.* *3*, *Part*, *Inf.* *inf.*, *fol. 604.

Depositionl (Depositionem) is a Depriving, Bereaving, or Taking away. — With the *Loth* of Deposition of all the Spiritual Promotions, *Hiscroft*, *see* *De* *Ewd.* *6.*, *cap. 12*. *De* *Ewd.* *Bishops* and *Deans*. *1*, *Ewd.* *3*, *tit.* *

Depositiones a Beneficiis is when, for some great Crime, a Minster is wholly and for ever deprived of his Living.

Departur ab Office is when a Minster is for ever deprived of his Orders, which is also called *Deposition* or *Dissolution*, and is commonly for some heinous Crime meriting Death, and performed by the Bishops or the Common Namer.

De quibus fieri *Dissolution* is a Write of Entry. See *Pet. Nat. Br.* *fol. 191. 

Sec. Names of Places beginning with *Der* signify they were formerly where Wild Beasts herded together, from the Sax. *Deo*, *Fero*; unless the Situation was near some River.

Derain, or Derain. (Depositionem, vel *Disassociationem*), signifies generally To prove, as *Dispositionem* sum *hominis* propriogni. *Glany* *lib. 2.*, *cap. 6.* And *Disassociationem* sum *hominis* *in curia omnem* he proved that Land to be his own. *Ibid.* *ibid.* *lib. 4*, *cap. 5*. *Derain* utiles it in the same Sense, *Hales* *Ufficiornium dispositiones omnium* *probationis* *lib. 4.*, *tratt.* *6.*, *cap. 16.* And to he utile *Depositionem*, *lib. 4.*, *cap. 22.* And to *Derain* the *Hermamy*, *Old Nat. Br.* *fol.* *196.* To demand the *Ademption of the Title*, being in *Demand*; and when it is *Derain*ed, then shall the Plea pass in the Court *Christianum*, as far forth as it is derain'd in the King's Court. In some Places the Substantive *Derain* is used in the very literal Signification with the French *Derayet*, or *Dersanger*, that is, Turning out of Court, Displacing or Letting out of Order; *as* *Derain* or *Departure out of Religion*, *Amice* *H. 8.*, *cap. 6.* *2*, and *5*, *H. 3.*, *cap. 17.* And *Departure or Discharge of their Profession*, *33*, *H. 8.*, *cap. 29.* which is shown of those Religious Men who forsook their Orders or Professions. So *Rickett*, *fol. 157.* the Latterer to the *Derain*ed, and afterwards is dis- *Derain*ed. And *Brinn*, *cap. 21.* hath these Words *Semanue* disfisnable, for a Summons that may be challenged as defective, or not lawfully made. Of this you may read something more in *Saxon*, *words* *and* *phrases*. *Derain* and *Diathesis* where in one Signification he confounds it with our Waging and Making of Law. See *Lec Deinsiva.*

Derrid, a Park: From the Sax. *Deo*, *Fero*, and *Pasu*, *Stadumum*.

De Rebus. No *Parlement* is a Write for recalling a *Parlement*, as in *5* *Edw.* 3.* the Parliament being summoned, was recalled by such a Write before it met. See *Pryde* *Animad.* in *4* *Ewd.* *fol. 44.*

Derain, As to aforesaid *Derain* in *Yorkshire*.

Dissent. See *Pleas.*

De for tugberouth (Fr. *Rulb* *demostrats*., i. e. a Plot, Morion, or Enterprise) is Words of Form, used in an Action of Trelaps by way of Reply to the South (Parliament) to prove the Plaintiff to have been in such an Action; *B* answers for himself. That he did that which *A* calls a Trelaps by the Command of *C* and his Master; *A* faith again, That *B* did it for other reason, saw that *C* lay command, and *D* saw that, *B* did it of his own Wrong, without
in Capitis, to enquire by a Jury of What Lands he died seised of, and what Wains, and who was the next Heir to him. Vide Nat. Dig. fol. 252.

The Court of Common Prayer are Dignis juridici, and Dignis non juridici. Dignis juridici are all Days in Court wherein Justice is administered. Dignis non juridici, or maffiis, are all Sundays in the Year, and in Easter-Tide the Feast of the Assumption of Our Lord, in Trinity-Tide the Nativity of St. John Baptist, in Midsummer-Tide the Feast of All Saints, and All-Souls; and in Hilary-Tide the Purification of the Virgin Mary. And this was the ancient Law of England; and extends not only to Legal Proceedings, but to Controverts. 2 Part. Dig. fol. 264.

Dignis, in some Authors, is taken for Daily Provision. Ex rodo bono diminuam esse melius, Erat; Quam dixi de fronde; that is, As much Honey as was sufficient for the King's Family for half a Day; and as much Provision as was enough for a whole Day. Domina, apud Stylum. Digniz dat in Digniz, of some of Peasants, given to the Tenant or Defendant by the Court. See Post. Continuance.


Dura rationabilis is in Brasilia used for a reasonable Day's Journey. Lib. 3. Tract. 2. cap. 16.

Differunt, To destroy. Si vero nos comparatis, nostra sed ad nos incurreret, nulli Differtis illo (that is, Turnus). Du Cange.

Differunt is a Maiming any one, in Jus Conduere and of quae ad Differentiorum jurisdiction. Leg. 11. cap. 61. 57, 58.

Diffezare retinum, To deny Justice, being required to do it. Si quisque de prorsus regni Difforciaveret Archidrogoge vel Archidrogoge de felis jubet, nam indifferentem Ret debet in jus- ficiend. Mat. Paris. Anno 1646. Sometimes it signifies To take away, as Differuntia morte. See Differentia.

Difforciarum, the Book of Pardons of the Civil Law; so called, because it contains Legata pro- certo excusator Digniz. Du Cange.

Difforciarie (Difforciariz) are those who are advanced to the Ecclesiastical Dignity of Dean, Arch- deacon, Prelate, Etc. See Part. Dig. fol. 175.

Digniz Cretaeisfiziat at (Digniz Cretaeisfiziat) is mentioned in the Stat. 26 Hen. 8. cap. 315. & 37. rydeum, &c. And is by the Cannons defined to be administratio cum jurisdictioni & possessione dignitum. Wherein you may read Examples in Dain- rex, de Spirit Escl, Ministris, &c. Bynogius, lib. 5. cap. 6. Of Dignizes and Prebends Canons reckon in England 554. Bezon. pag. 167.

Difforciatione (Difforciatione) a wastful Spending or Defraying, or the letting Buildings run to Ruin and Decay for want of due Reparation. Ann. 13 Eliz. cap. 10. Money recovered for Diffor- ciatione shall be employed in Repair of the same Houses. Ann. 14 Eliz. cap. 11.


Difforciarum, 1771 Wales, Carnarvon, Pembrey, and Cardiganshire.


Difforciarum (Difforciarum, from the Greek οἰκος, or Sidney) signifies with us the Circuit of every Bishop's Jurisdiction: For this Realm hath two Sorts of Division; one into shires, or Counties, in respect of Temporal Policy; another into Dioceses, in order to Jurisdiction Ecclesiastical, of which we reckon twenty two in England, and four in Wales. At first it signified a Parish: Diocesis propriis de baptismatibus Ecclesiae territorii & gubernatori. Du Cange.

Discinratio. See Digestum.

Dircrum. 1. e. Duplex vel visus, viz. fufufufu fehi heli regi def ronum gregem fef Communion Dire- crou, 1. e. Duplex pazh fevrd. Monnul. a Tonn. pag. 218.

Diurap, a Privy-Yearn. See Digestum.

Disability (Difabilitas) is when a Man is disabled, or made incapable, to inherit or take that Benefit which otherwise he might have done. Which may happen four Ways; by the Act of the Party, or his Ancestor; by the Act of Law, or of God. Disability by the Party's own Act is, If I bind my self, that upon Surrender of a Lease I will grant a new Effect to the Lessee, and afterwards I grant over my Reversion: In this Case, though I afterwards repurchase the Reversion, yet I have forfeited my Obligation, because I was once difabled. See Case, 5 T. 5. fol. 21. Also, if a Man be excommunicated, he cannot, during that Time, do any Action, but shall be thereby disabled. Gaes. 1. 8. fol. 69.

Disability by the Act of an Ancestor is, If a Man be attainted of Treason or Felony; by this At- tainder his Blood is corrupt, and both himself and Children disabled to inherit. Gaes. 1. 8. fol. 123. 124.

Disability by the Act of Law is more properly, when a Man by the sole Act of the Law is disabled: And if is an Alien born, who is disabled to take any Benefit thereby.

Disability by the Act of God is, where a Man is out of whole Memory, which disables him so, that in all Cases where he parthly any Efface out of him, it may after his Death be disafforded; for it is a Maxim in Law, That a Man of full Age shall nec- essarily be recus to be disabled in his own Person. Gaes. 1. 8. fol. 123. 124.

Disability, To deny, or not to acknowledge a Thing. Temp. mentioned in Bengaia Magnus, cap. 4. Si quis novus delevit in pleno Conciliis, intem [pitu- servantur jacentia pacis, & cetera Difforciarum pro Domino. Difforciarum signifies as much as To disable, Littleton, in his Chapter of Discontinuance.

Difforciarum, a turning Wood ground in Arable or Pasture, an Attainting. See Alien.


Difforciatio, an Unloading. See Codex M. S. in Terr. Land.

Disent. See Decret and Dispiration.

Dispret. (Lat. Dispreti, Fr. Despret) an Or- dinal or Metre, whereby Lands or Tenements are derived, and arising, from his Ancestor's; or to make his Dispret from his Ancestor's, (Old Stat. 6th. fol. 10r.) is, To shew how and by what particular Degrees the Land in Question came to him from his Ancestor. This is taken into Dispret, in order to the lateral. London Dispret is convey'd downward, in a Right-line, from the Grandfather to the Father,
and from the Father to the Son, and from the Son to the Holy Ghost. Col 1. 17. Or, Calvin: if Jn. 14. 16, 18, where the Father begetteth and putteth forth the Son of the whole Blood, as Grandfather's Brother, Father's Brother, &c. If one die seised of Land, (in which another his Right to enter) and it descends to his Heir, such Deed shall take away the other's Right of Entry, and put him to his Action for Recovery thereof. Stat. 32 Hen. 8, c. 73. Coke in Litt. fol. 237.

Def Ich to the Ju, with the Prick of a Dis or a Particular Def is a Pla containing an express Denial, Remonstrating or Disclaiming; as, if the Tenant Sue or Replevin on a Deed taken by the Lord, and the Lord avow, laying, that he holds of him as of his Lord, and that he disclaimed for Rent not paid, or Service not performed, then the Tenant, denying to hold of such Lord, is said to disclaim; and the Lord proving the Tenant to hold of him, the Tenant loeath his Land. Also a Man denying himself to be of the Blood of Kitchett, for another in his Pex, is said to disclaim his Blood. See Coke in Litt. fol. 109, and 1 Br. Nat. Br. fol. 197. If a Man arraigned of Felony disclaim Goods, being cleared, he loeath them. See Bred and New Book of Entries, 134. Tho. Gres. in Litt. 36. and Chur. Paper, if a Defendant by his Answer disclaims the having any Interest in the Thing in Question, this is also called a Disclaimer.

Disworkflow (Dis JOmini) signifies a Tnor, Intermission, Interruption, or Breking off; as Disworkflow of Poone, or of Proe. The eff. of Disworkflow of Poone is this: That a Man may not enter upon his own Land or Tenement alienated, whatsoever his Right be to it, of his own self, or by his own Authority, but must bring his Writ, and seek to recover Poone by Law, as, if a Man alien the Lands he hath in Right of his Wife; or if Tenant in Tail make any Moent, or Leave for Life, not warranted by the Stat. 32 Hen. 8. by Fine or Livery of Sein; such Alienations are called Disworkflow: Where are indeed Impediments to an Farty, whereby the true Owner is left only to his Action. See the Institutes of the Common Law, cap. 43, and Coke's Reports, lib. 3, Coe's of Fines.

The Effect of Disworkflow of Ples is, That the Opportunity of the Tenant is lost, and not recoverable but by beginning a new Suit: For to be Disclaimed, and to put not Day, is all one, and nothing else but finally to be disübbed the Court for that Dis_workflow. So Gover. to his Successor, in his Juris, fol. 213: if he not in these Words, If a Ju_mesto be disclaimed by the by (coming of the Successor, the King may remove the same by his Writ, &c. In this Signification, Hic sucq. (in his Nat. Br.) under the Title, the Right of his Wife, fol. 191, La dis_workflow of an Action, Disworkflow of an Affr, fol. 228, D. 127. B. Anno 31 Eliz. cap. 1. — 12 Car. 2. cap. 4. and 4, 11. 12, 16, 17, 18, 19, 22, 23, 24, 29, 30. Dis_workflow. (14 Car. 2. cap. 31.) To take away one's Freedom or Privilege. It is the contrary to Enfranchize; which abide.

Disworkflow, or Disproving, (Disagresio) is the process of proving or Infruing to his Ordinary, cannot purge himself of the Offence, where he was convicted by the Jury; and it is the Privation or Depriving him of the Holy Orders which he hath. Disworkflow, or Disworkflow, (Disproving, Strangford, 3. Pl. Co. fol. 150, & 158. There is likewise the Disworkflow of a Lord, Knight, &c. Sir Andrew Hare, Earl of Carlisle, was convicted, degraded,
Diisferentia. To disfigure, or scandalize. Non est Deiperonanitas nisi misbircandum cum se falso Committit, ego Regis & Regique.

Diisferentia, & Diisferentia, (Fr. Diisferens,) To justify or make good the Denial of a Fact, by contrarium rationem efferere, nec quod affirmant si rationem efferere. We now call it Travestiture, or Traveller. Orationem se has been used to clear ones self of a Crime. See Giff, in action Scrupula, & Dignus. Scientia nos dedit Dei & Ecclesiae & Roberto Episcopo Limoges 12 buvias terrae quam Ran- dulfus Boffet Deiationavit eis in Domino meo. Mon. 3. Tom. pag. 245.

Dignum, To break open a Seal. Seu patre Testamentum diffingatum sibi. Neuburgensis, lib. 2. cap. 7.

Diffinens (Fr. Diffinens, not from Diffinis, as cover in English signifies an unlawful Diffinens of a Man of his Land, Tenement, or other immovable or incorporeal Right. And how far this extends, see Brallon, lib. 2 cap. 3. Therefore the Affix is not called by its True Name, for East Sussex. Diffinis in any Case; whereof some are termed little Wits of Diffinis, being Plenius, that is, liable before the sheriff in the County-Court, because determinable by him without Affidavit. Reg. of Briss. fol. 20. As, for Necessity of no great Prejudice.

Diffinis is of two Sorts: either Simple Diffinis, committed by Day without Force and Arms; or Diffinis by Force: For which see Deiperson and Frb. Diffinis; see also Diffinis and Pafl. Diffinis; see Log, verbs Diffinis. How many Ways Diffinis is committed, see Fortus, lib. 4. cap. 1. yet, for autem, and when it is lawful, cap. 2. Wrongfull Diffinis is no Defect in Law. 32 Hen. 8. cap. 37.

Diffinis be he that diffineth or puts another out of his Land. And Diffinis be it that is put out. Ann. 4. Hen. 4. cap. 7.

Diffinis is he that diffineth another. Gobe m Litt. fol. 357. 6.

Diffinis, (Fr.) signifies most commonly a Complain in certain Real Actions, to cause a Man to appear in Court, or to pay Rent or other Duty denied, or it is the Thing diffinens. The Effect whereof most commonly is, to compel the Party to disfurnish the Devisors, and to take his Action against the Devisers; or else to compound neighbourly with him for the Debt or Duty for which he disfurnishes. There are divers Things not disfurnishable, as another Man’s Gown in the House, of a Tailor, or Cloth in the House of a Fuller, Sheermans, or Weaver; for they, being common Artificers, it is presumed such Things belong not to themselves, but to others. Ifithum is not disfurnishable, nor Cow in Sheaves, unless they be in a Court of Arches. A Diffinis ought to be of such Things whereof the Sheriff may make Replevin, and deliver again in as good Cafe as they were at the Time of the Taking. A Man may disfurnish for Rent, Goods, Wood, Coal, and other Services, and for Fines, and Ameasuons, afflicted in a Leet, (but not in a Court Baron, and for Damage-Dealan, &c. but not for Rent due for any Land, except upon the same Land alone.) When one hath taken a Diffinis, he behoves him to bring it to the Common Pound, or he may keep it in an open Place, in that he give Notice to the Party, that he has (of the Diffinis he has a Quiet Right) may give it Reel. See the Stat. De disfurnis Senisantes 35 Hen. 3.
times it is taken for a Charity given by a last Will; as in Endoerue, lib. i. cap. 8. "Hoc quidem vice falsi quinque de illis "(num Divisio per temporum voces congruentem) etiam in hilo, &c. Sometimes it signifies a Parcel or Portion of Land devised by a last Will, or far apart. Divitis Limitibus, Leg. Ine, cap. 44. Coris habent habitum in Commissio et ammoni bellati divisi, eodem modo. Sometimes it is taken for the Bounds of a Place or Farm, as in Leg. H. i. cap. 52. Si inter comparant vicinas argentino quod querula, convinentur ad divisis terrenos. And sometimes it signifies an Award, as in Leg. H. 2, cap. 9. Omnis causa terminatur in Comitia ut dividat parvum. Divitis. See Devisio.

Divine (Divorium, à divorcio) is a Separation of two de facto married together; of which there are two Kinds: one A Pauculo Matrimonii; the other A Meno & Thana. The Woman divorced à Pauculo Matrimonii, receives all again that the brought with her. This only arises upon a Nullity of the Marriage, through some essential Impediment, as Contagion or Affinity within the Degrees forbidden, Preconception, Impotency, &c. Of which Impediments the Canon Law allows fourteen, comprehended in their Verbs:

Error, Credito, Votum, Cognatio, Grima, Colot, Diffaritas, Vex, Ord, Ligam, Homilis, Si facit, Si furcet secreit, Si facit, Si fraudit secreit, suprænum S, &c. Non superavit, nec mater feminam iuxta.

Divorce is a Judgment Spiritual; wherefore, if there be Occasion, it ought to be reverted in the Spiritual Court. See Codis, lib. 7. Rome's Catech. Idem, lib. 5, fol. 98. and on Litel. fol. 235. In the Old Law, the Woman divorced was to have of her Husband a Writing (as St. Jerome and Josephus tell us) to this effect, I promise, that hereafter I will lay (on or to his tombs), which was called, A Bill of Divorce.

Divirtialis, as much Land as can be plowed in a Day with one Ox, 20 Acre of Land. In some Authors 'tis wrote Diversoria. Similar cases could arise Divirtialis eborei.

Douutum, Glossethshire and Oxforshire, or the Inhabitants of that Part of Oxfordshire next Glossethshire.

Dowt is a Brief in Writing. Ann. 2 & 3 Ph. & Ma, cap. 6. With it writes it Dower, by whom it seems to be some small Piece of Paper or Parchment, containing the Effect of a greater Writing. Symon, par. 2, cap. 1. Insan. fol. 106.

To Do Keth (Ecclesi. Legem) is as much as to make Law. Ann. 3, Hen. 6, cap. 14. See Make.

Doug-Days are sixty four in all, a certain fixed day assigned in that September.

Doug-bum is a man's name Deprehension of an Officer against a venire in Forrest, when he is found drawing after a Venire by the Scents of a Hound, led in his Hand. There are four of these noted by Mavoura, par. 2, cap. 18, man. fol. 91. Strode of Land, Doug-bum, S. &c. bear, and s. &c. of Land.


Doug-gist (a ship) seems to be hith brought into those Ships to fishet-of-Haven, &c.

Doug-stern, (24 Hen. 3, cap. 4.) Fishermen that belong to Dougster Ships.

Douglet. See Docket.

Dowthit was a Kind of bale Coin of small Value, prohibited by the Statute 5 Hen. 5, cap. 1. Hence we fill retain the Phraele, No worth a Dukeln.

Dole (Dona, Sax. Dole, Par, parit, from Delan, Dividere, Distribuere) is a Part or Portion most commonly of a Meadow, so called to this Day; as DoLe-Meadow. (Ann. 9, Sax. cap. 1.) where the Persons who have Shares, in Le Sambode (i. e. grant aubrait) habet Prior per partem etiam quam vocatur Corona. Tris Dolae, deus facit illa cadit. Et in quatuor Dolae, habet 4, dolae vitae mundam (i. e. Dominus) sancto sanctis. Libr. Priorat. Dountible, cap. 1.

Doyleith seems to be that Fifth which the Fishermen, yearly employed in the North Seas, do of Currum receive for their Allowance or Shares. See the Sect. 3, Hen. 8, cap. 27.

Dolgs-bote, (Sax.) a Recompence, Amends, or Satisfaction, made for a Scar or Wound. Sax. Dict. L.L. Aliud Regis, cap. 23. Dolgboet Liber.


Dome-dec, (Sax.) Liber Judicialis. Leg. Eduardi Regis feudarii, cap. 8. Boccpa Donbhoc. Gese, i.e. Compenius first Liber Judicialis flatuarii. Some Book of Statutes or Orders proper to the English Saxons; such, happy, as that wherein the Laws of former Scan Kings were contained. That Chapter referring to the Laws of King Leo, cap. 29.

Dome, or Donn, (Sax. Donn.) A Judgment, Sentence, Ordinance, or Decree. The Homage's Oath in the Black Book of Hereford, fol. 46. ends thus, So help me God at his Holy Dome, and by my Crowde. See Dom.

Donbshay, (Liber Judicialis) Conflatial Anglia, from the Scan Domn, i.e., Canus non usitatius, not Domnus, not Donnus, as some Authors write it. is a most ancient Record, made in William the Conqueror's Time, and now remaining in the Exchequer fair and legible, containing of two Volumes, a greater and a less; the greater comprehending all the Counties of England, except Northumberland, Cumberland, Wolfoamord, Durham, and Part of Lancashire, which were never Survey'd; and except Essew, Assew, and Norke, which there are comprehended in the lesser Volume, which contains with their Words; Ann. Millesimum Octavesano secundas in incarnatione Domini, octogesimo et vigesimo Regi Wilhelmii, fall of ilia descriptus, quia plures per ter Cinquantes, sed etiam alios. It is called Liber Judicialis未经 in to semin Regi descripti euisse eorundem signationem. Anglorumque fundamenta apostolica expressam. And Domnesbad, (as Geru. Thiburse, cap. 2) Non quod in eo de prosperitate abnormalis habitris studente sanctissimi, sed quod prudens et judicio non licet ut ad timeat divitiae. It was begun by five Judges, assigned for the Purposes in each County, in the Year 1087, and finished 1096. Commonly called Le Goulusium Liber Conflationalis, the Tax-Book of King William. See more of it in Spinn, Col. 4, and a half fol. 269. The Dean and Chapter of York have a Register called also Donbshay; so has the Bishop of Worcester: And there is an ancient Roll in Chelsea-Catholic called Donbshay-Roll.

Our Ancestors had many Dome-Books: We are told by Ingulphus, pag. 876, and 903. that King Alfred made Tames Riuconb quum Goulusium notatis, which he
he called Domelis ; and sometimes the Winchestone, for it was kept there.

The Domelis: Book made by PHIL. 1. referred to the Temple Edward the Confessor, as that of King Alfred did to the Time of Edelred: For the Entries are thus made, C. gent. Reu Wilhelmi in domino & caulis, &c. ibi carumae, &c. T. R. E. uselote, &c. e. e. It was worth so much, tempore Regis Eduardi. And this Book is called Magna Biblia Vitae.

The third Book, which differs from the other in form more than Matter, was made by the Command of the same King. The one being large, and in folio, but this letter, and in quarto, it seems to be the more ancient of two: ’Tis fairer written, and hath very few Ratures. See MANFORD, 1st T. 472.

’Tis probable Ingulphus, though he lived near the Time of this Book, yet few have these Books; for he writes of incorporating these Rolls, as if at that Time they had not been made up in two Volumes: Or both which the Honourable Sir John Tower, Misher of the Rolls, informes mee. It was called Domelis Copy.

There is a fourth Book kept in the Exchequer, which is called Domelis 5, and though a great Volume, is only an Abridiement of the other two. It hath many Pictures and gilt Letters in the Beginning, which refer to the Time of Edward the Confessor. And this led him who made Notes on Fitzherbert’s Register into a Mistake, who, in fol. 14, tells us, that Lober Domelis fallit, ait tempore Regis Eduardi. There is a fifth Book kept in the Rememberer’s Office, which is the very fame with the fourth before mentioned.

’Tis generally known that the Question, whether Lands are Ancient Denizens, or not, is to be decided by the Domelis of William I. From whence there is no Appeal, nor is there any Averment to be made against it. And verz a Book of such Authority, that even the Conqueror himself submitted some Cases, wherein he was concerned, to be decided by it. What is contained in this Book appears by their old Verse.

Quid debetur sive, qua, quanta Tributum
Nominis quid Genus, qua est Agilitas, qua num.
Quibus tenetur judici, fallitque solvere jure.
Qua, judicium exempt, vel qua signum aemitat.
Sunt, si in aliquo Galea, vel Conditione,
Quoque manuenta patriae jure ligatur.

Domelitis usi Domelis. John of Gatyn, Duke of Lancaster, had by Katherine Williams, before Marriage, four illegitimate Children, viz. Henry, John, Thomas, and John; and because they were born at Basingter in France, they were vulgarly called Henry de Basingter, &c. John before 20 Rich. 2, was knighted, and Henry became Diefet. At the Parliament holden 20 Rich. 2, the King by his Charter did legitimate these Children. Res.- Charitatis enim pupillis usu sacrilegum nihilus usuris Joh. Johannis Ducis Lancis, notis suis usu sacrilegum, salutem, &c. Dyre Rige apud Wyntum, 9. die Febr. per eossum Regem in Parlamento fuerint. (see Sir Edward Coke’s, 4 Inst. fol. 57.) the said Thoms, could not be called Efigiates, and therefore had the Addition Domelis, which (say he) signifies a young Soldier not yet knighted, or nobly borne, &c. which is a Mistake: For there is no such French Word as

Dominic, but Domelis. Nor can Dominicus properly be derived from thence, but is an obsolete Latin Word, anciently given as an Appellation or Additional to that of the Founder, sometimes to the eldest Sons of Noblemen thence; whence, doubtful, we borrow the Words. See Spell. Gloss, orch. Dominicus. Tidemanus permittissime Drasinc Wigorn. Epsicopus Rulstii de Cellis leu Johanni de Poltuor nefran. D. Dominiclle, frater. — Dit. 7 Febr. 15 Rich. 2. Here it is used to a private Gentleman, as Lord of a Manor. — Sid ni in indiv. creat de pluribus Dominis, quia Baroniuns canonea Dominic., Angli sibiu religio, qui nati Regum, &c. Hoveden, fol. 347. n. 50.

But Domellis are only a better Sort of Servants, as appears by Thorne, fol. 1748. Dominicus Albani, and Dominicelli Servientes mensue, pag. 1596.

Dominigurum, Danger. Credentem Laudantimus quod per hominum Dominigurium avertat. Walth. 1392. Enim omnium Regi aerecear et Domelicus aemulatur, &c. It is sometimes called Dominio, and is a usefull word, as in Forren in Henry the Fourth. Shelf. lib. 4. tract. 4. cap. 19. par. 2.


Dominus, in ancient Times, being prefixed to a Name, usually denoted him a Knight, or a Clergy-Man: for so we find it often in Charters, with His Eighi, Dominus Edwarde de S. Maure, Dominus Wilthico Blunt, &c. Howbeit, I think sometimes that Title was given to a Gentleman of Quality, though not a Knight, especially if he were Lord of a Manor.

Domus Carerabara is a Writ that lies for one against his Neighbour, by the Fall of whose House he fears Damage to his own. Reg. of Henry, fol. 153. In which he claims the Grant have the Action De damnis infello.

Domus Cenburorum. See Rei.

Domus Dei, the Hospital of St. Julian inSalop, &c. so called. Man. Angl. 2. 20. fol. 440. 6.

Donatus (Donatium) is a Benefit merely given and collected by the Patron to a Man, without either Presentation to, or Institution by, the Ordinary, or Indulgence by his Command. Pec. Nat. 52. See the Stat. 3 Will. 2. c. 42. 4. And where a Bishop hath the Gift of a Benefice, it is properly called a Donation, because he cannot present to himself. Petrus Gregorius, de Benoistia, cap. 14. num. 2. hath not Words. — If Chapel founded by Laymen were not approved by the Diocesan, and (as they term it) spiritualized, they are not accounted Benefices, neither can they be conferred by the Bishop, but remain to the prior Disposition of the Founder, wherefor the Founder and his Heirs may give such Chapels, if they will, without the Bishop. Quin, in the Preface to his Readings, faith, ‘Thit the King might of ancient Time found a free-Chapel, and exempt it from the Jurisdiction of a Diocesan. So then the free-Bishop of Llanelly, when he was a common Person to found such a Chapel, and make it Donation, not presentable; and that the Chaplain shall be deprived by the Founder, or his Heirs, and can be only Bishop, which seems to be the Original of Domatius in England. All Bishop's

pricks
ricks were, in ancient time, Donative by the King. Coles, lib. 3, fol. 75.

Doune is where Two Lands or Tenements to another in Tail; and Doner is he to whom the same are given.

Doun or Domn, (See Domn.) a Judgment, Sentence, Ordinance or Decree; also Sign or Sig

notication. Subiectus quodem (lately Mr. Somner) exercit in Domn, obi commissio prausta videtur apollo

rum, & quandunque manus dentat vel Officium, item

Dictionem & Dominium, in in Kingdom, Earldom,

etc. — Patent Gendihorbe & Burral, & Domn, &


a. See Oath.

Doucerer. See Dorucour.

Doucrire. Canterbury.

Douffe, A Cloth or Curtain, hanging in the Chorue, so called because Sedent ad defant appendiur.

Trepue diet capitus, defoula plura, tapetes.

Doufie. See defoule.

Dougtre (Parmeetorum) is the Common Room or Chamber, where all the religious of one Convent slept and lay all Night. Ann. 35 Hen. 8, cap. 11.

Dofnus, Straight Cloaths made in Desomrhyth, and so called in Reg. Parl. 2, Hen. 5.

Douffe. See defoule.

Dote assignata is a Writ that lay for a Widow, where it was found by Office, that the King's Tenant was feild of Tenements in Fee or Fee-Tail, at the Day of his Death; and that he held of the King in Chief, &c. In which Case, the Widow came into the Chancery, and there made Oath, That she would not marry without the King's leave. Ann. 15 Edw. 3, cap. 4. And hereupon the said this Writ to the Escheator, for which, see Reg. of Writs, fol. 257, and Biz. Nat. Br. fol. 263. Their Widow's are called the King's Widows.

See Widow.

Dote unde nihil habet is a Writ of Dower that lies for the Widow, against the Tenant, who bought Land of her Husband in his Life-time, whereas he was lately sold in Fee-Simple or Fee-

Tail, in such force, as the like of them both might have inherited. Biz. Nat. Br. fol. 147.

Dotes Administratio. See Administratio, and use of Writs, fol. 171.

Double Plea (Duale Placitum) is that where in the Defendant alloweth himself two several Matters in Bar of the Plaintiff's Affid, whereof either is sufficient to effect his devise, which shall not be admitted for a Plea. As, if a Man allege several matters, the one nothing depending upon the other, the Plea is accounted Double and not admissible; but, if they be mutually depending each of other, then it is accounted Single, 

Kitchins, fol. 233. See Brook, loc. it. And Sir Tho. Smith gives this Reason why such Double Pleas: is not admitted by our Law; because the Trial is by Twelve rude Men, whose Heads are not to be troubled with any mattering things at once. Lib. 2, de Reg, Angil. cap. 12.

Doubt Marret, (Duale Querela) is a Complain made by any Clerk, or other, to the Arch-

bishop, that any Small Matter has been Ordi-

nary, for delaying Justice in some Caue Ecclesi-

astical; as to give Sentence, infinute a Clerk pretended, or the like. And to determine a Duale Querela, because it is most commonly made against the Judge and him, at whose Suit Justice is delayed. 

Cowell's Ineq.
Name, might make Ciam, or ever challenge any
interest in the said Margaret, or in her Goodfor-
Chattles, &c. By which Grant, when the demand-
ed her Dowry in the Manor of Torpeld, part of the
Polieheation of Six John Camors, her first Husband,
then decreed, there grew a memorable Suit in
Law, but wherein he was overthrown, and judg-
ment pronounced (in Parliament 30 Ed. 1.) That
she ought to have no Dowry from thence, upon the Star
of William 2. Quid recebat iniuria fas in viatis, &
veit in adulterio sanctus Ludovicum, &c. This
case is cited also in 2 Iuh. fol. 437.

Of Dower. Read Feta, who writes largely and
learnedly of it, Lib. 5. cap. 22. &c.

Among the Sews, the Bridegroom, at the Time
of the Marriage, gave his Wife a Dower-Bill, the
Form wherein you may see in Mays and Ayen, pag.
235.

Dower and Deal, a Division from the Sea. Datal
drove, from the Sea. Declan, i.e. dividere, and
from thence comes the Word Dealing. So the
Stones which are laid to the Boundaries of Lands,
are called Delineyses, &c. i.e. fuch which divide the
Lands.

Debentures, a sort of Receipt made in Englihure
in length twenty Yards.

Deeini (Deemere) in the Stat. for View of Parks
and Plicches, made 18 Edw. 2. one of the Articles for
Stewards in their Leets to enquire of, if any
that he does to be on the Care of our Lord the
King, and which not, and that received them.
Art. 3. See Deemere. Also there is a fort of De-

Dijag, Ann. 6. Hen. 6. cap. 5. seem to be wood
or Timber, so joined together, as that, swimming
or floating upon the Water, they may bear a bur-
ren or load of other Waters down the River.

Droit. Grains. Et prehendam quotidianam ad
 duas equas de Gramio nostro sumum cum tribum
salarum & majorem servum de Draico, ununque septi-
matt. Matteo. in vitis Abbet. S. Albans.

Dextradixtia, Acc. 5. Edw. 3. cap. 14. and
7 Rich. 2. cap. 5. Lamb. (in his Eiren. Lib. 2. cap. 6.)
calls them Mincing Tobsess, as Woflers and Robe-
ners, mighty thangs, saying, the Words are grown
out of use.

Droit-Droit signifies a double-right, that is,
jus poissueis & jus Dominii. Braslen ib. 4. cap.
27. and Lib. A. Tract. 4. cap. 2. and Lib. B. Tract.
3. cap. 2. C. A. Littl. fol. 266.

Dextrc is an obsolete Word, and signifies to
overcome, from the Germ. Dicben, coger.

Dextrc or Dextrc (Drengi) were Tenants in
Capite, says an ancient Ms. Dodema Tr. Lebrer.
alum terram 15 hominum, quae Dextruc vocabant, pro 15
Manerius tenebant. They were, (says Spelman) to
vere vellitalium non ignobiliim, cum fungulis qui in Doenid,
numerum fungulae devictum. Manerius. Such as at
the coming of in the Conqueror, being put out of
their Estates, were afterward upon complaint un-
to him referred colluto, for that they were
before Owners thereof, were neither in service or
confine, the word seems to mean 2. Of which number were
Deane a Done, Simbrune of Norsey, and others.
Sir Edward Cokery on Littl. fol. 5. &c. Dextrc
are Free-Tenants of a Manor: Milprinted double-
deeds of Drekere are well intercepted. See Barm. Anglia, fol.
183. a. In Cunicrem mensae quidam homin, qui vocabant Gamileure, & futur veris
Dyrrachtii nocte Conqueram, tenet duas Caractenas terre

de Dominio Regis in Capite, pro tali rerum, de foran
de Patoisdom Dom Regis soper quatuor pedes de cla-
ris Dei Dom, quosqueque ad Manerium sas de
Mansfield familiaris, & se includat Patoisdom Dominii
Regis, debet et Patoisdom quamir Mercamn. Mon.
Anglia, fol. 58. &c. In Newine T. R. 2. (in
the Time of King Edward) furruit quingue bide,
modi sunt, ibi se Drenhe. Domeday Tr. Derby.

Gale 773.

Dyrrachtia (Drensgiam, vel servitium Drengrinstia)
The Tenure by which the Drenhe hold their
Lands, of which see Trin. 21. Ed. 3. Erbs. and
North. R. 157. Notandum est, quos omnes erunt
servitatis, qui se Drengham clito erant, vel per Dren-
giam tenentes, totius servitutis paraemulium esse aduentum
Normannorum, &c.

Die Exchange (Ann. 3 Hen. 7. cap. 5. cam-
han sumum) seems to be a cleanly Term, invented
for the disengaging foul Urft, in which something
is prested to put on both sides, whereas in truth
nothing paffeth but on the one side, in which re
Peel it may well be called Day. Of this Ludi.
Ligeti, Trait de Contrats & Negociats. 2. cap. 1. 25.
Dec. De

poissus. In whose this, Gamileures, Cambemans reale sol fausso,
Camam recte ducere, quod consentienti verum Cambi
realis habit, & Cambi per trans. & Cambium minu-
tum. Cambium antem facsum of Cambium non habere ex-
ceptum habent, sed appetunt se ad infras urbic
ascendere, quas sunt soli iuris non carere, appetuntur ar
realis habit, non exceptum.

Die ten, rent feck. See Rent.

Drift of the Illefe (Agistia animism in Fe-
rolic) is a clear View or Examination what Catt
are in the Foref, that it may be known whether
it be over-charged or not, and whose the Beads
are, and, whether they are commonable Beads, &c.
When, how often in the Year, by whom, and in what manner this Drift is to be made, see Manwood, Part. 2. cap. 15. and 4 Iuh. fol. 209.

Dumfrance, (Sir, Ducpe-ian) in some Records
written Posta Diligine (con) is a Contribution of Te-
nants towards a Location, or an Act provided to
entertain the Lord or his Steward; a Seat-ale.

Dumenne, item Dominus delebit habere
Dumenne arboris de eredinesis 2. annos et infra.
Kant. Ficht. 44 ed. 3. quae, Durneent, Dijip
and Dijovenn, among our Saxons, signified acre, or
Woody place, where Cattle were kept, and
the Keeper of them was called Dijovenn, Durnulf
Dyland, or Dyjpan, (from the Saxon Dyppeines, i.e. Drift) was anciently a Quiet
rent, or Yearly payment made by some Tenants
to the King or their Landlords, for driving their
Cattell through the Manor to Fairs or Markets.
Mr. Philps, Milchgen. Exempensa, fol. 39.

Dyfis (tr. Drift) in Law there are six Kinds of
it, 972.

1. Tus recipiendi.
2. Tus retiradi.
3. Tus balbanici.
4. Tus sterilis.
5. Tus perpetuum.
6. Tus pfyfendi.

All these several sorts of Rights, following th
relations of their Objects, are the Effects of the Ci
Vi law. Vide Coke in Littl. fol. 266. 145.

Of meer Drift, and very Right, Ann. 27 II. 8. cap.
26.
Dun, Dun, a Mountain or open place: Therefore the Names of Towns which end in Dun, were either built on Hills, or near Hills in open places. Dunmow, a little Caddie; In old Saxon root hdbb, Caddellon quodaddum, Forp Caddellon acutum unum dange- nian; Da Cange.


Dunfermline, those who dwell on Hills or Mountains, from the sea. Dun, a Hill, and Sax Dara, an Inhabitant.

Dunstable. See Magdalanum.

Dunham, and Dun, A Down or Hill. Dunstae.

Dunwich, the Creek at Dunwich near Whity, in Yorkshire.

Dundurna, a Jury of Twelve Men, inca justificate, comitecat forin alia 4 ad 5, Walign 296.

Dundurna maritum. See Privary, and Oath.

Duplicate is used by Crompton, for a second Letters Patent, granted by the Lord Chancellor in a Cafe wherein he had formerly done the same; and was therefore thought void. Crompt C. 1 Feb. 215. Also a second Letter written and sent to the same Party and purpose as a former, for fear of miscarriage of the first, or for other reason, is called a Duplicate. The words are in 44 Car. 2. 109. 157.

Duplsecet. See Gembevena.

Duplin, a fort of Bread so called, made for the Monks.

Durres (Durus) is, where one is kept in Prison or restrained of his Liberty, contrary to the Order of Law, or threatened to be killed, maim’d or beaten: And if such Person so in Prison, or in fear of such Threats, make any Specialty or Obligation by reason of such Imprisonment or Threats, such Deed is void in Law; And in an Action brought upon such Specialty, the Party may plead, that it was made by Durres; and so avoid the Action. But’s, in his Abridgement joins Durres and Mandate together, i. e. durres & mandate; hardship and threatenings.

Durwardium, Duriare.

Durobudur, Redover.

Durotrigium, London in Kent.

Durotrigium, Oldswinford upon Dee, in Ercor.

Durotrigium, Duro WEIGHT.

Durries, Blowes without Wounding or Blood; vasaire, blowes, from the term. Dunrie, sides, and sax, Sides, ibid.

Dutch Judge, i. e. Peddlar, quafi duly foot, because in Traveling their Feet are covered with felt.

Dutchy, Court is a Court wherein all Matters appertaining to the Dutchy or County-Palate of Lancaster are decided by the decree of the Chancellor of that Court: The Original of it was in Henry the Fourth’s Days, who, obtaining the Crown by Deposing Richard the Second, and having the Dutchy of Lancaster by Deposition in Right of his Mother, was feized thereof as King, and not as Duke; So that all the Liberties, Franchises and Jurisdictions of the said Dutchy, palfed from the King by Delegation, and not by Appointment, as the Poquellion of Evertwick, the Earlrick of March, and such others did, which had defended to the King by other Ancients than the King’s...
But, at last, Henry the Fourth, by Authority of Parliament, called a Charter, whereby the Polemions, Liberties, &c. of the said Dutchy were alienated from the Crown; yet Henry the Seventh reduced it to its former nature, as it was in Henry the Fifth's Days. 

Gent. fac. fol. 176.

The Officers belonging to this Court are, the Chancellor, Attorney, Receiver-general, Clerk of the Court, Receiver; besides which, there are certain Affiliates, as one Attorney in the Exchequer, one Attorney of the Dutchy, in Chancery, four Persons learned in the Law retained of Counsel with the King in the said Court; whereas, John, (in Preface to his Readings) speaks thus; It grew out of the Great King Edward the Third, who gave that Dutchy to his Son John of Gaunt, and encroached it with such Real Rights, as the County Palatine of Chester had. And for as much as it was after-ward extirpated, and the Person of King Henry the Fourth, by sealion of the Union of it with the Crown, the same King, (suspecting himself to be more rightfully Duke of Lancaster than King of England) determined to save his Right in the Dutchy, whatever should befall the Kingdom; and therefore he separated the Dutchy from the Crown, and settled it in the natural Person of himself and his Heirs, as if he had been no King of Politick Body at all; in which Condition it continued during the Reign of Henry the Fifth, and Henry the Sixth, that adhered from him; But when Henry the Eighth had (by recovery of the Crown) continued the Right of the House of York, he learnt not to appropriate that Dutchy to the Crown again; yet so, that he suffered the Court and Officers to remain as they found them; In which manner it came, together with the Crown, to Henry the Seventh, who, liking well of Henry the Eighth's Policy, (by whose Right aforesaid he obtained the Kingdom) made a like separation of the Dutchy, and so left it to his Poffesor, who fully enjoyed it. 

Dutchy, i.e. confirmed, thus we say, to drown.

Deprerences, A Bailiff or Officer, that has the Care and Over-sight of the Dyke and Dams in Drayng-Fun, &c. mentioned Anna 16 & 17 Can. 2, cp. 17.

E.

Eulial, from the Sax. Eale, ealce, and Deus demus, now called an Ale house; a Word which signifies a House of Divine Affinities.

Caltpam, i.e. Eight men; or to Kahayam oc-cidend, pertinens inflerens passis inter Caum vel aduit anomal se Kahayam, perhanc pleader d Leg Ethel-reid, cp. 6.

Adelman, or Alderman, (Aldelman) among the Saxons, was as much as Earl among the Danes. Con. Britan. p. 127. Also, an Elder, Senator, or States-man; and at this Day, we call them Aldermen, who are Affiliated to the Chief Officer in the Common-Council of a City, or Borough-Town. 24 Rev. 8. cp. 13. Sometimes the Chief Officer himself is so called. See Alder-man.

Castle, Sax. Coople. Lat. Comes and Cestre: This was a great Title among the Saxons, and is the most ancient of any of the Peerage, there being no other Title of Honour used among the present Nobility, which was likewise in use among the Saxons, except this Title of Earl. The Titles of Honour among the Saxons were Originally three, viz. ædeling, Calboepe, and Beclum or Dane; the first comes from the Word ædel, which signifies Noble; and was usually applied to the Earl in the Royal Line; the other two Words were applied to the rest of the Nobility, only the Than was afterwards distinguished into insets and Minors; the former were equal to our Peers, and the latter to our Knights; But the Title Earl, in Lat. Comes, in ancient Times was given to those who were Af-ficiates to the King in his Councils and Martial Actions: And the manner of their Imprisonment into that Dignity was, per eodem gladii Comitiatus, without any Formal Charter of Creation. See Drakete's Warmickshires, fol. 328. But the Conqueror (or as Colven notes) gave this Dignity in Fec to his Nobles, annexing it to this or that County or Province; and allotted them for their Maintenance, a certain proportion of Money arising from the Prince's Profits, for the Pensions and Forsturies of the Provinces: For Example, he brings an ancient Record in his Words; Heredita legis, an- guit his verbi Comitum creavit; Scitis nos necesse Hugo-gonum Legem Comitiatis de Norf. &c. de terris demu- ris de Norw. & Norfolksi a multis Comes Ang-lienorum Comitiatus fuit usque. About the Reign of King John, and ever since, our Kings have made Earls by their Charter, of this or that County, Province or City; but of late; giving them no Authority over the Country, nor any part of the Profits arising by it; only some Annual Fees out of the Exchequer, &c. The manner of their Creation is by Circling them with a Sword. Can. p. 107. But see the Solemnity described more at large in Stat's Annals, p. 1121. Their Place is next to a Marquess, and before a Viscount. Comitiatis a Comite dictus, aut vice versa. See more on this Subject in Spelman's Gloss. Verbo Comitas; and in Selden's Title of Honour, fol. 576. and fee deeper, Confal and Earl.

Eaftment (Affiamentum, from the Fr. Afis, i.e. Commoditas) is a Service or Convenience which one Neighbour has of another by Charter or Subscription, without Profit; as a Way through his Ground, a Sink or ditch like, Kitchin, fol. 105. in the Civil Law, is called Servitus passus. — Principis a sociis jus et finem delineatione communi tenantur. Affiamenta sae in Bispo et in pajura de ville, &c. Bene Regim venus, and Giansvil. lib. 12. c. 14.

Eaft, from the Sax. Eastep; which was a Goddes the Saxon worshipped in the Month of April; and so called, because she was the Goddess of the East.


Eaft, a Relief.

Eafermurrer, (Sax. Eate hepe monei.) Apportionment, was one of those Crimes which, by Henry the First's Laws, cp. 13. inmundi non simpson. See ex forisiam genus fact, nullus pristin, (etiam apud Sa- xones) capere hiudicium, cum edo litum tenetum. communem suam. Speciman. Ex his placitis quodam omnem cumnum-situm cumnum fidem, quodam verum, quodam mihi, quodam non simpson inmundi non simpson tenetum qua sua Hebboc, i.e. Burglary, Brux. i. c. Seeing a House on Fire, Opened, i.e. Robbery, & Easermurder. Leg. H. 1. cap. 12.

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Eameron, John, 174.
EEL

But Eldred says, By this Word Erelra is meant only a Paragon, and thereafter it is a precedent but a Censur of C.R. Also, in Latin, the Name Erelra, this does change the Nature of it, and makes it presently a Church. [Ann. Br. 32.]

When the Question was, Whether it was Erelra in Caucium, or Erelra in the South in the Sacraments themselves, that was the Issue. [Ann. Br. 32.]

For it had the Administration of the Sacraments and Sequestration, it was in Law judged a Church. [Ann. Br. 32.]

Elephantiac Persons are either Regular or Secular. Regulars are such as hold a Monastic Life, under certain Rules, and have vowed Obedience, perpetual Chastity, and with Poverty. When a Man is professed in any of the Orders of Religion, he is said to be a Man of Religion, a Regular, or Religious. Of this Sort are Abbot, Priests, Monks, Friars, &c. Seculars are those whose ordinary Conversation is among Men of the World, and profess the Undertaking of the Charge of Souls, and live not under the Rules of any Religious Order; Such are Bishops, Parish-Priests, &c.

Carin River. See Rhona.


Celt, i.e. Aed or Help. Quisquis quaecumque incumebat Regi & Regnum Lucis ad Edium verba, facit se ipse proprii, proprii. Knighton, lib. 5.

Chingston. See Adurin pons.

Chumbieburn. See Vilege Pauhini.

Celt and, alias Cel, Clare, (Anno 15. H. 8.) the Fry, or Root, of Cel.


Celtatofes, (L. Burglars, that break open Houses to steal; END FORAM and Com. fo. 128. et 210. Lib. 2. 1. et 2. 11. Lib. 2. 1. et 2. 1. Lib. 2. 25. They are like those whom the Ballans call Gyni.

Eia, &c an Island. From the Sax. Ei, Eide, Po. 1. Thus the Names of Places which end in Ei, as Eile, Edie, &c. are the Island of Eile, Shapinsay, is the Island of Shap. Mat. Partil. Anno 1232. Harfey, the Island of the, belongs to Churches. Said to be good guns of Eile, &c. 26 Domus. 5. 6. Eile, &c.

Eier, a Woman ravished or dowered. Eicf, a Whoremonger. Res fundavit diction. Do
in the Cal, or privately labours the Jury, or stands there to survey or over-look them, whereby to awe or put them in Fears. The Penalty thereof is 20l. and imprisonment at the Justice's Discretion by the said Sheriff.

Embranet is the Art or Office of Embran
ting. To infringe the Jury, or promise Reward for or before Appearance, is Embranet. Noy's Rep. fol. 212.

Emprise or Embracing Days (from Embrace) either because our Ancients, when they failed, sat in Aches, or fired them on their Heads. (Spen. 2 Ed. 1 & 19.) They are those when the ancient Fathers called Squint-taps, and are as great Annoy to the Church, as being observed on Wednesday, Friday, and Saturday, next after St. John Baptist's Sunday, Wednesday, Holy-Day: in September, and St. Lucy's Day in December. Our Examiners in this fact Imprison. Er Clementian scholar Taps, or Imprison squint, &c. Ferrara, &c. Gregoir: Gregorius Anglicus, confessor, &c. Spen. de Conc. 1 Ed. 51. 28. They are mentioned by Britton, cap. 52. and others. In Part. fol. 200. it is ful. These Embracing Days are in the former 20.0. and in last, which is a great Mistake.

Emunbath (Omnibus) is an old Word, still used in the Accounts of the busy-Times; where to much in Emunbath at the Foot of an Account, righted to such and such a Sum in the Bank or Stock of the House, for the Reparation ofIVs, or other emergent Occasions; and in every Merchant's daily Account, 145 Spenn.omp. A particle (in Amphi & Jurat) signifies the writing and entering the Names of a Jury into a Parchment Schedule, or Roll of Paper, by the Sheriff, whom he has summoned to appear for the Performance of such publick Service as Juries are employed in. See Panel.

Emportance (from the Fr. Porteur, To speak) signifies a Debit or Petition in Court of a Day to pause, what is heft to do; (the Cossilians call it Po
tillement Indecis.) Kitchin (fol. 157.) says, If he be a great, or great Costraiinment, &c. Where granting Contumacy is spoken Interpretable. And in 157, he mentions Impomest general and special. The first seems to be that which is made only in one Word, and in general Terms: Emportance special where the Party requires a Day to deliberate; adding above the Words, 145 impedance, &c. The 145 Emportance is that am juridicorum Curiae, quam ad legum & narrarm

Emunbath is an ancient Title of the Kings of England. This appears by a Charter of King Edgar, v. 145 Edgarus de legum Bifliis, omnium quae Reg

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Empri
tence, i. e. The Dedication of Churches, which was always on a Sunday. Emportance, i. e. To begin a Thing, or to put on a new Thing, was mentioned to was a great Indecision. De Cange.

Emunbath (Pens.) signifies Occasion, Cause, or Reason, whereof any Thing is done. 50 Edw. 2 cap. 7. See Mintram in the North.
Encroachment, or Interstate, (Fr. Ac- tation, or Attaction) signifies an unlawful Encroaching or Gathering in upon another Man; as if two Men Grounds lying togeth-her, the one preflees too far upon the other; or if a Tenant owe two Shillings Rent-service, and the law declares them ought to pay them, their Father and Son, enriched unto them Royal Power and Authority. 

Encroachment. See Interference.

Encouragement (Insultis) signifies the Reflowing or Offending of a Person. See Damns. But it is sometimes used Metaphorically for the setting forth or delivering a sufficient Portion for a Vicar towards his personal Maintenance, when the Benefit is appropriated. See Appropriation, and the Statute 11 Eliz. 2 cap. 6.

Encroachment (in the pl. f. parts) is where a Man dying seiz'd of some Lands belongs in Knights' Service, and other some in Soceage, the Widow is sold of her Dower in the Lands sold in Soceage, as being the father or better Part. Of which see Littleton at large. Lib. 1. cap. 5.

Entitlement, i.e. Deminuendo, who, defining the shot in the Heart (the wound made by the bullet of the Devil, Gualis, Carleby. 4. cap. 92.)* Entrenches (Fr. se termer.) To make free, to incorporate a Man in any Society or Body Polite, to make one a free Citizen.

Entrenchment (Fr.) signifies the incorporating a Man into any Society or Body Politic. For Example: He that by Charter is made Merchant of England, is said to be entrench'd; and so is he that is made a Citizen of London, or other cities, or Burges of any Town-Corporate; because he is made Partaker of their Liberties that appertain to the Corporation whereinto he is incorporated.

So a Villain was entrench'd when he was made free by his Lord.

Encumber. See Inherit.

Engineering, Engineer, or Engine, (Grec. engenero) is an old obsolete Word, signifying the being an enginer. For Example: If a Man were privy to fail or murdered, he was in old time accounted a Francipus, (which comprehended every Alien, especially Denizet) until Engineer was prov- ed, that is, until it were made manifest that he was a Engineer. Brasian. Lib. 1. cap. 2. art. 14. num. 3.

This Engineering (for the Abuses and Trouble that afterward were perceived to grow by it) was absolutely taken away by Stat. 14 Edw. 3 cap. 4.

When Caesar had conquered England, he at the Request of the Nobility sent back his Army into Denmark; but kept some Denizet behind to be a Guard to his Person, and make a Law, that if an Englishman killed a Dane he should be tried for the murder; but if he escaped, the Village where the Man was slain should be charged to pay sixty six Marks; and if it could not be levied there, then it should be collected out of the Hundred, and paid into the Exchequer.

After this Law made, whenever a Murder was committed, it was necessary to prove the Party slain to be an Englishman, that the Penalty of sixty six Marks might not be levied upon the Village, and the same levied as aforesaid. And the Measure of growing him to be an Englishman was before the Coroner, by two Men or Witnecess who knew the Father, and by two Women who knew the Mother; and the Coroner held his hand over it. For in this Case the Lord shall not
not have the Writ De Commissis Commissia, but this.

ENTRY. (Fr. Entrée, 1. e. Introduction, Intergressia) properly signifies the taking Possession of Lands or Tenements. See Pleniobi, of deeds in force in London; and for Writs of Possession, for which see intergress. And read Writs, p. 30., symbol. et. receivures, lib. 5, 5, who there gives for what it lies, and for what not. Of this

ENTRY, in his 120 Chapter, writes to this effect: The Writs of Entry favour much of the Right of Property. As for Example: Some are to recover Courts and Servises, in which are contained these two Words (boile & deliter) as the Words En Jury, Reasonable the Device, Reasonable Efforts, with such like.

And in this Plea of Entry there are three Degrees: The first is where a Man demands Lands or Tenements of his own Seisin after the Term expired: The second is where one demands Lands or Tenements, let by another, after the Term expired: The third, where one demands Lands or Tenements of that Tenant who had Entry by one, to whom some Ancestor of the Plaintiff did let it for a Term not yet expired. According to which Degrees the Writs are varied. And there is set out a fourth Form, which is without Degrees, and in case of a more remote Seisin, whereunto the other three Degrees do not extend. The Writ in the second Degree is called a Writ of Entry in the Plea; in the third Degree a Writ of Entry in Is & out; and in the fourth Form, without these Degrees, it is called a Writ of Entry in Is & out, that is, other Duties, which is a case made to fetch a one. And if any Writ of Entry be conceived out of the right Cause, so that one Form be brought for another, it is abatable. In these four Degrees are comprehended all manner of Writs of Entry, which are without Ceremony and Number: Thus for Britain, by whom you may perceive that those Words, boile & deliter, and those other, In the ple, In the ple, & out, and in the ple, which we meet with many Times in Books Dordy and otherwise mentioned, signify nothing but divers Forms of this Writ applied to the Case whereupon it is brought; and each Form taking its Name from the Words contained in the Writ. Of this read Plen. Sac, &c.

ENTRY, in his 120, v. fol. 191.

This Writ of Entry differs from an effort, because it lies for the most Part against him who enticed lawfully, but holds against Law, whereas an effort shows that he was unlawfully. Yet sometimes a Writ of Entry lies upon an Entritonic. Reg. of Writs, fol. 231. b. See the New Book of Entries, and Echo Entrie, fol. 374. i. fol. 3. There is also a Writ of Entry, and it is of an Effort. Of this Writ, in all its Degrees, see Echo, 25. cap. 34. & folg.

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Saxenew, is rather of Opinion that it is derived from the Saxon. Alchisward, lib. 4. cap. 3, Eoffa, runc quin illis Erkios plantum umbriend. E.

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bailble it signifies those People, called Armament.

Crimit. See Mentoringa.

Crinit. The Nation or Place of Places ending in En signify a melancholy Situation: From the Saxon Gen, Locis Quemin.

Error (Erroneous) is attributed to Judicis Circuit, Fl. Cur. fol. 15, and Ballif at large. See Judices in 1592, and Ballif. See Brev." See Error.

Error corrigenda. See Error.

Error (Erroneum) signifies more especially an Error in Pleading, or in the Proceeds. (Bruke, N. Erroneum.) Whereupon the Writ which is brought for remedy of this Over-light is called a Writ of Error, in Latin, De Errorre Corrigenda, thus defined by Bizz. Nat. Br. fol. 20. Writ of Error does also lie to redress false Judgment given in any Court of Record, as in the Common Bench, London, or other place, having power (by the King's Charter, or Statute) to hold Plea of Debt or Trespass which was. This is borrowed from the French preluries, which they call Proposition or Errors, whereas you must appeal in Gregarius de Aeplo, pag. 260. In what diversity of Cases this Writ lies, see the Statute of 37 Eliz. cap. 9 Reg. of Writs in the Table, and Rep. de dictis. fol. 34. There is likewise a Writ of Error to amend Writs of Error. 7 Eliz. cap. 19. Fina, 151. New Book of Entries, writ Error. For preventing Abatements of Writs of Error upon Judgment in the Exchequer, see 16 Car. 2. cap. 2 and 17. 17. For redressing and prevention of Error in Times and Recovories, the Statute of 32 Eliz. cap. 3 for Inrolling them.

Ethirrindun, a Meeting of the Neighbourhood, &c. It was customary in former Days for the Neighbours to meet and compose Differences among them by the Award of their Fellows. Ha, ut se demum morat, &c. alignando in deserta cum Erithonitis nam humum omni oblique punctatum, alignando super emptum terram, Leg. H. 1. cap. 77.

Efrancattura. (From the Fr. Edrauntry, i.e. to cut off the Branches or Boughs) — Qui autem siffris讳 in Ffredis Regis de curitis, aet per capere

Efrancattura. (From the Sp. Cambiar, to change) is a Licence granted to one, for the making over a Bill of Exchange to another, under the same condition. 8 Reg. of Writs, fol. 25. 9. For by the Statute of Rich. 2. cap. 2, no Merchant ought to Exchange or return Money beyond Sea without the King's Licence.

Elsipe (From the Fr. Epsipher, i.e. Epigere) signifies a violent or privy Evasion out of some lawful Restraint. For Example, if the Sheriff, upon a Copy directed to him, take one and enable you to carry him to the Quay and by the way, either by Violence or Slight breaks from him; this is called an Elsipe, Steamp (lib. 1. cap. 25 & 27. Fl. Cur. names two Kinds of Elsipes; one voluntary and negligent. Voluntary is, when one arresteth a mother for Felony or other Crime, and afterwards let him go; in which Elsipe, the Party that permits it, is by Law guilty of the fault committed by his Elesipe; he in Felony, Traction or Trespass. Negligent Elsipe in, when one is arresteth and afterwards escape against his will that arrested him, and is not pursued by fresh Suit, and taken again, before the Party pursuing hath left the place of the crime; that is, under Groenvi's dictum, fol. 56.

Elsipe of Exchange, (Eflamand) — Hee termem subveniri Hugo Breviatus good made testet Coatis

Elshberoth (Elshberis) was an Officer (appointed by the Lord Treasurer) who observed the Elshberis due to the King in the Country, whereas be Elshberis; and certified them into the Chancery or Eschequer, and found Officers after the Death of the King's Treasurers, which held by Knight's Service or Capite, or otherwise by Knight's Service; he continued in his Office but one Year, not could any be Elshberis above once in three Years. And Elshberis, &c. cap. 1. & ed. cap. 2. See more of this Officer and his Authority in a Tract. 3 Rich. Sherbroth calls him an Officer of Record, Nat. Br. fol. 100. because that he certifies by virtue of his Office, he had the credit of a Record. Of Elshberis et in the Ercheveria Reg. of Writs fol. 325. &c. This Office, having his chief dependence on the Court of Wards, is now out of date. See 10 Edw. fol. 926. There was also another Elshberis of the Jews. 4 Edw. fol. 67.

Elsipus, Ann. 22. Hen. 3. Elshberis, S. Albani & Galfridium de Chichlie & alios — good habentur venationem illam ut permagna antequam erat predici Abbasovel per Elesiponian. The Gleis at the end of Matthew Paris, owhere the Pleads are to be seen at large, fol. 538 and 539) interprets E. inscriptum epl. venationis et et &c. (but Quarta, if it may not rather signify from the Fr. Elesipion, to happen or fall out, and not of Right; as when S. S. states a Hare in his own Lordship and pursues the Chase through another's, in which case he needs no permission, according to the Law of Huntington.

Eschhipamentum. (Glosa, l. 8. Ed. 1.) whereby the Sea-port Towns were to provide certain Ships, functiones propriis & duplicis Eschhipamento, Sir Rob. Catesby engieth it, double Ships, i.e. Double Tackle, or Furniture, as I suppose.

Eschhipamento of the Sea is received by Sea. See Cat. Endurance fair practice of the none bene Man, I think.

Beaucompte de Warwyke, with one parts and John Ruffell Esquire of another parte, Ptejgesco, &c. &c. En que le dit John aurra eskipagcon concuerre pour ses paysage & eskipagcon autre mer, en Cajaghe le dit Cour., Est. Done a Warw. 2 Jan. Ed. 3. And Hen. Earl of Rugby, in a Deed, (Dat. 13 Feb. 22. Hen. 6.) covenants with Sir Feli-Christom, the Lieutenant of the Castle of Calais, to give him allowance for his Soldiers, God and King, i.e. Vagabond by Ship, and Repellage.

Esni (To Build or Equip) navis bene Ethipian tonis & præbis manuerius. Du Cange.

Esniage (Stagnium) from the Fr. Esnus t. e. a Buckler or Shield) signifies a kind of Knights-service, called Service of the Shield, the Tenant holding by it, was bound to follow his Lord into the South or Welsh Wars at his own Charge, which is taken away and discharged by Act of Parliament, 13 Car. 2. cap. 17, sect. Capite et quodlibet. He who held a whole Knight's Fee was bound to serve with Horse and Arms for Forty Days at his own Charge, and he who held half a Knight's Fee was to serve Twenty Days.

Esnace is sometimes taken for that Duty or Payment, which they who held Lands under this Tenure, were bound to make to the Lord when they neither went themselves to the War, nor provided one in his stead. See Statutes 2. Ed. 36. page 99. Stagnium ejusdem Regni.

Esnace is sometimes called a reasonable Aid which was demanded by the Lord of his Tenants, who held Lands in Knights-service, viz. Conscriptum Domini Regis ad mandatum filiam suam de consanguineo filio et teneo de Dominio Regis in Capite de fonis fessit & fuisse invito. Matt. Parli. Anno 1242. It was an uncertain Duty till it was known how much Money the Parliament would raise, but Esnace ceteris is called Scagge.

Esring, the Kings of Kent, so called from Otho, called Etho, the Grandfather of King Ethelbert. Calthorpe, the name of the Fr. Ethier—Dissertation (Jorcers) ete. Latinis & Ecclésiæ de tertio de Magnoiss incipit the prediction of the. Est. Pl. Parl. Ed. 10. Robbers or De- fenders of certain Lands as Tortugers.

Esring. The Mayor and Aldermen of Calais petition the King to grant them the Affixe of Wine, Ale, Beer and Bread, within the Juissance of the same City, called 1 Esring. Parl. Parl. 3 Hen. 4.

Eschhipamentum. (Glosa, l. 8. Ed. 1.) whereby the Sea-port Towns were to provide certain Ships, functiones propriis & duplicis Eschhipamento, Sir Rob. Catesby engieth it, double Ships, i.e. Double Tackle, or Furniture, as I suppose.

Eschhipamento of the Sea is received by Sea. See Cat. Endurance fair practice of the none bene Man, I think.

Beaucompte de Warwyke, with one parts and John Ruffell Esquire of another parte, Ptejgesco, &c. &c. En que le dit John aurra eskipagcon concuerre pour ses paysage & eskipagcon autre mer, en Cajaghe le dit Cour., Est. Done a Warw. 2 Jan. Ed. 3. And Hen. Earl of Rugby, in a Deed, (Dat. 13 Feb. 22. Hen. 6.) covenants with Sir Feli-Christom, the Lieutenant of the Castle of Calais, to give him allowance for his Soldiers, God and King, i.e. Vagabond by Ship, and Repellage.

Esni (To Build or Equip) navis bene Ethipian tonis & præbis manuerius. Du Cange.

Esniage (Stagnium) from the Fr. Esnus t. e. a Buckler or Shield) signifies a kind of Knights-service, called Service of the Shield, the Tenant holding by it, was bound to follow his Lord into the South or Welsh Wars at his own Charge, which is taken away and discharged by Act of Parliament, 13 Car. 2. cap. 17, sect. Capite et quodlibet. He who held a whole Knight's Fee was bound to serve with Horse and Arms for Forty Days at his own Charge, and he who held half a Knight's Fee was to serve Twenty Days.

Esnace is sometimes taken for that Duty or Payment, which they who held Lands under this Tenure, were bound to make to the Lord when they neither went themselves to the War, nor provided one in his stead. See Statutes 2. Ed. 36. page 99. Stagnium ejusdem Regn.}

Esnace is sometimes called a reasonable Aid which was demanded by the Lord of his Tenants, who held Lands in Knights-service, viz. Conscriptum Domini Regis ad mandatum filiam suam de consanguineo filio et teneo de Dominio Regis in Capite de fonis fessit & fuisse invito. Matt. Parli. Anno 1242. It was an uncertain Duty till it was known how much Money the Parliament would raise, but Esnace ceteris is called Scagge.

Esring, the Kings of Kent, so called from Otho, called Etho, the Grandfather of King Ethelbert. Calthorpe, the name of the Fr. Ethier—Dissertation (Jorcers) ete. Latinis & Ecclésiæ de tertio de Magnoiss incipit the prediction of the. Est. Pl. Parl. Ed. 10. Robbers or De- fenders of certain Lands as Tortugers.

Esring. The Mayor and Aldermen of Calais petition the King to grant them the Affixe of Wine, Ale, Beer and Bread, within the Juissance of the same City, called 1 Esring. Parl. Parl. 3 Hen. 4.
Esquires of the King's Body: These that serve the King in any Worthy Collage, (as to the Chancery's Words) as the Sergeant Chancery, Sergeant of the Exchequer, Serjeant Extraordinary, etc. are proper Esquires by the King, with a Collar of SS. of Silver, as the Herald and Sergeants at Arms. The chief of some ancient Families are likewise Esquires by Prescription, to bear that name, and be proper Esquires by the King, in the Commonwealth, as High Sheriff of any County, which (as some hold) retains the Title of Esquire during his Life, in respect of the great Trust he has had, at the Peace Congress. He who is a Justice of Peace, has it, during the Time he is in Commission, and no longer, if not otherwise qualified to bear it. Barristers at Law in the late Acts of Parliament for Polit-Money, were ranked among Esquires, and so were many wealthy Men, by the Custom they were commonly reported to be such; and paid accordingly. In Whittingham's Hist of Richard the Second, we read of one John Blake, who is said to be forsoo Apparition, and has the Addition of Scutifer there given to him by Arms, whether intended thereto by the Cession of his Profession or otherwise, does not appear. See Cund. Brit. fol. 114, and 2. Inst. fol. 495.


O Multum — Willem de Forth miles plurum quondam Regni de Forth solut. Neuerius me oblivisci Marmion filius quondam Philippus Marmion armigeri dicatur in Brit. in uno libro cum pelluce de faga Armigerores monum annuit ad Filiam Naturitatis Domino perspicere, sunt aliquis similium, ascutalium usque ad hanc dominum usque ad excitandum. Armigerus in quarto, sed dum est, bibliothecum libri praedictae cum pelluce antiquum apud terminum (praedictam) hibernice prosequendum oblige me & heredes meos, hunc & catarem sibi a mobilie & immobile utinamque fuerunt invenia in memorias mei in exercendous jub. eorum lib. Ex codice M. S. pentic Dulcigale Mill.

Eff. See Assay.

Esquire quintum de Eledouo est a Welle that lies for Counties and Jurisdictions of any City or Town that have a Charter or Precepture to ex- empt them from paying Toll through the whole Realm, if it chance that the fame is any where exacted of them. Petes. Nat. Br. fol. 262.

Effirma (as from the F. Esquit, or Esquire, i. e. Cassiria miles, he that has his Presence for born or excused upon any just caufe, as sicknes or other impediment signifies an Excuse for him that is familar to appear and answer to an Action real, which is as much as excusatia with the Civilian. The caus-
reason, because if breeds contaminate and immovable, and hath all other malicious coming towards it for the security that the kine in the fields should have their standard or colours to repair to. Of their Mules read Byron, cap. 39.

Effate (Fr. Efetit. i. e. Conditio) signifies especially that the life or interest of one Man hath in Lands or Tenements, as Effaté simple, otherwise called Fee-simple, and Efate conditional, or upon condition, which is (according to Littl. lib. 3, cap. 5.) either upon Condition in Deed, or upon Condition in Law. The first is, where a Man by Deed indented, incocks another in Fee, referring to him and his Heirs Yearly a certain Rent, payable at one Feast, or at divers, upon Condition, that if the Rent be behind, Co. shall be lawful for the Feoffor and his Heirs to enter.

Effate upon Condition in Law, is such hath a Condition in Law annexed to it, though it be not specified in writing. For example, if a Man grant to another by his Deed, the Office of a Parker for Life; this Effate is upon Condition in Law, or implied by Law, viz. if the Parker so long shall well and truly keep the Park, Co. We shall also call this an Effate, when an Effate is the Life, or for Years. Perkins, Surwanna, 581.

Ceffering, See Sterling.

Ceffant (from the Fr. Conférer, i. e. Cohère, obj.ven) is an Impediment or Bar of an Adven, granted from the Grantor, or Extrava, or otherwise might have had, his Adven. Fina. Nat. Br. fol. 142 b. And Brook, loc. titulis. Coke, lib. 2. Co. 28 Goodard defines an Effant to be a Bar or Hindrance to one to plead the Truth, and restrain it not to the impediment given a Man by his own act only, but by another's act. Lib. 3. Case of fine, fol. 88. There are three Kinds of Effant, viz. by matter of Brexit, by matter in Writing, and by matter in Pains; Of which see Coke in Littl. fol. 552 a.

Ceffatous is derived by Curlil from the French, effaillier, i. e. fasciner, but there is no such Word in French, Speiner tells us this is from the Fr. Efere, i. e. Materise, from the Verb Efisser, which is to supply with Necessaries, it properly signifies Nourishment or Maintenance: Brodin, lib. 3, trat. 2. fol. 13. This Word, I suppose, was for that fullenance, which a Man committed for Felony, is to have out of his Lands or Goods for himself and his Family, during his imprisonment; and the Stat. 6 Edw. 1. cap. 3, which is for an Allowance in Meas or Club. It is also used for certain Allowances of Wood, to be taken out of another Man's Woods, Waym. 2 cap. 29. 30. 9. cap. 2. cap. 3. Mesl. p. 2. Symbol. ill. Exon. 27. 26. Soxey, idem comprehends House- ties, Haytoue and Flue-lace. As if one hath in his Grant the General Words, De ratione effusius in billis, &c. he may thereby claim these three. In some Manors the Tenants have Common of Efisera, that is, necessary fees out of the Lords Woods. Rationem Effusius. See Alm.

Effrat (from the old Fr. Efisera, Lat. Ex- tarebas. Deynon effatus, a colle compound, signifiis Dominus) signifies any Beast that is not wild, found within any Lordship and not owned by any Man; in which Case, if it be tried according to Law in the next Market-Town, and it be not claimed by any within a Year and a Day, it is the Lord's of the Soil. See Bilton, cap. 17. See Effrav in the French, Ann. 1547, 27. 3. cap. 7. New Book of Estates, vol. II. esesse existente Efravas.

The ancient Law of K. Ina was, — Diximus de ligitis petituris, at nemo beatit fecit recognitum Hinde-

nuntium. Decons. 12. 22. 7. to Efravas. To Efravas. See the Court-Lect. This is Dictiz in Spel.

Estrait (Extralium) is used for the Copy or True Note of an Original Writing, and especially of Amendments or Penalties set down in the Rolls of a Court, to be levied by the Bailiff or other Officer upon every Man for his Offence. See Est. Nat. Br. fol. 57, 76. And it is used, Wm. 2. cap. 5.

Cliff of the Effтрат. See in Clerk.

Estrangintius, i. e. Eireitement, i. e. Donum Dominis. R. Hoveden, p. 758. A Tequiv., i. e. Dilectio, i. e. Mutile. To make Spoil by a Tenant for Life in Lands or Woods to the prejudice of him in Reversion.

Eireipenment (from the Fr. Efepier, Mutulier, or rather from the Lat. Expirare, signifies to make Land barren by continual Plowing. 'Tis also any Spoil made by the Tenant for Life upon any Lands or Woods to the prejudice of him in Reversion, Stat. 6 Edw. 1. cap. 13. And it may be termed, that Eireipenment is properly the stealing away the heart of the Land, by Plowing and Sowing it continually without Nursing or other good Husbandry; And yet Efispier signifies mutuality, may not less properly be applied to the cutting down Trees, or top them farther than the Law allows. It signifies also a Writ, which lies in two Cases; the one when a Man having an Action depending, as a Forman, Dom sum in se petit, writ, Writ of Right, or such like, wherein the Demandant is not to recover Damages, but to inhibit the Tenant from making Waste, during the Suit. The other is for the Demandant, who is adjudged to recover Sein or the Land in question, and before Execu-

tion fixed by the Writ Habere facias poffetiam, for fear of Waste to be made before he can get possession, issues out this Writ. See more in Prec. Nat. Br. fol. 60 & 67. Reg. of Writs, fol. 76 & 77. Reg. Judic. fol. 43. In ancient Records we often find Fyoman & Eireipenment fuerit, Vadiscar or Eireipenment gravis formi genii dignatiss, &c.

Clemmar, to excuse or effain: cum diis pletcis. Co. suit, non potas. Co. adire, sed mel eximiamis qui me clamamuro servas. Do Cange.

Erlambar, Alcohore.

Cestiffit, See Eireiporney.

Eleifling, or Eleisling, in the Saxon signifies Noble, and it was (among our English Saxon) the Title of the Prince or King's Eldest Son, as we read in Codex.

Censer Eleisling England's darling.

Erectum, the Wall in Staffordshire.


Exceedence (Excedentia) is used generally for any proof, it is Testament of Men, Records or Writings. Sir Flo. Smith hath these words. (Lib. 2. cap. 11.) Excedence is an Antientiall Writings of Gent's Trusts, Written, Sealed and Delivered. It is called Evidence, because thereby the point in Issue is to be made Evident to the Jury. Prohibitions de-


EX

EX

SUMMARY

Communication (Excommunion) is a penalty inflicted by the Church on persons depriving the Person offending from the lawful Communion of the Sacraments, and sometimes of the Liberty of even conversing with the faithful. And it is divided in majora & minora: Minor eff

gu quam qui dixit de sanctissimo et in libro

Ciuitatis et ferentium auctor. Nutri. que ne sejam de sacramentorum, quorum etiam facultatem Communia

ute, & ab omnibus legibus securatis et divinis. Venatorius de Sede Extremi. Thematically, 

Auctoritatis Dei Partis ministri, & Fili & Spiritus Sancti & sacris Dei genociis Matrii, omniumque sanctorum, Excommunicantur, Antiuscommunicantur, & uniam in una familia Materis Ecclesie quasquattuor non manifoldiores, N. nongumentum quaeque participaret, & non relinquentes & ad sanctissimam omnem, ex 

Communio. In fact, this is the 

Extremity, & the Intent to satisty the Demands. 

G.5

Creit.
Exception facietha is a Write commanding the Execution of a Judgment; the divers Udes whereof see in the Table of Register Judicial.

Execution facietha in Justicem is a Write that lies for taking his Cattle, who formerly had been taken out of the Country the Cattle of another: So that the Bailiff, having Authority from the Sheriff to replavy the Cattle so conveyed away, could not execute his Charge. Reg. of Wris, fol. 8a. 6.

Excution (Executors) is he that is appointed by any Mans’ Last Will and Testament to have the Execution thereof, and the Disposing of all the Testator’s Substance, according to the Tenor of the Will. See the Duty of Executors, a Book in entitled.

Excution de son toot, or, of his own Wrong, is he that takes upon him the Office of an Executor by Infruition, not being so constituted by the Testator, or Decedal, nor (for want of such Constitution) authorized by the Ordinary to administer. How far he shall be liable to Creditors, see 43 Eliz. cap. 6. Dyer 166. and the Duty of Executors, cap. 5.

Cremplishments is a Write granted for the Cemplification of a Mise. See Reg. of Wris, fol. 290.

Cemplification of Letters Patent, (Ado 13 Eliz. cap. 6.) is a Copy or Example of Letters Patent, made from the Inrolment thereof, and sealed with the Great Seal of England; which ExamplePatents are as valid to be showed or pleaded as the Letters Patent themselves. Nothing but Matter of Record ought to be cemplified. 3 Inst. fol. 173. See Play’s Case, 6 Rep.

Cremption, and Cremplata terra, the Name with Affr., and Lands afforded.

Cremum, a Reward or Gift, or any Payment in the Name of a Gift. Braden, lib. 5. ch. 3. 4 Inst. fol. 21. 3 Rep.

Cremurial was anciently used for a Heriot. Executirite Piratae fictae Baratni Regni, qui erat praecum, ei quattuor equi. LL. Edw. Conf.

Cremodye, To force, violate, or break open. See quis ad arma proficiat, ad domum Exeeditis, nec tenem aliquem perecurtis, dimiderit furto salvo cum submissis. Leg. H. 1. cap. 81.

Ex granu Quadra is a Write that lies for him to whom any Lands or Tenements in Fee (within a City, Town, or Borough, wherein Lands are devisible) are devized by Will, and the Heir of the Devilor enters, and detains them from him. Reg. of Wris, fol. 244. Old Nat. Br. fol. 287. See EMS. Nat. Br. fol. 198. 1.

Cristh. (Exhibition.) When any Deed, Acquisition, or other Writings, is, in a Suit in Chan-cery, exhibited to be proved by Witnesies, and the Examiner certifies on the Back of it that the Deed was shewed to such a one at the Time of his Examin-ation, this is called an Exhibition. The Word is mentioned Amm. 14. Car. 2. cap. 14.

Originarists of the Commons Branch (Ex-egentarii de Banko Command) are otherwise to Him. 6 cap. 4. called Exentaries, which side.

Exigent (Exigenda) is a Write that lies where the Defendant in an Action Personal cannot be found, or, at least, Thing of his within the Country, whereby to be attacked or disguised, and is directed to the Sheriff, to proclaim and call him five County Days, one after another, charging him to appear under Pain of Exigency. This Writ also lies in an Indictment of Felony, where the Party
EX

Er quae tale est a Write that lies for a Bailiff or Receiver, who, having Auditors aliqned to hear his Case, cannot obtain from them reasonable Allowance, but is cast into Prison by them. Fiz. Nat. Br. sol. 129. The Courte in this Case is to fuse this Write out of the Chancery, directed to the Sheriff, to take four Malepersons to bring his Body before the Barons of the Exchequer at a Day certain, and to warn the Lord to appear at the same Time.

Erpectant, used with this Word For, differs from For-Simple. For Example: Lands are given to a Man and his Wife in Frank's-Marryage, To hold to them and their Heirs: In this Case they have For-Simple. But if it be given to them and the Heirs of their Body, they have Forsimple. Riches, sol. 735.

Exclamation, Bag and Baggage. Dicitse mun habere literas pra manus quis miserat esse suum Expendiatur ad Wintemium.

Exemplaii. (Exemplar or Exemplar) in the Forest Laws, signifies to put out the Ball of Dogs Forefoot, for the Preservation of the King's Game. Every one that keeps any great Dog, not caprita, forfeits three Shilling and four Pence to the King. The Ball of the foot of Maffis is not to be cut off, but the three Claws of the Forefoot to the Skin. 4 Part. Infl. sol. 508. — Nulius Dominis causae Abatis & Nonaborum expellari cognat, Charta Hen. 3. Abati de Radling. — Et quin ex ipsi Expendiatur, canum. In Magna Epi. Pipe, de anno 9 Ed. 2.

I do not find this relates to Maffis only, but to every Man's Dog who lived near the Forest, and to the Dogs of the Foresters themselves. And this Expendiatur was to be done once in every three Years. Dufiunc.

Expendiatur (Am. 37 Hen. 6. cap. 15.) Seem to signify chafe that play, diathese, or expend, the Tax in the said Statute mentioned. Am. 7 Jac. cap. 20. Paymasters.

Exquisitus militiae libertatis is a Write directed to the Sheriff for Laving Allowance for the Knights of the Parliament. Reg. of Writs, fol. 193, 6.

Exques. See Esquire. Some are of Opinion, that because Esquires are the full Profits of the Land, therefore the same must be derived from the Lat Esquis. But rather Es quaerit, Dictur, no. from the Agreement made with the Lord to pay him to much ex professione certe. For Esquire signifies those Lands or Farms, the Profits whereof are taken by the Lords.


Extra, (Extended.) To value the Lands or Tenements of one bound by Statute, &c that has forfeited his Bond, to such an Indifferent Rate, as by the yearly Rent the Creditor may in Time be paid his Debt. The Court and Circumstances of this See in Fiz. Nat. Br. sol. 175.

Extenso fascis is ordinarily called a Write of Extent, whereby the Value of Lands is commanded to be made up by Extents, which see in the Table of the Reg. of Writs.

Excent (Exc ident) sometimes signifies a Write or Commission to the Sheriff for the valuing of Lands or Tenements: Sometimes the Act of the Sheriff or other Commissioner of this Write. Brook, tit. Extent, 171. Animadvertemus in Fiz. Nat. Br. sol. 257.

Excentris, i.e. the Erimate or Value of a Thing, Res of Extenta terrarum, Mon. 1 Tom. 548. and in 2 Tom. 321. Inquirendum Excentris & Extenta pro qua verter. Fiz. lib. 2. cap. 72.

Excentrilimentum (from Katinga) signifies a Commission. For Example: If a Man have an yearly Rent due to him out of my Lands, and afterwards purchase the same Lands, now both the Property and Rent are consolidated or united in one Possessor; and therefore the Rent is said to be eurigulphed. So where a Man has a Lease for Years, and afterwards buys the Property, this is a Confidandum of the Property, and an Excentrilimentum of the Lease. And if there be Lord, Melf, and Tenant, and the Lord purchase the Tenancy, then the Melfalty is extilets, but the Melf shall have the Surplusage of the Rent, if there be any, as Rent-inch. Term. de Extenth sol. 256.

Excidit. To spend or lose. In the Laws of Edward the Conqueror, cap. 6. It is provided, That if a Thief take any Thing unlawfully, and is near at Hand, let him restore it. But if he restore it not, let him make the Owner full Satisfaction.

Exciptio is a Write Judicial that lies against him which, after a Verdict found against him for Land, &c, does maliciously over throw any House, or extirpate any Trees upon it, and it is two-fold: one ante Judicium, the other post Judicium. Reg. Judicial. fol. 135, 56, 18.

Exciptentur, for Extentur. Extentor (Ector) is an unlawful or violent Wringing of Money or Money, worth from any Man. For Example: If an Officer, by terrorizing another in his Office, take more than his ordinary Fees or Duties, he commits, and is indigible of this Offence. To this (in Witt's Judgment) may be referred the Exaction of unlawful utter, winning by unlawful Games; and in (one Word) all taking of more than is due by Colour or Presence of Right; as excessive Toll in Millers, excessive Prices of Ale, Bread, Vidiuals, Wares, &c. Part 2. Synod. tit. Indultum, Selbst. 65. — Manum. (Part 1. pag. 216.) says, Excessive, or Color-Offices, not Public Offices. — Grammont (in his Index of Peace, sol. 8) says to this Effed, Wrong done by any Man is properly a Treasip, but excessive Wrong calls Extentio; and this is most properly in Sheriffs, Mayors, Bailiffs, and other Officers whatsoever, who, by Colour of their Office, do greatly oppress and Wrong the King's Subjects by taking excessive Rewards or Fees for executing their Office. In the same Author, fol. 49 you may see the great Diversity of Cases touching Extentio. See also 3. Part. Infl. sol. 149.

Extramus. See Effrass.

Extrajudicial is when Judgment is given in a Case or Cause not depending in that Court where such Judgment is given, or wherein the Judge has not Jurisdiction.


Extramus, the same with Effrass.

Extrajudicata. These are certain Confusion of Popes, and others; and they are Extra Copiae Consuetudinis Gratiani, see Extrajuda nic juris vagantium. La Canaye.

Extrape.
Experientia: To overcome. It sometimes signifies to approve. I have seen it corruptedly written in some modern Conveyances, "Experiencr."  

Experimand, f. See Experimant. 

Experimand (Fr. Experiment), a little Island. I have seen it corruptedly written in some modern Conveyances.  

Experimans, f. See Experimant. 

F.  

He that shall maliciously strike any Person with a Weapon in Church or Churchyard, or draw any Weapon there with Intent to strike, shall have one of his Bats cut off, and if he have no Bats, he shall be marked on the Cheek with an hot Iron, having the Letter F. whereby he may be known for a Way-maker or Rider.  

F.  

Facilitate.  

Fabricatus, n. Veils made with Gold or Silver.  

F.  

Facultate. Land is Land given towards the Maintenance, Rebuilding, or Repair of Cathedrals, or other Churches, and mentioned in the Act of Oblivion, 43 Hen. 3, cap. 9. In ancient Time almost everyone gave by his will, and in some cases more, to the Fabric of the Cathedral or Parish Church where he lived: —  


Fabrique Cathedrale.  

F.  

Fabrique (Fr. Fabric), a Privilege which many Lords anciently retainer to themselves of letting up shepherds' huts in any Fields within their Manors, the better to make them more secure only with their own Pert, but with their Tenants Sheep. It is called Selia Fals.  

F.  


Falsar (Latin), a Privilege which many Lords anciently retainer to themselves of letting up shepherds' huts or Pents in any Fields within their Manors, the better to make them more secure only with their own Pert, but with their Tenants Sheep. It is called Selia Fals.  

Falsar (Latin).  

Falsus (Lat. falsus).  


Falsus (Lat. falsus).
of Gold, that was of 5 s. in Silver; mention'd

M. 5. Stat. 2. cap. 7. thus: I term that the King do to be obtained good and just weight, of the Noble, half Noble, and Farthing of Gold, with the rates necessary to the same, every City, whereby it plainly appears to have been a Coin; as well as the Noble and half-Noble. Knighton, in the Year 1495, faith, Egygm Amo noble & debits & Farthing of an exportant florin in Anglia.

Farring-deal, (see: Feeping, i.e. epxa, and Del, or Dole, i.e. a Farthing-deal) signifies the fourth part of an Acre. Com. Jur. fol. 230. Quadrantara terra is read in the Reg. of Writs, fol. 19. & where you have also Donatia & obliata, falsata & librate terra, which must probably rise in proportion of quantity from the Farthing-deal, as an Half-penny, Penny, Shilling of Pound rise in value; Then must Obioma be half an Acre, Donatia an acre, Scaledia Twelve Acres, and Librata twelve Sure Acres, yet I find Vignata librata terre vel reddixis. Reg. fol. 94. & fol. 94; 8. whereby it seems Librata terra is so much as yeilds xx s. per Annunm; And Contum falitara terre, amonencio in reddixis, afo. Aut. 24. fol. 249. a. See Farling. Others hold Obstata to be but half a Perch, and Delatara a Perch. See Epleman's Gloss. verbis, Obiata terra.--Stites in Reg. de Acribus Regnum de Inghistiaue, Mediciis, unus, Fourwender terra de me domini, &c. Mon. Angl. 2 pa. fol. 512. b. At Hookland in Hertfordshire, they call it a Fendred of Land.

Farr, (see:) A Voyage or Passage; on the Money paid for paying with Water. Ann. 2 & 3 Pitt. & Ma. cap. 15.

Farragium, --Et quod de eurate Molendinaria, non capiat Faragium, &c. Ordinaciones Jutin. in militia de Jericho, 17 Edw. 2. It seems to signify Toll of Meal or Flower.

Farley, or Farlee, in the Manor of Weft Slaton in Com. Devon, if any Tenant die possessed of a Cottage, he is by the Custum to pay to the Lord six pence for a Farley, which I suppose may be in Livu de Heriot &c. for one Manor, whereby they distinguish Farley to be the best Good, as Heriot is the best Beall, payable at the Tenant's Death.

Farlingari, Whoremongers, Adulterers, from the Sax. peopling, Farlanse, Farlari, i.e. a Muli, ab ex frumento in to farina confinare.

Farms, See Farms, from the Sax. peopling, i.e. Food, and this from peopling, i.e. to feed, in the Laws of Canunus, in 17. peopna Mr. Lumbard renders eulina, lo reddere frumentum eum reddet, and reddet quem diem de firma is so much Provision for a Night and a Day, for about the Time of William the Conqueror, the Rents were reserved in Provisions, which was altered by it. 16th Edw. 3. 244. p. 193. 245. p. 193. 246. p. 193.

Farthing, (see: Feeping, i.e. fourth part of a Saxon Penny, and frequently in use among them. See Penny.

Farthing of Land (see: Feeping,) seems to be some great quantity, and to differ much from Farthing-deal. For I find in a Survey-Book of the Manor of Weft Slaton in Devonshire, entered thus. A. B. holds for Farthing of Land 32 s. per annum. Some hold it to be a Yard-deal. See Fardel, Farthing-deal and Farthing.

Farthing, the same with Farthing-deal. For.
For at first they annually came to pray to the Saint to whom the Church was dedicated, but afterwards only to eat and drink, and exercise themselves in Sports.

Fidelity (or Fidelitas, Fr. Faitlité, i.e. Fides) signifies an Oath, taken at the Admiration of every Tenant, to be true to the Lord of whom he holds his Land: And be that holds Land by this only Oath of Fidelity, holds it in the freeest manner, because all that have Fee hold per fide & fidelitate, that is, by Fidelity at the least. Smith de Rennes, Anglo. de 2, cap. 8. This Fidelity is also used in other Nations, as in Lombardy and Burgundy. César, de Conqu. pag. 419. And indeed, as the very first creation of this Tenure grew from the love of the Lord towards his Fellowtenants, so did it bind the Tenant to Fidelity, as appears by the whole course of the Feud; and the breach thereof, is loss of the Fee. Boéman in his Commentaries, de sociis feudatis, draws a Double Fidelity, one general, to be performed by every Subject to his Prince; the other special, required only of such, as in respect of their Fee, are tied by this Oath towards their Landlords; we read of both in the Grand Conquereur of Normandy, &c.

Fidelity is a bond, either by Freemen or by Villains; the form of both fee.

Fidelity is neither derived from Fide nor from Feudum, but from the Sax. Fid, i.e. Merces, stipendium, quod dicitur actus beneficiorum; that is which we hold by the benefit of another, and for which we do Service or pay Rent, or both, to the chief Lord: It was an Estate for Life, and those to whom it was granted were called fidals; who by this means were brought under a fideliter Obsequience to Princes, and were bound to serve them in the Wars; Afterwards such Estates were not only granted for the Life of the Fidals, but likewise for the Lives of their Sons, and by degrees, and by the Convenance of Princes, the Lands pulled in to an Inheritance which we now call a Fee. All our Land in England (the Crown-land, which is in the King's own Hands, in right of his Crown, excepted) is in the nature of Fiduum or Fee.

For though many have Land by Deed from their Ancestors, and others have bought Land, yet is it of such Nature, that it cannot come to any, either by Deed of Sale or Purchase, but with the Liberty, which was laid upon him, who had Novell Fee, or by right of all received it as a Benefit from his Lord, to him, and to all such, to whom it might descend, or any way be conveyed. So that there is no more ancient Right, than the Right of Feudation Domini, i.e. the very Property or Demain in any Land, but the Prince, in Right of the Solemnity, for the Oath of Homage is taken by the Tenant knowing, but that of Fidelity is taken standing, and includes in these Words, Ianuæ, fidelæ, utile, bonum, feodum, cum oneribus, that he do no evil, promise to the Lord, to do no injurious action, as an Oath to his Lord, to do no harm to any thing which he is for His Service, as in his House or Castle, to the things in his House, to the thing which he do not damage in his Possessions, and to the thing which he do not do evil to the thing which he is for His Service, as in any thing which he do not injurious action, as an Oath to his Lord, to do no harm to any thing which he is for His Service, as in his House or Castle, to the things in his House, to the thing which he do not damage in his Possessions, and to the thing which he do not do evil to the thing which he is for His Service, as in

Fidelitas, i.e. Fides, from in propria veritatem voluntate. Du Cange.

Fideliter, i.e. Pledges, from the Sax. part, firmus, and Dàn, homæ, duæ firmæ; the two firmæ good Angliæ, recente Fideliæs. Leg. Educ. Conf. cap. 38.

Fidelis, or Fidelis, is a great Wooden Veil, which among Brewers and Malters is used to measure Malt for expedition, containing a Quart or eight Bottles. Stat. i. Hen. 5. cap. 11. and 1. Hen. 6. cap. 8. It is likewise a Veil or Shawl of Lead, for making Salt, at Deserum. Fidelis (LL. Hen. i. cap. 79.) perhaps the same with the sax. part, veile, i.e. fidelum in intorriturium malum fus componit. Fidelis mulier, a Whore. Cum odium fata mulieris unde in toto cum odium non est desiderius. Du Cange.

Fidelis, a sort of Brilli hanging, organum & deceptum, i.e. a Cord of Mulk. Fidelium in divino officio omnibus nonlitnis. Cris. interdictum. Du Cange.

Fidelis, (anno 1682. cap. 5) Favourers, Supporters or Maintainers. Fidelity (Fidelitatis, Fr. Faitlité, i.e. Fides) signifies an Oath, taken at the Admiration of every Tenant, to be true to the Lord of whom he holds his Land: And be that holds Land by this only Oath of Fidelity, holds it in the freest manner, because all that have Fee hold per fide & fidelitate, that is, by Fidelity at the least. Smith de Rennes, Anglo. de 2, cap. 8. This Fidelity is also used in other Nations, as in Lombardy and Burgundy. César, de Conqu. pag. 419. And indeed, as the very first creation of this Tenure grew from the love of the Lord towards his Fellowtenants, so did it bind the Tenant to Fidelity, as appears by the whole course of the Feud; and the breach thereof, is loss of the Fee. Boéman in his Commentaries, de sociis feudatis, draws a Double Fidelity, one general, to be performed by every Subject to his Prince; the other special, required only of such, as in respect of their Fee, are tied by this Oath towards their Landlords; we read of both in the Grand Conquereur of Normandy, &c.

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of his Crown. Cuth. Briton. pag. 93. For, though he that hath Fee, hath his pecunia & utile Dominum, yet he owes a Duty for it, and therefore it is not simply his own; which Thing, I take those words to mean, were a deep & clear Right in any Lands or Tenements, to impri;

for, that he can say molt of his Effeete, faith thus, I am seised of this or that Land, or Tenement, in my Dominus, as of Fee; and that is as much, as it be had fail, it is my Dominus or Proper Land after a fort, because it is to me & my Heirs for ever, yet not simply mine, because I hold it in the nature of a Benefit from another; yet the Stat. 37 Hen. 8. cap. 16. did the word (Fee) of Lands involved in the Crown, but it proceeds from an ignorance of the nature of the Word for Fee cannot be without Feoff Sworn to a Superior, as you may read partly in the word Fealty, but more at large in those that write De Feudis; and namely Neutmann, both in his Commentaries and Disputationes; since no Man may grant, that our King or Crown owth Fealty to any Superior, but God only. And all that wrote De Feudis, hold that Feodall in hast not an entire Property in his Fee.

Fee is divided into Fee-Solitaire, otherwise called Fee-solemn, and Fee-conditional, otherwise termed Fee-Fiduciary, whereof the former we are seised to as our Heirs for ever. Fee-solitaire (from late Latin) is that whereof we are seised with limitation, as to the use and the Issue of our Body, &c. Which is a great generality of Lands, where Land is seised to a Man and the Heirs of his Body; the reason whereof is showed by Littleton, lib. 1. cap. 2. because a Man seised of Land by such a Gift, if he marry one or more Wives, and have no Issue by them, and at length marry another by whom he hath Issue, this Issue shall inherit the Land, Fee solitaire is that where a Man and his Wife be seised of Lands to them and the Heirs of their two Bodies because in this Case the Wife dying without Issue, and he marrying another by whom he hath Issue, this Issue cannot inherit the Land, being especially given to such Heirs. &c.

This Fiduciary has Original from the Stat. of Hen. 2. cap. 1. Yet fee solitaire lib. 2. cap. 5. num. 2. to whom add Plowden, tis Plowden, fol. 255. For, before that Statute, all Land given to a Man and his Heirs, either general or special, was accounted in charge of a Fee, and therefor expected to be firmly in him to whom it was given, that any Litigation notwithstanding, he might alienate it at his Pleasure, Coke on Little fol. 19. For Redress of which Inconvenience the said Statute was made, whereby it is ordained, That if a Man give Lands in fee, limiting the Heirs to whom it shall descend, with a Reversion to himself or his Heirs, for default, &c. that the form and true meaning of his Gift shall be observed. Hence that he hath Fee then, holdeth of another by some Duty or other which is called Service.

This word Fee is sometimes used for the Companions or Circles of a Lordship. Plowden, lib. 2. cap. 5. in eadem villa & de eadem Feode. Also for a perpetual Right incorporeal, as to have the keeping of Prifons in Fee. Old Nat. Br. fol. 41. Rent granted in his estate of S. Seraph in S. downe 25 Edw. 3. Stat. 32. cap. 8. Lastly, Fee signifies a Reward or ordinary Duty given a Man for the execution of his Office, or the performance of his Industry in his Art or Science; as the Lawyer or Lawyer's fee paid to him for his service when he hath the Consideration of his Pains taken with his Client, or Patient.

Fee expiante is by the Fideles termed Radamus expiacionum. See Expiants.

Fee Farm, or Fee-farm, (Fideles form vel fideles) is, when the Lord upon creation of the Tenency refers to himself, his Heirs, either the Rent for which it was before let to Farm, or at least a fourth part of that Rent. 2 Part. leg. fol. 44. and that without Homage, Fealty or other Services, other than are especially comprised in the Feoffment: But by Fiduci it seems the third part of the Value may be appointed for the Rent, or the finding of a Chaplain to sing Divine Service. 3 Nat. Br. fol. 210. C. And the Nature of it is this, That if the Rent be belaid and unpaid, for the space of two years, then the Feodall or his Heirs have Action to recover the Lands, as their Demesnes. Briton, cap. 66. num. 4. But observe one out of Wills, Testam. part 1. lib. 2. Stat. 45. that the Feoffment may contain Services and Suit of Court, as well as Rent. See Fiduci.

Fiduci (fides iudei ex ficta) a Companion, but particularly a Friend who was bound in the capacity for the Good Behaviour of another. So in Legibus boc. 15. cap. 17. *is Fidai. If the Murderer could not be found, &c. the Parents of the Dead shall have six Marks, and the King forty; if he had no Parents, then the Lord should have it: Et dominium non habet, fidugius eum. So in cap. 35. where a Man had liberty to dispose his Arms by his will Will to his Heirs, and if he had none, then the Lord should have them, if no Lord then Fidugius, if he had any, but if none, then to the King. See LL. W. per B. Hunt. MS. fol. 139. 4. Fidus is a Saxon Word, and signifies Field, and therefore, pelo Lytice, a Country Church. Pelo Libya, is a Tent: in its Compounds it signifies Wild, as Peto Lytus, is wild Honey; pelo Ovina, in Wild Mint, &c.

Fido Lytice, i.e. Faithful Subject, from the Sax. Fidi, i. e. Feids. Fido de is he that commits Felony by murdering himself. See Eras. Testis de P. fol. 28. and Lamb. Erum. lib. 2. cap. 7. The Saxon called him Seldam-banh, Self-dam.
forts, one lighter, which, for the first Time, may be relieved by a Sergy, which may not, which may also be known by the Statutes; for Clergy is allowed where it is not expressly taken away. Of this read Stenbeck, vi. Cor. lib. 1 (but many Offences are made Felony by Statute since he wrote) and Law, sect. 4. of P. lib. 2, cap. 7, in a Table drawn for the purpose. Felony is also punished by loss of lands not settled, and Goods and Chattels both real and personal; yet the Statutes make difference in some Cases concerning Lands, as appears by 37 Hen. 8, cap. 6. Felony ordinarly works Corruption of Blood, unless a Statute, obtaining an Offence to be Felony says, it shall be otherwise. As 39 Eliz. i. 17. See Before. 

Fem-fowit, (Ks.) A Married Woman, (June 27 Eliz. cap. 3.) who is also laid to be under Courte Barun. 

Femnild, i.e. a Woman. 'Tis mentioned in Feet lib. 2, cap. 1, p. 16. 17. De feminulis mulieribus. 

Finch-monday, (Monis prohibitiornis, or Moosy veris) is a Month wherein the Female Deer do fawn, and therefore is untoward to hunt in the Month of March, which begins Fifteen Days before Midwinter, and ends Fifteen Days after, in all thirty Days. See Mont嫂, Part 2, cap. 13. per tacum, and the Stat. 20 Car. 2, cap. 3. It is also called the Defence month, that is, the Forbidden Month; for, the Latin is, Feminam in defension. There are also certain Fence or Defence Monats or Seasons for Large, as well as Weeds, as appears by Wynnus, 1, cap. 13, in these Words: All our網頁 of 1516 are to be taken shall be in Defence for taking of Salmonis from the Nativity of our Lord unto S. Martin's Day. And likewise that young Salmonis shall not be taken nor destroyed by Force, &c. from the morn of April, to the Nativity of St. John Baptist. See also 13 R. 2, Stat. 1, cap. 19. See Tempus, and Tempus, See Feminam. 

Ferguellis, (Sax.) Pecunia vel tributum ad auctoritas vigilem, M. S. Antiquus. See Fergueis. 

Ferren, (Fedelis vel fedulis) of, or belonging to the Fee, Fee-Town or Fee simple. Anno 12 Car. 2, cap. 19. 24. 

February, Fesmary, or Febrary, (Fudatarnis) was an Officer authorized and made by the Matter of the Court of Wards, by Letters Patent under the Seal of that Office: His function was to be present with the Solicitor, at the Finding any Office, and to give Evidence for the King, as well concerning the Value as the Tenure; to survey the Land of the Ward, after the Office found, and rate it. He did also advise the Kings Wisons, their Dowers, and receive all the Rests of Wards Lands within his Circuit. This Officer is mentioned Anno 32 Hen. 8. cap. 49. 66 and Teems to be totally taken away by 13 Car. 2. cap. 24. Noble- Men had also particular Fedatarnis, Benedict Gesta de Stafford & de Perch signorum de Tenbury & de Canz, a noffe Fedatarn in loco Comitee de Worcix, in Seches quos non. Dat. 17 H. 6. 

Festinacion (for Ultra, i.e. Reily) 'Tis mentioned in Thor, Anno 1281, in tertis et relictudin, telesum, Fedatarnis, Icelun Corto, &c. 

Festinacion (Feast performed, from the Greek word fastos) signifies Donatum fundi, any Gift or Gift. See Gift. 

Femnild, i.e. a Woman. 'Tis mentioned in Feet lib. 2, cap. 1, p. 16. 17. De feminulis mulieribus, as being competent and statutorial, as in.

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12 Edw. 2. n. 18. Ib.id. In ancient Records
Ferlingium Torre is also used. See Mon. Angl.
2. 5. p. 324. a. 5. & elsewhere, Ferlingum teretis.
My Lord Coke tells us that it was a
name as a Quarrantine of Land, and that it
tables thirty two Acres. But I find a
Quarantine is no more than forty Perches, which is but one
Acres. Da Cange.

Ferm., or Farri, (Lat. Firmus, Sax. Fargarne, Fr. Fermes, i.e. Fisials, because the Tenants paid the
Rent in Viduals and other Necessaries in former Days, which afterwards were converted into the
Payment of Money,) signifies a House and Land taken
by Lease in Writing or Parcel. This in the North
Parts is called a Tack, in Lancashire a Ferm-hall, in
Essex a whole. I find Licence ad farmire sometimes,
by signify to others, as much as to let or let to
Farm with us; the Reason may be in respect of the
fowe Hold they have above Tenants at will. Vide
Pecu. sciripsum in Turia, voces affinitatis. How many
Ways Farm is taken, see Pansham, Caju Writheby,
s.c. 1595. and Barnaby, on Farm.

Fermar, an Hospital, Friers of the Formery:
From the Sax. pequinum, Fisalias.

Fermifona, (From the Sax. pequinum, i.e. Food, or
Feeding,) the Winter Season of Deer, as Tem-
pus Pinguedinis is the Summer Season. Quod
item Hugo & heredes su brevissime quibus nonem conspi-
care in pristinis parteis (de Bore) omnem damnum ad
Fermifonas inter Fermen Smith Martini & Purfl.
Beata Maria, & omnem damnum in Pinguedinis inter
Fermen Salle Santa Crucis in Maye & Fermen S. Crucis in
September, inscriptum: ita quod qualisvisque effusam
tempor Pinguedinis vel Fermonia benemerentur, ut
cum praetulit cantus inquis, ita effusia et remanet.
Har. et sit in Fermenia discutis est vis pro damna, &
Sit in Pinguedinis, adhibitor eis pro damna, ech.
Fin. Concor, in Curia Dom. Regis apud Litchfield
coram Roger. de Torckill, Sec. inter Hugonem de
Acovre quer. & Will. de Aldenleye Defore. Petes
Will. Dugdale, MA. See Tempus Pinguedinis.

Fermo — dicito Ric. Caufell radii Kameri de Brutf-
ywk abione. Commissariis dictiwm pellicium us-
sum Johanne de Fulham ad inforntum Fermifon-
ism in Portici rufius ibidem, praes nobis & Ibi melius
ad prum inforntum in militaris faciendu, captivatis.
Poli mordicium, Ech. Claus. 2 ed. i. m. 19.

Ferramittuan. Dedi autem potestates delo P.
qua potest praducit &c. hoc quoniam
qua dictum inordinatum tenatur; fer Ferramittu-
diis melissis suae, & pro essum suarem, suo
et caritas suarum miscetur prae redditi de se,
Charta Gub. Talbot. Mill. fine dat. By Fermannites are here the
mean Iron Tools or Instruments of the Mill. Ex separat Ferrimenta ad tres Curam,
tac. i.e. the Iron Work of three Ploughs. Lib.
liber Hercuf.

Ferrure, (P.) the Shoing of Horses. See
Buch of Craftes.

Fertiptrki, To speak suddenly. Nomen pocti
de simul Dominus sui praebere shall, nec egi debeo servum
 ejus ferperken. (i.e. to speak suddenly, i.e. not pre-
liminary, i.e. to give a hasty Accomp. of
de semita causa, de coactus pocti
et coactus pocti implicatis aliqui
et potest obere termini requisitum & habendi
Dominum suum. Leg. H. i. cap. 64.

Ferula in Cappa were some chief Holidays,
in which the Lord of the Cappa, in Italy,
which in Cappa sunt & maximi prauxtis. Vice Ab-
at. S. Albun. pag. 50, 83.

Fettingemen. Ut iudicium inertia (in 6. de Broo-
dun) ut liberam ab illis incommode, qui in Scotia
orbe, i.e. ut Fettinge in Anglia desinere. Charitc Hereti-
unc. Regis Mercionibus in Nou. Angl. x 3. par. fol. 27. 12.
The Sax. payscommen signifies Fisilforse, a Succe-
so. So that by this Charter probably they were to be
free from the Frank-plege, and not bound for
any Man's Forthcoming, who should transgress
the Law.

Festum properly signifies a Feast, but it is usu-
ally taken for a General Court which was formerly
kept on the great Festivals in the Year. Thus we
read in our Historians, that in such a Year the
King kept his Christmas at Winklere, that is,
he kept a Court there at that Time. Vide. Ren apud
Winter maxima festum & Convivium celebratum
tempore Natalis Domini, convivium itidem Principum
& variatorum totius Regni.

Festum & Macheris is that Day in which
the Christians fought with the Infidels, and
obtained a Victory by the Help of St. Michael, now
called Michaelemas-Day.

Festum nativitatis. St. Marie was thus infla-
ated, vide. A melancholy Man, who led an holy
Life, did every Year hear the melodies Harmony
of Angels in Heaven: As being Anguish fully
publication, and being one Day very earnest in
Prayer, an Angel told him that on that Day the
Virgin Mary was born; and because the Day of
her Birth was not known on Earth, therefore it was
celebrated by the Angels. This being told to the
Church, that Day was afterwards let apart to
commemorate her Birth. Hour. Augufull. Lib. 3.
cap. 16.

Festus, or Febus, (Fideus, alias Feus,) signifies in
the German Tongue Guerarrn, i.e. Bore.
Lambard writes it Fireth), and faith it signifies Ca-
pitales ministerii. Feus is used in Scotland, and the
North of England, for a Combination of Kindred
to revenge the Death of any of their Blood against
the Killer, and all his Race, or any other great
Enemy. See Skene, voces Affiditans, and 43 Alit-
cap. 32.

Festival. See Fisial.

Fidur. See Fisial.

Fidubr. See Fisial.

Fidebore, (Sax. pechtboze,) a Recompence for
engaging in a Feud or Engaging, and for the Da-
mes conquent; it having been the Custom of
ancient Times for all the Kindred to engage in
each their Kinman's Quarrel, according to that of Ten-
ris, de Mobius German. Safficeram tam inibiissatis, seu
patris, seu propoiti, jam anibiissatis ministriff. Sax.
Dac.

Fiegurinem, and Fisegurnmen, from the Fr. Pas-
tiere, i.e. Ferm ) Et de communs afflentos Dac-
rius, quaris, Turberus, Tuncel, & Fisegurnmen ad
noos suas co-ponderiem, &c. Mon. Angl. 2. Part i.
6o. b. Common of Fugiem, i.e. Fir, for
one's Life. See Fireiter.

Fifie, a Sort of Payment anciently used in
England; but of how much no confess. Es solo
aliaque Figitum et Mulian in conuato. Leg.
Edin. cap. 3.

Fiftum malum, i.e. when a Tenant doth not
keep that Fealty while he hath sworn to the Lord.
Leg. H. i. cap. 53.

Firi firius is a Writ Judicial that lies at all
Times within the Power of the King that hath
recovered in an Adion of Debt or Damages, to the
Sheriff, to command him to levy the Debt or
11 Damages,
Damages, of his Goods against whom the Recovery was had. This Writ had Beginning from Weylin. 3. cap. 18. See Old Nat. Br. fol. 152; and Great Diversity thereof in the Table of Regis Judic. verb. de terciis casuis. 


Fifthis, a certain Measure of Corn; but of how much, we confess. Est in istam figuraliter subtilius in linguas fluida deum ad meditatio de granario. Moyle. 1 Tom. pag. 149.

Figuurth (Decima quinta) is a Tribute of Imposton of Money laid upon any City, Borough, or other Town through the Realm, now, by the Poll, or upon this or that Man, but in general upon the whole City or Town; and is so called because it amounts to a Fifteenth Part of that which the City hath been valued at of old, or to a Fifteenth Part of every Man's Personal Estate, according to a reasonable Valuation. This is imposed by Parliament, and every Town through the Realm knows what a Fifteenth for themselves amounts unto, because it is always the same: Whereas the Subsidy, which is, that of every particular Man's Lands or Goods, must needs be uncertain, because every Man's Estate is so uncertain. And in that regard the Fifteenth seems to have been a Rate anciently laid upon every Town, according to the Land or Circuit belonging to it, whereas Cambden mentions many in his Brit. hist. p. 175. But this geld was paid in argent, in digna. Salus habenda, and in 1311. Old Sarum pro quingunaginta libris geldabat, et. Which Rates were according to Dominges. So that this seemed in Old Time to be a yearly Tribute in Certainty, whereas now, though the Rate be certain, yet it is not levied but by Parliament. See Tax and Deputys.

Fifthsized, (Sax.) Multa de omnibus paginam in parcamentum peracta. In exercitio Rigit. 120 Sd. incus. Ermithra. ierta. I. Forisahlara pater. M. S. Codex.

Fiflass (from the Fr. Fli, a Threat, Line, or String) is an Officer in the Court of Common Peace, (so called, because hefiles the Writs whereas he makes out Proceeds) whereof there are fourteen in their several Divisions and Counties. They make out all Writs and Proceeds upon Original Writs issuing out of the Chancery, as well Real as Personal and Movel, returnable in that Court. And in Athons merely Personal, where the Defendants are returnet summoned, make out Ponts or Attestations; which being returned and executed, if the Defendant appears not, they make out a Diffraction, and to Adinonolum. or, until he do appear: If he be returned Nibiot, then Proceed of Captus infinete, if the Plaintiff will, or after the third Captio, the Plaintiff may proceed to Quaestum in the County where his Original is grounded, and have an Example with Proclamation. Also the Fijias make forth all Writs of Fact in Real Actions, where the View is prayed, and upon Replication or Recordant, Writs of Return bopenhagen, Sine Declaracione, and Writs of Withernam. In Real Actions, Writs of Grand and Petit Capo before Appearance. They enter all Appearances and Special Bills, upon any Proceeds made by them; the first Five are Ratis upon Special Bills, Writs of Havens Captio, Diffraction super Vex-comitum et Balivmal, and Dies, annum, and all subsequent upon Special Bill of Appearance, &c. Writs of Habiti Captus, cum Confess Romanum. If the Defendant is found out, and he is to be生产总 with certain Writs of Appearance and
So that this Fine appears to be a Concord, acknowledged and recorded before a competent judge, touching some Hereditament, or Thing immovable, that was in Condemnation before the Parties to the same Concord, and that, for the better Credit of the Transfer, is by Imposition made in the Presence of the King, because levied in his Court. And therefore it binds Women Covert, being Partition, and others whom ordinarily the Law dislikes to tax, at all, only for this Reason; That all Prelumption of Decie or evil Meaning is excluded, where the King and his Court of Juicitation are supposed to be privy to the Act.

Originally this Final Concord was instituted and allowed, in regard that, by the Law and ancient Course of Proceedings, no Plaintiff could agree with any Person, that a Double Fine should be levied, on any Person, who had been levied in Personal Actions, and for no greater a Sum of Money than 11s. 6d. But Time hath wrought other Rules of its own. To cut off

infinite, and wish more Certainty to pass the In

crimes of Trespass, or Controversy where, in Truth, none is; and so not only operating a general Bar and Conclusion against the Parties to the Fine, and their Heirs, but as five Years last against all others not expressly excepted, and not claiming (if it be levied upon good Consideration, and without Co

vir), as Women Covert, Persons under twenty one Years, Prisoners, or such as are out of the Realm, at the Time of its acknowledgment. Touching which, see the Statutes Anna l Rich. 3. cap. 17. 9. Hen. 7. cap. 14. 32. Hen. 8. cap. 36. and 31. Edw. 3. cap. 2.

This Fine hath in it five Essential Parts: 1. The Original Act taken out, against the Condemned. 2. The King's Licence, giving the Parties liberty to accord; for which he hath a Fine, called the King's Foot, being accounted Part of the Crown.

3. The Concord is sealed, which begins this, That fine a Concord a. The Name of the Fine beginning thus, Sc. Iner R. guenem. &

& C. & Co. in vano (n.s. d. E. & C. (where in head of different sorts, sufficiently explained was found.)

5. The Foot of the Fine. (Hint of Finalis Concordae tabula in curia domini regis apud westphalia in quadam dici, Anno, etc.) includes all, containing the Day, Year, and Place, and before what Justice the Concord was made. Cite, vol. 6. Cite, 79. fol. 138.

This Fine is either single or double. A Single Fine is that by which nothing is granted or rendered back again by the Cognizant to the Condemned, or any other Person. A Double Fine conveys a Grant, and Render-back either of some Rent, Custom, or other Thing out of the Land, or of the Land itself, to all or some of the Cognizants for some Service, limiting thereby Remainders to Strangers, not named in the Record of Covenant. And a Fine is sometimes called a Double Fine, when the Lands do lie in several Counties. Again, a Fine is in its Effect divided into a Fine executed and a Fine executory.

The former gives a present Possession (at least in Law) to the Cognizant, so that he needs no Writers, but is a simple Act. The latter is a Summary of the fine for the fine for the Fine, so there exist no Possession, but that is a Final Conclusian or

For, if such Fines are not levied, or such Render made to those who are in Possession at the Time of the Fines levied, the Cognizants must needs sue out Writs of Habeas facias, Sejum, according to their several Cases, for obtaining their Possessions, except at the Law's Fugio Sejum. See Indenture, the Parties to whom the Estate is limited be in Possession of the Lands passed thereby: For in this Case such Fines do enure by Way of Extinuishment of Right, not altering the Estate or Possession of the Cognizant, but perhaps bettering it. West. syn. sed. 20. 21.

Touching the Form of these Fines, it is to be considered upon what Writ or Action the Concord is to be made; And that is most commonly a Writ of Covenant; and then there must first pass a Pair of Indentures between the Cognizant and Cognizee, whereby the Cognizant covenants with the Cognizee to pass a Fine to him of such and such Things by a Day limited. As these Indentures are first in this Proceeding, so are they laid to lead the Fine. Upon this Covenant the Writ of Covenant is brought by the Cognizant against the Cognizee, who thereupon yields to pass the Fine before the Judge; and so the Acknowledgment being recited, the Cognizant and his Heirs are presently concluded, and all Strangers (not excepted) after five Years pass. If the Writ wherein the Fine is grounded be not a Writ of Covenant, but of Warrantia Charteria, or a Writ of Right, or Men, or of Custums and Services, (for all these Fines may also be found West. sed. 25.) then this Form is observed: The Writ is solemnly upon the Party that is to acknowledge the Fine; and then he appearing, doth accordingly. See Dyer, sed. 179. num. 46.

Fines are now only levied in the Court of Commons, when at Westminster, in regard of the Solemnity thereof, ordered by the Statute of 18 Edw. 3. Before which Time they were sometimes levied in the County Courts, Court-Brons, and in the Exchequer, as may be seen in Origines熟悉s et alibi. Blunden says there were Fines levied before the Conquest: Faire says he has seen the Exemplification of one in Time the Fifth's Time: Doug.

dale mentions all Henry the Xth's Time: Impulsion.

This Word Fines sometimes signifies a Sum of Money paid for an Income to Lands or Tenements let by Lessee, anciently called Germaine: Sometimes an Annual Payment, Pecuniary Punishment, or incompa

ple, upon an Offence committed against the King, and his Laws, or a Lord of a Manor. In which Case a man is said Fines Fines de transferrese ex regis. Cite. sed. 2 ed. 5. 2. Of the Divinity of Fines, see also the books of 11. 14. fol. 1. 143. 144. and Land. Ext. lib. 9. cap. 16. But in all these Divertments of Uis it hath but one Signification; and that is a Final Conclusian or
or End of Differences between Parties. And in this last Scene, wherein it is used for the Ending and Conclusion of a Treatise, for Mutilating it, (Sir T. Camp. cap 15. num. 8.) speaking of a Common Fine, that the County pays to the King for false Judgments, or other Trepasses, which is to be suffered by the Judges in Eves before their Departure, by the Oath of Knights, and other good Men, upon such as ought to pay it; with whom agrees the Statute 3 Edw. I. cap. 18. There is also a Common Fine in Laws: See Ricket, fol. 13. Vide Common Fine. Plata, lib. 1. cap. 48. and Coke on Little tol. 126. 4.

Fine amabiliter levato de tenementio quod fuerat de antiquo domino istius est a Writ to Justices, for disannulling a Fine levied of Lands held in Ancient Demesne, to the Prejudice of the Lord. Reg. of Wills, fol. 115. 4.

Fine Capitandi pro terris, &c. is a Writ fixing for one, who upon Conviction by a Jury, having his Lands and Goods taken into the King's Hand, and his Body committed to Prison, obtain Farthing for a Sum of Money, &c. to be remitted for his Imprisonment, and his Lands and Goods to be delivered to him. Reg. of Wills, fol. 143. 4.

Fine from the Free Men, i.e. Crafty or Subtil, and Forse, i.e. Tit. Means to illegally an absolute Necessity or Constraint, not avoidable; and in this Sense it is used, Old Nat. Br. ch. 78. and in Stat. 35 Hen. 8 cap. 13. in Perkin's Dow's, fol. 137. Paragon, fol. 94. Cott., vol. 6. fol. 111. 4.

Fine levando de tenementio tenris de Rige in Capite, &c. was a Writ directed to the Justices of the Common Place, whereby to licence them to admit of a Fine for the Sale of Land held in Capite. Reg. of Wills, fol. 157. 8.

Fine immurci, i.e. To compound, or make Satisfaction for a Crime. This mention'd in Leg. Br. 1. capr. 57, in Mart. Parl. pag. 386. and in Wolsey's, pag. 180.

Fine non capitando pro pulchro placitando is a Writ to inhibit Officers of Courts to take Fines for fair Pleading. Reg. of Wills, fol. 159. 4.

Fine non reddendo capitando pro pulchro and Fine non reddendo capitando pro pulchro levando for Release of one held in Prison for a Reddishment, upon a reasonable Fine. Reg. of Wills, fol. 172. 4.

Fines for Alienation are reasonable Fines paid to the King by his Tenants in Chief, for Licence to alien their Lands, according to the Stat 1 Edw. 3. cap. 12. but for the Stat. 12 Car. 2. cap. 24. by which they are taken away.

Fines pro Dominis Condrodani. Ann. 21. Hen. 8. cap. 1. See fine. Fines for conciliare is a Fine levied upon the Claim of an Effray for Years, to bar the Heir in Title during the Term. Fines in the same with Fines faciend. in Brompt. pag. 116. Muncatius Rex Scoto cum Domino Rigo Facitvit, &c. and in Bremdon, pag. 78. 4.

Finnin, i.e. Death: So called, because Fina Finitur morte. Finitis of Gold and Silver are those that purify and put those Metals from other coarser by Fire and Water. Ann. 3 Hen. 7. cap. 25. They are also called Purturis in the same Place, and sometimes Departures.

Finturru. 'Tis mentioned in the Laws of Th. 1. cap. 3, and is the same with Fint. i.e. From the Sax. Fintor, and the A. Fintor. Flalia for Biala, i.e. a Viol, or Little Bottle. Mans. Parv. 146. In aurato Flolia cum vinoine colorant, tunc acceptis, tunc vinum.

Firma. See Firma. Firma, i.e. a Going into the Army, or taking up Arms. From the Sax. Fijjio, Exercitn, and Japio, i.e. one of the Offences which properly belongs to the King's Determination, subj. Bharchoths. i.e. a Contribution towards building a Castle; Bhrgchen, i.e. towards building a Bridge; whnd Vide infra superfection, i.e. is not gone into the Army, Leg. II. cap. 10. Finturruna, i.e. a Preparation to go into the Army; which was another Offence immediately under the Cognizance of the King. Hid. Finturruna, Furniture for the Army. See Finturruna. Fintarr. See Fintarr. Fintarr, i.e. exempted from the Army. From the Sax. Fijjio, Entrenoss, and Jopin, Exempro. Fintarrum. See Fintarr. Fintarrum: Militia detritis milita, Leg. Canuni, par. 2, cap. 22. 14. Or, a Mutil or Fortune for not going into the War.

Finturru, good for Alienation, &c. vid. supra. & finturru in iure mortis attolle in qua plus habet. Its qua sola patria, pot lita figura, quod complexi multo esse privatum, privari pater, &c. Ordinario pro vigilia observantia in Lynne uique Yarmouth, Temp. Ed. 2. Perhaps from the Saxon Fynpec, a Beacon or a High Tower by the Sea-side, wherein were continual Lights, either to direct Sailors in the Night, or give Warning of the Enemy.

Finturru. i.e. Fuel for necessary Occasions; which, by the Common Law, any Man may take out of the Lands granted to him. See Hayhurst, Efforts, and Signagana.

Finturru, a certain Measure of Liquids, something more than a Gallon. From the Sax. Propid, Quatour, and loc. porum.

Firma. See Firma. Ad firmam nullit is a Custom or Tribute paid towards the Entertainment of the King for one Night, according to Donem. J. Consolacione Merici T.R. E.G.E. Tempus Regis Edvardi Conf. read. as Firmam unita nullit, i.e. Provision or Entertainment for one Night, or the Value of it. Firmam Regis, anciently Pro villa Regin, ess Regis Mauroes. Spelm. Firma is also used for Rent; as in this ancient Precept of William the Conqueror. Willermi Rex Anglorum Willelmum de Cahannis salutem. Præcipit tibi de factis occupatis Schiram de Hamtonia & Judiciis ejus componi, & terrae libbam reddere Firmam dominique accedente Benjamin., &c. Ex Regiff. de Ramif. in Saxe. Und leyd apud alium firmam, i.e. at the Rack; and Firma alba, Rent paid in Silver, not in Cattle or Provision for the Lord's House. See Black Meals.

Firma is taken as a Banket, Supper, or any Provision for the Table. Manutuitio Regis quod ad Firma sum propter ibi columna sustinuisse invent. E. Huntington, lib. 6, pag. 367. And English. Speaking of the same Thing, i.e. Ad firmam suorum propagnt. In Compend. the Word Firma is often mentioned, viz. Redderum Firmam unius militiae redditerbat unum cem. de Firma, de frinis mensis adest terra qua redderat Canonicis T.R. E Firma quatuor septuages. That is, Firmam alta, Firmam alta Suppes, Firma alta in Dith in suprema quatuor Septuagesima is a Provision for so long Time. De Cony. Sometimes 'tis taken for Money paid instead of Victuals. Habemus ligna de manuibus nullis 53 Firmas.

Firmamentum.
Firmatmitium, a Boston; sometimes Firmatmi-
rium: As, Japon charology delectari, & Firmatmi-
Firmatnum, a supplyng with Food: Si crittus
humane forspresentat Firmationis accoquer per saum
ipsis mortem neget. Leg. Inc. cap. 34. 1. e. accused of
giving Virtuous to a Fugitive.

Firmag, a Pemutation or Castle well forti-
fied: Et simia pectinatus Saxorum saxa firmitate
fabri introitus. Da Cange.

Firmura. 1634, de Croy gave to the Moins of
Sofy a certain Mill for 1200 sous forty of the Dm
of it. — De R. di Bitch. This Dr. Reuben eng-
lies Free Firmage, but that is still a hard word.
I think it intends free Liberty to build and repair
the Mill-Dam, and to carry away the Soil, &c.

Firthall, Colonists insane.

Puritians or Annates (Primaries) are the
People, after Avoidance, of every Spiritual Life
for one Year, given in ancient Time to the Pope
throughout all Christendom, but in the Stat. 26
Henry 5. cap. 37 translated here in England to the
King: For ordering whereof, there was a Court
erected 32 Hen. 8. cap. 45 but dissolved, 1 Mar-
82. cap. 10. And since that Time, though the
Grants are reduced again to the Crown, 1 Eliz. cap. 4,
yet was the Court never restored, but all Matters formerly handed therein,
were transferred to the Exchequer. See Annates and
Sir Roger Twyford's Act. Declaration, fol. 84.

Firth, or rather Firth, a Goblet.

Arturhere, an Expedition, or military Pro-
gres, or preparing for an Expedition. Da Cange.

Fichitius, a Villain.

Fichirhurth (Ann. 33 Hen. 8. cap. 13.) Dr. Skin-
ner, in his Synodologen, says, 'Tis an Engineere
take Firth, but it seems rather to signify the Dam
or Watre in a River, where these Engines are laid
and used. For Firth in the North is still used for
a Backside or Helmsted.

Fifita, the Pipe which was put into the Cup
out of which the Communicants licked the Wine:
Duxes etibus auro, ait hora, forint, scindere, Fiquo-

Fidagitum, Robba Fidagitum, from the Sax.
feont, pega, and pega. multae: Muita ob con-
vestigium paulum in portus dominus populis publicis.
Fidagto, i.e. In pagamenta & parva in pinoria
sumpta non accesserunt. Prior habatur inde ammec-
tas. Ex Regesto Priorat. de Cotesford.

Flacca, a place covered with flowing Water:
Asin, ci, in paludum horribem & in latum ex Flacce

Flage, the same with Flesa.

Flebrata or Fligebre, (sax. Philae, sges, and
space, multae) signifies in our ancient Laws, a
Discharge or Freedom from Amenciaments, when
one, having been an outlaw Fugitive, comes to
the Peace of our Lord the King, of his own Ac-
cord, or with Licence. Thus Rejtred. But quietly,
whether it does not rather signify a Multa or
Pine set upon a Fugitive, to be reforted to the
King's Peace.

Fleet, (Sax. Fleot, i.e. a place where the
Water ebb and flows, a running Water) a famous
Prifon in London, so called from the River, on the
side where it flows. To this Prifon Men are
usually committed for Contempa to the
King's Laws, or upon obtuion of a demand
of the King, or some of his Courts; or lathy, for
Debt, when Men are unable, or unwilling to
satisfie their Creditors.

(See Fleon and Fleito, (Sax. Fleina, an Outlaw,
and plece, a Houle) lu Placita de quo Warranto.
Alia de Burgi situs quod eumdem amnum & domum
& medium tenens, ne fecerit vero. Fleon et Fleito.
Thabsin. 7. Edw. 3.

Fleifhbar, (from the Sax. Fliem, a Fugitive
or Outlaw; and pleen, to kill or slay) By
virtue of this word were claimed Bens feomans,
as appears upon a Quo Warranto, Temp. Edw. 3.
See Stehely's Rep. fol. 145. 3.

Flemenspennestephe, (Sax. Flego Flegnetstehpe,
12.) signifies the receiving or relieving a Fugitive.
Com. Runes & Soth, col & Teme, tofungeno &
Flemenspennestephe de Vriderebe, Repha, Runesboe,
Budwige, Orde & Orthe, Carta Edw. Conf. Noo
Makairio de Waleto. I find this word often in
ancient Chartsers erroniously written: As Fles-
munore, Flemensnour, Flemensmorth, FlemensIrre,
Flemensmorth, Flemensmorth, Flemensmorth,
and Flemensnreith. All doubles intend-
ed for the same Thing: From the Sax. Plima,
Flemsta, Fijemtan, vilum prakre.

Flemensnreith and Flemensnreith the in-
former cauda faligostrum, Mich. to H. 9. Heri
Flemstie (Sax.) signifies a Liberty or Char-
ter, whereby to challenge the Castle, or Amer-
ciaments of your Men as a Fugitive. Repha's Ex-
plication of Words, First Letter is every other order,
vice, Flemenssreith and Flemenssreith; and interpre-
tis, he before cauda falgostrum. 3. Hen. 1. cap. 47.
See Flem, and Flemensnreith.

Fledegote, a Payment or Mulct exacted
from him who deserted the Army: from the Sax. Pliem,
fagere, and pelag. pega.

Fleturte, (Sax. Fletuerte.)

Fleturthe otherwise called shucrodi is the
same name we now call Sutherby, and men-
tioned, 33 Hen. 5. cap. 9. This should rather have
been called Bletherby.

Flibbres — Canco eras eis Flibbres ed nunc
prosim nuncum, collegendas in secessivis de Eincas.
Arch. Ang. 2. par. fol. 799. b. Leves. If not
Masts from Ships, from the Sax. plecan, to 67.

Fletwittur, alias Fleturthe, (from the Sax.
Fletu, Contention or Strife) signifies mulitum ob
contensiones, rium & jergis, impaceme. & as has a
Principe conceduntur, peris in Crucis sua cognitio
heroum transgrediorum, & col multae inas provinentes
in Crucis Regis, & delinquentes exigere & fiment
reiner. Thus Spimen. Fleturthe, l.e. (and prior
rermus Placita in Crucis sua de contensionibus & consocii
hominum suorum & hepatinde Americamentos. Ex
Reg. Priorat. de Cotesford.

Footmark, The Mark which the Sea, at flowing
Water and higher Tide, makes on the Shore.
According to these Ordinances the Admirals or their
Authority in the seas, before this date, is the
worst time for ships to enter the port of Antwerp
without a license from the castle of the King. Such
ships as pass the port of Antwerp, there are still
liable to the same duties as before.

Fleta nautium, A Fleet of Ships. —
\section{flecta, qaud conclusitum}
ted, that it hath no other Crime annexed to it; as if one by Force do only enter into another Man's Possession, without doing any other unlawful Act. 'Might' or Compound Force is, when some Violence is committed on a Person, and if it be only unlawful, it is not criminal: As if any by Force enter into another Man's Possession, and kill a Man, or ravish a Woman, &c. He further divides it into True Force, and Force for a fort, and so proceeds to divers other Branches worth the reading: in Possible Entry, Fortable Entering, unlawful Assembly, Robes, Riots, Rebellion, &c.

Fortitium, a little fort: qui sseguor untrum accen-
ria in fortificando, Fortis lib. 1. cap. 20. par. 159.

Fortificando, or with holding Possession, is a violent Act of Refractance, by strong Hand of Man weaponed, or other Action of Fear in the same Place or elsewhere, by which the lawful Entry of Justices, or others, is bar'd or hindered. Wolf, pag. 2. Symbol. tit. Individuatione, sect. 67. Cramp Justice of Peace, fol. 59.

Fortis Entry (ingredia minus fortis falsa) is a violent actual Entry into House or Land, &c., or taking a Differs being weaponed, whether he offer Violence or Fear of Hurt to any there, or fearfully drive any out of Possession. Wolf and Compton agree.

Forthcrapum,—Et non licet eis aliquum
forcapum secum Burghomanni, & dare Thamani
turies, xvills, Fortiss Entry, and Lombard's Etten lib. 2. cap. 4.

Forza, Forces, from the Sat. Poin, &c. a River, wandin for treffan. It's mentioned in the Magna Charta, 1. Pagn. p. 577. Et rende ubi ad mag-
num aqum cum de Acre, & Forcales juxta prati, &c.

Forzecrapum,—Et non licet eis aliquum
forcapum secum Burghomanni, & dare Thamani
num aqum cum de Acre, & Forcales juxta prati, &c.

Forza, Forces, from the Sat. Poin, &c. a River, wandin for treffan. It's mentioned in the Magna Charta, 1. Pagn. p. 577. Et rende ubi ad mag-
num aqum cum de Acre, & Forcales juxta prati, &c.

Foreign Attachment is an Attachment of Foreign-
ers Goods found within a Liberty, or a City, for the satisfaction of some Citizen, to whom the For-
treg is indebted. At Westminster (anciently Lewin-
field) there is the Borough and the foreign, which is within the Subsidiary of the Mayor, but not within the Ballif of the Borough's Liberty. So Foreign Court of the Honour of Gloucester, Chief. 8 Edw. 2. m. 27. l. e. Foreign bought and foreign field. A Custom within the City of London, in which it was found prejudicial to the Sellers of Cattle in Smith-
field, it was abolished 22 and 23 Car. 2. That as well foreigners as Frenmen may buy and sell any Cattle there.

Foreign Opposer or Appaller, (Forserum Oppositer) is an Officer in the Exchequer, to whom all Sheriffs, after they are apprized of their Sums out of the Pipe Office, do repair to be apprized by him of their Green Wax. He examines the Sheriffs' Receipts with the Record and opposeth the Sheriff, what he says to every particular Sum therein. Preface of the Exchequer, fol. 87. Sec 4. leaf. fol. 107. Chancer utile the word apply for interreguere.

Forza, terra transferens, seu Capitalis, a Headland, or (as they vulgarly call it) Slave-land.

The capite Nautis super Forserum Rogeri Appo-
 Ultra, Charter de Ama 47. m. 2. Decem occas.
terra, quas ullus vellicator sum duos Forseron sub a sump-
sum in.—Clara Antiqu. penses Elis Ammon, Ama-

Forest (Forst) signifies a great or vast Wood, Locis silvatis et salubris. Our Law writers define it to be Quando, vel forrae inhabitant vel inculdum.

Other say, it is called Forstis, quos, Forserum Aces, vel tute mandari Forseron. Mainwood 2 par. cap. 1. de-

Foreis, et Forseron. A Forser is any Toleration or Peculiar Jurisdiction, privileged for Wild Beasts and Birds of Forst, Chief, and Warren, to rest and abide, in the said Protection of the King, for his Princely delight, necer and bounded with unmeasurably Markes, Meers and Boundaries, either known by Mutter of Record or Precepturit, Replenished with Wild Beasts of Venery or Chace, and with great Gover-
cors of Vert, for Success of the said Beasts. For Tho-
Forseris and Continuans with the Vert and Forson, there are certain particular Laws, Privi-

Forser is the Refusal of the Judge, as incom-

Fortire is the Refusal of the Judge, as incom-

Forser is the Refusal of the Judge, as incom-

Foreign Service is a Refusal of the Judge, as incom-

Foreign Service is that whereby a Mean Lord holds over of another, without the Compa of his own Fee, (Broke, tit. Townes, fol. 28. 55. 271. en. 12. & 22. Ros. fol. 209.) or whereby a Tenant performs closer to his own Lord, or to the Lord Paramount out of the Fee of which Services, thus Braden. (lib. 2. cap. 16. nunc. 7.) from sunt guadum servitute, que ducitur servitute, quando sunt in Charta de Forsero pretiosum & nominato, & De iis dicit pretiosum servitute, quae pertin-
cient ad Dominium e Dominum Regii, a satis male in propriis Forsera pretiosus foris in servitute, vel uti pro servitute sunt satisfactiun Domini Regis, quae-

Fost is the Refusal of the Judge, as incom-

Fore is the Refusal of the Judge, as incom-

Foreign Office, thus Braden. (lib. 2. cap. 16. nunc. 7.) from sunt guadum servitute, que ducitur servitute, cuando sunt in Charta de Forsero pretiosum & nominato, & De iis dicit pretiosum servitute, quae pertin-
cient ad Dominium e Dominum Regii, a satis male in propriis Forsera pretiosus foris in servitute, vel uti pro servitute sunt satisfactiun Domini Regis, quae-

Fores, Fores, from the Sat. Poin, &c. a River, wandin for treffan. It's mentioned in the Magna Charta, 1. Pagn. p. 577. Et rende ubi ad mag-
num aqum cum de Acre, & Forcales juxta prati, &c.
The second Property is the Courts, and every Year they must come thrice every Year, and the Assessment once every forty Days. The third may be the Officers belonging to it, for preservation of the Vert and Venison. As first, the officers of the Vert or Keeper, the Warden, the Ferreurs, Asseurs, Regarders, Bailiffs, Beadles, and such like, which see in their places. See Manning, p. 2. cap. 1. num. 6 & 7. But the most special Court of a Ferre is the Swansworn, which is no less incident to it, than the Court of Frye-Promers to a Fair. If this fall, then it is there of nothing a Ferre remaining, but it is turned into the nature of a Chance. There were reckoned to be in England Sixty eight Ferreis. For the afterwards the Meers and Bounds of the Ferreis. See Ann. 17 Edw. 1. cap. 16. The Norman Kings not only included Ferreis, but punished those who hunted and killed any of the Beasts, with the greater Severy. Byngton tells us, That William, called the Conqueror, caused the Eyes of the Man to be pulled out, who took either a Buck or Boar; and King John tells us, That his father the King, would burn Man for eating a Doe, and for a Hare he made him pay Twenty Shillings, and Ten Shillings for a Cony. Edwards, &c. 4. pag. 48. mention, That the same Rufus, called Bishop, Mark, was apprehended, and accused them for taking and killing his Bucks, which they denying, they were to clear themselves by the Fere Ordinal, &c. and H. 1. made no distinction between him who killed a Man or a Buck, and punished those who defrayed the Game, (though not in the Ferreis) either by forfeit of their Goods, or loss of Limbs; But H. 2. made it only imprisonment for a Time. His Son, H. 3. revived the old Laws for punishing those who were convicted of Cunning in the Ferreis (sic.) That they should be girt, and have their Eyes pulled out, but that King afterwards abolished this Punishment, and appointed such Convicts to abjure the Realm, or be committed, or to pay a Fine. Edw. 1. appointed the same Punishment, but that they should be free both of Life and Limbs. In the Historian of those Times tell us, That New Ferreis was raised by the Defection of twenty two Parish Churches, and many Villages, Chapels and Monasteries, for the space of 50 Miles together; that this was so displeasing to God, that several of those Princes came to unseemly Ends in that very Ferreis, and particularly that Rufus was there shot by a Ferreis, and before him, Richard, the Brother of H. 1. was there killed by a Soldier, and Henry, who was Nephew to Robert, the eldest Son of the Conqueror, did hang like Aisbain in the Boughs of the Ferreis.

Besides New Ferreis, there are Sixty eight Ferreis in England, Thirteen Chapels, and more than three hundred eighty one Parks. The way of making a Ferre is thus: Certain Commissions are appointed under the Great Seal, who view the lands intended for a Ferre, and make a list round, so being returned into the Chances, the King causes it to be proclaimed throughout the Country where the Land lieth, that 'tis a Ferre, and to be governed by the Laws of the Ferreis, and parts all Men from Hunting there without his Leave.

Ferretmann, (Et fut qui cas de Theleme & Faisage, & de Fseretfragio, & Thelema aquanum &
The text on the page is not readable due to the quality of the image. It appears to be a page from a Latin text, possibly a legal or historical document. Without clearer visibility, it is not possible to transcribe the content accurately.
Foz


Fosrall (Fosrallum), from the Fr. Fo, i.e., Esca, and Priss, Coisien; an Exception to Reserve, which is found in the Statute of
Annu, 14 Ed. 1. but there written Hereforde.

We will use it in Conveyances and Leases, wherein Exception and Forresped is an usual Expletion.

EST Indulgence sit entre Mennis John Blount Cobhamberg, the Escheat, an Hen part, and John Blount Cobhamberg, Oswy part, and Edward, son of John Blount Cobhamberg, the partg. 

We will use the form of the word in the same sense, as done in the case of the word "Escheat."
franchiatus, (from the Fr. Franchi, lc. Free,) a Fr厮man. See Franchiatus.

Franchiatus, a certain Weight. See Gourm. Franchiatus, (Fr.) See Frang.

Fraticelli, To carry away Fodder, to forage.

Fraticellism, a certain Weight. See Gourm. Fraticelli, (Fr.) See Frang.

Fraticelli, To tawn as a Deer. Qui fuerat nullum in foro, maxime ubi damus (Job. Panniaire. Fraticelli, (Fr.) See Frang.

Fraticelli, (Fr. Franchi, &c. Tintore in lingua.) A sort of black thread, consisting of 6 threads, which make up the neck of a letter Stuffer. Fraticelli, (Fr.) See Frang.

Fraticelli, (Fr. Franchi, &c. To pour,) is he that makes the wool, and makes any thing of it by pouring or clogging into a certain kind of Stuffer. Fraticelli, (Fr.) See Frang.

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Franchiatus, a certain Weight. See Gourm. Franchiatus, (Fr.) See Frang.
and not in Ancient Demesne. 

and pro quo videmus servitutem dominum, ibis Pra- 

Firmus is a Land or Ter- 

mencis in Libri of the new order.

from the Lord, which are held in Frankish for the separation of land from man.

Frankfurt (Eferludis) is Land or Ter- 

ments wherein the Nature of the Fee is changed by

Franconia (Firma Litoris) is Land or Ter- 

ments wherein the Nature of the Fee is changed by

Franconia (Eberludis) is Land or Ter- 

ments wherein the Nature of the Fee is changed by

Frankford is where the Lord hath the Benefit of

Franklabe (Libera Lega) is the Benefit of the

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Fractriquitum is that part of the inheritance which comes to the Younger Brothers; for whatever is left to them by their Father, they are not to have it, but are to dispose of it to the Elder Brother for his use, because he is bound to do Homage for the whole to the Superior Lord. Free, lib. 2. cap. 35. Fleta lib. 3. cap. 16. Par. 6. 7.

Fremantia was a Composition paid by a Criminal, to be freed from Prosecution, of which the third part was paid into the Exchequer, and that was called Freedum. See Delitiae.

Freetench (from Brexh, Francis Brem, i.e. Seden Libris) signifies that Estate in Copyhold Lands which the Wife hath after the Death of her Husband, for her Dower, according to the Custum of the Manor: Kithchen, fol. 102. As at Order in the County of Hereford, the Heild of a Copyhold Ten- ant is admitted to her Free-Beam, that is, to all her Husband's Copyhold Lands, during her Life, at the next Court after her Husband's Death. Brad. lib. 3. tritt. 6. cap. 12. n. 2. hath the Words, Conradus de or partibus illis, quod avarus non parvis usurris desponsatus habeat Francum Bancum saum de terris Sigurundorum, & onent nonne detinat. For- berber' calls it a Chamber, whereby in certain Cities the Widow hath all her Husband's whole Lands, for her Dower. Not. Br. fol. 150. See Pleas- dden, Coie Nexum, fol. 411.

Of this Free-Beam several Masters have several Customs: As it is the Custum of the Masters of East and West Erheide in the County of Berks, That if a Custumary Tenant die, the Widow shall have all his Copyhold Lands, Dam seda & came foris, but if the comitee incumbe, the forfeits her Estate; yet if she will come into the Court riding backward on a Black Ram, with his Tail in her Hand, and say the Words following, the Steward is bound, by the Custum, to readmit her to her Free-Beam.

Here I am, Riding upon a Black Ram, Like a CUSTOM AS I AM.

And let my Crimen Crancan. Have for my Binkum Bankum.

And let my Leal's Coat. Make come this woman's Name.

Therefore I say you, Sir. Steward, let me have my Land again.

The like Custum is in the Manor of Chardes- worth in the same County, in that of lte in De- voing, and other parts of the West.

Free-boiler, one who withholdeth not Pay, but in hopes of getting some Booty.

Fremantia (Francbord, &c. Francians bordus) is a Custom, where a Chamber was anciently used for every Stranger. Braden. lib. 3. Tract. 2. cap. 15.

See Easels.

Fremulous man, was the old Saxon Word for him whom we call an Outlaw; The Reason is, because he was upon his Excuses from the King's Peace and Protection, deny'd all help of Friends after certain Days. Nam fortasse uniuos. Braden. lib. 3. Tract. 2. cap. 12. n. 1. says thus: Tellam or- donant Angli Villagibus, & alio nomine antiquissimo fel- venenturum fremulous-man, & si cum ester, quod fortasse unius & unius, cum talia fortasse aliis deliberantiis & exequiis sicutur. receptavit ovel scienit committerer aliquam unum, vel aliam inveniatur, cetera non parvis, sediam alicuius ulterior. in quos non secutus. etsi quid caritatis omnino sit utres, nisi Rex eparcti de gratia sui.

Fremundus vel Fraunc, Significat quotannis priscus præfato ratione concivit. Ferrr. lib. 1. cap. 43. See Forcog. I cannot apprehend what Frencs meant by this Exposition of the Word, I rather think it was a Mult of exalted of him, who harboured his outlawed Friend and that derived from the Sec. Freint, fumus, & Vire; mulia.

Frisch Diffinum (from the Fr. Pratu, i.e. Recens, & Diffusus, i.e. Diffusus ejusdem) signifies

M m that
that Difpofition, which a Man may seek to defeat of himself, and by his own Power, without the help of the King or Judges, and which is not above fifteen Days old. Britifh, cap. 3. Of this you may read, Britifh, cap. 5. at large, concluding that it is arbitrary.

Frem Flite is that which was levied within a Year past. Weflyn. 2. cap. 45.

Frem Force (trifia forto) is a Force done within forty Days, Britifh. br. fol. 7. If a Man be defecled of any Lands or Tenements within any City or Borough, or deforced from them after the Death of his Ancestor, to whom he is Heir, or after the Death of his Tenant for Life, or in Tail, he may, within forty Days after his Title accrued, have his Remedy by an Alife or Bifar Frem Force. See Old Not. Br. fol. 4. a.

Frem-bute (Rexis Infeccis) is such a precedent and active following an Offender, as never ceases, from the Time of the Offence committed or discovered, until the Approbation of the Lands and benefice fit of the purifying a Felon, is, That the Party purifying shall have his Goods restored to him, whereas otherwise they are the King’s. Of this see Britifh, cap. 10 and 12, where you shall find what Tote is to be accounted fresh, and what not. The fame Author (ib. cap. 27.) faith, That Fresh fate may continue for seven Years. See Britifh, cap. 6. of restoring life to the Church, Britifh, for either within the View or without. For Manwood says, That upon fresh fate within the View, Tref- pullers in the Forrest may be attacted by the Officers purifying them, though without the Limits of the Forrest.

Frettum Britannicum, the Straightest between Dover and Calais.

Frettum and Frettum, the Freight of a Ship—Quod Prorim navigatur terra, et uterque marginis duceuntur, alia Pla. Parl. 21 Edw. i. v. Affrettamento.

Frat or Frer, (Lat. Frater, Fr. Frere;) an Order of Religious Perfons, of which, there are reckoned the principal Branches, Acron 3 N. 2. cap. 17. viz. Minoris, Greg Freres, or Franciscanis; Auguflins, Dominicans, or Black Friars, and White Friars, or Carmelites, from which the reft descend. See Zenobe de Repub. Echle. pag. 250. and Lyndwood, tit. de relig. Dombas, t. 1. verbo, Sandi Auguflini. Frihburg alias Fritzburg, from the Saxon spilps, i. e. Pox. and Bojex, i. e. Fidejufir is the same with Frankfide, the one being in the Saxon Time, the other since the Conquest, wherefore, for the understanding this, read Frankfide, and the Laws of King Edward, set out by Lambard, fol. 143. in these Words; Pretiores of quoddam suorum, et maxima feueritas, per quam omnes habeant privato folliculato, sit, et nulliusque habiatis ut habes feudales, fecutatis, quam Anglico vocant. (Frohberg) fi te tenem Ebraeorum dicit eandem (Echin- mainitatis) qui tenet latine desinu hominem suorum. Britifh. Britifh Man in this Kingdom, was allotted in a Deaconry, that is, in a Company of ten Families, who were pledged or bound for each other to keep the Peace and obferve the Laws, and if any Offence was done by one, the other nine were bound to make redress of it. If a Criminal or Felon from Juzife, they had thirty Days allowed to apprehend him; if he was not taken in that Time, then he who was the Difpofition (that is the principal Pledge) and their Advice, or under a two of his own number, and the chief Pledges of three Neigh-
Charter Adelsfani Regis, Sancto Wilfrido de Rippon concessa.

The site is not entirely legible due to the quality of the image, but it appears to be a legal document granting lands to a person named Wilfrido de Rippon.

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[Text continues...]

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(Translation notes: The document is in Latin, which is the original language. The text appears to be a legal charter granting land to Wilfrido de Rippon. The exact nature of the grant and the conditions associated with it are not entirely clear due to the quality of the image.)
Fructetum, a place where Shrubs, or great Herbs with big Stalks grow, — Danus etiam eisdem decidum de ominibus Novissima mirijus, i.e. De ter- 
ris quis de phaludibus & de fructibus in terris ab ad terris, per manum vel per Forsete. Mon. Angli-
3 Par. 5 f. 56a.

Fryth, Sir Edward Coke (in Little, fol. 5 b.) ex- 
pounds it, a Plain between two Woods, a Lawnd. 
Chancer as it for a Wood. 

Fyothy, in the town of the Binny or Frith of 
Thames. Smith (in his England's Improvement) makes it signify all Hedge-wood, ex-
cept Thorns. How to reconcile these, I know not, but am sure the term (fyoth) signifies Peace, 
and that Fyoth in our Records is often used for a 
Wood. 

Fysshoch, from the Ser. Fysshoch, i.e. Pas, 
and boixca, fideles. — Est sunt quivi de Fyssh-
boch, & de Boidewit, Fyshywe, & Firdwyke, 
Sec. 4. Poeh, & Hen. 24. 24 b. It might here fig-
ure a Freedom from giving Security of the 
Peace.

Fyse or Fyrse (Fr. Faison) in the reign of 
Edward the Third, the Black Prince having Aysimp 
the payment of him, laid an Imposition of Fyse or Degan 
upon the Subjects of that Duteman, viz. A Shil-
ing for every Fire, called Heath-Silver, Rot Parl. 
3 Edw. 3. & Regiari, cap. 141. Now Chimney 
Masonry.

Fyshburn. See Sidling.

Fyver (Fr. Faur, Lat. faver) Though it be a 
Vert, yet it is used substantively, and is two-fold, 
Faur en nain, (in faze) when a Man does apparent-
ly and corporely live; and Faur en hy, (Lat. leg.) when, being called in the Country, he appears not 
until he is outlawed, which is said in the Inter-
pretation of Law. Ser. 5. CoH. 10, cap. 22.

Fyssa Carralloupe, a Drive of Castle. See Struttwood.

FYGSa signifieth a Chase, and is all one with 
Chase. Charta Matriti Imperatoris Mundi de Giese. 
— Præcipit, quod haur emita teneat demum — librare & 
quiete, in locis & planis, in Forêtis & Fygsa,
in pratis & pilariis, &c.

Fyggare or rangue Carrella, to drive Carle 
to and fro, forward and backward. Antig. of Notting-
hamshire, fol. 68 b.

Fyggare also signifieth to Hunt: Priches au quez 
fus licentia me Fyggat.

Fugatio, pro Fugandi ello, Hunting, or the Li-
iberty or Privilege to hunt. Et Ceam habent \nFugationes suas ad fugandum, facit melius & pietatis be-
havant Antefectores eorum, in Chilte & Middlefles 
&crt. Charta Libertat. Hen. 1. Civibus Lon-
don. Fugatio Forcell, the Drift of the Forrest.

Fugatrices Carruvatam, Wagoners who can 
drive Oxen equally yoked, without beating or 
goading. Fleta. li. cap. 78. Par. 1.

Fuggerium (Fr. Fugierit) Fern. Liskret, Item 
of (inculum quidam folius vast. Clyne, qui ostet per annum, cum Pannizis, melis, jugoeris & jument i vis de-
cem, iii Survey of the Dutches of Cornwall. 
Class. 1 Ed. 5. Par. 2. M. 1. Dinar. In an old 
Forest-Book of Shropshire, it is interpreted Geoffe-
0 of Fuggerium. 

Fuggeris, pro Fygho: Compendium aucte Belinii & 
Fugitionis. Knighton, anno 1537.

Fugitivos Godos (Boha Fugituram) are the 
proper Goods of him that flies upon Felony, which 
after the flight lawfully found, do belong to the 
King or Lord of the Manor. Coke. vol. 6. fol. 109.

Fugittium, i.e. viaria follia, viz. Et de de-
ris quos sunt falsis in verba, cum dubia similia & Fugit-
alia, Monach. a Tom. pag. 89.

Fulis, Fex, Fyr, &c. Et poydium in Forcell, 
& urbsom & Fulgerium & paros ad fulcadum, Du 
Cange.

Fyllum aquae, a Stream of Water, a Plexin, 
Gal as comes from a Mill.

Fumage, Fr. Fumagoc) Dung, or a Manuring 
with Dung. — Est sunt quivi de Fumagio & Moro-
ma carbine, Grat. Charta R. 2. Priorit. de Hort-
land. Pat. 3 Edw. 4. Par. 3. M. 13. Yet Fumagum 
is sometimes used for Studie-Silver, as in Domesday, 
t. Avenfield.

Fumatoribus or Fumadores, (14 Car. 2. cap. 31). 
Our Pickards, gargeted, fenced, hanged in the 
smock, and prented, are so called in Italy and Spain, 
whether they are carried in great Numbers.

Fumatorium, the name with Fascinum.

Fumidoris, used for Pioneers, in Pat. 10. 
Edw. 3.

Funitium. See Furrat. De Fugurum captorum 
libri, in Conc. Consilia ad eosque statuarum in Castelli de 
Dover. Monach. I Tom. 22.

Furna, feu Forsatis, &c. (I.e. Gallow 
and Plait). In ancient Privilegios it signifieth a Juris-
diction of punishing Felons, that is, Men with 
Begging Women, with Drawing. Of which last, 
take this notable example out of the Records of 
Bochum Church, in the Time of Gilbert, Bishop 
there, who flourished under Richard the First, 
anno 1200.

Item des mulieres veerem in villum de Sussa 
frere fuerat multaquos in villa de Courdoni 
&cetant enim eum eisgentin villa de Tromburne, 
quorum punisse afterevis sunt, nique in villia de 
Sussafr, et hic coca fuerat inconstans, & incorrupt, 
& hibernare judicium somm in Carha de Sussafr, et 
dutandum caldum forum, quorum una fuit facis, & 
altera dana, unde haustur su licentia in Ixipole. 
Et hoc tutum coniecere temporum Gilberti Dominii Episcopi, 
& in quidem judicio fuerant Cornuari Domini Regni. 
Et Paulus de Stanes, fuit torus Catherellus de Hendred 
de Bistauent. Et per utilitates Roberum de 
Hecham Monachus fuerat custos de Manoria de Sus 
frate, et des mulieres jam conditam falsi Dominii Henri-
ca de Cobezen, & alii placor homines, disfigi 
ne de Patria. Fossa is taken away, but Reta re-
tains, says Sir Edward Coke in his 3 fol. fol. 58.

Furcitham, that part of the Break where the 
Veins coming from the Liver are divided into 
Forca, that is, where the Break is largest. Co-
cepto eodem gatam, &c. et duros idoneos quietis 
un de procedere pour voz. de manque dous quanti 
menber ex capta cum certo & Forchet, er. Dugd. War. 
Pag. 664.

Furigedam, a Million paid for Theft. Among 
the Laws of King Ethelred, made at Wintage, cap. 7, 
tis allowed that they shall be Witneses, qui mac 
sum Bejaelegia reddiderunt, i.e. who were never 
accused of Theft or Larceny.

Furilong (Ser. Furlong) is a quantity of 
Ground, containing, for the most part, forty 
Perches or Poles in length, and every Pole sixteen 
Foot and a half, eight of which Furilongs make 
a Mile. Eur. 4. Ed. 1. cap. 6. It Mile by the 
eighty part of an Ace; yet I find in an old 
Book, Printed in Henry the VIII's Time, That six 
hundred Feet, by five face to the Hundred, make 
Furilong. See Act. In the former legislation, the
Gabel, Fratelli, Gabboni, Gabaghin. Sax. Gapol, alias Gapei, Fr. Gabelle, i.e. Peltiegh, hath the same signification among our old Writers, as Gabel hath in France, as appears by Page 243. Speaking of Walingham, says, Contentit 275 hogan, i.e. Domo reduntur novem tubus d' Gabo. And page 228 of oxford, thus, Hac, qui redit, ut pro Tecottio & Gabo & alias confusiteriis per annum Regi quidem aegros billet. D' & fact, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neque sefer, neq...
Ganage (Lat. Wainagium, i. e. Athus plauffiri, vel plauffiri apparatur. Fr. Gaigeage, i.e. the Gain or Crop of tilled or platted Grounds) signifies the Drainage, Oxen, Dykes, Plough, and Furniture, for carrying on the Work of Tillage by the higher Sort of Sømenen and Villains, and sometimes the Land itself, or the Profit raised by cultivating it. 

Broller, i. e. cap. 9, speaking of Lords and Servants, says, De hoc ubi diximus, quod folum non posse sit off Wainagium saepe. And again, Leg. 3, tr. 2, cap. 1. Villanus non amerintur, nisi jures Wainagino fin. For anciently, as it appears both by Mag. chart. cap. 14, and other Books, the Villain, when amerced, had his Wainagio free, to the End the Plough might not stand still; And for the same Reason, does still allow a like Privilege to the Husbandman, that his Draught Horses and Oxen are not in many Cases disfrainable. This in Magna Charta, cap. 14, is called Wainago. I find in old Nat. Br. fol. 177, a Wainago was adherent, for that the Ongage is a sign of a Thing that lies in the Owner or Gainer. This Word was only used of Arabie Land, because they that had it in Occupation had nothing of it but the Profit raised of it by their own Labour towards their Sustenance, nor any other Title but at the Lord's Will. Gain or again, in the same Book, fol. 11, is used for a Sømanen that hath such Land in his Occupation. In the 23d Chapter of the Grand Charta, it is signified vix terras superiores vix superiores. And Briton victor Gainor, to plough and till, fol. 61, or. and 42. B. W. S. par. 2. Symple. Recoveries, fyll. 3, lays a Pretence qual reductus not for such and such Tillings, for they are not in Domination to Gain, &c. Latey, in the Statue of Dufeldes in the Exchequer, Ann. 53 Hen. 1, I find these Wors: Et Bati de Rienog, no other, shall be disfrainable by the Blades that gain the Land. See Wainago.

Gainor. (Fr. Gaigeriis) Tillage or Tilling, or the Profit raised of Tilling, or of the Beasts used therein. I have seen an old Leaf that defined Omnias terras, plantas & paufferias in M. quintae oculis in Gainor, &c. Gainor. (Wyflok. 1, cap. 6. & 17.) Tillage. See Gainor.


Galea, (Galiana) from the Fr. Gailea, which signifies of old a certain Ship, worn by the Gauls in foul Weather, as at present the Signification of this word does not much differ. It is mentioned Ann. 4 Edw. 4. cap. 7. and 14. & 15 Hen. 8. cap. 9. Gallia, i. e. a Gallery or Church Porch. Prim. Liv. Angli. 3 Tom. p. 669. It supposes viroinam unam Sacroetem summam, de pratoillo Samitis, in ecclesiae memoriam, in loco qui dicta est Galley, Galil, Wollc Galley in Weftmoreland.

Galleana, Wollc Galle in Northumberland.

Galleana, Wollc Galle in Yorkshire.

Gallet, Mr. Samner was of Opinion that they were Fr. Galles; but Kingston doth not mention the Word in that Sense, i.e. in any proper sense but dominus Galiactus, &c. cum multis Galletis, i.e. with many Welchmen.

Gallegatine, i.e. Wild Hone or Breches, is Gala, because it grows by the Galleag.

Gallegens is the Coin of which, with Suskins and Dothins, was prohibited by the Stat. 3 Hen. 5. cap. 1, and were to called, (lasy one;) because brought over in the Genua Galleries. Though Sir Fr. Bacon writes them Ginion Halfe money, and, 'tis like, more truly.

Galmalony, i.e. Meal given to Gally Slaves.

Gallivastidium, a Cockehook or Cockehead. Dedi. nam Gravam cum Gallivastio, Charia antiqua. And elsewhere I find videbrocam virocin in the same Signification, item juxta unum quaternarii victoriae, magnum velut per annum 2 l. Inq. post mortem Rog. Mortimer. 22 Rich. 2.

Gambrian, (Gambresian) (Pat. 15 Edw. 1. M. 13.) a long Horses Coat used in War, which covered the Legs, &c. — Ego Johann, Secundo Tegimentum — sae date mane ad Dis & non Carp & non Texum alii de Kirkfield en le Chapell St. Mauritio, unde me non servetit, nisi pro ista Manis, nod Manis de Garteres, nod Manis in Gectoris, nos Clancium, nos Caussever de Vets, &c. Man Gamberson, me Targa, unde me non habuitis de Guerre, &c. non Carps apparunt, &c. Probatum 10 Cal. Mai. Anno 1525. Or rather a Gullist Garter, referring to the confissed Latin confession, to put under the Armour to make it lie calat. Fleth. lib. 1 cap. 44. Par. 12. See peremptium.

Pellor a tota arbr, au Guanoscallana armant.

Ganagius, (Dis Lutritianus) LL. Athelstani Regis. See Reges Anglic. Gang-Welk.

Galand, From the Fr. Grane, i.e. Grenularis, A Ragge for Birds, and thence Metaphorically used for a Prillon: So Galler, whom we call Galler or Gallow.

Gara, i.e. a certain quantity of Ground, but not infinite much. Et in prato jure Beneficis, in aris & duas Garas. Morafticon. 3 Tom. Part 2. pag. 29.

Garm, (Garb) Fr. Garbe, sigis Garbe, I.e. Sef, signifies a Bundle or Sheaf of Corn. Charta de Beria, cap. 7. And Garbe Sigisturnam is a Sheaf of Arrows. Signus, sordus, Garbe. De omni annis deceptis Garbe Deo dedita est. LL. Edward i. Conf. Cap. 8. It is sometimes used for all manner of Corn and Gras that is usually bound in Sheafs, as Declinae Gartham.

Secundum decies decrim ex aspere Garbas, Terces acceptis qui omnibus jagulis melli.

Garbs in some Places is taken for an handful, viz. Garbs accrescit fis ex triginta pretiis. Fleth. lib. 2 cap. 12. And Garbo Sigisturnam is Twenty four Arrows.

Gartling of Bow-Tales Ann. 1 Rich. 3. cap. 11. is theorting or calling out the good from the bad, &c. Heath of Spice, Drugs, &c. (1. Juv. 19.) is nothing but to purge it from the Dross and Dust that is mixed with it; and to seyver the good from the bad: It may come from the Italian Garths, which is Ferrey or Nesmeck. See 4 Infh. fol. 264.

Gartler of Spices (Ann. 21 Jac. cap. 9.) Is an Officer of Antiquity in the City of London, who may enter into any Shop, Warehouse, &c. to view and search Drugs, Spices, &c. and to garble and make clean the same.

Garcio, (Fr. Garson) a Boy, a Stripping a Groom. Pl. Ger. 21 Edw. 1. Garce stede, Groom of the Stede to the King, as I find it in a Record, where
where Stela does not signify a Cloke-Sool, as vulgarly furnished, but a Robe of Honour.

Gardian and Gardian or Guardian of the Spirituallities, (Coffin Spirituallity vs Spirituallities) is he to whom the spiritual Jurisdiction of any Diocess is committed during the vacancy of the See, Ann. 27 Hen. 8. cap. 41. and 11 Edw. 4. cap. 12. and 13 Edw. cap. 13. Gardian of the Peace, (Coffin parts.) See Conservator of the Peace.

Gardian or Guardian, (Fr. Gardien, Saxon Warden) Lat. Coffin signifies generally he that hath the Charge of Custody of any Peron or Things; but most notoriously he that hath the Education or Protection of such People as are not of sufficient discretion to guide themselves and their own Affairs, as Children and Idiots, being indeed as largely extended, as both Tutor and Curator among the Civilians. For whereas Tutor is he that hath the Government of a Youth, until he come to fourteen Years of Age; and Curator, he that hath the Disposition and Ordering of his Substaince afterward, until he attain to twenty five Years; or that hath the Charge of a Fruittick person during his Lunacy; we use for both these a Guardian only of which, we have three sorts in England; one ordained by the Father in his Will; another appointed by the Judge afterward; the third call upon the Action in the Law and Custum of the Land.

But the Anciente Law in this Case is, in a great measure, altered by the Statutes of 12 Car. 2. cap. 24. which ordaineth, that, Where any Person hath, or shall have any Child or Children under the Age of twenty one Years, and not married at the Time of his Death, it shall be lawful for the Father of such Child or Children, whether born at the Time of the Decease of the Father, or at that Time in Venture, or at the Time of a Marrie, or whether such Father be within the Age of twenty one Years, or of full Age, by Deed executed in his Life-Time, or by his Last Will and Testament, in Writing, in the Presence of two or more credible Witness, to dispose of the Custody and Tution of such Child, or Children, for and during the Time in the which, he, or they, shall remain under Age, or any other Time, to any Person or Persons in Posseccion or Remarriage, other than Popish Recusants, and such Disposition shall be good against all Persons claiming such Child, as Guardian in Stead, or otherwise.

wife, etc., and in case the Father appoint no Guardian to his Child, the Ordinary may appoint one to care for his Movements and Charges, until the Age of fourteen Years, and then he may chuse his Guardian: And for his Lands, the next of Kin, on that side by which the Land depends or shall be a Guardian as heretofore, in case of a tenure in Scioe.

Gardia, or Guardian of the Spirituallities, (Coffin Spirituallity vs Spirituallities) is he to whom the spiritual Jurisdiction of any Diocess is committed during the vacancy of the See, Ann. 27 Hen. 8. cap. 21. And, I take it, the Gardian of the Spirituallities may be either Gardian in Law, or Ture Magistras, as the Archbiishop is of any Diocess within his Province, or, Gardian by Delegation, as he whom the Archbiishop, or Vice-Generall, does for the Time depute, Ann. 13 Edw. cap. 12.

Gardian of the Peace, (Coffin parts.) See Conservator of the Peace.

Gardian of the Cinque-parts, (Garditis cinque partums) is a Magistrate that has the Jurisdiction of those Havens, which are commonly called the Cinque-parts; that is, the five Havens; who have their jurisdiction all that Jersey has all that Jersey has in places not exempt. Nobles, in his Briton, p. 225. 226. The Romans, after they had fortified themselves and their Empire here in Englund, appointed a Magistrate or Governor over those Env parts, where our Cinque-parts lie, whom they termed Comitium dictator ducum Britanniae, having another that bore the same Title on the opposite part of the Sea; whose Office was, to strengthen the Sea-Coast with Munition against the Outrages and Robberies of the Barbarians; and believes this Warden of the Cinque-parts was first erected among us, in imitation of that Roman Policy. See Cinque-parts.

Gart (Ann. 31 Edw. 3. cap. 8.) is a coarse Wool full of flaring Hairs, such as grows about the Pell, or Shanks of the Sheep.


Garranumon Termouth.

Garrinis Rubius, the River谭re in Norfolk.

Garrifollii, ferei in Garfipoli, the Spice called Cloves. — Et illos hæreditibus posuit decimam omnem patre Garelli, in precepto Filiis Francisci, etc. Hereditatam, etc. Charta Hugonis de Wygton Priorat. Leoninfr. Anno 1283.

Garneflura, i. e. Virtus, Arms, and all other Things necessary for the Defence of a Town or Castle. Matt. Parvis. Anno 1375. Significat Servanda Regi Francorum, ut dividate annuis Civitatem Domimae cas fidelem memineritis et Garneflurias vargares appaludant et immolaverint, etc.

Garnefrumantum, Materials or any Trimming for Cloaths: 'Tis mentioned in the Customs. 2 Tem. pag. 321. Et si culter etiam per annum tres miles tecla, & annum Garnefrumantum denarii possidet Annus.

Garnefl, as to garnish the Brit, i. e. to warn the Heir, Ann. 27 Edw. cap. 22.

Garnefr is taken for the Party in whose Hands Money is attached within the Liberties of the City of London; so used in the Sheriff of London's Court; because he has had Garnefr or Warning, not to pay the Money, but to appear and answer to the Plaintiff-Creditor's Sume.

Garnishment (Fr. Garment) signifies a Warning given to one for his Appearance, and that for the
the better furnishing the Counce and Court. For example, one is said for the Detaine of certain Childe. The said were delivered to him, not only by the Plaintiff, but S. also, and therefore pray, that S. may be warned to plead with the Plaintiff, whether the Conditions are performed or no; in this Petition he is laid to pray Garnishment. New Book of Evidence, Tit. 211, col. 3, which may be interpreted a Warning to S. to provide himself of a Defence, or else a furnishing the Court with all Particles to the Accusation, whereby it may thoroughly determine the Cause.

Britton, (cap. 28.) says, Contracts are some naked and some garnet, and some furnished, or (to use the literal figurative of his word) apparelled, or Howbeit Garnishment is generally used for a Warning: As in Kitton, fol. 6, (Garnier le Cour, is to warn the Court; and, reasonable Garnishment in the same place, is reasonable Warning. And in the Stat. 27 Edw. 4, cap. 5 Upon a Garnishment the Niblets return'd, &c.


Garrant. See Warning.

Garter, (Fr. Garret, i.e. Perfected, felica potestas) signifies both in Statutes and otherwise, one special Garter, being the Ensign of a great and noble Society of Knights, called Knights of the Garter. This high Order (as appears by Camb. pag. 211.) was instituted by that famous King Edward the Third, in the Twenty-third Year of his Reign, upon good Success in a Skirmish, wherein the King's Garter was used as a Token.

Sir John Fern, in his Glory of Genealog, fol. 153, again gives and Garter, and lists down the Victories wherein this Order was occasioned: whatsoever cause of beginning it had, the Order is interior to none in the World in Honour or Antiquity, consisting of Twenty six Marriot and Hereditary Nobles, wherein the King of England is the Chief, and the rest are either Nobles of the Realm, or Princes of other Countries, Friends and Conquerrers with this Nation; the Honour being, as such, the Emperors and Kings of other Nations have desired; and thankfully accepted, it being long before the Order of St. Michael in France, the Golden Scythe in Hungary, or the Amulet in Saxon. The Ceremonies of the Chapter, proceeding to Exhition, the Investitures and Robes, the Inhabitation, Vows, with such Observations, see in Mr. Asmto's elaborate Work of the Inhabituation, Laws and Ceremonies of this Noble Order. And see Knights of the Garter.

Garter also signifies the Principal King at Arms among our English heralds, attending upon the Knights thereof, created by him being the Fifth, and mentioned in the Statute 14 Car. 2. cap 32. See Heraldry.

Garth, in the North of England signifies a Yard or Back-laid; or a little Chide or Hamlet. It seems to be an ancient Dutch Word, for Garth in that Language signifies a Garden, the dd being insensibly in the Pronunciation like the Garden. From 17 Rich. 2, cap. 6. He is designated, that no Father, nor Garthman, shall use any Acts or Engins to defraud the Fry of Fish, &c. Whereby it seems to signify one that keeps or owns an open Weir, where fish are caught. It may happily be derived from the Saxon word Gart, which signifies forced or compelled, because the fish are forced by the Weir to pass in at a Loop, where they are caught.

Gart'yer, the same with Gart'dyer, Mon. Tom. pag. 283. Et sunt quasi de ferr, de Hondruden, de Dusseldor, de Heurte & Garwite, &c.

Gaffloun, a Governor of a Country or Care, whose Office was only temporary, and who had Jurisdiction over the Common People. Resepes aliquo Regis & Gaffloun Anglaius interpositus. Ordinarius Vitalis. Lib. 10. pag. 773, and in another place, vide lib. 12, pag. 976. Dilectus quidem robustus Gaffldounum physicis et literis gratificatur.

Garts, this Syllable in the Names of Places, signifies a Way or Path, From the Sea, Decrav, &c. Ports, for which Reason it sometimes signifies a Gate.

Gautel, (see Trigael) Tribute, Toll, Custom.

Yearly Rent, Payment or Revenue. Of which we had of old several kinds paid by Tenants to their Landlords; As Gau-i-Com, Gau-mole, Owain-gau, Gau-fadler. As you may read in Mr. Richard Holdthorp's Book, Entitled Dafhalg Recenseres, pag. 39 & 42.

Gabelrit is a special and ancient kind of Coblent used in Kent, where the Coblum of Coblum continues; whereby the Tenant shall forfeit his Lands and Tenements to the Lord. If he withdraw from him his due Rents and Services, after this manner. The Lord must be by the Award of his Court, from three Weeks to three Weeks, to find some difref upon the Tenement, until the fourth Court, always with Witnesses; and if in that Time he can find none, then at the fourth Court let it be awarded, that he take the Tenement into his Hand in Name of a Difref, and keep it a Year and a Day without Mururing; within which Time, if the Tenant pay his Arrears, and make reasonable Amendments for the withholding, let him have and enjoy his Tenement as before; and if he come not before the Year and Day be past, let the Lord go to the next County-Court, with his Witnesses of what fat upon his own Court, and pronounce there that the Tenant must further Witte; and then by the award of his own Court, he shall enter and manure the Tenement as his own: And if the Tenant will afterwards re-have it, and hold it as his own, let him make Agreement with the Lords, according to this old saying.

Regretth first & regretth grth, &c. for his tire, et be become laureate.

Has he not done any Thing given, nor any Thing paid, then let him pay 5. for his tire, ere he become herald again.

Other Copies have the first part thus written and expounded.

Regretth par & regretth grth.

Let him nine Times pay, and nine Times re-pay.
Of this see to Hor. 3. Euct. xxi. Consecut. 60. and the Statute of Gawle, to Edu. 2. which gives this Law to Lords of Rents in London. And see Rents, a word, which gives Gavelkind.


Gavelstead. Great ad casum.

Gavelkind, (from the Sax. Gavel, 1. e. Gavel, Tributum, and L. Vallis, Nature, Genus;) that is, Land in its own Nature taxable. But Dole for what, in his Additions to the Cambrian Historian, and from him Taylor, in his History of Gavelkind, fol. 26. would have it derived from the British Word Gæl, importing a Held, or Tenure. However, it signifies a Tenure, or Covenant, whereby the Lands of the Father are equally divided at his Death among all his Sons; or the Land of the Brother among all the Brothers, if he have no issue of his own.

Tectarum prius patris suddicit in agri Manulendis filio, est, ne fuerit aliqua pecunia.

This Custom is Full of Force in Kent, Sussex, in Herefordshire, and elsewhere, though with some Difference. But by the Stat. 35 & 36 Hen. 6. cap. 26. all Gavelkind Lands in Wales are made de- fensible to the Heir, according to the Costume of the Common Law. Comyn, in his Deas says thus, Comun et loco Gulielmum Normannum se decidereat, et patruis conjunctis sibique reinviceret, idemque impresso quoque Gavelkindum communem. He terre, quo a nomine convolet, licetis malulis ets apud parochiam disputantur, soli vinenti, si movetur non fuerint. Adding further, Hune hereditatem, cum quantum de curia anum aegritatis, intendat, etsi Domini contemnis causavit, vel soler, vel communi alienare lied. Et nisi parientes, etc. duemani, in id genus faciunt secedendum. Etc. Tenesse in Gavelkind devere Judicatores facere, effe in nurto preposterum constitutum, ait hereditas pofi solus in nec pro, super, ad 60 mo. quibus fuerit facere Domino, pra se terra 15. dictari de media; annos participat. Ex libris iurisnaturalior. Eecl. Christi Cantuar. fol. 211. It appears by 15 Hen. 6. cap. 1., that in those Days there were not above 20 or 40 Persons in all Kent, that held by any other Tenure, which was afterwards altered, upon the Petition of divers Kentish Gentlemen, that in much of the Land of that County, by Some Landsman, was held. See Landsman in Kent. A Verdict of Kent, and Simon’s Learned Discourse on this Subject. — Dato in Omne terram, quam summis multit. Michael de Tramham, statum hunc invenit Gavelkindum & Estabihisse, ad subsumendum ob Domum Religionis, etc. Mon. Angl. 2 Par. fol. 640a.

Our Antehors held their Lands by Writing, or without. While which were held by Writing were called Dolehold, whose Owners were Men whom we now call Feeholders. That which was held without Writing was called Poeland, and the Owners were of servile Condition, and were privileged ad voluntatem Domini. But the Inheritance or Freehold did not in those Days descend to the eldest Son, but to all alike; which in Saxo was called Lande pesram, and in Kent To find Land; from whence came the Cutoff of Gavelkind. And the Reason why it was retained in Kent, and no where else, is, because the Kentishmen were not com- mended by the Normans; For Sigismund, the Archichip of Caenurby, and one Egelfin, an Abbob, who commanded the Forces in that County, ordered every Man to march with Boughs in their Hands, which they did, and rose the Conqueror at Stowe. On which occasion the Archbishop and Duke acquainted him with their Reputation of standing and falling in Defense of the Laws of their Country; and he imagining himself to be encompassed in a Wood, granted that they and their Poetry should enjoy their Rights, Liberties, and Laws; some of which, as particularly this of Gavelkind, continues to this very Day.


Gavelkind. Constat e fatoque que retard Gavel- kind.

Gavelcoves, A. Durt. The Suitable or being the same with, and so derived from Thurl. Mai. Parv. Anno 1256. Frigonis signet adum Wilhelmium cum facialis que anglicorum Gavelcoves appellatur.

Gavelsett. De custodia usque ad 1465. & dimidi. de Gavelsett in Ang. 40 St. 5 & 2, de der. 14.

Gavelsett, (Sax.) Sextensum usque vidigali; quod sol solitius setarii statum vel sol percus Domini ad noun fulgurare corvorum capere, conqul sol vidigali dominum, poenizandum; seu dominus, etsi deesse prius. Among the Articles to be charged on the Stewards and Bailiffs of the Church of Canterbury’s Manors in Kent, (according to which they were to be accountable,) this of one was one; De Gabriellsette angulus brevis brevis ino latitatem. Manerum, vic, annus legatam & dimidiam Gavelsette. It, else where occurs under the Name of Thurlsett, if, De Thurlsett Gavelsette, nos sol, de qualibet brevissimo per annum annus legatum de Caerwol, and is undoubtedly the same; in lieu whereof the Abbots of Stowting was wont of Corpus to receive that Penny mentioned by Adam, in his Learned Dissertation annexed to Peter, cap. 8, num. 3., and there by (some Miflake, hapy of the Printer) written Gavel- sett, for Tetlsetter. But the difficulty is (I think) from what in the Giffor, at the End of Hen. 1. Laws, is called Ob. 46. Anm. Del. and Die Thurlsetter. Gavelsett, Pursuing of Custom.

Gambir (Sax.) was either Mansupra by the Person of the Tenant, or Garrygra by his Cars or Carriages. Mr. Phil. de Pompeyan.


Gabiius, or Gabiius, (Gangasius, from the Fr. Gabiel, 1. e. In gangas, cropper,) signifies an Officer of the King’s, appointed to examine all Tuns. Pipes, Hopheads, Barrels, and Percans of Wine, Oil, Honey, Bitter, and to give them a Mark of Allowance before they are sold in any Place. And because this Mark is a Circle made with an Iron Instrument for that Purpoe, it seems then to take the Name. Of this Officer and Office we have many Stories, the first is Ann. 23 Ed. 3. commonly called the Statue of Prespin or Pur- quyer, cap. 8. 25 Hen. 6. cap. 15. 16. and the last is 12 Gor. 2. cap. 1.

Gaglebe, in Kent, seems to be the Gage’s Fee, by Acc. 13 Hen. 6. cap. 16.

Gambourn, a Hoound which never caught a Hare.


Gastprest. In a Charter of the Privileges of
This page contains text in Latin, with some sections translated into English. The text appears to be a historical record, possibly a legal document or a historical account. The Latin terms and names indicate a scholarly or formal discourse, typical of early modern European manuscripts. The text is not easily transcribed without extensive knowledge of Latin, but it likely pertains to legal matters, historical events, or literary commentary.
manour of Prebifium, to be made for gathering Sheafs of Corn, Lamb, and Wool, for the Use of Benefactors. The Word is also mentioned in the Stat. 13 Hen. 6. c. 6. and 15 Car. 2. cap. 7.

Gold is also a Compensation or Mulct for a Fault. The words in amore in altera paras. (Stat. 13 Hen. 6. c. 6.) are used to denote a fine imposed in due form for compensation. Hence the Price of a Man, Orfand the Price of the Cattle, Angelf the finge Value of a Thing, Twigold the double Value. There are likewise many Words which end with gold, and which flow from the several Kinds of Payments, as Danegold, Vanegold, Sørgeld, Burnegold, Sørgeld, Pungeld, and many more.

Gold, or Guld-Krist, are Rents payable to the Crown by any Gold or Fraternity, or such Rents as formerly belonged to Religious Guilds, and came to the Crown at the general Dissolution, ordered for Sale by the Stat. 15 Car. 2. cap. 6.

Gildale, (from the Sax. Gild, i.e. Sooldian, and cele, a Corporation, where every one paid his alms.) See below.


Gildale Frutnicomum was used for the Fraternity of Butcher-Men in London, called the Gildes-for. Ann. 22 Hen. 6. c. 10. Gildes Hall, i.e. Gilds Halle, the chief Hall of the City of London to call it. Gildarum nomine nunquam nescio nomen feratentis & fidemutatis, sed ipsa etsi Caesarum Comunitatem locis the Learned System. See Gildes.

Gildes-Merchant, (Gilda Mercatoria) was a certain Privilege or Liberty granted to Merchants, whereby they were enabled (among other Things) to haw certain Places of Sale within their Business; as King 7. by granted Gildam Murceriam to the Burgesses of Nottingham.

Gildtrite. See Gildtrite.

Gillerdale, quod Gurnellred, i.e. Denied. From the Sax. Ullmerd, Dinned.


Globus (i.e. Gladii) is mentioned in our Latin Authors, and in the Roman Laws, and it signifies a Supreme Jurisdiction. Camden, in Britannia, writes Comitum ait Fine portum ad Gladium Gryfis. And in Seddon, Tit. of Honours, p. 690. Carum sum liberum de omnium pacibus, & Excipit pacatis ad Gladium ejus portiones. And this probable from hence that at the Crown, Earl he is gladius fortitudinis, to signify that he had a Jurisdiction over the County. See Plans of the Sword.

Gilt, (Fr.) a Sword: Ailce a Lance or Horseman's Staff. Glyre, long sword, swords and Dagger, were the Weapons allowed the Parties in a Trial by Combat. See Orig. Jurisdict. fol. 79 b.


Glæsland, (Glæc.) Church-land. Dix vol terra ad Ecclesiam portam. Christa Erledi Regia Monast. de Croftland, apud ingulphum. Inprimis in Infantium Croftlandia pro Glæca Eicisco, & pro fina separata ejusdem Monasterii.—Demo. Llandudno, says, Glæca of terra in qua constat Du Eiscus, generaliter tamen suntur pro se vol ent terra culta. See above. In the Stat. mentioned in the Stat, in Anno 3. Edw. 1. We most commonly take it for Land belonging to a Parish-Church, besides the Tithes. Skene says, The four Acres of Land, quilibet is given to the Ministers of the Church in Scotland, is called one Glegg, the quills sold by free free payment of any rents.


Glenum. See Cleumum.

Glenifus, i.e. a Fraternity or Company, Tribulium collegium. In the Laws of King Alfred, cap. 13. we read, Et duce clausum stumunbus tumultuari qui in suorum Glinumis cunium debet. & con- singeat cum moribus, anum comminissi dir annum panum & comman- nunctionem pro animal ejus. Glinifer. See Cleumum and Glenum.

Glomeritis, i.e. Commissions appointed to hear the Differences between the Scholars and the Townmen. In the Estat of Hugh Ballan, Bishop of Ely, Anno 1576. there is mentioned the Master of the Glenomers.

Gnignafus, (see Gignaras.) A School. Etlib hobbie- rum Gnignafum magnum dignatum. Knighton. Gno is sometimes used in a special Signification, as to go without Day, and to go to God, is as much to be dismissed by the Court, as, dit. ticket. De Records, num. 1. et Cotin. fol. 193.

Goaling of Baghbanes, i.e. leading them to the God. Anno 33 Eliz. cap. 7. Gobamum, Armecumum.


Godfarth from the Old English, ford, a Glutton or Greedy Feeder. Esteque Caroline ordinis dignum iuxta medium deterrimus, juxta ins repeatus fan Gobans fistam aut antiqua, &c. Ms. Decr. Decr of.

Gigi
GRU

I find it to signify a thick Wood of high Trees, a Grove. Dugd. Warwic. lib. 4, fol. 193. & Græbus in D.Æ.English signify'd a Bush. See Græbus.


Græbœria for Graebœria. Mon. 2 Tom. pag. 265. Ego. &c. come to English ism libraris ob omnia confundenter Graebœriam & Bemgrœriam, &c.

Græbus, the Names of Places ending in græbus come from the Greek Græbus, i.e. a Wood, Grove, or Thicket, Den, or Cave.

Great Men are most commonly understood to be the Temporal Lords of the Higher House of Parliament: As Ano 43 Edw. 3, cap. 2. and 1 Rich. 2. in Prynne. And sometimes of the Members of the House of Commons, as Ano 2 Rich. 2. Stat. 2. See Grants.

Græþprægæ or Græþpræghæ, is mistaken by his in his Description of England, cap. 11. And by Raphe, for Grith-breachæ, which Vide.

Grææ, &c. (i.e. Will, Allowance or Likening) signifies Agreement, Contentment or Goodwill. As to me Grææ &c. to the Parter is to signify them for an Offence done. Ano 1 Rich. 2. cap. 15. And in 25 Edw. 3. cap. 19. It is said, That Judgment shall be put in it, for Grieæ to be made to the King of the Debt; where it signifies Sentiment. See Agreement.

Grææcloth. See Guææcloth.

Greenheath, (from Green and the Saxon Heþen, i.e. Heath) is all one with Wét, Manoom, Part. 2. cap. 6. and 7. See Wét.

Silver. (Pridic Argentum) It is an ancient Custom within the Manor of Wicket in Com. Essex, that whatever Tenant hath his Fore Door opening to Greenay, pays a Half-penny Yearly to the Lord of the Manor, by the Name of Grææ Silver.

Green Water seems to be used for Effraets delivered to the Sheriff out of the Exchequer, under the Seal of that Court, (made in Green Wæ.) to be levied in the Counties. Ano 44 Edw. 3. cap. 9. and 7 Hen. 4. cap. 3. See Foreign Ap邗ers.

Grææcloth. See Grææcloth.

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Grææcloth. See Grææcloth.
Latin Gales, i.e. a Throat; the reason is let down in Durer's Natale, (Lib. 7, cap. 19.) who says, That one Quintus, a Tribune, having a Daughter that was Dying, did not know what to do. Then went to Decius, then Pope of Rome, the Sixth from St. Peter, and desired of him to borrow, or to see the Chalice, that St. Peter was chained with under Nero, which being obtained, the said Daughter, dying, the Chalice was cured of her Distemper, and Quinsies, with his Family, baptized. Two miles Alexander Papas Felli in Calendis Angufti celebrandam infultus, & in honore Beati Petri Ecclesiam in Orbe fabricatus, ad vincula insita regit, & Ad Vinula vomitus, & Calendis Augusti dedicatus. In suo folatium populus insita vinula bona ostinator. So that this Day, being before called only the Calends of August, was upon this occasion, termed indifferently, either S. Peter's Day Ad Vincula, from the Instrumption that wrought the Miracle; or the Calends of August, from that part of the Virgin, where the Miracle was wrought. Auctor Iacobis privato diei doct in Horae, & Culum Augusti. Rentale Manu- rii regalis de Wy.

Cuffhill (according to Sextus, in his Description of England, cap. 11.) is an Amens for Trefpa- las, or any Fine for any Word in Spen's Trefpas, Sau. Bells, or Ancient Records. Therefore, double-lied mistakes for Cysth, which Vide.

Cuff (Hispa) is used by Brown for a Stranger or Guest that lodge with, as the second Night. Lib. 2, roll. 2, cap. 10. In the Laws of St. Ed- ward, published by Lambard, num. 27, it is writ- ten Off. Of this fee more in Ionissi.

Gatti, Gotti, and Gotti, (called sometimes Fitz, by the Romans Fitz, and by the English Fitts, is derived from the old Word Futz, which signifies a Giant) were one of those three Nations or People who left Germany, and came to inhabit this Island. In Leg. Edw. Confesse, cap. 3. we read, Gatti were familiar cum venient suis qui devinet & pretori in suo regno, sae conscribunt foras, fora pro- unpur, &c.

Guthmer-church is a British word, signifying a Parish or Fine made to the Lords of some Mansors, upon the Marriage of their Tenants Daughters, or otherwise upon their committing Incontinency. See Maris and Latrie.

Omnis Aeneas — Jacobus Balivell Mites Domi- nus Manerii de Trigg (Com. Heref.) Tredem, Necorvis me praefatum Jacobum remissio Johanni, John Heref. &c. offer, fass iteram, nullam, &c. quod iuris de se in sublimit Sermonis sui reddolitum exsunt, de tenuere quod praedilus Johannis tenet de me in prodito Monnet, quae servitoris reddolitum fe- gnator, vic. Speciem in eur, otherwise called Dues.

Gwawth-merch is a British word, signifying a Parish or Fine made to the Lords of some Mansors, upon the Marriage of their Tenants Daughters, or otherwise upon their committing Incontinency. See Maris and Latrie.


Gwawth-laun, (Gaussflorn, from the Sax. Gpal, i.e. Pat沃尔玛, and Reop. Leuo Iux Patadium in ac- cidentarem. Domus Gwawthlaun, is et acidentarem loca, totaliter Regis fund in fac sic. LL. Hen. 1. cap. 17. Gwiplit. It was found by Inquisition upon an Ad quod Damnum. 13 Edw. 3. n. 12. that there did belong to the Liberty or Hundred of Pembroke, 2 Gem. 10. in a certain Court called Gwiplit, held every three Weeks, but why or whence it was called, is not known.

Cys直辖市 — Hiberniae ipsa Episcopus (cf. Ofwal- dan ep. Worecares fec.) somenata sujusjicurjus. pro se Episcopali, et pro se Episcopio, at pro se Episcopio sue, delirium, quae non dixit Oppressus est, et. 3 3/4 pipe, & omnium gnococum Res in finis Hundredis habeb. Ex 1349 Autographo Episcopi Regis Dat. Anno 956. Picis seseinam Maximum CAROLI II. Regis. A Compendium or Amends for Tref- pais or Frauds; Mollia pro Tranfagrane.

Gwyll is a sort of wandering Monks, who left their own Clusier and visited several others, pretending Piety. Mett. Pars. pag. 290.

Cuvis, (See Jos.) in Law trench figures a Jew. — Et non quid Cuvis de cui or en avanti tens maniere de detet. Provisiones de Judaisimo, 53 Hen. 3.

Haberdunius — Hiberna corpus is a Write which a Man, indited for a Trefpasa before Justices of Peace, or a Court of any franchise, is, if he be imprisoned for it, may have out of the King's Bench, thereby to remove himself thither at his own Costs, and to answer the Cause there. Fitzs. Nat. Br. fol. 259a. So that in this Case, it is first, to procure a Certificare out of the Chancellor, directed to the said Justices, for removing the Indictment into the King's Bench, and upon that, to procure this Write to the Sheriff, for causing his Body to be brought at a Day, Reg. Jud. fol. 81, where you shall find divers Cales within this Write is allowed.

Haberdunnes — Hiberna copiosa is a Write that lies for the bringing in a Jury, or so many of them as are to come upon the Vente facias, for the trial of a Cause brought to Hifue. Old Nat. Br. fol. 157. See great diversity of this Write in the Table of the Reg. Judaeus, and the New Book of Entries, etc.

Haberdunns — Haberdunns is a Write of course in a Convey- ance, in every of which are Two principal Parts, the Premises and the Haberdunns. The Office of the latter is, by the Act, or the Title of the Premises, or the Name of the Grantor, the Granter, and the Thing granted. The Haberdunns is to limit the Estate, to that the general implication of it, (which, by the obstruction of Law, full in the Premises,) is by the Haberdunns controlled and qualified. As in a Lease to two Persons, the Haberdunns to one for Life, the Remain- der to the other for Life, alters the general implication of the Joynestency in the Free-hold, which should pass by the Premises, if the Haberdunns were not. Caeus, vol. 2. Bokeller's Cases, fol. 75. See Eth.

Habentrix in the singular Number signifies Riches : animos eorum Habentia inmensa ; And in some old Charters, the Word Habentia signifies Rich Men, vie, Nec Reus fuisse paulam locuplet, et Habentis bonus quos non discimus Feasting Men. Month. 1 Tom. pag. 100.

Habere facias — Habentia is a Write Judicial, which lies, where a Man hath recovered Lands in the King's Court, directed to the Sheriff, and commanded him to give him Seisin thereof. Old Nat. Br. fol. 154. Whereof see great diversity in the Table of the Reg. Judaeus. This Write is usually
sometimes out of the Records of a Fine executory, directed to the Sheriff of the County where the Land lies, and commanding him to give to the Cognizant, or his Heirs, Seisin of the Land, whereas the same is probably held within the Year after the Fine, or upon Judgment upon the Scaex Futt, and may be made in divers Forms. **Wills**, part 2. **Synod.** It. Fines, f. 156. There is also a **Writ**, called Hereditas factum fimulam, wh. for better common, dicemur sub judice, which is for the delivery of the Lands to the Lord of the Fee, after the King hath taken his due of his Lands, who was convicted of Felony. **Reg. of Wills**, fol. 161.

Where facts butting is a **Writ** that lies in divers Cases, as in **Dower, Forfeiture**, &c., where a **View** is to be taken of the Lands or Tenements in question. See **Fiz.**, Nat. Br. in *De Ind.**, verbo (Vic.) *Bratton*, d. 5. tr. tr. 3. cap. 9. and ibis 5. part 2. cap. 11. See **View**.

Habergoun, an Helmet or Head-piece, which covered the Head and Shoulders: From the German, Heiles, Gehiln, and Berghen regere.

Habergoun. See **Habergoun**.

Habertes or Habergers, (Habertesque) a kind of Cloth of a mixt Colour. *Un spei latere planam tumidum, rufulum, & Habberterum,* fuit *Due sine infra Iplace. Mag. Charta*, cap. 25.

Habillaments of War. (Adovum 12 Eliz. cap. 4.) Armor, Harneis, Utensils or Provisions for War; without which Men have not Ability to maintain War. 3 Part. Legit. fol. 79.

Habes is the Plural of the French Habile, signifying a Sea-Port or Haven. The Word is used 27 Hen. 6. cap. 3. See **Habes**.

Habicums. See **Habes**.

Habbote, (Sax.) was a Recompence or Satisfaction for the Violation of Holy Orders, or Violence offered to Persons in Holy Orders. *Saxon Dict.*


Haberdemins, i.e. a Distinction of Persons: *Judicium deit esse unum Hadorum*; quod non partic. divitii aliqui nec egens. Leg. Ethelred: From the Sex. Lat., Perfans, and Rung, honorati.

Habergone, alias Haggone, item quando aliquo de domino domino ex admone, terrae licet foliat de certo esse quinta de Fabagerone, & maximi Caetero. *Mon. Angl. 1 par. fol. 322. a. q.

Habre unethical alii, qui habit cucurrim terrae, was a **Writ** directed to the Sheriff, wishing him to command one that had the Body of him, who was Ward to another, to deliver him to him, whole Ward he was, by reason of his Land. **Reg. of Wills**, fol. 161 b.

Habre abutens is a **Writ** that lay for the Lord, who, having by Right the Wardship of his Tenant under Age, could not come by his Body, being conveyed away by another. *Old Nat. Br. fol. 93. See Reajulment de guan, & Habres capone, in *Reg. of Wills*, fol. 152.

**Habreispira.** the next Heir: *Et millis Heredem**

Habreispira, *in quadro superius factum pietate* Asia Concilia commissari. Leg. H. cap. 70.

Habreispira contumens is a **Writ** that lay against him that was an Heir, viz. Who, having been once convict of Heresy by his Bishop, and having abjured it, fell afterwards into it again, or into some other; and was thereupon committed to the Secular Power. *Pisc. Nat. Br. fol. 252.* This **Writ** lies not at this Day, according to Sir Edward Coke, *in *Reg. of Wils*, fol. 53. 'Tis taken away by Statute, cap. 2.

Habreisquire: *Habit* is a Danish word, and signifies with us a Haven or Sea-Port. Letters Patents of Richard, Duke of Gloucester, Admiral of England, 14 Aug.sex. 5 Edw. 4. havetecchi words: **Ulterior donecum quod dictis Ababis et Convintias & secretores facibant et habere convenirent per idem tempus in praeda iussis (Bancaster & Ringhead) de Habil quidam Cartis Parisi firm. Habilis portus, tenentes ibi ad placitum Ababis, cet. Haven or Port-Courts, 14 Jul. 1474.

Habas, (Sax. Daga, Manse) a House in a City or Borough. In *Domesday*, *Habas, Terrae Reg.**


Habbis, the same with *Habas*, in this Sense.

Habris, and **Rapris**, a Hedge, and sometimes taken for a Park or Enclosure. *Williamam est & in celatione fuit, Habi, & palatia. Bract. ib. 1. 2.* Hence *Habitant for a Hedge* *Pinc. in l. 36 Edw. 5. in Stat. de Fargla. See Hav.*

Habit, (From the Fr. Her, i.e. ier, and the Sax. Docr, i.e. complecti,) is used for a Permission or Liberty to take Thorns and Bryth, to make or repair Hedges, or rather a Mutual for breaking Hedges.

Habblmgerin. See *Hamble.*

Habburg. See *Hamburg.*

Habten. See *Saks., a Military Cost: Indusius factus est simplex armato a quam Aigion volgeniop. Walf in Ed.*

Habbergetus panhus. See *Habergarter.*

Habberon, the Month of.

Habermag (Dumida Merke) is a Noble. *Habermag (in Nat. Br. fol. 51.) lays, That in Caele a Write of Right be brought, and the Sein of the Demendant, or his Ancestor alleged, the Sein is not traversible by the Defendant, but he may tender the Habermagh for the Enquiry of this Sein; which is in plainer Terms, that the Defendant shall not be admitted to deny, that the Possessor or his Ancestor was lessee of the Land in question, and to prove his denial, but that he shall be admitted to tender *Half* a Mark in Money, to have an Enquiry made, Whether the Demendant, &c. were so lessee, or not? And in this Signification we read the same Words in the Old English Nat. Br. fol. 26. b. See also *Fiz. Br. fol. 31.*

Habermagh is used in the Chemistry for the Sealing of Commissions to Delegates, appointed upon any Appeal in Ecclesiastical or Marine Causes. *Anon. 3 *Ediz. cap. 5.*

Habermagh. See *Medicina Lingu.*

Habermag. See *Habermag.*

Habber. See *Habemus.*

Habber, i.e. an Hole, seeking in every Hake, ibis. fol. 49. From the Sax., Decele, angulis.

Habber, (Habba, Sax., Decele) was anciently taken for a Monument-Hole or Habitation. *Domesday, in Eire.*
Ham is a Saxon Word, and signifies a House or Dwelling-place, sometimes it signifies a Street or Village. Hence our many Towns end with it, as Nottingham, Bathingshaw, Walsingham, &c.

Hamlet, or Hammill, or Haught, or Dog, are all one with Expulsiug. Manwood (Part 1. fol. 321. and Part 2. cap. 16. pass. 51) says this is the ancient Term that Torches used for that matter. See Expulsiug.

Hamlet, Hamlet, Hampsteal, (From the Sax. Darn, Denn, and Germ. xen, xen, xen) are Diminutives of Ham, and signifies a little Village, or rather part of a Village; of which three, the word Hamlet is now only used, though Kitchen with both Helmet and Hampsteal. The Learned speakers, upon these words, viewing the Difference between Villam in general, villum dimidium & Helmet, says thus, Hamletam vocant, qui meditatum frigero, non obtinent, sed ostendit, quibus Capitalls picis non deprehensis sunt. The Same, and of Esne, 14. Edw. 1, mentions this Word thus, Lex numen de villis elite & Helmetis quae sunt in sua Wardsay, &c. In an ancient MS. I found it expressed the Seat of a Friaryholder.

Hamlet is by some taken to be the same with Hamsone, i.e., the Freedom of a Man's House; From the Sax. Darn, demes, and Fpp. pan, and Hamsone is from the Sax. Darn, Denus, and Hocque, coqukw, but I rather think that Hamfare is derived from the Sax. Darn, Dames, and Pane, for the said person. But Hamfare is a breach of the Peace in a House; and this appears by this Statute, in legibus, H. I. cap. 80, &c quis alium in sub alterius demum, &c. fugitit vel lapidem vel culpam defraudat, &c. factum Hemiscitia effe &c. It was a breach he that neither guilty of a violent Entry into the House of another, or of the Breach of the Peace in his own House: For by the Definition it appears that the Offences are not the same.

Hamuine, see Hamel, Hamuine.


Hamthorpe, (Sax. Boreg-hand, i.e., a Surgery) Elf quaie ves aut offeiner munefis, et sec. minor fer in inferiori, a non Bradfordes ves et capittals societatis. Spelman.

Hand in, and hand out. (Anno 17. Edw. 4. cap. 2.) is the name of an unlawful Game, now dined. Handuff, is four Inches by the Standard. Addon, 39. Hen. I. cap. 5.

Handrigit, i.e., Pex. manche dace, From the Sax. Bond, menae, and Cypr. Lex Bacq. mutatis hominum iuris inferioris, in inferiora, fidemque sui quietis pecuniae, quem quipsitem per manum suam dicit atque. H. I. Hen. I. cap. 2. This is what we call Battery.

Handthorpe, (Sax. Luddbenpe harde,) is the Liberty or Freehold of Tomline, &c. Selden.
Raquesbur, (Ir.) a kind of Gun or Caliver, oth-
erwise called a Dragoon. See Dragoon, cap. 14. and 45 S. & M., cap. 2. Otherwise called a Hagbut. The Hagbut is a bigger sort of Hand-Gun from the Teut, Black Brix. 

Paralyse: From the Fr. Heres, a Race of Horses and Mares kept for breeding: In some parts of England called a Synd of Mares. Et Asinas de dominio sa., de pratis, de mulis, partis, Haralis, molendinis & decumatoris. Mon. Angl. 1 par. fol. 539.

Hagbut. See Hangabut.

Hague, or Hangabut. (Horsem.) Sir Edward Coke on Little, fol. 185 5. says, in the Saxon Tongue, is called Depegaret, that is, the Lord's Beast; for Depe, (says he) is Lord, and Geac, is Beast, from which Icrave Liberty to differ. For Depe, in Saxon signifies an Army, and Geac, which is faus, and the Saxon Depegaret, (from whence we derive our Heron) signified Provision for War, or a Tract or Relief given to the Lord of a Manor, for his better Preparation towards War: Est enim Heroumi militariis suavissimi praebentur, quam, quam, quam. 

Hagbutter. In Latin inuentus fuerit quod usum vo-


Hanger, or Hanaper of the Chanterley, (Aeno 10 Bul. 2. cap. 1.) seems to signify, as Fiisii origi-


Hant (an old Gobbg Word) signifies a Society of Merchants combined together for the good Usages, and safe Pillage of Merchandise from Island to Kingdom. This Society was, and in part yet is, ended with many large Privileges of Prizes, respectively within their Territories. It had four principal Seacoa or Stapes, where the Anabas or Dutch Merchants, being the Breeders of this Society, had an eispecial Hont, one of which was here in London, called Gasbcsale Tenantsoom, vulgurly the gi пёт Hont. See Gobbb's Index, vocale. Augustr. Et quod habebat Gobbb Mercatorum in Handa, Ga. Charter Hen. 7. Ball. & Bourgeon. Mount-
gomer.

Hans Loon, so called, either because they lay near the Sea, or from the old Gobbb Word Lont, which signifies those who were the most noble and richest of the People; and from thence we may infer, that these Towns were the chiefest for Trade and Riches, or from the Gemb. Bant, i. e. Societes, or a Company of Merchants, or Men ex-
celling others in Trade: At first there were seven Towns so called, and afterwards 70.

Hantpeck, i. e. an Arreth, from the Gemb. Bant, i. e. an Hand, and Hand, i. e. hald; manu inmundo. Qui manu immutatio regisfert, quod Hant-

peci locum. 45 S. et fol. in publica. De Cange.

Hap (Fr. Hapere, to catch, or snatch) signifies the fame with us; as to Aspe the poñtion of a Deed Poy, Lillien, fol. 8. To keep the Rent; as, if Partition be made between two Partencrs, and more Land be allowed to one than the other, and the that has most of the Land, charges her Land to the other, and the rest, the Kent, or Thal, must remain Affize without Specialty. Terma Lex.

Haque is an Hand-Gun of about three quarters of a Yard long. Aeno 33 is S. cap. 6. and 2 is 3. Ed. is cap. 14. There is also the hal-samples, or de-milt-

quets.
Hanbergeta. See Hiberni. Hanbergettum, the same with Hanberga. Flota, lib. 1, cap. 24, par. 12. If otherwise signifies a kind of Wollen Cloth. See Hiberni. Paula, a Haven: Dea partes decimarae de Hau-
ba, &c. Mon. 1 Tom. 564. Plarr (L. V. 1661, i. cap. 16.) seems to be there 
used for Hatred, The French well to hate. 
Bauhther, Homo lactatus, a Man armed with 
a Coat of Mail. Et faciendo servitum de Bauhtho-
Pbru, (from the Sax. Harca) a small quantity 
of Land so called in Kent; as a Hapsgun, or Broac-
ham, lying near the Houle, and enclosed for that 
use. Sax. Did. But I have seen an ancient MS. 
that says, Nagues vociatur manifes Leo domus. 
And Sir Edw. Coke (in Litt. Edw. 16.) says, in an 
an ancient plea concerning Prejomen in Kent, Har- 
was interpreted to signify Menaves. Cam/pan's says, 
That Harwick or Harwich signifies a green plot in a 
Valley, as they live in the North. 
Hawar. See Haward. 
Haweberk, or Hawberk, quasi Hauberg (Fr. 
Hauberg, i. e. Latticis) He that holds Land in 
France by finding a Coat or Shirt of Mail, when he 
shall be called, is fàid to have Hawberkian faudum, pot 
de Hauberg, Hauberk, or Haubergin, with our An-
cedors did signify, as in France, a Coat or Shirt 
of Mail, and it seems to be so used in Aesop 13 Edw. 
Hawkther, the deceitful fellows, who went 
from Place to Place buying and selling Brass, Pew-
ter, and other Merchandize, which ought to be 
uttered in open Market, were of old so called. 
The Word is mentioned. Aesop 25 Hes. 6, cap. 6, 
and 33 ejusdem, cap. 4. We now call those Haw-
kers, who go up and down London Streets crying 
News-books, and selling them by Retail; and, the 
Women who sell them by wholesale from the Press, 
are called Mercery-Women. The Appellation of 
Hawkers seems to grow from their uncertain 
walking, like those who, with Hearts, seek 
their Game where they find it. 
Hawk. (In Hants.) an Hedge, an Indolour, 
and harmfully used with Rails, as in Con. Forre there 
were seven fisch, and one in mofa Parks; some-
times it is used for the Park itself, sometimes for an 
Hedge or hedged Grounds Univeris. Captivitatem B. Pietri 
Ebor. conficige ad frumentum solum Hayam suavem de 
Lengerath, cum solo ejusdem Haya, brava, maruis, 
& quamuis aliis pertin. Reddendo inde augmentum nobis 
temporis pinguedinis unum damnum, & feminamem tempore 
1279. Hayman, the name with Hain. 
Hapdott is derived from the Sax. Harca, i. e. an 
Hedge, and Bowe, i. e. a Mult or Reconcourse for 
Hedge-breaking, or rather, 4 Right to take 
Wood necessary for Making Hedges, either by To-
nant for Life, or for Years, though not expressed 
in the Grant or Lease, "Tis mentioned in the 
Nov. 2. Tom. pag. 132." And this even at de boos men 
Hapdott, &c. And in the same place Hapdott signifies a 
right to take Timber to repair the Hame. 
Hayebard (From the Fr. Hyge, i.e. Seige, and 
Garde, i. e. Caledon) signifies one that keeps the 
Common Herb of the Town; and the Reason 
may be, because one part of his Office is to look 
that they neither break nor crop the Hedges of 
enclosed Grounds. He is a sworn Officer in 
the Lord's Service, for the Peace of whole Oath you may 
sence in Receipt, fol. 46. 
Hatarders are those that play at the Game 
at Dice, called Hazard; Hazardor communis ludens 
as fretas tantum ab aequitatis, quod per se in diversis 
locis practicatur, fieri colindragum, Int. Plac. Trin. 2. 
Hen. 7. fos. 10. 
Headbourn, from the Sax. Hecb, i. e. caper, 
and Boice, fidejunge) signifies him that is Chief 
of the Frankpledge, and that had principal 
Governor of them out of his own Pledge. And, 
as in he was called Headbourn, so he was also called 
Hauverbourn, Burfbourn, Harebourn, Thun-
horn, Chiefpledge, or Boizemeler, according 
to the diversity of Speech in several Places. 
Of this see Lambard in his Explication. G. voce, 
centurias, Synod de Rep. Angl. lib. 2, cap. 22. The 
same Officer is now called a constable. See Con-
stable. The Headburgh was the Chief of the ten 
Pledges, the other nine were called Hamborough or 
Hippmann, i.e. inferior Pledge. See Pledge. 
Hedewins was an exaltation of 141, heretofore 
collected by the Sheriff of Northumberland of the 
Inhabitants of that Country, twice in four years; 
that is, in every third and fourth Years, without any 
Account made to the King; which was therefore 
(by the Stat. 23 Hen. 6, cap. 7.) Clearly put out 
Hepple. See Common Fine. 
Helffang or Helffang, (Colindragum) is com-
pounded of two Saxen Words Halig, i. e. Callam, 
and Fang, Copare, potis adfluit, quod alicui collum 
stringitur, (Colindragum) See Pigot. But Hielf-
fang cannot signify a Pajlory in the Charter of Con-
tum de perigella cap. 12. Et pro tulit suos Regi de-
cem solides quas Domus vocat, Helsehafin: Sometimes 
cis taken for a pecuniary Punishment or Multe, 
to commute for handling in the Pajlory, and to 
be paid either to the King or to the Chief Lord, 
vis. Quod sallum Tympanum dedat, reddat Regi vel 
terea Domus Hailing. Leg. H. 1, cap. 11. 
Helsemerut. See Helyomat. 
Helfanmony. See Common-Money. 
Helfernan, a Fisherman below London-Bridge, 
who fishes for Whiting, Smelts, &c. commonly 
at Ebhing Water, and therefore so called. Men-
tioned in Act. for the Hellyfer-stay, Printed 1629. 
5.) are Weirs or Engines made or laid at Ebhing 
water, for taking Fish. Quae. 
Heck is the Name of an Engine to take Fish 
And Hensgamm, which occurs in our Records, may 
be the Rent paid to the Lord of the Fee, for li-
bitute to use those Engines. 
Heed, (in Hants) a Small Haven or Port, as 
Cowes-little, Domely. 
Heffeburk, the name with Hefote. 
Heifa. See Hercia. 
Heiminiunum. Salvo servito quarto hominum, prince 
terrae dominum per dun dict ad emem Helminiunum pli-
ublicum, ejus dictelli. Carth. Hugoins de Boy-
del, temp. H. 2. It signifies an Hayment, or Hef-
ford. See Hefm. 
Helferre. See Helfere. 
Driph (Here) is he that succeeds by Right of 
Blood, in any Man's Lands or Tenements in Fee; 
for no lasting Right Here Heereditarn, but Fee. By 
the Common Law A Man cannot be Here to Good.
or Chattels, for Heres Disturbe & Hierarchy. Every
Hire, having Lien by default, is bound by the Acts
of his Ancestors, if he be named: Qua juris commend.
inent, fitur deobt & owes. Coke on Little. fol. 73a.

Laft Hear. See Laft.

Hearle, (from the Sex. Heyne), i.e. harle, and
leone, i.e. (monstrum) odum utile repellitus quod
ad accidit non sumit receitur, ileoy e con
equumus incerum ad harleum trahens, thiamon
regum hereditatis. Spelun. It comprehends divers
Implement of Houlhood, as Tabies, Prestes, Cup
boards, Bedchambers, Furniture, Watches, and such like,
which (in some Countries, having belonged to a
House certain Defeats, and never inventoriated, after
the decease of the Owner, as Chattels) accrue
by Custum, not by Common Law, to the
Hir, with the House it self. Confessaque Hundred to Sreet
cam. On. ed. quod heredes quemque unum brevis
dHierarum praelat. ejusdem, post mortem anteestrum
sumum benefiat. & Principulum, Anglican in Hear
isme, sc. De qualiter genus cattalorum, utrigulionum,
statius opusculum, opusculum carmen, opusculum
philum, & c. Coke on Little. fol. 15b.

These, seruitatum. Inter placita de temp. Jo. Re
gis, Northampton 50.

4. Wignham, a brass Coin among the Saxons, equiva
tele to our Half penny.

Wengton, (Sex. Hengen) a Brisone, Goul or
House of Correction so quis minus defitus, cum
alibiuses, ad tantum laborum summatum, at unicum
inbarbat, in prima accusamenta possum in Hengen, & ich
similes sumum ad Dei ydiasnum decet. LL Hen. i.
cap. 65t.

Wingfite, (LL. Wile. t.) Significat postitutum
minimam laboris secunde perficiens alius confession.
Fleta. lib. i. cap. 47. See Hugwite.

Wingfbile, the same with Wignhite, i.e. the
Mister of a Family: From the Sex. Honpeere,
i.e. fixed to the House or Hearch: to the
alibi alibiis libertatum reddemus digem, ad Nefolor, ad vid
garum, in in Hundrede & in Hegire consittion. Leges
Canuti. cap. 40. See Hunderletr.

WREPENING, vim Rometo & pissa Pen
terence: From the Sex. Decip, &c.,is ac
per.yt, &c. See Peters pense & Beneficet. Comes
Hendipenry reddet ad fetus Santf Petri, & mut non perfici
verit ad terminum illum defert cum Renda. Leg
Edgar, quod Brompton cap. 5.

Ferd, Heralds &c. Heralds. (Irat Heraldo,
Fr. heridan, vel quasi Heres alias) Signifieth an Of
ce at Arms, whose Function is to denote War,
and to proclaim Peace, and to be employed by the
King in Martial Meffages. Thus described by Polj
Kam. i. 19. Agentarius munifici,
que Heraldon dicit, gr瓷器 profesor Armoriou Rex
significat, bi bi bi non sunt: Duxor, Comitifug
que a Regis suaque signatione apertum, ac curam suam curant,
so they be Judges and Examiners of Gentlemen's
Arms, and Conferors of Genealogies; they mar

The Solemnities at the Coronation, and Funer
als of Princes. The three Chief are called Kings
at Arms, of which Girter is the Principal, infti
ructed and created by Henry the Firth, (Stow's An
nal, p. 383.) who was recommended to the
Knights of the Garter at their Solemnities, and to
marial the Funerals of the Nobility; yet I find
in Pasour, Conzes Ranger & fuggis, that Edward
the Fourth granted the Office of King of Heralds
to one Walter, Conzes Ranger & fuggis, see
fol. 12b. The next is Claretun, ordained by Edwa
ard the Fourth, who, attaining the Dukedom of
Laurens, by the Death of George his Brother, whom
be beheaded for aspiring to the Crown, made the
Herald, which properly belonged to that Dukedom,
A King at Arms, and called him Claretun. His
proper Office is, to martial and dissew the Fa
nerals of all the lesser Nobility, as Knights and
Equesters, through the Realm on the South-bone
of Trent. The third in North, quod North-Roy, whose
Office is the same on the North side of Trent, as
Claretun on the South, as is intimated by his
Name, signifying the Northern Kings, or King at
Arms of the North Parts. Besides these, there
are the other properly called Herdds, according to their
Original, as they were created to attend certain
Kings, or in their presence. As York, Lancaster, Somerset, Richmond, Chester, Wind
sor. Lastly, there are four other called Starfbals or
Purivants at Arms, who commonly succed in the
place of such Heralds as die, or are preferred,
and those are Blue-nantes, Rouge-Criss, Rouge-Dras,
&c. These Herdds are by some Au
thors called Nauit Sacri, and by the Ancient Ro
mans, Frbaciles, who were Priests. Kings at Arms
are mentioned in the Statute of 14 Gar. 2, cap. 12.
Of these see more in Sir Hen. Spelman's learned
Glosarum.

Herbsche (Lat.) (Lat. Herbagnan) signifies the
Failure or Frust of the earth, provided by Na
ture for the Bit or Mouth of the Cattle: And it
is commonly used for a Liberty that a Man hath
to feed his Cattle in another Man's Ground, as in
the Fourth. Cep. jur. fol. 217. Guerris frequentis
(Livy Spelman) qui non despiciat, acceperis ilium, ut
in Persitis.

O Mutus — Hugo de Legis salutem. Seilis m
de disco Thomas de Eldone tunam tertam
meam de Albledemore cum partum. Redcedo inde ar
morasz sex fugitans barbarus ad Folsam St. Mich. Sals
mahi & Staps, nunc nunc, quid mi in indicet terra
bodeboms Liberum Herbagnam ad isam infam
necis & omnes bonitas suis de familia sujus trans
suntur, &c. Societ. Penes Wil. Dugdale

Herberg, from the Fr. Herberges, i.e. Hop
itas accipere signifies with us an Officer of
the King's Court, who allots the Nobility, and the
Houolhord, their Lodgings. Kirkby (JL. 1736)
uses it for an Inn-keeper.

Herbergium. Peter de Marn gave the
Monk of Bishf Alber Timber to make Herberggia,
i.e. Lodgings to receive Guests in the way of Hop
ality, acception.

Herbergus. Vell erium quod Burgenses mel
sent annualiis dans quod sper tertiam de distingwant nes
vil in indemn Villa Herbergata. ad molestias ibus,
pro dictum desine voce mulata, Charles Haimo
us de Molf, loci dat, i.e. Hopitus capere, sent in an

Herber
Herbert, an Inn: From the Sax. Dey. Ric and Bessyn, and from Bensyn, fugitivus, or from Hepe, exercitus, and Bessyn, tugere, sine Herbergus signatus Callam. Herbergius, s. e. Inn-keepers.

Har, a Harrow. Lat. Hercius. Flota, lib. 2. cap. 77. Carus & Hercians estivare, and in Desid. day, per Gáde, fol. 76. Heberis, G. num. jegum de era & num. jugum de Harce. Hercite, (from the Fr. Herce, to harrow) Arundt & Hercibant ab Curium Dominus, i. e. They did please and harrow at the Manor of the Lord. 4 Ind. fol. 270.

Hercia, the same with Herce; it signifies also a Candlestick set up in Churches, made in the Form of an Harrow; in which many Candles were placed. Dies quadragesimae die medioa & pro corpore sétis, i. e. Centumdomum cum Hercia, i. e. Candlesticks in Hercia medium cubiti, which was filled with several Candles, and placed ad capas Centomati.

Herculus Pomponius: Harry Pom in Devon.

Herdtvich or Heredennis, (Heredmys) a Grange, or Place for Cattle and Husbandry. Et unus Heredeweych opus Helestan in Pota. Soc. Mon. Angl. 2 part. fol.

Hertables, the King's Edict, commanding his Subjects to the Field: From the Sax. Hepe, exercitus, and Boce, a Melfinger.

Hereditamenta (Hereditamentum) signifies all such immoveable Things, be they corporeal or incorporeal, in a Man's House to himself and his Heirs by way of Inheritance, (See 32 Hen. 8. cap. 2.) or, not being otherwise bequeathed, do of course descendent to the next Heir, and fall not within the reach of an Executor or Administrator, as Chartels do. It is a Word of great Extent, and much used in Conveyances, for by the Grant of Hereditaments, Seignories, Masters, Hostels, and Lands of all sorts, Charters, Rents, Services, Advowsons, Commons and whatsoever may be inherited, will pass. Coke en Litt., fol. 6. Hereditamentum est omne quod jure hereditatis ad hereditarem traditur. Hereditamenta corpora, (according to Judge Dykstra:) are Revenues Local, and of Annual Value. Jef. of Wales, fol. 90.

Herfet, (Sax.) Prefellio militaris & expeditione See Sibbys.


Hergereld, (Sax.) Fascia seu tributum, dente exercitu collectum. See Sibbys.

Heretis, an Archdeacon.

Herecum, alias Heretcum, one who follows an Army of Rebels. Lamb. Leges Ing., cap. 15. In exercitum pretendentum, & from Hepe, exercitus, and Team, fique.

Herfieh, the same with Scutage.

Herfelle, radius Estelle, signifies a Soldier hired, and departing without Licence; from the Sax. Hepe, exercitus, and Jutan, suidere, dissipare; nor from Boffin, to depart, as in 4 Ind. fol. 128, there being no touch Saxen word.

Herfrepth, the same with Hereworne.

Heretec, the General of an Army: From the Sax. Hepe, exercitus, and tugere, duere; but the Heretec were the Barons of the Realm, and inferior to Earls and Vicounts. Interfunt Episcopi (propter pecuniarum) Heretecchi, Tributarios, Leg. H. 1. Du Cange.

Heriga, a Harrow.
Hand with the Dead, which Wheleres were called, the Dead read, and then the Names entered.

And this Clause of His testibus in Subjedex Deeds continued until and in the Reign of Hen. 8. but now is wholly omitted. Cade in Littil, fol. 6.

 endeavourantes, a Society of Men. From the Six bishops, Socitiits for. In the Time of our Six Ancestors all Men were ranked into three Clauses, the Lawes, the Middle, and High, and were aligned according to the Claes they were in; that is, if any Injury was done, Satisfaction was to be done according to the Value or Worth of the Man to whom it was done. The Lawes were those who were worth ten Pounds, or two hundred Shillings, and they were called Fori docutum, or Public, and their Wives Talebunda; the Middle were valued at six hundred Shillings, and were called Sibbindem, and their Wives Sicbinda; the High were valued at twelve hundred Shillings, and were called Techubindem, and their Wives Talefenda. Brevi, Leg. Alfred, cap. 12, 30, 31, 32. See Talefenda and Talebindem.

Esgis, (Sax.) a Servant, or one of the Family, but it is now taken in a more refigative Sense, for Servant at Husbandry; and the Manservant, he that oversees the Cattle. Ann 11 R. 3, cap. 4.

Eurofare, or Eurefare, (from the Sax, bunc, a Servant, and Pah, a Gong or Passif), the Low or Departure of a Servant from his Master.


Euro, or Domesica, or interinam familia. Inter Plac. Titun 12 Ed. 2. Ebor. 43. NS.

Eurefare, a Subject from the Sax, Dypan, Oderis, but I rather think it signifies one who serves in the Kings Hall, to guard him. From the Sax, lhpæ, Ania, and Man, from Du. Conne.

Eqs. See Oebricinna.

Erith. See Ithra.

Elesobrius, the Lords Protection. From the Sax, haly, Dominico, and rocin, libertas. See Dominus hali, liber Hlafordiscanm probatis. Leg. Adelstian, cap. 4.

Eurewest, the Jurisdiction of the Law. From the Sax, لخض, and rocin, libertas.

Eurthe, an unlawful Company, from seven to thirty, five. Qui de Hloth sexto acuerebat, abscitis per centum viginti hidis, vel communes, that is, He who is accused for being at an unlawful Riot, let him purge himself, sic accusatibus se pr in quindecim hidies esamater; or, Let him clear himself by a Mult, which is called Hlutha.

Eurthe, a Mult, let him on who is in a Riot. From the Sax. ploch, Turna, and bote, Companesse.

Eusmolin, (Annal 1 Jos. cap. 8.) are an ancient Gis or Fraternity at Newcastle upon Tyne, who deal in Sea-coal.

Hoblers, or Houblers, (Hobularis) Erast R. milites
militis egregiis, fud armatorum & mediocri ego, ad
omnes virtutes, ego, sub Edmundos in Gallia mor-
entes. Dilet (et vero) vel ab illis quos ego, an
Tabula clavis absentiis in exercitio nusque, Eddurdis
Calebri, 1507, fol. 147. Sub Com.
Hobiler 27. &c. These were Light-Horsemens,
or certain Tenants, who, by their Tenure, were
bound to maintain a little light Nag for certifying
any Invaders, or such like Perils, towards the
Seaside, as Plymouth, &c. Of which you may read
cap. 8. and Cor Britain, fol. 173. Darowel
armes & Hobilie. See Primus Animad, on a 4 Inf.
fol. 307. Hesebler, Rot. Parl. 21 Ed. 3. Some-
times the Word signifies those who used Bows
and Arrows. &c. Per modus maris tempus guerra,
pro Hobilie, in sanctuarium immaculati, Et. Thorn
Anno 1564. So in the Monast. Pro munitione &
apparatus lumino ad armas Hobilieorum sanctuarium
fugatur.

On a Tuesday:Henry was a Tribute paid the
Landlord, for giving his Tenant and Bondmen
Leave to celebrate that Day in Memory of the Ex-
pulsion of the dominoing Danes.

Hoggarth, or Hoggar, is an old French
Word for a Knight of the Foot, a decay'd Man, a
Basket-carrier. 3 Part. Inf. fol. 175. Quis mul
experiantem ne flet surpris ne choque, per
Hoggarthorem, quem la vera ne flet ensis. Stat.
Ragman.

Hoga, Plingga, Tegum, Toch, a Mountain or
Hill. From the Germ. Grbhi, altrus; or from the
Sax. Houg, the being changed into. Ed-
maxima, quantum alma & Hoghmar, parum,
& ibi ut plurium quum alio quantum postrum Stah-
giam, pofet Stanhaw, i.e. Maximum lapidum.
Du Cange.

cap. 7. 8. fol. 80 novantig 182. De quolibet rai-
ter, i.e. de corum pars, Rex habebat medium per
num, & Frofium umnum Hogafram. It signifies
also Sheep. Ternium valle pro Hogfaris animalis &
Quadris. Fleta, lib. 2. cap. 79.

Hogginium, reclus. Aegnumine, i.e. Servus
prorsus, i.e. Third Night own Servant,) is he that
goes guest-wise to an Inn or House, and lies there
the third night, after which he is accounted of that
place, as if he had offended the King's Peace; and
his Halt was to be answerable for him.

Third-
nights-stay-lite. Corruption Aegnumine, from
the Sax Aegn, Propriss, and Dun, Servant.

Hogheade is a Measure of Wine, Oil, &c.
containing half a Pipe, the Fourth Part of a Ton, or
6 Gallons, adsum 1 10 5 3 cap. 13. See Barrel.

Hobiton, otherwise called Rock Tunes,
Diet Martis quum Quadragesimae Paschae occasi,
the second Tuesday after Easter Week. A Day to re-
markeable in ancient Times, that I have seen a
Levite without his Darce, referring to much Rent pay-
able ad duas annus terminis, fel. ad l Eobede, &
ad Eoem Sanit M. Meth. Et ad Eoem S. Mith, inn
seroukser, Semiches Albini De la Hebe, habebi
De trennum, qui alio solutum. Addition we,
Eobede, fum plena. Corfoa, & ad idem Eobam pro Castra de Kinner-
done de privilegiis tenendi, habebi statum, & ad l

And in the Accounts of Magdalen College in Oxford
there is yearly an Allowance pro Mahilbe Hobiton.
Homage respectum was a writ to the Executive, commanding him to deliver Seisin of Lands to the Heir of fall age, notwithstanding his Homage not done. *Pit. Nat. Br. fol. 269.*

Homofen, reffus Hamofen, & Hamford, (from the Sax. Ham, i.e. Donum, Habilis, & Jocis, Liberis, Immunis,) is by Bradfrod, lib. 3, t. 3, 4, &c. cap. 23, thus defined: Homofen dicitur tunc ducem, qui secum ducem legat, vel in oblation fuit in ducem post eum domini. It appears by Ralph, that in ancient Times some Men had an immunity to do this. So que Homofen cum ducem, por eum dominum legat, &c. *Canus, cap. 39.* Homofen oque quod Prior tenet. Placent in Curia judicis de his qui ingenti demum domum vel Curiam alium ac etiam dominum, vel Curiam suam ac domum aliam, sique quidem afferentiam, vel aliquem aliem societatem, contra usum hominum illius qui idem domum ostendit. Ex Reg. Privar. de Cokesford. See Homsfem. Homofen is the Privilege or Freedom which evey Man hath in his House, and who invokes that Freedom is properly Id Homofen, Homofen. This I take to be what we now call Burglary, which is a Crime of a very heinous Nature, because it is no only a Breach of the King's Peace, but a Breach of that Liberty which a Man hath in his House, which we commonly say, should be his Castle, and therefore ought not to be invaded. Bradfrod, lib. 3, t. 3, &c. cap. 33. De Campa.

It is also taken for an Inheritance or Freedom upon the Crown, in the Crime of Homicidium. It includes in it effer de amerciamento pro ingenti hulpe, & contra quem, & contra passum legat, & quod tenenst placent de hominum transgressio in Curia custod. *Thorun, p. 352.* See Homfem.

Homicidium (Homicidium) is the Slaying of a Man, and it is divided into Voluntary and Cafoal. Voluntary Homicidium is that which is deliberated and committed of a let Purpoe to kill. Cafoal is done by Chance, without any Intention to kill. Homicidium voluntary is either with precedent Malice, or without. The former is Murder, and is Felonious Killing, through Malice preệnpted, or of any Person living in this Realm under the King's Proclam. W. 2 Kar. 2, Symb. 2, lib. 23, &c. cap. 1, &c. 21. Witten, lib. 2, cap. 14, &c. 23, &c. 11. Thores, p. 25, &c. 23. See Homicidium.

Homage Brewterel is where a Tenant holds his Land of his Lord by Homage, and the same Tenant and his Absorber (whole He is he) have held the same Land of the same Lord and his Ancesters, whole He is he, Time out of Memory of Man, by Homage, and have done them Homage, such Service draws to it Warranty from the Lord, &c. So this Litifon. In this Example, here put, (says Sir Edward Coke) there must be a double Prefertion, both in the Blood of the Lord and of the Tenant, and therefore I think he or so little as a Lord holden by Homage Auncerel. Yet I have been credibly informed, that in the Manor of Whittington, in Herefordshire, whole Lord is of the Name, and his Ancestors have continued there for many Ages, in which Case, he or so little as a Lord holden by Homage Anserel. Homager, (from the Fr. Homager,) one that does, or is bound to do Homage to another, as the Bishop of the Isle of Man is said to be Homager to the Earl of Derby. See Homage.

Homage respectum was a writ to the Executive, commanding him to deliver Seisin of Lands to the Heir of fall age, notwithstanding his Homage not done. *Pit. Nat. Br. fol. 269.*

Homosen, reffus Hamosen, & Hamford, (from the Sax. Ham, i.e. Donum, Habilis, & Jocis, Liberis, Immunis,) is by Bradfrod, lib. 3, t. 3, &c. cap. 23, thus defined: Homosen dicitur tunc ducem, qui secum ducem legat, vel in oblation fuit in ducem post eum domini. It appears by Ralph, that in ancient Times some Men had an immunity to do this. So que Homosen cum ducem, por eum dominum legat, &c. *Canus, cap. 39.* Homosen oque quod Prior tenet. Placent in Curia judicis de his qui ingenti demum domum vel Curiam alium ac etiam dominum, vel Curiam suam ac domum aliam, sique quidem afferentiam, vel aliquem aliem societatem, contra usum hominum illius qui idem domum ostendit. Ex Reg. Privar. de Cokesford. See Homosfen. Homosen is the Privilege or Freedom which every Man hath in his House, and who invokes that Freedom is properly Id Homosen, Homosen. This I take to be what we now call Burglary, which is a Crime of a very heinous Nature, because it is no only a Breach of the King's Peace, but a Breach of that Liberty which a Man hath in his House, which we commonly say, should be his Castle, and therefore ought not to be invaded. Bradfrod, lib. 3, t. 3, &c. cap. 33. De Campa.

It is also taken for an Inheritance or Freedom upon the Crown, in the Crime of Homicidium. It includes in it effer de amerciamento pro ingenti hulpe, & contra quem, & contra passum legat, & quod tenenst placent de hominum transgressio in Curia custod. *Thorun, p. 352.* See Homosen.

Homicidium (Homicidium) is the Slaving of a Man, and it is divided into Voluntary and Cafoal. Voluntary Homicidium is that which is deliberated and committed of a let Purpoe to kill. Cafoal is done by Chance, without any Intention to kill. Homicidium voluntary is either with precedent Malice, or without. The former is Murder, and is Felonious Killing, through Malice pre넨pted, or of any Person living in this Realm under the King's Proclam. W. 2 Kar. 2, Symb. 2, lib. 23, &c. cap. 1, &c. 21. Witten, lib. 2, cap. 14, &c. 23, &c. 11. Thores, p. 25, &c. 23. See Homicidium.

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four several Humors, viz. 1. Wealthy, 2. King Him upon Hat, St. Ouffa, and Dommagum, and as many other Humors as he will. In reading several approved Authors and Records, I have observed these following to have been like wise Humors, viz. The Humors of the Earth, of the Sea, of the Indies, of the Coasts, of the Clays, of the Pickle-quick, of the Bulls, of the Ruther, of the Black Barleys, of the Cocks, of the Pigeons, of the Butter, of the Huge Bovines, of the Butchers, of the Irons, of the Metals, of the Wood, of the Snow, of the Ice, of the Stars.

Nay, it is possible the same with Horsegill: which see

Southam-Peckinga are Trees it is called, that have usually been topp'd, and are above twenty Years Growth, and therefore notitable. Plowman, Cap. 4th, fol. 46. 47. 48. 49.

Young, and Old, from the Sacred, Corn, and Salt, signifies a Tax within the Forest, to be paid for Horse-Caves. Comp. Jurid. fol. 172. And to be free of it is a Privilege granted by the King to such as he thinks good. Scrip. of de semi eademid in Egyphi de hekiet consuetud. infra 4. Infol. fol. 326. Et sunt quatis de omnibus Geldis, & Damagii, & Weightis, & Sanguinis, & Horsegillis, & Diploma. Hen 3. Canniclis & Monumiales de Sempingam. See Subspic.

Hoc de sen lac(Fr. i.e. out of his Fees,) is an Exception to avoid an Adition brought for Rent rising out of certain Lands, by him that pretends to be the Lord, or for some Customs and Services: For if the Defendant can prove the Land to be without the Companis of his Fee, the Fees fall. See Different, and Broke, the title.

Hobegam. See Ordinacion.

Godrige, (Fr. Hugard.) anno 33 Ed. 3 cap. 29. Stat. 1. is used for Jus-repos. In some old Books the Word Hugard occurs in the same Sense; and Free Hugards were such as entertained Strangers gratis.

Espres generalis, a Great Chamberlain. Item quod mulitis iuspli scriptum praefatur, & Sec volubus, quantum ad hujusmors portius, omnibus indifferenter hos opificios generali officio, minas, & hujusmodi, & C. Du Cange.

Hosplatares (Hospitallers) were a certain Order, of Religious Knights to call, because they built an Hospitall at Jerusalem, wherein Pilgrims were received. To this Pope Clement the Fifth transferred the Templars, which Order, by a Council held in France, he suppressed for their many and great Misdemeanors. These Hospitallers were otherwise called Knights of St. John of Jerusalem, and are now those we call the Knights of St. John of Malta. Cossan. Gloria mundi, Part 9. Cap. 7. This Confraternity was also obeyed in Edward the Second's Time here in England, and confirmed by Parliament. Wolphagam's Hist. Edw. 3. There are mentioned 13 Ed. 1. cap. 41. and 9 Hen. 2. 67. They had many Privileges granted them by the Popes, as Immunity from Payment of Tithes, & The Lords of the Realms were put into Compromise by Stat. 2 Hen. 8. cap. 24. See Min. Aug. 2 Part. fol. 489.

Hosprarium is the same with Procreation. Et nomine suo legitimato cum quibus omnino Hospitale a muliebri sex, assignato a egra spes, non numeri, sed omnino communi, quod quos Hospitale defere num innumerum, a beati, id est, anvis eorum unam, sacramento, hospitale remittere. Nehebbigins, lib. 4. cap. 14. Brompton, fol. 1192.

Hospitalia. See Hosprarium, & Heretici, maii acquisitam erga Regem de Scarcity o Hofigallo & annis ambo propter anvis auctillum, Pecuniarum, & Presbyteri Habitato, & mon. Angl. 1 Part. fol. 548. 5. Hospiitum is the same with Hofigam. See Profication.

Hosferum, a Hoe, (Fr. Pluca,) an Instrument used mostly by Gardeners, and well known. Et sunt quatis de Amico & Hoiffero, & legibus seclorum, & hominum nostrorum, de accipitrum, & a
The Norman dined first a Puritain with a Cry a After Offenders, as this, which they called Glamor de Haro, of which you may read the Grand Cunman, cap. 54. But it is used alone, Acts 4. Edu. 1. Stat. 3.

In ancient times there was called Butlifinum & GLAMOR. See Col. 2. Part 1. p. 172.


But the Glamor de Haro was not a Puritain after Offenders, but a Challenge of any thing to be his own after this manner, viz. He demanded the thing did with a loud voice, before many Wit- nehlesse, affirm it to be his proper Good, and de- manded Restitution.


Huntarium, Ships to transport Haries, 'Tis mentioned in Heredone by the Name of Wyfer. And Brampen, anno 1500, calls them Offices, in Rec. Tamesis litorum, &c. 8. magnum navem quam vocant Offeres. It doth not appear by Pet. for or Smaller, from whence this Word is derived. Some will have it from the Fr. Bateau, i.e. a Boat; or from the Fr. Buoc or Bouvoir, because where the Sbipboard or the Door or Hatches are fast upon them, to keep our Water.

Hu. See Hill.

Hullum signifies an Hill. 'Tis mentioned in the M. angl. 3. Tom. p. 32. Hemdun & terminum ditum pararum in Hullus & Holmis, &c.


Humile in Specifi. See Aow of servamum.

Humbred (Hundredum, Centuria) is a Part of a Shire to called, either because of old each Hundred found too Fidejusors of the King's Peace, or too able Men for his Wars. But I rather think this to be called, because it was composed of an hundred Families. 'Tis true, Brampen tells us that an Hundred contains Centum Villas; and Giraldeus Cambrensis writes that the Isle of Man hath 244 Villas. But in their Places the Word Words must be taken for a Country Family; for it cannot mean a Village, be cause there are not above 40 Villages in that Island. So where Mr. Lambard tells us that an Hundred is so called, a samum Centum hominum, it must be under- stood of an hundred Men, who are Heads or Chiefs of so many Families. There were first or- dain'd by King Alfred, the 29th King of the West- Saxon. Aedward Rex, (for Lambard, urbe Centuri. 1. qui sum Gurnthurn Dow fide literis, graden- siumfundum haud ulna a Derum Mesh doum fustum cing- um, Angliae primum in Saxonia, Centuriis, & decuriosis, partim eft. Saxoniis, Smy. a Scal- phan, (qui partem significat) nominantur, Centurio, Hundredorum, & Decuriones, Toorich fiu Pec- marent, i.e. Decimaria Collegion appositis, ubi adsum nominam vel hodie vocantur, &c. This di- viding Counties into Hundredy for better Government, King Alfred brought from Germany: For there Ternce, or Centuria, is a Jurisdiction over an hundred Towns. This is the Original of Hundredis, which still remain the Name, but their Jurisdiction is devolved to the Count-Court, some few excepted, which have been by Privilege annexed to the City of London, or granted to Nobles. But they still remain full in the Nature of a Franchise. This has been ever since the Stat. 14 Edu. 3. Stat. 1. cap. 9, whereby these Hundred Courts, formerly $ & $
of the Sheriff to other Men, were all, or the most part, Related, to the County-Court, and so remain at present. Where you read now of any Hundred or County, you must know they are several Franchises, wherein the Sheriff has not to do by his ordinary Authority, except they of the Hundred refuse to do their Office. See Wob., Pos. 1. Symil. lib. 2. fol. 238. As an Hundred 200 Psalms, & as proximus Hundredum 200 Psalm. Serm. Memb. Mon. Angl. 2 Par. fol. 293. 2. The Word Hundredum is sometimes used for an Immunity or Privilege, whereby a Man is quit of a Hundred, or Customs due to the Hundred. See Town and Ward.

Hundreds (Hundredat) are Men impanelled, or fit to be impanelled, or of a Jury, upon any Controversy, dwelling within the Hundred where the Land in Questiion lies. Gomp. Jur. fol. 317. Ann. 35 Hen. 8. cap. 6. It also signifies him that has the Jurisdiction of an Hundred, and holds the Hundred-Court. Ann. 13 Edw. I. cap. 38. 9 Edw. 2. Stat. 2. and 2 Edw. 3. cap. 9. It signifies a Hundred or a Part of a Hundred in the time sometimes used for the Bailiff of an Hundred. Horns. Alter. lib. 1. cap. Del. Office. del. Corner.

Hundred-lagh (from Hundred) and the Sax. Laga, i.e. Leu.) signifies the Hundred Court; from the Office, all the Officers of the King's Court were freed by the Charter of Community, cap. 9. John, Part. I. pag. 2. See Waseat.


Lumnum, Scunthorpe in Northumberland.

Parderchert, also Heredelfe, a Domestick, or one of the Family. From the Sax. Dyepon, Pemale, and Pard, Forniis. Bis in Anno convocatis in hundredam filiis quibusque libris tam Hildrethlici quam foliarii ad dignitatem, & Dei Deam pleno fuer, Leg. H. 1. cap. 8.

Puril, Peril, are derived from the Sax. Dyme, i.e. a Wood, Plump, or Grove of Trees. There are many Places in Kent, Suffolk, and Huntingdon, which begin and end with this Syllable; and the Reason may be, because the great Wood called Aldershaw extended through those Countires.

Purdy's Call is called, because situated near the Woods. So Hurfiga is a Woody Place; and probably from thence is derived Hurfiga, now Hurfig, a Village in Berkshire.
Hastings [sedit & tenens. Fundata enim cras oliris &
afficatae in infra & ad modum & in monimentum
actualis magno treuge, & ulque in biderum dieu
legal, & taxa & dignitates, & libertates legisbi:
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Misfortune, the King shall not have the Coffsby of him.

Stand. Priv. c. 9. F. N. B. 223. If one have so much understanding as to measure a Yard of Cloth, number twenty Pence, or rightly name the Dame Woman, or a Child, he shall not be accounted an Idiot, or a Natural Fool, by the Laws of the Realm. See egy′s 4 Rep. Beverly′s Case.

Johannis inquirendo vit eranumando is a Word directed to the Esquire or Sheriff of any County, (where the King hath Notice of an Idiot, natural

ly born to want of understanding, that he cannot manage his Inheritance,) to call before him the Party suspected of Idocy, and examine him, and to enquire by the Oaths of twelve Men, whether he be sufficiently witted to dispose of his own Lands with Discretion, or not, and to certify accordingly into Court: For the King hath by his Prerogative the Procedural of his Subjects, and the Government of their Lands and Substance, who are naturally defective in their Discretion. Stat. 17 Edw. 2. cap. 23. Reg. of Writs, fol. 267.

Ifodine. Item quod voluus inamortest not deed

Hire, is given to a certain Idemian, who in Mercat′s fuis propris. Pet. 5. Edw. 3. 91. 1 m. 25.

Jenamerin fe facere, Jeanettae fe, To purge

himself by Oath of a Crime for which he is accu-
sa, is to be certifie in 12 Edw. 3. p. 37, where the Word Idemian is taken for Idemian.

Jenemana Fluitans, Blackwater in Essex.

Jeruneum, (Purgatorio per Gianec.) Tha mentioned in Leg. Cami, cap. 7. e(2) Bremston, v. 235. Can be returned to for parey, for quod, & ap-
plication ad. confesse, & for voluntas.


so ed. 16 Jano Smul de Broxured in Cole Herf.


Jenitotive is a Corruption from the Fr. Jenitova, i.e. Jeniefens, and signifies an Oversight in Pleading, or other Law Proceedings. And by the Stat. 32 Hen. 3. cap. 20. It is enabled, That the Jury have once pulled upon the blue, though after wards there was found a Jenitof in the Heading, yet judgment shall be given, according to the Ver-
dict. See Broe kert, Rejudice. A Jenitof is, when the Parties to a Suit have proceeded to fine, and this Pleading or Jenitof is falsely pleaded or joined, or on the Proceedings to defective, that it will be Error, if they proceed. Then some of the first Part

ies might by their Council, there to the Court, which occasioned many Delays in Suits, for Re-

d relief whereof, the Fleet Act, Statute, with others in Queen Elizabeth′s and King James′s, Rexes, were made; and yet the fault not much amended.

Jetif, a Candiaxick, with many Branches: Can-
dialumbra etiam magnum in ubera arenarum quod sive tan-
cant, incant, quia ad Idemian fetas substituere.

Jeter, Jacton, and Notton. (From the Fr.

jetter, i.e. jetere) is any Thing cast out of a Ship, being in danger of Wreck, and driven to the Shore by the Waves, see Floe.

Jewes. (f. 104,3) See Jewen, Ancienly we had a Court of Justice assigned for the Government of the Jewes. See fol. 274. Ann. Pel. Wright, 1705. This word is also obsolete, for it is said in Notman′s Family. As per totum Batoennum quod summo judice definitur in superiori indicium... &c. in testam bulbanae semis, quod summo judice definitur in superiori indicium... &c. in testam bulbanae semis, quod summo judice definitur in superiori indicium... &c.

Jewett, a Person of the Jewish nation; and signifies a Resident from among the Jews, or a Person of the Jewish nation; and signifies a Resident from among the Jews, or professing the Jewish faith. See Testam. 4 Hen. 3. p. 1. m. 10. in Doro.

Jignarius, i.e. the thin white Bread, formerly called Coiled Bread.

Jignenn, lepin, que que le Jignaria. Quare ?

Ils qui deffis finitser unina bonis.

Jignisium. See Carfen.

Jignizamus (i.e. We are ignorant) is pro-

perly written on the Bill of Indulgences by the Grand Enquest, emblazoned on the Inquisition of Caues Criminal and Publick, when they likeless their Resistance, as defective or too weak to make good the Pretentment. The effect of which Word is written in, that all further Enquiry upon that Party for that fault is hereby stopped, and he delivered without further Answere, It hath a Rele-

ance with that Custom of the ancient Romans, where the Judges, when they absolved a Persian accused, wrote of, upon a little Table, provided for that purpose, i.e. Abditum. If they judged him guilty, they wrote C. i.e. Condemnans. If they found the Cause difficult and doubtful, they wrote N. i.e. Non Legavit, non judicavit.

Jernnnees, Street, (Stratae Tenement) is one of the four famous Ways which the Romans made in Eng-

land, taking Name Abetons, who were the Inhabi-
tants of Norfolk, Suffolk, and, in Hampshire, Com.


Jerny, by Controsection an Eight, i.e. a little Island.

Jeter, that ought not, may not be revieved. As Niblos is a Word let upon a Debt In-

volved.

Jernu, to paint with various Colours. Tha mentioned in Bremston, Anno 1765. Isse Epis-
copus libris fictere, Jernuare et figuram non falsifi-

cum.

Jenaro, (Span.) A Stop or Stay, commonly upon Ships, by publick Authority. Anno 18 Cor. 2. cap. 5.

Jenublis or Jemblis. To steal, pilfer, or purloin. Mentioned, Anno 14 Cor. 2. cap. 31.

Jenublora. See Recommunication.

Jembracy. See Embraucy.

Jembrace, (Stat. 32 Edw. 3. 4. j.) embraucy: in Scholen (quod breve vocem) rem confers, re-
digere: scripto bevisuo mandato.


Jempeunt (intermitte or perpetua) is a

thence of Perpetua, or a further Day to put in his Answere. See Broe kert, 1705. Jempeuant is an Old English word of the Written upons the Bloomer, see Benet. Jempeunt is an Old English word of the Written upons the Bloomer, see Benet.

Jempeunt, as Person important or important is he that is induced, and in publication of a Beneficent Beneficent. (f. 64, v. 2. 171) a Dean and Chapter are Persons important of a Benefice appropriate to them.

Jempeunt, or in another word { f. 64, v. 2. 171) a Dean and Chapter are Persons important of a Benefice appropriate to them.

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Jempeunt, or in another word (f. 64, v. 2. 171) a Dean and Chapter are Persons important of a Benefice appropriate to them.
In the Hands of a Lay-Man. And Apprision, when in the Hands of a Bishop, College, or Religious House, though sometimes they are confound-
ed. See Apprision.

Impressavit, See Apprize.

In alto & in baso, See alto & basso.

Impulsi & Impulsi - (Sex.) Vedi Caudo.

In Omnibus, See Omnibus.

Impressis et impressis, See Impressinis.

Impressor, See Impressoris.

Imprimis, 1. a sort of very fine Cloth. Item tunicis de Impressiori dem otheribus rubris & Lambis aureis.

Impressissimus, accursed, accused, Burdened & Phlegatis Civitatis nostre Londini, in scruta negatione, nec omnis collatimur effet omnibus & impacteris. Pat. 18. Edw. 1. p. 1. m. 15. intus.

Impressio, Accusation or Impeachment. As for impeachment unali, or one impeachment only. I. e. where one Impeachment of the Party that not be questioned or accused for any Waite.

Impretation, (Imperatio) an obtaining by Re-

quest and Prayer. It was in our Statutes for the Preserving of Benefices and Church-Offices in England, from the Court of Rome, which did belong to the Queen and Diocesis of our Lord the King, and other Lay Patronage of this Realm. The Penalty whereof was the same with Provisors. 25 Edw. 5. See 35 Edw. 3. Stat. 1. cap. 1.

Imprisonment (Ano 23 Hen. 8. cap. 9.) signifies as much as Imprisoning or Prejudicing. For the Words of the Statute are: To the imprisonment and constraint of their good name.

Impress, (from the Fr. Plaider) to sue, act or prosecute by course of Law.

Implements from (servis, to fill up) are such things as tend to the necessary use of any Trade or Furniture of a House. .

Impo, (Fr.) tribute, Tallyage or Custom; but more particularly it is that Tax which the King receives for such Marchandises as are import-
ed into any Haven, from which they are made. Stat. 15 Hen. 8. cap. 5. And it may be distingued from Cuinum, which is rather that which the King raises from Wares exported; but they are sometime confounded, as being indistinct.

Impo, Money. 2. Money paid at Rising of Soldiers: From the Preposicion in, and Fr. prof. pata-

rota.

Impoabilis is a Word often mentioned in

Mat. Paris. and is signifies inviolable.

Impunity. (Fr.) a Print, Impression; Also the Art of Printing, or a Printing-House. Anno 15 Rich 2. cap. 3.

Impressi, those who ride with, or take part with another, either in his Defence or otherwise: So is often mentioned in Matt. 26. from, viz. partes regis Anglorum fuerunt ultionem illum Impri-

si fieri ob praecellentia redemptorium fui redempti. pat. 35 Rich. 2. in omnibus dominis & Impri-


In the Hands of a Lay-Man. And Apprision, when in the Hands of a Bishop, College, or Religious House, though sometimes they are confounded, See Apprision.

Impressavit, See Apprize.

In alto & in baso, See alto & basso.

Impulsi & Impulsi - (Sex.) Vedi Caudo.

In Omnibus, See Omnibus.

Impressis et impressis, See Impressinis.
INGRATIUS, i.e. Liberty given to a Servant by Manumission. Leg. II. cap. 390. St quisque Christiflorus
ingenius damnum fuerit, et quodquid hominum ad servitium
indulgentiae fuerat, &c.

Ingrat, a rude Mafs of Gold or Silver before it is coined: From the Beligic Ingrat, inundare.

Ingratut, to accuse. See Creatur.

Ingratifat is a Write of Entry, whereby a Man feeks Entry into Lands or Tenements and lies in divers Cales, wherein it hath as many diversities of Forms. See Entry. This Write is also called in particular Proctus quid rehendit, because those are Formal Words in all Writs of Entry.

De Ingratutius fite attinent Capituli, &c. (Reg. of Writ, fol. 235.) is a Write given by the Common Law, to the Successor of him who alienated eum afferas capituli, &c. And is also called from those Words contained in the Write. Cane in Litt. fol. 124. b.

Ingratutus magno Rotuli. See Clerk of the Pipe.

In gross is that which belongs to the Person of the Lord, and not to any Manor, Lands, &c. To Villain in gross, Advenion in gross, &c. Cane in Litt. fol. 120. b. See Clerg.

Ingratutus (indicative) is one that buys Corn growing, or dead Vittuals to sell again, except Barley for Malt, Oats for Oat-meal, or Vittual to Retail; Badging by Licence, and buying of Oils, Spices and Vittuals, other than Fish or Salt. Anim. Str. cap. 12. cap. 14. 3. legit. cap. 25. There are the Words of Wicis Symbol. par. 2. sub Indemnities. fel. 64. But this Definition rather belongs to unlawful Ingratut, than to the Word in general. See Birdshead, and 3 Patt. infra. fol. 157.

Ingratutus is also a Clerk that writes Records or Infratutus of Law in Skins of Parchement; as in Henry the Sixth's time, he, who in now Clerk of the Pipe, was called Ingratutor Magni Rotuli, and the Comptroller of the Pipe was called Duplus Ingratutor Spec.

Ingraffut of a爵士 is making the Indentures by the Chirologus, and the Delivery of them to the Party to whom the Cognizance is made. Fire. Nat. Br. fol. 147. A.

Inheritance (Hereditas) is a Perpetuity in the Lands or Tenements to a Man and his Heirs. Fire. Littleton. Lib. i. cap. 1. faith. This Word is not only understood, where a Man hath Inheritance of Lands and Tenements by descent of Heritage; but also every Fee-simple or Fee-tail that a Man hath by his Purchase, may be called Inheritance, because his Heirs may inherit him. Several Inheritance is that, which two or more hold severally; as if two Men have Land given to them, and the Heirs of their two Bodies, these have Joint- Estate during their Lives, but their Heirs have several Inheritance. Kitter, fol. 155. A Man may have an Inheritance in Title of Nobility, three manner of ways. 1. By Creation. 2. By Deedent. And 3. By Prescription. Inhisitut (inhibito) is a Writ to forbid a Judge from farther proceeding in the Cause depending before him. See Fire. Nat. Br. fol. 39. where he confounds Inhibition and Prohibition. But Inhibition is most commonly a Writ issuing out of a higher Court-Chrifor to an inferior, upon an Appeal. Am. 24 Hen. 8. cap. 12. and 15 Car. 2. cap. 8. And
And Prohibition, out of the King's Court, to a Court-Chiristian, or an Inferior Temporal Court.

Injunction (injunctio) is a Writ grounded up on an Interdictory Order of the Chancellor, sometimes to give Possession to the Plaintiff, for want of the presence of the Defendant; sometimes to the King's Ordinary Court, and sometimes to the Court-Christian, to Stay Proceedings in a Cause, upon Suggestion made, that the Righ't shown, if it take place, is against Equity and Conscience in that Cause. See Writs, Part 4, Symbol, Art. Proceedings in Chancellor. Sel 25.

Innisdard's (inmodus) Alii homines non tenentes integras manus mutuo communicando Innominds ad Amorem, pendere grate in Gratia hinc hinc Domine domino, Hic. Hereof.

Inlagram or Inlagny (inlagis) is a Restitution

of one outlawed, to the protection of the Law, or to the Benefit or Liberty of a Subject. From the See In lagis, i. e., Inlagram. Et ex seque

ram leges patronum alio capere reddat, et ad consa

pernationem adheratur. LL. Canuti Reg. Part. 1, cap. 2.

Inlagni or Inlagny (inlagis) signifies him that is (lagis) in some Frank-plegde, not outlawed

of whom, thus Braden, trull. 2. Lib. 32, cap. 11. Leges laginis non potest, quisque non est judicium, i. e., Inlagnyi, angulique, sed in franco plegdo, seque reddat, et ad consa ne rationem adheratur. Inland, (inland) Terrae dominicilii, pars Manu

nul Dominica, terrae in terras vel inclusa; For that which was let out to Tenants was called Utland. In the Testament of Methuselah, in Liber, Cantab, thus, to pulpex, (par Inland) to Alpege

hac Utland, i.e., Leges terrae Dominicilii Wulfe

go, Tenementes Alpego. Thus Englisht by Lam

bard, 2. Wulf (I give) the Inland of De

menons, and to Celby the Utland or Inlagni. Ex donis suis de free tenentes de Inlanda fec. R. Chart. 16 Hen. 1, m. 6. This Word is often found in Domesday.

Inlaford (in lufdi) intangled or infarred. The Word is found in the Champion's Oath.


Inmastics or those who are admitted to dwell for their Money jointly with another Man, though in several Rooms of his Mansion-House, pulling in and out like one thing, and not being able to maintain themselves; which are inagirable in a Leet. Kitchen, fol. 45, where you may find who are properly Immatics in Tenement of Law.

Inmantum for Stamina, s. i.e. a Plea, In

namum non capiendi nisi pro communi utilitate. Du Cange.

Inomina, an Incolore; From the Sax, Innarn, innu. In an ancient Charter mentioned in Speelman's Gloss we read Sinum me concellis innum erat Mactra


Inomnifragmum, Letters Patent to called, which are always of a Charter of Peacoff, or some other Instrument not of Record, and so called from the Words in the Conclusion, Inomnifragmus per pretesas. An Inomnifragmus & Fidemus are all one. See Page's Case, 1 Rep.

Inun of Court (Hystis Grus) are so called, because the Students therein do not only study the Laws, but live such other laboureable Exercises, as may make them more serviceable to the King's Court. Forfuge, cap. 29. Of thele there are four well known, viz: The Inner-Temple, Middle-Temple, Lincolne's-Inn, and Gray's-Inn. These, with the two Serjeants-Inn, and Eight Inns of Chancery, do atto
gther (to use Sir Edward Coke's words) make the most famous University, for Profession of Law on

ly, or of any one Human Science, in the World. Of this I shall, for Mr. Dougall's Origines Jurisdictionales at large.

Inmundo, from Innus, to beck or nod with the Head) a Word used in Writs, Declarations and Pleasings, and the Office of it is only to de

clare and assert the Person or Thing, which was named or left doubtful before; as to say, he

(Inmundo, the Plainth) is a Thieve, when there was mention before of another Pertron. Inmundo may not enlarge the Sense of the Words, nor make a Supply, or alter the Case where the Words are defective. Blutet's Reg. fol. 44.

Innotre, to cleare one of a Fault, and make him innocent; Et si forum Innocare volet unum
drum in vado yoante. Leges Etheldreda, cap. 10, apud Brompton.

Inoperatio is one of the lawful Excuses to ex

cuse a Man from appearing in Court. In Leg.

h. 51, Cin. 14, 15, et 16, the Law is, that all ad eascunum infra, velit informationem, velit dem summae, velit communandam, velit Regis implicacionem, velit Inoperatio

us confit, that is, on the Days in which all Plead

ings are closed, or in a civissimo jurisdic
cion.
Interpretation, to reduce to Seritude, St ingenios omnium lexum covert; & filia pectoris fuerit Infirmitas, Du Cange. So Infirme tenentes is to subject them to Services. Britton, cap. 54.

or out of Lands; for he is truly said to have an Interest in them. Coke on Littil. 1. 1. 35.

[Interests in Land (Contrafeitures) is exp. 3. which nen enlign contrefeitures, fond aliquid obiter, ad causam pertinentis, decrevit. It is a Decision of such incident and emergent Matters of Law as intervene between the beginning and end of the Cause. Lane, Lact. Juris Canoni. 1. 3. Tit. 15. Stil. 1.]

Interpleader. See Entreplicer.

Interriari, i. e. to Sequestrate or put in a third Hand, c.s. When any Thing is flown, and sold to another, and afterwards demanded by the right Owner of him in whole Possession of it, and it was usual to Sequestrate the Thing to a third Ferriar, which was to keep it till the Buyer produced the Seller, and so on to the Thief. Lyes, Inq. auxd. Brouseton. cap. 27. 525. Leg. Edw. Confessor. cap. 25.

[Interfutures, (Interlase) See Invindicatur. There are two Kinds of them, one that makes no Will at all; another that makes a Will and Executors, and they refuse, in which Case he dies quod in terfasus. 2 Part Inf. fol. 392.

In former Times, he who died Intersequestrated, because his Matt. Paris tells us, he was obliged by the Canons, to leave at least a Tenth part of his Goods to pius Uses, for the Redemption of his Soul, and therefore, who neglected to do, took care of his own Salvation, they made no difference between a Suicide and an Interfutus, as in the one Case, the Goods were forfeited to the King, so in the other they were forfeited to the Chief Lord.

But because it was accounted a very wicked Thing to die without making any distribution of his Goods to pious Uses, and such Cases often happen ed by sudden Deaths, therefore by subsequent Consequences, the Bishops had power to make such Distribution as the Interfutus himself was bound to do, and this was called Eclesiastica rationabilis. Thus in Matt. Paris. Anno 1300. We read, Si quis aliquando morte vel quisque caelorum potestatibus in se de acta se vis differre non posset, distribuium huius eum Eclesiasticum debet arboris: And it was by this Means, that the Spiritual Courts came first to have Jurisdiction in Tertiary Matters.

Inhabit. See Wells.

Interriari. See Entreplicher.

Interriari terrae: To Inn Ground from the Possessor.

[Intrusion (Introito) is, when the Ancestor dies for'd of any Estate of Inheritance, expedient upon an Estate for Life, and then Tenant for Life dies, between whole Death, and the Entry of the Heir, a Stranger does interpose himself and intrude, Coke on Littil. fol. 277. To the same effect is Bradl. lib. 4. cap. 7. Introito et sub quo, in millibus, jus conquest in se nec sequitetur, posseum sequatur unum in predictum, et. See him at Large, and in ibis, lib. 4. cap. 7. Stil. 1. 2. Briton, cap. 65. See Abstinence, Entreplicher, and the Statu 21. fol. 14.]

Intrusions is a Writ that lies against the Intruder. Regil. fol. 224 C.}

[Intrusions is a Writ of Right of Mortgages or Pledges. Confessimus eis nomina alias dispositiones, vendiciones & invasio
ditiones eis rationabiliter fallit. Mon. Angli. 1. 2. fol. 478. 8.]

Insubstantiatus, is when one has been accused of some Crime, which being not fully proved, he is put subj. debito judicature.

[Insubrantia (Insubramentia) is a Lift or Reper-
tory, orderly made, of all dead Mens Goods and Chattels, prized by four credible Men or more, who do not rightfully charge, or have occasion to exhibit to the Ordinary, at such Time as he shall appoint. Web. part 1. Sym. 2. 2. f. 556. where you may see the Form. This Inventory proceeds from the Civil Law; for, whereas by the old Law of the Romans, the Heir was obliged to deliver all the Tefator's Debts, by which means, Inheritance were prejudicial to many Men, as to encourage Men the better to take upon them this charitable Office, ordains, That if the Heir would first make and exhibit a true Inventory of all the Tefator's Substantial coming to his Hands, he should be no farther charged than to the full value of it. Lib. ubi. Codd. de Jure deliberanda.

In Toten fa mur (fr. in the Mother's Belly) is a Writ mentioned in the Register of Writs, and in Anno 12. Car. 2. cap. 24.

Interriari, to verify, or prove a Thing. Si quis ocietatus forens, debe inventitare cum documentis, quod idem saepius & de viva foris faciam occidit. Leg. Inc. cap. 16.

Insub (from the Fr. Insubit) signifies to give possession. Insubiiina prope descriptor quando hostis not aliquid exceptum tradit. A Dumont, says the Insubit. lib. 2. tit. 2. We use likewise to admit the Tenant, by delivering him a Verse or Red into his Hands, and ministering him an Oath, which is called Interriari. Others define it thus, Insubitio est aliquid in se unam introductio, a giving Introductory of Seisin or Possession. In the Church it was the Cofum of old for Princes to promote such as they liked to Ecclesiastical Benefices, and declare their Choice, and the Promotion of the Persons chosen; by delivery of a Pastoral Staff and Ring, which was termed Insubitio; after which they were consecrated by Ecclesiastical Persons.

At first Inventories were made by a Form of Words, afterwards by such Things which had most resemblance to what was to be transferred; as Land passed by the Delivery of a Torf; and that the Trees and all which did grow on the Land might likewise be transferred at the same Time, it was usual to cut a Bough, which was delivered by the Granter, to the Person to whom the Land was granted.

But in After-ages, the Things by which Inventories were made, were not so exactly observed: This appears by lupus. pag. 502. viz. Confessiunum etiam primo unio fraterius modo verba aliquando scripta ut Carthi, tantum cum Domini gladiatoris fidelis et carnis ser et cratia, & inania tenemento sunt carceri, cum figuris, cum arca, & nunnam com Sagitta.

Hecden, pag. 724. tells us, That our King Rich ard, being taken by the Emperor, gave this Kingdom to him, and inventit scio in deo pferilium jam, and that the Emperor immediately afterwards returned the Gift: et inventit scio per duplicem Crimen de auro.


Insubitio (12 Car. 2. cap. 34.) is a particular of the Totes Cofum and Charges, of any Goods lent by a Merchant in another Man's Ship, and configned a Factor or Correspondent in another Country.
JO

IT

Jouer signifies to take effect, or be available; as the Parson inures. Squatul. Pragol. fol. 40. See Note.

Jobber is used for one that buys or sells cattle for others. 50 Edw. 3. 22 & 23 Car. 2. 25.

Jocality. See FEUD. Jocality were the first employed one Audacery, ad Jocalla jux impignora-

unda. Clau. 29 Edw. 1. Praeconia luna Aboar et Monachi (mending) nones quarterm de magni et processi locus(lis in aliis rebus in fiduciali effendorum & funtucum, qui praem pretio passagin inoffens et passi-

tes tramuntarian. &c. In Mem. Sac. de Anno 20

Edw. 3. Tit. Rat. 3. The Word is derived from the Lat. jocum, jocula, and jocala, which seems to

comprehend every thing that delights us; but in a more restrained Sense, to those Things which are

Ornaments to Women, and which in France they call their own, as Ear-Rings, Bracelets, &c. But

Du F assurance tells us, that at Aragon in Spain, the Question was, Whether a Woman's Cloths would

pass by the Devil of her Jewels? And that the Judge upon great Deliberation, and conferring with

other wise of Ornaments they did not pass.

Jocari, &c. To contend with Pikes. Cragm. de

quidam militiae Anglici firessa nimio & vitiolis Jocari-


Jocari cum, in a Deed of Richard, Abbots of Berney, to Henry Lovet, fine dat. among the

Witnessey to it was Willoughby tune Jocari De-

minis Abatais. But in Domesday's said Bovace was

Jocari cum, in a Deed of the Earls of Chester.

Jestet, (Sax.) Praemium, agri calendi potestas.

a little Farm or Manor, in some Parts of Kent a Dithe, as requiring but a small Share of Oxen to

till it. See Dithe.

Jestures. The Covenants of Joining of two in a

Suit or Action against another. Fina. Nat. Br." fol. 188 and in other Places, as appears in the Index, verbo Joyned.

Journey of Hues. See Hues. Journenatis (Simul tenentes, or Simul conjunzioni tenent) are those that come to, and hold, Land or Tenements jointly by one Title prior indicisi, or without Partition. Lisippt. 1. cap. 2. cap. 2. Etiam in appositi parvis quaterendants & repartitionibus, scius quos per non sermum vel per quas non se Manus curatius jocum cucullatuis.

Ec. Anglia Magn. cap. 4. 36.

Jocull. See Jollif and Jollifon.

Joining of Two. See Joyned and Joynedon.

Juxtaposition. A Covenant or Settlement, whereby the Husband aftereth to his Wife, in Respect of Marriage, Lands or Tenements for Term of her Life, or otherwise. It is so called, either because it is granted Exsimion fundum in matrimonii perpetuo et tenementis quos sequuntur et non sequuntur, and one has issue and dies, he or those Journenatis that survive shall have the whole by Survivipathy. Sec. Cod. et Litt. 1. 180.

Juxtaposition is also used as the Abbrev. of Juntenatis. Cods. lib. 3. Marq. of Winchester's Cafe.

Journal, (Fr.) A Diary, or Day-Book. Journals of Parliament are no Records, but Remembrances. They are not of necessity, nor have been of long Conti-

nuation since 1600. See Diary.

Journ-choppers (Anno 8 Hen. 6. cap. 5.) were

Regrators of Yarn. Whether that we now call

Yarn was in those Days called Journ, I cannot say;

but Choppers in these Days are well known to be

Changers. As to chop and change is a familiar Phrase. See Chop-Chirch.

Journi-man (from the Fr. Journeis, i.e. a Day,

or Day's Work) was properly he that wrought with another by the Day; though now by Statute

it is extended to those likewise that covenant to work with another in their Occupation or Trade by the Year. Ann. 5 Edw. cap. 4.

Journs a large, To go at large, to escape, to be set at Liberty.

Jrregularitas, (Irregularitas,) Disorder, going

out of Rule. In the Canon Law it is taken for an

Impediment which hinders a Man from taking Holy Orders; as if he be base-born, notoriously de-

med of any notable Crime, maimed, or much de-

formed, or has confessed to procure another's Death, with divers other.

Irreprovable, or Irreproachable. That may

not, or ought not, by Law, to be espoused, or set

at large upon Sacrifaces. The Difficulties shall re-

main irreproovable. Anno 13 Edw. 1. cap. 2.

Irreprovable, or Irreproachable. A Man

Irish Fluvius, the River Er in Descrip. histr.

Legio Augutus, Cartello in Memorials.

Hecubus, Echec.

Hippolathus (Hippolathus) is a Kind of Fifth-

Gum, brought from Ieland, and those Parts, and is used in Medicines, and by some in the Adulteration of Wine; in which last Life it is

prohibited by Stat. 21 Car. 2. cap. 25.

Hiss (Hiss) hath divers Applications; some-

times being used for the Children begotten between

a Man and his Wife; sometimes for Profits growing from Amenagements or Fines; sometimes for Profits of Lands or Tenements; (Wiston e. Anno 13 Edw. 1. cap. 19) sometimes for that Point of Matter de-

pending in Suit, whereon the Parties join, and put

their Cause to the Trial of the Jury. And in all

these it has but one Signification, which is an Efect of a Cause preceding it, in the Efect of the

Marriage, the Profits growing to the King or Lord from the Punishment of any Man's Of-

fence is the Efect of his Transgression; the Point

referred to twelve Men is the Efect of Pleading or Proceed. issue, in this last Signification, in either

General or Special.

General Issue seems to be that whereby it is re-

ferred to the Jury to bring in their Verdict, whether the Defendant have done any such Thing as the Plaintiff lays to his Charge. For Example: If it be an OFFENCE against any Statue, and the Defen-

dant pleads not culpable, this being put to the Jury it is called the General Issue. See DataTable and Student

vat, 1584. 6. The Special Issue then must be that where Special Matter being alleged by the Defen-

dant for his Defence, both Parties join thereupon, and to give either to a Demurrer, if it be Special

Issue, or to a Plea in Bar, if it be General. See

Journ. 4 Hen. 8. cap. 3. See the New Book of

Entry, words Hiss, and 1 Edw. cap. 12. See Exon.

Irregulars, (Irregularis; i.e. that takes a Jour-

ney,) Those were anciently called 

Hecubus, Echec.
rare who were sent with Commission into divers Counties, to hear such Causes specially as were relating to the Crown; and the Journey they themselves were called Hera. See Jurisprud. in Eqra.

vatum, Although in Sordnre.

Terns, the River Glen in Cumberland.

Turbly was inflicted by Justinus VIII. in the Year 1300, who granted a plenary Indulgence and Remission of Sins to all those who should visit the Churches of St. Peter and St. Paul at Rome in that Year, and stay there fifteen Days: And this he ordered to be observed once in every hundred Years, which Clement VI. reduced to fifty Years in the Year 1350, and to be held upon the Day of the Circumcision of our Saviour. Urban the IVth, in the Year 1389, reduced it to every thirty three Years, that being the Age of our Saviour. And that every Age might partake of this Benefit, Sixtus VI. Anno 1475, reduced it to every twenty five Years.

Here in our Kings, viz. Edward II. caused his Birthday to be observed in the Nature of a Ju

bilee, when he was fifty Years old, and not before or after.

And this he did by releasing Prisoners; by pardoning all Offences, except Treasons; and by making Good Laws, and granting many Privileges to the People. And because when a Jubilee was first instituted, it was ordered to be observed every hundred Years, therefore

Turbly disagreed afterwards. Man one hundred Years old, and likewise a Penance or Pecession for fifty Years. Si aegor non invincet, in sanctum congregat de sanctorum, &c. & sub initio

futurum mundi, sine intermissione manus in extremum. De Frenet.

Judith, (Judithum, the) Cummam, Religion, or Rights of the Jews: Also the Income hereata

fore according to the King from the Town; for a find in several Charters, Judithum infra fum. Anglia. Allo the Place or Street where the True live, as in Hiflor. Oxfam. fil. 132. And Petru Judaflour for the Odo-Jury in London. This Word was often used by the Way of Exception in old Deeds, as, Scenst,lund ago Rogerus de fustri dedit Williamus Harding pro tribus maris argus, nonem crucifam, Habend. de me & heredibus mei just & heredibus ejus ut eum affiliarunt; & eum heredibus edendos, quosque ad grandissi

mum crucifam dare, liquidam, &c. &c. ut, invicem, vel aliquot modo affectaneos, in quacumque statu libertate, integritate, bene & in pace, ex cepta religione & Judithum, O. Sin ditre. The Saxon jurisdiction in Spain by the Treaty 632 Ed. 2. at which Parliament the King had a Fifteenth granted him pro specia Judicium.

Judicium was adversity used for a Mortgage.

Pre hac autem donationem dicatur mibi d. Edw. Adf. & Comites I. Ser. ad acquisitam terram pro

dictam de Judicium, in qua sui impignoratus pro Rob 

frome meum, &c. Ex magno Rot. Pipa, de An

no 9 Edw. 2.

In England, in former Times, the Jews and all their Goods belonged to the chief Lord where they lived; and he had such an absolute Property in them, that he might sell them for he had not Liberty to remove to another Lord without Leave. That Trade which they exercised in the Year 1340, God. where we read that Henry III. sold the Jews to Earl Rich

hard his Brother for a certain Term of Years, that quia Rex excelsororum, Comes ejusfideratur.

These were afterwards joined to the Chiefmarche both living and dying, for they had proper Judges and Courts, wherein their Causes were decidec; and

they were a Badge on their outward Garments upon the Breast in the Shape of a Table, and were worn by their Children. They were founded by Henry III. They were never buried in the Country, but brought up to London, and there buried without the Walls. But Henry I. gave Leave that they might be buried without the Walls of any other City.

Judicium is also taken for the Manion or Dwelling-place of the Jews in any Town; at Wige

num, crusil & Jurisdiction, & Judicium everit. Kif

hangor, pag. 625. And it sometimes signifies Uni

53; Empl. suis grangian, &c. & Domus obligata

in magna debita in Judicium. Not. 1 Tom. page 534.

Judicium. In Chyprefe, to be Judge of a Town, is to serve at the Lords Court on the Jury. Sir P. Litch afirm. fil. 302.

Judicium, (Judicium, quae dicitur, the) very Voice of Law and Right; and therefore Ju

dicium signum per certa actibus significat. The ancient Words in, Jurisdictiones are very Significant: Confere

sum with, &c. because Judicium is ever given by the Court upon Consideration had of the Record before them, and in every Judicium there ought to be three Judges, names, Judges, & Jurisdictiones, some are final, and some not. &c. See Cap. 3 on Litt. fil. 39. a

Judicium or Trial by the Holy Cross was a Trial in Ecclesiastical Causes, in the long since

among our Saxon. See Crosse Church Hiftors, fil. 960.

Judicium spiritus. So Polybius Virgil calls Empl

sum and Doctor, who were employed by Henry VII. for taking the Benefit of Penal Statutes, and were put to Death by Henry VIII. See Lord Herbert's Hen. 8. fil. 5, 6.

Judicium sometimes signifies Discipline or Punishment inflicted by the Monks on a Delinquent. Si passes unum negotium in cursu, in proxima capi

sula cap. dixit, Judicium sufragii muni & specimium in punctum, &c.

Judicium Dei, the Judgment of God. So our Ancillers called those now prohibited Trials of

Ordeal, and its several Kinds. Si fui super deor meus nepos, Judicio Dei, feli. Agam ut ferre, serio de


Judicaties for Brigantes.

Judicium terrae, a Yoke of Land, in Domefay, contains a Half-Plowland, nine, Ods teneo de Episcopo nonum Judicium terrae, & of dimid. Carminit. So also

Judicium in Chyprefe, in Omea Thum. Oma, & nonum Judicium de Herc, i.e. The Rent of a Yoke of Land, and another Yoke of Land to plough, sale 760.

Judicia, (from Janus,) a Soil or Ground where Rubles grow. Goke on Litt. fil. 5, Com missio, Episcopio nonum Judicium terrae, & of dimid. Carminit. So also

Judicia in Chyprefe, in Omea Thum. Oma, & nonum Judicium de Herc, i.e. The Rent of a Yoke of Land, and another Yoke of Land to plough, sale 760.

Jura Regalia. See Regalia. See Regalia. Anno 3 & Edw. 6. cap. 30.) as the Mayor and Jurat of Maidstone, Rye, Win
defy, Toneter, &c. are in the Nature of Aldem

men, for Government of their several Corpora

tions. The Name of the Title is taken from the French, where (among others) there are Major & Jurati Sup


20. fil. 11. pag. 350. So Trefy hath a Bailiff and 12. Jurats, or Town Attillants, to govern the Island. The Title of which they are very Significant of, as Bailiff, 24. Jurats, and the Commonalty thereof, by Chal
ter, Dat. 25 Feb. 1 Edw. 4. See Hift. of Imbarking

and
and Drawing, fol. 24, b. Jurates is also sometimes taken for Juries, as in 13 Edw. 1, c. 256.

Jurisdiction (Jurisdiction) is an Authority or Power which a Man hath to do Justice in Causes of Complaint made before him. Of which there are two Kinds: the one which a Man hath by reason of his Fee, and by Verence thereof does Right in all Points concerning the Lands of his Fee: the other is a Jurisdiction given by the Prince to a Bailiff. Which Division I have in the Common Law of Normandy, cap. 2, which is not unfit for the Practice of our Commonwealth; for by him they call a Bailiff, we may understand all that have Commission from the Prince to give Judgment in any Cause. See Sir Ed. Coke's Pronumium to his 4th. Jurl. It is a Jurisdiction of a Write which lies for the In- cumbent, whose Predecessor hath alienated his Lands and Tenements. The divers Uses whereunto, see in Eic. R. Br. fol. 48.

Jury (Jurati, from Jurare. To swear) signifies twenty four or twelve Men, sworn to enquire of the Matter of Fact, and declare the Truth upon such Evidence as shall be delivered them, touching the Matter in Controversy, or the Party and Party, and who may be impannel'd, see F. N. Br. fol. 163.

There were two Manner of Trials in England, one by Battel, the other by Affix or Jury. See de Plea & Repar. Angl. lib. 2, cap. 6, 7, where a third, called by Fortun. 39, 40, by Affix (in the old Action Civil or Criminal, Publick or Private, Personal or Real) is referred for the Facts to a Jury; and as they find it, so passeth the Judgment: which by Bredon (lib. 2, cap. 7) is called Regule beneficium, &c. This Jury is not only used in Circuit of Justices, but also in Courts, and Matters of Office; as, if the Coroner enquire how a Subject died, and to his End, and in an Ex- quisition, the Justices of Peace in their Quarter-Sessions, the Sheriff in his County and Town, the Bailiff of an Hundred, the Steward of a Court, the Chief Baron, they enquire for any Offence, or decide any Cause between Party and Party, do it by the same Manner. So that where it is said All Things are tried by Battel or Affix, Affix in this Place is taken for a Jury or Eupshile, im- panneled upon any Cause in a Court where this Kind of Trial is used. This Jury, though it per- tains to most Courts of the Common Law, yet is it most notorious in the half-yearly Courts of the Justices of the Great Affix, and in the Quarter-Ses- sions, where it is usually called a Jury, and that in Civil Causes; whereas in other Causes it is other- wise termed an Eupshile, and in the Court-Baron the Homage, or a Jury of the Homage. In the Gene- ral Affix there are usually many Jurors, be- cause there are many Causes, both Civil and Criminal, commonly to be tried; whereas one is called the Grand Jury, or Great Eupshile, and the reft Petio Jurors. Whereby it seems there should be one for every Hundred. Lamb. Eneum. lib. 4, cap. 3, pag. 384.

The Office of Jury consists ordinarily of twenty four Good and Valiant Gentlemen, or Tenementum privatum, the better Sort of Yeomen, chosen indiffer- ently out of the whole County by the Sheriff, to consider all Bills of Indictment preferred to the Court, which bills are either drawn by writing upon them Bills oner, or dissever by writing Inscri- ptions; such as they approbe, or find, as they term it, if they touch Life and Death, are farther re- ferred to another Jury, because the Cause is of such Importance; but others of less Moment, in Tres- pass or for Misdemeanors, are, upon their Allow- ance, without more ado, tried by the Bench, ex- cept the Party then present, to the Judgment, or chal- lenge it for Insufficiency, or remove the Cause to an higher Court by Certiorari; in which two former Causes it is referred to another Jury, and in the later transmitted to the higher Court. Lamb. Eneum. lib. 4, cap. 7. And presently upon the Al- lowance of this Bill by the Grand Eupshile, a Man is said to be indicted, such as they challose are delivered to the Bench, by whom they are forthwith cancelled.

The Petit Jury in Criminal Causes consists of twelve Men at least, and being impanneled, do bring in their Verdict either Guilty or Not Guilty. Whereupon the Prisoner, if he be found guilty, is said to be convici, and accordingly afterwords receives his Judgment and Condensation, or otherwise is acquitted. Tho' that pays upon Civil Causes real, are so many as can conveniently be had of the same Hundred where the Land or Tenement in Question lies, or four at the least. And they, upon due Ex- mination of the Matter, bring in their Verdict. Of this Subject Sir Ed. Coke's is the best. Fortun. cap. 25, 26, 27. According to which, Judgment passith afterwards in the Court where the Cause first began; and the Reason hereof is, because these Justices of Affix are in this Case, in the Face of the Country, only to take the Verdict of the Jury by Certificate of the Court called Nisi prius, and to return it to the Court where it is depending. See Nisi prius and Eupshile. Mr. Sorrin. law, in his Di Angl. gentis et rea., derives the Origin of our Jury from a great Antiquity. Quod aetatem Iniustius (Agrippa) dictor duxdum regni praefectis, et si quis, &c. Jur. reales sinceris, & prope iurisdictum in populum, proponuntur, &c. Hooke, hoc juris legum apud nos, fatis tenaciida connotatis invidiae, quod aetate juris- tris uiris, quam patriae servare, & juris dictum, ut iuris dicto ueniremus, ut a juris dicto clarem, ut iuris praebendis, participes con- to, & dicamus. And thus our Petit Jury was anciently called Dodenm-civale Juridicum.

We read it likewise in the Laws of the King as bel- lowed, made by him at Wintagen, a Town in Berkshire, vi. Hanc consuetudinem in Anglia Wintagen, &c. at convent primo duxdum Thongl, perfigi huius juris dicti., &c. &c. Hac consuetudinem quis eis habuerit in mentem quod nun- unus innocens velit accerere vel maxima constelare. 'Tis true, we may seem to intend the Number of the Judges, and not of the Jury: But the Jury themselves in some Causes are Judges, that is, they are Judges of the Fact, and the Judge is bound to give sentence according to their Verdict of the Fact.

Jus Exonum (the Right of the Crown) is Part of the Law of England, and differs in many Things from the General Law concerning the Subject. Vide Case on Limit. (lib. 3, c.)

Jus Communistum Anglie. See Curtiss of Eng- land.

Jus Duplicitatum is where a Man hath the Possession also as a Property of any Thing. Brack. lib. 2, sect. 4. cap. 62.

Jus Patronatus is the Right of presenting a Clerk to a Benefice. See the New Book of Entries, sect. 2. Jurata Patrona in Sacerdotum, lib. 465.

Jus, a certain Measure of Liquids. Latin. Sylis. Jus mitis. It was accounted as much as was X x

sufficient.
sufficient to drink at once. Persip. & frater est disd. doas; Jutfas de cruxit. Monsfl. V. Tom. pag. 149.

And probably from hence we derive the Word Jujfes.

Jujfes (Er. Jujfes, i.e. Djuerobs, Lat. Juves) were Contentions between Martial-Men and Persons of Honour, with Spears on Horse-back, by way of Exercises, and highly. Ann. 24 Hen. 8. cap. 15. Edition Regis Edw. 1. præhabens sub forf. jujfes sanctam quas jujfes: jujfes, quod non fermentum; Berced., Adventus Regnis. Jujfes fijant fus ad arma prælantum sive Legit. Regis. Pat. 29 Edw. 1. Exell 101. See Treatment. And it differed from Tournaments as Species both from Games; because Tournaments were all Sorts of Military Contention, and confined of many Men in Troops: But Jujfes were usually between two Men, and no more.

Jujfes (Jujfes) signifies him that is deputed by the King to administer Jujfes, and do Right by way of Judgment. The Reason why he is called Jujfes, and not Judex, is, because in ancient Time the Latin Word for him was Jujfes, and not Jujfes: He is generally called Judex. He deputes two Jujfes, ecco et Hveden, fol. 419. 2. Secondly, because they have their Authority by Deputation, as Delegates to the King, and not by Judicature; and therefore cannot depute others in their stead, the Jujfes of the Forfe only excepted, who have that Liberty especially given him by the Statute 32 Hen. 8. cap. 37. For the Chancellor, Martial, Admiral, and such like, are not called Judicaries, but Jujfes.

Of the Judges we have divers Sorts in England; the Manner of their Creation, with other Appurtenances, read in Estus, cap. 51. Thefe in Mag. Charta., cap. 12, and other Statutes, are called Jujfes.

Jujfes (Chief) of the King's Bench (Capitallis Jujfes vel Jujficiaryi Bani Regis, vel ad Placita coram Regis tenenda) hath the Title of Lord whilst he enjoy his Office, and is called Capitallis Jujficiaryi, because he is the Chief of the Jujfes. His Office is specially to hear and determine all Pleas of the Crown, that is, such as concern Offences committed against the Crown, Dignity, and Peace of the King, as Treason, Felony, Maiem, and such like, which you may see in Braden. lib. 3. traft. 2. per curiam, and in Stent. Pleas of the Crown. He also, with his Assistants, hear all Personal Actions incident to his Jurisdiction. See Sir Edw. Coke's 2d. J. L. fol. 749. Whereby, the Chief Jujfes of this Court was anciently created by Letters Patent, but now by Write, in this Form:

Jujfes (Chief) of the Common Pleas, hath also the Title of Lord whilst he enjoy his Office, and is called Dominus Jujficiaryi Communis Plac. ten. vel Dominus Jujficiaryi de Bano, who with his Assistants did originally, and do yet, hear and determine all Causes at the Common Law, that is, all Civil Causes, as well Personal as Real, between common Persons, wherefore it was called The Court of Common Pleas. In Difladition from The Pleas of the Crown, or the King's Pleas, which are special and appertaining to him only. This Court was, and is, pointed to be in a fettled Place, and not as other Courts, to follow or attend the King's Court or Palace, as appears by the Stat. 9 Hen. 5. cap. 11. O. N. fol. 164. The Chief Jujfes's Oath, see 18 Edw. 3. stat. 4. Thus Braden. lib. 3. cap. 7, tells us, that Jujficiaryi omni, ali quos persecuti erit, nec habitationem fiat in Bano, domino et regis, occupiter, etc. terminantes, etc.


Of the ancient Dignity of this Chief Jujfes, tims Lib. niger 51. cap. 4. In Statuas vestig. ino, & praefet, primus in regno, Capitallis, jujficies Jujficia. In the Time of King John, and other of our ancient Kings, it often occurs in Charters of Privileges, Read nos præstare sedendis, sibi coram nobis vel Capitallis Jujficia suos. The Oath of the Jujfes, see in the Stat. 16 Edw. 3. stat. 4, and in Origines Jurisdictionum, a Catalogue of all the Lord Chief Jujfes of England. See King's Bench.

He had formerly that Power-alone, which afterwards was distributed to three other great Magistrates, that is, he had the Power of the Chief Jujfes of the Common Pleas, of the Chief Baron of the Exchequer, and of the Master of the Court of Wards. He usually sat in the King's Palace, and there executed that Office which was formerly performed by the Chief Jujfes of the Common Pleas; but the Chief Baron of the Exchequer, and the Master of the Court of Wards, he usually sat in the House of Lords, in the Judges' Chamber, and there executed those Offices which he had held once.

He had that Prerogative to be Vicerogent of the Kingdom, when any of our Kings went beyond-sea, and was usually chosen to this Office out of the greatest of the Nobility. But his Power was first diminished by Richard I., who made two other Judges, and conjoined to each a distinct Jurisdiction, viz. to the North Parts of England, and to the other South. And thus it continued till the Beginning of the Reign of Edward I., who reduced them to one Court. And that wise King considering that some former Chief Jujfes made use of their Power in Prejudice to his Father and Grandfather, did farther diminish their Authority, both as to the Dignity of their Persons, and Extent of their Jurisdiction; so no more were chosen out of the Nobility as formerly, but out of the Common People, who were Men of good Morals, and skilful in the Law. And now began the Study of the Common Law, and not before; and the Chief Jujfes was no longer filed Capitallis Anglica Jujficiaryi, but Capitallis Jujficiaryi ad Placita coram Regis tenenda, &c.

Jujfes of the Serjeants (Jujficiaryi Serjeantes) is also a Lord in the Office, and has the Hearing and Determining all Offences within the Forfei committed against Venion or Vert: Of these there are two, whereas the one hath Jurisdiction over all the Forei on this Side Town, and the other over all beyond. The chiefest Point of their Jurisdiction confists in the Articles of the King's Charter, called Charter of Forfei, made 9 Hen. 3. See Common. Com. Stat. 1154. The Court where this Jujfes sits is called the Jujfes of the Forse, and is held every three Years. See Masonius, par. 1. pag. 131, & 154. He is also called Jujfes in Tyrus of the Forse. This is the only Jujfes that may appoint a Deputy by Stat. 15 Edw. 3. fol. 99. 8c 160. The Chief Jujfes of the Hundred, Jujficiaries Hundred. Erat usus Hundred Dominium, qui & Centurio & Tenen- turibus, Hundredzfoque Aldernmanum appellatur offic. Pret- creat usus Hundredzfoque, esconomique de casis majestatis, que in eadem metra submitur. Specim.}

Judges

Justices of Labours were Justices appointed in former Times to redress the Injustices of Labouring Men, who would either hide, or have unmercifully Wages. Ann. 21 Edw. 3. cap. 1. 25 ejusdem, cap. 8. and 31 ejusdem, cap. 6.

Justices of militia in all now one with Justices of Affairs: For it is a common Adjudication of a Cause in the Common Pleas to put it off to such a Day, nisi pro me Justiciariiimmune ad causas et partas ad capitaniam affrater. Upon which Clause of Adjudication they are called Justiciarii nisi prius, as well as Justiciarii of Affairs, by reason of the Writ or Action they have to deal in. Their Commission you may see in Camp. Jurif. ed. 204. Yet he makes this Difference between them; because Justiciarii of Affairs have Power to give Judgment in a Cause, and Justiciarii of nisi prius only to throw the Cause over to the Verdict. But in the Nature of both their Functions, this seems to be the greater Difference, that Justiciarii of nisi prius have Jurisdiction in Causes Personal, as well as Real; whereas Justiciarii of Affairs, in Br. A. Actions, deal only in the Difficult and Curious Writs, called Affairs. Civil.

Justices of Oyer and Terminer (Justiciarii ad judicandum et terminandum) were Justiciarii deputed upon some Special or extraordinary Occasion to hear and determine some particular Causes. Fitz. (in his Nat. Br.) faith, The Commission of Oyer and Terminer is directed to certain Persons, upon any Information, because Dememor or Trespas committed. And because the Occasion of granting this Commission should be maturely weigh'd, it is provided by the Statute 3 Edw. 3. cap. 2. That no such Commission ought to be granted, but that they shall be dispatched before the Justiciarii of the one Bench, or the other, or Justiciarii Erranti, except for horrible Trespasses; and that by special Favour of the King. The form of this Commission see in Fitz. Nat. Br. ed. 170.

Justices of the Peace (Justiciarii ad Paxam) are certain Judges of a Popocordini Court, of most transcendent Jurisdiction, held under the Bishop of Durham at a Fair on St. Giles' Hill, near that City: Verus in his Letter it is granted by King Henry the Second and Edward the Fourth. Epist. episcop. Wynae & successores suis, ad tempus quo, et Justiciarii suis, quos vocamus Justiciarii Pavlions, cognoscit placitum & ulterum negotium cadam Forti Durante, non amicis poporum & sucessionem predec. Cynonis supernae Wynae, pro certa tempora Forti Libris, & omnibus aliquos libertates, immunitates & amicissimus beneficia, &c. See the Statutes at Large in Br. B. ed. 4, Nat. Br. ed. 170.

Justices of the Peace (Justiciarii ad Paxam) are those who are appointed by the King's Commission to attend the Peace of the Country where they dwell, of whom some, for Special Relief, are made of the Gouram, because Business of Importance may not be dispatched without the Presence or Affent of them, or one of them. See Gouram. The Office and Power of these is various, and governed upon severer Statutes, too long to be quoted. They were called Guardians of the Peace till the thirty-sixth Year of Edward the Third, cap. 12, where they are called Justiciarii. Lamb. Eron. lib. ii. p. 102.